Column1	Source of Comment	Topic	Comment	Response	Category	Notes	Column2
1	Aaron Bennett	1.3.1 Project Purpose, Need and Benefits - Background and History and	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the intrusion of those who would destroy our environment "	Land Use, Planning and Zoning- SDEIS 3.8.2	2		Key: (1) No Longer Applicable (2) Refer to SDEIS (3) Refer to Issues Conference Exhibits (4) No Substanitve Issue Raised / No Response Required
2	Aaron Bennett	3.2.2 Surface Water Resources - Potential Impacts	Using GIS and overlying a map of the project site, we estimated that roughly 20 percent of the Giggle Hollow watershed would be impervious, if this project goes through. Giggle Hollow Brook is a class B trout stream with recommendations by DEC to be upgraded to a trout spawning stream. A similar situation exists for the tributaries of Emory Brook watershed that drains wildacres portion of this project. Mitigation efforts 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 because Giggle 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 a brook trout or stone flies, found in this or other five class B streams draining this project site is a violation of the Federal Clean Water Act.	n/a	1		
3	Aaron Bennett	3.2.2 Surface Water Resources - Potential Impacts	Also provided in the DEIS, are the watershed areas of Giggle 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 Giggle Hollow watershed would be impervious. Giggle Hollow Brook 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.	n/a	1		

4	Aaron Bennett	3.2.2 Surface Water Resources - Potential Impacts	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 Giggle 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.	n/a	1		
5	Aaron Bennett	3.2.2 Surface Water Resources - Potential Impacts and 7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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.	n/a	1		
6	Aaron Bennett	3.8.4 Visual Resources and Aesthetics - Visual Resources and Appendix 21 - Visual Impact Study	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	Visual Impacts- SDEIS 3.6;	2		
7	Adelinda Hyde	3.5. Terrestrial and Aquatic Ecology	The wooly adelgid is an aphid which feeds on eastern hemlocks. It can kill a hemlock tree in a year, a stand of hemlocks in five years. It is already around the Ashokan Reservoir, the Neversink Reservoir. It is coming up the Valley. It has been seen in Shandaken. It is carried by the wind, small mammals and birds. If you go in at a higher elevation and start logging an area of 529 acres, you are opening the interior forest to be infested by these insects. There is no control at the moment for this particular insect. As it goes from tree to tree and kills them, the trees will certainly create more erosion and the water temperatures will go up and you will lose the trout in the inland streams. [comment is part of a statement made at the public hearing on 1/14/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
8	Adelinda Hyde	3.5. Terrestrial and Aquatic Ecology	Now, one of the things that has kept this insect at bay is the fact that there is a buffer up the corridor along the Esopus Creek and from the Esopus Creek up so that it moves slowly. You have a wind buffer. The migrating birds come through and don't necessarily go into the inner forest. As they do, they drop these creatures and so the inner forest is preserved. The inner hemlock forest has been preserved. You start opening acreage and that may not be the case. [comment is part of a statement made at the public hearing on 1/14/2004]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		

9	Adelinda Hyde	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	It has been supposed by many of my neighbors and people in the surrounding area that this was a plan that had gambling behind it. I think Crossroads Ventures has been counting that gambling will come to Ulster County. And unless gambling does come, I don't see how this, a resort this size, could actually be sustained. There are three large mega hotels south of here in Sullivan County. One has totally failed, the other two are struggling. What Sullivan County is trying to do to revitalize themselves and revitalize these hotels, which have golf courses and indoor pools and outdoor pools and restaurants is gambling. They are bringing in gambling. And this is opening the door to another whole issue of gambling in our community. [comment is part of a statement made at the 1/14/2004 public hearing]	FEIS 2.0	2		
10	ADK Mountain Club	3.8.2 Adjacent Land Uses and Community Character	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.	Issues Ruling 19	3		
11	ADK Mountain Club	3.8.2 Adjacent Land Uses and Community Character	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 states that the "largest threat to Wilderness character is from recreational overuse on the Slide-Cornell-Wittenberg-Woodland Valley-Panther-Giant Ledge hiking complex."	Issues Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	3		
12	ADK Mountain Club	Appendix 21 - Visual Impact Study	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.	Visual Impacts- SDEIS 3.6;	2		
13	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	DEC's Final Scoping Document states that the "analysis of secondary and cumulative impacts shall include effects on Forest Lands, and the added visitors to Forest Preserve Land." 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 LJMP 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 the areas of the Catskill Forest Preserve	Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		

14	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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. The draft DEIS should address the impact of the number of visitors to the Resort on the carrying capacity of surrounding Forest Preserve lands	Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
15	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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. 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 as 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."	Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Land Use, Planning and Zoning- SDEIS 3.8.2; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
16	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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 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.	Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Issues Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
17	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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 I, 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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		
18	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		

19	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
20	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Impacts	Upon reviewing the Crossroads Ventures DEIS for the Belleayre Resort at Catskill Park, there are 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.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
21	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Impacts	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	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
22	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Impacts	Visitors can access the network of tails 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.	Comment does not raise any substantive issues / no response required;	4		

23	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Impacts	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. The areas are already very popular with hikers and other outdoor enthusiasts. Additionally, the Dry Brook Ridge Wild Forest would be just a short drive from the Resort on Route 28	Comment does not raise any substantive issues / no response required;	4		
24	ADK Mountain Club	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action and 3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	DEC's Final Scoping Document states that Section 3-83 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." 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 Belieayre 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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS; Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
25	Algernon Reese	3.8.4 Land Use and Community Character Visual Resources and Aesthetics	I looked at the maps carefully that the Gitter proponents had here at the first meeting and they identified some of the areas where the project would be visible, but I think they’ve left some out. One of the most significant visual impacts is the long view as you’re coming down the hill above bread alone on Route 28 just where Laurel Road comes in from the east. If you look towards the Catskill peaks, you get a distant view about seven layers in depth, and the project would be prominently in that view corridor. [comment is part of a statement made at the public hearing on 2/19/2004]	Visual Impacts- SDEIS 3.6;	2		
26	Algernon Reese	3.8.4 Land Use and Community Character Visual Resources and Aesthetics	The project would be visible from almost all of the cross country ski trails, and that was not identified as a visibility area. [comment is part of a statement made at the public hearing on 2/19/2004]	Visual Impacts- SDEIS 3.6;	2		
27	Algernon Reese	3.8.4 Land Use and Community Character Visual Resources and Aesthetics	Will the golf course be lit at night? [comment is part of a statement made at the public hearing on 2/19/2004]	Visual Impacts- SDEIS 3.6; Lighting, Landscaping and Signage- SDEIS 2.8.11;	2		

28	Anne-Marie Johansson	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	I have to say, I feel we're being targeted with a development of this size because we do not have adequate plans and controls in place and that developers of this type specifically look for opportunities like this where they can come in and make their moves before people can mobilize and before the laws or guidances on the books to control that type of development. So I think we have to be – continue our good efforts here, that we've seen so much support from the community, come out and so many people very articulately explaining what their vision is for the towns and what it is not, and I would like to see scoping sessions continue in Shandaken and Olive to continue to define what our vision is for our towns, and not have someone roll in here and define it for us. I think that's very important, not just as a reflection to someone who has come in with their idea of what's perfect for them. Because let's face it, this is just a money-making scheme for the developer. This has nothing to do with what they think is best for the people of the town. This is what's best for their bottom line. [comment is part of a statement made at the public hearing on 2/19/2004]	Socio-Economics- SDEIS 3.9; Project Benefits- SDEIS 1.3.G;	2		
29	Appalachian Mountain Club	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and 3.8.1 Land Use and Community Character - Existing Use of the Site	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. 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	Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10 & 11	2		
30	Appalachian Mountain Club	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character and 3.2.2 Surface Water Resources - Potential Impacts	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Surface Waters- SDEIS 3.1; Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
31	Appalachian Mountain Club	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	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.	Visual Impacts- SDEIS 3.6;	2		
32	Appalachian Mountain Club	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	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.	Lighting, Landscaping and Signage- SDEIS 2.8.11; Mitigation- SDEIS Section 3; Appendix 1; Noise- SDEIS 3.9;	2		

33	Audubon New York	general	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.	Traffic- SDEIS 3.5;	2		
34	Audubon New York	3.2.2 Surface Water Resources - Potential Impacts	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
35	Audubon New York	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	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.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
36	Audubon New York	3.5.3 Terrestrial and Aquatic Ecology - Wlidlife	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. 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.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
37	Audubon New York	3.5.3 Terrestrial and Aquatic Ecology - Wlidlife	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.	Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10 & 11	2		
38	Audubon New York	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	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.	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

39	Audubon New York	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	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.	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
40	Audubon New York	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	[continued from comment above] 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.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
41	Audubon New York	5.3 Alternative Layouts	We believe there are better alternatives to this project which have not been considered seriously by the developer and the State DEC. 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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
42	Barbara Silver	2.4 Operational Stage Activities	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. [comment is part of a statement made at the public hearing on 1/20/2004]	Comment does not raise any substantive issues / no response required	4		
43	Barbara Silver	2.4 Operational Stage Activities	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. [comment is part of a statement made at the public hearing on 1/20/2004]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

44	Bob Nussbaum	3.10.1 Socio-Economic Setting - Existing Conditions	The other day 1 took perhaps my 5,000th trip down Route 28, 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; fat 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.	Comment does not raise any substantive issues / no response required	4		
45	Bob Nussbaum	3.10.2 Socio-Economic Setting - Potential Impacts	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.	Comment does not raise any substantive issues / no response required	4		
46	Brian Shapiro	3.10.2 Socio-Economic Setting - Potential Impacts	How will this development affect municipal and county budgets in terms of increases in infrastructure and services? Can the project benefit of an increase in jobs and associated wages exceed the fiscal impact that local governments and taxpayers may bear? What influence will the proposed project have on the Onteora School District, particularly at a time when school taxes are an issue that affects many of us? [comment is part of a statement made at the public hearing on 1/20/2004]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
47	Bruce Vizino	2.2.6 Site Drainage and Grading	In the past 5 years the Catskills 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 golf course possibly exist on a mountaintop above a watershed with so many kinds of toxic ingredients of irreversible disaster waiting for such rain?	Golfing Facility- SDEIS 2.8.4; Appendix 15	4		
48	Carol Maltby	3.7.2 - Traffic Patterns - Potential Impacts and Mitigation Measures	The proposed Bellayre 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 project, 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. 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.	Traffic- SDEIS 3.5;	2		

49	Carol Maltby	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	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 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. Route 213 would be the shortcut for the many 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.	Traffic- SDEIS 3.5	2		
50	Carol Maltby	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	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. 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?	Comment does not raise any substantive issues / no response required;	4		
51	Carol Maltby	3.10.1 Socio-Economic Setting - Existing Conditions	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.[Complete comment found in letter dated 4/23/2004]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

52	Carol Maltby	3.10.2 Socio-Economic Setting - Potential Impacts	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[…]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. [Complete comment found in letter dated 4/23/2004]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
53	Carolyn S. Konheim (former Regional Director of NYSDEC)	3.10.2 Socio-Economic Setting - Potential Impacts	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.	Project Benefits- SDEIS 1.3.G	2		
54	Cashin Associates, P.C (via Riverkeeper)	3.1.2 Geologic and Topographic Resources - Potential Impacts	It is indicated on page 3-4 that 374,600 cubic yards of rock would be removed by proposed blasting, which appears to pertain only to the Wildacres parcel. The quantity of blasting that would occur on the Big Indian parcel also should be specified.	n/a	1		
55	Cashin Associates, P.C (via Riverkeeper)	3.1.2 Geologic and Topographic Resources - Potential Impacts	The discussion of impacts due to blasting in Subsection 3.1.2.A is limited to potential effects on groundwater resources. The potential for blasting to destabilize adjacent areas of steep slopes also should be analyzed	Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
56	Cashin Associates, P.C (via Riverkeeper)	3.1.2 Geologic and Topographic Resources - Potential Impacts	The discussion of topographic impacts in Subsection 3.1,2.B is Limited to summary information regarding overall cut and fill volumes. In CA's experience, a DEIS for development in areas of extensive steep slopes typically would include a quantitative analysis of the spatial extent of steep slopes that would be disturbed. Given the size of the proposed development and the extent of steep slope areas that are present on the subject property, such an analysis should be provided in this instance. The recommended slope analysis should be broken down by category (e.g., 0-15 percent, 15-25 percent, and greater than 25 percent), with impact areas quantified in tabular format and depicted on a readable map.	Slopes- SDEIS 2.2; 2.3	2		
57	Cashin Associates, P.C (via Riverkeeper)	3.1.3 Geologic and Topographic Resources - Mitigative Measures	Item #2 on page 3-9 asserts that: "The proposed grading will not result in any drastic cuts and fills along any ridgelines that would alter the overall silhouette of the landform." This conclusion is not supported by any quantitative analysis in the DEIS, such as a map showing areas and depths of cut and fill.	Drainage, Grading and Earthwork- SDEIS 2.8.8	2		

58	Cashin Associates, P.C (via Riverkeeper)	3.2.1 Surface Water Resources - Existing Conditions	It is indicated on page 3-10 that the proposed action involves development of "0.2 % of the Ashokan Reservoir's watershed, 96% of which is currently forested or water." These data appear to be directed at minimizing the apparent impacts of the proposed project. If it is assumed that development presently comprises the four percent of the reservoir's watershed which is not covered by forest or surface waters, then the proposed project (i.e. .the portion on the eastern parcel on Big Indian Plateau), by itself, would entail fully a five percent increase in the area of development with the entire watershed of Ashokan Reservoir (i.e., 0.2 ÷4.0).	n/a	1		
59	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The discussion of surface water resources does not include sufficient information to adequately assess impacts. Although the various surface water bodies on and in the vicinity of the subject property are described, not all of the paragraphs specify the extent of development that is proposed within the respective watershed areas of these streams.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
60	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The watershed boundaries and the extent and type of proposed development in these watersheds are not illustrated. Many of the streams in the project area are designated as supporting trout, or are even designated or proposed for trout spawning, and a fairly small deterioration in water quality conditions could imperil these designations. Therefore, more detailed information and analysis regarding the proposed project's effect on the sub-watersheds is needed in order to assess the potential for localized water quality impacts.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
61	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The DEIS's assessment of the potential impacts of the proposed development with respect to watercourses in the project area, on page 3-25, is largely based on considering the linear distances between proposed areas of disturbance and the water courses. However, there is no discussion as to whether drainage patterns in the areas leading down to the subject water courses may result in concentrated flow in defined drainage ways, which would accelerate the delivery of surface flow (and associated contaminants) to the water courses, thereby diminishing the buffering capabilities of the intervening woodlands.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
62	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The second bullet on page 3-27 indicates that the temporary sediment basins proposed as part of the project's erosion and sediment control plan would be designed to accommodate flow from the ten-year storm. Given the total time frame of construction that would be required to complete this project, it appears probable that an overflow event would occur. Therefore, an analysis should be provided regarding the impacts that would be expected if a temporary sediment basin overflows. This analysis should take into account the increased potential for overflow if residual water is left in the basin between closely spaced storms, considering the amount of time that would be required to treat the retained water with flocculent and drain the treated water from the basin.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
63	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The DEIS's water quality impact assessment appears to be focused on the drinking water reservoirs. However, due consideration also should be given to potential water quality impacts to nearby streams. In particular, page 3-38 indicates the proposed effluent from the Big Indian wastewater treatment plant would be discharged to Birch Creek. The potential for the proposed outfall to impact this water body, which is designated as a trout spawning stream, should be addressed by quantitative analysis.	n/a	1		

64	Cashin Associates, P.C (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The description of the construction phase erosion and sediment plan, on page 3-38, indicates that the developer would hire certified professional erosion control specialists (CPECSs) with the authority to stop the work of all contractors and subcontractors. In order to avoid a potential conflict of interest which would be inherent in the developer hiring and paying individuals who are supposed to oversee the developer's activities, consideration could be given to an alternative arrangement, whereby the developer would establish a trust account that would be used by an appropriate regulatory agency to hire and oversee the CPECSs.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
65	Cashin Associates, P.C (via Riverkeeper)	3.2.3 Surface Water Resources - Mitigation Measures	Item #7 on page 3-45 indicates that hydra-seeding would be applied in any areas on the construction site that would not be worked on for 14 days. The amount of time that would be required for treated areas to become effectively stabilized after seeding should be specified.	Draft Stormwater Pollution Prevention Plan;	2		
66	Cashin Associates, P.C (via Riverkeeper)	3.2.3 Surface Water Resources - Mitigation Measures	With regard to the implementation of Integrated Pest Management techniques at the proposed golf courses, page 3-74 states that is envisioned that Town personnel, such as the Code Enforcement Officer, would perform annual or semi-annual reviews for compliance." A determination should be made as to whether Town staff has the necessary technical expertise to perform this duty.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
67	Cashin Associates, P.C (via Riverkeeper)	3.3.3 Surface Water Resources - Mitigation Measures	The applicant is proposing that groundwater monitoring would extend for five years after starting operations on the developed project site. Appropriate analysis should be presented to confirm that this is a sufficient time span to detect any project-related impacts, given the amount of time that would be required for water infiltrating into the project site to reach well intakes. Elaboration should be provided regarding the meaning of the term "after starting operations", since it is proposed that the project would come on-line in phases, with several years scheduled to elapse between initial startup and completion of the final phase.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Surface Waters- SDEIS 3.1;	2		
68	Cashin Associates, P.C (via Riverkeeper)	3.3.3 Surface Water Resources - Mitigation Measures	Subsection 3.3.3.G.2.e indicates that the golf course superintendent would be responsible for preparing reports on the results of laboratory testing of groundwater samples. Verification should be provided as to this individual's technical expertise to satisfactorily undertake this responsibility	Groundwater Resources- SDEIS 3.2; Surface Waters- SDEIS 3.1; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
69	Cashin Associates, P.C (via Riverkeeper)	3.4.2 Climate and Air Resources - Potential Impacts	The DEIS's assessment of air quality impacts of construction activities is based strictly on an evaluation of regulatory standards for airborne particulates. The DEIS concludes that adjacent residences would not be significantly impacted, using modeling results indicating that all of these residences are situated outside the area in which compliance would be achieved with respect to airborne particulates around the proposed on-site rock crushing and concrete manufacturing equipment. However, this analysis does not show the degree to which airborne particulate concentrations during project construction would be increased on residential properties in closest proximity to the subject facilities, compared to current levels.	Air Quality- SDEIS 3.12	2		

70	Cashin Associates, P.C (via Riverkeeper)	3.4.2 Climate and Air Resources - Potential Impacts	CA is aware of more than a few instances of analogous industrial-type facilities, including aggregate crushing operations that are very similar to what is being proposed on the subject property, that reportedly are in compliance with applicable regulatory standards, but which are a persistent source of complaints from nearby residents. These circumstances indicate that real impacts can occur even in cases when regulatory compliance is achieved, suggesting that a broader impact assessment should be undertaken for the proposed facilities to calculate the anticipated magnitude of increase in airborne particulate levels at nearby sensitive receptors.	Air Quality- SDEIS 3.12; Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
71	Cashin Associates, P.C (via Riverkeeper)	3.5 Terrestrial and Aquatic Ecology and Figures 3-17 and 3-18	Subsection 3.5 of the DEIS describes the ecological communities found on the subject property, as illustrated in Figures 3-17 and 3-18. However, there is very little location-specific information regarding the maturity of the woodlands in various locations on the site. Given that statements are made in a number of locations in the DEIS to the effect that lands on the project site "have been comprehensively and repeatedly logged over the last century, including in recent years", there is reason to believe that there may be significant variability in the quality of the forest communities across the site. This information would be essential to evaluating whether the proposed plan is one that adequately avoids areas of greater ecological importance.	Terrestrial and Aquatic Ecology- SDEIS 3.4; Surface Waters- SDEIS 3.1; Groundwater Resources- SDEIS 3.2	2		
72	Cashin Associates, P.C (via Riverkeeper)	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	The data contained in Table 3-21 suggest that little consideration may have been given to avoiding areas containing higher quality ecological communities and concentrating development in areas that are less ecologically important. In general, the proposed project would result in the disturbance of a higher percentage of the total on-site area in the most valuable habitats and would disturb a lower percentage of the area in less valuable ecological communities.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
73	Cashin Associates, P.C (via Riverkeeper)	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	Bullet #3 on page 3-86 indicates that tree clearing would be strictly controlled outside the area currently proposed for development. A discussion should be provided regarding the mechanism that would be used to enforce this restriction.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
74	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Pages 3-95 and 3-96 outline a protocol for the selective removal of wetland trees. Additional details should be provided regarding the anticipated number, sizes and types of trees that are expected to be removed. Even if the exact count is not available, a reasonable estimate should be possible at this time.	Wetlands- SDEIS 3.4.2;	2		
75	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	The DEIS summarily discards from consideration all wetland areas which, although exhibiting the characteristics of wetlands, do not conform to the current federal definition of regulated wetlands because they lack surface connections to other wetland areas, Again, this assumes that the lack of coverage under the existing regulatory framework is equivalent to a determination of non-significance, which as discussed above is a logically flawed conclusion. Furthermore, CA is unaware of any authoritative study or document which demonstrates that isolated wetlands are insignificant to the point of not meriting identification and analysis. Even isolated wetlands can have important ecological values that are similar to jurisdictional wetlands. CA respectfully submits that the subject EIS should be required to identify non-jurisdictional wetland areas on the project site, delineate the extent of disturbance that is proposed for each such wetland, and discuss associated impacts in terms of lost wetland functions and values.	Wetlands- SDEIS 3.4.2	2		

76	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Item #2 on page 3-94 specifies that all wetland areas that are to be retained on the site would be protected by deed restrictions and/or conservation easements. It should be verified whether this measure would apply equally to the two proposed golf courses, In CA's experience, it is common practice for golf course configurations to be modified periodically over time, and restrictions preventing the disturbance of wetlands could make such changes problematic.	Wetlands- SDEIS 3.4.2	2		
77	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	The DEIS's analysis of wetland impacts is cursory, at best. It appears that the applicant has equated the issuance of a Nationwide Permit by the U.S. Army Corps of Engineers with a conclusion that the proposed project would not cause a significant impact to on-site wetlands. However, nowhere in the SEQRA regulations is it stated that wetland impact analysis should be limited to considering the regulatory thresholds of any given agency. Such an approach would be illogical, since it would presume that the wetlands in a municipality that has enacted a local wetland ordinance establishing more stringent standards than are provided under federal law would somehow be more significant than similar wetlands in an adjoining municipality which, for whatever reasons, lacks such legislation. In fact, the subject DEIS undertakes analysis at varying levels of detail to assess anticipated impacts relative to a number of environmental parameters for which there are no specific regulatory standards It is the role of the involved agencies, not the applicant. to determine what constitutes a "significant" impact under SEQRA	Wetlands- SDEIS 3.4.2; Surface Waters- SDEIS 3.1;	2		
78	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	CA respectfully submits that the EIS should provide suitable maps illustrating the locations of the wetlands on the subject property and the specific areas that are proposed for disturbance. (unless this information is contained on the sheets in the rear pocket of Appendix 17, copies of which were not available to CA within the time frame of our review') Furthermore, analysis should be provided with respect to the quality of the individual wetland areas on the site and the functional value of the wetlands that are proposed for disturbance. This information is critical to determining whether alternative layout plans would minimize impacts to wetlands.	Wetlands- SDEIS 3.4.2;	2		
79	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands and 3.5.1 Vegetation	The DEIS analysis of wetlands virtually ignores impacts that would be posed by inadequate buffering around these sensitive features. Notwithstanding that the federal regulations do not provide for buffer protection, the importance of providing sufficient buffers around wetlands is scientifically well established. Preserving areas around freshwater wetlands creates a physical separation between development and the resources of the wetlands, thereby minimizing the impacts that typically result from such development. Buffers also provide for the effective filtering of stormwater discharges, a function which is particularly important in cases where development is placed in close proximity to wetlands, and especially during project construction.	Wetlands- SDEIS 3.4.2;	2		

80	Cashin Associates, P.C (via Riverkeeper)	3.5.2 Aquatic and Terrestrial Ecology - Wetlands and 3.5.1 Vegetation	In at least one instance, the DEIS appears to acknowledge the importance of wetland buffers to ensure that development-related impacts are mitigated. In item # 1 on page 3-94, the proposed program of "Mitigation Measures" specifies that "[a 25-foot protective buffer zone will be established on both sides of wetland 32, that contains the stream in Giggle Hollow." However, there is no explanation as to why the applicant believes that such buffering is necessary for only this one wetland area, out of all the wetlands on the subject property.	Wetlands- SDEIS 3.4.2;	2		
81	Cashin Associates, P.C (via Riverkeeper)	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	The discussion of anticipated impacts to wildlife resources in Subsection 3.5.3.B appears to greatly overplay the alleged benefit of the proposed action with respect to "habitat diversity" This discussion is very general, and does not identify the species that the applicant believes would benefit from the project, nor is there any meaningful attempt to quantify the trade-off between the habitat that would be lost versus the new habitat to be created.	Wetlands- SDEIS 3.4.2;	2-Jan		
82	Cashin Associates, P.C (via Riverkeeper)	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Item #3 on page 3-108 specifies that 4,000 new trees are proposed to be planted as part of the new project. In order to assess the mitigative value of this measure, a comparison should be provided as to the number, type and size of trees that would be removed by the proposed action versus the number, type and size of trees to be planted.	Refer to Issues Conference Exhibits; Comment does not raise any substantive issues / no response required;	2 3		
83	Cashin Associates, P.C (via Riverkeeper)	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The discussion of potential impacts to community character, in Subsection 3.8.2.B, states that the proposed action would "re-introduce resort development uses into an area that historically supported such development locally and on a large scale" and "consolidates recreation oriented land use in the same general location within the community." This conclusion ignores the fact that the project area has had a more rural community character for many years. Furthermore, the supporting analysis -- in terms of the locations, types, sizes, and year closed for prior resort facilities in the project area - has not been provided.	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
84	Cashin Associates, P.C (via Riverkeeper)	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The second paragraph in Subsection C.2.a claims that "previous blasting has been conducted on Belleayre Mountain by New York State without noise impact on the community" Although a reference is given (Crossroads, 2001), the DEIS's list of references does not contain this citation. More specific information should be provided regarding the blasting that reportedly occurred at Belleayre Mountain, in terms of volume of rock removed, distances to nearest sensitive uses, blasting methods used, and other relevant factors. This information is needed in order to verify that the prior blasting activities were analogous to what is being proposed by the present applicant.	Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
85	Cashin Associates, P.C (via Riverkeeper)	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans and 3.2.3.D Surface Water Resources - Construction Phase "Industrial Activities"	The subject property is zoned for residential use, and the facilities in question are industrial uses. Developed residential properties are located in close proximity to both of the proposed plant sites. During the 18 to 24 months of anticipated operation for these plants, people in the neighboring homes would be living next to an intense industrial operation, with continuous (i.e., 24-hour per day) activity occurring when large concrete pours are undertaken. Even the most basic tenets of planning practice would indicate that juxtaposing divergent land uses in this manner entails a high potential for conflicts which are not sufficiently addressed in the DEIS.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A; Construction Activities- SDEIS 2.8.9;	2		

86	Cashin Associates, P.C (via Riverkeeper)	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources	A large measure of the "mitigation" for construction noise proposed by the applicant is attributed to a 50 percent decrease in equipment usage in sensitive areas. It is not clear what this actually means, in terms of the actual number and types of equipment that would be used under normal circumstances versus the mitigated condition, nor are any assurances provided as to how this would be enforced.	Noise- SDEIS 3.9;	2		
87	Cashin Associates, P.C (via Riverkeeper)	3.9 Community Services	Subsection 3.9 of the DEIS does not appear to evaluate the burden that the proposed project would place on involved regulatory agencies in terms of increased monitoring and oversight responsibilities during and after construction.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10	2		
88	Cashin Associates, P.C (via Riverkeeper)	Appendix 22 Sound Impact Study	The Sound Impact Study appears to understate the likely impacts that construction of the proposed development would cause at nearby sensitive uses. Section 5.4 assumes that temporary increases in noise levels of 9 dBA or less are "insignificant" and do not require mitigation. However, the table on page 4-2 characterizes a 0-to-5 dB increase in noise level as "unnoticeable to tolerable" and a 5-to-10 dB increase as "intrusive". This terminology implies that a noise increase of as little as 5 dB may be taken to constitute a significant impact. In light of this apparent inconsistency, an explanation should be provided regarding the basis of the applicant's conclusion that any increase in construction noise that is less than 9 dBA is not significant	Noise- SDEIS 3.9;	2		
89	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Table V-4 in the "Feasibility Analysis for Crossroads" section of Appendix 27 contains case study data for "Active Timeshare Projects in Mountain Areas". Of the 25 projects listed in this table, only five are identified as having any golf facilities. Although the number of holes is not specified in the table, review of the respective web sites for the five locations with golf facilities reveals that not a single one has 36 holes: three of these locations (Fairfield Pagosa, Christmas Mountain Village, and Shawnee-Ridgetop) have 27 holes, while the other two locations (Lake Condos at Big Sky and Bethel Iron & Country Club) have only 18 holes,	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
90	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Based on CA's Internet research, it appears that the vast majority of the 14 "new-style fractional interest projects" listed in Table VI- 1 in the "Feasibility Analysis for Crossroads" section of Appendix 27 also lack on-site golf facilities. Of the five locations that do appear to include golf facilities, only Snowmass Resort at Northstar is specifically identified as containing more than one golf course (two courses are indicated); while web sites for Telluride Club advertise the availability of golf but do not reveal how many holes are involved (Table VI-3 in the "Feasibility Analysis for Crossroads" indicates that these facilities actually are located off-site).	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
91	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Section VII examines 21 resort hotels in Ulster County. Of these facilities, it is reported that only seven have on-site golf courses, and none of these are identified as having more than one 18-hole course. The remaining 14 (67 percent) of the sample group of hotels rely on off-site courses to satisfy the demand for golf among their guests.	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		

92	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Appendix 27 also contains a "National Resort Comparable Club Analysis" within a section without page numbers titled "Recommendations Concerning Amenities and Membership Programs", which examines 21 “comparable clubs”. Seventeen of these facilities are in warm-weather locales, One facility is in Virginia which, although arguably not a warm weather site, focuses its program on golf and not winter activities. The three remaining resorts included in the analysis are all located in Colorado. With three 18-hole courses, the Broadmoor Golf Club is the only one of these Colorado sites containing more than 18 holes of golf; however, this facility touts a mild climate on its web site and does not advertise an association with winter sports. Therefore, of the 21 "comparable clubs" used in this particular analysis, only two appear to be truly "comparable" to the proposed development in the sense of catering to both summer and winter activities, and neither of these sites contains more than a single 18-hole golf course.	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
93	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Also presented in the "Recommendations Concerning Amenities and Membership Programs" section of Appendix 27 is a separate "Belleayre Comparable Club Analysis". A total of 19 facilities are examined, of which eight are in warm-weather locales. Of the remaining 11 facilities, only one (Lake of the Isles Golf Club on Wellesley Island in the St. Lawrence River) is reported to have 36 holes; two sites have 27 holes, five have 18 holes, and three contain only nine holes. The Lake of the Island facility consists of the golf courses and a clubhouse/catering facility, with no lodging accommodations, according to its web site. Therefore of the 19 "comparable clubs" analyzed in this section of the DEIS, none are truly "comparable" to the proposed development.	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
94	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Table 3-4 in the "Fiscal and Marketing Information Addendum - HCS Economic Evaluation" section lists eight "selected branded resort hotels" which were examined as part of the "forecast of hotel income" analysis. Two of these resorts have no on-site golf at all, and four have only 18 holes of golf. The remaining two locations have 36 holes of golf, but both are situated in warm-weather locales (Ritz-Carlton in California and Westin La Cantera in Texas)	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
95	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	It would not be advisable to accept the contents of Appendix 27 (Fiscal and Marketing Information) without rigorous scrutiny. The SEQRA regulations, at 6 NYCRR § 617.9(b)(8), specify that: "The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it." On this basis, it is respectfully suggested that the Department of Environmental Conservation, as the lead agency in this case, is responsible for undertaking a careful and critical review, using its own staff' and/or qualified outside consultants if necessary, in order to test and verify the accuracy of the information presented in Appendix 27, including, but not limited to baseline data, assumptions, and calculations	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		

96	Cashin Associates, P.C (via Riverkeeper)	Appendix 27 - Fiscal and Marketing Information	Clearly, the entire concept of alternative layouts, which otherwise appears to be environmentally superior to the proposed action, has been eliminated from detailed consideration in the DEIS based solely on the applicant's dubious economic arguments. Therefore, ensuring the completeness of the record regarding these alternatives should dictate that the veracity of the applicant's conclusion regarding the economic infeasibility of these alternatives be thoroughly and independently analyzed. The urgency of such verification is amplified by the information that none of the numerous "comparable" facilities examined in Appendix 27 have 36 on-site holes of golf. These findings appear to irrevocably contradict the applicant's assertion that the construction of a pair of championship golf courses is absolutely necessary for the financial solvency of the entire proposed project.	Proposed Action- SDEIS 2.0; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
97	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	Section 5 of the DEIS leaves the reader with the applicant's foregone and self-serving conclusion that no development is feasible or reasonable other than the one being proposed and that the various engineering issues can be resolved in a manner that allows the proposed project to be constructed in a profitable manner. The entire DEIS is written in a way that funnels into a black-and-white choice between the proposed project or nothing at all, with the alleged benefits of the applicant's plan highlighted at every opportunity and the myriad of impacts associated with this action either muted or overlooked completely.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
98	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	Even in the absence of specific regulatory requirements governing the evaluation of alternatives in a DEIS, the subject DEIS's shortcomings in this regard would be objectionable to any impartial reviewer. However, these deficiencies become a fatal flaw when considering the explicit provisions of the SEQRA regarding alternatives.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
99	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	In many cases, CA found the DEIS to be insufficiently detailed to serve as a meaningful basis for assessing the relative impacts of the proposed action versus the alternatives, which would prevent the involved agencies from making informed decisions regarding the balancing of these environmental impacts with socio-economic benefits for the proposed project and the various alternatives.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
100	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	The subject DEIS suffers from acute defects on a number of fronts, including questionable methodologies, inadequate disclosure of environmental impacts and, most serious of all, the virtual absence of an analysis of use alternatives for the subject property. Overall, the DEIS treats the discussion of alternatives as if it were a minor element of document, akin to the perfunctory sections on "Irreversible and Irretrievable Commitment of Resources" and "Effect of the Proposed Action on the Use and Conservation of Energy". In fact, the truth is exactly the opposite.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
101	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	The SEQRA regulations are somewhat sketchy in defining certain requirements, but are very clear and precise on the purpose of the alternatives section of a DEIS. Specifically, 6 NYCRR § 617.9(b)(5)(v) states that: "The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed " The subject DEIS falls far short of this standard, since the necessary detail either is absent or very limited, thereby utterly thwarting the requisite comparative assessment of alternatives.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

102	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	The magnitude of the omissions and faulty information in the DEIS make it difficult to see how these problems can be remedied in a standard FEIS format. In some cases, it would be necessary to essentially rewrite entire sections of the DEIS. This is especially true with respect to the discussion of alternatives, since the applicant has crafted a scheme that completely avoids addressing use alternatives in any meaningful way. Under these circumstances, the SEQRA regulations indicate that a supplemental EIS may be the most appropriate mechanism for continuing the environmental review process for the proposed action.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
103	Cashin Associates, P.C (via Riverkeeper)	5 - Alternatives	Pursuant to 6 NYCRR § 617.9(a)(7), two of the three conditions under which a supplemental EIS may be appropriate, at the discretion of the lead agency, is when there is "newly discovered information" or "a change in the circumstances related to the project". Given the critical absence of any substantive discussion of use alternatives in the DEIS, the preparation of these sections at this time can readily be understood as "newly discovered information", particularly given the central importance that the evaluation of reasonable alternatives has in the context of the entire EIS process.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
104	Cashin Associates, P.C (via Riverkeeper)	5.1 Alternative Locations	At the very least, a map should be provided to identify the alternative sites that were given consideration, illustrating acreages, environmental constraints, and other relevant factors.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
105	Cashin Associates, P.C (via Riverkeeper)	5.1 Alternative Locations	Paragraph 2 in Subsection 5.1 indicates that alternative locations had to be "within a reasonable distance" of Belleayre Mountain Ski Center. However, the distance that the investigators considered to be "reasonable" is not defined	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
106	Cashin Associates, P.C (via Riverkeeper)	5.1 Alternative Locations	The discussion of the "third site" (in ¶ 6 in Subsection 5.1) indicates that one of the reasons that development of this site was eliminated from consideration is that it "would not provide the needed economic benefits to Ulster and Delaware Counties." However, this site appears to be sufficiently close to both of these counties so as potentially to present reasonable employment opportunities to residents of Ulster and Delaware Counties. This limitation appears to presume that Greene County does not require economic revitalization, which seems to be contrary to the information presented in Subsection 3.10.1 of the DEIS.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
107	Cashin Associates, P.C (via Riverkeeper)	5.1 Alternative Locations	The last paragraph in Subsection 5.1 states that the applicant engaged in discussions with Shandaken Town officials in an effort to identify alternative sites for the proposed project. However, there is no indication as to whether a similar investigation was performed for the Town of Middletown. If no such parallel investigation was completed for Middletown, the reasons should be explained.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
108	Cashin Associates, P.C (via Riverkeeper)	5.1 Alternative Locations	The last paragraph Subsection 5.1 indicates that certain properties identified for consideration based on information provided by the Town of Shandaken were "determined to be unsuitable for a number of reasons." Information regarding the location, acreage, and reasons for eliminating each such property should be provided.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

109	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	Although titled "Alternative Uses [plural] of the Site", Subsection 5.2 of the DEIS examines only one such alternative, as-of-right residential subdivision, and even that potential development scenario is addressed merely in a superficial manner. It is reasonable to expect that one of the primary objectives for this component of the DEIS was to provide a meaningful analysis of possible alternative tourist/recreational uses, which would serve some or all of the same general purposes of the proposed action, including the generation of significant economic benefits to the local communities, while also moderating the magnitude of environmental impacts that are associated with the proposed development of the Crossroads assemblage.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
110	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	Alternative development plans to accommodate tourist and recreational facilities on the subject property conceivably could have been addressed under the "alternative layouts" discussion in Subsection 5.3. However, Subsection 5.3 is fixated on the types of "world-class" resort facilities that the applicant envisions for the site. On the basis of conclusions drawn from that analysis, the applicant has discarded as economically untenable any of the "alternative layouts" identified in the scoping document.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
111	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	The SEQRA regulations do not support the outright exclusion of other reasonable alternatives that may not precisely conform to the project sponsor's specific objectives and capabilities, especially when at least some of the primary stated purposes for the proposed project potentially could be served by such alternatives. The applicant's objectives and capabilities are one factor that can enter into the decision-making process, but certainly not to the exclusion of other considerations	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
112	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	It is absolutely necessary for the subject EIS to provide an effective analysis of one or more viable alternatives for utilizing the subject property for tourist-related and recreational uses. The development magnitude of said alternative(s) should be significantly scaled down from the applicant's preferred plan, and discussed in specific, detailed, quantitative terms, contrasting impacts and benefits relative to the proposed project. CA believes that the absence of such an analysis from the SEQRA record would render the entire process fatally flawed, since there would be no basis of comparison for the involved agencies to determine whether the proposed action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable "from among the reasonable alternatives available".	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
113	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	Among the alternative uses for the subject property that could (should) be examined in the EIS is a facility, scaled down significantly from the proposed plan, which focuses primarily on addressing the local shortfall of lodging identified in the DEIS. Such an alternative could be designed to provide a range of lodging options, similar to the proposed project, and also could include suitable amenities. It would be appropriate for this alternative to include a number of variants, which examine a range of options for lodging facilities and amenities.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
114	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	In the final paragraph of Subsection 5.2, the residential development alternative is summarily dismissed because it does not conform to the "applicant's objective". There are no provisions under SEQRA that allow an alternative to be discarded solely because it is not something the applicant would pursue, especially for an alternative which is specifically identified for analysis in the scoping document, as is the case here.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

115	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site	Based on the foregoing, is clear that the content of Subsection 5.2 requires major overhaul to conform to the requirements of SEQRA relative to the discussion of the residential development alternative. A more valid and meaningful analysis would take into consideration the land use tools at the disposal of the two involved Towns, particularly any provisions in the respective zoning codes allowing for clustering or other mechanisms to reduce the incursion of development into areas of sensitive environmental resources.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
116	Cashin Associates, P.C (via Riverkeeper)	5.2 Alternative Uses of the Site, Figures 5-1, 5-2 and 5-3	The DEIS's examination of an as-of-right residential alternative which could occur under the existing zoning is cursory, providing no meaningful analysis whatsoever. It seems odd that the applicant would go through the trouble of creating illustrations (Figures 5-1, 5-2, and 5-3) depicting a layout for a conventional 445-lot subdivision of the subject property, with badly more than a passing reference to these maps.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
117	Cashin Associates, P.C (via Riverkeeper)	5.3 Alternative Layouts	The information presented in Subsection 5.3 of the DEIS regarding the feasibility of reducing the magnitude of the applicant's proposed uses can form a part of the basis used by involved agencies in reaching informed decisions on this matter, provided that this information is fully and independently validated.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
118	Cashin Associates, P.C (via Riverkeeper)	5.3 Alternative Layouts	Essentially the entire text of the introduction to Subsection 5.3 is taken more or less verbatim from pages 2-8 through 2-10 of the DEIS. It is not clear how this information, discussing the suitability of the subject property for golf course development, is relevant to the stated purpose of the subsection (alternative project layouts)	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
119	Cashin Associates, P.C (via Riverkeeper)	5.3 Alternative Layouts	A detailed inventory should be compiled describing all golf courses within a "reasonable" distance of the site. This inventory should include the number of holes at each location, general course quality and difficulty, availability for public use, ability to accommodate additional demand and any other relevant information. The analysis of these data should be directed at determining the degree to which existing golf facilities in the project area potentially could be used to serve the demand for golfing opportunities generated by a new lodging development on the subject property.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
120	Cashin Associates, P.C (via Riverkeeper)	5.3 Alternative Layouts	The occurrence of numerous deficiencies in the information presented in the DEIS with respect to project-related impacts precludes a definitive conclusion as to the scope or magnitude of the environmental impacts that would result from the proposed project. Moreover, the entire foundation of this conclusion is fundamentally flawed, since the DEIS, as incomplete and biased as it is, still admits to some impacts, albeit in greatly watered down fashion. It is difficult to imagine an argument, and certainly none is attempted in Subsection 5.3 to support the contention that these impacts would not be decreased if the project were reduced in scale. Therefore, it is simply not true that the applicant's current plans "already minimize" environmental impacts	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
121	Cashin Associates, P.C (via Riverkeeper)	5.3 Alternative Layouts	Any alternative layout for a "world-class" project that is subsequently found to be potentially viable, based on supplemental economic analysis, should be submitted to a comprehensive environmental impact analysis and comparison to the proposed project.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

122	Cashin Associates, P.C (via Riverkeeper)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	Subsection 5.3.4.B of the DEIS contains testimonial statements by reputed experts claiming that the constriction of two 18-hole golf courses on the subject property is a critical and economically necessary component of the proposed project. However, these conclusions have been based on what appears to be a highly speculative economic analysis. In fact, the authors of the DEIS's feasibility analysis do not hesitate to acknowledge these uncertainties, with statements like the following: "As noted frequently in this feasibility analysis, there are no close comparables anywhere in the surrounding area. Thus, it is impossible to compare projects for sales, pace, pricing, etc. in this report against effected market forces,"	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
123	Cashin Associates, P.C (via Riverkeeper)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	In Table 5-3, summarizing the results of the applicant's financial feasibility analysis, the proposed project and the alternative layouts are expressed in terms of the internal rate of return for the proposed hotels and golf courses. On this basis, the applicant concludes that the proposed plan "generally meets the industry threshold for a financially sound project" while none of the alternatives conform to this standard. However, the proposed lodging units have been excluded from these calculations. Although statements are made to the effect that the lodging units would "add to overall viability" of the proposed project and would "not be sufficient to overcome a low calculated IRR" for the various alternatives, the DEIS does not appear to provide the supporting data and analysis.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
124	Cashin Associates, P.C (via Riverkeeper)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	The summary data provided in rows #6 and #7 of Table 5-3 indicate that the proposed lodging units at both sites, by themselves, would provide an IRR that "well exceeds industry threshold". Additionally, Table 5-3 indicates that the "East Resort" alternative has a much smaller shortfall in IRR (at 3.3 percentage points, relative to the industry threshold of viability), as compared to the other alternative hotel-and-golf-course layouts (at 5.6 or 5.7 percentage points). Considering these two factors together, it would appear that the combined development plan currently proposed for the western parcel (including hotel, golf course, and lodging units) may be very close to the threshold of viability, especially when the Highmount Estates subdivision is factored into these calculations. Even if there would still be a shortfall when all of these components are considered together, it may be possible to augment certain elements of the "West Resort" scenario to a relatively small degree so as to overcome this difference in a manner that would render the overall project financially viable.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
125	Cashin Associates, P.C (via Riverkeeper)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	In order to properly analyze this contingency, a quantitative IRR analysis for the entire "West Resort" alternative should be provided and, if it can be shown that an IRR shortfall would still occur for this alternative, suitable options should be explored to determine whether it would be practicable to produce a profitable venture on the western parcel.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

126	Cashin Associates, P.C (via Riverkeeper)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	It appears that limiting the project to the eastern parcel may pose a somewhat greater potential for causing enviromnental impacts with respect to certain critical parameters, when compared to a similar magnitude of development on the western parcel. It is noted that the project component currently proposed for the eastern parcel, by itself, would result in a significant increase in the total extent of disturbance and development in the watershed for Ashokan Reservoir. The Ashokan Reservoir already is known to be significantly stressed, having been included on the Section 303(d) List of Impaired Waters Requiring TMDL (total maximum daily load) since 2002, with silt/sediment being the specific cause/pollutant identified. Ashokan Reservoir comprises approximately 87 percent of the water storage capacity in the Catskill Reservoir System, which provides approximately 40 percent of New York City's daily water demand. This reservoir has been subject to periodic "turbidity events", or episodes of elevated turbidity often caused by storms, which in the past have threatened to shut down the water supply system. The five percent increase in the area of developed land in the watershed which would result from the applicant's current proposal carries the potential for significantly exacerbating this situation, especially during project construction when large areas would be cleared of protective vegetation and soils would be exposed, which could further threaten the down-State drinking water supply.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
127	Cashin Associates, P.C (via Riverkeeper)	5.9.3 Alternative Construction Phasing Plan - Work Areas	The DEIS does not discuss whether the proposal to site rock crushing and concrete manufacturing facilities at this location during construction are permitted uses in the applicable zoning districts, or whether any special approvals are required to erect and operate these plants. It appears from Table 5-1 that such uses are not permitted, at least in the portion of the subject property in the Town of Shandaken.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
128	Cashin Associates, P.C (via Riverkeeper)	5.9.5 - Comparison of Alternatives and 5.10 - No-Action Alternative	The remaining five pages of Section 5 cover three different subjects - alternative locations, alternative uses of the site, and the requisite no-action alternative - in a manner that is equally as dismissive as the DEIS's discussion of alternative layouts. None of these are discussed in a way that provides a meaningful basis to evaluate the environmental impacts of the proposed action, both because of the utter lack of detail in the respective portions of Section 5 and because of critical deficiencies in the analysis of impacts for the applicant's preferred plan.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
129	Cashin Associates, P.C (via Riverkeeper)	5.10 No-Action Alternative	This subsection opens by indicating that the no-action alternative would result in "a number of impacts". A more balanced assessment of comparative impacts and benefits is needed, which provides a detailed analysis of all relevant variables, including geologic and topographic resources, surface water resources, groundwater resources, terrestrial and aquatic ecology, soils, traffic, visual and aesthetic characteristics, noise community services, and cultural resources.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

130	Cashin Associates, P.C (via Riverkeeper)	5.10.1 No-Action Alternative - Land Use	The first sentence in Subsection 5.10.1 states that one of the "impacts" of the no-action alternative is that the subject parcels "will continue to be logged as they have been for over the past fifty years." Although similar statements are made in other parts of the DEIS, there does not appear to be any more specific information regarding the occurrence of logging at this location. This information is needed to provide the basis for defining the magnitude of environmental impact associated with these activities.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
131	Cashin Associates, P.C (via Riverkeeper)	5.10.1 No-Action Alternative - Land Use	The second paragraph in Subsection 5.10.1 states that another of the "impacts" of the no-action alternative is that the buyers of the subject parcels "may propose to develop some of these component properties". Such a contingency is not appropriate for inclusion in the no-action alternative since the no-action alternative entails "leaving the lands in their present state". Any future development of these lands, if the proposed action should not proceed, would likely need some sort of discretionary approval and, therefore, would be required to undergo appropriate further review under SEQRA.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
132	Cashin Associates, P.C (via Riverkeeper)	5.10.1 No-Action Alternative - Land Use	The second paragraph in Subsection 5.10.1 closes by stating that under the no-action alternative "the opportunity for comprehensively analyzing the effects of large-scale development would be lost, since each potential smaller development would undergo independent local regulatory agency reviews." This assertion appears to ignore the fact that any environmental review under SEQRA is required to examine the potential cumulative effects of such multiple projects.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
133	Cashin Associates, P.C (via Riverkeeper)	5.10.1 No-Action Alternative - Land Use	The third paragraph in Subsection 5.10.1 highlights the fact that the no-action alternative does not include the development restrictions that the proposed action would place on 1,387 acres of the subject property. In order to gauge the true effect of these proposed development restrictions, it would be necessary to evaluate the realistic development potential of the 1,387 acres of land in question, considering the environmental constraints that are present.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
134	Cashin Associates, P.C (via Riverkeeper)	5.10.2 No-Action Alternative - Locan and Regional Planning Goals	Subsection 5.10.2 compares the proposed action versus the no-action alternative with respect to local and regional planning goals. However, this discussion focuses exclusively on economic development, and does not consider any relevant local and regional goals for environmental conservation and the relative degree to which the no-action alternative and the proposed action would advance such goals.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
135	Cashin Associates, pageC (via Riverkeeper)	General	Any further analysis that alters the key conclusions presented in the DEIS, including but not limited to the financial analysis, could be interpreted as constituting "a change in the circumstances related to the project", which also would indicate the need for a supplemental EIS. Based on the findings of our technical review of the DEIS, CA believes that neither the public nor the involved agencies would be well served if the subject SEQRA process were allowed to proceed to the FEIS stage at this time, given the complexity and magnitude of the issues that have not been adequately resolved in the DEIS, and considering the absence of provisions under SEQRA for public review and commentary for an FEIS. Therefore, a supplemental EIS appears to be the only proper course of action.	Comment does not raise any substantive issues / no response required;	2		

136	Cashin Associates, pageC (via Riverkeeper)	2.2.1 Project Components - Golf Facilities	Subsection 2.2.1.B of the DEIS identifies a number of existing golf courses located in the vicinity of the subject property, but provides no additional information regarding these facilities, Appendix 27, in a brief section titled "The Golf Course Market" starting on page 210, identifies a "sample of 31 golf courses", but does not indicate the location of these facilities relative to the subject property.	Golfing Facility- SDEIS 2.8.4; Appedix 15	2		
137	CEA (via Riverkeeper)	CP-1 to CP-18	The soil erosion plan does not utilize the symbols required by the NYSDEC	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
138	CEA (via Riverkeeper)	CP-1 to CP-18	The detailed soil erosion plans (i.e., CP-l to CP-18) do not have the sediment basins clearly labeled, which makes the review of the plans difficult	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures,	2		
139	CEA (via Riverkeeper)	CP-18 and 2.4.5 Construction Stage Activities Site Control and Management - Construction Phasing Phase 2 Big Indian Country Club	The check dam detail shown on plan CP-18 does not comply with the New York Guidelines for Urban Erosion and Sediment Control.	n/a	1		
140	CEA (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	Page 3-26 of the DEIS states that "No more than 25 acres of soil are proposed to be unstabilized at any given time within either reservoir watershed, but always with enhanced erosion control measures in place." Construction General Permit GP-02--01' under the section titled Minimum SWPPP Components, Section a(4) states "there shall not be more than five (5) acres of disturbed soil at any one time without prior written approval from the Department. The Applicant has not provided sufficient information to justify a waiver of the 5 acre disturbance limit. The Applicant has stated that the CP series of plans exemplify the level of planning and phasing that will be completed for all phases of the project. However, the CP series of plans do not possess sufficient detail to warrant granting of a waiver. For example, CP-15 contains a table that lists the various erosion control technologies which can be used at the site based on the slope of the specific area requiring mitigation. Based on this plan twenty different technologies could be used in an area with slopes greater than 100%	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
141	CEA (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts	The Applicant does not show which technology has been selected for use. Prior to starting work in an area, the Applicant, the New York State Department of Environmental Conservation (NYSDEC) and the public must know exactly what erosion controls will be used. The Applicant should be required to show exactly how erosion and sediment control will be addressed in an area. The Applicant is requesting that NYSDEC waive its disturbance requirement, but the Applicant has not properly demonstrated that proper erosion and sediment controls will be used to protect these large areas of soil disturbance. Without specific erosion control plans and details the Applicant's waiver request should be denied.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

142	CEA (via Riverkeeper)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 11 Draft Stormwater Pollution Prevention Plan	Page 3-30 of the DEIS and Page 6 of 44 of the SWPPP (Appendix 11, under Section 6) discusses the sequence of activities for Phase 2 of the construction. This sequence of activities shows that the Applicant will install perimeter control after centerline clearing has taken place. Perimeter control/erosion control measures must be completed prior to any earth disturbing activities.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
143	CEA (via Riverkeeper)	3.6.1 Soils - Existing Conditions	The Drawings PF 1-3, titled Phasing and Erosion Control Plans, are seriously lacking soil erosion device detail. There is extremely limited soil erosion device information on these plans, yet they are titled Erosion Control Plans. Furthermore, the PH series of plans are not consistent with the CP series of plans, in terms of the erosion control devices that are to be used. It is understood that PH series of plans cannot show the level of detail that is shown on the CP series of plans, However, these plans should show the major erosion controls that will be used and they should be consistent with the measures shown on the CP series of plans…[E]ven the CP series of plans do not provide sufficient detail of the soil erosion and sediment control practices planned for the site.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
144	CEA (via Riverkeeper)	Appendix 9 - Construction Phase Stormwater Quantity Management Plan	Appendix 9 of the DEIS states that La Group Plan Sheet CP-2 shows the location of the level spreaders. The level spreaders are not shown on this drawing or any other drawing. The locations and dimensions of the level spreaders should be shown on the plans so that the public and interested parties can evaluate the potential impacts that could result from the use of levels spreaders, and so the Applicant can evaluate the feasibility of using level spreaders at the chosen locations.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
145	CEA (via Riverkeeper)	Appendix 10 - Construction Phase Stormwater Quality Management Plan	The NYSDEC has developed a Total Maximum Daily Load (TMDL) for phosphorus within the Ashokan Watershed. According to Appendix 10 of the DEIS, there is flexibility in the loading assigned to non-point sources since as of 1996, the actual phosphorus loading from non-point sources was less than the allocated loading. The cumulative impact of all projects since 1996 and any proposed projects which would be concurrent with the construction phase of the Belleayre project must be considered in determining whether the TMDL will be complied with. The Applicant must reevaluate the phosphorus loading from the site using current data, discharge permits, and planned or completed projects, so that an accurate and up to date assessment of compliance with the TMDL can be completed.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
146	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	Page 33 of 44 of the SWPPP states that surface water monitoring will be completed above and below the project area. Presumably this data will be used to assess the effectiveness of the stormwater and erosion control practices during construction. It is unclear how the Applicant will determine when a change in the water quality is due to naturally occurring conditions, or due to the Belleayre project. The Applicant should be required to develop a plan which statistically evaluates the available water quality data and determines the natural fluctuations in the water quality that can be expected to occur. This plan should establish water quality action levels, and provide details on what actions will be taken if the water quality exceeds the action levels.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

147	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	Page 36 of 44 of the SWPPP states that petroleum for fueling the construction vehicles will be stored onsite. Secondary containment or concrete tanks will be used to store the fuel. However, the Applicant does not provide any secondary containment for the area where the vehicles will be fueled. The Applicant should provide a fuel transfer area with an impervious surface, and containment capable of containing the largest anticipated spill that can occur in the area. The design of the fuel transfer area should also include provisions for the storage of rainwater if it is possible for rainwater to accumulate in the transfer area. The provision for and utilization of a fuel transfer area is a standard Best Management Practice.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
148	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	Page 15 of 44 of the SWPPP discusses the use of temporary sediment and stormwater basins to capture and hold runoff from the entire subcatchment area draining to them. These basins are designed to store the runoff' associated with the 10 year storm. The Applicant's basin design only provides sufficient storage volume to hold stormwater. The Applicant has failed to provide the required sediment storage in the stormwater/sediment basins. The Applicant must increase the storage volume of the stormwater/sediment basins to allow for the accumulation of sediments. The sediment basins should be designed in accordance with the New York Guidelines for Urban Erosion and Sediment Control.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
149	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	The Final SWPPP must include an accurate and complete construction schedule as required by NYSDEC.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
150	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	The SWPPP must include a discussion of the existence of any environmentally sensitive areas as required by the NYSDEC.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
151	CEA (via Riverkeeper)	Appendix 11 - Draft Construction Stormwater Pollution Prevention Plan	Page 16 of 44 of the SWPPP Appendix 11 states that Chitosan (i.e., Storm Klear) will be used as the flocculant for the stormwater/sediment basins. There is conflicting information on the toxicity of this flocculant to rainbow trout. Toxicity to cultured rainbow trout was observed at concentrations as low as 0.075 mg/l after 24 hours of exposure. On the contrary, the information found in Appendix 2 of the DEIS shows that Chitosan used at the proposed dose of 1 to 2 mg/l is not toxic to rainbow trout, Since there is some question as the toxicity of this flocculant, the Applicant must be required to evaluate the potential toxicity of Storm Clear under site specific conditions. This could be accomplished by completing bioassay testing on a stormwater sample collected from the first stormwater/sediment basin installed at the project site. Without such testing, the use of Storm Klear at the site may cause an adverse impact to the trout population of the receiving waters.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

152	Chester Karwatowski	3.2.2 Surface Water Resources - Potential Impacts	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
153	Chester Karwatowski	3.2.2 Surface Water Resources - Potential Impacts and 3.3.2 Groundwater Resources - Potential Impacts	There is no reference to the cumulative effect of the 21 home subdivision on surface and ground water quality.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
154	Chester Karwatowski	3.5.1 Terrestrial and Aquatic Ecology - Vegetation and 2.2.6 Site Drainage and Grading	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	Lighting, Landscaping and Signage- SDEIS 2.8.11; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
155	Chester Karwatowski	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	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.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
156	Croton Watershed Clean Water Coalition	2.2.3 Potable Water Supply and 3.3.2 Groundwater Resources - Potential Impacts	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
157	Croton Watershed Clean Water Coalition	2.2.6 Site Drainage and Grading	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	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
158	Croton Watershed Clean Water Coalition	3.2.2 Surface Water Resources - Potential Impacts	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; [Comments from letter to DEC dated 4/22/04]	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
159	Croton Watershed Clean Water Coalition	3.2.2 Surface Water Resources - Potential Impacts	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 [protect the] 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. [Comments from letter to DEC dated 4/22/04]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

160	David Block, MD, Ph.D, ARM	Appendix 15 Fertilizer and Pesticide Risk Assessment	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. 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
161	David Block, MD, Ph.D, ARM	Appendix 15 Fertilizer and Pesticide Risk Assessment	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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
162	David Block, MD, Ph.D, ARM	3.9.1 Community Services - Emergency Services	I have not 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.	Comment does not raise any substantive issues / no response required;	4		
163	David Block, MD, Ph.D, ARM	3.9.1 Community Services - Emergency Services	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?	Comment does not raise any substantive issues / no response required;	4		
164	David Smith	3.10.1 Socio-Economic Setting - Existing Conditions	24 percent of the adult residence of the three hamlets, Pine Hill, Big Indian and Highmount, are 60 years of age or older. This is a very large group, very directly affected by the proposed project for whom the ability to comment has been made problematic by the abrupt time table, the inadequacies of the developer’s publication methods, not to speak of any hardships that go with aging. I urge you to pay special attention to our needs because we seniors are a primary demographic group in the immediate vicinity of the Belleayre Resort. Others have already commented on the inadequate and sometimes specious statistics used by the developer in the DEIS. [comment is part of a statement made at the public hearing on 2/19/2004]	Comment does not raise any substantive issues / no response required	4		

165	David Smith	3.10.1 Socio-Economic Setting - Existing Conditions	The commenter expressed concern over utilizing the 15 zip code statistics. The problem that arises is the proximity to the project, and that some of the more-removed zip codes may have differing opinions. The commenter also expresses concern over the project sponsor's inability to properly mitigate in the appropriate area of impact. Demographics are also said to greatly differ with zip code and proximity to the project site, which is a major concern. [comment is part of a statement made at the public hearing on 2/19/2004]	Comment does not raise any substantive issues / no response required	4		
166	David Smith	3.10.1 Socio-Economic Setting - Existing Conditions	In the 1990s, because of the high ratio of older residents, 42 percent were 62 or older. The pine Hill area was classified by the New York Public Interest Group as a naturally occurring retirement community. This is because many of use acquired seasonal property when we were working, and in later years, moved to the area in order to realize our dreams of peace in retirement. Census 2000 data show that almost half of Pine Hill households, 48 percent, have Social Security retirement incomes. We chose this area because it was affordable for working families in retirement. Less than half of the households on Social Security have any additional private pensions at all, and for them, the average supplementary pension was only $2,200 per year. [comment is part of a statement made at the public hearing on 2/19/2004]	Comment does not raise any substantive issues / no response required	4		
167	Delaware County Department of Public Works	3.9.5 Community Services - Solid Waste/ Recycling	The County sees no negative environmental impacts associated with utilizing non-Delaware County facilities for the management of solid wastes and recyclables as presented within the DEIS	Comment does not raise any substantive issues / no response required;	4		
168	Delaware County Department of Public Works	3.9.5 Community Services - Solid Waste/ Recycling	The Middletown Transfer Station is a very compact facility that limits the type of wastes handled to residential bagged garbage and the basic recyclables items - scrap metal, cardboard, newspaper, mixed paper; and commingled bottles, cans, and glass. Due to the physical constraints and high volume of current resident usage, the Middletown Transfer Station does not accept C&D debris, and many other items that require special handling such as televisions, computer monitors, fluorescent bulbs, woody debris, yard wastes, waste oil, etc	Community Services- SDEIS 3.10, Appendix 27	2		
169	Delaware County Department of Public Works	3.9.5 Community Services - Solid Waste/ Recycling	The County supports all efforts to maximize recycling and reuse of excess or waste materials, including C&D debris, commercial and residential waste streams. The County agrees with the determination that segregation and associated management of waste into Delaware County and Ulster County categories will be difficult. Further, in light of the space constraints at the Middletown Transfer Station and the restriction that only Delaware County generated waste may be handled through either the Delaware County or Town Transfer Station facilities, the County has no objection to the ultimate disposal of all waste and recyclables utilizing Ulster County Resource Recovery Agency facilities or other willing and appropriate facilities outside of Delaware County	Community Services- SDEIS 3.10, Appendix 27	2		
170	Delaware County Department of Public Works	3.9.5 Community Services - Solid Waste/ Recycling	The County does recommend that all work involving the collection and disposal of waste from properties and activities controlled by Crossroads Venture LLC or any associated subcontractor, include explicit contract language specifying UCRRA facilities or other non-Delaware County facilities, as the disposal site waste and recyclables.	Community Services- SDEIS 3.10, Appendix 27	2		

171	Delaware County Department of Watershed Affairs	General	[H]ome 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 [comment is part of a public comment made at the 1/14/2004 public meeting]	Comment does not raise any substantive issues / no response required;	4		
172	Delaware County Department of Watershed Affairs	3.2.2 Surface Water Resources - Potential Impacts	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. 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 and non point sources is 803 kgsl 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, Waste Load Allotment, Load Allotment 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	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
173	Delaware County Soil and Water Conservation District	2.2.6 Site Drainage and Grading	The assumption that using topsoil fill with sandy loam soil texture overrides the importance of removing forest vegetation contradicts accepted practice. 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
174	Delaware County Soil and Water Conservation District	2.4.8 Golf Course Integrated Pest Management	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 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
175	Delaware County Soil and Water Conservation District	Appendix 7 Water Supply Report	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.	Soils- SDEIS 3.3;	2		

176	Delaware County Soil and Water Conservation District	Appendix 19A Water Budget Analysis - Wildacres	In their Table 3 (Water Contributions by Soil Type - Future Conditions) a relatively large value (2432 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.	Soils- SDEIS 3.3 Water Budget- SDEIS 3.2.2; Appendix 22;	2	Native soils are in the C and D hydrological group. Sandy loam fill was modeled as a B soil. Contrary to comment, native soils are not well draining, and faster percolation for B group soil is appropriate.	
177	Delaware County Soil and Water Conservation District	Appendix 19A Water Budget Analysis - Wildacres	According to 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2;	2		
178	Delaware County Soil and Water Conservation District	Appendix 19A Water Budget Analysis - Wildacres	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 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2;	2		
179	Delaware County Soil and Water Conservation District	3.3.2 Groundwater Resources - Potential Impacts and Appendix 10A Operational Phase Stormwater Management Plan	The DEIS 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, 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
180	Delaware County Soil and Water Conservation District	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Table 3-26	The wetlands maps and wetlands table show where 1.08 acres of isolated wetlands would be filled. Wetlands 17 to 22 are not listed as having aquifer recharge as one of their functions, despite their being isolated 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.	Wetlands- SDEIS 3.4.2;	2		

181	Dennis & Diane Ladner	3.10.2 Socio-Economic Setting - Potential Impacts	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 $8.00hr come close to earning enough to be self sufficient. [comment is part of a statement made at the public hearing on 1/20/2004]	Socio-Economics- SDEIS 3.9; Project Benefits- SDEIS 1.3.G	2		
182	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Throughout the document the applicants 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 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." [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
183	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and Amphibian Surveys	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. [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
184	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and 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. [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
185	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and Amphibian Surveys	The sources cited for the Bird Survey are all dated information. The list of species was again complied 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 is 14 years old for the latest book. While these are fine resources they are dated. [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		

186	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and Amphibian Surveys	Only general information is given on how the searches were carried out. Data recorded for each siting is not presented in the document itself 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. [...] If this is true, was one person sufficient to conduct both surveys properly in the time allotted? [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
187	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and Amphibian Surveys	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. [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
188	Dennis Reil	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and Appendix 20 Bird, Reptile and Amphibian Surveys	The areas of survey concentration need to be questioned. There are five areas cited. (I) 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. [comment is part of a statement made at the public hearing on 2/3/2004]	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
189	Doris Bartlett	1.4.4 Environmental Review Permits and Approvals - State	A document proposes allowing the project to be registered as a petroleum bulk storage facility and as a chemical bulk storage facility. What in the world would justify creating the need to put such facilities on top of our mountains in the middle of the state Forest Preserve in the middle of the watershed and uphill from people's homes and gardens?	Bulk Storage- SDEIS 1.4.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2	A chemical bulk storage permit will allow storage of chlorine to be used with the resort's water supply and swimming and spa facilities;	Key: (1) No Longer Applicable (2) Refer to SDEIS
190	Douglas G. Hinkley (President of the Magaretville telephone Company)	3.10.2 Socio-Economic Setting - Potential Impacts	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.	Comment does not raise any substantive issues / no response required	4		

191	Dr. Walter G. Knisel (via NRDC)	2.4.8 Integrated Pest Management and 3.2.2 Surface Water Resources - Potential Impacts	The DEIS does not discuss harvesting (clipping) the golf course fairway. If grass is clipped and removed, nitrogen and phosphorus are transported out of the system. If clippings are not removed, there is a biomass accumulation with recycling of nitrogen and phosphorus which is included in the GLEAMS model. This may be discussed in other parts of the DEIS, but it does have long-term effects.	Golfing Facility- SDEIS 2.8.4; Appendix 10 & 15;	2	Analysis doesn not rely on GLEAMS model. As stated in Appendix 10, nutrient loading rates from lawn areas, taken from published literature studies, and are used to predict phosphorus runoff.	
192	Dr. Walter G. Knisel (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	There is no information in the DEIS about nitrogen and phosphorus losses for the natural "as is" condition before construction. This is essential in determining the impact of constructing the golf courses. There is some nitrogen in rainfall and native phosphorus in the soil in the natural condition, but what is the increase due to golf course construction/management?	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
193	Dr. Walter G. Knisel (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 15 Fertilizer and Pesticide Risk Assessment	Without actual model parameter files, it is impossible to make a concrete decision on whether the model was validly applied. Selection of some parameter values is somewhat subjective and this writer is not experienced in the geographical area of concern. Information gleaned from the DEIS for the different models, i.e, soils, site topography/model representation, fertilizer and pesticide application data, might indicate adequate GLEAMS application, but limited data make a firm conclusion impossible. Sample output was shown only for the plant nutrient (fertilizer) component, but not for the hydrology and pesticide components of the model. And despite the fact that three fertilizer scenarios were outlined, the sample GLEAMS output did not correspond to any of them.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
194	Dr. Walter G. Knisel (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 15 Fertilizer and Pesticide Risk Assessment	The DEIS used the LEACHM model for pesticide leaching and the GLEAMS model for pesticide runoff. These independent simulations may be all right, but GLEAMS can give both runoff losses and leaching losses simultaneously. The authors' applications are dealers' choice, but there is only a given amount of pesticide available for runoff and for leaching. Runoff and leaching occur simultaneously. The DEIS's applications says there is no runoff, and that LEACHM will give the worst case leaching losses. Then they turn around and use GLEAMS to determine pesticide runoff losses which are properly partitioned between runoff and percolation.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
195	Dr. Walter G. Knisel (via NRDC)	3.2.3 - Surface Water Resources - Mitigative Measures	There is one falsehood in the DEIS: GLEAMS was developed by the USDA-ARS and University of Georgia, not USEPA.	Comment does not raise any substantive issues / no response required	4		

196	Dr. Walter G. Knisel (via NRDC)	3.2.3 Surface Water Resources - Mitigative Measures	Some parameter values were not specified in the report, i.e. soil horizon thickness and effective rooting depths. It would be helpful if the DEIS gave the respective soil textural classification in addition to the series names, i.e. Vly silt loam, for all soils. Likewise, it is not known from the DEIS if all soil series were modeled. It was not stated if topsoil would be stockpiled during construction of greens and fairways to be used on the golf course, or if soil material with different physical and chemical characteristics would be imported from elsewhere, Soil fill characteristics were not included on porosity, degree of compaction, etc. No indication is given if porosity values used in the LEACHM model are for "as is" conditions or those following long-term settled conditions from overburden compaction or for the existing residual soil in situ.	Soils- SDEIS 3.3; Water Budget- SDEIS 3.2.2; Appendix 22	2		
197	Dr. Walter G. Knisel (via NRDC)	3.2.3 Surface Water Resources - Mitigative Measures	Certain sequences and timing of rainfall events in a lower rainfall year can cause significantly more pesticide leaching than the highest rainfall year. High rainfall years may result in considerable dilution of leached pesticides and result in lower pesticide losses. A given mass of soluble pesticide or fertilizer available in the soil may be removed with large volumes of runoff and percolation water, or removed by smaller volumes of runoff and percolation. Highest concentrations of pesticide leaching and runoff would result from smaller volumes of percolate/runoff water. This is the very reason the GLEAMS developers made provisions to simulate up to 50 years in a single model run using the rotation or continuous crop feature and examine the number of exceedances of threshold values such as LC50. Will there be one exceedance in 50 years? Or does one exceedance occur every year? Because the DEIS only modeled one year, these questions were not answered.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
198	Dr. Walter G. Knisel (via NRDC)	3.6.1 Soils Existing Conditions	The DEIS must be more specific to give soil textures for each of the series, and show the results for all soils represented. If all soils on the site have the same textural classification, this should be stated in the DEIS to explain why only one soil is represented. Also, all conditions represented in the modeling should be given so the reader will know exactly what they did.	Soils- SDEIS 3.3;	2		
199	Environmental Advocates of New York	3.2.1 Surface Water Resources - Existing Conditions	In 1996, the mean phosphorus concentration was 22.6 µg/L in the west basin and 16.2 µg/L for the east basin. Both these levels already exceed the 15 µg/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 µg/L, and 13.1 µg/L, respectively. The 5-year average for 1992-1996 is extremely close to reaching the 15 µg/L guidance value; therefore, if the Belleayre Resort adds the estimated additional 108 Kg/year it is highly likely that the 15 µg/L will be exceeded.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
200	Environmental Advocates of New York	3.2.2 Surface Water Resources - Potential Impacts	On behalf of Environmental Advocates of New York, 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

201	Environmental Advocates of New York	3.2.2 Surface Water Resources - Potential Impacts	Upon reviewing the proposed phosphorus TMDL revisions for the Phase II Phosphorus 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	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
202	Friends of Catskill Park	General	The DEIS is an awkward, cumbersome document and extremely difficult to navigate. The electronic version should have been searchable and hard copies should have been readily available for those who do not use computers. All had difficulty navigating the DEIS and much of the public was left out of the process as a result. This goes against the intent of SEQRA which requires documents to be accessible.	Comment does not raise any substantive issues / no response required;	4		
203	Friends of Catskill Park	1.2 General Project Description	The 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 dominate 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.	Community Character- SDEIS 3.8.3 Traffic- SDEIS 3.5 Growth- SDEIS 7.1	2		Key: (1) No Longer Applicable (2) Refer to SDEIS (3) Refer to Issues Conference Exhibits (4) No
204	Friends of Catskill Park	1.2 General Project Description	Friends of Catskill Park believes the Belieayre Resort would create devastating impacts on what is one of the most unique areas not only in the state, but in the world. Catskill Park, the New York State Forest Preserve, the New York City Watershed and the existing village communities currently co-exist harmoniously and this harmony serves a wide range of needs throughout the state. It is working and it is a balance that can and must be preserved	Community Character- SDEIS 3.8.3; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
205	Friends of Catskill Park	1.3.2 Project Purpose, Need and Benefits - Public Need for the Project	In 1994, a concerned group of citizens began meeting to discuss these and other challenges confronting communities along the Route 28 corridor. This study laid out a vision for the corridor's future economic growth with attention to protecting natural resources. In general, the study suggested a maximization of facilities at Belleayre Mountain and the revitalization of the two villages at its base, Pine Hill and Fleischmanns. The study states "The various hamlets along the corridor provide services to the visitor and should serve as the hubs for future concentrated development." The study went further stating "...four or five 100 room hotels, built over a 5-10 year period, would be far more viable than either a multiplicity of smaller units or dependence on a mammoth new reset"	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
206	Friends of Catskill Park	1.3.3 Objectives	The project applicant has stated, in public meetings, that they intend to sell the proposed Belleayre Resort at Catskill Park once the approvals are received. This would leave little, if any, responsibility with the current applicant over the future development that could occur on the remaining portion of the project. Without guarantees on how the undeveloped land outlined in this proposal is to be protected in perpetuity, there is little assurance that the project would not be expanded in the future, which would have even greater community impacts.	Land Conservation- SDEIS 1.3 G; 2.5; Appendix 2	2	The westernmost portion of the site, comprised of 203 acres, is the Adelstein parcel which is subject to a Conservation Easement held by New York City.	

207	Friends of Catskill Park	1.3.4 Benefits of the Proposed Action	The DEIS states that "approximately 1,387 acres, or 71% of land, are not proposed for development. The...acres of land left undeveloped will be protected from future development by restrictions that could take the form of deed-restricted lands or conservation easements." The DEIS fails to outline specifically how these lands would be protected and there are no guarantees that the remaining land would not be developed in future phases. Without the details on how the land is being "forever protected", the development could be expanded and additional peak/valley, scenic and rural community character impacts realized. There is no information on future ownership of these lands; this could impact the future taxes generated from the preserved acreage. The specific measures for protection of the 1,387 acres must be included as part of the DEIS as they are in Appendix 4A, which includes the draft covenants for Highmount Estates.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
208	Friends of Catskill Park	1.4 Environmental Review, Permits and Approvals - Community Character Impacts as defined in SEQRA	Will the Proposed Action result in a physical change to the project site? - Construction that will continue for more than 1 year or involve more than one phase or stage	Comment does not raise any substantive issues / no response required	4		
209	Friends of Catskill Park	1.4 Environmental Review, Permits and Approvals - Community Character Impacts as defined in SEQRA	Will Proposed Action affect aesthetic resources? - Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, man-made or natural. - Proposed land uses, or project components visible to users of aesthetic resources, which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. - Project components that will result in the elimination or significant screening of scenic views known to be important to the area	Visual Impacts- SDEIS 3.6	2		
210	Friends of Catskill Park	1.4 Environmental Review, Permits and Approvals - Community Character Impacts as defined in SEQRA	Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? - A major reduction of an open space important to the community	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
211	Friends of Catskill Park	1.4 Environmental Review, Permits and Approvals - Community Character Impacts as defined in SEQRA	Will Proposed Action affect the character of the existing community? - The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. - Proposed Action will conflict with officially adopted plans or goals. - Proposed Action will cause a change in the density of land use. - Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	Socio-Economics- SDEIS 3.9; Community Serices- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

212	Friends of Catskill Park	2.1.1 Overall Project Design and Layout East of Ski Center - Big Indian Plateau	In the DEIS it states that there will be approximately five-acres of planted roof. There will be an engineered soil profile with soil depths ranging from 12-inches for small shrubs, 18-inches for larger shrubs and 24-inches for small trees under six feet in height. Larger trees will not be used due to blow down concerns. The soil will be placed over filter fabric and a drainage layer to prevent water retention. The plantings will then be irrigated to maintain a soil moisture content suitable for plantings. In spite of the irrigation, the designer wisely is proposing to use a xeriscape planting method where plants with various water requirements are separated into irrigation zones with most of the plantings requiring little supplemental water. Finally, the ground will be covered with three inches of mulch to further conserve water.	No longer applicable (n/a)	1		
213	Friends of Catskill Park	2.1.1 Overall Project Design and Layout East of Ski Center - Big Indian Plateau and 3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The result of the rooftop-planting scheme is that while the plantings will eventually establish themselves, the end result will not blend into the surrounding forest. From the air, the building could be somewhat masked, but in elevation, the reflection from glass and the building itself will be visible. The xeriscape plantings will not resemble the indigenous maple-beech forest. The initial plantings will need to be somewhat sparse to allow room for the plants to grow. Until they are established in several years, with proper maintenance, five-acres of mulch will be the most visible element.	No longer applicable (n/a)	1		
214	Friends of Catskill Park	2.2.3 Potable Water Supply and 3.3.2 Groundwater Resources - Potential Impacts	The developers have not proven that there is enough water to service and sustain the current and future needs of the existing villages, the Belleayre Ski Center (which is planning an expansion) as well as a huge resort complex water demands would be heavy during the most drought-prone months of the year which could lead to a water crisis. Use of water from local villages, as the resort developers propose, would limit the future growth of those villages. Growth in the villages and hamlets rather than on mountaintops or along Route 28 is the most desirable type of growth for this area according to most studies and plans.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
215	Friends of Catskill Park	2.2.6 Site Drainage and Grading	There are many references to identifying "suitable stockpile locations" for the excess cut generated in Phase 1. Not only would these areas be susceptible to erosion because a forested mountain covered with thick organic matter has a better capacity for stabilizing soils than a mowed fairway, but also they would be visually intrusive for a period of 8 years. While erosion control measures are being proposed, there is always a potential for negative impacts. The removal of vegetation deprives the soil of the stabilizing function of roots as well as the moderating effects on wind and water erosion. A stockpile management plan for all stockpile areas that illustrate the location of the proposed areas, the visual impact mitigation measures and the erosion control mechanisms that will be used, should be prepared.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
216	Friends of Catskill Park	2.2.6 Site Drainage and Grading	Development on hillsides increases runoff, not only by creating impermeable surfaces but by altering natural drainage patterns	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

217	Friends of Catskill Park	2.2.6 Site Drainage and Grading and 3.8.2 Adjacent Land Uses and Community Character	The Source of topsoil has not been identified, impacts the loss of agricultural land, [as affecting Open Space, have not been evaluated]	Soils- SDEIS 3.3	2		
218	Friends of Catskill Park	2.2.6 Site Drainage and Grading and 3.8.2 Adjacent Land Uses and Community Character	Source for topsoil has not been identified and the impacts of loss of agricultural land area, [as affecting Open Space, have not been evaluated]	Soils- SDEIS 3.3	2		
219	Friends of Catskill Park	2.2.6 Site Drainage and Grading and 3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	The existing depth to bedrock is obviously shallow for these services and to accommodate the ponds and foundations. Blasting and filling would be required for all portions of the project development. Blasting and regrading the mountaintop would have visual impacts on the Catskills region that have not been adequately considered. The visual impacts to accommodate the proposed Resort and golf course will be evident as the existing contours and vegetation on the mountain will be changed; the DEIS visual simulations clearly show these impacts even from 1-2 miles away. The mountain contours would be changed to accommodate the proposed project and no consideration is given to these visual impacts from locations close to the project site and specifically, from Route 28. The DEIS fails to illustrate the visual impacts from this vantage point.	Visual Impacts- SDEIS 3.6 Construction Activities- SDEIS 2.8.9	2		
220	Friends of Catskill Park	2.2.8 Lighting and 3.8.4 Visual Resources and Aesthetics	The development would be visible from several sections along Route 28, several hiking trails, Hog Mountain, Rose Mountain, Monka Hill, Fleischmanns, Pine Hill Village, Belleayre Ski Center, Big Indian and many other locations. It would be the only mountaintop in the area with major development including multiple buildings, roads, parking lots, all using artificial light at night. Although Belleayre Ski Center is lighted during snowmaking, this occurs only during ski season. The Belleayre Resort would create year round night sky glow which could be seen for miles around. It would be a major visual impact since one of the treasures of the Catskills is a truly dark night sky.	Lighting, Landscaping and Signage- SDEIS 2.8.11 Visual Impacts- SDEIS 3.6	2		
221	Friends of Catskill Park	2.4.3 Operational Stage Activities - Employee Housing	The time-shares in the proposed development are not anticipated to be year-round housing and are not considered to be housing for the Resort employees. The DEIS states that the workforce can be expected to seek housing in the Towns of Shandaken and Middletown in order to be proximate to their jobs and to reduce commuting costs.	Comment does not raise any substantive issues / no response required	4		
222	Friends of Catskill Park	2.4.3 Operational Stage Activities - Employee Housing	The US Census defines vacant housing as vacant if no one is living in it at the time of enumeration, unless its occupants are only temporarily absent. Units temporarily occupied at the time of enumeration entirely by people who have a usual residence elsewhere are also classified as vacant. A housing unit is classified as occupied f it is the usual place of residence of the person or group of people living in it at the time of enumeration. This information is important to evaluate in the DEIS, which states that no new housing would be needed to accommodate the new employees expected at the Resort.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

223	Friends of Catskill Park	2.4.3 Operational Stage Activities - Employee Housing	According to the US Census, there are approximately 144 vacant homes for rent and 88 vacant homes for sale in the Towns of Shandaken and Middletown, which are the two communities most likely to be impacted with population growth. Other vacant units account for approximately 200 vacant housing units and would include housing for caretakers/janitors, units held for personal reasons of the owner and similar types of housing; these would probably not be available for new workers moving in as a result of the proposed project. These figures would indicate that adequate housing for the new families that can be expected to move into the area, based on approximately 750 new jobs, is not available does not appear to be adequate housing for the number of employees the project is expected to generate; the DEIS states that 750 jobs would be created.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
224	Friends of Catskill Park	2.4.3 Operational Stage Activities - Employee Housing	There has been no consideration given for population growth and the need for additional housing for lower paid employees with regard to social impacts	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
225	Friends of Catskill Park	2.4.3 Operational Stage Activities - Employee Housing and 3.10.1 Socio-Economic Setting - Existing Conditions	There is no analysis in the DEIS as to how these new families would be accommodated, except to say that they would move in to existing vacant housing. The vacant housing is insufficient to house the new families that would, in all likelihood move in to the region and could result in a shortfall of hundreds of housing units. Additional affordable housing is likely to be needed as the number of low paying jobs, and lack of available housing, will only increase housing demand facing the Towns of Shandaken and Middletown and, in turn, change the existing land use patterns of communities that surround and house the proposed Resort. The DEIS needs to address the rental housing market for the region, and specifically for the Towns of Shandaken and Middletown, The DEIS fails to address the current rental housing market and lower end priced housing market to determine the availability for lower paid employees.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
226	Friends of Catskill Park	2.4.7 Operational Stage Activities - Deliveries of Goods and Services	Once the project is completed, there will be an increase in the number of vehicles along Route 28; this includes guests at the Resort and trucks/vehicles that service the site. The DEIS does not include or address the vehicles that will be required to serve the site (garbage trucks, maintenance vehicles, supply trucks, etc) in terms of the volume of traffic on Route 28.	Traffic- SDEIS 3.5; 4.7	2		
227	Friends of Catskill Park	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Removal of vegetation deprives the soil of the stabilizing function of roots as well as the moderating effects on wind and water erosion	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		

228	Friends of Catskill Park	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The developer's Environmental Assessment Form claims the resort would generate up to 500 vehicular trips per hour although the DEIS claims up to 347 during peak periods. It does not appear that the DEIS covers delivery trucks, supply trucks, service trucks and busses that the resort would generate so perhaps that omission accounts for the shortfall in the numbers. There would also be thousands of trucks bringing in construction materials during the 8 year construction phase and Route 28, a 2-lane scenic highway through the Catskill Park, is the only main artery through the area. This spike in the traffic load would degrade the travel experience and increase the risk of travel for all, increase air pollution from emissions and increase polluted runoff to watershed streams. Additionally, the Catskill Mountain Railroad has recently been given clearance by the NYSDOT to cross Route 28 in Mt Tremper, near Catskill Corners, 8 to 18 times per day.	Traffic- SDEIS 3.5;	2		
229	Friends of Catskill Park	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The expansion of the Ski Center would result in additional traffic volume -- especially on Route 28, as this is the primary access road to Belleayre from the NYS Thruway. The traffic increase impacts stemming from improvements and expansion at the Ski Center have not been included in the overall analysis of the proposed development. By ignoring the potential traffic impacts of the Ski Center, the cumulative impacts on Route 28 cannot be fully assessed. The increases, in recent years, in attendance have also been ignored.	Traffic- SDEIS 3.5;	2		
230	Friends of Catskill Park	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The proposed Belleayre Resort at Catskill Park would only exacerbate the traffic issues that would result if Belleayre Ski Center were "serving a more steady stream of skier volumes seven days a week" Increased traffic leads to increases in noise levels, the potential for accidents and vehicle emissions, What is now a rural, winding country road (Route 28) would see an influx of traffic, which could later require the widening of Route 28, which would transform the entire rural character of this scenic corridor. Costs for improvements to County Road 49A and Friendship Road (only 18 - 20 feet wide) are not included as part of the DEIS and the expenses born by the applicant.	Traffic- SDEIS 3.5;	2		
231	Friends of Catskill Park	3.7.2 Traffic Patters - Potential Impacts and Mitigation Measures	The DEIS does not adequately address this possibility, and general traffic impacts, on the rural character of the Town of Shandaken and other Route 28 corridor communities. The DEIS understates the traffic impacts of the proposed project because it does not evaluate the full-build out of the project, uses days of the year that are not peak usage (Matin Luther King, Jr. weekend), does not use current usage numbers for Belleayre Ski Center and other issues identified in the summary report." The full impacts of traffic on the two communities must be identified to full build-out.	Traffic- SDEIS 3.5;	2		

232	Friends of Catskill Park	3.8 Land Use and Community Character	The developer’s unfounded claim in their DEIS that there would be no impacts on community character has been thoroughly covered by Peter J, Smith & Company, Inc. in their report for Friends of Catskill Park. We believe there would be very serious negative impacts and some of them include: creating a significant jump in population; importing hundreds of workers; increasing the traffic load and adding traffic lights; altering a treasured viewshed; deforesting over 500 acres of high-elevation land; inserting a separate and exclusive ‘gated community’ into a rural community; imposing 8 years of construction noise, dust and traffic on local communities and businesses; risking local trout fisheries which are world-renown and a substantial source of local income; competing 'head-on' with local businesses; bringing about negative socio-economic impacts; inflating property values making it more difficult for local residents to buy and maintain property in their own community; placing a resort on a mountain so massive that it would dwarf nearby villages and potentially hold more people than there are residents in the entire town of Shandaken; and more.	Community Character- SDEIS 3.8.3;	2		
233	Friends of Catskill Park	3.8.1 Land Use and Community Character - Existing Use of Site	In the SEQRA regulations, §617.7(viii) includes impacts that must be addressed, such as those that include a substantial change in the use or intensity of use of land, including agricultural, open space or recreational resources.	Land Use, Planning and Zoning- SDEIS 3.8.2; Community Character- SDEIS 3.8.3;	2		
234	Friends of Catskill Park	3.8.1 Land Use and Community Character - Existing Use of Site and 3.8.2 - Adjacent Land Uses and Community Character	There has been no analysis of meeting the broad definition of "in harmony" from either zoning code as the standard for special use permit requirement	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
235	Friends of Catskill Park	3.8.1 Land Use and Community Character - Existing Uses of Site	In 1999, the Catskill Watershed Corporation conducted a study to assess the economy of the Catskill watershed. The study states that "despite the challenges, the watershed region also has several substantial economic strengths on which to build. These include...a tourism destination sector that has remained stable despite a shakeout of the hotel industry as large noncompetitive resorts give way to smaller niche players.” The results of the HR&A Study were not unlike that of the Route 28 Corridor Study but went further. The study emphasized focusing development within existing hamlets. The study said, "The hamlets and villages are among the watershed's most important assets from an environmental protection standpoint. New economic activity within these centers can make use of existing infrastructure and buildings, thereby limiting the amount of land that would be cleared to accommodate new development."	Comment does not raise any substantive issues / no response required;	4		
236	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Cumulative impacts and secondary growth impacts [as affecting Open Space have not been evaluated]	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS; Community Character- SDEIS 3.8.3; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2;	2		

237	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The intensive use of the Forest Preserve [as affecting Open Space has not been evaluated]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
238	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Loss of the wilderness and forest character of the area [as affecting Open Space and Community Character has not been evaluated]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
239	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Land use changes from forested land to more intensive development that will result in more impervious materials and a loss of the open space on the mountain top area [as affecting Open Space and Community Character has not been evaluated]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3;	2		
240	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Potential loss of an additional 1,387 acres with no guarantees from the applicant on specific ways the remainder of the property is to be protected area [as affecting Open Space and Community Character has not been evaluated]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3;	2		
241	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Impact on Route 28 as a scenic drive- and potentially as a State designated Scenic byway area [as affecting Open Space and Community Character has not been evaluated]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
242	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The scale of this development will forever impact the entire Catskill region, The impacts on these communities must be carefully assessed and evaluated as part of the DEIS presented to the NYS Department of Conservation during the review and approval process. The DEIS fails to address the community character impacts in an appropriate way	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
243	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Based on these definitions, community character can be defined as the traits or attributes, both tangible and intangible, of a region that are identifiable and bind residents and visitors together. These include both physical and psychological bonds within the historic, cultural, natural, built, political and economic environments. Community character is often referred to as a "sense of place". "Geographers have...examined both the character intrinsic to a place as a localized, bounded and material geographical entity, and the sentiments of attachment and detachment that human beings experience, express and context in relation to specific places." The Catskills Mountains are what defines the community character of the Catskill region.	Comment does not raise any substantive issues / no response required;	4		
244	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The courts of New York and NYS DEC have explicitly held that neighborhood character is a “physical condition of the environment under SEQRA”. For example: 1) The Appellate Division (New York State's intermediate appellate court) upheld a decision to deny a hard rock mine permit based on adverse impacts to the historical and scenic character of the community including visual and other community impacts that could be sufficiently mitigated.'	Comment does not raise any substantive issues / no response required;	4		

245	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The courts of New York and NYS DEC have explicitly held that neighborhood character is a "physical condition of the environment under SEQRA. For example: 2) The Appellate Division found that he examination of adverse economic impacts from a proposal to build a new Wal-Mart was proper "in the context of assessing the probability and extent of the change it would work on the overall character of the community, as a result of an increased vacancy rate among commercial properties in the downtown area - an entirely proper avenue of inquiry, even within SEQRA."	Comment does not raise any substantive issues / no response required;	4		
246	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The courts of New York and NYS DEC have explicitly held that neighborhood character is a "physical condition of the environment under SEQRA. For example: 3) In an interim Decision agreeing that community character was an issue for adjudication, the NYS DEC Commissioner made the following observation regarding community character: At times, the issue of community character may intertwine and overlap with issues such as noise, aesthetics, traffic and cultural resources, and a commissioner's final determination may "necessarily involve a judgment that integrates all the relevant facts with respect to all those issues.	Comment does not raise any substantive issues / no response required;	4		
247	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Officials and residents in the Catskills also understand the uniqueness and beauty of the Catskills. The Route 28 Corridor Study completed for the Town of Shandaken recognizes the character of the Catskill region, and the desire to direct development to existing nodes and "developed" areas[:] “The various hamlets along the [Route 28] corridor provide services to the visitor and should serve as the hubs for future concentrated development, other than that which requires a location with specific physical features. Development in the two communities has tended to respect the topography and unique natural feature - the mountains ---by nestling small clusters in the villages and hamlets that exist. Private lands are almost exclusively confined to the narrow stream valleys and hollows below the higher peaks.”	Comment does not raise any substantive issues / no response required;	4		

248	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	While each group or individual will define specific aspects of community character that impact them directly, there are several obvious aspects of the communities that bind them together and that all can agree upon. For the Catskills region and, specifically, the Towns of Shandaken and Middletown, these would include: 1) Peaks and Valleys -- The Catskill region is characterized by peaks and valleys and includes some of the most spectacular mountains in New York State. In much of the Catskills, the mountaintops have remained virtually undeveloped while the valleys, including the Route 28 corridor, have experienced small-scale residential, commercial and tourist-related development. The mountains are covered with forests that blanket the mountaintops with green in the summer, vibrant reds, orange and yellows in the fall and white snow caps in the winter. While each group or individual will define specific aspects of community character that impact them directly, there are several obvious aspects of the communities that bind them together and that all can agree upon. For the Catskills region and, specifically, the Towns of Shandaken and Middletown, these would include]: 2) Scenery-The mountains in the Catskill region are generally second growth forests, Local, County and State residents and officials recognize these forests as a significant resource. The clear flowing streams, crisp mountain air, grand panoramic views and waterfalls all add to the natural experience that characterizes the Catskill region. The natural state enhances the scenery of the entire Catskill region.	Comment does not raise any substantive issues / no response required;	4		
249	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[continued from comment above] While each group or individual will define specific aspects of community character that impact them directly, there are several obvious aspects of the communities that bind them together and that all can agree upon. For the Catskills region and, specifically, the Towns of Shandaken and Middletown, these would include:] 3) Rural- Driving through Shandaken and Middletown along Route 28 in the valleys of the Catskill mountains, the experience includes a winding, valley road that follows the natural topography of the region. In most of the Catskill region, there are no large-scale, high-density developments located on the mountaintops in the region, but rather sparsely populated areas with small-scale commercial and large-lot residential development located in the valleys, Open space characterizes the rural character of the Catskill region and impacts the quality of life for all residents.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		

250	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[continued from comment above] While each group or individual will define specific aspects of community character that impact them directly, there are several obvious aspects of the communities that bind them together and that all can agree upon. For the Catskills region and, specifically, the Towns of Shandaken and Middletown, these would include:] 4) Small Villaqes and Hamlets,- The Catskill region has had a history as a "resort destination"; this included small-scale developments centered in and around the villages and hamlets that are located in the valleys. These population centers have been important to the social and economic well-being of residents and have also served the visitors to the region. The villages and hamlets have evolved through a history that has helped define the community character. Much of history of the Catskill region can be found in many of these small villages and hamlets as they evolved over many years.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
251	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	These characteristics [from comments above] must be considered in assessing the proposed Belleayre Resort at Catskill Park and its community impacts. The project will impact the Catskills region, and because of its location in Shandaken and Middletown, the two Towns specifically. An assessment of these impacts will help determine if the development is appropriate in the location and at the scale it is proposed.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issue Ruling 19; Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
252	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	“The proposed project will involve development of approximately 29% of the assemblage, or only approximately 573 acres. The project will provide for most of the needs of its guests, including lodging, dining, recreation, spa facilities, etc. Because the Resort will be fairly self-contained, there will not be an affect on community character.”-- Statements such as this in the DEIS for the Belleayre Resort at Catskill Park clearly indicate that there is a lack of understanding of what community character is, specifically in the Catskills region and Towns of Shandaken and Middletown, and what this community character means to residents and visitors.	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2;	2		
253	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The project has significant external impacts - aesthetic, physical and social - that will impact the two communities, The impacts considered involve the community character, as it exists today and the potential impacts this type of development would forever have on these two municipalities and the Catskill region.	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2;	2		
254	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The DEIS states that the project would be completed over an 8 year period. The duration of the construction schedule could have several impacts on the rural community character in the Catskill region and, in particular, the Towns of Shandaken and Middletown.	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2;	2		

255	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	A related issue associated with the topsoil required for the project is the source of the topsoil. This would result in the loss of local agricultural lands, which are a non-renewable resource. Almost 250,000 cubic yards of topsoil are expected to be imported to the site, as outlined in the DEIS. The impacts on the loss of agricultural lands is an important impact on the local, regional and state economy that should be addressed in the DEIS.	Soils- SDEIS 3.3; DEIS Appendix 6; Land Use, Planning and Zoning- SDEIS 3.8.2;	2	Letters of Record, includes a 2/15/01 letter from Rainbow Mountain Construction Corp stating that they are aware of the amount of material needed and that they have identified sources that have valid permits which can provide the amount and kind of material needed.	
256	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The visual impact on the undisturbed mountaintop will be noticeable when combined with the tree removal and bare soils on the development site. "Degradation of hillsides also destroys a community's character. The surrounding hills are an aesthetic resource which gives the community its distinctive setting."' These visual impacts, as well as the clear cutting of 500+ acres, are not adequately addressed as they relate to the peaks/valley and scenic community character in the Catskill region. The impacts of clear cuffing are dismissed by simply stating the site will be revegetated.	n/a	1		
257	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	People that purchase time-shares and stay at the Resort will be the primary users of the proposed project. The DEIS states that a “gate house is proposed on the main access road above Friendship Road.” Although gated communities are developing throughout the United States, especially around golf and ski communities, the concept of a gated community in the Catskill region, and specifically, the Towns of Shandaken and Middletown, is in direct contrast to the hamlet community character that creates communities. While residents will not expect access to any private lands without permission or an invitation, the concept of gating portions of the two Towns is foreign to this region. The exclusive enclaves built on top of the mountain will, in all likelihood, create a divide between long-term residents and those that frequent the proposed project. "Outsiders" will be viewed as coming into the Catskill region and isolating themselves in this gated community rather than integrating themselves in to the existing culture.	n/a	1		
258	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Belleayre Resort at Catskill Park, and the introduction of gated communities into the Towns of Shandaken and Middletown, would be in conflict with these two goals [of New York State as supplied in the comments]. The impact of transforming a mountain top by clear cutting and blasting shows little appreciation for the natural landscape that adds beauty and value to the residents and visitors in the Catskill region.	n/a	1		
259	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The special sense of place that characterizes the Catskills -- mountains, scenery, rural and hamlets -would be greatly impacted by the development that has no relationship to any of these characteristics. The hamlet downtowns could be economically impacted by a large-scale development that has no physical or visual links with these historic areas.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

260	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The gated communicates would discourage people from visiting by placing gates at the entrances of the proposal and would become exclusive enclaves that are not linked to the rest of the community.	n/a	1		
261	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	These buildings are not being developed near population centers where "smart growth" policies, as outlined in both the APA Smart Growth Policy Guide and New York State Quality Communities Policies, would recommend they be located. The existing land use patterns in the two communities, and throughout most of the Catskill area, is being ignored with this proposal; that is valley, hamlet centered development. The DEIS does not address the scenic, rural or hamlet character impacts of adding attached housing, in an undeveloped area of the municipality and to a community of almost exclusively single-family homes.	Community Character- SDEIS 3.8.3;	2		
262	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Parks and preserves can provide the opportunity for escape and relaxation for every New Yorker. Outdoor experiences provide important social values and are an important and inexpensive form of relaxation.	Comment does not raise any substantive issues / no response required;	4		
263	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Route 28 study offers recommendations on land use controls and guidelines and states "the natural features of the Corridor should be the dominant visual element. Man made development should recede to the background or enhance a common theme.' Clear-cutting 500+ acres of land on top of the mountain would detract from the natural features, and the dominant visual elements of the proposed project, the hotels, golf courses and other man made improvements, would overshadow the natural beauty at this location on the mountaintop and must be addressed in the DEIS as it relates to community character.	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
264	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	In the Summer and Fall 2000, the Comprehensive Plan Committee for the Town of Shandaken undertook a community survey to identify issues and determine the overall opinions of residents on various community aspects. The survey was mailed to all 3,040 households in June. A total of 769 surveys were returned for a response rate of 25%. The results of the survey have been tabulated and several of the questions and answers directly relate to the residents "vision" for their community and future development. The average length of property ownership in the Town is almost 22 years, so there is a definitive "history" that has been established by many residents. The scale on the survey included a rating from 1 to 5 with 5 being very important. Many of the survey responses are in direct conflict with the probable impacts of the proposed development, and have not been addressed or considered by the DEIS:	Comment does not raise any substantive issues / no response required;	4		

265	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[continued from comment above] CHARACTER: 4.5 - Protecting Rural Character; 4.4 Protecting Existing Hamlets; 4.7 Protecting Scenic Views; DEVELOPMENT PATTERN: 3.4 encourage development in the Hamlets; 2.8 encouage development in other areas; TYPE OF ECONOMIC DEVELOPMENT: 4.2 arts/theater; 4.1 small inns/Bed & Breakfasts; 3.9 Tourism; HOUSING: 4.2 single family dwellings; 2.2 Townhomes/Condos/Clusters; 2.2 Apartments with 4 or more units; REASONS FOR LIVING IN SHANDAKEN: 4.8 Natural Surroundings; 4.3 Low crime rate; 4.6 Rural life;	Comment does not raise any substantive issues / no response required;	4		
266	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[continued from comment above] Over 72% of respondents indicated that the community rural character is very important to them and 63% indicated the existing hamlets were very important. 82% indicated that the forests and woodlands are very important. Over 92% indicated that the scenic views were very important or important to them; this is over 90% of residents answering the survey. 67% believe that maintaining the rural character is very important while another 17% believe it is important. Almost 60% believe that controlling the rate of development is very important. 43% believe that enhancing economic opportunities is very important. Almost 28% of the survey respondents indicated that development along Route 28 should be encouraged, while 34% thought it should be discouraged. Development in the hamlets should be encouraged according to 53% of respondents.	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6; Issue Ruling 19	2		
267	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	When asked what type of economic development should be encouraged, the proposed uses ranked lower than many other uses. The following percentage of respondents agreed the following should be encouraged: Ats/theater: 76%; Small Inns/Bed & Breakfasts: 73%; Crafts: 70%; Tourism: 66%; Home Business: 64%; Visitor/Interpretive Center: 62%; Restaurants: 61%; Tele-commuting/Internet: 61%; 54% Retail Business: 54%; Spas: 40%; Hotels: 33%; Light manufacturing: 31%; Gambling: 13%;	Comment does not raise any substantive issues / no response required;	4		
268	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	87% of survey respondents indicated that the natural surroundings were very important in their reason for choosing Shandaken as their home. Additionally, 74% indicated the rural lifestyle was very important for their reason for choosing this community as their home.	Comment does not raise any substantive issues / no response required;	4		
269	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	When asked what type of recreational activities they are interested in having in Shandaken, Golf Courses ranked low as a priority for residents. The following percentages of respondents were in agreement that the following should be encouraged: Hiking Trails: 82%; Arts/theater: 73%; Hunting/Fishing: 72%; Theater: 69%; Cross country ski trails: 64%; bike paths: 63%; Crafts 62%; Ice skating: 61%; Eco-tourism: 60%; Horseback riding: 60%; Whitewater recreation: 59%; Community Center:57%; Downhill Skiing: 54%; Town Pool: 53%; Museums: 52%; Tennis courts: 41%; Golf courses:32%; Snomobile trails: 22%;	Comment does not raise any substantive issues / no response required;	4		
270	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The proposed project appears to be in direct conflict with the vision of residents in Shandaken as they have responded to the survey completed as part of the Comprehensive Planning process. The residents have indicated that small-scale development that complements the hamlets and maintains the natural beauty is the type of development they envision for their community in the future.	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		

271	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Town of Shandaken workshops were completed as part of the Comprehensive Planning process. The workshops identified preserving and promoting the hamlets as important, encouraging low-impact small businesses and encouraging hamlet revitalization as important, These are the people that live and work in the community where the development is proposed, The most important goals outlined in the workshops held in Shandaken include: 1)Encouraging hamlet revitalization for businesses and homes; 2) Need for a comprehensive Catskill Park zoning plan to reflect the special nature of the Park, Route 28 and other areas; 3) Preserve and promote cultural, historic and economic character of the hamlets; 4) Encourage clean, low-impact small businesses that pay above minimum wage; 5) Provide a community center for all ages; 6) Provide improved internet access and other communication capabilities without impacting the natural setting; 7) Promote Route 28 as a scenic highway; 8) Enhance the aesthetics of Route 28; 9)Encourage oversight of development (lighting, materials, landscaping, setbacks); 10) Place a cap on the scale of development to preserve the rural character; 11) Preserve and enhance the beauty of the area through the development of "riverwalks" that link hamlets; 12) Provide improved and affordable public services	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
272	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Their vision is clearly different from the proposed project outlined in the DEIS that includes a large-scale development with no relationship to the hamlets, the history or the region or the scenic character of the Catskills. There has been no consideration for the drastic impacts that the proposed Resort would have on the vision identified by those that have supported the communities as residents and business owners. The proposed Resort, given its large-scale and location would be in conflict with the goals outlined by those living in the Town of Shandaken.	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
273	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Catskill Center conducted visioning workshops for the major hamlets in the two communities. This includes Fleischmanns, Pine Hill and Phoenicia. The visioning workshops in Fleischmanns were held between May and July 2002 to identify what residents identified as their future. The aspects of their community that residents "love about Fleischmanns" and its community assets include: Nature (scenery, mountains, water, serene view); Town and its Amenities (architecture, library); Proximity to Belleayre Mountain; Local History; Quaint Environment.	Comment does not raise any substantive issues / no response required;	4		
274	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Similar results came from the Pine Hill workshop held in January 2002. Residents “love” the following aspects of Pine Hill: Strong Sense of Community; Friendly People; Small Town Feel; Natural Beauty; Mountains; Activities such as skiing, fishing and hiking.	Comment does not raise any substantive issues / no response required;	4		
275	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Phoenicia workshop identified the beautiful setting of the mountains, small town look and feel, small and quaint community and making changes that benefit all - not just tourists, as important to their vision during a workshop held in February 1999. The aspects of Phoenicia that residents "love" included: Nature; Town and its Amenities (architecture, Library); Proximity to Belleayre Mountain; Local History; Quaint Environment.	Comment does not raise any substantive issues / no response required;	4		

276	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The density of land uses in the Towns of Shandaken and Middletown will increase dramatically and irrevocably with the development of the proposed project. As stated in the DEIS, the existing land uses on the eastern project site include two hunting camps, a house and barn, State hiking trails, the Brisbane (Turner) Mansion, carriage barn and caretakers house, lands formerly known as White Horse Lodge. The western portion of the project site includes the Highmount Post Office, the Marlowe Mansion/Wildacres Hotel, a residence and barn, house and outbuildings from former Leach farm and the former Highmount Ski Resort." This area, for the most part, has been historically undeveloped, as stated in the DEIS.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Community Character- SDEIS 3.8.3;	2		
277	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The concentration of the land uses proposed for the mountaintops will cause a tremendous change in the overall density of land uses. The project site to be impacted includes 573 acres that will be clear-cut and covered with over 100 buildings. These include two hotels, residential buildings, maintenance buildings and restaurants. The two golf courses will result in grassing almost 400 acres of an area that, today, is heavily forested. This change in land use not only increases density, but changes the peak/valley and scenic character of the mountains forever.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Community Character- SDEIS 3.8.3; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
278	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The Wildacres Resort Hotel complex is reflective of the diverse collection of architectural styles that defines Catskill resort architecture since the mid 18th Century, as stated in the DEIS. However, the placement of the Wildacres Resort Hotel, at the peak of a picturesque mountaintop, is in direct contrast to the previous trends in resort development in the Catskills. Historically, large-scale, multi-function resorts, have been nestled in the valleys or constructed on pre-existing plateaus. This was done to preserve and maintain the character of the mountain and prevent any negative impacts to the natural integrity of the mountain ranges. Wildacres Resort Hotel is, as designed, a significant alteration to the mountain on which it is to be constructed, as it is located in a prominent location at the peak. This location will forever alter the existing natural landscape of the Catskills.	n/a	1		
279	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The design of the Big Indian Resort and Spa has no cultural, historical or natural connection to the Catskill Mountains. The architectural details call for the roof and terrace areas of the main structure to be "planted with a mix of indigenous plants". The DEIS states that this approach to the design of the building will result in, "essentially making it invisible", with the building "virtually hidden within the landscape. In fact, there is no way to hide a building of this size and magnitude on the side of a mountain that is currently heavily forested.	n/a	1		
280	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	Plans to vegetate numerous parts of the Big Indian Resort Hotel, while helping to visually mitigate the structure, will not make it blend into the indigenous vegetation. This is due to the fact that the existing maple-beech forest will not be replicated in the roof top gardens. Only shrubs, small trees under six feet in height and grasses will be used due to the technical constraints of "rooftop planting".	n/a	1		
281	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	The square footage of both proposed Resorts, with main buildings that fall in the range of 390,000 - 410,000 square feet, are each equivalent in size to four (4) big box structures, such as a Wal-Mart. The impacts from a building of this magnitude on the natural topography will be irretrievable, in terms of the amount of natural vegetation and foliage that will be lost and changes to the visual aesthetics of the mountain range.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Visual Impacts- SDEIS 3.6;	2		

282	Friends of Catskill Park	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	In the Catskill region, the rural, winding roads lend to their overall charm and scenic and rural character as they tend to follow the natural topography - roads are generally located in the valleys and the mountains have remained undeveloped. The DEIS states that the "three largest ski areas: Belleayre, Hunter and Windham have the potential capacity to complete head-on with other ski regions and even to transition from primarily serving a weekend and vacation market to serving a more steady stream of skier volumes seven days a week."	Comment does not raise any substantive issues / no response required;	4		
283	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Route 28 Corridor study recognizes the value of the Catskills environment in the opening statement of the report: "The Catskill Forest Preserve in Upstate New York is an underutilized resource of significant potential. A metropolitan market of 21 million people lies within 100 miles of its eastern gateway. An additional 18 million people visit the metropolitan area annually (6 million of them from abroad, many from countries where a preserve as pristine as the Catskills Forest has not existed for decades)."	Comment does not raise any substantive issues / no response required;	4		
284	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	This study recognizes the uniqueness and unspoiled wilderness area of the Catskills. In the mid-19th century, the Catskills were "devastated" by the tanning and logging industries and today, "represent one of the world's few and most obvious success stories.' The proposed development would once again devastate the mountaintops that have taken 100 years to regenerate themselves. The DEIS downplays the significance of the Catskill's environmental restoration and the impact that one large-scale development could have on the region.	Visual Impacts- SDEIS 3.6;	2		
285	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Route 28 Corridor Plan was developed to guide land uses along Route 28 with a specific strategy. The first recommendation in the Plan is that the preparation of a land use/economic development strategy be developed to "capitalize on the existing pattern of small hamlets connect-ed by the strong transportation corridor." The Corridor Plan outlined in the study states that intensive year-round activity would " spark the construction of lodging and entertainment facilities at appropriate spots along the Route 28 Corridor through the two Towns, particularly at the two Gateway development areas: Phoenicia through Mt. Tremper in the east and Margaretville to Arkville/Halcottsville in the west." The proposed development is in direct conflict with these goals. The historic patterns of development are ignored with the proposed development that would result in numerous land use changes on top of the mountains, as opposed to capitalizing on the existing pattern of small hamlet develop-ment, Likewise, the two Gateway areas identified in the plan are not being targeted for development as the study stated.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		

286	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The [1999 CWC Study] study states, "Active recreation in the watershed can create conditions that are detrimental to water quality. In particular, skiing and golf can have greater impacts due to water-use for snowmaking or irrigation from clearing large sections of land. Also, the use of herbicides and fertilizers on cleared land such as golf courses present possible water quality impacts." It continued "communities felt strongly that they desire and strive for a sense of place for their residents. There was a sense of pride when people spoke of their community and a willingness to preserve the existing character." Finally, the study said "...there is a shakedown in the hotel industry as large noncompetitive resorts give way to smaller niche players."	Groundwater Resources- SDEIS 3.2; Golfing Facility- SDEIS 2.8.4; Appendix 15; Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
287	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The objectives of the plan include: 1)Respect the natural environment as an asset and maintain the clean and pristine character of the Watershed communities; 2) Encourage growth of industries and businesses that are compatible with clean water standards; 3) Strengthen the economies of hamlets, towns and villages while supporting and promoting a protected working landscape; 4) Provide incentives for environmentally sound businesses practices; 5) Support entrepreneurial endeavors which provide job opportunities; 6) Maximize available resources; 7) Utilize funds as a catalyst for stimulating public and private investment and economic activity.	Comment does not raise any substantive issues / no response required;	4		
288	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The [1999 Catskill Watershed Corporation] study states "the watershed's economic development plan needs to encourage many small businesses within an area as opposed to one large one." The proposed project would not meet the objectives outlined in this study. The first three objectives would be compromised with a project that proposes clear cutting over 500 acres, developing two golf courses that will require pesticides and fertilizers and cuts off the top of a mountain that is not proximate to the existing hamlets and Villages.	n/a	1		
289	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The [1999 Catskill Watershed Corporation] study also recognizes the shift in the tourism industry as it relates to the Catskill region. The industry has remained stable despite a decline in the hotel industry. The study suggests that tourism accounted for approximately $670 million of the five-county economy in 1997; the hotel industry lost a substantial number of jobs due, in part, to "accommodations industry... shifting from full-service "borscht-belt" style resorts to facilities focused on niche opportunities." Large, non-competitive resorts are not viable in the Catskill Region. This would suggest that tourists are not interested in large-scale resort style lodging, but rather smaller facilities. The proposed Resort and the DEIS analysis of its impacts, do not address this tourism trend.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
290	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Land use changes from forested land to more intensive development [as affecting Open Space and Community Character has not been evaluated]	Land Use, Planning and Zoning- SDEIS 3.8.2; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issues Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		

291	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Catskill Forest Preserve Public Access Plan completed in August 1999 by the NYS DEC and NYS DOT recognizes the importance of the Catskill region for all of New York when it states: “The quality and character of the lives of people of New York depend upon the quality and character of the natural resources, which support our lives. The Catskill Forest Preserve is one of New York's great natural resources. The biological and economic value of the forest preserve is rooted in the quality of its natural resources - clean water, land and air - and the inestimable beauty of the landscape.”	Comment does not raise any substantive issues / no response required;	4		
292	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural	Land Use, Planning and Zoning- SDEIS 3.8.2	2		
293	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The American Planning Association has adopted a "Smart Growth Policy Guide" that states "efficiency is enhanced when there are consistent and adequate street connections that allow people and goods to move with as few impediments as possible. Gated communities, private road systems, and the introduction of disconnected cul-de-sac systems promote disconnections."	Comment does not raise any substantive issues / no response required;	4		
294	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Catskill Forest Preserve Public Access Plan recognizes that the Catskill Forest Preserve is an invaluable asset to the quality of life and economic vitality of the Catskill region. Management of the region is imperative, yet the DEIS does not adequately address protection and management as a viable alternative. The Access Plan recognizes that "deterioration of trails, natural resources or infrastructure, as well as overcrowding or user conflicts, would be undesirable consequences to be avoided whenever possible.'" The Plan notes that the "primary justification" for establishing the preserve was to protect the water resources. The proposed project initially impacts over 500 acres, yet the entire project site encompasses almost 2000 acres.	Land Use, Planning and Zoning- SDEIS 3.8.2; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issues Ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
295	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Open land, scenic and historic sites and the availability of recreation are important to the state's quality of life and thus are a primary factor in attracting and retaining economic investment	Comment does not raise any substantive issues / no response required;	4		
296	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Parks, beaches, scenic landscapes, historic sites, lakes, streams and coastal areas are central to New York's State tourism and travel industry	Comment does not raise any substantive issues / no response required;	4		
297	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Retaining open land can be the least costly approach to environmental protection. The NYC Department of Environmental Protection has stated that "forests are a preferred land use," and is supporting extensive forest land retention, stewardship and sustainable forest management efforts in the watershed by the Watershed Agricultural Council's Forestry Program.	Comment does not raise any substantive issues / no response required;	4		
298	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Forests are a primary source of clean water; the Adirondacks and Catskills are the sources of several of the state's major river systems. The Catskills also contain much of New York City's reservoirs critical to the needs of millions of New Yorkers. Similarly, undeveloped land protects the quality of underground water supplies.	Comment does not raise any substantive issues / no response required;	4		

299	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Plan also lists Priority Projects in the region that could be impacted with the development of the proposed Resort. The Catskill Unfragmented Forest is the top priority within Region 3 and 4, This project recognizes that the high peaks area of the Catskills should be protected and the Preserve expanded by giving priority to large parcels that border the State land and to areas that are highly visible from Route 28; the proposed project site fits both criteria and its importance to the region is downplayed in the DEIS. The proposed project would not help to further the goals of the Plan and may, in fact, hinder the goal of unfragmented forests. The DEIS does not address how the proposed project fits within the context of this Plan or the impacts on open space conservation as a result of its development.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
300	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The proposed project, located on a mountaintop and hillside, are in contrast to the policies set out by the County. The Plan concludes in the Land Use Section that "this plan...capitalize[s] on previous public investment by strengthening and improving the existing centers rather than duplicating facilities and services in rural undeveloped areas." The County Plan also encourages smaller scale facilities that do not infringe on environmentally sensitive areas; the proposed project is in direct conflict to this Plan in this way.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
301	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The Town of Shandaken implemented zoning changes in 1999 to allow, by special permit, golf courses in the R-5 District. At that time, the Ulster County Planning Board, wrote " The Board is concerned about the lack of the required planning board report as well as an apparent connection between the land use changes and as of yet defined project. It is these land use changes, namely the addition of golf courses and an increase in density, being sought for some of the most environmentally sensitive districts in the community that causes our great concern." The zoning amendments passed and today, golf courses are allowed, by special permit, in the R-5 District.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
302	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The DEIS states “[t]he proposed uses are allowed by both Town's zoning ordinances and are consistent with the other provisions and requirements of such ordinances." Both communities require a special use permit for the vacation resort. Town Law states that: "the term ‘special use permit’ shall mean an authorization of a particular land use which is permitted in a zoning ordinance or local law, subject to requirements imposed by such zoning ordinance or local law to assure that the proposed use is in harmony with such zoning ordinance or local law and will not adversely affect the neighborhood if such requirements are met.n57 A vacation resort is not allowed UNLESS the general standards outlined in §116-39 of the Town of Shandaken and §601-D of the Town of Middletown are met, These standards are somewhat generic in nature, yet the statement on development being in "harmony" with the peak/valley, scenic, rural or hamlet character of surrounding land uses cannot be ignored.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
303	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	§116-39G in the Town of Shandaken Zoning Code states: "The character and appearance of the proposed use, building, structures and/or outdoor signs shall be in general harmony with the character and appearance of the surrounding neighborhood," The undeveloped character of the proposed project site is currently wooded or forest land and would be changed dramatically.	Community Character- SDEIS 3.8.3;	2		

304	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	§601-D1 in the Town of Middletown Code standard indicates the "placation, use and size of structure, nature and intensity of operations involved, size of site in relation to it, and location of site with respect to existing or future streets giving access are such that it will be in harmony with orderly development of the district." The undeveloped character of the proposed project site is currently wooded or forest land and would be changed dramatically.	Community Character- SDEIS 3.8.3;	2		
305	Friends of Catskill Park	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	The proposed development will include clear-cutting approximately 500+ acres of this forestland and is not in harmony with the existing surrounding land uses. The DEIS fails to address the lack of harmony with the surrounding neighborhood as development moves from the valleys to the mountaintops. "Most of the developed land uses serving tourism are concentrated in the hamlets along the NY Route 28 corridor including Phoenicia, Pine Hill, the Village of Fleischmanns, Arkville and Margaretville," Historically, development has been located in hamlets and in villages located in the valleys, and mountaintops have remained undeveloped. Changing this trend will forever alter the scenic and rural character of the Catskill region and the two Towns.	Community Character- SDEIS 3.8.3; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Issues Ruling 19	2		
306	Friends of Catskill Park	3.8.3 Local and Regional Land Use Plans	The scale and design of the hotels is out of context with the immediate area and the evolution and development of the Catskills area [as affecting Open Space and Community Character has not been evaluated]	Community Character- SDEIS 3.8.3;	2		
307	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources	The New York State Constitution allows for only limited tree cutting on Forest Preserve lands to create ski trails in the vicinity of the proposed project. Belleayre Mountain is limited to up to a total of 25 miles of ski trails with frail widths up to 200 feet; no more than 2 miles of trails in excess of 120 feet wide. This is done to protect the peak/valley, scenic and rural character of the communities and the forestland located on the mountaintops. The proposed Resort will include clear cutting over 500 acres surrounding this Ski Center, which will increase the visual impacts. The DEIS visual assessment does not consider the clear cutting impacts of the project or illustrate how the layout of the golf courses, which will be mostly mowed lawns, will visually change the mountain from appropriate high points across the valley, Route 28 or Pine Hill.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Visual Impacts- SDEIS 3.6; Issues ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
308	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources	Clear-cutting for the proposed development negatively impacts the scenic community character that is characterized as wooded, mountainous and rural. The DEIS does not adequately address the loss of vegetation on the local, panoramic views to the mountains in these two and adjacent communities and, in fact, states that "[b]ecause the Resort will be fairly self-contained, there will not be an affect on community character."	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Visual Impacts- SDEIS 3.6; Issues ruling 19	2		

309	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources	The DEIS states that the forest stands observed on the site are "secondary growth less than 100 years old". Yet, for 100 years, residents and visitors to the Catskill Park have come to know and enjoy the views of the mountaintops - in an undeveloped state. To call this impact a "short-term, local, adverse impact understates the peak/valley scenic and rural community character impacts the project will have on the two Towns and, in turn, the Catskill region. The visual experience of visitors to the Catskills, including those at the Belleayre Ski Center, would be significantly impacted. The development, as proposed, would result in a significant loss to forested views that are known to be important to the area and are an attraction to people from throughout the world. Even with tree replacement, the growth of new trees would take another 100 years to reach the maturity of the trees that are going to be cut from the project site.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Visual Impacts- SDEIS 3.6; Issues ruling 19; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
310	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources	The Catskill Forest Preserve Public Access Plan recognizes that a significant element of the visitor experience to the Catskill Park and Catskill Forest Preserve is the scenic and rural character of the highway corridors of the region. "A significant element of the visitor experiences to the Catskill Park and the Catskill Forest Preserve is the character of the highway corridors of the region. The views of and to the mountains along Route 28 are part of the experience and character of the Catskill Region. The visual assessment in DEIS does not include any points along Route 28 in assessing the potential impacts of the development on the scenic character. The development of the Belleayre Resort at Catskill Park would impact the potential for Route 28 to become a scenic byway and, potentially, negatively impact tourism in the Towns. Development on the mountaintop - and the loss of the scenic views and vistas - as well as increased traffic along Route 28, would impact the tourist that is seeking a refuge in the Catskill region	Visual Impacts- SDEIS 3.6; Traffic- SDEIS 3.5;	2		
311	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and 2.2.8 Lighting	The proposed development, with internal roads, parking, hotels and time-shares, would require lighting for safety reasons; this is contradictory to the existing conditions within the project site and the surrounding area. This lighting, even if sensitively placed, will create light pollution and would be visible when looking directly at the mountain even if up lighting can be minimized. The DEIS states that "with the use of "metal halide, sharp cut-off fixtures with house shields, to reduce the amount of light pollution beyond the edges of areas intended to be lighted" illustrates that light will not "spill" from one lot to the next, yet some glare from lighting will be visible from Pine Hill and the Route 28 Corridor. This is especially true in winter when the reflection of the light on the snow will increase the glare; the DEIS does not address these specific conditions or the impact that lighting will have on the region.	Lighting, Landscaping and Signage- SDEIS 2.8.11;	2		
312	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	Increased noise levels will impact local neighborhoods during construction of the proposed Belleayre Resort at Catskill Park. The impacts of construction on noise levels in the region surrounding the proposed Belleayre Resort at Catskill Park would include: The cumulative effects of blasting and construction will increase the noise levels from a rural community to that equal to an urban industrial area. - Noise levels will exceed ambient levels of a rural setting and will have significant impacts on residents. - That noise mitigation plans are not clearly defined and do not state how noise will be regulated to control the impacts	Noise- SDEIS 3.9;	2		

313	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	"Today, the concern over view protection is being rediscovered and reawakened with a vengeance. Polls show that protection of viewsheds, view corridors and scenic roadways enjoys widespread political support." The DEIS does not adequately address the aesthetic impacts of the proposed development on the peak/valley, scenic or rural community character of the Towns of Shandaken and Middletown. The Statewide Comprehensive Outdoor Recreation Plan (SCORP) recognizes the importance of scenic resources, and is referenced in the following section.	Visual Impacts- SDEIS 3.6; Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
314	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	Degradation of hillsides also destroys a community's character. The surrounding hills are an aesthetic resource which gives the community its distinctive setting	Visual Impacts- SDEIS 3.6; Land Use, Planning and Zoning- SDEIS 3.8.2; Community Character- SDEIS 3.8.3;	2		
315	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and 2.3.2 Construction Stage Activities	The DEIS indicates that at Wildacres Resort, the net fill will be 39,317 cubic yards. But the DEIS also states that these raw earthwork values do not include the topsoil that "will be imported when constructing the two golf courses and for landscaped areas around buildings. Approximately 108,000 cubic yards of topsoil will be used on each golf course and 11,000 cubic yards will be used at each Big Indian Plateau and the landscaped areas at the Wildacres Resort. This would, in all likelihood, require trucking the topsoil along Route 28 to the site. The number of trucks could exceed 15,100 (assuming 15 cubic yards of top soil per truck) during this part of the project construction. The traffic and noise impacts on the two communities, and all communities along Route 28, will be adverse and the DEIS does not adequately address these traffic and related noise impacts.	Drainage, Grading and Earthwork- SDEIS 2.8.8; Soils- SDEIS 3.3; Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
316	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Visual impacts resulting from construction of the Belleayre Resort will be significant and will adversely affect community character. The DEIS materially underestimates these impacts, The methodology used by the DEIS does not fully comply with the DEC Visual Impact Assessment Policy in that 1m-of-sight" profiles are not included, at a minimum, these should have been completed for several of the points along Route 28 that were identified in the DEIS as "potentially visible areas along roadways" and from the Village of Pine Hill. As such, the method used in the DEIS Visual Impact Study (Appendix 21) does not include the minimum required by the DEC Policy System Program Policy on Assessing and Mitigating Visual Impacts.	Visual Impacts- SDEIS 3.6;	2		
317	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Based on a review of the surrounding topography as indicated in the Figure above [located in comments], the worst case scenario for visual impacts would be from across the valley: namely Rose Mountain, Monka Hill and Hog Mountain. The visual impacts from the Village of Pine Hill would be the most frequently observed due to the development there and would likely have the greatest impact on community character, however these views have not been included in the DEIS. Line-of-site drawing complying with DEC's minimum requirements should be developed from these points, from Route 28 and from Pine Hill to demonstrate visibility and to allow a reasonable review of impacts. It would also then be possible to determine if any mitigation measures are necessary	Visual Impacts- SDEIS 3.6;	2		

318	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The DEIS states "this clearing of [529 acres of] forest represents a short-term, local, adverse impact. Once hotels, detached lodging units and other buildings along the associated infrastructure are constructed (covering only 85.16 acres within the project site), natural regrowth and landscaping will occur, returning the vast majority of the cleared area to a vegetated state." The DEIS reiterates several times that the "remaining 444 acres of disturbance will he revegetated by tree planting, ornamental planting or golf courses" The "east majority" returning to a vegetated state does not address the loss of forested land on this significant mountaintop. The fairways and greens at the golf course would never be reforested, and would forever be a visible variation and disturbance to the existing natural mountain range.	Visual Impacts- SDEIS 3.6;	2		
319	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The views of the Catskills, both short and long distance, are wooded areas with few man-made disturbances. The State Constitution recognizes that importance of protecting the views to the Catskills Mountains in placing limitations on mountaintop development; these findings are reiterated in the Statewide Comprehensive Outdoor Recreation Plan. The Catskill Park, which includes over 700,000 acres of both publicly and privately owned land, is recognized as an important resource in the SCORP.	Visual Impacts- SDEIS 3.6;	2		
320	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The DEIS states that "site plans call for the planting of over 4,100 indigenous trees on the project site plus a substantial amount of ornamental trees and shrubs in the formal landscape." The clear-cutting of almost 280,000 trees of various sizes would have a significant visual impact on the landscape of the Towns of Shandaken and Middletown. Planting "over 4,100 indigenous trees" results in less than 8 trees/acre on the 500+ acres. This does not "return the vast majority of the cleared area to a vegetated state" as stated in the DEIS. This has an impact on both the visual and wildlife habitats impacts that are not adequately addressed in the DEIS.	Visual Impacts- SDEIS 3.6;	2		
321	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	In 1990, a study was completed by the Catskill Center for Conservation and Development, Inc, for Route 28 in Ulster County. A similar study was completed in 1991: Route 28: Scenic Road Study. Both studies assess the potential of the Route 28 Corridor being designated as a scenic road in New York State. The studies illustrate that Route 28 is considered a scenic corridor because of the hills and valleys, woodland and seasonal effect of vegetation, historic rural villages and panoramic views to name a few characteristics. The impacts of the Belleayre Resort at Catskill Park would be visible from Route 28 and impact the quality of this scenic drive. The DEIS does not address these impacts, and in fact, its visual assessment does not include any points along Route 28 in the evaluation.	Visual Impacts- SDEIS 3.6;	2		

322	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	According to NYS DEC sound pressure level (SPL) impact is a significant issue based on two aspects; these include the sound pressure level and the increase in the sound pressure level (noise). The sound pressure level is the measurement of noise above the ambient sound pressure level. By comparison "a quiet seemingly serene setting such as rural farm land will be at the lower end of the scale at about 45 dBA"'s while urban industrial noise levels will be on the scale approximately 79 dBA. The increase in the sound pressure level is the variation between ambient and the produced sound. According to the NYS DEC': 1) Most humans find a sound level of 60-70 dBA as beginning to create a condition of significant noise effect. In non-industrial settings the SPL should probably not exceed ambient noise by more than 6 dBA at the receptor. 2) Increases in SPL between 5--10 dBA is considered "Intrusive".	Noise- SDEIS 3.9;	2		
323	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	The above are used in evaluating the DEIS prepared for the Belleayre Resort at Catskill Park. The Sound Impact Study (SIS) for the DEIS assumes that increases in existing sound levels of 9 dBA or less are: "insignificant, temporary construction noise". There is no clear indication of how the noise impacts will be mitigated because the DEIS offers an evaluation of noise, not a mitigation plan for the noise that will result. To call these levels "insignificant" downplays the level that DEC also calls intrusive and may cause complaints. These impacts are dismissed in the DEIS and further consideration is needed.	Noise- SDEIS 3.9;	2		
324	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	This evaluation does not challenge the science of the DEIS Sound Impact Study, but the assumptions and logic that lead to the conclusion that noise level increases will not have a significant impact on the Catskill region, and specifically, the Towns of Shandaken (and Pine Hill in particular) and Middletown. These impacts will occur over a period of eight years during construction and will directly impact on the quality of life of the local residents.	Noise- SDEIS 3.9;	2		
325	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	The blasting will cause the mountain face to form a single sided quarry wall and therefore accentuate the sound levels by forming an amphitheater effect. The DEC states: "At a hard rock mine, curved quarry walls may have the potential to cause an amphitheater effect while straight cliffs and quarry walls may cause an echo". No consideration has been given to this impact on the quality of life for the residents within the blast area.	Noise- SDEIS 3.9;	2		
326	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	The DEIS states that typical blasting noise levels range between 93 to 94 dBA at a distance of 50 feet. The DEIS states that blasting noise levels will be only 46 dBA for the proposed project at the location of their designated receptor, located at a distance greater than 50 feet, which is 4 dBA below the existing ambient daytime average sound lever The existing daytime sounds, as documented in the DEIS, range from 41 to 50 dBA and are characterized by "wind rustling through the trees" and the sound of a "nearby creek."19 The DEIS is implying that, through noise attenuation, they will not increase the current noise levels in the area. The determination by the DEIS is that: "blasting for this project is not to significantly contribute to overall project construction noise." Blasting the mountaintop will create an amphitheater effect and that the noise levels will increase and be in excess of existing, ambient wind and creek levels Duration of Noise	Noise- SDEIS 3.9;	2		

327	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	Another issue in the construction of Belleayre Resort at Catskill Park is the duration of noise during construction. The DEIS states: outdoor construction...is expected to occur during the construction season of April to November, six days per week, 10 hours per day (daytime hours only). "Due to the nature of construction in New York State most of the outdoor construction will occur in the summer months. This increases the noise during the time when people tend to spend more time outdoors and have their windows open". The DEC states: "Summer time noises have the greatest potential for causing annoyance because of open windows, outside activities, etc. ... Building walls [combined] with the window open [during the summer months] allow for only a 5 dB reduction in SPL	Noise- SDEIS 3.9;	2		
328	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	In addition to the duration of the noise, the level of noise during construction is also an issue. The construction of hotels and major facilities ranges from 78-89 dBA and the construction of Residences and Small Buildings ranges from 81-88 dBA. Both construction activities exceed the NYSDEC standard for "a condition of significant noise effect" and exceed the level of urban industrial noise.	Noise- SDEIS 3.9;	2		
329	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	The DEIS states the actual construction of the earthen berms, which are constructed to mitigate the noise of blasting and construction, "may temporarily exceed significance criteria" and could impact the existing rural community character in the Region, In addition, "..., construction noise at each receptor may temporarily exceed significance criteria" which would also impact the rural community character. The DEIS also states that an increase in: "ambient sound by more than 10 dBA significance level is possible" from the construction of the Highmount Estates lodging units. The Sound Impact Study (SIS) for the DEIS states: "maximum sound levels, if all activities are conducted simultaneously and assuming the mitigation previously specified is estimated to increase ambient sound levels by 10 dBA which slightly exceeds noise significance limits." All of these impacts, individually and combined, could be significantly higher than the NYS DEC standards of "Intrusive" and according to the DEC's human reactions to SPL's would be "Very Noticeable" and possibly "Objectionable".	Noise- SDEIS 3.9;	2		
330	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 22 Sound Impact Study	The decibel level of a diesel truck is approximately 90 decibels; this is more than double the decibel level of a quiet rural area, which would characterize the Catskill region. The area would go from a "very quiet" decibel level to a "loud" decibel level as over 15,000 trucks roll along Route 28.	Noise- SDEIS 3.9;	2		
331	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources and Appendix 22 - Sound Impact Study	The Sound Impact Study (SIS) for the DEIS assumes that increases in existing sound levels of 9 dBA or less are: "insignificant, temporary construction noise"; there is no clear indication of how they will mitigate the noise impacts because the DEIS offers an evaluation of noise, not a mitigation plan for the noise that will result. To call these levels "insignificant" downplays the level that DEC calls intrusive and may cause complaints. These impacts are dismissed in the DEIS and further consideration is needed.	Noise- SDEIS 3.9;	2		

332	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources and Appendix 22 - Sound Impact Study	The DEIS states that typical blasting noise levels range between 93 to 94 dBA at a distance of 50 feet, The DEIS also states that blasting noise levels will be only 46 dBA for the proposed project which is 4 dBA below the existing ambient daytime average sound level. The existing daytime sounds, as documented in the DEIS, range from 41 to 50 dBA and are characterized by "wind rustling through the trees" and the sound of a "nearby creek."' The DEIS is implying that, through noise attenuation, they will not increase the current noise levels in the area. The determination by the DEIS is that: "blasting for this project is not to significantly contribute to overall Project construction noise." Blasting the mountaintop will create an amphitheater effect and the noise levels will be in excess of existing, ambient wind and creek levels.	Noise- SDEIS 3.9;	2		
333	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources and Appendix 22 - Sound Impact Study	Increased noise levels will impact local neighborhoods during construction of the proposed Belleayre Resort at Catskill Park. The cumulative effects of blasting and construction will increase the noise levels from a rural community to that equal to an urban industrial area. Additionally, the noise levels will exceed ambient levels of a rural setting and will have significant impacts on residents. Finally, the noise mitigation plans are not clearly defined and do not state how noise will be regulated to control the impacts.	Noise- SDEIS 3.9;	2		
334	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources and Appendix 22 - Sound Impact Study	The community character noise impacts that have not been adequately evaluated in the DEIS would include: 1) Duration of noise, especially in the summer months when most residents are outside and windows are open 2) Noise impacts from trucks hauling fill (over 230,000 cubic yards) and construction materials throughout construction 3) Noise impacts from trucks and vehicles to service the Resort once it opens 4) Increased traffic noise from Resort users 5) Increased traffic noise from Belleayre Ski Center users	Noise- SDEIS 3.9;	2		
335	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Visual Resources and Appendix 21 - Visual Impact Study	Visual impacts resulting from construction of the Belleayre Resort will be significant and will adversely affect community character. The DEIS materially underestimates these impacts. The methodology used by the DEIS does not fully comply with the DEC Visual Impact Assessment Policy in that "line-of-sight" profiles are not included; at a minimum, these should have been completed for several of the points along Route 28 that were identified in the DEIS as "potentially visible areas along roadways" and from the Village of Pine Hill. As such, the method used in the DEIS Visual Impact Study (Appendix 21) does not include the minimum required by the DEC Policy System Program Policy on Assessing and Mitigating Visual Impacts.	Visual Impacts- SDEIS 3.6;	2		
336	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Visual Resources and Appendix 21 - Visual Impact Study	The DEIS Visual Impact Study for Belleayre Resort does not comply with the DEC Program Policy on Assessing and Mitigating Visual Impacts because of the following reasons: 1) DEC requires that the worst-case scenario for visual impacts be explored, which was not done, This would likely be from hilltops directly adjacent to the proposed resort. 2) The minimum requirements of a Visual Impact Analysis include "line of sight" profiles, which were also not done.	Visual Impacts- SDEIS 3.6;	2		

337	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Visual Resources and Appendix 21 - Visual Impact Study	Based on a review of the surrounding topography, a worst-case scenario for visual impacts should be completed from across the valley, namely Rose Mountain, Monka Hill and Hog Mountain. The visual impacts from the Village of Pine Hill and Route 28 would be the most frequently observed due to the development there and would have the greatest impact on community character, as identified on figure 3-25A of the DEIS, however these views have not been included in the DEIS Impacts to both Pine Hill and Route 28 were dismissed without any visual simulations or line-of-sight drawings being completed to illustrate how clear-cutting the mountain and the introduction of mowed fairways would change the forested character of the mountain.	Visual Impacts- SDEIS 3.6;	2		
338	Friends of Catskill Park	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 - Visual Impact Study	The visual impacts that have not been adequately evaluated in the DEIS would include: 1) Visual impact analysis within five miles of the project, specifically from Pine Hill and Route 28 are not adequate 2) Visual impacts of blasting the top of a currently forested and undisturbed mountain with no consideration to the changes in topography 3) Visual impacts and potential erosion of stockpile areas and the lack of a stockpile management plan 4) Visual impacts of clear-cutting over 500 acres and turning much of the area into lawned golf courses and buildings 5) Loss of forest land that includes the destruction of over 278,000 trees 6) Light pollution, including night glow, lighting visible from an elevation perspective 7) and glare from lighting during the winter (snow glare), on an historically "dark" region 8) Impacts on panoramic views and vistas along Route 28 and from other places within a five mile radius of the project site.	Visual Impacts- SDEIS 3.6; Lighting, Landscaping and Signage- SDEIS 2.8.11;	2		
339	Friends of Catskill Park	3.9 Community Services	The DEIS dismisses the impacts on schools, fire and police by concluding that there would be no adverse impacts from the proposed project. This conclusion ignores the impacts of potentially hundreds of new families moving in to the Region and specifically, how many can be expected to move in to the Towns of Shandaken and Middletown.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10	2		
340	Friends of Catskill Park	3.9 Community Services	The impacts on fire and police protection could also be impacted by the population growth. Because the DEIS assumes no population growth, there are no considerations for additional fire and police protection that would be needed as a result of the project. The National Fire Protection Agency and the Commission on Fire Accreditation International both recommend a total response time (i.e., the time from the notification element to the on scene time) of 6 minutes for fire protection. The DEIS does not illustrate that this response time will continue to be met, even in remote areas of the development. There could also be a need for additional police protection. Yet mitigation measures for the potential impacts have not been included in the DEIS; the conclusion that "no mitigation measures are necessary" is made because there is no recognition of possible population growth. The DEIS should examine the costs of services with and without the proposed project as they relate to schools, fire, police and other community services.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10	2		

341	Friends of Catskill Park	3.9 Community Services and Appendix 6 - Letters of Record	There will likely be population growth in the Towns of Shandaken and Middletown, and probably in Olive and Andes, yet the DEIS ignores this potential population growth and the need for additional services. The DEIS includes a letter from the Margaretville Central School District that they would "have capacity to serve the proposed project with the understanding that probably only the privately owned homes in Highmount Estates might house school-aged children". As many workers, and their families, can be expected to move into the Region, and specifically Shandaken and Middletown, there will be an increase in population and school age children that goes beyond those in the Highmount Estates.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
342	Friends of Catskill Park	3.9.9 Community Services - Roadways	There is no consideration for the fiscal impacts associated with the cumulative presence of construction traffic over the 8-year period; this would include truck hauling fill, equipment and materials to the site, as well as worker traffic. In addition to the noise and traffic increases, there would likely be road degradation as topsoil is imported and construction equipment is brought to the site.	Traffic- SDEIS 3.5;	2		
343	Friends of Catskill Park	3.9.9 Community Services - Roadways	Once the project is completed, the volume of traffic on Route 28 will always be greater than what it is today. This will require on-going maintenance of the corridor because degradation will occur at a faster rate.	Traffic- SDEIS 3.5;	2		
344	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The DEIS states that the project will create approximately 750 full time equivalent jobs. Many of these new jobs will be lower paying where employees will not be able to afford high commuting expenses. The chart above [supplied in comments] illustrates that only 200 unemployed people in the two Towns where the project is proposed. This would indicate that, employees will, in all likelihood, currently be a resident or become residents of Shandaken or Middletown. There are few vacant housing units in these two communities; this would indicate that additional housing would be needed to accommodate new families. Additional services would also be needed to accommodate the population growth; the DEIS does not consider these impacts.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
345	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The developers misstated the economic conditions in the area so as to make it appear economically depressed when in fact it is one of the most vital and fastest growing areas in the region. The developers understated income levels, population growth level, skill level of the labor force, number of available workers, vitality of area businesses and more.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
346	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The towns for which the resort is proposed encompass a wide radius around the resort and have a combined population of just over 7000. According to the 2000 census, the combined total of unemployed people in both towns is just over 200. The developers are claiming the resort would require a total of 872 full- and part-time workers. They also say the resort would generate 211 off-site positions through secondary or indirect impact. 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.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

347	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	It is evident that the towns do not have an adequate labor supply to service the either the construction phase or the resort in operation. Employees would have to be imported and those who became new residents would need housing, services and education for their children. A development of this size would overwhelm the area and put it on fast-track growth which the local towns are not prepared to handle.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
348	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The local communities need and support small, sustainable, environmentally friendly businesses that pay at least a living wage which is not what the Belleayre Resort is offering. 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 lower paying jobs as an offering to local people. This would not fill any local need. Employers in local communities are currently 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. The Emerson, built by the developer of the proposed Belleayre Resort, employs people from other countries here on work visas. There is no need in the area for hundreds of jobs, especially of the type being offered.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
349	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	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 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.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
350	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The survey of area businesses referred to in the DEIS was flawed for several reasons. First, the survey was conducted early in the process before any information from objective experts was available to the public. Only the developer's assessment of beneficial impacts on local businesses was available. Since then, experts are calling the developer's claim of only positive impacts on local businesses into question and seeing the development as a potential negative impact on local businesses. Even the DEIS states that the resort would compete `head on' with local businesses.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
351	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	Characterization of the local economy and labor force is inaccurate and the area is, in fact, a growing and vibrant portion of the State	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

352	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	Overstatement of the number of jobs and potential salary impacts that the proposed project will have on the region [as affecting Land Use and Neighboring Impacts has not been evaluated]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
353	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	Overstatement of existing unemployment rates and the need for this project as a "catalyst" for new development [as affecting Land Use and Neighboring Impacts has not been evaluated]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
354	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	Understatement of average household incomes to make the area appear to be in a depressed state when, in fact, the area has experienced economic improvement over the past ten years and especially since 9/11 [as affecting Land Use and Neighboring Impacts has not been evaluated]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
355	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	Lack of Per Capita Income analysis to illustrate the economic condition of the region when compared to the rest of the State [as affecting Land Use and Neighboring Impacts has not been evaluated]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
356	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	No recognition of the changing tourism industry and, in particular, the local movement away from large scale, all inclusive resorts to niche market providers as affecting land use and Neighboring Impacts has not been evaluated	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
357	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The Towns of Shandaken and Middletown, the median gross rents are $573 and $450, respectively, This is comparable to the median revenues in Delaware County, but lower than those in Ulster County.	Comment does not raise any substantive issues / no response required	4		
358	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The DEIS analysis has confused households with housing units, and in fact, suggest that "household figures...include a large proportion of second homes in the area"; this is a description of housing units, not households. The comparison made in this way suggests that there are less than 2,500 occupied houses in the study area. In 2000, there were, in fact, 10,437 housing units in the study area of which 43.8% were vacant mainly due to seasonal use.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
359	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The accuracy of the data supplied by the secondary data does not appear to be accurate and this leads to questioning the findings of the entire economic analysis. There was a significant difference between the figures given in the DEIS and actual Census figures in both 1990 and 2000. Not only are projections for 2000 incorrect, but many of the projections are based on incorrect estimates from 1990.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
360	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	High unemployment rates do not appear to be an issue in this area of the Catskills, and in particular, the two Towns and three Counties where the proposed project would have the greatest impact and where the DEIS states most of the work force would come from and live. The unemployment rates in the Town of Shandaken and Middletown are low when compared to New York State as a whole. The New York State unemployment rate is 7.1% compared with the Town of Shandaken with an unemployment rate of 5.4% and Middletown unemployment rate of 6.1%. The unemployment rate in Upstate New York (that area outside the New York City Metropolitan Area) is 6.3%, which is comparable to that of the three counties and higher than that of the two Towns.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

361	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The average household income statistic used throughout the DEIS is an unconventional statistic because it has a tendency to distort figures of an area in which a few people have an extraordinarily large income. For this reason, the median household income is more commonly used in demographic analysis. The US Census Bureau does not directly calculate the average household income, although this information can be obtained by dividing the aggregate income by the number of households.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
362	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The DEIS underestimates the average income of the Counties, Study area (as they have defined it) and overestimates the average income for New York State. This results in a greater discrepancy of average income between the Catskill region and New York State, to make the Catskill region appear economically depressed. While the average income of the three Counties and study area is less than that for New York State, the difference is less significant that that presented in the DEIS. In addition, looking at New York State as a whole, which includes the New York City Metropolitan area, inflates the average household income; the cost of living in New York City is much higher than other parts of the State and this, in turn, skews the numbers.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
363	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	When New York City is eliminated from the New York figures, as presented in the chart above [in the comments], the Upstate New York Average Household Income figure reflects conditions throughout most of the rest of the State. The Upstate Average Household Income is $51,128. This chart shows that the average household income figures, based on 2000 Census information, are clearly in contrast to the analysis included in the DEIS; the DEIS that states the average household income in the area is under $40,000. while this chart shows that two Towns and all three Counties are above $40,000.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
364	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	As another indicator of the communities' economic conditions, the per capita rates should be considered; unemployment rates and average household income alone do not show the quality of jobs in the county. The per capita income statistic better reflects the earning power of the people. The Census Bureau defines per capita income as the average income computed for every man, woman, and child in a particular group. This figure is derived by dividing the total income of a particular group by the total population in that group (excluding patients or inmates in institutional quarters).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
365	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	In this table [supplied in comments], the New York State per capita income figure includes New York City where the cost of living is higher and, in turn, the wages are higher. A more realistic analysis would be to compare Upstate New York with the two Towns and three Counties. This table illustrates that the Towns of Shandaken and Ulster County have a higher per capita income than Upstate New York and their per capita income is comparable to all of New York State. The Town of Middletown, Delaware County and Greene County have income levels that are comparable to Upstate New York, although they are lower than all of New York State. The DEIS understates the economic health of the two Towns and Counties and the viability of the economy in the entire Catskill region. The DEIS analysis fails to recognize the improvements to the economy in recent years, and the influence that the revitalized hamlets have had on these changes. These figures clearly reflect a comparable economy to the rest of Upstate that offers a healthy living environment.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

366	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions	The current housing stock in Shandaken and Middletown is primarily single-family detached units, Over 82% of housing in Shandaken and over 78% of Middletown is single-family detached homes; another 8% in Shandaken and 11% in Middletown are manufactured housing. The proposed project, in developing the residential units as attached units (88 units in 22 quad buildings, 60 units in 20 triplex buildings, 168 units in 21 octoplex buildings) will add over 300 units of attached housing. The majority of this is not year-round housing and is in direct contrast to the existing single-family, rural character.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
367	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions and 7.3 Potential Induced Development	The DEIS does not adequately address secondary growth impacts that could result from the proposed project, and in fact, puts the onus on the two towns to restrict such growth. The socio-economic analysis contains voluminous information, but a more detailed assessment of secondary growth impacts should be completed; this would include using up-to-date data and information as 2000 census data is not used for any of the socio-economic analysis. The discussion on secondary growth inducement must consider potential impacts well in to the future as growth impacts evolve over time and will not be felt within a short time frame.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
368	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions and Appendix 26 Economic Benefit and Growth Inducting Effects	The data from the DEIS suggests that the population of the study area increased only 0.8% from 10,472 in 1990 to 10,552 in 2000. Actual census figures reveal that the population of the study area increased from 12,434 to 13,634 between 1990 and 2000 for a 9.7% population increase. Similar data inaccuracies are present for household data. Actual census figures show that the number of household in the study area increased from 5,159 in 1990 to 5,865 in 2000 for an increase of 12%. The numbers presented by the DEIS are 4,339 (1990) and 4,454 (2000) for an increase of only 3%.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
369	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions and Appendix 26 Economic Benefit and Growth Inducting Effects	The specified study area presents many data issues in the DEIS analysis. The DEIS chooses an area made up of fifteen 1990 zip code areas. While geographically, this study area makes sense, it creates several issues with data collection. One major problem is that the zip code boundaries changed between 1990 and 2000 so comparisons between the two Census data sets is difficult. Zip code 12465 has been completely eliminated.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
370	Friends of Catskill Park	3.10.1 Socio-Economic Setting - Existing Conditions and Appendix 26 Economic Benefit and Growth Inducting Effects	Socioeconomic data from the Census Summary File 3 (SF3) is available at the zip code level for 2000. This same summary file data is also available for 1990 at the zip code level. However, since the geographic areas do not correspond, trend analysis between 1990 and 2000 cannot be accurately displayed because the boundaries have changed. As a result, the DEIS relies on data obtained from a secondary data provider to provide consumer information and market segmentation. The DEIS uses this provider to present data that would otherwise be available through the US Census or Department of labor had they defined their study area in a more conventional method -- Block Groups, Towns and Counties. In all of these cases, SF3 Census data can be easily obtained for 1990 and 2000 to allow for a true analysis of trends; all parties interested would then be able to verify the trends based on this data.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

371	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The economic impacts of the proposed project could have the biggest impact on the existing community character as they will impact the number and type of jobs available, future surrounding land uses and the need for additional housing. These economic impacts are assessed in the DEIS, yet much of the analysis contains inconsistencies and errors with data sources. The economic analysis must be clear, concise and accurate to paint a true picture of the existing and projected economy. This is the only way that the economic benefits and costs can be assessed for the proposed project	Socio-Economics- SDEIS 3.9; Project Benefits- SDEIS 1.3.G	2		
372	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The use of all of New York State, including the New York State Metropolitan Area, rather than eliminating this area that skews the economic analysis [as affecting Open Space and Community Character has not been evaluated]	Socio-Economics- SDEIS 3.9; Project Benefits- SDEIS 1.3.G; Community Character- SDEIS 3.8.3	2		
373	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	Social impacts of the proposed project are tied to the probable population growth that can be expected from the project, yet this population growth is ignored in the DEIS. This population growth will impact the social aspects of the region and, in particular, the Towns of Shandaken and Middletown. The DEIS states that because the project is "self-contained", there are no community character impacts. This statement ignores the social costs of the proposed project.	Socio-Economics- SDEIS 3.9; Project Benefits- SDEIS 1.3.G; Community Character- SDEIS 3.8.3	2		
374	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The social imacts on Increased truck traffic and traffic generated by the project have not been evaluated.	Traffic- SDEIS 3.5; Community Character- SDEIS 3.8.3	2		
375	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The Social impacts on increased cost for road maintenance (Route 28) because of increased truck use in hauling fill, construction materials, landscape materials and traffic generated by the project have not been evaluated.	Traffic- SDEIS 3.5; Community Character- SDEIS 3.8.3	2		
376	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The social impacts of inclusion of "gated communities" to create exclusive enclaves in an area historically known as open and inclusive have not been evaluated.	Community Character- SDEIS 3.8.3	2		
377	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	There social impacts of the community vision as outlined in the community survey and workshops have not been evaluated.	Community Character- SDEIS 3.8.3	2		
378	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	"The Resort is intended to be the catalyst that will drive the revitalization of year-round tourism and provide improvements to the quality of life for those who live in, as well as those who visit, the Catskill Park." The DEIS overstates many of the economic benefits of the project in an effort to downplay the negative impacts of the Resort. In 1990, the Town of Shandaken population was 3,053. Following a decline in population in the middle of the century, the Town now has a population of 3,299. The Town of Middletown's population is 4,051. A project of this size would have an immediate impact on the Catskill region that has evolved over time.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

379	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The socioeconomic analysis presented in the DEIS does not present an accurate picture or assessment of the community character impacts of the proposed Belleayre Resort at Catskill Park. The data is outdated and, in many cases, contradicts itself. The analysis contains numerous mistakes including typographical errors, data errors, unsubstantiated assumptions and inconsistent sources/geographic areas. There are also many misrepresentations that make the area seem depressed and not economically viable. The following highlights some of these errors.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
380	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	Economic Impacts on the Villages and Hamlets --- The DEIS does not evaluate the impacts of creating a "self-contained" development that competes "head-on" with the businesses in the hamlets and villages. This evaluation is essential to determine the potential business losses and the associated community character impacts such as empty storefronts and the impact on the urban fabric of these commercial centers.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
381	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The fiscal impacts on the two Towns are not considered in the DEIS in a detailed cost/benefit analysis. These impacts include the cost of servicing for the new development and the residents that can be expected to move in to the Region.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
382	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts	The potential impacts on hamlets by creating one “large-scale” development that would be self-contained and compete "head-on" with existing businesses as affecting land use and Neighboring Impacts have not been evaluated	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
383	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts and 3.9 Community Services	We do not believe that when tax breaks, which the developers plan to take advantage of, and costs to the community are taken into full account, that the resort would pay for itself. Fiscal impacts to local communities would be substantial. 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. 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.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
384	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potential Impacts and 3.9 Community Services	The social impacts on population growth potentials are not considered and are likely to have impacts on schools, fire, police and other services have not been evaluated.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
385	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The DEIS analysis is inconsistent in using a base-year dollar in the economic analysis to adjust data for inflation. In many cases, the tables included in the DEIS do not have any base-year indicated; it is unclear whether the base-year dollar was used, but accidentally left out or if the dollar values reflect the future conditions. For example, the DEIS uses numbers with no base-year to determine an average annual salary. This information, with no base-year, is then compared to the average annual wages of the three counties, which is based on 1999 dollars. This inconsistency does not allow for a true evaluation of the data and the economic benefits.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		

386	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	According to the DEIS, the project is expected to create 747 full-time equivalent jobs. The DEIS states that, generally, unemployment rates underestimate the true number of unemployed and that residents commute long distances; these claims are unsubstantiated given the data and explanations in the DEIS and anecdotal data should not be used. For example, the DEIS sites Kingston, Delhi and Oneonta as job destinations and states that "these commuting workers represent a volatile segment of the labor pool likely to change jobs in favor of a closer to home job." There is no analysis as to why these jobs would be favorable to local residents.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; ; Project Benefits- SDEIS 1.3.G;	2		
387	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	In the Town of Shandaken, approximately 289 residents are in the service industry while in Middletown 309 are in this industry. Most people in the service occupations do not travel 30-45 minutes for their jobs; the costs of commuting are prohibitive. People commuting to Kingston, Oneonta and Delhi are more likely to be professional, sales or construction workers that will tend to travel longer distances for work. These workers will not be likely to change jobs for one at the proposed Resort. While those in the construction industry would benefit during the projects' development, there is little evidence to support the assumption that they would leave their construction jobs to take one closer to home; the same can be said about those in professional or sales occupations.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
388	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The DEIS is unrealistic to believe that all unemployed persons would seek employment at the new Resort. Some unemployment always exists in a community to allow for job market fluidity. The DEIS should include a clear analysis of where potential workers will come from, what the salaries would be and where they will live; this type of analysis is essential to determine the impacts of the proposed project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
389	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The DEIS states that "the small number of mid- and upper management jobs would probably be filled by non-resident personnel who relocate to the Resort Area. The DEIS states that approximately 16-20 positions would have salaries approximately $28,000 to $150,000. With a total of 747 "full time equivalent" jobs being created, this is less than 3% of all positions that would be mid and upper range management jobs, most of which, the DEIS states, would probably be filled with "non-resident personnel". The other full-time positions would include hotel housekeepers, wait staff at the restaurants, retail workers and other service positions that can be expected to make less than the mid- and upper management jobs.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
390	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The DEIS states that the annual salaries for full-time employees would be "expected to range from $16,390 for guest services to $150,000 for hotel executives and golf management." The lower paying jobs are expected to be well below the average household income for the region and the impacts are not addressed in the DEIS; these could include the need for affordable housing and other services.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
391	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	Many of the jobs created by the proposed project would be lower paying and, clearly, the work force to fill these positions is not available in the two Towns; only 200 people are unemployed in the two communities. The DEIS expects that people will commute to the resort, yet, if jobs are lower paying, the cost of commuting would prohibit this.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		

392	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The income projections in the DEIS should be separated by occupation for each project component to clearly indicate potential economic impacts of the jobs created. The impacts on housing demand, the potential need for affordable housing and other services needed for the new population, is not addressed in the DEIS.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
393	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts	The average household income computed using this method, and using Upstate New York as the base rather than the entire State that includes the New York Metropolitan Area, shows that the economic conditions in the Catskill region are comparable to the rest of the State, The condition of the economy, as portrayed in the DEIS, is not a true picture of the Counties and two Towns.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
394	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts and 3.8.2 Adjacent land uses and Community Character	Problematical methodologies used in the economic analysis of the DEIS (boundaries, assessment of economic benefits, use of "average household income") [as affecting Open Space and Community Character have not been evaluated]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
395	Friends of Catskill Park	3.10.2 Socio-Economic Setting - Potentiall Impacts and 3.9 Community Services	The DEIS states that the project will create approximately 750 full time equivalent jobs, Many of these new jobs will be lower paying where employees will not be able to afford high commuting expenses. The chart above illustrates that only 200 unemployed people in the two Towns where the project is proposed. This would indicate that, employees will, in all likelihood, currently be a resident or become residents of Shandaken or Middletown. As will be illustrated later in this report, there are few vacant housing units in these two communities; this would indicate that additional housing would be needed to accommodate new families. Additional services would also be needed to accommodate the population growth (schools, fire, police, recreation) and the DEIS does not consider these impacts.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
396	Friends of Catskill Park	Appendix 21 - Visual Impact Study	The DEIS Visual Impact Study for Belleayre Resort does not comply with the DEC Program Policy on Assessing and Mitigating Visual Impacts because of the following reasons. - DEC requires that the worst case scenario for visual impacts be explored, which was not done. This would likely be from hilltops directly adjacent to the proposed resort. - The minimum requirements of a Visual Impact Analysis include "line of sight" profiles, which were also not done.	Visual Impacts- SDEIS 3.6;	2		
397	Friends of Catskill Park	Appendix 22 Sound Impact Study	The Sound Impact Study (SIS) for the DEIS states that at Big Indian Plateau "...other construction is estimated to result in temporary increases in sound level of 9 dBA or less; this would indicate an intrusive noise level change (between 5-10 dBA).	n/a	1		
398	Friends of Catskill Park	Appendix 22 Sound Impact Study	At Wildacres Resort, the SIS states temporary increases in sound level of 9 dBA or less which indicates, according to the DEIS, an acceptable level of noise impacts. However, based on DEC standards, this increase would be considered intrusive as the noise level changes (between 5-10 dBA).	Noise- SDEIS 3.9;	2		
399	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The data presented in Table 2-1 of Appendix 26 in the DEIS is inaccurate for several reasons. These include: 1) Typographical errors in the percent growth statistics from 2000 to 2005 2) A negative symbol is missing in three cases where there was shown to be a decline in the population 3) The decline of the population forecasted for 2005 in Counties that demonstrated substantial growth from 1990 to 2000 goes unexplained by the DEIS	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

400	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The discrepancy in the data is the result of using two different data sources. The "study area", as defined in the DEIS, data is provided from a secondary data provider while the county data is based on the US Census. The same data source should be used for all comparisons or the analysis is inherently inaccurate - the 2000 Census are true figures while the secondary data provider data is estimated or projected. The use of two data sources was necessary because of the choice to use zip code data, where the boundaries changed between 1990 and 2000.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
401	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The DEIS presented a summary of the labor force available in Chapter 2 of Appendix 26. In this section, the "Tri-County Area" becomes the labor pool. There are a number of inconsistencies raised by this analysis. In Table 2-7 of Appendix 26, the 2000 Census was used as the source and no information is offered for the study area that had been established in the DEIS; the study area and the areas being compared continue to change throughout the DEIS.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
402	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	In Table 2-8 and 2-9, 1990 data is used, while 2000 Census data is not included, to assess the location of County resident's workplace. The US Bureau of Census asks if you work in the county in which you reside, although this chart implies that the Census is asking what county residents work in; these are completely different questions. The DEIS should accurately reflect the information. Other data problems or inaccuracies include: 1) The commuter destinations in 2-9 cannot be attributed to Census data; after careful analysis of STF 3A, this information is not part of the data set. 2) The DEIS states that "the most current county-level data available on occupations from 1990"; in fact, the 2000 Census information is available and should be made park of the DEIS to give a more accurate portrayal of the region.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
403	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	In assessing the DEIS, the annual wages and salaries for each aspect of the project is outlined in Table 4-2 of Appendix 26. The number of jobs generated in each aspect is summarized in Table 4-1 of the same appendix. The DEIS does not separate the mid-and upper management jobs from those that are expected to be paid less. The DEIS groups all annual wages and salaries by project component and does not provide a breakdown by job description. This breakdown is important to give a full and clear picture of the types of jobs that would be created and what the expected salaries would be. The lump sum approach results in a skewed picture of the true economic benefits of this project on the Catskill region, and in particular, the Towns of Shandaken and Middletown.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
404	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The salaries stated in the DEIS do not reflect the potential for additional services, affordable housing and other development and community character impacts on the community. The DEIS states that the median income level would be $27,272. Again, this median is inflated because of the mid- and upper management job salaries that are included in the calculation and does not offer a true economic picture of the proposed project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
405	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The numbers in table 2-2 of Appendix 26 as presented in the DEIS, are inconsistent with actual 2000 Census figures. Although aggregate income data is not available at the block level, average household income for the study area can be compiled using data from the nine towns that lie within the study area boundaries. The following [chart supplied with comments] compares the actual 2000 figures given in the DEIS with the actual Census numbers.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

406	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The DEIS also states that the real average household income (in base-year dollars) has declined in the study area from 1990 to 2000. Based on the 1990 Census, the average household income of the study area was $31,270. This figure, converted to 2000 dollars, is $40,149. The real average household income of the study area has actually increased by 16.0% over the ten-year period.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
407	Friends of Catskill Park	Appendix 26 - Economic Benefit and Growth Inducing Effects	The DEIS states that the $39,534 average household income in the area is $26,000 less than the New York State overall average. Again, the DEIS includes New York City in its evaluation and this skews the results; the cost of living in the New York City Metropolitan Area drives up salaries for those that live in the area and a more realistic analysis of the Catskill region, as it relates to the rest of the State, should be prepared. A more accurate comparison is to compare the study area with Upstate New York, which reflects a truer picture of the economy outside the City. The following reflects the household income of the residents in Shandaken, Middletown, Ulster County, Delaware County, Greene County and Upstate New York. The aggregate household income was divided by the average household size for each community to determine the average household income	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
408	Friends of Catskill Park	Appendix 28 Local Surveys and Letters of Support	The survey was not conducted by an objective party. It was coordinated by Joan L. Bauer, who at the time was the publicist for the developer, and the survey made use of inexperienced hired help to deliver and explain the surveys. Many businesses were told the survey was for the DEC and they were unclear about their obligation to participate. A survey of this type is only valid if it is conducted by objective parties and those surveyed have enough information to make a valid assessment. Neither was the case in this situation.	Project Need- SDEIS 1.3.D, E;	2		
409	Friends of Catskill Park	Appendix 28 Local Surveys and Letters of Support	The Marist College Poll was conducted by objective parties, although the developers composed the questions. We believe the results give an inaccurate impression of the sentiments of the area. First, the survey covers Middletown and Shandaken together which we believe gives an inaccurate result. Shandaken contains the greater percent of the resort site (85%). Consequently, all impacts will be much greater in Shandaken and it should have been polled separately. Second, the poll was conducted before objective experts had completed reports. To accurately access public sentiment, another poll should be conducted after more objective expert information has been made available to the public	Project Need- SDEIS 1.3.D, E; Proposed Action- SDEIS 2.0;	2		
410	Friends of Catskill Park	7.3 Potential Induced Development	Secondary growth impacts (second/vacation homes, new housing construction, impacts on Route 28, economic impacts on the hamlets, cumulative impacts with the expansion of Belleayre Ski Center and overall fiscal impacts) are not considered	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9; Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
411	Friends of Catskill Park	7.3.1 Potential Induced Development - New Commercial Development	The DEIS offers little more detail on the details of the anticipated commercial development. Where the 76,000+ square feet of commercial space is likely to be located and what type of development can be expected will greatly impact the region. If developed along the Route 28 corridor, the community character impacts could be tremendous and this should be considered. The type of commercial space is also not addressed in the DEIS as 76,000 square feet of service stations and fast food restaurants will have a different impact on the two communities than the development of five-star restaurant and high-end boutiques.	Proposed Action- SDEIS 2.0; Site Plans- SDEIS Plan Sheets L1.00 - L8.03; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

412	Friends of Catskill Park	7.3.2 Potential Induced Development - New Residential Development	Potential for Secondary vacation Homes - As more people utilize the Resort facilities and Belleayre Ski Center, the potential for second home construction will increase; this will impact the need for services that will be required. Second home ownership trends have not been evaluated as part of the DEIS. The undeveloped areas that surround the proposed project, on both public and private roads, should be considered as potential growth areas and evaluated	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
413	Friends of Catskill Park	7.3.2 Potential Induced Development - New Residential Development	The DEIS ignores the potential for population increases as people will likely move into Shandaken and Middletown to fill the jobs being created at the proposed Resort. This will impact the current housing stock, which could mean the need for affordable housing and other services.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
414	Friends of Catskill Park	7.4 Potential Impacts from Induced Growth	The DEIS fails to address the overall impacts of the planned improvements and expansion of Belleayre Ski Center and the proposed project. Combined, these projects will impact the levels of traffic, noise, lighting, housing demand and community services. The "do nothing" alternative in the DEIS fails to address the impacts of the improvements at the Ski Center separate from the proposed Resort.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
415	Friends of Rondout	3.8.2 Adjacent Uses and Community Character	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.	Community Character- SDEIS 3.8.3; Project Benefits- SDEIS 1.3.G;	2		
416	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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 that 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. [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
417	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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). [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

418	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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" [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
419	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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 farm 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." [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
420	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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 [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
421	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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. [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
422	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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. [Comment Excerpted: complete comment found in letter dated 4/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

423	Hank Rope	3.2.2 Surface Water Resources - Potential Impacts	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. [Comment is part of public hearing statement on 1/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
424	Helen Chase	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The DEIS does not talk about the Town of Olive or the effect that the Belleayre Resort will have on the Town of Olive. The majority of the traffic will come along Route 28 from Kingston and the Thruway right through Ashokan/Shokan and Boiceville. On Friday afternoons and Sunday evenings, it is difficult now to enter onto Route 28 from side roads. There already exists a plan developed by the New York State Department of Transportation about 20 or so years ago to bypass the Ashokan/Shokan area with a higher speed alternate route. Admittedly, this route today is probably no longer possible because so many land use changes during the past 20 years have taken place. With increased traffic something somewhere along the Route 28 corridor will have to give in order to provide more roadway. Will that be in our narrowest portion in the Ashokan/Shokan area? 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 sttions-2 being garages, 2 hardware stores, 2 barber shops, 1 Fish Market, 2 seasonal camp and hotel supplies, 3 linen shops, 1 insurance office, 1 paint store, 2 meat markets, 1 shoe store, 1 bakery, 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. [comment is part of a statement made at the public hearing on 1/20/2004]	Traffic- SDEIS 3.5;	2		
425	Herbert Blishish	1.3 Project Purpose, Need and Benefits	My name is Herbert Blishsh, and I was born in March 1926 at Highmount, NY, adjacent to the Belleayre Ski Center. 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, Lorraine Hotel, St. Regis Hotel, Alpine Hotel, Mathes Hotel, Park Terrace Hotel, Roseland Hotel, Takanassee Hotel, Palace Hotel, Fleischmanns Hotel. Just outside the Village limits: Majestic Hotel, Arlington Motel, DePitt's Mountain Lodge, Pinewood Hotel, Fleischmanns Park House, Breezy Hill hotel.	Comment does not raise any substantive issues / no response required	4		
426	HR&A (via NRDC)	2.2.6 Site Drainage and Grading, 7.3 - Potential Induced Development	The proposed development, in its current form, will result in the production of mountainside runoff and erosion from golf course resort construction and operation and spawn secondary growth in the project vicinity and Route 28 corridor. These repercussions are intensified by the magnitude of the proposed program and are likely to threaten the region's best long term economic asset - its rural character and environmental amenities	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Community Character- SDEIS 3.8.3	2		

427	HR&A (via NRDC)	3.10.1 Socio-Economic Setting - Existing Conditions	The subject site is located in a watershed area that not only provides water to more than 9 million people, but also provides a marketable amenity of pristine wilderness that attracts people and investment. The natural environment is the region's core economic asset and long-term competitive advantage. It is therefore imperative that its protection be balanced with the growth of commercial, agricultural and residential uses in the region. It is critical to explore environmentally sound economic development that emphasizes the area's natural resource-based economy to create and sustain businesses that support the region without compromising opportunities for the future.	Comment does not raise any substantive issues / no response required	4		
428	HR&A (via NRDC)	5.3 Alternative Layouts	In view of the quality of the Applicant's site, its location, the extensive proposed development program, and the assessments of alternatives, HR&A believes that there remain alternatives that have the potential to more effectively mitigate the impact to the environment, while maintaining economic feasibility that warrant careful examination prior to the completion of this EIS process. Specifically, the assertion that advancing only a portion of the project would not be economically feasible has not been fully explored.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
429	HR&A (via NRDC)	5.3 Alternative Layouts	The cost to the environment and ultimately the region's economy, of the two resorts is potentially far greater than the incremental benefit to the Applicant and its investors. Reducing the risk profile of a project can allow for exploration of a broader range of alternatives that may allow for less intense land use. Since each distinct element or component of a development project establishes its own risk profile and adds incrementally to the initial capital costs for infrastructure, and consequently increases the required return, reducing the scope of a project to include fewer elements could produce appropriate risk-adjusted returns for an investor.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
430	HR&A (via NRDC)	5.3 Alternative Layouts	A lower-risk alternative might consider some combination of the following: 1) Reduced up-front capital investment and development costs, such as construction of utilities infrastructure and pedestrian and vehicular networks; 2) A mix of alternative recreational amenities that will individually and therefore collectively produce higher contribution to profit margin; 3) A smaller-scale development and facilities; 4) Fewer components included in the overall program; 5) Less varied components of the program 6) Amenities and attractions that are smaller in scale and intensity of land use and more complementary to/harmonious with existing environment; 7)Development of a reduced portion of the site; or 8) Construction of higher density on a smaller area, providing fewer, larger, highly amenitized lots to enhance lot yields and exploiting economies of scale for infrastructure costs;	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

431	HR&A (via NRDC)	5.3 Alternative Layouts	There are several reasonable alternative development schemes that effectively mix the characteristics above and could achieve a more desirable balance between economic viability and environmental impact. Alternatives might include: 1) The Wildacres Alternative: Based on the discussion above, the first alternative that should be explored is a program of development for only the western parcel of the site, comprised of the `Wildacres' component, with the detached units. Further, under this alternative, the eastern portion of the property could be sold to New York City or State or fully protected as forest lands, with conservation easements. 2) The Reduced Scale Residential Alternative: An all-residential development of a reduced scale that capitalizes on the remaining land by selling either to a public entity or to individual owners or by setting it aside as a preserve as an amenity to the development. 3) The Natural Amenity Alternative: A destination development focused on alternative outdoor activities or recreational attractions that take advantage of the natural amenity of the unique pristine wilderness of upstate New York and require less environmental impact than a golf course. 4) The Single Golf Course (on western parcel) Alternative: A mixed vacation and residential development that capitalizes on shared amenities such as a single golf course on the western parcel of the site, club and possibly a golf school, with a nature preserve, developed over possibly a smaller site assemblage.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
432	HR&A (via NRDC)	5.3 Alternative Layouts	Spring Island, South Carolina, a recreational community development that began with plans for 5,500 dwelling units and two golf courses later successfully reduced to 500 units and one golf course with a 1,200-acre nature preserve. It follows a no- and low-impact land and habitat management philosophy that emphasizes economic viability, community livability and environmental sensitivity.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
433	HR&A (via NRDC)	5.3 Alternative Layouts	Another successful alternative could be based on The Reserve, Indian Wells, California, a 21-hole golf course community on 620 acres, with 245 for-sale lots, all designed to have a minimal impact on the natural habitat, marketed to people who want a simple lifestyle based on harmony with nature.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
434	HR&A (via NRDC)	5.3 Alternative Layouts	The Fairmont Sonoma Mission Inn and Spa, in Sonoma, California which focuses on the natural hot springs of the area and drawing on the California Wine Country experience.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
435	HR&A (via NRDC)	5.3 Alternative Layouts	While the Applicant has presented its definition of the recreational and economic benefits of the proposed program for Bellayre Resort at Catskill Park, the proposed program carries a significant risk profile. Since the subject assemblage of land offers numerous and varied opportunities for development, HR&A believes careful attention should be paid to the exploration of additional alternatives that are less capital-intensive and therefore provide risk-adjusted returns that are fair and rational.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
436	HR&A (via NRDC)	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	A compelling alternative to the proposed program that incorporates many of the above points is a full development of only the western parcel (the Wildacres golf club, hotel and detached lodging units).	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

437	J. Andrew Habib	Appendix 2 - NYSDEC Permit Applications	With respect to the supporting documentation accompanying the 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
438	J. Andrew Habib	2.2.3 Potable Water Supply	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. [comment is part of a statement made at the public hearing on 1/20/2004]	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
439	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	The current economic conditions described in the DEIS are not presented clearly and there are additional publicly available economic data that contradict some of the conclusions and trends presented in the DEIS.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
440	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	Income, labor force and employment growth are stronger than stated in the DEIS	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
441	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	Personal income in the area appears to be increasing, but the DEIS states otherwise. The DEIS states that "the 2000 average household income in the study area, approximately $39,524, decreased in real terms by 2.8% between 1990 and 2000." Data from the NYS Department of Labor show that real per capita personal income increased during the same period by 11%, 10.7% and 1.9% in Delaware, Greene and Ulster Counties, respectively	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
442	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	The DEIS states that "average household income in the study area is less than that for all the individual counties, about $7,500 less than the tri-county region, and $26,600 less than New York State overall." The fact that the study area has a greater number of second homes (implying a relatively higher level of affluence), indicates that the effective income is higher than indicated by publicly available data. Income is generally reported at the location of one's primary residence, as is labor force status.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
443	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	Total Labor Force for the period 1999 through 2003 increased by 3.8%, 6.8% and 3.6% for Delaware, Greene and Ulster Counties, respectively. This is much stronger growth than shown for the period 1990 to 1999 in the DEIS (-4.6%, 2,8% and -3.5%).	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

444	J.M. Barth Associates (via Riverkeeper)	3.10.1 Socio-Economic Setting - Existing Conditions	The number of jobs in each of the three counties has increased in recent years. From 1999 to 2003, employment in non-agricultural establishments increased by 4.7%, 7.4%, and 2.5% in Delaware, Greene and Ulster Counties, respectively. The DEIS shows employment changes (primarily declines) for some sectors, but only for the period ending in 1997, not reflecting significant events and possible changes in the economy that have occurred since then.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
445	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	For the purposes of impact analysis in this DEIS, RIMS II multipliers were used. The project was separated into two phases, a construction phase and an operational phase. Neither the details on the inputs used for the RIMS II model nor the actual multipliers were provided in the DEIS. The RIMS II model results are not sufficient for impact analysis of the Belleayre Resort development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
446	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	RIMS II is a static input-output (I/O) model, based primarily on national I/O tables which do not allow impacts to be analyzed over time. Clearly the actual impacts of such a project will be felt over time. The economic impact analysis for such a large development should estimate the impacts over time (10 to 20 years for construction and operation).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
447	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	RIMS II should be supplemented with models more specific to the region. Reference is made to local market research data and interviews with businesses, but it does not appear that these local data were used in modeling and estimating the economic effects.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
448	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Static I/O models tend to assume linear production and consumption functions, implicitly assuming that household spending increases directly with income and there are no economies or diseconomies of scale. With increased income, there are, in fact, increased leakages away from local spending and into saving and investment and purchase of travel and luxury goods. Such models tend to assume the existence of nearly perfect supply elasticity in all sectors and the absence of supply constraints. There is little allowance made for the inability of any local sector to supply the required products. They also assume that relative prices are constant. Dynamic econometric type models are better able to capture these effects.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
449	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The use of the REMI Policy Insight Model, which is a combination of a dynamic structural econometric model and an I/O model and is widely used to estimate economic development impacts, would be a step in the right direction. By combining input-output analysis with regional econometric modeling, it allows region-specific analysis over time as well as multiplier impact analysis at a detailed region-specific level. Even REMI, however, is likely to result in overly optimistic economic impacts for this particular tourism development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
450	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Due to the location of the proposed development, the type of development and various sources of leakages, the multipliers and the estimated impacts are exaggerated for this proposed development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
451	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	If most goods and services are produced and sold locally, the multiplier would be relatively high. In isolated, rural, or country areas (such as the Catskills) multipliers tend to be lower. Specific regional modeling is essential for accurate estimates of economic impact of this development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

452	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	There are a number of leakages that occur in the multiplier effect, and they are particularly significant with "up market", large-scale tourism developments. Note that the standard I/O tables and industry-level data effectively are based on average tourism businesses. At an "up market" resort, visitors may demand a higher standard of products than are currently available in the local area and the resort is likely to "import" these into the area in large quantities.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
453	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The impact on employment is exaggerated. While the DEIS states that the new employees of the Belleayre development are expected to be primarily local residents, it is not certain that this would be the case or that this would help the local economy. If currently unemployed local area residents are hired by the resort, then the economic benefit to the region and the state will be relatively strong. Note that in many cases, the unemployed will require relatively more training than those currently holding comparable jobs, so the employer may be less likely to hire the unemployed. To the extent that members of the current employed labor force are hired, the economic benefit to the region will be negligible as this would imply simply a switching of jobs (negligible additional income entering the economy).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
454	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The DEIS states "it is reasonable to assume that the Resort management would make every effort to hire for all positions from within this two-county region." They are referring to Delaware and Ulster Counties. The Emerson Inn & Spa, another development near Belleayre in the Catskill region, was initiated by the same developer proposing the Belleayre Resort. The Emerson Inn & Spa appears to make an effort to hire staff outside of the region, and in fact, outside of the country. An online review of the Emerson Inn states "The well-trained English-speaking staff is from all over the world - Belgium, England, France, Germany, Hungary, Ireland, Romania, Scotland, South Africa and Wales." This international hiring practice will not diminish local unemployment, and a large portion of the wages will not be spent locally, resulting in little stimulus to the local economy.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G	2		
455	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The investor group will reap the greatest profits and these profits are unlikely to stay in the locality.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
456	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	A large-scale resort is more likely to import in large-scale, including both imports of materials and equipment for construction and consumer goods.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Energy and Materials Management- SDEIS 2.8.12;	2		
457	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The construction phase will produce little economic stimulus to the region. The DEIS states that "the economic effects from construction of the proposed project would, to a large extent, not be localized, but would occur throughout the regional economy in southern New York State." The local benefit will clearly be minimal and it is possible that even southern New York State will not derive the bulk of the benefit. There are many specialty construction trades required for this development that will have to be imported into the region and possibly even into Southern New York State. Construction workers who are not local residents may work and even live in the area temporarily, but will not spend much money in the area, taking most of their wages to their own locality.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		

458	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The development as proposed at Belleayre is similar to an "all inclusive" resort where visitors stay in the one resort for recreation, food, drink and accommodation. Large "all-in" resorts do not tend to help the localities. They do not bring a significant multiplier impact outside of the resort. Tourists visiting a self contained resort buy all food and entertainment on site, but the adverse effects are felt by the community outside of the resort (traffic, water pollution, air pollution, etc.).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
459	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The development of all-inclusive resorts, therefore, results in a smaller multiplier effect on the local economies than the average tourism development. Unfortunately, industry sector analysis does not separate out types of resort accommodation, so the multiplier is exaggerated for this analysis. The six RIMS II industry sectors used for the DEIS analysis do not generally reflect "all inclusive" resorts, but independent, separate businesses, such as recreation clubs, retail establishments, eating and drinking establishments, etc. In other words, the RIMS II results presented in the DEIS are more realistically reflecting the effect of development in separate, smaller-scale tourism-related businesses in the area. The impact from the larger proposed "all in" resort would be much smaller.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
460	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Tourism development which encourages visitors to stay in local hotels, partake in local recreation and frequent local eating and drinking establishments will have a substantial multiplier effect on a region and the I/O models are more accurate in estimating the impact of this type of tourism development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
461	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The potential for adverse economic impacts is not sufficiently addressed.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
462	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Diversification of an economy is desired for long-term economic strength. Introducing a large development that would far exceed the size of any other business in the area would result in a very low level of business diversification in the economy, which is risky. Jost Krippendorf, in The Holiday Makers: Understanding the Impact of Leisure & Travel, emphasizes that "over reliance on any single economic activity is dangerous and in the case of the tourist trade, the risk is even greater." He further states that "under no circumstances should a development relying solely on tourism be allowed. A maximally diversified economic structure must be strived for in tourist destination areas." In the case of the Catskills, this implies that forestry, handicrafts, small-scale industry and non-tourist services must be promoted as well.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
463	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Tourism, if done properly, can have a considerable impact on employment and income in a locality, but Krippendorf emphasizes the reverse side of the coin, seldom mentioned: "jobs in tourism are mostly unattractive, working conditions are hard, the hours are irregular, there is seasonal overload, overtime is more or less compulsory and one is at the mercy of the guest. Earnings are below average. The range of professional and training possibilities is limited. Many jobs are unskilled and considered socially inferior. Tourism-related occupations therefore enjoy very little prestige, especially in developed countries."	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		

464	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	If there is an impact on local businesses resulting from increased demand for their goods and services, prices will rise, and local residents whose incomes do not rise, particularly the unemployed, retirees and others on fixed incomes, may be adversely affected by the price increases.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
465	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	A large influx of tourists may drastically alter the community and potentially degrade it if crime increases and/or potential business owners invest or potential employees come to the area in the hope of high growth. If the development does not have a strong positive economic impact, then unemployment, poverty levels and failed businesses increase.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
466	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	Development on a large scale relative to other local businesses can be detrimental to a community in the longer run if not in the short run. If the development fails, the community gains a failed business, loss of tax revenue, and is forced to take over certain public services that the developer promised to cover. If the development is successful (resulting in strong visitation and spending at the resort and in the community), the successful new business may request tax breaks from the locality, or put pressure on the local communities to take over services such as road maintenance, fire protection, etc. Further, if the development is successful, the cost of living and real estate prices may increase in the surrounding area, driving out lower income residents (some of whom have lived in the area for generations) and changing the economic climate of the region.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
467	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The economic benefits of large scale tourism development will go disproportionately to elite groups (the investors) which does not help the local economy.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
468	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The "comparables" portion of the analysis provides insufficient information. There is little, if any, quantitative information on the physical and fiscal impacts of the comparable developments. The revenue and tax impacts on the localities and the state are not addressed for two of the comparables, nor are the impacts on local roads, utilities and public services.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
469	J.M. Barth Associates (via Riverkeeper)	3.10.2 Socio-Economic Setting - Potential Impacts	The economic analysis presented in the DEIS is not comprehensive and the economic impacts are overly optimistic. Serious adverse effects are ignored, the multipliers are exaggerated, the base line economic data and trends are in question, and the impact model used is inappropriate for the proposed development. The development of small-scale resorts/hotels, which are more likely to purchase supplies locally and whose visitors are more likely to frequent local establishments, is expected to realize a larger local impact from each tourist dollar spent. A resort development on a significantly smaller scale than the one proposed would result in greater economic benefit to the area and at the same time reduce the risk of the potentially adverse economic effects. A smaller resort project (not a full-service resort), that would require visitors to spend in community businesses, would result in greater growth of existing businesses and allow currently unemployed persons to be hired by both the smaller businesses and the new development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		

470	J.M. Barth Associates (via Riverkeeper)	Appendix 26 - Economic Benefit and Growth Inducing Effects, Table 2-5	Employment and employed labor force in the area have a more positive outlook than indicated by the DEIS. First, note that Table 2-5 on Page 2-5 of Appendix 26 is titled "Employment Trends 1980-1999." I believe that this table is incorrectly titled as it is showing Employed Labor Force rather than Employment (which usually refers to number of jobs). While this table shows Employed Labor Force to have declined by 4.8% in Delaware County from 1990 to 1999, data from NYS DOL shows an increase of 4.1% from 1999 to 2003. Likewise, the Table in the DEIS shows an increase of only 2.5% in employed labor force from 1990 to 1999 in Greene County, but NYS DOL data show a growth of 7.7% for the period from 1999 to 2003. Finally, in Ulster County, the DEIS shows a decline of 3.4% for the period 1990 to 1999, but NYS DOL data show an increase of 2.8% for the period from 1999	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
471	J.M. Barth Associates (via Riverkeeper)	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	This portion of the analysis is not complete. Public expenditures on police, fire and schools and costs of new and maintenance of existing infrastructure to the localities are not addressed	Community Services- SDEIS 3.10;	2		
472	J.M. Barth Associates (via Riverkeeper)	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	A proper analysis of secondary development should be more extensive and should estimate the likely impacts over time. Detailed projections of supply and demand over time, separately for commercial and residential development, and labor force should be estimated. In addition, government revenue and expenditures and property values should be projected for the same time period. Finally, alternative scenarios of secondary development should be estimated, ranging from "worst case" to "best case."	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
473	James Krueger	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions	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.	Traffic- SDEIS 3.5;	2		
474	James Krueger	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	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).	Traffic- SDEIS 3.5;	2		
475	James Tierney (Watershed Inspector General)	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Growth	This project, the secondary growth associated with a project injecting hundreds of millions of dollars into the economy, the precedents it can set for sprawl development and mountaintop development rather than hamlet development all place at serious risk the long-term viability of the Catskill portion of the New York City watershed, and with it, the water quality in the entire New York City drinking water system. [comment is part of a statement made at the 1/14/2004 public hearing]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

476	Jeremy Wilber - Town of Woodstock Supervisor	3.9.7 Community Services - Schools	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. I cannot see how this project will result in less enrollment in the Onteora School District or otherwise cause its budget to decrease. 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.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
477	Jim Sofranko	2.2.11 Utilities	One issue I have is the burden that this development will place on our electrical grid and infrastructure. Will the infrastructure need to be upgraded and who will bear the cost of more transmission lines?	Utility Services- SDEIS 2.8.12; 3.10(5); Appendix 27; 8.0	2		
478	Jim Sofranko	2.2.11 Utilities	Is there any design in the plan for alternative energies, or will we be building a new power plant in the near future to accommodate the project?	Utility Services- SDEIS 2.8.12; 3.10(5); Appendix 27; 8.0	2		
479	Jim Sofranko	3.4.2 Climate and Air Resources - Potential Impacts	Another issue I had was how many fireplaces will exist in this new community? What will the extra fireplace smoke have on our local air quality? Have air studies been conducted as to the effect this may have on the valleys in the surrounding communities? Will this cause future restriction of wood burning in all of the surrounding communities? Where will the firewood be harvested? [comment is part of a statement made at the public hearing on 2/3/2004]	Air Quality- SDEIS 3.12	2		
480	John E. Maelia, Jr.	2.2.4 Wastewater Treatment and Disposal and 3.2.2 Surface Water Resources - Potential Impacts	Since 1973 our residence has been affected by flooding of the Esopus Creek seven times, and as a result we have suffered 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 Belleayre 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.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		

481	John J. Wadlin	2.4.2 Operational Stage Activities - Employment	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	Comment does not raise any substantive issues / no response required	4		
482	John R. Mathaison (Associates for International Management Services)	3.10.1 Socio-Economic Setting - Existing Conditions	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.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
483	John R. Mathaison (Associates for International Management Services)	3.10.1 Socio-Economic Setting - Existing Conditions	I draw this conclusion [above in comment 1049] 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	Comment does not raise any substantive issues / no response required	4		
484	John R. Mathaison (Associates for International Management Services)	3.10.1 Socio-Economic Setting - Existing Conditions	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 be 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 [Attachments can be found as part of full comments from Mr. Mathaison dated 1/29/2004]	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

485	Josehp Habib	3.2.1 Surface Water Resources - Existing Conditions	The flow estimations derived from the data in Table 1A for the crux, basically form the basis of many of the calculations in the water supply section and it is therefore, Table 1A represents a crucial component of the water supply reports and engineering reports in which it is referenced. The main problem that I see with Table 1A is that there exists two different versions of it. What is supposedly the same document and is included in several locations throughout the DEIS, are actually two documents with significant differences in the recorded flow values. For the report, I would like to refer to page 25, Appendix 21 and page 49, Appendix 22. These are two of the numerous locations, again, where Table 1A is presented, and looking at these two copies of what is presumably the same document, you will note stark conflicting values in 15 of the 30 rows of data presented here. It's basically half of the data. A closer examination of the data will reveal that nearly all of the data points in these particular rows have been uniformly increased by a factor of two and a half. In other words, given a spread sheet, what looks like what happened, selected rows were increased by multiplying factor of two and a half. That's not to imply that that's actually what happened, but that's what the data looks like. If somebody ever gets a chance to take a look at these two, presumably, the same document. [comment is part of a statement made at the public hearing on 1/20/2004]	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
486	Karen A. Miller	3.10.2 Socio-Economic Setting - Potential Impacts	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.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
487	Lance Hoffman	General	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). [comment is part of a statement at the 2/3/2004 public hearing]	Comment does not raise any substantive issues / no response required;	4		

488	Linda Burkhardt (Councilwoman in the Town of Olive)	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The Town of Olive has great concerns regarding the Crossroads Venture Project and the State Route 28 corridor, which is the main thoroughfare in our town. We understand that the DEIS does not adequately address the impact of the potential increase in traffic traveling through Olive, which will be the primary access to this resort. The Town of Olive would like to see what would be done to mitigate this potential traffic situation. The town also has long-range concerns regarding this project. If all this heavy traffic were used as a reason to widen State Route 28, it could eliminate several businesses and homes in this corridor. There simply is no room to widen this road. [comment is part of a statement made at the public hearing on 1/20/2004]	Traffic- SDEIS 3.5;	2		
489	Lindsay R. Hoyt, Jr.	2.2.3 Potable Water Supply	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 irigate 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 to build two golf courses in a water catch basin? It seems like a ridiculous use of a valuable resource to me	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
490	Lynn Davidson	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and Appendix 25 - Traffic Impact	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. 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	Traffic- SDEIS 3.5;	2		
491	Maureen Nagy	3.8.2 Land Use and Community Character and Adjcent Land uses and Community Character and Executive Summary	There is a statement on page 16 of the Executive Summary and section 3.8.2, on the topic of community character, which claims historic precedent for this project. 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 provided historic precedent. The Grand Hotel which opened in 1881 was a single hotel on a much smaller piece of property(95 acres). 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 of 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. [comment is part of a statement made at the public hearing on 2/3/2004]	Community Character- SDEIS 3.8.3;	2		
492	Michelle L. Stock (Majority Leader, Ulster County)	3.10.2 Socio-Economic Setting - Potential Impacts	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.	Comment does not raise any substantive issues / no response required	4		

493	Michelle Spark	General	The way the DEIS has been made available discourages public participation. This is in direct conflict with the intent of the SEQRA process. The public was forced to scramble as the release date fell over the holidays, and I do believe as was stated in the executive summary, that it could have been – this was totally up to Crossroads. The shortened time to review the 7,000 pages, contrary to Mr. Ciesluk's assurances, the document is not in any readable format on the web, on the Shandaken web site, it is in download format only. Sections are untitled so you don't know what you're getting and the document is unsearchable. It can take up to 60 minutes to download each section. This is inadequate access for public review. The time frame makes it more difficult. It constitutes a withholding of public information. Clearly people's sense of what's being offered is changed when facts are available to evaluate. Local libraries have disks, but as in my library, the two computers are heavily used and copies cannot be made. I finally purchased my own copy for $20 last Friday. Two information specialists who live in this area have commented to me that it is disgraceful and appalling to hear how this document was offered to us. I contend that the DEC and crossroads are failing the mandate of facilitating this information to the community while Crossroads' people spend money on influencing important people and Albany people… [comment is part of a statement at the public hearing on 1/14/2004]	Comment does not raise any substantive issues / no response required;	4		
494	New York City Council	2.3.2 Construction Activities - Construction Stage Activities	In order for the Belleayre Project's system of construction phasing and retention basins to effectively work, careful and long-term oversight needs to be provided for the project-both by the agencies responsible for enforcement and by the owner itself. 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.	Construction Activities- SDEIS 2.8.9	2		
495	New York City Council	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
496	New York City Council	3.2.2 Surface Water Resources - Potential Impacts and 7.3 Potential Induced Development	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." 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. 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		

497	New York City Council	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans and 7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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," 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." 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 towns. It is imperative, however, that this objective is not met at the cost of watershed protection.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A;	2		
498	New York City Council	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	The Council agrees with the EPA, that the DEIS has overly simplified the necessary analysis and has not adequately examined this issue. 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" appears to be unfounded.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
499	New York City Council	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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". 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. 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.	Issues Ruling 22	3		
500	New York City Council	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action and 3.2.2 Surface Water Resources - Potential Impacts	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."	Groundwater Resources- SDEIS 3.2;	2		

501	New York City Council	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action and 3.2.2 Surface Water Resources - Potential Impacts	Although it is anticipated that a total of 85.16 acres 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. “Storm water discharges are generated by runoff from land and impervious areas and often contain pollutants in quantities that could adversely affect water quality.” 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." 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."	SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Surface Waters- SDEIS 3.1;	2		
502	New York City Council	7.3.1 Potential Induced Development - New Commercial Development	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" 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 week.	Comment does not raise any substantive issues / no response required;	4		
503	Nita Freedman	Appendix 28 Local Surveys and Letters of Support	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, I was visited at my place of business in Phoenicia, 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.	Comment does not raise any substantive issues / no response required;	4		
504	Norman Turner	3.2.2 Surface Water Resources - Potential Impacts and Appendix 20 - Bird, Reptile and Amphibian Surveys	Burried in Appendix 20, the title of which should but does not include the word “fish,” are documents submitted by Michael Flaherty, Region 3 senior aquatic biologist pertinent to aquatic habitats. Of the nine identified streams to be influenced by this project, Birch creek is classified as BTS, which means trout spawning waters. It is the opinion of Region 3 fisheries, according to these documents, that five more of the nine be upgraded to this classification, a fact not consistently reflected in the DEIS. We are talking about a valuable and fragile aquatic resource surrounding Crossroads Ventures property on all sides. [comment is part of a statement made at the public hearing on 1/20/2004]	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

505	Norman Turner	3.2.2 Surface Water Resources - Potential Impacts	Birch Creek, Lost Clove Brook, Emory Brook and their tributaries are already impacted by constructive or straightened channels, flood plain incursions from roadways and buildings, runoff pollution from roadways and lawns, water withdrawals for potable water and snow making, acid rain, man-made burrows to fish migration and sewage effluent from the existing Pine Hill plant. Further implicates from large scale development above steep slopes feeding into these drainages can only do more harm. Possible effects include, and I quote from a position statement of the American Fishery Society, “direct and indirect mortality, habitat nullification or destruction, stream flow depletion or modification, pre-productive and behavioral changes, and many others.” [comment is part of a statement made at the public hearing on 1/20/2004]	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
506	NRDC	General	The DEIS fails in numerous places to use appropriate baseline methodology and provide sufficient data for informed analysis and comment in violation of SEQRA.	Comment does not raise any substantive issues / no response required;	4		
507	NRDC	General	The DEIS fails to provide for mitigation of adverse environmental impacts to the extent requited by SEQRA in areas such as wetlands, traffic, and stormwater.	Mitigation- SDEIS Section 3; Appendix 1;	2		
508	NRDC	General	An additional legal deficiency of the DEIS is its failure to use appropriate baseline methodology or to provide sufficient information to enable proper analysis of its modeling data.	Comment does not raise any substantive issues / no response required;	4		
509	NRDC	General	The DEIS must include sufficient data to enable informed analysis and comment. Such analysis is critical to enable the achievement of one of the key objectives of the DEIS process, which is to provide the agency with critical information regarding the environmental impacts of the proposed project: "One of the purposes of an EIS is to inform the public and public agencies as early as possible about proposed actions that might significantly affect the quality of the environment and to solicit comments which will assist the lead agency in arriving at an informed and responsible decision."	Comment does not raise any substantive issues / no response required;	4		
510	NRDC	General	Due to serious methodological flaws in the DEIS on these matters and others, the applicant should be required to conduct additional studies and make new data inputs publicly available.	Comment does not raise any substantive issues / no response required;	4		
511	NRDC	1.4 Environmental Review, Permits and Approvals	Sufficient mitigation of adverse environmental impacts is also required in order for an EIS to be approved. SEQRA requires that an agency find that negative environmental impacts are mitigated or avoided "to the maximum extent practicable" and that the project is "consistent with social, economic and other essential considerations." The DEC regulations require that an EIS provide "a description of mitigation measures," and "those adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented." Previously, DEC has rejected environmental impact statements that failed to adequately discuss mitigation.	Mitigation- SDEIS Section 3; Appendix 1	2		

512	NRDC	Appendix 2 NYSDEC permit applications and 2.2.3 Potable Water Supply	The implementing regulations emphasize that the water supply must be adequate, just and equitable," and necessary. A public water supply using groundwater is adequate if "[t]he total developed ground water source capacity…equal[s] or exceed[s] the design maximum day demand and equal[s] or exceed[s] the design average day demand with the largest producing well out of service." The just and equitable requirement "typically considers the environmental impact of the choices and requires DEC to ensure that an adequate water supply will be available to the surrounding residents." The requirement that the use of the water supply be justified by the public necessity enables inquiry as to whether there is another necessary use for that supply in that locale.	Comment does not raise any substantive issues / no response required;	4		
513	NRDC	Appendix 2 NYSDEC permit applications and 2.2.3 Potable Water Supply	Based on NRDC's review of the DEIS and the expert hydrological evaluation attached to the comments of the Catskill Heritage Alliance, NRDC finds that the Belleayre resort project does not meet these requirements for a water permit.	Water Budget- SDEIS 3.2.2; Appendix 22;	2		
514	NRDC	2.2.3 Potable Water Supply	The DEIS fails to take into account state law requiring an adequate supply of water for a new project, and the adverse and inequitable impact that the use of water by the Belleayre development will have on the nearby Village of Pine Hill.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
515	NRDC	2.2.3 Potable Water Supply	the DEIS fails to explore whether the applicants' request for a water supply permit satisfies state law. State law requires that in granting a water supply permit, DEC must determine whether the proposed project is "justified by the public necessity...whether the supply will be adequate…(and) whether the project is just and equitable to all affected municipalities and their inhabitants and in particular with regard to their present and future needs for sources of water supply."	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
516	NRDC	2.2.3 Potable Water Supply	Crossroads Ventures has failed to demonstrate that the water supply proposed for the resort project will be adequate to meet the needs of the project. Specifically, due to the described methodological deficiencies, the applicant has not documented sustained yields of all the wells (and particularly Rosenthal Well #1 and Rosenthal Well #2) and of the Crystal Spring-Silo A, proposed as a backup source of potable water supply in the DEIS, during severe drought conditions.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
517	NRDC	2.2.3 Potable Water Supply	The applicant has not demonstrated the projects use of the water is just and equitable to the surrounding community. In particular, the applicant has underestimated the adverse hydrological impacts of the water uses proposed to the DEIS and failed to fully evaluate the possibility of interconnected wells and the effects of additional large withdrawals on the aquifer, The sponsor has also not fully assessed and mitigated the impacts of depleting stream flows, especially on fish and fish breeding, and not fully taken into consideration the present and future competing water needs of both the hamlet of Pine Hill and the Belleayre Ski Center.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		

518	NRDC	2.2.3 Potable Water Supply	The DEIS fails to convincingly establish that the proposed project has an adequate water supply. For the Big Indian portion of the proposed development, the project sponsor would rely on two sources to meet its daily water needs. Rosenthal Well, as the primary source, and Crystal Spring ("Silo A"), as a backup source. The DEIS claims that Rosenthal Well 2 has a capacity of 118,080 gallons per day and that Silo A has had a capacity of 99,792 gallons a day during drought periods. But both of these projected numbers are suspect. As is set forth in more detail in the expert affidavit of Paul Rubin, attached to the comments of the Catskill Heritage Alliance, the project sponsor's projected estimate for the water flow from Silo A is critically flawed. There are also problems with the projected flow from Rosenthal Well 2.	n/a	1		
519	NRDC	2.2.3 Potable Water Supply and Appendix 7 Water Supply Report	Since the applicant's analysis for Silo A relies on faulty comparison data (from the USGS gauging station) and since its analysis for Silo A over-estimates flow and bases its calculations on periods that were insufficiently dry, the DEIS fails to demonstrate that the eastern portion of the proposed project has an adequate supply of water.	n/a	1		
520	NRDC	2.2.3 Potable Water Supply and Appendix 7 Water Supply Report	An additional problem with the DEIS discussion of water supply for the Big Indian portion of the proposed Belleayre Resort development is the impact of the applicant's water plan on the nearby hamlet of Pine Hill. In short, the use of Silo A as a backup supply of water for the Belleayre resort may leave the hamlet of Pine Hill, which has historically used Silo A as a backup supply of water, with insufficient water during drought conditions and is likely to have a negative impact on future growth of the hamlet of Pine Hill. As is the case for so many other water quality issues, the DEIS failed to take the requisite "hard look" at this issue.	n/a	1		
521	NRDC	2.2.3 Potable Water Supply and Appendix 7 Water Supply Report	The DEIS does not adequately address issues related to water supply permits in connection with the Belleayre Project, as required by law. "Under SEQRA it is clear that agencies have to take into account any need for a water supply permit in their environmental review."	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
522	NRDC	2.2.4 Wastewater Treatment and Disposal	Domestic wastewater contains "substantial concentrations of pathogenic microorganisms"' which represent a significant threat to public health should they find their way into public water supplies. In the Catskill/Delaware watershed, almost all wastewater from the region is discharged either directly into streams that flow into reservoirs or into the subsurface, where it can eventually reach the reservoirs	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
523	NRDC	2.2.4 Wastewater Treatment and Disposal	The proposed Belleayre Resort development will be the largest single generator of wastewater in Ulster and Delaware Counties. According to the DEIS, the Big Indian (eastern) portion of the proposed development will produce an average of 108,465 gallons per day of wastewater, with a maximum loading of 216,930 gallons per day. Sewage treated at an on-site plant will be discharged either into Birch Creek, a sensitive trout-spawning stream, or into golf course irrigation ponds.	n/a	1		

524	NRDC	2.2.4 Wastewater Treatment and Disposal	The development on the western portion of the project site will generate, an average of about 140,435 gallons a day, with a maximum loading of 280,870 gallons per day. Effluent from this second on-site sewage plant will also flow into golf course irrigation ponds during the warmer months of the year, where it will be stored until needed. If the treated sewage is not needed for irrigation, it will be discharged into an unnamed tributary of Emory Brook	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
525	NRDC	2.2.4 Wastewater Treatment and Disposal	Unfortunately, Birch Creek and Emory Brook are poorly suited to receive large amounts of treated sewage, Birch Creek and Emory Brook are located in the headwaters of the Ashokan and Pepacton reservoirs, respectively, and are classified as trout streams. Both have very low flows during the summer and, at times, become intermittent. Although NYSDEC has prepared draft SPDES permits for these discharges, it seems possible that, on occasion, the only flow in these streams would be treated sewage.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
526	NRDC	2.2.4 Wastewater Treatment and Disposal	The proposed Belleayre Resort development threatens to adversely affect these sensitive streams. Accordingly to the DEIS, the proposed wastewater treatment plant serving Big Indian will discharge into Birch Creek, when not discharging into irrigation ponds . The proposed wastewater treatment plant serving the Wildacres Resort will discharge into an unnamed tributary to Emory Brook, an intermittent stream, when not discharging into irrigation ponds.	n/a	1		
527	NRDC	2.2.5 Irrigation Water Supply	Another golf-course related problem that the DEIS skims over is the impact of stormwater runoff and snowmelt during winter months when soils may well be frozen. The DEIS indicates that it is the project sponsor's intent to irrigate even after November 30 (through the winter months) and calls this practice "desirable." While such practices may be desirable from a golf course maintenance standpoint, irrigation efforts over frozen soils increase the likelihood that pollutants will be carried down the mountain in runoff. This is further evidence of why mountainside golf course construction and operation is inconsistent with the protection of vulnerable trout streams that are tributaries to unfiltered drinking water reservoirs.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
528	NRDC	2.2.6 Site Drainage and Grading	The DEIS fails to comply with state stormwater regulations.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
529	NRDC	2.2.6 Site Drainage and Grading	Completion of construction and site development do not end the problems associated with stormwater. Runoff frequently flows over lawns, roads and other paved surfaces, collecting pollutants and depositing them into streams, lakes and reservoirs. In addition to pesticides, herbicides and automobile-related pollutants, bacteria and other micro-organisms are also transported in stormwater flow.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
530	NRDC	2.2.6 Site Drainage and Grading	the proposed project, as described in the Draft EIS, presents numerous stormwater runoff problems for the project site and its surrounding environment., according to the DEIS, the proposed Belleayre project would "disturb" a total of 529 acres of vegetation, transforming what is now forested acreage into a built environment. The scale of this disturbance is unparalleled. More than one million cubic yards of earth will be excavated and filled.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

531	NRDC	2.2.6 Site Drainage and Grading and 2.3.2 Construction Stage Activities	The construction process itself is considered "the most damaging phase of the development cycle for streams and other aquatic resources." For this reason, one of the key principles of effective erosion and sediment controls is to limit the amount of clearing and grading necessary, and to keep the amount of land cleared at one time to an absolute minimum. Steep slopes are particularly sensitive to erosion, and, if possible, construction on them should be avoided altogether.	Slopes- SDEIS 2.2; 2.3 Construction Activities- SDEIS 2.8.9	2		
532	NRDC	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	To make matters worse, the DEIS proposes to disturb up to 25 acres of land in the eastern portion of the proposed project and 25 acres in the western portion at one time, in contravention of the traditional state limit of no more than 5 acres of disturbance at one time. According to Dr. Paul Mankiewicz, an expert on soils and erosion control, "the proposed 25-acre limit for exposed soil is too large by an order of magnitude." This large volume of land alteration will have more severe consequences due to the mountainous topography. Much of the proposed project will be built not on flat land parcels, but on mountainsides and mountain ridges.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
533	NRDC	2.3.2 Construction stage activities and 3.2.2 Surface Water Resources - Potential Impacts	The EPA requires that developers apply for a State Pollutant Discharge Elimination System (SPDES) permit for storm water discharge if construction activity will disturb more than five acres of land. New York implemented this regulation through general permit guidelines that became effective in 2003. Any disturbance of more than five acres at a time requires the DEC's prior written approval. New York State DEC has not yet granted this approval and the DEIS provides no factual basis for any such grant in the future.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
534	NRDC	2.4.8 Golf Course Integrated Pest Management	The underlying data to explain the analysis of the impacts of pesticides, fertilizers, and herbicides from the golf course on water quality is not provided, which does not enable verification of the accuracy of the DEIS' assessment	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
535	NRDC	2.4.8 Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	The DEIS discussion of golf course fertilizers, pesticides and fungicides is also deficient. Despite its size, the DEIS fails to adequately explain how the golf course will be constructed in a way that minimizes environmental impacts, particularly stormwater runoff. In addition, it is impossible determine whether the modeling for golf course pollution runoff was accurately calculated since the DEIS fails to include adequate input and output data to allow evaluation of model use.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
536	NRDC	Appendix 14 Integrated Turf Management Plan	In Maryland, for example, recognizing the negative impacts of golf courses, the Department of Environment Protection and Resource Management developed guidelines for new golf course construction. Among the provisions is a requirement for a four-foot thick "mantle" of soil below the green's underdrain system.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
537	NRDC	3.2.2 Surface Water Resources - Potential Impacts	Even after the project is completed the threat from stormwater runoff will not have abated. In addition to the motor vehicle-related and similar runoff, the two 18-hole golf courses will also generate additional runoff of pesticides, fertilizers and other pollutants.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

538	NRDC	3.2.2 Surface Water Resources - Potential Impacts	The project sponsor's efforts, as set forth in the DEIS, to mitigate and minimize the impacts of such widespread land alterations fall short of the mark and are in fact inaccurately calculated. For one thing, stormwater loadings described in the DEIS were inappropriately determined, according to Professor Robert Pitt, who created the stormwater model used in the DEIS. Similarly, the impacts of runoff from pesticides and fertilizers from the proposed golf courses were also not projected accurately, since once again, the pollution modeling was inadequate. Because of the large volumes of runoff expected, "a detention basin designed to capture runoff from a 25-acre parcel of land would itself need to disturb an estimated two to four acres of land."	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
539	NRDC	3.2.2 Surface Water Resources - Potential Impacts	FWS warned that the proposed mountainside blasting and application of insecticides and herbicides on the golf course could negatively impact water quality	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
540	NRDC	3.2.2 Surface Water Resources - Potential Impacts	According to stormwater expert, Dr. Robert Pitt, "nearby trout streams that have portions of their watersheds on the project site… will be affected by the proposed project runoff to a greater extent than the more distant water supply reservoirs." "Specific threats to these streams will be construction site erosion material, increased runoff temperatures, increased flow rates and flow volumes, and contaminated snowmelt, along with pollutant discharges from the project stormwater."	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
541	NRDC	3.2.2 Surface Water Resources - Potential Impacts	There are serious flaws in the modeling of stormwater impacts, including the failure of the applicant to provide the modeling inputs to analyze the conclusions drawn in the DEIS, as is documented in the comments of Professor Pitt.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
542	NRDC	3.2.2 Surface Water Resources - Potential Impacts and 2.4.8 Golf Course Inegrated Pest Management	Potential environmental effects from golf courses include leaching and runoff of nutrients and pesticides, soil erosion and sediment loss during construction, and degradation of surface waters receiving runoff: In many instances, chemical application rates at golf courses can "rival and even exceed those used in intensive agriculture". In particular, nitrogen and phosphorus, used in fertilizers, can eventually flow from golf courses into water sources and stimulate growth of algae." There are also long-standing concerns about the impacts of golf course generated pesticides on the health of nearby waterways and the species that inhabit them.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
543	NRDC	3.2.2 Surface Water Resources - Potential Impacts and 3.8.3 Local and Regional Land Use plans	The 1997 Watershed Agreement did indeed recognize that "the goals of drinking water protection and economic vitality within watershed community are not inconsistent" and that it was the intent of the signatories "to cooperate in the development and implementation of a watershed protection program that maintains and enhances the quality of the N.Y.C. drinking water supply system and the economic vitality and social character of the watershed communities." The agreement also made nearly 60 million dollars of New York City funds available, to be used by the watershed-based Catskill Watershed Corporation for "responsible, environmentally sensitive economic development projects in the West of Hudson communities."	Comment does not raise any substantive issues / no response required	4		

544	NRDC	3.2.2 Surface Water Resources - Potential Impacts	Within the immediate area of the proposed Belleayre Resort development, there are world-class streams that may be adversely impacted by the proposed development. According to the DEIS, Birch Creek, Lost Clove Brook and the brooks in Giggle Hollow and Woodchuck Hollow all support trout populations. Birch Creek and Giggle Hollow Brook are considered even more valuable because they are also trout spawning streams.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
545	NRDC	3.2.2 Surface Water Resources - Potential Impacts	Small streams are extremely vulnerable to man-made changes in the watershed. They "respond dramatically and rapidly to disturbances to their riparian areas and are most sensitive to changes in riparian vegetation in the surrounding watershed."	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
546	NRDC	3.2.2 Surface Water Resources - Potential Impacts and 2.2.6 Site Drainage and Grading	The widespread blasting, excavation, rebuilding of the landscape, and creation of 85 acres of new impervious surfaces can be expected to have significant adverse effects. Sediment is a particular problem for such streams; it can not only fill in stream channels, "but it can degrade habitat by reducing the amount of light that reaches stream bottoms and [by] covering spawning beds and submerged vegetation." Trout "have little or no tolerance for higher water temperatures, pollution, increased dissolved gases, and other problems often associated with humankind's encroachment", warns Trout Unlimited. They are often the first species to disappear when waters are polluted.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
547	NRDC	3.3.2 Groundwater Resources - Potential Impacts	To comply with SEQRA the applicant should be required to complete a full and thorough analysis demonstrating whether the project will negatively impact the Pine Hill water supply needs to be conducted, before the project can go forward. Indeed, a New York Supreme Court in Albany County mandated according in an earlier litigation relating to this issue: "Most importantly, any potential environmental impacts of the proposed Resort on the Pine Hill's water supply will have to be fully addressed during the Resort SEQRA review". Additionally, the applicant has not shown that the project's water use is necessary. And as the previous discussion of project alternatives demonstrates, there are a number of less water-intensive project alternatives that would provide a reasonable economic return on investment, be more beneficial to the region as a whole and better conserve the area's invaluable natural resources.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
548	NRDC	3.3.2 Groundwater Resources - Potential Impacts	FWS noted that the project may impact groundwater resources in a manner that would diminish surface water flow quantities.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Surface Waters- SDEIS 3.1;	2		
549	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	FWS rejected the DEIS' proposed reliance on preservation of existing wetlands as adequate mitigation	Wetlands- SDEIS 3.4.2;	2		
550	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	In numerous areas, the Draft EIS fails to provide for adequate mitigation to minimize adverse environmental impacts, For example, re: wetlands, the applicant proposes no mitigation for the wetlands that will be filled, cleared of vegetation or incorporated into the golf course beyond preservation of some of the existing wetlands on the proposed resort's land. Nor does the DEIS discuss wetland replacement through the creation of new wetlands or propose alternative layouts of the resort and golf course that would mitigate the impact on wetlands.	Wetlands- SDEIS 3.4.2;	2		

551	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The DEIS also fails to consider the project's inconsistency with federal wetlands law. Where actions that are subject to SEQRA involve permits under federal statutes, "SEQRA compliance must include consideration by the lead agency of the conformity of the action with federal law, In this instance, NRDC maintains that issuance of a federal wetlands permit for this project by the United States Army Corps of Engineers ("Corps") violated federal wetlands laws and regulations, due to its failure to consider the views of the United States Fish and Wildlife Service. Under the Federal Clear Water Act, the Secretary of the Corps is authorized to issue general permits on a nationwide basis if "the Secretary determines that the activities in such category are similar in nature, will cause only minimal adverse environmental effects when performed separately, and will have only minimal cumulative adverse effects on the environment." Before controlling or modifying any body of water, the Corps is required to consult with the U.S. Fish and Wildlife Service.	Wetlands- SDEIS 3.4.2;	2		
552	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	[continued from comment above] In order to assist the Corps in making this determination, the Director of the US. Fish and Wildlife Service is required to submit written comments on permit applications or proposed general permits to the Secretary, The Corps is required to "give full consideration to the views of (the U.S. Fish and Wildlife Service and National Marine Fisheries Service) on fish and wildlife matters in deciding on the issuance, denial, or conditioning of individual or general permits."	n/a	1		Key: (1) No Longer Applicable (2) Refer to SDEIS (3) Refer to Issues Conference
553	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	[continued from comment above] The Corps acted contrary to these provisions when it approved issuance of Nationwide Permit Number 14 on July 18, 2003. The Corps issued the permit despite a recommendation to the contrary they received from the FWS in a letter dated July 11, 2003 Based on their review of the document and a site visit, the FWS determined that there would be more than minimal cumulative impacts to wetlands, They recommended that the Corps look at the impacts to all wetlands on the project site, rather than solely jurisdictional wetlands and application be evaluated as an individual permit. They also questioned the mitigation: according to the FWS, Crossroad's commitment to preserve several acres of wetlands through deed restrictions is not an accepted means of wetlands replacement. In addition, because no mitigation was proposed for the 2.5 acres of wetlands that would be cleared to accommodate golf ball overfly, there would be a net loss of wetlands.	n/a	1		
554	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The FWS further maintained that the controversial nature of the Belleayre Project, including the opposition of various organizations and citizens, justified full public interest review. The Corps letter approving nationwide permit issuance to Crossroads Ventures for the Belleayre Resort projects does not respond to any of these major concerns, And the DEIS is deficient in its failure to explore and analyze this issue.	Comment does not raise any substantive issues / no response required;	2		

555	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Wetlands are "among the most productive ecosystems in the world, comparable to rain forests and coral reefs." Wetlands perform numerous valuable functions, especially in watershed regions. They slow erosion and act as sponges to soak up stormwater runoff, capturing contaminants that would otherwise wash into reservoirs or their tributaries. In addition, wetlands play a critical role in storing water, thereby reducing the effect of flooding on both property and water quality. In New York's West-of-Hudson Catskill and Delaware watersheds, wetlands are relatively scarce -- the 12,000 acres of wetlands amount to just over one percent of total watershed lands -- making their protection all the more important.	Wetlands- SDEIS 3.4.2; Groundwater Resources- SDEIS 3.2;	2		
556	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The proposed project will adversely affect critical wetlands on the project site. According to the DEIS, nearly five acres of wetlands will be disturbed --1.57 acres of wetlands will be filled and 2.84 acres will be cleared of vegetation. The wetlands to be filled will allow for at least 13 road crossings and golf cart paths. The wetlands to be stripped of vegetation will allow for golf ball overfly.	Wetlands- SDEIS 3.4.2;	2		
557	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	While the DEIS places emphasis on the impact to non-isolated wetlands, that distinction is relevant only to federal government jurisdiction over the wetlands, rather than to their ecological benefit. Scientific evidence shows that isolated wetlands play a critical ecological role in water storage and release, as well as maintaining regional biodiversity of plant and animal life. The proposed alteration of nearly five acres of wetland habitat in a fragile mountain ecosystem constitutes a serious and irreversible environmental impact.	Wetlands- SDEIS 3.4.2;	2		
558	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	It is likely that the DEIS understates the impact to wetlands from the proposed project. Indeed, the US. Fish and Wildlife Service ("FWS") has expressed serious reservations about the proposed project's impact on wetlands and wildlife. First, FWS expressed concern that the project sponsor did not fully document all watercourses, and the possible impact that construction and post-construction disruption might have on surface flow to downslope wetlands and streams.	Wetlands- SDEIS 3.4.2;	2		
559	NRDC	3.5.2 Terrestrial and Aquatic Ecology - Wetlands, Appendix 17 Wetland Delineation Report, Appendix 17A Federal Wetland Pre-Construction Notification and Appendix 17B Supplemental PCN Information	The DEIS fails to address the issue of the project's wetlands permit premature issuance by the U.S, Army Corps of Engineers, in violation of federal wetlands law and regulations.	Wetlands- SDEIS 3.4.2;	2		

560	NRDC	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and 3.2.2 Surface Water Resources - Potential Impacts	Local trout streams are extremely important to the ecology and economy of the Catskill region. They are the habitat and water source for a wide variety of species and often are spawning grounds for trout. They connect with and supply fresh water to two major downstream reservoirs and they offer significant recreational opportunities for the many sport fishing enthusiasts who visit the region every year.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
561	NRDC	3.6.1 Soils - Existing Conditions	Erosion problems will likely be further exacerbated by the thin soils that are found at the project site. According to Dr. Mankiewicz, there is shallow depth to bedrock, which restricts the infiltration capacity of the soils. "Intense storms…could potentially saturate such soils and lead to surface flow and erosion, especially in steep to very steep environments, such as those on each of the development sites"	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
562	NRDC	3.7.1 Traffic Patterns - Access to the site and existing conditions and Appendix 25 - Traffic Impact Study	The major roadway in the vicinity of the proposed Belleayre Resort project is Route 28. In the project corridor, except for a small stretch immediately surrounding the entrance to the state's Belleayre Ski Center, Route 28 is a two-lane roadway. Route 28 is also the area's transportation lifeline. In recent years, traffic along Route 28 has continued to increase. It is not uncommon for motorists to encounter both slow-moving traffic and delays in making turns on to and off of Route 28 during peak periods, especially on the stretch of Route 28 to the east of the proposed Belleayre Resort, heading toward Kingston and the New York State Thruway.	Traffic- SDEIS 3.5;	2		
563	NRDC	3.7.2 Traffic Patterns - Potential Impacts	The use of a build year during which construction will still be taking place when there is only partial occupancy of the resort and when background traffic rates will not have risen to the full extent envisioned following expansion of the Belleayre Ski Center.	Traffic- SDEIS 3.5;	2		
564	NRDC	3.7.2 Traffic Patterns - Potential Impacts and Appendix 25 - Traffic Impact Study	The proposed Belleayre Resort development will generate additional traffic, as will planned expansion to the Belleayre Ski Center. Will this additional traffic, combined with traffic from the Belleayre Ski Center and other traffic generated by secondary growth from the resort, result in further congestion and delays on Route 28, perhaps even necessitating an expensive and unwanted Route 28 roadway widening? It is impossible to tell from the DEIS. The project sponsor's DEIS and Traffic Impact Study estimates that the resort project will only generate 139 peak hour trips on a typical winter weekend, and 347 peak hour trips during maximum peak hours in the winter season. This would, the sponsors argue, amount to an extra 3 to 4 vehicles per minute on the two-lane Route 28 during peak hours.	Traffic- SDEIS 3.5;	2		
565	NRDC	3.7.2 Traffic Patterns - Potential Impacts and Appendix 25 - Traffic Impact Study	The DEIS and its traffic Impact Study contain numerous flaws, which are set forth in detail in the statements of traffic engineer Brian Ketcham, submitted as part of this docket. We briefly identify four of the many errors which render the DEIS projects in this area seriously deficient. The DEIS calculations for background traffic levels are based upon estimates for 2008 (with a three percent annual growth rate), even though the project may not be complete until 2014. By 2014, background traffic numbers may have doubled, primarily due to the increase in ski center visits over the years, with the planned expansion of the Ski Center.	Traffic- SDEIS 3.5;	2		

566	NRDC	3.7.2 Traffic Patterns - Potential Impacts and Appendix 25 - Traffic Impact Study	The date chosen by the consultants to represent the worse case traffic figures, Martin Luther King Jr. weekend, has not been the date of highest attendance at the Ski Center, Third, the DEIS estimates that 40% of trips to and from the golf courses on peak days and 80% of trips to and from the Ski Center on peak days will be on shuttle buses, but provides no explanation for such estimates.46 Fourth, the DEIS does not discuss the impact of truck traffic on Route 28 congestion levels during the eight year construction period.	Traffic- SDEIS 3.5;	2		
567	NRDC	3.7.2 Traffic Patterns - Potential Impacts and Appendix 25 - Traffic Impact Study	The Draft EIS has failed to demonstrate that traffic from the proposed Belleayre Resort and the secondary growth that it generates will not become a significant adverse local impact.	Traffic- SDEIS 3.5;	2		
568	NRDC	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	In relation to traffic, the project sponsor's main proposals for mitigation is the addition of several turn lanes and the adoption of a shuttle bus service. However, the sponsor does not analyze any traffic or air quality impacts associated with running busses every ten minutes nor provide data to prove the assertion in the DEIS that the service will eliminate most of the trips to the resort and the ski center.	Traffic- SDEIS 3.5;	2		
569	NRDC	3.8 Land Use and Community Character	The DEIS fails to establish that disapproval of the Belleayre Resort development in its current form would violate the 1997 Watershed Memorandum of Agreement ("MOA"). In fact, the DEIS seems to mention the MOA only in passing, in a background section on local and regional land use and comprehensive plans.	Issues Ruling 22	3		
570	NRDC	3.8 Land Use and Community Character	Nothing in the 145-page agreement authorizes or requires that any particular development proposal be advanced, let alone one that is the size and scale of the Belleayre Resort, as proposed. The entire thrust of the agreement is to support "environmentally sensitive" economic development projects. The U.S. Environmental Protection Agency, a signatory to the M.O.A, and federal oversight agency for the New York City water supply, has stated: The size and scope of this project are significantly greater than anticipated by EPA when we agreed to the City's revised Watershed Rules and Regulations and signed the MOA." As the New York City Department of Environmental Protection concluded in its comments on the Belleayre Resort proposal, support for the concept of environmentally-sensitive development in the watershed "does not mean that every proposed project meets this standard or that legitimate concerns about a project contradict the spirit of the MOA".	Issues Ruling 22	3		
571	NRDC	3.8 Land Use and Community Character	The DEIS wholly fails to demonstrate that approval of the proposed project is required or mandated by the 1997 Memorandum of Agreement.	Issues Ruling 22	3		

572	NRDC	3.8 Land Use and Community Character	The developer does not explain the methodology used in reaching the conclusion that the proposed resort will have no impact on community character. In addition, the developer acknowledges that the studies of the economic benefits and growth inducing effects were conducted prior to the events of September 11th but fails to analyze the impact that this dramatic event could have on the conclusions reached in the DEIS in those areas.	Community Character- SDEIS 3.8.3;	2		
573	NRDC	3.9.3 Community Services - Potable Water	The proposed Belleayre Resort development, as currently envisioned, would place an unprecedented demand on local water supply. For the Big Indian (eastern) portion of the proposed development, the applicant estimates average water demand to be 114,817 gallons a day, with maximum daily demand to be over 189,448 gallons per day. For the western portion of the proposed development, the applicant estimates average water delivered to be 136,635 gallons a day, with maximum daily demand to be over 225,448 gallons per day. Unfortunately, it is unclear from the DEIS that the applicant can meet these water demands with current holdings and without adversely impacting the water supplies of surrounding communities.	n/a	1		
574	NRDC	Section 3	In describing the "environmental setting" of the proposed action, the document should provide quantitative information to support its conclusions whenever possible. Environmental Impact Review cautions that "(p)recise and timely data are especially important for critical and controversial issues, as they will come under the closest scrutiny and may have the most important effect on the final actions of the decision makers," Another consideration is whether the appropriate geographic scope is used for review of the project in relation to primary and secondary impact areas. The times of observation should also be varied to ensure all necessary data is gathered. Additionally, the chosen build year should generally be the year that it is expected that construction will be completed and the project fully occupied.	Comment does not raise any substantive issues / no response required;	4		
575	NRDC	5 - Alternatives	The discussion of alternatives should enable the agency to conduct a cost/benefit analysis: "(t)he purpose of requiring inclusion of reasonable alternatives to a proposed project is to aid the public and Governmental bodies in assessing the relative costs and benefits of the proposal." The applicant must submit financial information to substantiate an assertion that a small-size project is economically unfeasible.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
576	NRDC	5.3 Alternative Layouts	The EIS fails to explore reasonable alternatives of smaller scale developments more compatible with watershed protection objectives and community character. HR&A President John Altschuler has identified four lower build alternatives that "would mitigate many of the expected adverse environmental impacts while providing both a recreational and economic asset to the region". Not one of these alternatives, nor any similar alternative were evaluated in the DEIS.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

577	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	NRDC's review of the DEIS has found that there is inadequate consideration of the cumulative impact of the proposed project together with the planned expansion of the Belleayre Mountain Ski Center. The project sponsor's assessment of the needs for the project in the region, acknowledges that there will be a significant increase in visitors to the ski center in the coming years:" The Lodging bureau of the Ski Center estimates that there is a current shortfall of 500 hotel rooms to accommodate present volumes and this shortfall will rise to 1,000 hotel rooms when current skier targets are achieved." The sponsor further indicates that the ski center has the capacity to increase the numbers of visitors by 50 percent without an expansion; if there's new investment in the center, there could be a 400 percent increase.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
578	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	The DEIS advances its intention to contribute to the overall plan for the ski center and the likelihood that the project will enhance its future growth: "The Belleayre Resort at Catskill Park has been conceived and planned to serve as a major contributor to the ambient circumstances which will enable Belleayre Mountain Ski Center - and the region - to reach its full potential." However, despite all of these indications that the project was intentionally planned to take advantage of the planned expansion of the ski center, the estimates of environmental impact do not fully take into account the combined effect of the Belleayre Resort project and the Ski Center expansion on Belleayre ridge or the surrounding community. Without a full discussion of the expected cumulative impact of these two projects, the DEIS must be considered incomplete.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		
579	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Cumulative Impacts	The DEIS constitutes impermissible segmentation by failing to examine the cumulative impacts of the resort project and the planned expansion of the Belleayre Mountain Ski Center,	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		
580	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	The DEIS fails to adequately address secondary growth impacts in the Catskill Park region that are likely to result from the large-scale resort development	Growth Inducing Impacts- SDEIS 7.0;	2		

581	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	Segmentation of the environmental review process is impermissible under law, New York's Environmental Conservation Law states: "It is the intent of the legislature that, to the maximum extent feasible, a comprehensive project review approach shall replace separate and individual permit application reviews" DEC's regulations implementing SEQRA define segmentation as "the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance. In determining environmental impact, the lead agency must take into consideration "reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are: (i) included in any long-range plan of which the action under consideration is a part; (ii) likely to be undertaken as a result thereof, or (iii) dependent thereon" The courts have struck down draft environmental impact statements when they failed to consider the project in relation to a larger development plan for the area.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
582	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	DEC regulations mandate consideration of environmental impacts that might result from "the creation of a material demand for other actions" causing environmental harm. Furthermore, the regulations specifically require consideration of "any growth-inducing aspects of the proposed action" where applicable and significant." Failure to adequately considering secondary growth impacts constitutes grounds for invalidation of an agency's approval.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
583	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	The DEIS minimizes the likelihood of secondary growth impacts resulting from the proposed project to a far greater extent than seems reasonable based on the size and scale of the proposed resort. The applicant's conclusion that any increase in residential development from the new project is negligible seems flawed. The DEIS anticipates that there will be 2,113 person-years of employees over an eight year period of construction plus additional jobs resulting from indirect employment. The DEIS further anticipates that there will be 542 full-time resort employees and 330 seasonal and part-time employees. The applicant's conclusion that there is likely to be little impact in demand for new housing or rental units is based on the assumption that the vast majority of the workforce will come from the area. However, the applicant has presented little evidence to indicate that the construction-related and resort jobs are those for which local residents are well-suited.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
584	NRDC	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Secondary Development	In addition, the applicant indicates that additional commercial development is unlikely because of the environmental and regulatory obstacles facing the proposed project." However, if this project does go forward in its present bloated configuration, it will signal to others interested in commercial development in the area that these processes are surmountable.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

585	NRDC	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	The developer's "Corridor Spending Analysis Model" showed a 19 percent increase in general merchandise sales, a 10 percent increase in food store sales, a 40 percent increase in automobile service sales, a 22 percent increase in eating and drinking sales, and a 12 percent increase in amusement and recreation spending, if the resort proposal is completed. Based on these dramatic increases in area spending, the applicant's conclusion that the project is unlikely to result in additional commercial development in the area seems unlikely, particularly in the areas of general merchandise sales, automobile service stations and eating and drinking establishments.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
586	NRDC	7.3 Potential Induced Development	The US Environmental Protection Agency concludes that "The DEIS has not provided a substantial basis for its conclusion that commercial and residential development resulting from this project will be negligible." And according to RKG Associates completion of the Belleayre Resort as currently envisioned could add as many as 158 housing units to the primary market area over the next ten years and an additional 160 units in outlying communities of the secondary market area. This would potentially double the rate of housing growth experienced over the last census decade in the project corridor.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
587	NRDC	7.4 Potential Impacts from Induced Growth	FWS stated that the project sponsor did not consider the impacts on wetlands and wildlife from the project's potential secondary impacts	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
588	NYPIRG	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	In accordance with the New York State SPDES General Permit for Stormwater Discharges from Construction Activities, permit no. GP-02-02, a plan must be prepared for any construction activity that exceeds one acre of soil disturbance.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
589	NYPIRG	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	Construction should comply with the New York Standards and Specifications of 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). These standards and specifications call for controlling erosion at 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.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

590	NYPIRG	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	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. 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.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
591	NYPIRG	2.4.8 Golf Course Integrated Pese Management	Organic turf management and lawn care practices are safe, effective and responsible alternatives 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." 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
592	NYPIRG	3.2.2 Surface Water Resources - Potential Impacts	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. 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 stormwater drains and chemicals may also enter storm drains directly or indirectly through spills, illegal dumping, or rinsate from product containers. 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
593	NYPIRG	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
594	NYPIRG	3.2.2 Surface Water Resources - Potential Impacts and 3.10.2 Socio-Economic Setting - Potential Impacts	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 operation 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

595	NYPIRG	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
596	NYPIRG	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	Pursuant to SEQRA regulation 6 N.Y.C.R.R. 617 (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 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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
597	NYS Council Trout Unlimited	3.7.2 - Traffic Patterns - Potential Impacts and Mitigation Measures	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.	Traffic- SDEIS 3.5;	2		
598	NYS Council Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
599	NYS Council Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
600	NYS Council Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		

601	NYS Council Trout Unlimited	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	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.	Issues Ruling 19; Catskill Park Forest Preserve- SDIES 3.14; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	3		
602	Patrick Kelly	3.8.1 Land Use and Community Character - Existing Use of Site	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. [comment is part of a statement made at the public hearing on 2/3/2004]	Comment does not raise any substantive issues / no response required;	4		
603	Patrick Kelly	5.9 Alternative Construction Phasing Plan	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. [comment is part of a statement made at the public hearing on 2/3/2004]	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
604	Peter DiSclafani	3.9 Community Services	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?	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		

605	Peter DiSclafani	3.9 Community Services	[continued from comment above] 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? 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? [comment is part of a statement made at the public hearing on 1/20/2004]	n/a	1		
606	Peter DiSclafani	3.9 Community Services	[continued from comment above] 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? [comment is part of a statement made at the public hearing on 1/20/2004]	n/a	1		
607	PJ Lorenz	2.4.3 Operational Stage Activities - Employee Housing	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. [comment is part of a statement made at the public hearing on 2/19/2004]	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
608	PJ Lorenz	5.1 Alternative Locations	This land could be purchased to remain forever wild, in order to protect the watershed. 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 Memorandom of Agreement (MOA) has purchased land and or conservation easements of land sensitive to the watershed, with the purpose being to insure there will be no development, and protect NYC's 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. [comment is part of a statement made at the public hearing on 2/19/2004]	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
609	PJ Lorenz	5.10.3 No-Action Alternative - Socioeconomic Benefits	Each local community can institute a "Resort Tax" to recoup some of its costs for increased infrastructure, road widening, etc. [comment is part of a statement made at the public hearing on 2/19/2004]	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

610	PJ Lorenz	5.10.3 No-Action Alternative - Socioeconomic Benefits	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. [comment is part of a statement made at the public hearing on 2/19/2004]	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
611	Richard Baker	Appendix 28 Local Surveys and Letters of Support	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. 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.	Comment does not raise any substantive issues / no response required;	4		
612	Richard S. Feldman, Ph.D (Chairman and Associate Professor of Environmental Science and Policy at Marist College)	3.5 Terrestrial and Aquatic Ecology	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.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4	2		
613	Richard S. Feldman, Ph.D (Chairman and Associate Professor of Environmental Science and Policy at Marist College)	3.5 Terrestrial and Aquatic Ecology	I am especially concerned about impacts on bird populations, e.g. migratory species that are contending with habitat destruction at both ends of their migrations. We have less control on the fate of tropical forests where some of our species spend the winter, but we can surely help to stop the loss of their breeding and nesting habitats here. The most obvious of such effects is the loss of natural insect pest control provided by birds, amphibians, fish, and various predatory and parasitic insects.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4	2		
614	Richard Schaedle	2.2.3 Potable Water Supply and Appendix 7 Water Supply Report	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 devises. 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"	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
615	Richard Schaedle	2.2.3 Potable Water Supply	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 locale.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		

616	Richard Schaedle	3.2.1 Surface Water Resources - Existing Conditions	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
617	Riverkeeper	1.3.1 Project Purpose, Need and Benefits - Background and History Figure 1-7	Although the traffic volume analysis for the resort is based directly on the existing and projected traffic volumes generated by the ski mountain, the DEIS fails to address the projected construction of the remaining 7.5 miles of trails, Figure 1-7 "Belleayre Mountain Ski Attendance 1987-2002" illustrates visitation trends and annual skier visits fall within the range of 75,000 to 142,000 skiers per season. However, the DEIS indicates, "[m]anagement of the Ski Center aims over the next few seasons to attract 200,000 to 225,000 skier visits." One can only assume this dramatic predicted increase in visitation is due to the cumulative impacts of the expected construction of 7.5 miles of trails and the proposed Belleayre Resort. This drastic increase for estimated visitors caused by the cumulative impact of the expanded trails and the proposed resort is not indicated in the traffic analysis and its absence is evidence of a failure to perform the necessary cumulative impact analysis required under SEQRA.	Traffic- SDEIS 3.5	2	we should verify that traffic impact study is based on anticipated visitation	
618	Riverkeeper	1.4 Environmental Review, Permits and Approvals	The DEIS also states that the Belleayre Resort is being built in reliance on the ski center, "[a] strong public-private partnership is at the core of the project sponsor's Vision Statement: an opportunity 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" The DEIS goes on to explain: The proposed Belleayre Resort, is in a highly favorable position to take advantage of the overnight accommodation and seasonal housing demand that the Belleayre Mountain Ski Center generates This will only increase as NYSDEC's long range plans for the ski center area is carried out. On at least a winter's basis, Belleayre region visitors and skiers will have significant new real estate ownership opportunities and 400 new hotel type rooms from which to select, all of which are located in close proximity to the ski area facilities.	Comment does not raise any substantive issues / no response required	4		
619	Riverkeeper	1.4 Environmental Review, Permits and Approvals	The proposed project consists of approximately 1,960 acres of private land located to the east and west of the state-run Belleayre Mountain Ski Center. DEC also is currently planning a significant expansion of the Belleayre Mountain Ski Center. The planned expansion is in keeping with the final unit management plan for the Belleayre Mountain Ski Center adopted in May 1998. At present, the ski center provides over 170 acres of skiable terrain and an additional 7.5 miles of trails within the constitutional 25-mile limit can be built. The environmental impact of the expansion of the ski center together with those of the proposed resort construction is not discussed in the Belleayre Resort DEIS. The interdependence of the two projects, their joint leadership under DEC, and their geographical proximity makes them for all logical purposes one action and the environmental impacts of the combined action should be analyzed jointly under SEQRA. The failure to analyze the combined impacts of the project constitutes impermissible segmentation under SEQRA.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		

620	Riverkeeper	1.4 Environmental Review, Permits and Approvals	Segmentation is defined as the division of the environmental review of an action such that various activities or stages are addressed as though they are unrelated activities, needing individual determinations of significance.'" In formulating a DEIS and determining whether an action may have a significant effect on the environment, " the agency must consider reasonably related effects `including other simultaneous or subsequent actions which are: (I) included in any long-range plan of which the action under consideration is a part; (2) likely to be undertaken as a result thereof; or (3) dependent thereon. '" DEC improperly segmented the analysis of the ski center's expansion and the proposed Belleayre resort because they are part of the same long-range plan and are dependent on each other. The failure to analyze the impact of the ski center expansion in the Belleayre Resort DEIS constitutes impermissible segmentation and must be remedied with a supplemental EIS that describes the shared impacts of the projects.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
621	Riverkeeper	1.4 Environmental Review, Permits and Approvals	In the Matter of Westbury v. Department of Transportation is very similar to the Belleayre Resort and Belleayre Mountain Ski Center situation because the facilities propose to be the remedy for the area's tourism deficiencies. The plans also share the common purpose of accommodating and attracting tourism. The interdependence of the two facilities is evident from the information provided in the Belleayre Resort DEIS. According to the Belleayre Resort DEIS, the ski center needs the Belleayre Resort in order to house its skiers. The DEIS states that the Ski Center provides over 170 acres of skiable terrain. Existing trails total 17.5 miles, thus providing an additional 7.5 miles of trails within the constitutional 25-mile limit that could be built. Between 1998 and 2002 there has been an increase in skier visits of almost 100% from a low of approximately 74,000 to a high of 142,000. Management of the Ski Center aims over the next few seasons to attract 200,000 to 225,000 skier visits. The Lodging Bureau of the Ski Center estimates that there is a current shortfall of 500 hotel rooms to accommodate the present volumes and the shortfall will rise to 1,000 hotel rooms when current skier targets are achieved,"	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
622	Riverkeeper	1.4 Environmental Review, Permits and Approvals	Consideration of the additional factors of time and location also support the finding that these projects have been improperly segmented. The expansion of the ski center and the proposed resort are similar in time because construction for both is planned consecutively for the next five to eight years. The proposed resort is to be constructed on both sides of the ski mountain, therefore, any ski center expansion will have a direct effect on the proposed resort construction and shared impacts.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
623	Riverkeeper	1.4 Environmental Review, Permits and Approvals	The interdependence of the projects and DEC's ultimate control of both prompts the preparation of a supplemental EIS that addresses their shared impacts. Although DEC issued a negative declaration finding that the ski center expansion would not cause a significant environmental impact, this decision was made without the proposed combined impacts from the Belleayre Resort and these projects together will result in undeniable environmental impacts.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		

624	Riverkeeper	1.4 Environmental Review, Permits and Approvals	DEC issued a negative declaration finding that the ski center expansion would not cause a significant environmental impact, this decision was made without the proposed combined impacts from the Belleayre Resort and these projects together will result in undeniable environmental impacts.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
625	Riverkeeper	1.4 Environmental Review, Permits and Approvals	In Winston v. Jorling, the State of New York Freshwater Appeals Board found that although a negative declaration had been issued for demapping wetlands and a DEIS had been prepared for the development of the wetlands, the project had been improperly segmented and therefore DEC had the responsibility to review the existing EIS, and issue a supplemental EIS in compliance with SEQRA. To hold otherwise, according to the board, "would be to say that any agency could relieve itself of its SEQRA obligations by racing to be the first to issue a negative declaration."	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
626	Riverkeeper	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	We ask that the Big Indian Sewage Treatment Facility SPDES permit be altered 1) To explicitly prohibit discharge June 1 - September 30. 2) To replace monthly six-hour composite sampling for ammonia with continuous, 2417 auto-sampling by chart recorder. 3) To replace daily grab sampling for effluent chlorine with continuous, 2417 auto-sampling by chart recorder, 4) 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. 5) 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. 6) 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.	n/a	1		
627	Riverkeeper	2.2.4 Wastewater Treatment and Disposal	The DEIS fails to propose a wastewater management plan for the 8-year construction phase, fails to address siting factors and future expansion of the WWTP, and fails to address long-term operation and maintenance costs of the WWTP, and proposes siting the subsurface absorption field for the Gatehouse at Big Indian Resort on slopes greater than 20 percent. These issues must be corrected and/or addressed in the FEIS.	n/a	1		
628	Riverkeeper	2.2.6 Site Drainage and Grading	The Applicant proposes the potential use of gabions and retaining walls at the site. These are structural controls which require engineering design. The Applicant should be required to show on the plans precisely where these controls and any other controls requiring engineering design will be installed. The NYSDEC and the public must know exactly what structural controls are to be used so that their design and placement can be evaluated.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
629	Riverkeeper	2.2.6 Site Drainage and Grading	Page 2-37 of the DEIS states that a number of locations have been identified as being suitable for stockpiles, and that these stockpiles will be stabilized by "enhanced erosion and sediment controls". All stockpile areas along with the "enhanced erosion and sediment controls" must be shown on the soil erosion and sediment control plans. This is another example of the detail that is missing from the Applicant's plans.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

630	Riverkeeper	Appendix 14 Integrated Turf Management Plan	The applicant's ITM plan favors chemical pesticide use, claiming that "[b]iological agents are complex, not totally effective, and not always predictable. For each potential insect pest species the plan lists a series of control options Biological control is the first option listed for each insect pest, but nowhere does the plan indicate that these options are prioritized in numerical order; there is nothing to prevent applicators from choosing chemical control over other options in every case. The plan states that chemical pesticides "would be applied to the proposed golf courses' turf only when needed," and "[t]he factors that would dictate when, where and how much pesticide would be applied are pest levels in relation to threshold levels and the environmental sensitivity of specific areas.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
631	Riverkeeper	Appendix 14 Integrated Turf Management Plan	Biological controls present no risk of chemical contamination of water supplies and therefore should be prioritized as the first option to be considered for pest control wherever applicable. One of the criteria that dictate when chemical pesticides are used should be the failure of biological controls to control the targeted species after they are attempted. The applicant should be required to provide a meaningful ITM plan that clearly establishes: 1) criteria for selection of appropriate controls, 2) quantifiable thresholds to asses when pest infestation and/or damage to vegetation warrants some form of treatment, and 3) identifies specific zones across the property where thresholds may be varied depending on the environmental sensitivity of the zone in question	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
632	Riverkeeper	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	The applicant acknowledges that "[i]f present in sufficient quantities, pesticide residues may have negative impacts on aquatic biota such as aquatic invertebrates and fish," but claims that: “[t]he results of the Risk Assessment were used to eliminate from consideration numerous potential pesticides due to a combination of their runoff potential and toxicity to aquatic invertebrates and fish as well as their leaching potential in relation to State drinking water standards [these results] were used to design a fertilizer program that would result in healthy golf course turf, without resulting in significant phosphorus and nitrogen transport off-site.” The proposed Integrated Turf Management (ITM) plan does not provide enough detail to ensure that chemical applications will not be used, particularly in sensitive wetlands and wetland buffers.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
633	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Although wetlands comprise a relatively small percentage of the project site and potential impacts are estimated by the applicant to be small, no wetland or wetland buffer disturbance should be permitted. Wetlands comprise only 1.1% of the Catskill watershed and only 0.8% of the Delaware watershed. Even small wetlands perform important functions, which include: 1) pollution and nutrient removal and transformation, which purifies our drinking water, and protects rivers, lakes, and coastal waters from pollutants, such as sediment, nutrients, chemical contaminants, and bacteria; 2) absorption of floodwaters, which protects coasts and homes from floods; 3) recharge of groundwater aquifers; and 4) providing habitat for plant and animal species, including threatened or endangered species, particularly for breeding and foraging . With so few wetlands left, it is critical that we preserve all remaining wetlands within our unfiltered drinking water watershed areas.	Wetlands- SDEIS 3.4.2;	2		

634	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	There is no discussion of the existing functions and values of any wetlands in the body of the DEIS. This information is only found in background materials supplied in Appendices 17, 17A, and 17B. Because these documents were prepared in connection with the ACOE permitting process, they do not provide the same level of detail regarding "isolated" wetlands, as they do and are for jurisdictional wetlands. As a result, the identification and quantification of "isolated" wetland impacts is less meaningful for purposes of SEQRA review. The DEIS identifies no wetlands within DEC's jurisdiction, as no on-site wetlands appear on the DEC wetland maps and all are below the 12.4 acre size threshold for State regulation.	Wetlands- SDEIS 3.4.2;	2		
635	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The DEIS proposes impacts to isolated wetlands from approximately 1.48 acres of fill and approximately 0.26 acres of vegetation removal. Activity in the Big Indian Plateau area will impact wetlands 26, 33, 34, and 35. Wetland 34 will be "filled or excavated to construct a road and a stormwater detention basin... [and] there will be 0.01 acre of vegetation clearing in wetland 34 on the edge of a golf hole.	n/a	1		
636	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The additional impacts to wetlands 26, 33, and 25 will result from 0.04 acres of fill from road construction or golf fairway construction. "Impacts to isolated wetlands 17, 18, 19, 20, 21 and 22 include 1.08 acres of fill for construction of golf fairways, roadways, and a parking garage (see Table 5 and Drawings SG-1 and SG-3). An additional 0.25 acre of vegetation clearing will be required, mainly for golf fairways, including 35 linear feet of golf cart paths on boardwalks."	Wetlands- SDEIS 3.4.2;	2		
637	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	If the proposed project is approved, it should be noted that project-specific Special Condition (A) related to Nationwide Permit 14 requires that the deed restriction or conservation easement be approved by ACOE, and then "executed and recorded within the Delaware and Ulster County Registrars of Deeds within one year of the commencement of jurisdictional activities on site" not after completion of the project as the DEIS proposes.	Wetlands- SDEIS 3.4.2; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2;	2		
638	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	There will be impacts associated with designing wetlands as hazards, whereby a large number of golf balls will end up in the wetlands. Additional information should be provided to address the impacts from the golf balls themselves, from any activity conducted to remove the golf balls, and to assess and prevent the impacts from golfers entering the wetlands when shagging wayward balls.	Wetlands- SDEIS 3.4.2;	2		
639	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	SEQRA does not provide for a lesser analysis of isolated wetlands. Any impacts to isolated wetlands from the proposed project are likely "significant" under SEQRA, particularly as "approximately 22% of the wetlands in the NYC Watershed are `isolated' because a surface connection to other water bodies is not apparent." As noted by the Office of the State Attorney General, Environmental Protection Bureau, "[t]hese `isolated' wetlands play a crucial role in protecting the water quality of the surface water sources that provide drinking water for NYC."	Wetlands- SDEIS 3.4.2;	2		

640	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The U.S. Department of the Interior, Fish and Wildlife Service (F&WS) appears to share this concern, and as recently as July 2003, recommended that ACOE reconsider whether an Individual Permit was appropriate for the proposed project. Specifically, in a letter dated July 11, 2003, F&WS Field Supervisor David A. Stilwell suggested several items be given more attention by ACOE and the applicant. First, the letter notes that [i]t 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 barks 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 the [sic] all of the water courses have not been documented, then not all of the impacts have been considered.	Wetlands- SDEIS 3.4.2;	2		
641	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	F&WS focused on all on-site impacts to both jurisdictional and non-regulated isolated wetlands, which total 4.34 acres, and concluded that, "[t]herefore, this project will result in more than minimal impacts to wetlands. The Corps should consider the cumulative impacts to waters of the United States, rather than considering just the discrete impacts to jurisdictional wetlands." F&WS recommended that due to the potential impacts on aquatic resources a "full public interest review is warranted for this project, including evaluation of the project as an Individual Permit. Currently, the Corps may not be considering all relevant information regarding impacts to waters of the United States, pending the completion of the SEQR process and input from local residents." Riverkeeper wholeheartedly agrees.	Wetlands- SDEIS 3.4.2;	2		
642	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Given the nearly 2,000-acre project site that the applicant has to work with, it should be required to make every effort to avoid, minimize, and mitigate impacts to *all* wetlands. The applicant must present full information regarding the impacts to both jurisdictional and non jurisdictional wetlands, and discuss the proposed impacts in terms of lost wetland function and value, not merely acreage. Again, Riverkeeper calls on DEC to urge ACOE to reconsider whether an Individual Permit should be issued for this project.	Wetlands- SDEIS 3.4.2;	2		
643	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Because impacts to isolated and, potentially, additional on-site wetlands have not been included in quantifying total wetlands disturbance for the purpose of the ACOE permitting process, the DEIS asserts that no in-kind mitigation measures are required by ACOE. Nonetheless, several "mitigation" measures are proposed. None of these measures actually mitigate the loss of wetlands - there are no proposals to enhance existing wetlands, such as with additional wetland plantings, or to create additional wetlands elsewhere. Merely avoiding further wetlands destruction is not mitigation, as claimed. The applicant must, therefore, avoid all wetland impacts; if it cannot, it must submit additional information and a plan that provides true mitigative measures.	Wetlands- SDEIS 3.4.2;	2		
644	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The applicant proposes that a "25-foot-wide protective buffer zone will be established on both sides of wetland 32, that contains the stream Giggle Hollow." Wetland buffers are extremely important to safeguard the health of a wetland itself, and establishing a 25-foot buffer is inadequate.	Wetlands- SDEIS 3.4.2;	2		

645	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The DEIS proposes that "after completion of the project, all remaining wetlands, both isolated and non-isolated, will be protected from further development," and this will be done through deed restrictions and/or conservation easements. While this is a good suggestion, and should be required if the proposed project ultimately goes forward, it nonetheless does not qualify as "mitigation." General Condition 19 of the Nationwide General Permits, part (c) states that "Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory litigation, with preservation used only in exceptional circumstances." As noted above, preservation of existing wetlands from further destruction and degradation in no way enhances the functionality or increases the size (thus insuring no-net-loss) of existing wetlands, F&WS agrees. This critique applies to the proposed preservation of the Adelstein Property as "forever wild," as well.	Wetlands- SDEIS 3.4.2;	2		
646	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	Within wetlands 16 and 23, "[u]p to 2.31 acres of selective hand removal of some trees may be necessary to allow golfers to avoid and shoot over these hazards. Reportedly, golf course design principles recommend "100 to 150 feet at the tees widening out to 180 to 300 feet for the fairways and 200 to 300 feet at the greens." By way of mitigation, the DEIS includes "Selective Wetland Tree Removal Protocols" that require hand removal of selected trees that may interfere with play over areas. After the selected trees are cut and removed "[t]he wetland play over areas will develop into a combination of herbaceous and shrub plant communities..."	Wetlands- SDEIS 3.4.2;	2		
647	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17 Wetland Delineation	Some of the holes of the Highmount golf club are proposed to play over wetlands 16 and 23, and the wetlands have been incorporated into the design of the golf course to serve as hazards to be avoided by golfers, much the same as a sand bunker is designed into a golf course as a hazard to be avoided. Due to this design, impacts are anticipated from removal of vegetation and from construction of elevated "boardwalk type" golf cart paths. These and other impacts have not been adequately addressed by the applicant in the DEIS. More detailed description and analysis of the combined impacts to these wetlands must be presented, especially because wetlands 16 and 23 "act as small tributaries of permanent streams that drain the Project Site," and thus have a clear potential to carry pollutants into, and degrade water quality in, the New York City drinking water supply.	Wetlands- SDEIS 3.4.2;	2		
648	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 1.2 General Project Description	The wetlands section of the DEIS does not consider any alternative designs that could remove impacts from wetland areas, particularly from golf course impacts, which are the most extensive. "The Section 404(b)(1) guidelines set forth a rebuttable presumption that non-water-dependent projects do not need to be located near wetlands to fulfill their basic purpose, and that an upland alternative would be less impacting." Operation of golf courses is not a water-dependant project - the use of wetlands as water hazards is stylistic only. Avoidance of these wetlands, and consequent impacts, will not prevent construction of golf courses.	Wetlands- SDEIS 3.4.2;	2		

649	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 1.2 General Project Description	The applicant should consider alternative golf course designs that avoid all wetlands impacts related to golf courses, particularly the use of wetlands as hazards; if they cannot be avoided entirely, options should be considered that reduce the number of crossing made by elevated pathways. For example, it is not necessary for such paths to cross wetland 16 six times, and several smaller "loops" could easily be eliminated without significantly effecting movement throughout the course.	Wetlands- SDEIS 3.4.2;	2		
650	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	When the applicant alters the plant community structure of the onsite wetlands, the functions of those wetlands also may be altered. Before the applicant is permitted to convert forested wetlands to shrub wetlands, DEC should require an analysis of the proposed wetland function changes compared to their baseline function. Thus, the applicant must present more detailed information regarding the specific anticipated number, sizes and types of trees that are expected to be removed. If any existing wetland functions are lost or compromised by the alteration of plant communities, the applicant should be required to compensate for lost functions with effective mitigation measures.	Wetlands- SDEIS 3.4.2;	2		
651	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	Vegetated wetland buffers provide additional transitional areas that intercept stormwater from upland habitat before it reaches wetlands or other aquatic habitat. A buffer may be described generally as a "linear band of permanent vegetation adjacent to an aquatic ecosystem intended to maintain or improve water quality by trapping and removing various nonpoint source pollutants."	Wetlands- SDEIS 3.4.2;	2		
652	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	Other water quality benefits of buffer zones include reducing thermal impacts (shade), nutrient uptake, providing infiltration, reducing erosion, and restoring and maintaining the chemical, physical and biological integrity of water resources. Buffers filter sediment, pesticides, heavy metals and other pollutants from stormwater, and reduce nutrient loadings to wetlands by uptake in vegetation and denitrification, thereby protecting wetlands from excessive loadings and allowing them to perform similar functions without overloading of contaminants.	Wetlands- SDEIS 3.4.2;	2		
653	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	Buffers also function to store water and reduce peak runoff velocities during storm events and provide unique recreation, academic and aesthetic opportunities) In addition, buffers provide habitat for flora and fauna and corridors for wildlife to move between larger sections of habitat.	Wetlands- SDEIS 3.4.2;	2		
654	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	A 25-foot wetland buffer is insufficient to provide desired buffering functions. A common wetland buffer width often is 100 feet, but more environmentally proactive planners have established wider buffers. One hundred feet is considered the minimum buffer width recommended for water quality protection, but additional buffer functions of wildlife habitat, recreation and aesthetics require larger buffers.)	Wetlands- SDEIS 3.4.2;	2		

655	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	Depending on a waterbody's position in the watershed, the composition and density of vegetation present, adjacent land use and slope, some buffers require thousands of feet to provide ecological functions and benefits. While recommendations and requirements vary among states and regions, water quality benefits are significant when buffers exceed the minimum 100-foot width. A survey of scientific literature by the Environmental Law Institute, specifically pertaining to thresholds applicable to land use decision-making, found that "land use planners should strive to establish 100-meter wide riparian buffers to enhance water quality and wildlife protection." In a Maine study, a vegetated buffer strip approximately 200 feet in width removed 80% of the suspended sediment in stormwater.	Wetlands- SDEIS 3.4.2;	2		
656	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	To intercept overland runoff and promote floodplain storage, increase runoff travel time and reduce flood peaks, ALOE engineers have recommended buffers up to 150 meters (492 feet) in width. In addition, providing suitable wildlife habitat requires wider buffers. Several studies indicate that certain wildlife species, avian populations, and aquatic species can require more than a 100-foot buffer.	Wetlands- SDEIS 3.4.2;	2		
657	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and 3.5.1 Vegetation	To have any environmentally protective function, particularly those related to protecting water quality, the proposed buffer size should be increased to at least 100 feet. And, buffers must be established around all on-site wetlands, not just along the wetland bordering Giggle Hollow.	Wetlands- SDEIS 3.4.2;	2		
658	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17 Wetland Delineation Report	It must immediately be noted that the applicant has not given full parity to identification, description and review of all wetlands on the project site - it appears to give substance only to review of wetlands (and consequent impacts) that the US Army Corps of Engineers (ACOE) has deemed jurisdictional. However, nowhere do the SEQRA regulations limit consideration of environmental impacts to those that rise above some regulatory threshold, whether they are federal, state, or local. It is up to the involved agencies, not the applicant, to determine what impacts are "significant" under SEQRA - such a determination cannot be made unless all wetland resources and potential impacts are fully detailed.	Wetlands- SDEIS 3.4.2;	2		
659	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17 Wetland Delineation Report	The DEIS identifies only approximately 17 acres of wetlands on both assemblages of the proposed project site that qualify as jurisdictional wetlands regulated by the ACOE - approximately 6 acres in the eastern portion and approximately 11 acres in the western portion. The DEIS states that ACOE has refused to assert jurisdiction over additional "isolated" wetlands, seemingly to indicate that these wetlands need not be reviewed, yet it briefly identifies and quantifies impacts to isolated wetlands along with the jurisdictional wetlands - there are approximately seven additional acres of isolated wetlands on the project site, approximately two in the eastern portion, and approximately five in the western portion.	Wetlands- SDEIS 3.4.2;	2		
660	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17 Wetland Delineation Report	Although ACOE failed to assert jurisdiction over certain isolated wetlands because it failed to observe surface connections to regulated waters of the United States, it is clear that from a hydrological perspective, many of these non-jurisdictional isolated wetlands are nonetheless connected by groundwater flows.	Wetlands- SDEIS 3.4.2;	2		

661	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17A Federal Wetland Pre-Construction Notification	Wetlands 16, 24, and possibly 23, will be impacted by golf cart paths. The DEIS states that in wetland 16, there will be 6 elevated crossings "totaling 220 linear feet, the longest crossing is 82 feet long and the shortest is 8 feet long. All but two crossings are 5 foot wide and the other two are 8 foot wide," and in wetland 24 there will be "82 linear feet of golf cart path, well will require up to 0.28 acre of selective clearing of vegetation." The discussion in the Jan, 10, 2003 Pre-Construction Notification {PCN} details additional impacts not contained in the DEIS. The PCN states that there will be 7 elevated pathways totaling 300 linear feet; "the longest crossing is 83 feet long and the shortest is 9 feet long." In addition, wetland 23 "will be crossed by a 32-foot-long cart path boardwalk, occupying 160 square feet. It is unclear whether the current pathway design proposal has been changed since the PCN was written, or whether this additional information was omitted from the DEIS. This issue must be clarified by the applicant.	Wetlands- SDEIS 3.4.2;	2		
662	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17A Federal Wetland Pre-Construction Notification	The DEIS states that support structures for the elevated paths will be constricted in uplands "wherever possible," and that there will be *"a de-minimus* amount of wetland activity related to the pouring of concrete supports in tightly sealed forms within wetlands." However, one must turn to the PCN in Appendix 17A for more specific details regarding constriction of the elevated pathways: "There will be a total of 56 such concrete piers installed in these wetlands, which constitute a total area of approximately 31 square feet. Construction of each pier will involve drilling a hole up to 10 feet deep using a backhoe-mounted power auger, inserting a Sonotube, and filling it with concrete." Although PCN condition no.5 requires heavy machinery within wetlands to be placed on equipment mats, no such discussion is included in the wetlands section of the DEIS. Impacts associated with use of heavy, power machinery within these wetlands must be identified and assessed in a proper wetlands impacts section in the EIS. As with vegetative removal, machinery should be kept out of wetlands entirely and the possibility of sinking pilings by hand should be considered.	Wetlands- SDEIS 3.4.2;	2		
663	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17A Federal Wetland Pre-Construction Notification	There is no discussion of potential impacts from the golf carts and maintenance trucks that will drive through wetlands 16, 23, and 24 on the elevated boardwalks. The DEIS does not even acknowledge that these boardwalks will be used by motorized vehicles. This information is briefly noted only in the PCN. The potential for leakage of chemicals from the maintenance trucks and golf carts should be assessed in the EIS.	Wetlands- SDEIS 3.4.2; Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
664	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Appendix 17A Federal Wetland Pre-Construction Notification	Because proposed filling of only 0.0007 additional acres (approximately 30.5 sf.) would have required issuance of an Individual Permit from ACOE, and because the proposed mitigation measures that have been accepted in the PCN are inadequate, extra scrutiny should be given by DEC to all wetlands and stream impacts during the SEQR process. In addition, DEC should urge ACOE to reconsider whether an Individual Permit should be issued, as it is within the District Engineer's discretion to modify, suspend, or revoke case specific authorizations under a nationwide permit.	Wetlands- SDEIS 3.4.2;	2		

665	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands and Tables 3-25 and 3-26A	It appears that all on-site wetlands and proposed impacts have not been adequately identified. For example, ACOE noted that "it appears as though additional waters of the United States would be filled within Woodchuck Hollow [in association with the improved access road] and would likely cause the overall proposed fill to exceed 0.10 acres." Table 3-25 in the DEIS indicates that Woodchuck Hollow Brook and/or its adjacent wetland 27 has not been delineated, and Table 3-26A does not anticipate any impacts in this area. The applicant should make clear whether this is an omission of a proposed impact to jurisdictional waters of the United States, or whether there has been a design change made since this was noted by ACOE in February 2003.	Wetlands- SDEIS 3.4.2;	2		
666	Riverkeeper	3.5.2 Terrestrial and Aquatic Ecology - Wetlands, 3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Disturbance of wetlands 16, 23 and 24 could have the most significant impacts not only on water quality because they "act as small tributaries of permanent streams that drain the Project site,' but also on their value as wildlife habitat. As the Office of the Attorney General noted in its recent Comments to EPA regarding the proposed redefinition of the term "waters of the United States," many species, especially amphibians, may be affected by the loss of small wetlands because they depend on a high density of these wetlands. Thus, the applicant must submit additional information assessing how the loss of wetland density will impact resident wildlife species, particularly amphibians, and how the surrounding golf course activity will affect ground species that must traverse the fairways in order to travel between the remaining wetlands on site.	Wetlands- SDEIS 3.4.2;	2		
667	Riverkeeper	3.10.2 Socio-Economic Setting - Potential Impacts	Review of the DEIS reveals serious deficiencies in the economic impact analysis, both with regard to the purported economic benefits of the project and to the potential adverse economic impacts. Together, these failings erroneously skew the economic conclusions to support the proposed project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
668	Riverkeeper	Appendix 9A Operational Phase Stormwater Quantity Management Plan	The lack of detail in the applicant's discussion and design drawings of stormwater control devices renders an informed review of the proposed practices impossible. A list of potential erosion control practices for steep slope areas on the project site does not propose specific practices at specific locations for public review. The DEIS therefore fails to provide the public and interested parties with the level of information required for review under SEQRA.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
669	Riverkeeper	Appendix 9A Operational Phase Stormwater Quality Management Plan	As the proposed project stands, the applicant clearly will not achieve the stated goals [of the applicant's Stormwater Management Plan during construction and operational phases]. According to the DEIS, stormwater runoff will increase phosphorus loading of the Ashokan Reservoir by 48 kg per year. Stormwater runoff will increase phosphorus loading of the Pepacton Reservoir by 22 kg per year. These additional phosphorus loadings will increase the Ashokan Reservoir's available load by 1% and the Pepacton Reservoir's available load by 0.4%. This increase constitutes 0.247% of the overall available phosphorus load for the Ashokan Reservoir and 0.173% of the overall available phosphorus load for the Pepacton Reservoir.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

670	Riverkeeper	Appendix 9A Operational Phase Stormwater Quantity Management Plan	Some stormwater detention basins are undersized to capture the required volume of runoff and sediment. For example, Basin 211 provides sufficient storage capacity to capture runoff from the 10-year storm (1 07 acre-feet), but provides no storage capacity for the accumulation of sediment (0.12 acre-feet). Basins such as 211 must be increased in size to conform with the the New York Guidelines for Urban Erosion and Sediment Control, which require basin sizing of at least 1,800 cubic feet per acre of disturbed area.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
671	Riverkeeper	Appendix 9A Operational Phase Stormwater Quantity Management Plan	Roofs, roads and parking lots on the site will account for 85 acres of impervious surfaces, excluding turf, The applicant draws the erroneous conclusion that "[c]onversion of forest cover on a C Group hydrological soil to turf does not significantly increase runoff volume." In fact, managed turf has an impervious factor of 9% and will therefore contribute nearly one-tenth of its pollutant loadings to downgrade receiving waters, whereas runoff curve numbers illustrate that up to 4 inches of rainfall on woodlands will generate zero runoff. The clearing of 674 acres of forest and conversion of 626 acres to turf' can result in significant post-development runoff from a project the proposed size of Crossroads. Did the applicant use large turf area as source area parameter in the WinSlamm program, and does this parameter account for imperviousness of turf?	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
672	Riverkeeper	Appendix 9A Operational Phase Stormwater Quantity Management Plan	Appendix 9A, Operational Phase Stormwater Quantity Management Plan, does not address maintenance of stormwater management practices. The Stormwater Pollution Prevention Plan (SWPPP) states that maintenance of the stormwater detention ponds "will be the responsibility of the project sponsor…[and] in the event the project sponsor transfers the project, the new owner will be required to sign a maintenance agreement to clearly transfer this obligation to the new entity." The SWPPP proposes sediment removal when forebays are 50% full, but offers no discussion of proposed removal methods. Likewise, the discussion of the proposed flocculent refers to Figure 3-15R, Flocculent Delivery System, but neither the text nor the figure addresses maintenance procedures. The proposed "constant maintenance" is inadequate for informed public review; therefore, the applicant should be required to provide a detailed discussion of sediment removal and flocculent maintenance practices.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
673	Riverkeeper	Appendix 10A Operational Phase Stormwater Quality Management Plan	The applicant proposes to develop 0.2% of the Ashokan watershed and 0.09% of the Pepacton watershed. Development in the Ashokan watershed will consume 0.2% of the available land, but will attach 0.247% of the available P loading, a difference of 0.047%. Development in the Pepacton watershed will consume 0.09% of the available land, but will attach 0.173% of the available P loading, a difference of 0.083%. These disparities demonstrate that the proposed percentages of phosphorus additions to New York City's unfiltered drinking water supply are disproportionate to the percentages of watershed lands the applicant proposes to develop. The applicant should not be permitted to attach a greater percentage of the reservoirs' available phosphorus loading than the percentage of watersheds the applicant proposes to develop.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

674	Riverkeeper	Appendix 10A Operational Phase Stormwater Quality Management Plan	Treated wastewater can be a significant source of nutrients entering receiving waters The applicant proposes to introduce 33 kg of phosphorus per year to the Ashokan Reservoir and 42.7 kg of phosphorus per year to the Pepacton Reservoir through wastewater discharges, The combined wastewater and stormwater Total Phosphorus loadings will result in the addition of 55 kg to the Ashokan Reservoir and 90.7 kg to the Pepacton Reservoir. Post-development phosphorus loadings do not match pre-development levels. In fact, the DEIS states that DEC will be required to adjust the Total Maximum Daily Load (TMDL) values for both reservoirs due to the additional phosphorus loadings resulting from the Crossroads project. While these additions are still below the reservoirs' TMDLs for water quality impairment, the enormity of the proposed project and the applicant's own calculations indicate conclusively that pre- and post-development phosphorus levels in wastewater discharges and stormwater runoff will not match under the present wastewater and stormwater management plans. In addition, the TMDL, data for the Ashokan and Pepacton Reservoirs is outdated since they were calculated in 1996. For these reasons, the applicant should be required to match pre- and post-development phosphorus levels rather than relying on the increased loadings failing to "rise to the level of a significant impact."	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
675	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 3.2.2 Surface Water Resources - Potential Impacts	The applicant's claims about chitosan and its degradation process are lacking sufficient detail. Nowhere in the DEIS does the applicant address the introduction and management of bacteria required to perform the necessary glucosamine uptake. How will the required bacteria be introduced and maintained, and how will seasonal variations in temperature affect the biodegradation process if there is one? Furthermore, what is the proposed origin of chitosanase and glucosaminadase for the degradation process? The degradation of chitosan into carbon dioxide and water is a complex biological process requiring additional additives and specific maintenance. The DEIS fails to address these issues in the discussion of flocculation for stormwater treatment.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
676	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 3.2.2 Surface Water Resources - Potential Impacts	The disparity between the lethal concentrations reported in the two studies may be due to different testing methods. The ANIEC study cited in the DEIS used a batch test whereas the Freshwater Institute study used a flow-through test. In the batch tests, specific amounts of chitosan were added to a closed test chamber and then assimilated by rainbow trout over measured time intervals. In the Freshwater Institute study, chitosan was delivered to a flow-through system that maintained the concentration at specific levels throughout the measured time intervals. The latter method more closely resembles chitosan delivery under natural conditions when stormwater runoff discharges pollutants to receiving waters. Although pollutant concentrations fluctuate under natural conditions depending on storm duration and intensity, stormwater nevertheless transports pollutants to receiving waters over time, which is inconsistent with the batch test model.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

677	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 3.2.2 Surface Water Resources - Potential Impacts	Initial stormwater basin concentrations at Crossroads will be as high as 2 mg/l with outfall spreader concentrations as high as 0.2 mg/L. The applicant does not dismiss the possibility of chitosan reaching any of the five streams in the identified drainages, all of which are classified to support trout populations. Instead, the applicant relies on a study by an engineering company that reported the low concentration of 0.2 mg/l will not be toxic to local trout populations, when in fact the National Fish Health Research Laboratory determined that 0.2 mg/1 is almost three times the lethal concentration for trout after 24 hours exposure.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
678	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 3.2.2 Surface Water Resources - Potential Impacts	Chitosan's efficiency as a flocculent is also in question. In a batch test study to evaluate the effectiveness of chitosan to remove sediment particles, "[c]hitosan was ineffective for the application tested and actually resulted in increased [>100%] turbidity," This information is in conflict with the applicant's proposal to treat stormwater with chitosan as a means to protect surface waters from sediment loading	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
679	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 3.2.2 Surface Water Resources - Potential Impacts	Given the conflicting data surrounding the use of chitosan acetate, DEC should require pilot testing before allowing its use as a flocculent. This is particularly important here based on the magnitude of the proposed project, the steep slopes on site, and the environmental sensitivity of the site. Without more information to resolve conflicting data, DEC cannot go forward with the requisite determination under 6 N,Y.C.R.R §754.1(b).	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
680	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan, 3.2.2 Surface Water Resources - Potential Impacts	the applicant's Water Treatment Chemical Usage Notification Requirements for SPDES Permitees cites a study performed by an engineering company that determined the chitosan LC_{50} for rainbow trout was 112 milligrams per liter (mg/l). This information is contradicted by another study performed by the Freshwater Institute and the U.S. Geological Survey, National Fish Health Research Laboratory. The latter study determined that chitosan is acutely toxic to rainbow trout at a concentration of 1.0 mg/l and causes consistent pathological changes in their gill tissue; "[i]n controlled experiments to determine the extent of toxicity, we found that trout died after several hours exposure to 0.75 ppm [= mg/l] and died in 24 h[ours] after exposure to 0.075 ppm.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
681	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan, 3.2.2 Surface Water Resources - Potential Impacts	DEC cannot issue a SPDES permit unless the permit provisions ensure compliance with applicable federal and state regulations, including those necessary to meet effluent limitations and water quality standards. The applicant proposes a flocculent that is shrouded in conflicting data regarding fish mortality and sediment removal efficiency and could result in contravention of New York State water quality standards.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

682	Riverkeeper	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan, 3.2.2 Surface Water Resources - Potential Impacts	the Draft SPDES permit for the Wildacres portion of the proposed project would authorize discharges of stormwater to Emory Brook, a Class B water. Class B waters' best usages are "primary and secondary contact recreation and fishing, These waters shall be suitable for fish propagation and survival." With the conflicting data regarding chitosan acetate's toxicity to fish and performance as a flocculent, the applicant cannot yet provide reasonable assurances that the proposed flocculent will function as intended and without impairing the receiving water's best usage.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
683	Riverkeeper	Appendix 17 Wetland Delineation Report	As with jurisdictional wetlands, proper attention has not been given to the proposed impacts to so-called "isolated" wetlands. Planning for this project has been ongoing for several years, and the numerous changes made reducing the number of jurisdictional wetlands on the project site during this time warrant additional scrutiny, In addition to the problems caused by lack of information for proper SEQRA review, there may be additional defects in the ACOE permitting process. If any wetlands were incorrectly determined to be "isolated," or ACOE improperly failed to assert jurisdiction over these wetlands, the contemplated impacts would again surpass the size threshold to require issuance of an Individual Permit from ACOE.	Wetlands- SDEIS 3.4.2;	2		
684	Riverkeeper	Appendix 17 Wetland Delineation Report	The March 2000 Delineation Report originally identified 21.42 acres of wetlands on the project site following ACOE methods prescribed in the 1987 Corps of Engineers Wetlands Delineation Manual. But, the August 2000 site inspection report from ACOE field staff identified 29 acres of jurisdictional wetlands. And by January 10, 2003 the jurisdictional wetlands identified in the PCN prepared for ACOE where whittled down to only 16.97 acres. It should be noted that these revisions were not based on new scientific observation or understanding, or any change of conditions on the project site, but rather seem to be entirely in response to the January 2001 U.S. Supreme Court Decision in Solid Waste Agency of Northern Cooke County v. U S. Army Corps of Engineers. And, it is clear that these revisions were made after a request from the applicant's consultants to do so, which shows that the applicant sought to avoid governmental regulation rather than avoid wetland impacts.	Wetlands- SDEIS 3.4.2;	2		
685	Riverkeeper	Appendix 17A Federal Wetland Pre-Construction Notification Page 45	Bridges are proposed to provide stream crossings for access to the detached Wildacres Resort lodging units north of Gunnison Road, to cross Giggle Hollow, and to cross Birch Creek near Friendship Road. Portions of wetlands 24, 32, and 36 will be filled for bridge construction, and 0.28 acres of trees and tall shrubs will be cleared; portions of wetland 29 will be impacted to construct an access road. The total area to be filled in wetlands 24, 32, and 36 will be 0.0993 acres. Technically, this amount of fill falls under the 0.10 acre limit above which Water Quality Certification is required, and thus no Individual Permit has been required by ACOE. Notably, a mere 0.0007 acre miscalculation when assessing proposed wetlands impacts would avoid the necessity of the applicant seeking an Individual Permit.	Wetlands- SDEIS 3.4.2;	2		

686	Riverkeeper	5 - Alternatives	SEQRA requires that an EIS include a "detailed statement" setting forth "alternatives to the proposed action," to aid in making the "decision whether or not to undertake or approve ... [an] action." To do this, the EIS "shall describe the proposed action and reasonable alternatives to the action." It must include "a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
687	Riverkeeper	5 - Alternatives	The DEIS is unacceptable for three overarching reasons: 1)the range of alternatives discussed is inadequate; 2)the level of detail of discussion of those alternatives actually considered is insufficient; and 3)the discussion does not include a no-build, no-action alternative.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
688	Riverkeeper	5 - Alternatives	Under SEQRA… "[i]t is not necessary that every possible alternative be thoroughly explored. The only requirement is that information permitting a reasoned choice be considered." Also, "[t]he purpose of requiring inclusion of reasonable alternatives to a proposed project is to aid the public and governmental bodies in assessing the relative costs and benefits of the proposal. To be meaningful, such an assessment must be based on an awareness of all reasonable options other than the proposed action."	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
689	Riverkeeper	5 - Alternatives	However, the alternatives considered in the DEIS are merely permutations of the same proposed project, quickly dismissed, and is not a detailed discussion of a "reasonable range" of alternatives necessary for informed decision-making with the goal of minimizing environmental impacts.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
690	Riverkeeper	5 - Alternatives	SEQRA specifies that "[t]he description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed." "The degree of detail with which each alternative must be discussed will, of course, vary with the circumstances and nature of each proposal." In this case, the proposed project is massive, with a litany of potentially severe impacts, as evidenced by a 7,000-page DEIS.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
691	Riverkeeper	5 - Alternatives	The scoping document specifically required that the alternative layouts to be considered include those "that consists [sic] of one golf course and one hotel complex. This discussion shall examine such an alternative in both the ‘east’ and ‘west’ areas of the project and separation of these two project elements by ‘east’ versus ‘west’ locations." The discussion contained in consideration of these options in the DEIS focuses on the economic viability of the options, and ignores potential benefits.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
692	Riverkeeper	5 - Alternatives	Even an initial glance at Section 5 of the DEIS hints at critical shortcomings in the information that has been presented by the applicant. For the most part, these alternatives relate to engineering design issues, which, while important to the ultimate success of virtually any project at the subject location, should be considered as secondary to the more elemental question of defining the type and magnitude of development that is appropriate for this site.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
693	Riverkeeper	5 - Alternatives	Section 5 of the DEIS devotes only 18 pages to addressing alternative development scenarios: Most of this text comprises a summary of the findings and conclusions of an almost 700-page appendix (#27) which is directed at an effort by the applicant to show why less intense alternatives for the proposed project are financially infeasible.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

694	Riverkeeper	5.3 Alternative Layouts	The pages dedicated to the discussion of alternatives, which is at the heart of the SEQRA mandate to mitigate adverse environmental impacts through reasoned and informed decision-making, do not satisfy SEQRA's requirements regarding alternatives. Indeed, the bulk of pages actually devoted to "alternatives" discuss alternative technologies for stormwater management, golf course maintenance and the like, as well as alternative sites for access and water supply. Relatively little space is spent on projects of alternative scale or magnitude and none, in fact, on variations of scale or magnitude other than adding or subtracting elements of the full-scale proposal.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
695	Riverkeeper	5.3 Alternative Layouts	The scoping document specifies that among the categories of alternatives to be considered in the DEIS are "Alternative Layouts." In particular, the scoping document states, "design alternatives considered shall include a discussion of a different mix of resort components and various layouts of the selected components including golf facilities" Unfortunately, beyond quick consideration and dismissal of the one golf course / one hotel option, the DEIS largely fails to consider smaller versions of the project, but instead focuses only on moving desired pieces around under the auspices of "Alternative Layouts."	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
696	Riverkeeper	5.3 Alternative Layouts	At the outset of the Alternative Layouts section, the applicant first attempts to discount the contention that the project site, particularly the Big Indian Plateau portion of the site, is unsuitable for golf course development The DEIS focuses only on the ability of such elevations to support the turf' quality necessary for successful golf courses, and blithely concludes on this basis that "from an alternatives standpoint, golf course development on Big Indian Plateau certainly is a viable alternative use of this portion of the project site. There is no discussion here of the natural resource impacts of constructing, and then maintaining, multiple 18-hole courses on mountainsides, which was clearly the point of concern expressed earlier in the SEQRA process.	n/a	1		
697	Riverkeeper	5.3 Alternative Layouts	The DEIS recounts adjustments made to the resort configuration over time, including movement of a few holes of the planned golf courses, the supposed `greening' of the Big Indian Resort to address visual impacts, and the consolidation of three buildings at Wildacres to one large building. There is also mention of the elimination of some 100-odd lodging units since the 1999 proposal. This almost superfluous recollection of a handful of past alterations includes nothing about smaller alternative layouts, and in fact contributes almost nothing to a useful discussion of alternatives in general.	n/a	1		
698	Riverkeeper	5.3 Alternative Layouts	Even if the analysis of the one course/one hotel options were sufficient with regard to that specific alternative there remains a glaring lack of consideration of smaller alternatives, rendering the range of alternatives considered inadequate. That the scoping document specifically required consideration of a one golf course/one hotel option does not absolve the applicant from considering a full range of alternatives, including those of a smaller scale or magnitude.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

699	Riverkeeper	5.3 Alternative Layouts	The market analysis cited similarly indicates that two distinct golf courses are required to attract an appropriate assortment of golfers. At the outset, this analysis seems to contradict itself, by first stating the NYC metropolitan area is underserved by golf courses and then immediately stating nearby competing resorts have two or more courses. The analysis also follows circular reasoning and a self-fulfilling conclusion, stating essentially that without two golf courses the lodging in two hotels cannot be filled, and that two hotels filled with guests need two courses to accommodate all the players and to allow for "shot gun starts," And, as with the one hotel discussion, the argument that two golf courses are critical to attract visitors from across the socioeconomic spectrum ignores the possibility of one course that could appeal to all.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
700	Riverkeeper	5.3.2 Alternative Layouts - Alternative Buildings and Building Layouts	The market analysis suggests that a successful resort in the Catskills must appeal across the socioeconomic spectrum, requiring both a 3½ -star and 5-star hotel." This conclusion appears to ignore a "4-star" option that could appeal to a broader segment, or perhaps a hybrid hotel wherein both luxury and family accommodations are available. Surely not every resort in the country has two separate offerings for potential guests, yet they likely attempt to attract a variety of visitors.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
701	Riverkeeper	5.3.3 Alternative Layouts - One Golf Course and One Hotel Complex Alternative	The option of locating one golf course and one hotel so that each was on a separate side of the site was summarily dismissed as "not practical" and "not provid[ing] a desirable product." The applicant contends such an option "is contrary to the major objective of the project," to create a four-season destination resort, and would deny guests a "sense of place." Putting aside the dubiousness of this objective to begin with, merely stating here that housing and golf courses are often "combined" so that guests would be dismayed if they weren't so, hardly suffices as a detailed discussion.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
702	Riverkeeper	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	With regard to the option of placing one golf course and one hotel on either the eastern or western side of the site, the applicant touts its "extensive investment" in site design and construction planning which "already minimize or avoid environmental impacts," thus supposedly obviating the need to pursue an option with far less physical impact. Having stated this, the applicant devotes the remaining pages of discussion on this option relaying market and financial analysis showing only a fully built-out resort as a viable option.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
703	Riverkeeper	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	Following this "analysis," the DEIS then reiterates its conclusion that "based on the extensive investment in design details and mitigation measures, the need for further consideration of the East or West Alternative has not been established." In other words, the applicant contends that because it has spent so much on the design of its preferred plan, there is no need at all to review the natural resource benefits of an option half the size of the one envisioned.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
704	Riverkeeper	5.3.5 Alternative Layouts - Limitations Affecting Alternatives	In the subsection on "Limitations Affecting Alternatives" (which was required by the scoping document), the DEIS merely asserts that the two 18-hole courses can only be built on separate sides of the site due to slope constraints. There is nothing at all said about the natural resource limitations rendering the desired plan unsuitable for the site, with accompanying discussion of a project on a smaller scale to more appropriately fit the site.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

705	Riverkeeper	5.10 - No-Action Alternative	SEQRA specifies, "[t]he range of alternatives must include the no action alternative." There are two theories of what constitutes no action; it either means no construction at all or construction only of what is authorized by zoning and prior approvals. The DEIS does consider the latter type of no-action alternative. The no build no-action alternative should be analyzed to form a full range of alternatives." Yet, the effects of the no action or no-build alternative are important for assessing the severity of environmental impacts as well as for evaluating social, economic, and other essential considerations."	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
706	Riverkeeper	5.10 - No-Action Alternative	The regulations state that "[t]he no action alternative discussion should evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action." This means the "EIS preparer must consider the capability of a site to environmentally improve, recover, or allow for restoration and remediation in the absence of the proposed project." Indeed, the scoping document explicitly states, "[t]he no action alternative shall describe impacts of leaving the lands in their present state." The DEIS instead asserts the lands would either continue to be logged, or be sold for numerous smaller piecemeal developments, and would not be protected by the development restrictions of the proposed project. None of these are a true no-build, no action alternative.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
707	Riverkeeper	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	The Belleayre Resort DEIS failed to consider the cumulative impacts of the combined traffic of the two projects. According to SEQRA, a DEIS may be flexible but has to contain "reasonably related short-term and long-term impacts, cumulative impacts and other associated environmental impacts. DEC has an independent obligation pursuant to ECL 3-0301(1)(b) to consider such cumulative impacts, The court in In the *Matter of Save the Pine Bush v. City of Albany* explained that, "where there is really but one plan for the development of a single area of special environmental significance, the accurate ecological/social/economic balancing of costs and benefits mandated under SEQRA requires that the cumulative effects of all actions within the plan for that area be weighed." The ski mountain expansion is a plan that is going to be constructed at the same time and in same area as the Belleayre resort and therefore the combination of these projects must be addressed together.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		

708	Riverkeeper	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	The traffic analysis in the DEIS should have included the expected Belleayre Mountain Ski Center Expansion; the failure to do so understated the expected traffic loading for the Belleayre Resort. The traffic pattern analysis for the Belleayre Resort was divided into a winter period and a fall period to analyze the conditions during the peak ski season and proposed golf season respectively. Traffic data to represent the winter conditions was collected during Martin Luther King Junior holiday weekend, on Saturday, January 15, 2000 from 8:00 AM to 10:00 AM, 11:00AM to 1:00 PM, and from 3:30 PM to 5:30 PM at most of the study area intersections. This period represented the worst-case holiday weekend traffic during the winter. Traffic data for the fall was collected during the Columbus Day holiday weekend on Friday, October 13, 2000 from 5:00PM to 8:00 PM and on Sunday, October 15, 2000 from 4:00 PM to 7:00 PM. Due to travel in the project corridor to and from the Fall Festival and Craft Fair at the Belleayre Mountain Ski Center on this weekend, the data represented the worst-case weekend traffic conditions for the fall. The problem with this data is that it does not take into account the planned expansion at the Belleayre Mountain Ski Center.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS; Traffic- SDEIS 3.5;	2		
709	Riverkeeper	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	Belleayre Mountain Ski Center is limited to up to 25 miles of ski trails with trail widths up to 200 feet permitted by an amendment to Article XIV of the New York State Constitution. Existing trails total 17.5 miles, thus providing an additional 7.5 miles of trails within the constitutional 25-mile limit that could be built. The traffic data gathered does not take into account the effect that the remaining trail construction and subsequent operation and use will have on traffic patterns. The Belleayre Resort DEIS specifically states that "[t]he Belleayre Mountain Ski Center has a major impact on traffic volumes as evidenced by the fact that the highest peak hour volumes on NY Route 28 occur on winter weekends." It also indicates that "50 percent of the peak hour trips generated by the proposed resort during the winter will be shared trips with the Belleayre Mountain Ski Center."	Traffic- SDEIS 3.5;	2		
710	Riverkeeper	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	These sections from the DEIS are illustrative of the interdependence between the two projects. The ski center expansion will create the need for housing and the Belleayre Resort has anticipated this need and will provide the housing in order to accommodate the ski mountain. It is reasonable to conclude that the long-range plan of the proposed resort is dependent on the ski center expansion because according to the DEIS, the Belleayre Resort has been "designed, to a large extent, as a residential facility that aims to capture much of the regions' existing demand for seasonal residences, particularly those generated by the adjacent Belleayre Mountain Ski Center The evidence in the DEIS of interdependence and a long range plan is substantive proof of impermissible segmentation.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
711	Robert & Barbara Wilk	3.10.2 Socio-Economic Setting - Potential Impacts	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?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
712	Robert Pitt (via NRDC)	CP-18	The CP-18 sheet, which should have explained project stormwater control designs in detail, is very generic and does not provide specific design information for this project.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

713	Robert Pitt (via NRDC)	2.2.6 Site Drainage and Grading - Table 2-3	Table 2-3. The planted roof areas will be unique, especially for the size proposed, But the draft EIS fails to provide any data for similar installations in the proposed project area, or to identify design features that will be used to ensure their success for the harsh winter conditions.	Landscaping- SDEIS 2.8.11	2		
714	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	Table 3-2 lists a number of nearby trout streams that have portions of their watersheds on the project site. These small nearby streams will be affected by the proposed project runoff to a greater extent than the more distant water supply reservoirs, but they receive little attention in the DEIS. The amount of the proposed development in the drainage areas for these streams, along with stormwater control features that will specifically protect these streams, needs to be described. Specific threats to these streams will be construction site erosion material, increased runoff temperatures, increased flow rates and flow volumes, and contaminated snowmelt, along with pollutant discharges from the project stormwater.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
715	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	An important stormwater control option that is not adequately mentioned is the use of bioretention areas near the buildings and parking areas. These have been shown to be quite effective in controlling runoff temperature (while ponds usually contribute to temperature problems), and are usually less expensive and more effective than porous pavement. They can also be nicely integrated into the site landscaping. While the proposed "green roofs" are interesting, they are not well documented in the region of the site. Bioretention facilities are therefore also recommended as a back-up system to the proposed green roofs.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
716	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	On page 3-34 there is a discussion of percolation tests performed at the proposed detention basin locations. These small-scale infiltration tests are suitable for initial investigations, but small tests usually greatly over-predict the actual infiltration capabilities. Large-scale tests should be conducted to insure that the proposed detention basins will actually achieve the design specifications for the high infiltration rates expected.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		
717	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	On pg 3-49 there is a lack of performance data for micropool extended ponds. The ASCE/BMP database, the most comprehensive survey of pollutant removal by best management practices, shows highly inconsistent performance for micropool extended detention ponds such as those proposed in the draft EIS. The ASCE/BMP database lists pollutant removals ranging from about 0 to 65% for suspended solids. Higher levels of performance are associated with large pool areas and when the influent pollutant concentrations are high. Thus it is unlikely that the proposed stormwater ponds will remove the levels of phosphorus and suspended solids as predicted in the draft EIS.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
718	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	The entire stormwater management program appears to hinge on the behavior of detention basins at the base of the slopes. This strategy does not retain water, but discharges it from the system in the course of each storm. In effect this displaces resource water downstream, negatively impacting the stored groundwater.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

719	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 10A Operational Phase Stormwater Quality Management Plan	My biggest concern found during the review of this draft EIS and its appendices was the applicant's use of the WinSLAMM model to characterize pre-development conditions relating to stormwater runoff at the project site. WinSLAMM was designed to predict stormwater flows and pollutant characteristics after site development, and was never intended for characterizing pre-development pollutant discharge conditions.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
720	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 10A Operational Phase Stormwater Quality Management Plan	In the case of the Belleayre site, the pre-development conditions are almost exclusively heavily wooded areas, undergoing some logging. The "undeveloped" or "open space" conditions in WinSLAMM, however, were meant for small areas of open space in otherwise developed urban land uses. The parameter files supplied with WinSLAMM, and used for this evaluation, were calibrated and verified for urban areas, including small undeveloped parcels in otherwise urban areas. To my knowledge, the model has never been used to evaluate pre-development runoff and pollutant discharge conditions for large forested areas. there is no indication that the model results for the pre-development conditions were compared to the existing local water quality and flow measurement data, or that the WinSLAMM files were modified to reflect these local conditions. As with all stormwater models, WinSLAMM needs to be	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
721	Robert Pitt (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts and Appendix 10A Operational Phase Stormwater Quality Management Plan	Obviously, it is not possible to calibrate a model based upon future conditions that do not yet exist. But regional data for similar conditions as expected in the future should be used for important projects. However, without the use of local data for calibration and verification of the model, the accuracy of the calculations made by the WinSLAMM model is jeopardized. With careful calibration and verification of WinSLAMM using a moderate amount of local data, typical errors of pollutant discharge calculations are usually within 25% of measured values, Additional calibration data can usually reduce these errors even more To be sure, pollutant reduction estimates associated with stormwater controls can be reasonably calculated using the default parameter files and local rain and site data, as was used in this project. However, without the use of local calibration and verification data, while post-development runoff volume estimates are usually within 25% of measured values, errors in the pollutant discharge estimates can be much greater.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
722	Robert Pitt (via NRDC)	3.3.2 Groundwater Resources - Potential Impacts	Regional hydrology relies on water capture and recharge of the aquifers, which feed the tributaries of the Pepacton and Ashokan Reservoirs. Since 500 to 600 acres in each development would be disturbed by golf course, hotel, structure and infrastructure construction, because of the dependence of detention ponds and discharge with no apparent focus on infiltration or groundwater recharge, it is to be expected that hundreds of acre feet of water would be diverted from groundwater storage and natural, biogeochemical filtration annually. For each 500 acres impacted by construction and stormwater conveyance out of groundwater, about two million gallons of groundwater would be lost, or about 20 million gallons for a foot of water over each 500 acres so impacted.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

723	Robert Pitt (via NRDC)	3.6.1 Soils - Existing Conditions	Development of the upland zone in Ulster and Delaware Counties is constrained by the underlying soils. In the case of what are termed Lackawanna soils in the Ulster County Soil Survey, severe restrictions for golf course fairway construction is indicated. An additional problem with the Lackawanna series is low permeability, which, in itself, greatly increases the likelihood of runoff, and the erosion generated by overland flow.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
724	Robert Pitt (via NRDC)	3.6.1 Soils - Existing Conditions	Permeable soils in the same region have, in general, shallow depth to bedrock, at times restricting infiltration capacities. Intense storms of an inch per hour could potentially saturate such soils and lead to surface flow and erosion, especially in steep to very steep environments, such as those on each of the development sites. Severe restrictions for turf grass installation exist for a major fraction of soil coverage on these two planned construction sites.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
725	Robert Pitt (via NRDC)	3.6.1 Soils - Existing Conditions	Due to the region's permeable soils, the plan to use sod is likely to be ineffective in mitigating erosion problems, and, on soils, which are presently permeable, is likely to diminish permeability, since turf grass sod contains fewer macropores for soil infiltration than developed soils in forested landscapes. Sod together with the stormwater conveyance and discharge infrastructure will diminish the groundwater contribution to the local streams, diminishing high quality base flow input to the neighboring trout streams. The USGS study in the Croton Watershed of groundwater contribution to high quality inputs corroborates this point.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
726	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	The project sponsor suggests, on page 10 of Appendix 10A, that the model results for post-development conditions "can be considered to be conservative in the amount of pollutant reduction it shows... because the proposed detention basins in some cases will occur in series, which is a situation that the WinSLAMM model cannot simulate" I disagree with this statement because when ponds are in series, only the single largest pond will be effective for the removal of particulate pollutants. Downstream smaller ponds will not be able to remove any of the particulates discharged from upstream larger ponds. In fact, the discharged water from these upper ponds will adversely affect the performance of the lower ponds.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
727	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	On pages 2 and 3 of Appendix 10A, there is a description of the reductions in stormwater runoff volume associated with pond use. But the ponds will not reduce the runoff volumes unless evaporation or seepage also occurs, The draft EIS projects a 29% reduction in stormwater flow, a figure that seems large for volume losses, especially as the attachment states that the ponds will be lined, thus precluding infiltration. There is insufficient information in the draft EIS to reconstruct this analysis. The approach and data used to arrive at these conclusions need to be explained in the final documents.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
728	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	I question whether the micropool extended detention ponds, planned for the site, will provide 80% suspended solids and 40% phosphorus removal. I feel that these removal rates are overly optimistic, compared to available performance data in the ASCEIEPA Best Management Practices database, Are there local data supporting these high removal rates? And why weren't the most up-to-date data used?	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		

729	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	Studies have found that pollution loads from snowmelt can exceed pollution loads from mild weather stormwater events for many constituents. Therefore, it is likely that pollution loadings from snowmelt at the project site would be similarly elevated. The draft EIS documents fail to take these increases into account. Snowmelt is usually more difficult to control with detention ponds due to the finer particle sizes in the snowmelt water. As discussed in the draft EIS, the stormwater ponds for snowmelt normally have to be sized larger than ponds for stormwater runoff; The proposed storage volumes listed in the draft EIS seem to be adequate, but water quality concerns regarding the increased snowmelt loads after development have not been addressed in the draft EIS. Even with runoff controls, the discharges of pollutants from the stormwater and snowmelt will be greater after development than before development. The runoff controls hopefully will reduce the increases, but it is very unlikely that they will reduce these to pre-development levels.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
730	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	Another problem with stormwater ponds located in cold climates is that during snowmelt, the flow has a tendency to travel under the ice and scour out sediments. The draft EIS, however, does not include plans for modifying pond operation during cold weather, such as lowering water levels during the winter, so that snowmelt runoff can flow across the top of the ice during initial portions of the melt periods.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
731	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	On page 9 of Appendix 10A, the "street delivery files" are defined incorrectly. They are not the particle size files (those are the *.cpz files). The *.std files reflect the limited energy associated with most rains in moving washed-off street dirt during rain events through the drainage systems.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
732	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	On page 11, there is some confusion as to the particle sizes of clay and colloids. Clay is defined as containing particles of less than 2µm. Some of the clay in the runoff would therefore likely be retained on the 0.145 m filters used for the particulate solids (SS) analyses, Most colloids, however, would pass through the filter.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
733	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	Total Kjeldahl Nitrogen (TKN) is defined as the sum of nitrates and nitrites. TKN is properly defined as the sum of organic nitrogen and ammonia.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
734	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	Section 10.7 is not labeled as such (it is the attached material to the appendix).	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
735	Robert Pitt (via NRDC)	Appendix 10A Operational Phase Stormwater Quality Management Plan	On page 13 of Appendix 10A, it is noted that Total Kjeldahl Nitrogen (TKN) decreases with development, In fact, the calculated TKN increases with development, but not by much (from 1.74 to 1.89 mg/L).	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

736	Robert Pitt (via NRDC)	Appendix 18 - Water Quality Data	In Tables 3-4 to 3-7 it is not clear if the existing water quality data are only for dry weather, or if wet weather events are also represented. Generally, it seems that these background data represent reasonably good conditions. Background conditions for wet weather should also have been included.	Water Budget- SDEIS 3.2.2; Appendix 22;	2		
737	Rocci Aguirre - Catskill Coordinator for National Trout Unlimited	Appendix 19A Water Budget Analysis - Wildacres	The DEIS is inconsistent within its water budget and fails in its evaluation and potential impact of the resort development on aquifer and stream levels, especially during a draught condition.	Water Budget- SDEIS 3.2.2; Appendix 22;	2		
738	Rocci Aguirre - Catskill Coordinator for National Trout Unlimited	Appendix 19A Water Budget Analysis - Wildacres	The water budget method used was not a good representation of that hydrological process of the Catskills and do not match the major trends in the Esopus Creek. No explicit mention of the development's impacts to aquatic ecology in the watershed, and any deviations in water quality or water supply to Birch Creek and Esopus Creek from the Crossroads Ventures will have a dramatic impact on the ability of trout to spawn in those waterways.	Water Budget- SDEIS 3.2.2; Appendix 22;	2		
739	Ros J. McIntosh	2.2.4 Wastewater Treatment and Disposal	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?	Wastewater- SDEIS 2.4; Appendix 16	2		
740	Ros J. McIntosh	Appendix 14 - Integrated Turf Management Plan	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?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
741	Ros J. McIntosh	Appendix 14 - Integrated Turf Management Plan	Two or three applications 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
742	Ros J. McIntosh	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	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": "It is time to move the direction of environmental research from university plot studies to All 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 wildlife and humans. 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
743	Ros J. McIntosh	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	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?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		

744	Ros J. McIntosh	Appendix 15 Fertilizer and Pesticide Risk Assessment and Appendix 14 Integrated Turf Management Plan	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	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
745	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	To illustrate that modeling alone used to show safe application of chemicals is not adequate, we cite the case of triflualin. 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, have cardiovascular or blood toxicity, developmental toxicity, endocrine toxicity, gastrointestinal or liver toxicity, immunotoxicity, reproductive toxicity, respiratory toxicity, and/or skin or sense organ toxicity.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
746	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	This [(trifluralin)] 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 are adequately tested?	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
747	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
748	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	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.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
749	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	In simulations, all chemicals but two appeared in runoff in some conditions. 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 showed runoff concentrations in the modeled results above 10 % of the LC50. These chemicals are inappropriate in Catskill rivers.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

750	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	Trifluralin, recognized b the EPA as a very dangerous PBT environmental toxin 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
751	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	According to Environmental Defense, 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. 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 have no testing data on basic toxicity and only 7 % have basic testing data. Only 53% of chemicals given Permissible Exposure Limits for hazardous chemicals, have had tests for 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. 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
752	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	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 50ppb. 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 50ppb and ranged down to l.8ppb. What would the guidance levels in water really be if more was known of these chemicals health and eco-effects? 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
753	Ros J. McIntosh	Appendix 15 - Fertilizer and Pesticide Risk Assessment	Pollution of our watershed from chemicals and/or silt from this development would mean that the water supply to New York Cit would have to be filtered. Furthermore, quoting from The Riverkeepers by John Cronin and Robert F. Kennedy, Jr., “conventional filtration would not remove many of the pollutants and organisms associated with watershed development. Pesticides, road salts, petrochemicals, and trihalomethane 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.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

754	Sierra Club Lower Hudson Group	2.3.2 Construction Stage Activities	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	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
755	Sierra Club Lower Hudson Group	3.2.2 Surface Water Resources - Potential Impacts	The developer failed to adequately address the environmental impacts to the watershed resulting from the addition of approximately 85 acres of impervious surfaces;	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
756	Sierra Club Lower Hudson Group	3.2.2 Surface Water Resources - Potential Impacts	[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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
757	Sierra Club Lower Hudson Group	3.2.2 Surface Water Resources - Potential Impacts	[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;	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
758	Sierra Club Lower Hudson Group	3.7.2 Traffic Patters - Potential Impacts and Mitigation Measures	[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.	Traffic- SDEIS 3.5;	2		
759	Sierra Club Lower Hudson Group	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[The developer] has failed to acknowledge and mitigate significant impacts to community character of the Catskills;	Community Character- SDEIS 3.8.3;	2		
760	Sierra Club Lower Hudson Group	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[The developer's] 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;	Visual Impacts- SDEIS 3.6;	2		
761	Sierra Club Lower Hudson Group	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	[The developer] failed to assess impacts to the surrounding Catskill Wilderness areas of the Forest Preserve and its unfragmented, unspoiled wildlife habitat;	Issues Ruling 19; Catskill Park Forest Preserve- SDIES 3.14; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
762	Sierra Club Lower Hudson Group	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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;	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		

763	State of New York Department of Health	1.4.4 Environmental Review, Permits and Approvals - State and 2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
764	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications	The Stormwater Pollution Prevention Plan should contain management plans for removal/dewatering/disposal of contaminated sediments. These actions maybe necessary to maintain operating efficiency of the proposed micro-pools.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
765	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	Outfall 001: The permit should include a daily average loading (0.36 lbs/d) limitation for total phosphorus	n/a	1		
766	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	The permit should require the operator to re-direct the wastewater discharge to the irrigation pond if a WWTP upset or bypass occurs during discharge through outfall 001 (Birch Creek) until the WWTP is back in full treatment and stable operating condition.	n/a	1		
767	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	Outfall 002: The permit should include daily average loading and annual maximum loading limitations for total phosphorus.	n/a	1		
768	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	The permit should require that spray irrigation cease if there is a WWTP upset or bypass to the irrigation pond, and that spraying cannot commence until sampling shows safe levels.	n/a	1		
769	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	Outfall 003: The permit should include the regulatory requirements for this outfall (NYSDOH Appendix 75-A regulations).	n/a	1		
770	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	Pond 2: EPA recommends that the permit include Pond 2 (see drawing SD-6) for toxicity testing (table on page 9 of the permit) and phosphorus and pesticide monitoring (tables on page 11 of the permit - and designated SW5). Monitoring this location will capture any contaminant load contribution from the Belleayre Highlands portion of the site	n/a	1		
771	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	Treatment facility: EPA recommends that, if the project goes forward, the nearby Pine Hill facility be reconsidered for treating wastewater from the Big Indian portion of the site. We believe that, consistent with the goals of the FAD, it is environmentally prudent to use existing treatment capacity instead of building an entirely new treatment facility in the watershed.	n/a	1		
772	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Big Indian Draft SPDES Permit	SPDES Annual Report requirements: The final permit should require the permittee to report annually on the status of operator certification and staffing, operation and maintenance activities during the previous year, expenditures made during the previous year to comply with the SPDES permit, and funds allocated for the coming year.	n/a	1		

773	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Wildacres Draft SPDES Permit	The permit should require the operator to re-direct the wastewater discharge to the irrigation pond if a WWTP upset or bypass occurs during discharge through outfall 001 (Emory Brook) until the WWTP is back in full treatment and stable operating condition.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16;	2		
774	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Wildacres Draft SPDES Permit	Outfall 002: The permit should include daily average loading and annual maximum loading limitations for total phosphorus.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16;	2		
775	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Wildacres Draft SPDES Permit	The permit should require that spray irrigation cease if there is a WWTP upset or bypass to the irrigation pond, and that spraying cannot commence until sampling shows safe levels.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16;	2		
776	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Wildacres Draft SPDES Permit	Oufalls 003-015: According to the draft permit, only 4 of the 13 outfalls will be sampled. It states that NYSDEC may increase, decrease, or modify locations of the detention ponds to be monitored for evaluation purposes. However, with no sampling at some outfalls, there is no way of determining whether those outfalls are complying with SPDES discharge requirements. The final permit should include adjustments to monitoring frequency (when deemed necessary by NYSDEC) and include a rotational monitoring scheme that incorporates all outfalls listed in the permit. This would ensure that all outfalls are subject to monitoring and compliance determinations.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16;	2		
777	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications - Wildacres Draft SPDES Permit	SPDES Annual Report requirements: The final permit should require the permittee to report annually on the status of operator certification and staffing, operation and maintenance activities during the previous year, expenditures made during the previous year to comply with the SPDES permit, and funds allocated for the coming year.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16;	2		
778	State of New York Department of Health	Appendix 2 NYSDEC Permit Applications and 2.3.2 Construction Stage Activities	EPA recommends that the SPDES permit include an additional condition stating that no more than 25 acres of unstabilized soils will occur at any given time within either reservoir watershed.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
779	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
780	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
781	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		

782	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
783	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
784	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
785	State of New York Department of Health	2.2.3 Potable Water Supply	The applicant should discuss and confirm that no wastewater effluent, fertilizers, pesticides, herbicides, or other possible contaminant will be applied in the vicinity of RW 1, 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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
786	State of New York Department of Health	2.2.3 Potable Water Supply	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	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
787	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
788	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		

789	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
790	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
791	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
792	State of New York Department of Health	2.2.3 Potable Water Supply	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.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
793	State of New York Department of Health	2.2.4 Wastewater Treatment and Disposal	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.	Wastewater- SDEIS 2.4; Appendix 16	2		
794	State of New York Department of Health	2.2.4 Wastewater Treatment and Disposal	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.	Wastewater- SDEIS 2.4; Appendix 16	2		
795	State of New York Department of Health	2.2.5 Irrigation Water Supply and 2.2.4 Wastewater Treatment and Disposal	The applicant has proposed utilizing tertiary treated effluent for spray irrigation of golf courses and grounds. However, 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. If the effluent contains 108 virus particles per ml and there is no removal via microfiltration, but 99.99% disinfection, 104 viable virus particles per ml would be present in the effluent discharged. 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. It is critical 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.	n/a	1		
796	State of New York Department of Health	2.2.6 Site Drainage and Grading	For a more complete understanding of project impact, the DEIS should include the volume of bedrock that is anticipated to be removed, excavated, and blasted from the site, and a discussion of any anticipated impacts of these activities on the underlying hydrogeology.	Grading / Blasting- SDEIS 2.8.8; 2.8.9	2		

797	State of New York Department of Health	2.3.2 Construction Phase Activities	The DEIS states that "during construction there will be disturbed areas with bare soil that will be susceptible to erosion." As described in the DEIS, the developer intends to implement a complex construction phasing program to address and mitigate potential water quality and quantity problems associated with erosion. In addition, the developer will employ a Erosion Control Superintendent (with a support team), who will be independent of and have stop work authority over site contractors and subcontractors. We note that a special condition of the draft SPDES includes a requirement that: "Construction of any subsequent phase of the project cannot commence until substantive completion of the previous phase, as determined by the (NYSDEC) Regional Water Engineer. Such construction cannot commence until receipt by the Regional Water Engineer of a statement from a licensed professional that the previous construction phase was completed and stabilized in accordance with the SPPP."	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
798	State of New York Department of Health	Appendix 7 Water Supply Report	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 pm, while Appendix E-l (p,2) indicates a rate of 83 gpm. This should be clarified	Water Budget- SDEIS 3.2.2; Appendix 22;	2		
799	State of New York Department of Health	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	The developer has prepared a comprehensive Integrated Turf Management Plan to mitigate potential impacts to surface water and aquatic biota from pesticide and phosphorus runoff. The plan, however, is only effective if it is vigilantly implemented, and vigilant implementation requires strong oversight. To that end, EPA recommends that the Integrated Turf Management Plan (Appendix 14) and Section 5 of Appendix 15 (Fertilizer and Pesticide Risk Management) be incorporated into and be made an enforceable part of the Stormwater Pollution Prevention Plan.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
800	State of New York Department of Health	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	The DEIS includes a modeling evaluation of 53 pesticide active ingredients and, based on the results of this evaluation, recommends 33 ingredients for use in accordance with the Integrated Turf Management Plan. Of these 33, 20 did not leach and 13 leached to "some degree." Regarding the 13 active ingredients that leached to some degree, there is no substantive body of data to indicate that "undiluted leachates" may be diluted to the extent of removing their potential leachability.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
801	State of New York Department of Health	Appendix 14 Integrated Turf Management Plan and Appendix 15 Fertilizer and Pesticide Risk Assessment	EPA suggests that the 13 pesticide active ingredients that leached to "some degree" be added to the list of "not recommended for use" products. The remaining 20 pesticide active ingredients that are recommended for use appear to be sufficient to meet the objectives of the Integrated Turf Management Plan.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
802	State of New York Department of Health	Appendix 15 Fertilizer and Pesticide Risk Assessment	It was not clear from the DEIS text whether the GLEAMS model was modified to provide for the actual slope conditions present at the proposed site.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
803	State of New York Department of Health	Appendix 19A Water Budget Analysis - Wildacres	The Delaware County Soil and Water Conservation 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.	Water Budget- SDEIS 3.2.2; Appendix 22;	2		

804	State of New York Department of Health	3.3.1 Groundwater Resources - Existing Conditions	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?	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
805	State of New York Department of Health	3.3.1 Groundwater Resources - Existing Conditions	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
806	State of New York Department of Health	3.3.2 Groundwater Resources - Potential Impacts	Wildacres's 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
807	State of New York Department of Health	3.3.3 Groundwater Resources - Mitigation Measures	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
808	State of New York Department of Health	3.3.3 Groundwater Resources - Mitigation Measures and 2.2.3 Potable Water Supply	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
809	State of New York Department of Health	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	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.	Wetlands- SDEIS 3.4.2; Groundwater Resources- SDEIS 3.2;	2		

810	State of New York Department of Health	Appendix 9A Operational Phase Stormwater Quantity Management Plan	There is also a degree of uncertainty as to whether the proposed retention basins will contain all runoff from the site.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
811	State of New York Department of Health	Appendix 9A Operational Phase Stormwater Quantity Management Plan and Appendix 10A Operational Phase Stormwater Quality Management Plan	The DEIS is not clear as to whether the micro-pools will remain wet year-round. The DEIS should include a discussion of the assumptions that were made regarding removal efficiencies and whether these assumptions are valid should the micro-pools be subject to dry periods.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
812	State of New York Department of Health	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan and 2.3.2 Construction Activities - Construction Stage Activities	EPA is very concerned that adequate erosion control be continuously maintained on this project. Rigorous, effective erosion control requires not only a strong program but vigilant oversight by enforcement agencies. We note that, pursuant to the New York City Watershed Rules and Regulations, NYCDEP has the authority to review and approve the project Stormwater Pollution Prevention Plan(s). As an added level of oversight assurance, EPA recommends that the Stormwater Pollution Prevention Plans include the requirement that each construction subphase can only commence upon authorization by NYCDEP.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
813	State of New York Department of Health	Appendix 11 Draft Stormwater Pollution Prevention Plan and 2.3.1 Construction Schedule	An important objective of the Stormwater Pollution Prevention Plan is to ensure 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
814	State of New York Department of Health	Appendix 26 - Economic Benefit and Growth Inducing Effects	The DEIS (Appendix 26, Chapter 6) includes three case studies (Windham, NY, Mount Greylock, MA, and Gore Mountain, NY) to "gain insight into potential secondary development consequences generated by the Belleayre Resort based on observations of development patterns and experiences from other resorts." The Mount Greylock resort project (one golf course and one hotel) is not yet built; thus, future growth impacts are unknown. As the DEIS notes, Ski Windham is more of a ski center, primarily oriented toward the ski season, lacking many of the amenities proposed for the four season, Belleayre Resort. Gore Mountain includes a few small hotels and inns - no large resorts or golf courses. The largest resort area is Lake George, 25 miles away.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

815	State of New York Department of Health	Appendix 26 - Economic Benefit and Growth Inducing Effects	The three case studies are an interesting comparison of regional ski areas. They show that these ski areas have similarities with respect to topography, population density, and ski center characteristics. However, the studies also show that none has been subject to development on a scale that is planned adjacent to the Belleayre ski center, making any insight on the potential of the Belleayre Resort to induce future growth nearly impossible. Therefore, we question the basis for the conclusion drawn in the DEIS (Appendix 26, page 6-23) that "it is unlikely that the Belleayre Resort would create a particularly large secondary growth in terms of new development..."	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
816	State of New York Department of Health	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Cumulative Impacts	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;	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
817	State of New York Department of Health	7.3.1 Potential Induced Development - New Commercial Development and Appendix 26 - Economic Benefits and Growth Inducing Effects	The DEIS estimates that the Belleayre Resort will stimulate the need for a small amount (76,700 square feet) of additional commercial development in the study area. The DEIS also concludes that the project is expected "to meet the housing demand that its amenities generate" and "capture the latent seasonal housing demand" that has been generated by the Belleayre Mountain Ski Center and will induce no new housing construction. The estimate for residential housing demand is based, in part, on the above-mentioned case studies and environmental constraints. We question any conclusions regarding growth inducement that are based on this information.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
818	State of New York Department of Health	7.4 Potential Impacts from Induced Growth and Appendix 26 - Economic Benefit and Growth Inducing Effects	"With the exception of protected/public land, each of the constraints can, theoretically, be addressed by engineering at a site-specific level. However for generic planning purposes, these environmental features define at a macro-level where development is more or less feasible." That the Belleayre Resort developer has overcome several of the listed "constraints," calls into question their validity as a measurement of future growth potential.	Growth Inducing Impacts- SDEIS 7.0;	2		
819	Steven Dawes	2.4.8 Golf Course Integrated Pest Management	What does that statement curative mean? Does it mean that instead of preventing pesticides damage to the turf, they'll wait until damage actually occurs and then treat the area? If that's what they're implying by using a curative approach rather than a preventative approach, then that just doesn't make sense. There are going to be people there paying top dollar to play on these golf courses.They're expecting high quality turf to play on. If you wait until damage has already occurred on the turf, it's too late and the golfers will see that. They'll end up taking there business elsewhere. The quality of the golf course has already suffered. The golfer is not getting what he or she paid for, and the golfer wants an impeccable high-quality turf.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
820	Steven Dawes	Appendix 14 Integrated Turf Management Plan	On page two of the ITM plan, it states that "the flexibility and economic feasibility ultimately determines the long-term success of the ITM plan," so it's based on economic feasibility. So does that mean if it's not economically feasible, it's not going to be implemented? Is the environment ever considered in this plan?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		

821	Steven Dawes	Appendix 14 Integrated Turf Management Plan	Just from my own experience of assisting spray techs and working closely with superintendents when they make their assessments of course conditions, I've seen that pesticides, herbicides, fungicides, aglicides, fertilizers are primary used in a preventative approach. It's easier to run a golf course that way, and they're going to take the easiest route possible. The name of the game is to keep the golf course as green and protect it from insects and diseases. And if they don't do that, they don't have a job. So they're going to take the easiest route and that's pesticides and other chemicals.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
822	Steven Dawes	Appendix 14 Integrated Turf Management Plan	I've witnessed first hand a small section of fairway turf being damaged by mole crickets. That afternoon, every fairway in the golf course was hit with mole cricket bait. Now is that a curative approach? I've seen little sections of a green indicating the presence of web worms and just a few hours later, every green in the course was sprayed for web worms. Is that what they mean by a curative approach?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
823	Steven Dawes	Appendix 14 Integrated Turf Management Plan	What is defined as improper or overuse of pesticides? Are there specific guidelines in place to prevent overuse or improper use? And who is in charge of making sure these guidelines are being followed?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
824	Steven Dawes	Appendix 14 Integrated Turf Management Plan	On page 25 of the ITM plan, there is a list of some very general measures that would be taken to further minimize potential impacts from pesticide use. Some of them are, no pesticides would be applied to an irrigation system. That's just simply a standard practice. Pesticide containers will be disposed of in a proper and safe manner. That's an additional measure? I think it's very misleading to label these guidelines as additional measures when they are really just standard practices and state and federal requirements that every golf course has to follow.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
825	Stuart D. Root	3.8.1 Land Use and Community Character - Existing Use of Site	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. [comment is part of a statement made at the public hearing on 2/19/2004]	Local Permits and Approvals- SDEIS 1.4.1.A	2		
826	Stuart D. Root	3.8.1 Land Use and Community Character - Existing Use of Site	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 such an event, without verified "bonded completion financing" leave the rest of us? [comment is part of a statement made at the public hearing on 2/19/2004]	Local Permits and Approvals- SDEIS 1.4.1.A	2		
827	Stuart D. Root	3.8.1 Land Use and Community Character - Existing Use of Site	A non-bonded project that fails would leave behind 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. [comment is part of a statement made at the public hearing on 2/19/2004]	Local Permits and Approvals- SDEIS 1.4.1.A	2		

828	Stuart D. Root	3.8.1 Land Use and Community Character - Existing Use of Site	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 carne 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. [comment is part of a statement made at the public hearing on 2/19/2004]	Local Permits and Approvals- SDEIS 1.4.1.A	2		
829	Thayer Case (ZESI)	Appendix 15 - Fertilizer and Pesticide Risk Assessment	According to the data provided by the Environmental Protection Agency and others, two of the proposed chemicals are known carcinogens, eight are completely lacking data on their biological and health effects, three are not found in available online indices of pesticides at all, and 24 have suspected major health hazards, such as birth and growth defects, liver toxicity and/or lung problems.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
830	Thayer Case (ZESI)	Appendix 15 - Fertilizer and Pesticide Risk Assessment	The data on all chemical and fertilizer application is based on the assumption that only one or two applications will be made in a year period. Given the fact that these chemicals are said to be spot applied on demand and not on predetermined schedule, does the draft give a realistic sense of how often Belleayre Mountain will require such spot applications. And where do we get the number of one or two applications per year? How do we know more won't be needed?	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
831	The Aassociation for the Protection of the Adirondacks	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
832	The Association for the Protection of the Adirondacks	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	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 Catskill Region's future. The plan was widely praised in and out of the 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.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		

833	The Association for the Protection of the Adirondacks	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	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.	Comment does not raise any substantive issues / no response required;	4		
834	The Association for the Protection of the Adirondacks	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Public-Private partnerships were very much desired by the conference, but not to invest in large resorts. 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."	Comment does not raise any substantive issues / no response required;	4		
835	The Catskill Center for Conservation and Development	General	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 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 preclude the DEC from issuing a FEIS and SEQRA findings statement.	Community Character- SDEIS 3.8.3; Project Benefits- SDEIS 1.3.G; Project Need- SDEIS 1.3.D, E; Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9; Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
836	The Catskill Center for Conservation and Development	Appendix 2 NYSDEC Permit Applications	The DEIS identifies 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 SPEDS permit by the DEC. 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." The requirement that 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

837	The Catskill Center for Conservation and Development	Appendix 2 NYSDEC Permit Applications	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: 1) First, before any final permits are issued to the Project Sponsor by the 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.” Such pilot testing should similarly be required for all other permits issued to the Project Sponsor.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
838	The Catskill Center for Conservation and Development	Appendix 2 NYSDEC Permit Applications	[continued from comment above] 2) 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 EPA has 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. Substantive completion would be demonstrated by periodic water quality testing, ensuring that 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. 3) 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.	n/a	1		
839	The Catskill Center for Conservation and Development	2.2.4 Wastewater Treatment and Disposal and 1.4.4 Environmental Review, Permits and Approvals - State	Because the failure of the Project’s environmental mitigation measures could 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: 1) First, before any final permits are issued to the Project Sponsor by the DEC, the Agency should require appropriate pilot testing. 2) 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. 3) 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.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		

840	The Catskill Center for Conservation and Development	2.2.4 Wastewater Treatment and Disposal and Appendix 2 NYSDEC Permit Applications	The DEIS identifies 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 Pollution 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." The requirement that 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.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
841	The Catskill Center for Conservation and Development	2.2.6 Site Drainage and Grading	The Sponsor of the proposed Belleayre Resort has not sought, nor has the DEC considered the need for, a mined land reclamation permit. Pursuant to the New York State Mined Land Reclamation Law and its implementing regulations, a mining permit is required for the proposed development. 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"	n/a Issues Ruling 21	1		
842	The Catskill Center for Conservation and Development	2.2.6 Site Drainage and Grading	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. These plans, which involve the mining of 25,000 cubic yards of minerals (more than 30 times the minimum amount 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.	n/a Issues Ruling 21	1		
843	The Catskill Center for Conservation and Development	2.2.6 Site Drainage and Grading	All mining permit applicants must develop a land-use plan and furnish a financial surety. A Project's land-use plan sets forth in detail the applicant's mining and reclamation methods; 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. The need for a mining permit and the requisite financial security is particularly acute for the proposed Belleayre Resort. 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. 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	n/a Issues Ruling 21	1		

844	The Catskill Center for Conservation and Development	2.3.2 Construction stage activities	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 to 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.	Local Permits and Approvals- SDEIS 1.4.1.A	2	Shandaken‘s zoning ordinance and subdivision regulations require the posting of performance guarantees/performance bonds as a condition of project approval.	
845	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	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.	Traffic- SDEIS 3.5;	2		
846	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	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. 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. According to the DEIS, the aim of these improvements is to attract 200,000 to 225,000 skier visits annually.	Traffic- SDEIS 3.5;	2		
847	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and Appendix 25 - Traffic Impact Study	The DEIS’s analysis of the traffic impacts is exemplary of the document’s overall failure to address cumulative impacts. The DEIS includes an appended traffic impact study which concludes that the traffic increase occasioned by the proposed Project “will typically not be noticeable.” The traffic impact study noted, however, that traffic in the area varies significantly by season, time of day, and day of the week, and concluded that the greatest increase in traffic will occur during the morning and evening hours of the peak ski season. 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.	Traffic- SDEIS 3.5;	2		
848	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and Appendix 25 - Traffic Impact Study	The traffic study addresses the traffic generated by the Ski center in only two respects. 1) A weekend of record attendance of the Ski Center in the Year 2000 was used to develop the background traffic level during the peak seasons. 2) 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 used a three percent annual growth rate to project the background traffic volume for 2008. With respect to this latter modeling assumption, the consultant noted that the extra one percent added to the annual growth rate in background traffic account 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 SEQR requirements of an additional development.”	Traffic- SDEIS 3.5;	2		

849	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and Appendix 25 - Traffic Impact Study	As the traffic consultant 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. Additional development is planned for the Ski Center. 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, and year 2000 data was used to develop peak traffic estimates, the reported development plans of the Ski Center represent a substantial increase in visits and relate 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.	Traffic- SDEIS 3.5;	2		
850	The Catskill Center for Conservation and Development	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and Appendix 25 - Traffic Impact Study	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 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, 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.	Traffic- SDEIS 3.5;	2		
851	The Catskill Center for Conservation and Development	3.8 Land Use and Community Character	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. 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," 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."	Community Character- SDEIS 3.8.3;	2		
852	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	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." Scenic vistas and existing community character have been identified by local community leaders as among the area's top assets. 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 behemoth with two golf courses, two hotels and an additional 99 structures for detached lodging units and the Project is expected to attract an estimated 600,000 visitors per year. This is obviously not "low key and low density."	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

853	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	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, 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."	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
854	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	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 destination and a series of niche-based accommodations," including historic village preservation with Bed and Breakfasts and shops." Such development is most appropriate in "[e]xisting hamlets and villages [which] have unique character and can become focal points for development."	Community Character- SDEIS 3.8.3;	2		
855	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	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." 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."	Community Character- SDEIS 3.8.3; Visual Impacts- SDEIS 3.6;	2		
856	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	The Catskill Center supports such smaller-scale and sustainable development, 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.	Community Character- SDEIS 3.8.3;	2		
857	The Catskill Center for Conservation and Development	3.8.2 Adjacent Land Uses and Community Character	The secondary element that cannot be expected to accompany the project will also affect the 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. The Catskill Watershed, however, is a tight labor market. 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 and burden 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."	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

858	The Catskill Center for Conservation and Development	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	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 construction new ski trails. These ambitious improvements are aimed at substantially increasing annual skier visits to the Ski Center. 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 Resorts' market orientation), a major redevelopment of the lodges and 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."	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
859	The Catskill Center for Conservation and Development	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	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. In response to the complaints of local hiking groups and in an effort to reduce this visual impacts, the Project Sponsor has proposed a "pioneering design" for the eastern hotel and spa which allegedly renders visual impact of the complex "virtually eliminated." 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, the DEC cannot accept the Project Sponsor's assurances regarding the visual impact of the Project without adequate substantiation.	Visual Impacts- SDEIS 3.6;	2		
860	The Catskill Center for Conservation and Development	Appendix 21 Visual Impact Study and 3.8.4 Visual Resources and Aesthetics	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. In response to the complaints of local hiking groups and in an effort to reduce this visual impacts, the Project Sponsor has proposed a "pioneering design" for the eastern hotel and spa which allegedly renders visual impact of the complex "virtually eliminated." 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, the DEC cannot accept the Project Sponsor's assurances regarding the visual impact of the Project without adequate substantiation.	Visual Impacts- SDEIS 3.6;	2		

861	The Catskill Center for Conservation and Development	5 - Alternatives	SEQRA requires agencies to “choose alternatives which, consistent with social, economic and other essential considerations, to the maximum extent practicable, minimize or avoid adverse environmental impacts.” 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.” Accordingly, “the impact that a Project may have on population patterns or existing community character…is a relevant concern in an environmental analysis.”	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
862	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	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.” However, the analysis undertaken by HVS and the conclusion reached by the DEIS are both blatantly deficient.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
863	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	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 of the “caliber of the development arguably exceeds that of anything existing through the Northeastern United States, in terms of both quality and the scope of the facilities.” 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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
864	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	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 large 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 requirements that all reasonable alternatives be considered.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
865	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	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 scale and is designed accordingly.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

866	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	The conclusion drawn by HVS and the DEIS that the project is only feasible with the full development of all Project components 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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
867	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	The parsing of the feasibility numbers – analyzing the golf course 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. 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 retun on the proposed detached lodging units "well exceeds industry threshold."	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
868	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	A closer read of the results of the feasibility analysis thus reveals possibility of at least two smaller alternatives that are financially feasible. Those alternatives are as follows: 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 Project and the only marginally sub-par rate of return expected for the western hotel and golf course in isolation, it appears that the western half of the present proposal – consisting of one golf course, one hotel 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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
869	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	The foregoing makes it obvious that the DEIS's alternatives analysis fails to meet the SEQRA requirements to evaluate all reasonable alternatives. 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". A more genuine legitimate and statutorily sufficient analysis of the financial feasibility of the present 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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

870	The Catskill Center for Conservation and Development	5.3 Alternative Layouts	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.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
871	The Catskill Center for Conservation and Development	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	Although future improvements at the Ski Center are cited in the DEIS as support for the Project's "purpose, need and benefits," 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 SEAQRA regulation, an EIS is required to assess significant cumulative impacts. "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."	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
872	The Catskill Center for Conservation and Development	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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 s at least a "rough draft" since at least May 2002.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
873	The Catskill Center for Conservation and Development	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	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.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
874	The Catskill Center for Conservation and Development	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	It is the Catskill Center's understanding that the Project Sponsor 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 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 SEQR."	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
875	The Gaia Institute (via NRDC)	2.2.6 Site Drainage and Grading and 2.3.2 Construction Stage Activities	This scale of construction means that if a specific 25-acre track was 200 feet wide, it would be more than one mile long, requiring pipes or swales of which themselves would need to be at least a major fraction of a mile in length in order to direct the water to the catchment. By similar reasoning, a 400 feet wide, 25-acre construction track would be more than a half mile in length, requiring similar lengths of stormwater conveyance infrastructure, and the landscape disturbance which goes with it.	Construction Activities- SDEIS 2.8.9 Stormwater- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

876	The Gaia Institute (via NRDC)	2.3.2 Construction Stage Activities and Appendix 11 Draft Stormwater Pollution Prevention Plan	This scale of excavation may also affect construction monitoring, since a 25-acre site 200 feet wide would be more than one mile long. In times of severe storms, it may not be possible for one certified stormwater monitor to cover such an expanse. No explanation is given as to why it is necessary to expose such a large expanse of soil at one time.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
877	The Gaia Institute (via NRDC)	3.2.2 Surface Water Resources - Potential Impacts	Even over a 24 hour period, such quantities of water piped into receiving streams would amount to cubic feet per second, increasing velocity and scour potential. Were such a storm to occur in an intense period of a few hours, discharges could approach ten or more cubic feet per second, exacerbating scour in the receiving waters and the potential discharge of sediment including clays and colloids into the drinking water supply.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
878	The Gaia Institute (via NRDC)	3.2.3 Surface Water Resources - Mitigative Measures	To date, there is no indication that the proposed development will be managed in a manner which is sustainable given its location within the watershed which supplies drinking water for nine million New Yorkers.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
879	Theodore Gordon Flyfishers	General	The proposed Belleayre Resort at Catskill Park will have a devastating impact on the Catskill Preserve and the ecosystem of Esopus Creek. TGF has raised significant issues that should properly be addressed. The DEIS is incomplete and unsatisfactory, and thus must be modified. We request that all the recommendations included in this letter be accepted.	Catskill Forest Preserve- SDIES 3.14; FEIS 3.14; Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10	2		
880	Theodore Gordon Flyfishers	1.2 General Project Description	The project is too large for the proposed site. It must be scaled down and both golf courses should be eliminated	Project Size- SDEIS 1.4	2		
881	Theodore Gordon Flyfishers	1.2.1 General Project Description - Lands East of the Ski Center	The Big Indian site should be eliminated because the slopes are too steep and soils are loosely sitting clay or colloidal-type	No longer applicable (n/a)	1		
882	Theodore Gordon Flyfishers	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	Regarding 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. Although proposed control structures are accurately sized to successfully moderate certain runoff events, such plans seem incredibly risky and shortsighted First of all, if the Slide Mountain precipitation data should be used as a comparison for Belleayre Mountain, as claimed by the DEIS, and such data are applied to Belleayre Mountain as precipitation estimates, then substantial detention basin overflows would be expected, 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

883	Theodore Gordon Flyfishers	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	Furthermore, Slide Mountain data register large storms at intervals of less than eight years, the projected time needed to complete the development,. For example, the 6,62-inch rainfall of 07/10/52 was followed less than four months later, between 11/20/52 and 11123152, by a rainfall of 8.3.3 inches, and the double hurricane of 10/15/55 - 10/17/55 was preceded only two months earlier by an impressive rainfall of l0.59 inches. Although based upon rainfall amounts of 50 years ago, such data cannot be dismissed, especially when noting the violent storm events of the past 10 years that have effected the Catskills.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
884	Theodore Gordon Flyfishers	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	Although the construction will be kept 2000, 1500 and 800 feet from Esopus drainage streams, a seemingly reasonable precaution, 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, thereby accentuating risks that are normally associated with construction-phase storm water management.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
885	Theodore Gordon Flyfishers	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	The developer's data regarding precipitation levels on Belleayre Mountain are unpersuasive, and should be independently corroborated by peer-review. All calculations for water supply must correspond with new precipitation estimates.	Water Budget- SDEIS 3.2.2; Appendix 22	2		
886	Theodore Gordon Flyfishers	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	The DEIS inadequately plans for the violent storms of the Catskills by inexcusably failing to chart a runoff timetable or address the issue of rapid improvement in hydrologic function. Furthermore, the developer should more adequately address the matter of safeguards in the event of a major storm with detention basin failures.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
887	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	According to the New York State Stormwater Management Design Manual, p. 2-1, "volume of storrwater 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 (Scheeler, 1994)." The DEIS states that the two development complexes, Big Indian and Wild Acres, will have 85.16 acres total of impervious surface	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
888	Theodore Gordon Flyfishers	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	Due to steep slopes, the potential for environmental impacts is great, and thus 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	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
889	Theodore Gordon Flyfishers	3.2.1 Surface Water Resources - Existing Conditions	The Esopus Creek and its tributaries on Bellayre Mountain are historical, cultural and recreational treasures. The "best usage" of these waters are their function as a premiere trout fishery. Fly-fishing along the Esopus Creek dates as far back as the 1830s when, the Esopus became "among the first to open its doors to visiting fishermen." In 1830, Shandaken was already catering to fishermen and trains stopped at towns including Phoenicia, Shandaken and Big Indian just for the fishing. In 1922, the Angler's Club of New York held its Trout Fishing Championships at the Phoenicia Hotel, on the Esopus, a sign that the Esopus had the respect of fisherman across the nation.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		

890	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	Water quality is the single most important element for a healthy trout population. The current temperature and sediment levels in the Esopus Creek are critical for trout propagation and survival, and essential for the continued reproduction of the many insect species which are a crucial food source for the trout. Simply put, trout and the insects on which they feed need cold, clear water and a sediment free riverbed to live. As it is, the Esopus already has problems maintaining low turbidity levels and any increase in runoff will have a devastating impact on the creek as a trout fishery, The ecosystem is so delicately balanced right now that there is simply no buffer that will allow it to absorb the changes that will occur from the development of such an enormous project	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
891	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	Despite the limitations of the above mentioned data [supplied in charts, graphs and other figures supplied] regarding Highmount and Belleayre, 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." In fact, the Highmount and Belleayre stations are much closer, and the Belleayre station is not only at a comparable elevation but it is actually located on Belleayre 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, such totals are 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 4159 inches, for Highrount 4198 inches. The average of these two yields is 4278 inches, which is 17.26 inches, or 28.62 percent, less than Slide Mountain.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
892	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	Use of Slide Mountain data as a basis for calculating water budgets in Appendices 19 and 19A is suspect. By basing such calculations on expectations for precipitation that are higher than the recordings from Belleayre and Highmount, the data in the DEIS regarding water supply for groundwater replenishment has been skewed in the developer's favor. Due to actual estimates showing 29% less water available for percolation, groundwater withdrawals for the two resort complexes, which include water usage for golf courses and snowmaking demands, will lower the water table contrary to what the DEIS asserts. Over-estimating precipitation by such a large amount is a significant failing of the DEIS and most likely will result in lowered base flows that would irreparably harm the aquatic biota of Birch Creek, Lost Clove Brook, Emory Brook and their tributaries.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		

893	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
894	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	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. Although trout fry and adults are vulnerable to unfavorable stream conditions year-round, they sometimes can find best-available conditions through up-or-downstream migration. Macroinvertebrates, a crucial trout food, are also vulnerable to poor conditions year-round but can do little to escape them.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
895	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	Surface water runoff could be the single most destructive element that will accompany the construction and operation of the Crossroads' proposed development on Belleayre Mountain. Given the incredible size of the paved surfaces, roofing surfaces and the overall general surface geology of the sites on Belleayre which are characterized by thin, relatively impermeable soils over impermeable hardpan or bedrock [memo from soil scientist Robert I. Case, included in appendix 12], storm water runoff and flooding will create water flows that will significantly raise water temperatures and gather large quantities of sediment from those surfaces and deposit them in the river. Such particulate and thermal pollution will inevitably cause increased water temperatures, turbidity and sedimentation in the headwater streams of the Esopus and the Esopus Creek.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		

896	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts	On the other hand, if Slide Mountain numbers do not apply to Belleayre, as discussed earlier in this letter with references to data from Belleayre and Highmount regarding lower precipitation levels, an unacceptable risk of overflow or failure of detention basins containing thousands of cubic feet of silty water still exists directly upslope from sensitive trout spawning streams. Accounts from the National Weather Service attest to the severe weather' and aftermath of same experienced in the Catskill Mountains, even during periods of drought, Moreover, 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 geology are recipes for disaster should a major storm strike Belleayre Mountain during or after construction.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
897	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts and 2.2.6 Site Drainage and Grading	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 I1, 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
898	Theodore Gordon Flyfishers	3.2.2 Surface Water Resources - Potential Impacts and Appendix 10A Operational Phase Stormwater Quality Management Plan	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
899	Theodore Gordon Flyfishers	3.2.3 Surface Water Resources - Mitigative Measures	The developer's claims for erosion control are unpersuasive, and should be independently corroborated by peer-review.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
900	Theodore Gordon Flyfishers	3.2.3 Surface Water Resources - Mitigative Measures	The developer should more adequately address the matter of Best Management Practices regarding potential erosion and turbid runoff. Structural and non-structural methods should be discussed by presenting pros and cons as to each option.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

901	Thom O'Connor	3.10.2 Socio-Economic Setting - Potential Impacts	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: 1) pay $600,000 per year in State and County taxes, 2) pay nearly $1 million a year in sales taxes to Ulster and Delaware Counties 3) pay $1.2 million in sales tax to New York State 4)create more than 800 full & part time jobs 5) have payroll of $20.5 million a year 6) pay more than $2 million in property tax 7) create $28.4 million in annual visitor spending in this and neighboring Delaware County.	Comment does not raise any substantive issues / no response required	4		
902	Town of Middletown	1.4 Environmental Review, Permits and Approvals	During Town site plan review, the Applicant should submit detailed site and planting plans, and building elevations and perspectives.	Site Plans- SDEIS Plan Sheets L1.00 - L8.03	2		
903	Town of Middletown	Appendix 2 NYSDEC permit applications and 2.2.6 Site Drainage and Grading	Runoff of de-icing chemicals from parking lots and roads is a potential source of pollution; the SWPPP should be mindful of this type of pollution.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
904	Town of Middletown	2.2 Project Componenets	Will lots be sold, if so, what type of restrictions will be placed on lots and will there be any input from the local level? [with regard to Highmount Estates]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
905	Town of Middletown	2.2 Project Componenets	Is a specific housing type preferred, mandated? [with regard to Highmount Estates]	Highmount Design- SDEIS 2.2; SDEIA Plan Sets	2		
906	Town of Middletown	2.2 Project Componenets	What about colors & landscaping styles? [with regard to Highmount Estates]	Highmount Design- SDEIS 2.2; SDEIA Plan Sets	2		
907	Town of Middletown	2.2 Project Componenets	When will detailed deed descriptions be available? [with regard to Highmount Estates]	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
908	Town of Middletown	2.2.1 Golf Facilities	Where will golf carts be stored on-site during both the open season and the off season?	Golfing Facility- SDEIS 2.8.4	2		
909	Town of Middletown	2.2.3 Potable Water Supply	The DEIS has not demonstrated adequate reliable capacity of the Village of Fleischmann supply system.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
910	Town of Middletown	2.2.3 Potable Water Supply	The Applicant should demonstrate adequate capacity pursuant to NYS DOH requirements in the FEIS.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
911	Town of Middletown	2.2.3 Potable Water Supply	The Applicant should perform 24 hour constant rate pump tests on the spring and wells to establish firm yields.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
912	Town of Middletown	2.2.3 Potable Water Supply	The Applicant should describe future plans for the existing wells.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
913	Town of Middletown	2.2.3 Potable Water Supply	Based upon the provided information, and the capacity versus demand analysis, the Village supply system will have adequate reliable capacity to provide service to Wildacres.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
914	Town of Middletown	2.2.3 Potable Water Supply	The DEIS discusses a potential new supply well to be paid for by Wildacres, owned by the Village, and dedicated to the production of raw potable water to serve the Wildacres development. The capacity of the proposed well and the influence of that proposed well on adjacent wells is unknown at this time. Adequate pump testing of a new test well and monitoring of nearby wells early in the project will be necessary. The proposed well, as indicated on concept plans prepared by Delaware Engineering, is located down gradient of the proposed golf course and development. A well head protection plan for this well is necessary to prevent any surface or subsurface contamination of the well, as discussed in the section regarding the golf course.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		

915	Town of Middletown	2.2.3 Potable Water Supply	It is stated that a well head protection plan is currently being prepared by the Delaware County Soil and Water Conservation District for the Village of Fleischmanns water system. In addition, the plans indicate several existing wells on the Wildacres site. The DEIS describes the wells but does not indicate the future plans for each well. Any well which may supply potable water will require a well head protection plan.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
916	Town of Middletown	2.2.3 Potable Water Supply	The FEIS should address the following issues: 1) Perform longer term (24 hour minimum) constant rate pump tests on Well Nos. 1 and 3 2) Describe the future plans for existing wells. 3) Include well head protection plans for any of the wells to be used for potable water. 4) The Village should contractually require the necessary improvements to the Village system in order to provide raw water to the Wildacres Resort. In addition, maximum firm peak potable water limits for providing services should be established. A means of monitoring and controlling peak water use should be established.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
917	Town of Middletown	2.2.3 Potable Water Supply	What role, if any, would the Wildacres resort complex perform regarding the Fleischmanns water supply if the Village happened to dissolve? Who is responsible for the maintenance of municipal lines, up to and on the site?	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
918	Town of Middletown	2.2.3 Potable Water Supply	A contract with Fleischamnns for the purchase of water should include a clause requiring any contamination or destruction of the Village water supply as a result of this proposal will result in a new system for the village being developed and installed by the owners of the resort complex. The contract should also include a release clause that the village can impose at any time to protect their own supply and demand including in times of drought.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
919	Town of Middletown	2.2.3 Potable Water Supply and 2.2.5 Irrigation Water Supply	Discuss and address the Village water system capacity to provide service to Wildacres Resort, Highmount Golf Club, and Highmount Estates.	Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application	2		
920	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The DEIS does not address disposal of sludge produced by the plant.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
921	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The DEIS does not address potential odor impact on nearby residences	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
922	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The FEIS should address three issues: chlorine gas and other hazardous materials leakage; emergency planning; disposal of sludge, as outlined in the review.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2	The Pine Hill WWTP uses UV light reactors instead of chlorine to disinfect the wastewater	
923	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The FEIS should address potential odor impacts on nearby residents.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
924	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The construction of a WWTP typically creates visual and potential adverse olfactory impacts to aesthetics. These impacts can be minimized through proper design of the plant. Required access to the plant will be via Van Loan Road located west of County Route 49A. The final design of the WWTP site should provide for all required vehicular and pedestrian access.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
925	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The DEIS has not addressed the available acceptable off-site locations that would be willing to receive sludge from the WWTP	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		

926	Town of Middletown	2.2.4 Wastewater Treatment and Disposal	The FEIS should address the following issues: 1) Discuss the potential for leakage from gaseous chlorine cylinders, if employed in the final design of the WWTP 2) An emergency hazardous materials preplan should be developed, working with the local fire department as a condition of site plan approval. 3) Discuss acceptable locations and associated impacts at the locations that would be willing to receive sludge from the WWT page	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
927	Town of Middletown	2.2.5 Irrigation Water Supply	The use of tertiary treated wastewater for irrigation is a safe and commonly used practice.	Comment does not raise any substantive issues / no response required	4		
928	Town of Middletown	2.2.5 Irrigation Water Supply	The Village of Fleischmann water supply system capacity needs to be more dully demonstrated.	Comment does not raise any substantive issues / no response required	4		
929	Town of Middletown	2.2.5 Irrigation Water Supply	The irrigation plan needs to be clarified as to the proposed irrigation water sources.	Irrigation- SDEIS 2.8.6; 3.2.1; Appendix 13	2		
930	Town of Middletown	2.2.5 Irrigation Water Supply and 3.3.2 Groundwater Resources - Potential Impacts	Discharge to the 7.4 million gallon pond will occur during the golf season and the water will be used for course irrigation. The pond will be lined and designed to deter spillage or failure. The pond and treatment plant will be sited outside of Fleischmanns' Wellhead Protection Areas. The discharge to the intermittent tributary will be inside the WPA but the surface discharge should not affect the water supply of Fleischmanns. The treatment plant will have emergency power if needed.	Comment does not raise any substantive issues / no response required	4		
931	Town of Middletown	2.2.6 Site Drainage and Grading	The height of fill around proposed detention basins (currently indicated by 5 foot contours) is one of the determining factors as to whether a particular pond will require a dam safety permit. This requirement should be reviewed by the design professional as the design progresses	Irrigation- SDEIS 2.8.4	2	The pond will be excavated (no dam structure) and lined with an impervious liner, and the storage	
932	Town of Middletown	2.2.6 Site Drainage and Grading	Address whether any slope stability issues may result from the proposed stormwater management plan, especially at embankments built for detention ponds.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
933	Town of Middletown	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Existing Conditions	Evaluate all existing storm culverts under roadways to determine the pre-development capacity and adequacy of the culverts and their existing flooding and erosion potential.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
934	Town of Middletown	2.2.6 Site Drainage and Grading	Erosion control measures for controlling erosion from larger storm events (i.e., 100 year storm event) which cannot be hydraulically discharged by level spreaders require the erosion control team to perform its responsibilities for the entire project site, not just the golf course.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
935	Town of Middletown	2.2.7 Traffic, Parking and Pedestrian Circulation and 3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	While some may find the extra traffic that is generated as an inconvenience, increased traffic usually means increased spending in the local area. The seasonal/event-based traffic signal at the crest of Rt. 28 at Highmount will mitigate safety concerns at that intersection. A shuttle service will be available for trips between the resorts and the ski center, minimizing that potential impact. Left-turn lanes at appropriate intersections and better signage will also be incorporated to ease traffic flow.	Comment does not raise any substantive issues / no response required	4		
936	Town of Middletown	2.2.7 Traffic, Parking and Pedestrian Circulation and 2.3.2 Construction Stage Activities	What about delivery of goods and service during the construction phase? What can we anticipate regarding truck traffic and employee traffic during the construction phase? This section only talks about the operational stage.	Traffic- SDEIS 3.5	2		

937	Town of Middletown	2.2.8 Lighting	Parking lot illumination should be reduced to an average/minimum level of 0.6/.15 foot candles.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
938	Town of Middletown	2.2.8 Lighting	During the winter, project lighting is seen in the context of the existing Belleayre Ski Resort whose bright lighting already sheds significant light into the viewshed and would dwarf project lighting.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
939	Town of Middletown	2.2.8 Lighting	"Warm" metal halide lamps should be used to moderate the bright white color of these lights.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
940	Town of Middletown	2.2.8 Lighting	When compared to typical commercial or residential lighting plans, this is a restrained plan that will keep overall light levels and trespass to a low level. The Illuminating Engineering Society of North America (IES) recommends average/minimum levels of 2.4/0.6 foot candles for medium commercial development like community shopping centers and office parking, and 0.8/0.2 foot candles for low level lighting of neighborhood shopping or educational facilities. The illumination levels chosen for each site are a function of several factors, including activity, setting and context. We recommend that the parking lot lighting be designed to achieve an average lighting level of 0.60 and a minimum level of 0.15 foot candles. These levels are appropriate and adequate for this type development and setting	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
941	Town of Middletown	2.2.8 Lighting	Consideration of light impact from Wildacres must be made in the context of the existing Belleayre Ski Center. Trail lighting for skiers and illumination of late night snow making already introduces considerable light into the viewshed. This is not a dark, pristine wilderness area, and light from Wildacres will appear modest in comparison. Warm season lighting, of course, will not be drowned out by the ski center. Nevertheless, the lighting scheme will limit the development's contribution to night glow as much as possible by keeping overall levels low and directing light downward. It is recommended that the developer provide illumination analysis of a completed lighting plan during site plan review.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
942	Town of Middletown	2.2.8 Lighting	Although many steps have been taken to reduce the amount of light "pollution", on-site safety should supersede outside concerns.	Lighting, Landscaping and Signage- SDEIS 2.8.11 Visual Impacts- SDEIS 3.6	2		
943	Town of Middletown	2.2.9 Landscaping and Open Space Management	Deciduous trees are prolific seeders. What is the advantage of planting deciduous trees vs. letting them reseed naturally? Was the impact of natural reseeding considered in the plan for tree planting or what impact will natural reseeding have on the tree planting plan?	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
944	Town of Middletown	2.2.10 Signage	No mention of the signage requirements for residences; will they adhere to local codes or will this be addressed in deed restrictions/use of property?	Signage- SDEIS 2.8.11	2		
945	Town of Middletown	2.2.11 Utilities	Will utility upkeep/fuel management of non-hotel residences will be performed by staff, similar to that of a university, or will individual patrons have some means of control? Will utility costs be included with other costs or will they be stand-alone?	Comment does not raise any substantive issues / no response required;	4		
946	Town of Middletown	2.3.1 Construction Schedule	Will there be time limits during the construction phase to mitigate potential noise and traffic impacts? Will they work on holidays?	Construction Activities- SDEIS 2.8.9	2		
947	Town of Middletown	2.3.1 Construction Schedule	Will the Highmount Estates be constructed all at once by the developer, or will they be built according to demand?	Construction Activities- SDEIS 2.8.9	2		

948	Town of Middletown	2.3.2 Construction Phase Activities 3.8.4 Visual Resources and Aesthetics - Sound Resources	The Applicant should address discrepancies noted regarding rock crushing and receptor W-7 in the FEIS.	Construction Activities- SDEIS 2.8.9	2		
949	Town of Middletown	2.3.2 Construction Phase Activities 3.8.4 Visual Resources and Aesthetics - Sound Resources	During construction, earthen berm sound barriers should be installed around the rock crushing plant.	Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
950	Town of Middletown	2.4 Operational Stage Activities	The Applicant's DEIS in a number of places states that the project will be "a four season world-class Resort." However, there are likely to be some seasonal peaks and down periods. There is, however, no place in the DEIS, where the use/occupancy patterns are described and quantified by season.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
951	Town of Middletown	2.4 Operational Stage Activities	Work with SUNY Delhi to develop an apprenticeship that could employ students in the hotel management school, the culinary school and the turf management school.	Comment does not raise any substantive issues / no response required	4		
952	Town of Middletown	2.4 Operational Stage Activities and 3.10.2 Socio-Economic Setting - Potential Impacts	It would be very useful for the Applicant to identify the seasonal patterns of use/occupancy at the Resort, to evaluate the implications for existing and potential new businesses in the Route 28 Corridor regarding the seasonal variation and effects for local spending by Resort visitors and employees in offsite locations. It would particularly strengthen their analysis and findings on the prospective benefits of the Resort to the local economy.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Traffic- SDEIS 3.5	2		
953	Town of Middletown	2.4.2 Employment	The DEIS also does not adequately address the issue of the availability/sufficient supply of the local/regional labor pool within commuting distance --- versus the case that many new workers might need/seek such housing within the towns in the Corridor. These small rural towns, shown in the 2000 Census which was not utilized in the DEIS, have a limited supply of rental housing.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
954	Town of Middletown	2.4.3 Operational Stage Activities - Employee Housing	The low-end/seasonal jobs will not be filled by local residents. I just don't buy that at all. They will be filled by immigrants and/or foreign workers imported specifically to fill the low-end/seasonal jobs. This trend has been seen at resorts across the country. These workers come for the season, leaving families behind, all for the better pay in the US. Because of the development's proximity to NYC, one could also expect a migration of folks from downstate to fill resort jobs. This seems even more reasonable given the current Mexican population in the Village of Fleischmanns. An existing local ethnic population often has established ties and networks with similar populations downstate. What housing opportunities exist for either of these groups?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

955	Town of Middletown	2.4.3 Operational Stage Activities - Employee Housing and 3.10.2 Socio-Economic Setting - Potential Impacts	The high-end employees will probably find housing in the area between Oneonta to Kingston. The two larger cities offer more advantages; however, these workers may choose to locate closer to the resort. If that is the case, the Villages of Margaretville, Fleischmanns, Phoenicia and Boiceville may see population growth. Because of their ability to commute and the large area in which they may settle, the higher-end employees probably won't impact any one of the areas too greatly.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
956	Town of Middletown	2.4.3 Operational Stage Activities - Employee Housing and 3.10.2 Socio-Economic Setting - Potential Impacts	The lower-end employees probably do not have the ability to commute long distances. As a result, it would be expected that these groups would need to be as close as possible to Crossroads. Margaretville, Arkville, Fleischmanns and Pine Hill would all be likely destinations if suitable housing and transportation was available. Fleischmanns, in particular, would be a likely destination because of the existing ethnic population and proximity to the development. While larger single-family houses may be available in the area, group quarters for seasonal workers will probably need to be constructed.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
957	Town of Middletown	2.4.6 Energy and Materials Management	Product purchasing: How will this be guaranteed, how would anyone know and what could be done if less environmentally sound products are brought into use?	Energy and Materials Management- SDEIS 2.8.12	2		
958	Town of Middletown	2.4.7 Delivery of Goods and Services	Will local delivery schedules/frequency be affected by the energy demand of such a large capacity facility?	Utility Services- SDEIS 2.8.12; 3.10(5); Appendix 27; 8.0	2		
959	Town of Middletown	2.4.8 Golf Course Integrated Pest Management and 2.3.2 Construction Stage Activities	The DEIS stated that fertilizers and pesticides will not be used during the construction phase. However, to have a functioning golf course on Wildacres by Year 3 of construction, turf management will have to begin soon after final grading is complete on each phase.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
960	Town of Middletown	2.4.8 Golf Course Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	The DEIS coverage of potential pesticide impacts on birds at golf courses cites studies revealing no significant impacts. In addition, the sections on golf course management state that the most toxic pesticides will not be used. We concur with the DEIS assessment.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
961	Town of Middletown	Appendix 15 Fertilizer and Pesticide Risk Assessment	The Fertilizer and Pesticide Risk assessment draws upon extensive research and is well documented and reasoned. Its methodology models worst case conditions and calculates results before dilution by surface and ground water, thus providing a large margin of safety when real world conditions are encountered. There is concern about the applicability of the leaching modeling program to the thinner soils present on the site. The FEIS should address this concern.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
962	Town of Middletown	Appendix 15 Fertilizer and Pesticide Risk Assessment	The FEIS should address concerns about the risk assessment leaching model's applicability on thin soils.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
963	Town of Middletown	Appendix 15 Fertilizer and Pesticide Risk Assessment and 2.4.8 Integrated Pest Management	We conclude that pesticide and fertilizer application will not likely adversely affect ground and surface water drinking water supplies, particularly when IPM best management practices and application limits are complied with. However, since the Village of Fleischmann's wells and springs are located down hill from the golf course, extra concern is warranted.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

964	Town of Middletown	Appendix 15 Fertilizer and Pesticide Risk Assessment and 3.3.2 Groundwater Resources - Potential Impacts	After having percolated through shallow and porous soils, leachate could follow the sloping bedrock down the mountain to the water supply springs. Given the results of the risk assessment modeling described above, it seems unlikely that concentrations of nitrates or pesticides would reach the safety standards, unless the materials accumulated in some manner.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
965	Town of Middletown	3.1.1 Geologic and Topographic Resources - Existing Conditions	A point of concern on page 3-4 regarding the soils and the placement of the Wildacres Resort Hotel: The site is located on shallow Halcott soils that are considered groundwater recharge soils. Disruptions of this area may have significant impacts on the quality and quantity of available groundwater for the Village of Fleischmanns.	Soils- SDEIS 3.3; Potable Water- SDEIS 3.2; Appendix 9, NYSDEC WSA Application; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
966	Town of Middletown	3.1.2 Geologic and Topographic Resources - Potential Impacts and 3.3.2 Groundwater Resources - Potential Impacts	Blasting of rock for the Wildacres Hotel site looks like it won't impact well water resources in Fleischmann's -- didn't address springs in the area but it seems unlikely that relieving overburden would impact underlying strata that supply the springs - blasting already occurs at the Belleayre Ski Center and no complaints have been registered from that - 375,000 cu yds over three months to be removed between the hotel site and part of the pond area - blasting will be mitigated by usual techniques	Comment does not raise any substantive issues / no response required	4		
967	Town of Middletown	3.1.3 Geologic and Topographic Resources - Mitigative Measures	Notification of residents within the allocated distance required for blasting should not be optional, it should be mandatory	Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
968	Town of Middletown	3.2.1 Surface Water Resources - Existing Conditions and 3.2.2 Surface Water Resources - Potential Impacts	The presence of unmapped drainages that appear in the upslope region, disappear at a point underground, and then reappear farther downslope is of great concern. The ability for these to influence the availability of groundwater should be taken into consideration. Any of these such drainages within the drainage basin of the Village's water supply has the potential to influence the Village's water supply and disturbance or contamination should be avoided at all costs.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
969	Town of Middletown	3.2.2 Surface Water Resources - Potential Impacts	The amount of blasting required in the area will have a net overall result of increasing infiltration in the surrounding areas from the blast. This induced increase in potential recharge allows for less time to react to potential contaminants once in the groundwater. This also may serve to create a new preferred orientation of groundwater transport which may ultimately cause Fleischmanns water supply to suffer. There is no mention of how the effects of proposed blasting and mass disturbance upslope of the Village's spring water supply.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Drainage, Grading and Earthwork- SDEIS 2.8.8	2		
970	Town of Middletown	3.2.2 Surface Water Resources - Potential Impacts	The stormwater analysis should evaluate the effects of "perched" water that may travel along the surface bedrock/impervious soil layer, possibly resulting in groundwater discharge near the toe of the slopes.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
971	Town of Middletown	3.2.2 Surface Water Resources - Potential Impacts	The FEIS should address the turfgrass implications of limiting phosphorus applications to comply with NYS DEP requirements. How will the limits be enforced?	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

972	Town of Middletown	3.2.3 Surface Water Resources - Mitigation Measures and 3.3.3 Groundwater Resources - Mitigation Measures	The chemicals for treating the water at the resort should be stored in a secure location in the eastern section of the resort, in the area deemed least likely to contaminate the water supply.	Bulk Storage- SDEIS 1.4.4	2		
973	Town of Middletown	3.2.3 Surface Water Resources - Mitigative measures and 3.9.3 Community Resources - Potable Water	The Applicant should conduct further field testing, coordinate with the County on well head protection, and monitor Village of Fleischmann water supply quality, as outlined in the review.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
974	Town of Middletown	3.3.1 Groundwater Resources - Existing Conditions	The other well in question is also along Emory Brook. This well, according to the current water superintendent, is no longer owned by the Village of Fleischmanns. In fact, if this is the same well, it has been capped and covered and is now worthless for data purposes. Therefore, the overall water capacity data for the Village of Fleischmanns may be inaccurate which may warrant concern for the availability of the spring water for the proposed usage by the Wildacres Resort.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
975	Town of Middletown	3.3.1 Groundwater Resources - Existing Conditions	With respect to location, sampling the Rashid well will yield useful information about the lower portions of the Wildacres site. However, much of the recharge area of the springs is located fairly distant to that well.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
976	Town of Middletown	3.3.1 Groundwater Resources - Existing Conditions and 3.2.1 Surface Water Resources - Existing Conditions	Another issue of concern is the discharging of effluent into the unnamed tributary of Emory Brook that runs near the Village's water supply. To do this, the tributary needs to be acting as a ‘gaining stream’ meaning that it is fed by the water table rather than a ‘losing stream’ which adds to the groundwater in the area. Tributaries of this type have a tendency to do both at different times of the year, as long as the ‘gaining’ times match the effluent discharge times, there should be no problem.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
977	Town of Middletown	3.3.1 Groundwater Resources - Existing Conditions and 3.3.2 Groundwater Resources - Potential Impacts	The structural integrity of the Fleischmanns water supply is currently in question. The reservoir holding the springs and one well's water is leaking and may be adversely affected by the vibrations caused by blasting.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
978	Town of Middletown	3.3.2 Groundwater Resources - Potential Impacts	While the Fleischmann wells are in rock and presumably shielded from leachate in the soil horizons above, fissures in the bedrock could provide an avenue for vertical transport into water bearing veins. The question is whether or not the leachate would be of such concentration as to adversely affect those veins and eventually the wells.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		

979	Town of Middletown	3.3.2 Groundwater Resources - Potential Impacts	The use of pesticides on the golf courses is also of concern where the Village water supply is concerned. The report indicates no pesticides would have a residence time greater than the 30 to 60 days, in compliance with New York City regulations, however, there is no study done to show if this residence time is enough to prevent contaminants from entering the Village's water supply.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
980	Town of Middletown	3.3.2 Groundwater Resources - Potential Impacts	The water well data presented in the report is questionable. This is because of concerns with two of the reported wells. The two wells in question lie along Emory Brook. The first well is no longer connected (a result of the 1996? flood), and even if it were, it is in close proximity to the brook itself (less than 50 ft). In this situation, there may be a concern with the amount of water that could be pumped before inducing recharge from the brook itself. This is commonly referred to as "wells under the influence of surface water," and cannot be permitted for municipal drinking water supplies.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
981	Town of Middletown	3.3.3 Groundwater Resources - Mitigation Measures	Given the public health imperative to ensure safe drinking water, we recommend the following: 1)Develop a field study to test whether a traceable solution applied on the golf course area migrates into the Fleischmann water supply. 2) Coordinate with Delaware County and the Village of Fleischmanns in the development of protocols and standards for the ongoing well head protection program. 3) Regularly monitor Village water quality and report to the Village and DEC. 4) The Applicant should guarantee Fleischmans water supply quality by agreeing to remedy contamination caused by its activities.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
982	Town of Middletown	3.3.3 Groundwater Resources - Mitigation Measures	The importance of maintaining public drinking water quality, and potential infiltration through and along subsurtace rock, counsels special vigilance and several recommendations.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
983	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	As a means of mitigation if water supply becomes a concern, the resort MUST drill a new well for Fleischmanns and its own use.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
984	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	The Applicant should be required to remedy any significant contamination of the Village of Fleischman water supply.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
985	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	The storage of the fertilizer, chlorine, and other chemicals used to treat the water supply and golf courses should be well away from potential contaminant locations and recharge areas involved with the Fleischmanns springs.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Bulk Storage- SDEIS 1.4.4	2		
986	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	There is very little that can be done to remove contaminants from groundwater; therefore, another water source location should be identified in an area geographically and hydrogeologically separated from the current sources to ensure the ability to provide for the community as well as the resort should an accident happen and the groundwater become contaminated.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
987	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	Before blasting takes place, an emergency management plan for locating a new water supply for the Village as well as the resort should be undertaken.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Drainage, Grading and Earthwork- SDEIS 2.8.8	2		

988	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	Groundwater sampling for pesticides, Nitrogen and Phosphorus should continue indefinitely to ensure no contamination during operation stages.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
989	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	The majority of mitigation techniques to protect the groundwater resources in the Fleischmanns vicinity are good. For example, minimizing the use of pesticides and fertilizers is the best first step to avoid contamination migrating off-site. The modeling used to judge proper application rates also seems to be sound. However, the groundwater quality testing program being proposed (3.3.3.G.2) by the applicant is unclear.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
990	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	Prior to construction, the applicant proposes a baseline sampling regime on the existing Rashid well to test for nitrates and EPA 8081 pesticides that will be used onsite. During construction, no sampling is proposed. Then annual sampling will resume during grow-in and for the first five years of full resort operation. If these samples are non-detect, sampling will be discontinued after the initial five-year period. A criticism of the proposed sampling is that the regime is lacking in timing, frequency and location since the bulk of the Wildacres assemblage falls directly within the primary and secondary recharge areas for the Village's spring water supply.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
991	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	The applicant should establish one or two additional monitoring sites in or near the primary spring recharge area (as indicated on a Fleischmanns location map for submittal). This site(s) should be established as soon as possible to order to obtain baseline data in addition to baseline data from the Rashid well.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
992	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	In relation to the proposed monitoring the timing and frequency of sampling should be expanded.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
993	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	During the early construction phase, monitoring should be done for contaminants like Polynuclear Aromatic Hydrocarbons and Total Petroleum Hydrocarbons in case of spills during the greatest use of heavy equipment. After the heaviest construction and during grow-in, nitrate and pesticides should be monitored.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
994	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures	Sampling annually is insufficient. Sampling around spring sources and wells should occur monthly during the growing season (March -- November) when potential contaminants will be used. The additional cost of sampling and analysis is small compared to cleaning up and treating a contaminated water supply. Plus, community residents will be assured indefinitely that their water supplies remain safe during the operation of the resort.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
995	Town of Middletown	3.3.3 Groundwater Resources - Mitigative Measures and 2.4 Operational Stage Activities	During full operation, monitoring should continue indefinitely. While the resort may not contaminate the water supply, it remains uncertain if the homeowners in the Highmount Estates residential subdivision could avoid the same. If the residents of the subdivision are allowed to establish their own lawn maintenance schedules and practices, contaminated runoff from the subdivision may be a concern. The applicant may want to consider performing maintenance within the Highmount Estates in perpetuity as an additional mitigation measure.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2	2		
996	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The FEIS should include a quantitative analysis of potential wood stove air quality impacts.	Air Quality- SDEIS 3.12	2		

997	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	Wood stoves and fireplaces will likely increase in number, likely resulting in minimal, though unanalyzed impact.	Air Quality- SDEIS 3.12	2		
998	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	Potential impacts from space heating furnaces were not analyzed in the DEIS.	Air Quality- SDEIS 3.12	2		
999	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The FEIS should include an analysis of potential dust impacts for cars, homes, and vegetation.	Air Quality- SDEIS 3.12	2		
1000	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The Town should require daily monitoring of dust collection equipment at cement and rock crushing plants, with shut down if equipment efficiency is inadequate.	Air Quality- SDEIS 3.12	2		
1001	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The Town should require air quality monitoring at surrounding receptors, with shut down for non-compliance with government standards.	Air Quality- SDEIS 3.12	2		
1002	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	Air quality could be affected by construction activities, including fugitive dust, blasting, rock crushing, concrete production, and truck and equipment exhaust. Post-construction sources include wood stoves and fireplaces, space heating furnaces, and vehicle emissions from an expected traffic increase.	Air Quality- SDEIS 3.12	2		
1003	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The DEIS analyzed the potential for ongoing traffic-related impacts to air quality at the microscale and mesoscale levels. Based on NYS Department of Environmental Conservation and Department of Transportation criteria, the projected traffic numbers and intersection configurations will not jeopardize attainment of ambient air quality standards and therefore detailed quantitative air quality analysis is not required.	Comment does not raise any substantive issues / no response required	4		
1004	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	Wood burning stoves and fireplaces are analyzed in a less formal manner. The DEIS calculates that the project will result in a reduction of three wood burning stoves or fireplaces from the existing number (16 to 13). However, it is pointed out that the 20 single family homes of Highmount Estates subdivision will likely have wood stoves or fireplaces. The analysis concludes that this potential increase of 17 wood burners would be over the entire 1960 acres of the project, implying negligible adverse impact to local air quality.	Air Quality- SDEIS 3.12	2		
1005	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	Negative impact may be the result, as modern wood stoves burn fairly cleanly and the smell of wood smoke is a common and accepted part of rural life, but the DEIS offers no criteria or analysis of wood stove emissions to support its implied assessment. Further analysis should be provided by the applicant.	Air Quality- SDEIS 3.12	2		
1006	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The club houses, condominiums, and private houses will require energy for space heating. Electric heat would have no local effects on air quality; however, the potential effects from oil or gas fired systems was not analyzed.	Air Quality- SDEIS 3.12	2		
1007	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	While the DEIS concludes that particulate concentrations in the air would not adversely affect humans, it did not note or address the effect of accumulating dust on homes and automobiles, or the impact of highly basic rock and cement dust on surrounding vegetation.	Air Quality- SDEIS 3.12	2		

1008	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts	The DEIS offers no analysis of the effects of emissions from diesel construction equipment and trucks.	Air Quality- SDEIS 3.12	2		
1009	Town of Middletown	3.4.2 Climate and Air Resources - Potential Impacts and 2.3.2 Construction Stage Activities	The results seem to hinge upon reliable and continuous operation of very highly efficient (95%) dust collection equipment. We recommend that 1) this equipment be monitored daily and that operations be shut down if dust collection efficiency is inadequate; and 2) that air quality be monitored at several surrounding receptors weekly for compliance with EPA standards, with plant shutdown for non-compliance.	Air Quality- SDEIS 3.12	2		
1010	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	The Town should review site and planting plans during site plan review to ensure compliance with the mitigation measures proposed in the DEIS.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
1011	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	One objective is the protection of rare, threatened or endangered species. Vegetation surveys have indicated no such plant species. While we don't like to see forests cleared, these are not unique in the Catskills or New York, and impacts from clearing would not be significant from this standpoint	Comment does not raise any substantive issues / no response required	4		
1012	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	The Wildacres development would disturb 212 of 718 acres, or 30% of the total. This is a favorable ratio of cleared to undisturbed forest for any development.	Comment does not raise any substantive issues / no response required	4		
1013	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	The DEIS itemizes a number of mitigation measures regarding clearing, starting on Page 3-86 of Volume 1. These are appropriate measures that will minimize clearing and ensure a higher level of landscape design. They also include the planting of over 1,500 new trees on the Wildacres site along with thousands of ornamental shrubs and trees. We recommend that site plans be reviewed by the Town during site plan review to ensure compliance with the listed mitigation measures, especially the use of non-invasive plant species.	Lighting, Landscaping and Signage- SDEIS 2.8.11	2		
1014	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	Since clearing is an integral and inevitable aspect of much development, the goal is to protect the most vulnerable fauna and its habitat - namely, rare, threatened or endangered species as identified by NYS DEC. Since none have been found on the site, from an endangered species standpoint, there is no adverse impact.	Comment does not raise any substantive issues / no response required	4		
1015	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	Will local logging companies be utilized for timber removal?	Terrestrial and Aquatic Ecology- SDEIS 3.4; Energy and Materials Management- SDEIS 2.8.12	2		
1016	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	How will logging crews be selected?	Terrestrial and Aquatic Ecology- SDEIS 3.4; Energy and Materials Management- SDEIS 2.8.12	2		
1017	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	Will it be a requirement that they be trained in BMPs for logging?	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		

1018	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	Will tops be removed from the site if they are not used for building wildlife cover?	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1019	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	When pruning limbs to create views, what will be done with the limbs?	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1020	Town of Middletown	3.5.1 Terrestrial and Aquatic Ecology - Vegetation	When at all possible the developer should utilize local contractors and local businesses.	Project Benefits- SDEIS 1.3.G	2		
1021	Town of Middletown	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The Applicant should comply with the mitigation measures proposed in the DEIS.	Comment does not raise any substantive issues / no response required;	4		
1022	Town of Middletown	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	The total amount of wetland filled for the entire project would be 0.0993 acre. This is below the 0.1 acre ACOE threshold, for a Nationwide Permit; no individual permit would be required. Wetlands impacts are not significant, and no creation of offset wetlands will be required by the ACOE.	Comment does not raise any substantive issues / no response required;	4		
1023	Town of Middletown	3.5.2 Terrestrial and Aquatic Ecology - Wetlands	There is a concern with the filling of wetlands in the proposed Wildacres area. These wetlands may actually contribute to the recharge of the Fleischmanns spring location. Filling these in my negatively impact the overall discharge of the springs down gradient of spring location.	Wetlands- SDEIS 3.4.2; Groundwater Resources- SDEIS 3.2;	2		
1024	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Forest clearing should be prohibited during nesting season (mid May through mid July).	Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10 & 11	2		
1025	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Prior to any winter clearing, Great Horned Owl nests should be located and protected until past nesting season.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1026	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	The Applicant should comply with the mitigation measures proposed in the DEIS.	Comment does not raise any substantive issues / no response required;	4		
1027	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	orest interior habitat will be lost in favor of increased forest edge habitat, increasing local bio-diversity but decreasing global bio-diversity with respect to neotropical migrant birds	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1028	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	The proposed development, particularly the forest clearing, will destroy wildlife habitat and kill those animals who are not mobile enough to avoid the construction, primarily reptiles, amphibians and ground dwelling small mammals. Another vulnerable group is nesting birds. Clearing during the prime nesting season - mid May through mid July - will kill many, especially eggs and fledglings caught in the construction. Also, winter clearing poses a serious threat to Great Homed Owls.	Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10 & 11	2		

1029	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Large-scale clearing, results in forest fragmentation and creation of new forest/grassland edge habitat. These pose a threat to forest-interior neotropical migrant birds who's deep forest habitat has been under stress in recent years. This threat is somewhat lessened because some neotropical species inhabit elevations above 3,000 feet, whereas 2,750 feet is the limit of Belleayre. Also this habitat destruction occurs within the Catskill Park and should be viewed in the context of hundreds of thousands of acres of "forever wild" state forest preserve. The undeveloped portions of Wildacres would be added to protected habitat via the DEIS proposed deed restrictions or conservation easements.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1030	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	A number of wildlife related mitigation measures are proposed, beginning on Page 3-107 of Volume 1. These are standard wildlife management measures and should be employed. We recommend an important additional measure. Forest clearing should not occur between mid May and mid July, to protect nesting birds. Also, to protect Great Horned Owls during any winter clearing, their nests should be field located and trees protected until early spring.	Terrestrial and Aquatic Ecology- SDEIS 3.4; Commissioner's Interim Ruling (12/29/2006) on Ruling 10 & 11	2		
1031	Town of Middletown	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	Wildlife in the assemblage contains no rare, threatened or endangered species. However, deer are edge-oriented in their habitat requirements. Is there concern that the creation of more edge-type habitat will increase the visibility and population of deer to the point that it interferes with guests and staff? In some parts of the state, there are signs warning people not to approach or feed deer, as they become a nuisance. Will signage or perhaps kiosks be visible that will provide educational information about what types of animals may be seen on the golf courses or on the walking trails. Signs should include information about not feeding deer or waterfowl, avoiding bear, what to do if they see an animal acting strangely, etc.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1032	Town of Middletown	3.6.1 Soils - Existing Conditions	Soil resources can be protected by complying with the Stormwater Pollution Prevention Plan employing the mitigation measures proposed in the DEIS.	Comment does not raise any substantive issues / no response required;	4		
1033	Town of Middletown	3.6.1 Soils - Existing Conditions and Appendix 15 Fertilizer and Pesticide Risk Assessment	The pesticide testing results for the region around the Village water supply fail to address all the soils in the area. The following soils are not listed in the analysis and should potentially be considered: Lackawanna, Lewbath, Maplecerst, Mongaup, and Rockrift	Soils- SDEIS 3.3;	2		
1034	Town of Middletown	3.6.3 Soils - Mitigation Measures	The DEIS coverage of soils is adequate and the proposed mitigation measures represent standard practices that will be effective in conserving soil resources.	Comment does not raise any substantive issues / no response required;	4		
1035	Town of Middletown	3.6.3 Soils - Mitigation Measures	Soil impacts will be minimal despite extensive grading; erosion will be minimized in accordance with the E&SC plan.	Comment does not raise any substantive issues / no response required;	4		
1036	Town of Middletown	3.7.2 Traffic Patterns - Potential Impacts and Mitigation and Appendix 28 Local Surveys and Letters of Support	The DEIS traffic analysis peak traffic impacts assessment is based upon the Martin Luther King Holiday weekend, and there is no doubt that both winter and summer months will be peaking periods. Overall, in the Catskills recreational and other visitors normally peak in the summer and spring and fall periods tend to be slow seasons for visitor dependent facilities and businesses. This situation is confirmed by the response to questions 16/17 in Appendix 28: Business Community Survey.	Traffic- SDEIS 3.5;	2		

1037	Town of Middletown	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The resort should utilize signage and brochures to encourage guests to use the main corridor roads including NYS Route 28. This may help alleviate additional traffic concerns on the local and county roadways.	Traffic- SDEIS 3.5;	2		
1038	Town of Middletown	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	It may help if anything could be done to better prepare area residents for the increases in traffic expected during large special events such as seminars and conferences.	Traffic- SDEIS 3.5;	2		
1039	Town of Middletown	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures and 3.9 Community Services	The sheer number of "visitors" that could potentially be in the area at one time would create quite a strain on the area infrastructure, specifically regarding to traffic congestion. It seems difficult to predict the popularity and attendance of the resort, therefore determining the number of patrons at anyone time would be difficult. Regular shift changes will only add to the traffic.	Traffic- SDEIS 3.5;	2		
1040	Town of Middletown	3.8 Land Use and Community Character and 2.4.3 Employee Housing	If new area rental housing and lower end housing cannot be developed, then the pricing of the existing stock of such housing could increase, perhaps significantly. This possibility also has important ramifications for "community character" and is not adequately addressed by the DEIS.	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1041	Town of Middletown	3.8 Land Use and Community Character and 2.4.3 Employee Housing	Additional housing analysis should be conducted by the Applicant on the subjects of: 1) the outlook for seasonal/second home development in the Central Catskills, particularly focusing on the Route 28 Corridor, and; 2) the rental housing market in the towns around the Project site, using the 2000 Census data and other relevant sources.	Community Character- SDEIS 3.8.3; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1042	Town of Middletown	3.8..4 Visual Resources and Aesthetics	For those areas which have significant views, the project's character and design is visually compatible with the surrounding landscape and thus will not create significant adverse visual impact.	Comment does not raise any substantive issues / no response required;	4		
1043	Town of Middletown	3.8.2 Land Use and Community Character - Adjacent Land Uses and Community Character	No discussion about the zoning of the area verses the rest of the facility. Will residential areas be sub-zones of another zone according to local land-use regulations? What about district regulations for these zones and the time and money needed to re-work existing codes and regulations to adequately apply to this multi-faceted development.	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
1044	Town of Middletown	3.8.3 Land Use and Community Character - Local and Regional Land Use Plans	Special Permit applications in Middletown require Site Plan review. The project will require a Subdivision Review as well.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
1045	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics	Currently, the land of the assemblage is undeveloped with some logging, hunting and hiking. Adjacent land is primarily state-owned with some residential land close by. Community character in the nearby area is very rural with increased residential development over the past 35 years. Tourism is the big draw for the area. Most commercial and residential development is in nearby hamlets and villages. Land in Middletown is zoned R-1, R-3 and R-5. Existing local and regional management plans support increasing tourism and expanding offerings in and around the Belleayre Ski Center. Visual impacts from the resort itself will be minimal from surrounding points of reference. Light and sound impacts will also be minimized by using appropriate lighting and noise mitigation techniques, both during and after construction.	Comment does not raise any substantive issues / no response required;	4		

1046	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	A visual resource assessment should include three main components: 1) a description of the affected landscape; 2) an assessment of the visual impact (positive or negative) resulting from a proposed development; and 3) a prescription for mitigating adverse impacts. The DEIS provides such an analysis and reaches conclusions based on sound methodology and recognized principles of landscape aesthetics. The assessment clearly describes the Catskill landscape setting for the project. Absent however, is a scenic quality analysis based on regional criteria, often included in landscape assessment studies. Nevertheless, such a quality assessment would add little to the analysis for this project and is not recommended.	Visual Impacts- SDEIS 3.6;	2		
1047	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The methodology for the visual impact assessment has two parts: 1) a determination of the potential visibility of the project from important vantage points; and 2) a description of the character and significance of that visibility. This methodology provides a qualitative analysis that goes beyond the straightforward question of visibility by addressing how the project will be perceived by a viewer.	Visual Impacts- SDEIS 3.6;	2		
1048	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The first step, however, is determining visibility. The DEIS methodology included the following elements: 1) establishing a study area; 2) choosing potential distant vantage points such as mountain peaks and overlooks; 3) conducting a limit-of-visibility analysis for middleground and foreground views. Study methods included map analysis, cross sections, computer modeling, field checking, photographs, and balloon simulations; and 4) identifying particular vantage points for qualitative analysis.	Visual Impacts- SDEIS 3.6;	2		
1049	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Middleground viewpoints with potential views to the Wildacres part of the project are limited to Wood Road in the Village of Fleischmann and Sunset Lodge at the Belleayre Ski Center. Views from NYS Route 28 are insignificant due to viewing angle, topographic and vegetative screening.	Visual Impacts- SDEIS 3.6;	2		
1050	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Of the 17 distant viewpoints, only four have any potential view of the development. However, each of these views exceed 15 miles, and from that distance, the project's visibility and impact will be negligible.	Comment does not raise any substantive issues / no response required;	4		
1051	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Visual impact is as much about people's perceptions and attitudes as it is about whether something can or cannot be seen. Another example demonstrates the concept of "visual meaning." Electricity producing wind turbines are being built around the world. Often, initial local opposition based on visual impact has given way to active acceptance as people embraced the concept of environmentally clean and sustainable energy. What was initially perceived as ugly is now considered interesting and often beautiful because of what it represents, Hence, its "meaning" can change people's perception.	Comment does not raise any substantive issues / no response required;	4		

1052	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	While the DEIS's visual assessment does not provide a clear definition of visual impact, it does address important visibility and contextual factors used in visual analysis. These include distance, scale, prominence, design, land use context, and others. By weaving these factors into the discussion, the DEIS adequately addresses the nature of potential visual impacts.	Comment does not raise any substantive issues / no response required;	4		
1053	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Actual visibility of the Wildacres development is very limited. The view from Wood Road is the most pronounced as a large portion of the golf course and resort hotel would be visible from about 1.3 miles. However, the nature of the clearing creates a pattern of open land and forest that is similar to the existing rural residential and agricultural setting. A horizontal pattern actually blends with the landscape in a more naturalistic way than the vertical clearings of the Belleayre ski slopes, seen as a backdrop to the golf course. The recreational use and vegetation pattern are visually compatible in this context.	Comment does not raise any substantive issues / no response required;	4		
1054	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	The architectural design of the proposed buildings is with the exception for the wastewater treatment plant, of high quality and reflective of Catskill vernacular architecture. It is a positive factor that contributes to the visual compatibility of the project in this setting.	Comment does not raise any substantive issues / no response required;	4		
1055	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics and Appendix 21 Visual Impact Study	Because of the project's limited visibility, high quality landscape and architectural design, and essential landscape compatibility, the DEIS's assessment of insignificant adverse visual impact is well founded. In addition, the proposed mitigation measures listed on Page 3-168 of Volume 1 describe a high level of architectural and site design that will help ensure landscape compatibility. A further recommendation is to revise the design of the treatment plant buildings to reflect the high quality vernacular architecture proposed for the other project buildings.	Visual Impacts- SDEIS 3.6;	2		
1056	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources	Noise modeling calculations for the rock crushing plant contain some discrepancies, calling into question some assessment and mitigation conclusions.	Noise- SDEIS 3.9;	2		
1057	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources	Following construction and during the operation of the project, the only significant source of increased noise will be the increased traffic on NYS Route 28, particularly during peaks on weekends during the winter. Calculations indicate a modest overall sound increase of 2 dBa, which is at the low range of perceptibility.	Noise- SDEIS 3.9;	2		
1058	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources	The Town should establish its own daily and weekly construction schedule, enforce mitigation measures proposed in the FEIS, and require the Applicant to notify residents in advance of blasting activity.	Construction Activities- SDEIS 2.8.9; Drainage, Grading and Earthwork- SDEIS 2.8.8;	2		

1059	Town of Middletown	3.8.4 Land Use and Community Character - Visual Resources and Aesthetics - Sound Resources	The Applicant should monitor sound levels at sensitive receptors regularly during construction and adjust activities as required to comply with standards set forth in the DEIS.	Noise- SDEIS 3.9;	2		
1060	Town of Middletown	3.9 Community Services	The developer should make annual contributions to the local hospitals and fire and emergency squads to support the services that will be required.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
1061	Town of Middletown	3.9 Community Services	The developer should provide a percentage of staff that would be trained in fire protection and as EMTs to assist in the shortage of man power in the volunteer squads.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
1062	Town of Middletown	3.9.1 Emergency Services	Is there sufficient ambulance coverage for Middletown in the project area? If not, are there plans to make arrangements?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1063	Town of Middletown	3.10 Socio-Economic Setting	The information related to property values, assessments, and taxes should be broken down and displayed for both Middletown and Shandaken separately. This data should also be shown for the current status of the acreage in question, for the period while construction is in progress and at the end of the construction of the Project.	Noise- SDEIS 3.9	2		
1064	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	The DEIS uses acceptable economic analysis methodology/techniques to describe, analyze and develop findings for Section 3.10: Socio-Economic Conditions (This statement excludes the fiscal related elements in this section - see #5 [Located in Town of Middletown Comments]). However, a major shortcoming is the absence of any detailed 2000 Census economic and demographic information for the defined Route 28 Study Area, and the towns of Middletown and Shandaken, as well as the Tri-County area.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1065	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	A significant failure in the Applicant's analysis of the project's socio-economic Impacts and implications is not including the detailed 2000 Census data, particularly most important information on the rental housing market in the towns surrounding the project and also for labor force for the same areas and tri-county area. The availability of a sufficient local labor pool, including commuting labor from the tri-County area, for the large number of new full-time and part-time job labor at the Resort is an important issue not sufficiently documented in the DEIS.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1066	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	The Applicant should supplement the issued DEIS with updated information from the 2000 Census: 1) focusing on analyzing the rental housing market in the towns near the project, and; 2) obtaining more information on the supply of labor in the tri-county area.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1067	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	The position is that the original economic study for the DEIS was completed before the 9-11 event and its subsequent economic fallout. They indicate that notwithstanding these effects, the financial/market viability of the Belleayre Resort Project remains and the economic benefit dimensions of the project still hold. We cannot directly validate or invalidate this position. However, we believe the 9-11 event, while having a major short-term effect on the economy, cannot be presumed to affect adversely the long run viability of the project. Just as the recent national and state economic downturn, starting in 2000-2001, must be abstracted from the long-term viability and economic analysis, unless one has reason to believe longer term forces and conditions will be affected in some way.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

1068	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	Absence of Socio-Economic and Housing Data from the 2000 Census	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1069	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	Not including the detailed 2000 Census data, particularly most important information on the rental housing market in the towns surrounding the project and also for labor force data for the same areas and tri-County area, in the Applicant's analysis of the project's socio-economic impacts and implications is a significant failing. The availability of a sufficient local labor pool, including commuting labor from the tri-County area, for the large number of new full-time and part-time jobs labor Resort is an important issue not necessarily sufficiently documented in the DEIS.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1070	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	Therefore, the question of people out of commute range accepting jobs at Resort and moving into the more immediate area has major ramification for the housing market in the towns around the Project. The absence of the analysis of the housing market - availability primarily of rental units and their prices - in any quantitative way is a major shortcoming in the DEIS. Applicable information from the 2000 Census would significantly help address the very important labor force and housing availability issues. (See comments later on "Induced Growth").	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1071	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	There appears to be an error in interpretation on page 3-187, fourth paragraph (also refers to table 3-39) in discussing households versus physical housing units. It says that "The household figures....include a large proportion of second homes in the area' This is analytically and definitionally incorrect - The Census only counts population and households who reside full-time in the geographic area. However the Census count of physical housing units includes those that are seasonal, recreational or occasional use, which in the Census counts are considered vacant, as their part-time users are full -time residents in another location and counted in these latter places.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1072	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	The limits of the Claritas data and the absence of 2000 Census data is very striking.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1073	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	Claritas uses average household income as the measure of absolute and comparative incomes for 1990 and 2000. However, all researchers recognize the shortcoming of using the arithmetic averages for income, since it can be skewed by a relatively few households with very high income levels. The preferred single measure that captures absolute and comparative income levels is median household incomes.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1074	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	We do note that median household incomes for the entire study area, defined by ZIP codes, would have to be estimated from Census tract household/block group income data.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1075	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	This discussion of workforce and labor force demographics also suffers form lack of reference to 2000 Census data and updates are needed and available from 1999 State Department of Labor data (tables 3-42 through 3-49).	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

1076	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	The data on 1999 average wages in Delaware and Ulster County should be updated with more recent information available from the State Labor Department.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1077	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions	While it is assumed in the DEIS that locals will take the new jobs created at the resort, the general demographics of the local populations and examples from other resort areas don't necessarily support that belief. For example, unemployment in the nearby towns of Delaware and Ulster Counties has been running between 3.5% and 6.0% - not particularly high. The jobs people are doing may be lower-end service rather than agriculture or manufacturing, yet, people are working. The jobs created at Crossroads will be of two types: higher-end management and low-end/seasonal jobs. The management positions will probably be filled by workers from other areas (downstate?) who have the specific skill sets that these jobs will require. Local _residents probably don't have these skills. Those imports will be bringing families and children and will need a place to live year-round. Where will these people live?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1078	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions and 2.4 Operational Stage Activies	The Applicant's DEIS in a number of places states that the project will be "a four season world-class Resort..." (See for example Executive Summary, page ii bottom). We don't refute this statement given the warm weather golfing, the winter access to Belleayre Ski Center and the year round availability of the conference center and other amenities onsite and offsite. However there are likely to be some degree seasonal peaks and down periods. There is, however, no place in the DEIS, where the use/occupancy patterns are described and quantified by season.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1079	Town of Middletown	3.10.1 Socio-Economic Setting - Existing Conditions page3-193 to 3-195	This is a good presentation and analysis of economic trends and conditions, which, however, would be improved by updating with more recent data through 2002.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1080	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The effects of out-shopping can have substantial ramifications for the level of the Project's spillover benefits for the local economy, and also reduce concerns about the levels of induced and secondary commercial development that might be generated by the Project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		
1081	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The relevant DEIS analysis should be corrected to cover the estimation of potential 'out-shopping' by employees of the Resort.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1082	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The following points document the important technical errors, inconsistencies in statements and treatment, and general lack of clarity/specificity on this very important subject: Lack of Sufficient Information/Clarify on Tax Receipts During Time of Construction.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1083	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	No breakdown is provided as to the types/amounts of specific tax revenues (income/sales and etc.) The EIS states that the intent is to obtain IDA financing and that "sales tax revenue generation would not occur as a result of the project's direct construction expenditures". Where then do the tax revenues for Delaware and Ulster Counties come from during the construction stages? If not sales taxes what then?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G	2		

1084	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The EIS states that there will be 1,387 +/- acres that are "undeveloped and protected from future development by legal restrictions" (conservation easements or deed covenants). It is not clear who will own the conservation easements or deed covenants. From a property tax perspective it makes a significant difference. If held by a non-profit organization, this acreage, now currently taxable, could become exempt from taxation.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
1085	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	If a forest management plan is approved by the Department of Environmental Conservation, the undeveloped acres could also as an option be entered into the Section 480a program of the Real Property Tax Law. If this were done, it would provide the property with approximately an 80 % property tax exemption. From a taxation perspective, there are, therefore, many unanswered questions about the intent and plans for the 1,387 acres of undeveloped land.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2	2		
1086	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	If the Project becomes eligible for IDA financing, Industrial Development Authorities can negotiate (on behalf of Crossroads) agreements for payments in lieu of taxes (PILOT) with local governments and school districts for a period of years. When this occurs there is no property tax levied on the value of the improvements. No mention is made of requesting a PILOT or entering into negotiations for a PILOT. This does not mean that it could not occur as the project moves forward. It is important to have clarity on the intent not to request a PILOT on the project. It is central to the DEIS discussion and documentation of prospective benefits of the Belleayre Project, and specifically critical to determining the public finance benefits for the towns of Middletown and Shandaken and the two relevant school districts, that the potential for a Pilot be clarified.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Industrial Development Agency (IDA) 1.4.2	2		
1087	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Any Pilot payments in lieu of taxes negotiated with any IDA's could significantly reduce the property taxes paid by the Project for an extended period of time. The town and school district must be aware and sign-off on any Pilot agreements.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Industrial Development Agency (IDA) 1.4.2	2		
1088	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	It should be noted that IDA Pilots are generally negotiated for projects that are "footloose" -- that could locate in any jurisdiction. Hence, Pilots are used as incentives to attract business investment that might locate in many different jurisdictions. Given that this Project needs a location in close proximity to the State Ski Center, it is not "footloose". The justification for any Pilot is, therefore, not compelling from a public policy position. The Applicant has not made any case that a PILOT is necessary for the Project's financial viability and, therefore, to the development of the Project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Industrial Development Agency (IDA) 1.4.2	2		
1089	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The estimated full market value of $ 235.8 million for the Project, excluding the Highmount Estates subdivision, fails to include the value of the land and only covers the cost of the improvements. The land value must be added to determine a full market value. This includes the land value of both the developed 573 acres and the undeveloped 1,387 acres. Absent exemptions or PILOT payments significantly more property taxes should be obtained from the Resort's acreage holdings.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1090	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Normally land value runs 15-25 % of the total market value of an improved property. But the implicit estimated aggregate land value of the Highmount subdivision we derive from the DEIS exceeds the improvement value.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		

1091	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The estimate for full market value for the infrastructure, hotels, conference center, clubhouses, wilderness activity center, and children's center are all at 60 % of the construction cost, while the ratios for the detached lodging is 70.3 % and the golf courses, 32%. No explanation or rationale is given for reducing the various construction costs to get to full market value. Full market value is normally construction costs, plus the value of the land (which is missing).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1092	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Under normal local governance circumstances, the local assessors are the ones who determine the relationships between construction costs and market value. We do not have any documentation that the percentages identified above were reviewed, approved or provided by the town assessors.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1093	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	State law allows local governments and school districts to provide a business investment exemption which shields a percentage of the new assessed value associated with a business related investment from property taxation for a period of ten years. Individual jurisdictions have the authority to not grant this exemption benefit, or vary the extent to which the exemption will apply to a particular project.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		Key: (1) No Longer Applicable (2) Refer to SDEIS (3) Refer to Issues
1094	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The estimated future tax revenues shown in the DEIS are premised on the use of the Section 485b business exemption for all project components. However, this State law would not seem to be applicable to the detached lodging units and the Highmount Estates residential subdivision. This exemption cannot be authorized by local governments if a project is given IDA coverage and is thus taken off any assessment rolls. Therefore, Middletown and/or Shandaken and any school district encompassing the Belleayre Project cannot provide the 485b exemption if the project has received IDA financing.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1095	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	It is also important to note that the 485b exemption may be granted by local taxing jurisdictions only after the construction or improvement project has been completed. For a project the size of Crossroads Venture this has special significance.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1096	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The Applicant should also be required to show the property and sales tax revenues generated by the Project's construction and operation with and without the intended exemptions/ subsidies.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1097	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	It would be very useful for the Applicant to identify the seasonal patterns of use/occupancy at the Resort, to evaluate the implications for existing and potential new businesses in the Route 28 Corridor regarding any seasonal effects for local spending levels by visitors and employees in offsite locations. It would particularly strengthen their analysis and findings on the benefits of the Resort to the local economy, if it can be shown that the expected new spending will help to reduce the depth of the spring and fall business troughs.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1098	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The Applicant's DEIS makes a credible case that there are significant local and regional job and local business benefits to be had by the development and operation of the Belleayre Resort; that it would greatly increase visitations to the State Ski Center, and; that the Project would strengthen the Central Catskills area's recreation and tourism market draw.	Comment does not raise any substantive issues / no response required	4		

1099	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	The project cost, excluding Highmount Estates Subdivision, is estimated at $ 235.8 million (page 3-196), which, in addition, to construction includes site preparation, legal, and related costs of construction. Excluded from the $ 235.8 million are financing, value of land, and marketing costs. The cost of construction of the Highmount Estates Subdivision is estimated to be $ 5.25 million (21 housing units at $ 250,000 @). The estimated full market value of the Highmount Estates Subdivision is placed at $ 12.6 million. This creates a residual land value of $ 7.35 million. There is no explanation for the $ 12.6 million figure. Normally land value runs 15-25 % of the total value. it is highly unlikely that the land value of the Highmount Estates Subdivision will exceed the improvement value.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1100	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Page 3-196 discusses construction costs which are broken down in table 3-60. These construction costs are then converted to estimates of full market value in tables 3-73 and 4-10. There is no explanation of the conversion and why full market value should be less than that of the construction costs. The estimate for full market value for the infrastructure, hotels, conference center, clubhouses, wilderness activity center, and children's center are all at 60 % of the construction cost. No explanation or rational is given for reducing the construction cost by 40 % to get to full market value. Full market value is normally construction costs, plus the value of the land (which is missing). The estimated full market value of the detached lodging units is 70.33 % of the construction costs. No reason is given for this result, or why the detached lodging units are treated differently from the other project components.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1101	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	It is also important to note that the 485-b exemption may be granted only after the construction or improvement project has been completed. For a project the size of Crossroads Venture this has special significance. Does it mean that the entire eligible portion of the project must be completed, or could particular improvements, such as a hotel, qualify once it is completed? In any event, partial improvements would be fully taxable each year prior to the Section 485-b exemption being granted. This does not seem to be contemplated in the EIS.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1102	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Affordable apartments and other seasonally available group quarters could be constructed by the applicant either in or around Fleischmanns or at the resort. As for economic impacts from the resort and its guests, the money generated by the resort and its guests will have a positive impact on the area. Local governments will see enhanced tax revenues and local businesses should see increased sales from greater numbers of tourists.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		

1103	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	It is clearly the intent of Crossroads Ventures to obtain IDA financing for the project. On page 1-23 (Introduction for the DEIS) it is stated that the construction of the project is expected to take advantage of tax-related benefits available through the Industrial Development Agency (IDA), sales tax revenue generation would not occur as a result of the project's direct construction expenditures. Frequently, Industrial Development Authorities enter into agreements for payments in lieu of taxes (PILOT) for a period of years. When this occurs there is no property tax levied on the value of the improvement. No mention is made of requesting a PILOT or entering into negotiations for a PILOT. This does not mean that it could not occur as the proposed project moves forward. It would be useful to have clarity on the intent not to request a PILOT on the project.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1104	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 - Economic Benefit and Growth Inducting Effects	There is no accurate way to assess the estimates of assessed values in Section 3, Table 3-73, and Appendix 26, table 4-10, which ultimately lead to the calculations and projections of property taxes. We examined the estimates of assessed value relationships to the estimates of full value and found that they have no logic.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1105	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and 1.3.4 Benefits of the Proposed Action	No mention is made of property taxes during the construction stage. Property is assessable and taxable each year based on what is in place each March 1 (taxable status date). Partially constructed properties on March 1 will be subject to assessment and taxation based on their condition and state of completion at that time. Thus, some property tax revenue should be available as the project goes through its development stages. Nothing in the EIS provides information on the amount of construction that will take place on an annual basis during the life of the project.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G;	2		
1106	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and 1.3.4 Benefits of the Proposed Action	The estimate of full market value of $ 235.8 million for the Crossroads Venture project fails to include the value of the land and only covers the cost of the improvements. The land value must be added to determine a full market value. This includes the land value of both the developed 573 acres and the undeveloped 1387 acres. While there is no full value given for the current acreage, it is estimated based on the 2001 assessed valuations to have a 2001 market value in excess of $ 5 million. The full value market value of the 1960 will be worth more at the completion of the project than they are currently. Absent exemptions or PILOT payments significantly more property taxes should be obtained from the acreage within the Crossroads Ventures resort holdings.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		

1107	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and 1.3.4 Benefits of the Proposed Action	It is clearly the intent of Crossroads Ventures to obtain IDA financing for the project. On page 1-23 (Introduction for the DEIS) it is stated that the construction of the project is expected to take advantage of tax-related benefits available through the Industrial Development Agency (IDA), sales tax revenue generation would not occur as a result of the project's direct construction expenditures. Frequently, Industrial Development Authorities enter into agreements for payments in lieu of taxes (PILOT) for a period of years. When this occurs there is no property tax levied on the value of the improvement. No mention is made of requesting a PILOT or entering into negotiations for a PILOT. This does not mean that it could not occur as the proposed project moves forward. It would be useful to have clarity on the intent not to request a PILOT on the project.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1108	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and 2.3.2 Construction Stage Activities	While in Delaware County, the towns do not get any distributions from the County's sales tax revenues, most important to the towns of Middletown and Shandaken is the fact that no mention is made of property taxes during the construction state. Property is assessable and taxable each year based on what is in place each March 1 . Thus, some property tax revenue should be available as the project goes through its development stages. Nothing in the EIS provides information on the amount of construction that will take place on an annual basis during the life of the project.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1109	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26	In Section 3-10 of the DEIS and Chapter 4 of Appendix 26 (and associated tables) the Project's estimated future tax revenues are discussed and presented. For a significant number of reasons, primarily associated with our documentation on the major problems with the base data on property values and taxes, this information and the associated tables have many very serious flaws with respect to assumptions and apparent data shortcomings. These include: the value of land over time; the 485b exemption issues and taxes during the construction phase; the need to separate out the two jurisdictional towns; the relationship of full market values to construction, and; the unexplained inconsistencies between the estimates of assessed to full market values.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1110	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26	We strongly recommend that because of the serious and extensive problems documented in our review of the Fiscal impact - Sales and Property Revenue Generation - elements of the DEIS and its Appendix 26, that the towns of Middletown and Shandaken require new submission of all the relevant sections. Complete revisions to address technical and analytical errors and omissions should be undertaken by the Applicant.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1111	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	In addition, the Applicant should provide clarity regarding the intent to seek and use State and local authorizing authority to receive certain property and sales tax exemptions and subsidies.	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1112	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	Discussion of sales tax receipts occurs on pages 3-203 and 4-7, and in table 3-70. The assumption is made that one-third of retail sales would be clothing items costing less than $ 110, which would be exempt from New York State and Delaware County sales taxes. The estimated taxable sales are $ 30,267,300. This discussion and tables 3-70 and 4-7 raise a number of issues.	Project Benefits- SDEIS 1.3.G	2		

1113	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	Neither the construction costs nor the estimate of full market value are broken down between Shandaken and Middletown. For any meaningful property tax analysis it is necessary that there such a breakdown be created. Tables 3-60, 3-73, and 4-10 need to have the data split between the towns of Shandaken and Middletown.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G	2		
1114	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The relationship of assessed value to full market value makes no apparent sense. The 2001 equalization rate for Shandaken was 45.69 and for Middletown 97.53. The equalization rates can be used to arrive at an estimated assessment, but the use of 2001 equalization rates would not likely produce the relationships of assessed value to market value. The assessed value/full value relationship, at best, would indicate that the Conference Center, Wilderness Activity Center, and Children's Center are in Shandaken. Following this logic, one golf course would be completely in Shandaken and the other in Middletown (which pursuant to the maps is not true). One clubhouse would be in Shandaken and the other partially in Shandaken and partially in Middletown. One hotel would be in Shandaken, and the other mostly in Middletown, but with a small portion in Shandaken, The infrastructure costs would be largely in Shandaken. An explanation is needed on the derivation by town of the assessed value estimates.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G	2		
1115	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The estimated future tax revenues in Tables 3-74 and 4-11 are premised on the use of the Section 485-b business exemption for all project components.The Section 485-b exemption would not be applicable to the Detached Lodging Units and the Highmount Estates Subdivision.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1116	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	On pages 3-206 and 4-12 of the EIS it is stated that the "proposed Belleayre Resort project would generate approximately $ 2.15 million annually after reassessment, with this amount increasing by about $ 126,500 each year for ten years For the moment, assuming the $ 2.15 million were correct (which it is not believed to be), the $ 126,500 is wrong. A phase in at 5 % a year over ten years would result in an annual increase of $ 215,000.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1117	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	Tables 3-71, 3-72, 4-8, and 4-9 show estimated property tax payments. Only the tax rates were checked for accuracy. The tax rates are all for 2001 taxes with the exception of the Delaware County General tax rate. The tax rate in the tables is for the 2000 tax year. The 2001 tax rate is slightly higher.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		

1118	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The data and tables assume the current land value will remain unchanged and carry the same assessment as at the current time. With development, the existing land values should be much higher.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1119	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The business exemption has been assumed for all project components. The business exemption will only apply to certain components.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1120	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The project will occur over several years. The tables are premised on completion within one year. No recognition is given the period between the start of the project and the completion of the project. There needs to be year by year assumptions and projections.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1121	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	There is no ability based on the prior tables [3-74, 3-75, 4-11 & 4-12] to separate out Middletown from Shandaken. It is necessary to separate the two towns both in terms of project components and estimated full market value.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1122	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The estimate of full market value to construction cost is unexplained and is far below what the construction costs are estimated.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		

1123	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts and Appendix 26 Economic Benefit and Growth Inducting Effects	The estimate of assessed value to the estimate of full market value vary widely and without explanation. On the surface they seem to be wrong.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1124	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts	Neither the construction costs nor the estimate of full market value are broken down between Shandaken and Middletown. For any meaningful property tax analysis it is necessary that there be such a breakdown	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1125	Town of Middletown	3.10.2 Socio-Economic Setting - Potential Impacts, Executive Summary and 1.3.4 Benefits of the Proposed Action	On page iv and page 3-198, it is indicated that $ 11.4 million in direct tax revenues and $ 4.95 million in indirect tax revenues will be generated in construction-related taxes. Of the $ 11.4 million, $ 95,800 will accrue to the benefit of Delaware County, $ 732,100 to the benefit of Ulster County, and $ 10.57 million to New York State. No breakdown of where these taxes will actually come from. The narrative states that the largest portion will be derived from "sales taxes, personal income taxes, and corporate, business, and related taxes on the direct and indirect economic activity". Elsewhere in the EIS (page 1-23) it states that the intent is to obtain IDA financing and that "sales tax revenue generation would not occur as a result of the project's direct construction expenditures", Where then do the tax revenues for Delaware and Ulster Counties come from during the construction stages?	Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1126	Town of Middletown	3.11.1 Cultural Resources - Existing Conditions	No state or federally-listed historical places are on the assemblage. Phase IA thru 2B site investigations have been done. Any work on the Brisbane and Marlowe mansions will be reviewed by SHPO.	Comment does not raise any substantive issues / no response required	4		
1127	Town of Middletown	3.11.2 Cultural Resources - Existing Conditions	Impact on the cultural significance of the existing historical structures is vague. While preserving certain aesthetic, and historical features of the structures' glory days, the setting and use of the site is being modernized. On the other hand, many more (visitors) can learn about the history whether physically saved or preserved through informative historical accounts. Will there be historic markers and or brochures available to educate visitors of the historical significance of the site?	Land Use, Planning and Zoning- SDEIS 3.8.2; Cultural Resources- SDEIS 3.13	2		
1128	Town of Middletown	3.11.3 Cultural Resources - Mitigation Measures	The Town should require the Applicant to have a field archaeologist on call to ensure protection of resources if uncovered during construction.	Land Use, Planning and Zoning- SDEIS 3.8.2; Cultural Resources- SDEIS 3.13	2		
1129	Town of Middletown	3.11.3 Cultural Resources - Mitigation Measures	During construction, the developer is responsible to comply with applicable state and federal laws and regulations regarding protection of historical and archaeological resources. We recommend that the town require the developer to employ a field archaeologist to ensure compliance and protection of these resources.	Land Use, Planning and Zoning- SDEIS 3.8.2; Cultural Resources- SDEIS 3.13	2		

1130	Town of Middletown	Appendix 9 Construction Phase Stormwater Quantity Management Plan	Appendix 9, describes a proposed detention basin level spreader dewatering program to control post-construction discharges to not exceed pre-development discharge levels. The narrative includes dewatering procedures intended to address stated concerns that dispersed flow may become concentrated flow and cause erosion, and concerns that percolated water could reappear downslope as surface flow. The FEIS should address the potential for possible plugging of the level spreader which could cause concentrated flow, and measures that would be taken to minimize erosion potential if plugging becomes a problem.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1131	Town of Middletown	Appendix 10 Construction Phase Stormwater Quality Management Plan and Appendix 10A Operational Phase Stormwater Quality Management Plan	The sediment and erosion control measures as discussed for the construction and operational phases of the project are reasonable, and appropriate best management practices are proposed for implementation. The criteria and stated goals for the erosion control/sediment control program and the construction phasing plan look reasonable for the application	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1132	Town of Middletown	Appendix 10A Operational Phase Stormwater Quality Management Plan	The erosion control specialist employed by the Applicant should report to the Town weekly so that compliance can be monitored.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1133	Town of Middletown	Appendix 10A Operational Phase Stormwater Quality Management Plan and 2.4.8 Golf Course Integrated Pest Management	Phosphorus is of concern because of the Ashokan and Pepacton reservoirs. Based on existing phosphorus loading rates in the two watersheds and NYC DEP standards, the surface runoff modeling indicated that phosphorus application must be limited to 0.25 pound per 1,000 square feet. This is below the initially tested application rates of 1.4 and 0.7 pounds, so the question arises whether 0.25 pounds per 1,000 square feet per year will be adequate to sustain healthy golf course turf. If not, will the course managers tend to increase the application, thus resulting in excessive phosphorus runoff?	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1134	Town of Middletown	Appendix 11 Draft Stormwater Pollution Prevention Plan	The plans and mitigation measures in the DEIS will minimize adverse effects if complied with. Because of the importance and scale of these potential impacts, we recommend that the erosion control specialist included in the stormwater pollution prevention plan report to the Town weekly of his team's activities.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

1135	Town of Middletown	Appendix 22 - Sound Impact Study and Appendix 22A - Air Quality Assessment	Table 4-4 - Access Road Construction Sound Levels - indicates that rock crushing activities are 1000 feet from Sensitive Receptor W-7, yet Figure 1 of Appendix 22A (Air Quality) depicts 700 feet, as does scaling off the site plan from the practice tee location. Table 4-4, footnote c, does state a different location for the rock crushing plant (Northwest Parking lot) that is 1,000 feet. The indicated 20 dBa reduction of sound is based on 1000 feet. However, another 15 dBa is based on 500 feet of forested buffer when the site plan scales 350 feet, and there is a 6 dBa reduction due to topographic barrier when the plan indicates no intervening hills. Table 5-2 then goes on to indicate that no mitigation is necessary for receptor W-7 because the increase in sound would be less than 10 dBa. The discrepancies raise doubts about the impact assessment. In addition, rock crushing is the noisiest and most continuous construction activity proposed; it deserves special attention. We recommend that earthen barriers be constructed around and as close as possible to the rock crushing/cement mixing plant for effective noise mitigation.	Noise- SDEIS 3.9;	2		
1136	Town of Middletown	Appendix 22 Sound Impact Study and 3.8.4 Visual Resources and Aesthetics - Sound Resources	Concern has been raised over blasting that would be required for some of the excavation. Blasting impacts can include vibrational damage to foundations, wells and utilities, fly rock, and instantaneous noise disturbances. With regard to noise, modern techniques like using the minimum amount of explosive charge needed for the task and placing blasting mats over the affected area greatly minimizes the blast noise. In addition, the 1,500 foot distance to the nearest sensitive receptor would reduce the estimated blast noise to 46 dBa - 4 dBa below the existing ambient sound level. Blasting would also be infrequent, brief, and performed over a limited duration. Blasting noise impacts, therefore, will be minimal.	Noise- SDEIS 3.9;	2		
1137	Town of Middletown	Appendix 22 Sound Impact Study and 3.8.4 Visual Resources and Aesthetics - Sound Resources	Damage to wells and foundations is rare, but possible, We recommend that the developer be required to monitor before and after conditions at the nearest receptors, and be required to compensate landowners for damage caused, They should also be required to notify local residents, employ certified blasting personnel, and comply with all state and federal regulations.	Noise- SDEIS 3.9;	2		
1138	Town of Middletown	Appendix 22 Sound Impact Study and 3.8.4 Visual Resources and Aesthetics - Sound Resources	Following the construction period and during the operation of Wildacres, very little additional noise will be produced. The only source of increase would be the increased traffic volume on NYS Route 28, particularly in the winter, as Belleayre is a major attraction. Traffic is estimated to increase 50% during peak winter periods, resulting in a 2 dBa noise increase. This level of increase is not perceptible by people.	Noise- SDEIS 3.9;	2		
1139	Town of Middletown	Appendix 22 Sound Impact Study and 3.8.4 Visual Resources and Aesthetics - Sound Resources	Construction period noise impacts are temporary, but still significant in some locations. The DEIS mitigation measures should be effective in minimizing the sound disturbance to acceptable levels. The Town should establish and enforce a daily construction schedule along with the mitigation measures listed on Table 5-2 of Appendix 22. In addition, the mitigation measures regarding blasting noted above should be imposed and enforced.	Noise- SDEIS 3.9; Traffic- SDEIS 3.5;	2		

1140	Town of Middletown	Appendix 26 - Economic Benefit and Growth Inducing Effects	An apparent inconsistency in numbers exists between certain data shown in table 7-1/figure 7 of Section 7, and data in Appendix 26, table 5-10: Summary of Business Inventory. For the former, for the Study Area Corridor the combined sales figure shown for general merchandise stores/misc. retail is $28.3 million. But, as shown in table 5-10, the combined sales number for these types of stores is only $16.2 million. We don't know if this is a typo.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1141	Town of Middletown	Appendix 26 - Economic Benefit and Growth Inducing Effects	The source of the data for Table 5-10 and Table 7-1 is the Claritas Inc. Zip Code based economic database. We have in a limited way compared this data with another source of data - the US Census Bureau's 2000 County Business Patterns (CBP), which also contains a count of business establishments by Zip Code. We did this for certain categories for two zip codes-Margaretville (12455) and Phoenicia (124634). We found the count of establishments in the Claritas database much higher than the CBP counts. The counts should be higher in the former, if it includes all businesses not just those with paid reported employees, as covered by the CBP. Many small retail stores in the Corridor no doubt are mom and pop" operations with perhaps "off the books" seasonal employees. However, the Claritas counts are 2-3 fold higher than the CBP, when combining retail, food services and accommodations categories -This needs some further explanation.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1142	Town of Middletown	Appendix 26 - Economic Benefit and Growth Inducing Effects	Our review of the Land Supply Analysis Chapter 5 of Appendix 26 confirms the fact most of the privately owned lands within the Route 28 Corridor have environmental/physical and regulatory constraints that are very likely to preclude large scale commercial or residential tract development. The DEIS presumes that a good deal of any induced commercial economic development would concentrate in village and hamlet areas within the Corridor and that the local governments, through planning review, zoning and other regulation can guide the scope and character of new projects.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1143	Town of Middletown	4.5 Unavoidable Adverse Environmental Impacts - Sound	A study has examined sound levels, but does it take into account the long-term non-stop construction involved in a project of this size? Will impact on surrounding properties be mitigated if problems arise, i.e. sound barriers?	Noise- SDEIS 3.9;	2		
1144	Town of Middletown	4.6 Unavoidable Adverse Environmental Impacts - Visual	Rather than in addition to stating that the visual impact will be minimal, they should expand upon some of the techniques chosen to mask the built landscape with that of the existing.	Visual Impacts- SDEIS 3.6;	2		
1145	Town of Middletown	5.5 Alternate Wastewater Disposal	Revise exterior design of treatment plant structures to better reflect the vernacular of the other Wildacres buildings.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1146	Town of Middletown	5.10.1 No-Action Alternative - Land Use	Even though the no-action alternative wouldn't include the 1,387 acres of deed restricted, natural land provisions, there wouldn't be the large-scale development complex of this particular proposal.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1147	Town of Middletown	5.10.1 No-Action Alternative - Land Use	Certain statements in the DEIS seem to contradict one another: Although local plans call for increased tourism to the area, other portions of the plan speak of minimal amount of impact outside of the resort complex.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1148	Town of Middletown	5.10.1 No-Action Alternative - Land Use	Town planning goals are general, and other factors must be taken into consideration. Other goals to preserve the rural nature and historical character may be circumvented by fulfilling a tourism goal in this manner. If the jobs are primarily low-wage, will there be an increased need for community assistance creating a burden on aid resources.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

1149	Town of Middletown	5.10.1 No-Action Alternative - Land Use	Some resources like energy, vegetation, and building materials will be used during the project. Air, water and socioeconomic impacts will not be detrimental over the long term.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1150	Town of Middletown	5.10.1 No-Action Alternative - Land Use	With regards to DCAP and what we're trying to do in Delaware County, the project complies with the goals established. Although the project is large, it concentrates development in one area (Belleayre, which will essentially be like a village with many of its own services), mitigates stormwater and wastewater impacts to a great extent, generates jobs and municipal revenue, furthers the tourist economy, has a really neat vegetative-roofed hotel, has two golf courses, and it proposes to reuse it's wastewater and stormwater for irrigation purposes. The DEIS even discussed using alternative energy sources like fuel cells to power the project.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1151	Town of Middletown	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	This 50 percent assumption is based upon the Applicant's consultant determination that a large proportion of the Resort's employees will come from with the Route 28 Corridor. This finding is based upon the consultant's previous labor force and unemployment analysis for the tri-county area, which we have faulted because of lack of use of 2000 Census data This finding needs more substantiation.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1152	Town of Middletown	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	The spending levels and patterns of Resort employees are estimated partly... "Based the Household Expenditure Survey of the US Department of Commerce"...This is an error in identification -The agency is the Bureau of Labor Statistics in the federal Labor Department.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1153	Town of Middletown	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	On page 7-5 the DEIS summarizes the derived estimates of induced spending," $11.81 million from off-site visitor expenditures and $11.57 million from new spending by ...resort employees and general secondary activity." These figures, and their disaggregated subtotals by type of spending, form the basis for estimating the demand for new commercial/retail space and businesses. Pages 7-5 to 7-8 describe the expenditures by type and the methods used to convert these to commercial square footage needs. We have reviewed this methodology and find it generally acceptable, except for the major conceptual shortcoming regarding "out-shopping factor" by employees of the Resort.	Comment does not raise any substantive issues / no response required;	4		
1154	Town of Middletown	7.2.1 Commercial Development Demand - Estimating Induced Commercial Demand	Differences exist in pages 7-5 and 7-6 over the amount of new sales to be generated. On page 7-5, the expenditures are estimated at $ 23.4 million, On page 7-6 the expenditures are estimated at $ 19.2 million. Table 7-1 with a breakdown of the expenditures totals $ 19.2 million.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1155	Town of Middletown	7.2.1 Commercial Development Demand - Estimating Induced Commercial Demand	On pages 7-5 to 7-8 new commercial activity is discussed;"total expenditures of approximately $ 23.4 million would be spent on a variety of retail goods and services in the corridor". The $ 23.4 million, which includes some non-sales taxable items (food and personal services) is substantially less than the $ 30.3 million cited in sections 3 and 4.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		

1156	Town of Middletown	7.3 Potential Induced Development	In Section 7 of the DEIS on the estimation of the increase in local Corridor spending attributable to employees of Belleayre, amounting to $11.6 million a year, there is no downward adjustment for the very typical substantial "out-shopping" that occurs in sparsely populated rural areas, like the Route 28 Corridor. These rural area markets cannot support big box discount stores, like Walmart and Home Depot, and the range of clothing, shoe and home furnishing stores typically located in power centers and malls, or even large supermarkets. The close retail concentration in the Town of Ulster (immediately north of Kingston) with a much larger base of stores, merchandise and generally lower prices, will drain off employee spending.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1157	Town of Middletown	7.3 Potential Induced Development	The DEIS makes a credible case, that the Project is not very likely to generate substantial induced/secondary commercial growth. However, on the residential development front, the DEIS does not make as convincing an argument about the minimization of induced/secondary demand for residential development. Notwithstanding the land development constraints analysis, there are likely many sites/parcels that could be developed converted/redeveloped for residential use. There could be an acceleration of the current strong real estate market in the Catskills for high-end second/home seasonal housing, since the Belleayre Resort will make the Route 28 Corridor environs a more attractive place for upscale end homes.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1158	Town of Middletown	7.3 Potential Induced Development	Two main types of potential induced economic activity are considered for the defined study area -- a corridor covering six zip codes stretching from Boiceville (Ulster County) to Margaretville in Delaware County: 1) "New commercial development... along NY Route 28; 2) New residential development, both seasonal and year-round." For the first category, two components were estimated - offsite spending by visitors to the Resort and spending by employees of the Resort in the Study Area Corridor. For the latter, the DEIS states that "...the expenditure model assumes that 50 percent of the wages will be paid to (and subsequently spent by) employees within the corridor."	Comment does not raise any substantive issues / no response required;	4		
1159	Town of Middletown	7.3 Potential Induced Development	Strict curb-cut constraints and other access management initiatives, as well as strictly enforced health department and building code requirements can help control some impacts. These public services will likely, however, add to the tasks of public agencies and volunteer emergency services.	Community Services- SDEIS 3.10;	2		
1160	Town of Middletown	7.3.1 Potential Induced Development - New Commercial Development	The effects of out-shopping can have substantial ramifications for the level of the Project's spillover benefits for the local economy, as well as the degree of concern about the levels of induced and secondary commercial development that could be generated by the project.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1161	Town of Middletown	7.3.1 Potential Induced Development - New Commercial Development	In-fill development for commercial businesses like convenience stores/gas stations is possible and typical of highways and roads leading to resort areas. Working with the State DOT, local communities could adopt/or strengthen access management planning tools, which would limit excessive curb cuts and help contain strip type commercial development projects. The April 2003 Ulster County Transportation Plan contains two supplements dealing with traffic access management and transportation planning for quality communities, which provide guidelines and examples to improve the character of development projects within highway corridors.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		

1162	Town of Middletown	7.3.1 Potential Induced Development - New Commercial Development	The applicant's DEIS makes a credible case that the Project is not very likely to generate substantial induced/secondary commercial growth. Furthermore, we accept the position that much of this growth would likely occur in nearby existing villages and hamlets and that existing business would benefit. Its analysis of land availability/suitability constraints is very good, but not definitive with respect to small buildable parcels in the Corridor that could have the potential for commercial development. They, however, on the demand side also make a good case that Belleayre Resort visitors/users spending levels and patterns would not generate a significant retail and services demand to create a "strip mall" environment.	Comment does not raise any substantive issues / no response required;	4		
1163	Town of Middletown	7.3.2 Potential Induced Development - New Residential Development	Notwithstanding the land development constraints analysis, there are likely many sites/parcels that could be developed or converted/redeveloped for residential use. There could be an acceleration of the current strong residential real estate market in the Catskills for the high end of the second/home seasonal market.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1164	Town of Middletown	7.3.2 Potential Induced Development - New Residential Development	With respect to the rental housing market and lower end priced housing market, the points raised in our comments on the Socio-Economics Section are very relevant. The DEIS does not adequately address the issue of the availability/sufficient supply of the local/regional labor pool within commuting distance --- versus the case that many new workers might need/seek such housing within the towns in the Corridor. These small rural towns as shown in the 2000 Census, which was not utilized in the DEIS, have a limited supply of rental housing.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1165	Town of Middletown	7.3.2 Potential Induced Development - New Residential Development	Small-scale residential development (and unauthorized modifications for commercial activities) and unauthorized group housing may become quite prevalent as the area becomes more popular.	Comment does not raise any substantive issues / no response required;	4		
1166	Town of Middletown	7.3.2 Potential Induced Development - New Residential Development	Many resort communities experience these many small, but cumulatively significant changes. Seasonal workers are housed in rudimentary additions or finished basements. Summer homes with under designed insulation or utilities are marginally upgraded for peak winter use. Garages become repair shops or rented storage with stored building materials, vehicles and equipment waiting for service on the property. These property use changes may add to area income, may provide needed support services for the area, and may facilitate housing seasonal workers. However, the incremental changes involved are also are hard to detect or control, while they significantly add to traffic, health and safety problems and can detract from area aesthetics. Some of these problematic additions and upgrades to existing private properties may be inevitable, but the Belleayre Resort could accelerate these types development pressures.	Growth Inducing Impacts- SDEIS 7.0;	2		
1167	Town of Middletown	7.4 Potential Impacts from Induced Growth	The development of the Belleayre Resort will make the Route 28 Corridor environs a more attractive place for upscale end homes. We are not convinced by the analysis and conclusions in the DEIS that The Resort is expected to meet the housing demand that its amenities generate...." (Page 7-16). The case studies of other ski resorts by themselves, while interesting, do not provide the basis to assess the current and mid term/long-term post 9-11 upscale second home residential market in the Catskills.	Growth Inducing Impacts- SDEIS 7.0;	2		

1168	Town of Middletown	Section 8 - Effect of the Proposed Action on the Use and Conservation of Energy	Are there any proposals for on-sight alternate energy creating sources that potentially add excess energy back to the grid?	Energy and Materials Management- SDEIS 2.8.12; Utility Services- SDEIS 2.8.12; 3.10(5); Appendix 27; Energy Conservation 8.0;	2		
1169	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page iv	The average full-time salary will be $27,272. How does this benefit existing residents? How was this figure estimated? Were the high-end positions used in calculating this average? If so, this average salary figure appears to be inflated. Please clarify.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9;	2		
1170	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page iv	If 54 percent of households earn $40,000 or less, then 46 percent earn more than $40,000. What percentage of local residents would want these jobs?	Comment does not raise any substantive issues / no response required;	4		
1171	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page iv	If the new jobs are not particularly attractive to the existing labor pool, where will the new employees come from? The importation of employees from out of the tri-county area will certainly lead to greater growth inducement than discussed in the DEIS, as well as increased fiscal impacts due to the increased use of public services. Please analyze this likely scenario, using in part, data from similar resorts (i.e. Emerson Inn and Catskill Lodge). In particular, where do the workers for these resorts originate?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1172	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page iv and 3.10.1 Socio-Economic Setting - Existing Conditions	A more helpful analysis would compare the average and median salaries for full-time workers in the tri-county region currently with the average and median salaries for new employment opportunities to be provided at the resort. Such an analysis would provide a better vehicle to explain the actual value of the new employment opportunities, especially since the DEIS notes, "each of the counties experienced an increase in the number of relatively high-skilled precision production, craft and repair occupations," while "dramatic declines in such lower skilled manufacturing occupations, [such] as operators, fabricators, laborers, assemblers, and inspectors" occurred. Considering the above, why are the resort jobs attractive to County residents (pg. 3-190)?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1173	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page v	It is misleading to only compare property taxes on resort land rather than to total Town property tax revenues. Thus, the 2022 tax benefits of the $1,503,000 to Shandaken and Ulster County should be reported in comparison to its total tax levy.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9;	2		

1174	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page v	It is misleading to list annual tax benefits as if they would be immediately available. Tax benefits will not accrue in full until 2025 due to a business investment exemption. Property tax revenues generated as a result of the Proposed Action should be reported at various stages of the project until the project is fully operational. Underlying assumptions regarding the methodology used to project these estimates need to be more fully disclosed. By not reporting back-ground trend-based growth of property tax revenues over the 22 years before the full property taxes are paid in 2025, the DEIS overstates the significance of the contribution from the project. Thus, what appears to be a 10 percent 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 percent if there were just a 1 percent annual growth in the Town's total tax levy over 22 years. At recent 7-8 percent growth rates, resort taxes would add 2 percent. The scenario would be similar for Shandaken. Please adjust accordingly.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9;	2		
1175	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page v	The DEIS states that there will be few impacts and minimal increased demand on community resources. The assertion that roadways will be private with private security is irrelevant. Private roads will only be provided within the resort area. The public roads that will access the facility will certainly be impacted based upon the number of new patrons who will visit the resort each year.	Traffic- SDEIS 3.5; ; Community Services- SDEIS 3.10;	2		
1176	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page v	There is no doubt that community resources will be impacted. Private security will not be used to prosecute criminal activities that occur both on and off-site as a result of the sheer increase in the number of people visiting the facility. Private security cannot provide fire protection services when needed. Private security cannot accommodate the extra school children who may be generated from the influx of new employees, as well as the children who may be introduced into the area as the resort becomes a tourist destination. A comparison should be undertaken, examining the costs of services pre and post the introduction of similar resort facilities.	Traffic- SDEIS 3.5; ; Community Services- SDEIS 3.10;	2		
1177	Town of Shandaken	Executive Summary - Project Purpose Need and Benefit, page v	The assertion that the "schools are not running at capacity in any case" is immaterial. The purpose of the EIS is to identify impacts, including the cost of providing community services. If schools will be impacted, this should be stated.	Community Services- SDEIS 3.10;	2		
1178	Town of Shandaken	Executive Summary - Traffic, page vi	Has the Applicant coordinated with Ulster County with regard to the plans to realign County Road 49A and the proposed entrances to 49A? The Applicant should include a letter in the FEIS from the County stating that the proposed plan and mitigation are reasonable/feasible.	Local Permits and Approvals- SDEIS 1.4.1.A;	2		
1179	Town of Shandaken	Executive Summary - Approvals and Permits, page vi	On page vi, Ulster County: Has the Applicant coordinated with Ulster County with regard to the plans to realign County Road 49A and the proposed entrances to 49A? The Applicant should include a letter in the FEIS from the County stating that the proposed plan and mitigation are reasonable/feasible.	Local Permits and Approvals- SDEIS 1.4.1.A;	2		
1180	Town of Shandaken	Executive Summary - Traffic, page xiv	The Applicant should provide a footnote indicating the date and facility name/location of the similar resorts used in the evaluation.	Socio-Economics- SDEIS 3.9; Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1181	Town of Shandaken	Executive Summary - Traffic, page xiv	During the public meetings it was brought to our attention that the Martin Luther King, Jr. holiday weekend of Saturday, January 15, 2000 was not a peak day condition. The scoping document requires an analysis of a peak day. The Applicant should revise the traffic information based on more recent attendance records at Belleayre Mountain Ski Center and traffic volume counts.	Traffic- SDEIS 3.5;	2		

1182	Town of Shandaken	Executive Summary - Traffic, page xiv	The DEIS states the analysis years are the year 2006 when the facility will first be opened and 2008 when all new facilities are expected to be in use. The Applicant should revise the traffic study to include a more realistic opening year and year when fully constructed.	Traffic- SDEIS 3.5;	2		
1183	Town of Shandaken	Executive Summary - Traffic, page xiv (item following table)	This paragraph states that similar results are found at the other study area intersections in the project corridor. An increase in traffic of this magnitude will typically not be noticeable." A comparison of Figures 32 and 3.10 in Appendix 25 shows the Route 28 (west of Route 47) anticipated 2008 winter Saturday PM peak hour volumes to be 784 vehicles per hour (vph) in the No Build and 1079 vph in the Build condition. This 37 percent increase may be noticeable. The Applicant should address.	Traffic- SDEIS 3.5;	2		
1184	Town of Shandaken	Executive Summary - Traffic, page xiv (table following item 3)	The Applicant should indicate that the numbers in the first row are hourly volumes.	Traffic- SDEIS 3.5;	2		
1185	Town of Shandaken	Executive Summary - Traffic, page xiv number 4	This paragraph states "...winter traffic peak hours will utilize 30 percent of the rated capacity of NY Route 28," The Applicant should define/explain rated capacity.	Traffic- SDEIS 3.5;	2		
1186	Town of Shandaken	Executive Summary - Traffic, page xiv number 9	The Applicant should indicate the proposed length of the westbound left-turn lane (taper deceleration and storage) at NY Route 28/Friendship Road (east). Is this turn lane warranted?	Traffic- SDEIS 3.5;	2		
1187	Town of Shandaken	Executive Summary - Traffic, page xiv number 9	The Applicant should define "fair share contribution" and indicate who is expected to participate in the cost of this improvement. Also the formula proposed for calculating the shares should be included. The Applicant should consider paying the entire cost of the improvements. While it is understood that a poor level of service is anticipated under the No Build condition due to traffic generated by the ski center, the proposed development will benefit from the dose proximity of the ski center, (i.e. the ski center helps make the resort a year round facility).	Traffic- SDEIS 3.5;	2		
1188	Town of Shandaken	Executive Summary - Traffic, page xiv number 9	The last bullet states that "...it is recommended that information signs be placed on the main roadways guiding patrons to their proper destination." It is not clear whether the applicant is proposing this or suggesting that others do it. The applicant should prepare and submit a "way-finding" sign plan to the County, and if approved should furnish and install the signs as part of the development proposal.	Traffic- SDEIS 3.5;	2		

1189	Town of Shandaken	Executive Summary - Key Issues: Impacts and Mitigation page xvi	The assertion that the resort will be fairly self-contained does not inherently mean that the resort will have no impact on community character. Again, the point of the EIS is to identify potential impacts, including impacts on community character. As admitted by the applicant, the resort will be "self-contained," which means that the resort patrons, especially those patrons visiting the resort for a short period of time, will not have much incentive to venture outside of the facility. The applicant has already stated on page iv that tourism is a critical element of the tri-county economy. In essence, the resort will tap into this segment of the economy, potentially at the expense of the existing hamlets and commercial corridors. In particular, existing lodging facilities and restaurants may be adversely impacted. As noted in Appendix 26, Pages 7-10, the resort will "generate a demand matched to a supply, thereby establishing a self-fulfilling economic system, due to decreased market share. The issue here is not economic competition per se; however the impacts associated with such competition are within the purview of an EIS. Increased competition can lead to dislocations and closures, and if the impacts of competition are severe and as closures mount, blighting influences may take hold in some areas. A detailed community character assessment (including a detailed retail/services inventory) is warranted to ascertain the potential impacts on hamlets and other commercial concentrations within the Town.	Community Character- SDEIS 3.8.3;	2		
1190	Town of Shandaken	Executive Summary - Key Issues: Impacts and Mitigation page xvi	A comparative analysis should be undertaken to ascertain pre and post community service impacts at similar resorts within the region In particular, the increased costs of providing community services to the new work force should be addressed.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1191	Town of Shandaken	Executive Summary - Key Issues: Impacts and Mitigation page xix	There may be significant residential development as the ski center amenities improve and the resort becomes a tourist destination. it is possible that many people would consider a second home in the area to utilize the facilities, but may not be interested in or able to (given that the supply is limited) purchase one of the homes at the resort. Again, the ski areas in the region should be used as indicators to assess the potential number of seasonal homes that will be built, especially given the proximity of the site to New York City and Long Island.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1192	Town of Shandaken	Executive Summary - Key Issues: Impacts and Mitigation page xix	The DEIS should analyze potential: (1) property tax increases, and the impact such increases will have on existing homeowners; and (2) increases in property values, and the impact such increases will have on local home buyers.	Project Benefits- SDEIS 1.3.G; Project Need- SDEIS 1.3.D, E;	2		
1193	Town of Shandaken	1.2.1 Project Location - Lands East of the Ski Center	Are all of the detached hotel lodging units time-shares? The Applicant should clarify.	Proposed Action- SDEIS 2.0	2		
1194	Town of Shandaken	1.2.2 Project Location - Lands West of the Ski Center	Are the 168 detached hotel lodging units time-shares? The Applicant should clarify.	Proposed Action- SDEIS 2.0	2		
1195	Town of Shandaken	1.3.1 Project Purpose, Need and Benefits - Background and History	Such a large-scale development does not comply with the Ulster County Land Use Plan. The Plan supports much smaller scale resort facilities, In fact, large-scale facilities, less intensive than the one proposed, have not been approved on environmentally sensitive lands. Please address.	Land Use, Planning and Zoning- SDEIS 3.8.2	2		

1196	Town of Shandaken	1.3.2 Project Purpose, Need and Benefits - Public Need for the Project	The EIS notes that the economic analysis was completed in 2001, and recognizes that economic uncertainty, especially in New York State, has grown since this time. The applicant "remains confident of the core market". According to the HRA report, second home market demand is spurred by the two to three hour drive time to New York City. Moreover, all individuals interviewed for the DEIS perceived an increasing trend of second home creation, with buyers maintaining primary residences in the New York City metropolitan area dominating the market strength of the project," but there is little if any data to support this assertion, other than the statement that "a retrenchment of locally-based travel" has occurred. However, in times of fiscal uncertainty, often the first items that are cut from household budgets are luxuries, including leisure travel. Therefore, the fiscal stability of the project lacks adequate documentation given the recent changes in market conditions.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1197	Town of Shandaken	1.4 Environmental Review, Permits and Approvals	Although the HRA report found that no shortage of hotels exists (pg. 11), the DEIS notes that the area is predicted to experience a 1,000-room shortage in lodging. How much of the shortage will be absorbed by the proposed resort? Is this shortage dependent upon the Ski Center expansion? Absorption rates should be provided with and without future Ski Center expansions.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1198	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-42 Item 6	In the first bullet, the Applicant should indicate the proposed length of the westbound left-turn lane at NY Route 28/Friendship Road (east). Is this lane warranted?	Traffic- SDEIS 3.5	2		
1199	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-42 Item 6	In the second bullet, the Applicant should define "fair share contribution" and indicate who is expected to participate in the cost of this improvement. Also the formula proposed for calculating the shares should be included. The Applicant should consider paying the entire cost of the improvements. While it is understood that a poor level of service is anticipated under the No Build condition due to traffic generated by the ski center, the proposed development will benefit from the close proximity of the ski center.	Comment does not raise any substantive issues / no response required	4		
1200	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-42 Item 7	This paragraph states that "it is recommended that information signs be placed on the main roadways guiding patrons to their proper destination." It is not clear whether the applicant is proposing this or suggesting that others do it. The Applicant should prepare and submit a "way-finding" sign plan to the County and if approved should furnish and install the signs as part of the development proposal.	Signage- SDEIS 2.8.11	2		
1201	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-44	The first paragraph states "The guest shuttle buses will be diverted to pick up and drop off employees at the employee lots during these off-peak periods." The third paragraph states "Separate shuttles will transport the employees to and from the employee parking lots." These two statements appear to conflict.	Traffic- SDEIS 3.5	2		
1202	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-46	All proposed access points and internal project roadway intersections should be evaluated for intersection and stopping sight distance.	Traffic- SDEIS 3.5	2		
1203	Town of Shandaken	2.2.7.G Traffic Parking and Pedestrian Circulation page 2-47	The last sentence states that "pedestrians wishing to travel off-site will utilize the shuttle system or they will drive." The Applicant should clarify, as it does not appear that any of the shuttles are proposed to transport guests off-site, but rather between the various proposed uses.	Traffic- SDEIS 3.5	2		

1204	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-48	The paragraph states "Pedestrians would then follow a foot path..." The Applicant should define what a foot path is. Will these footpaths be handicap accessible?	Traffic- SDEIS 3.5	2		
1205	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-49 Bullet 1	This bullet discusses the headways for the Ski Area Express during the peak periods. The Applicant should indicate what the proposed headways are during the off peak periods. Also please indicate what the proposed hours of operation are. Will there be a charge to use the shuttle bus?	Traffic- SDEIS 3.5	2		
1206	Town of Shandaken	2.2.7 Traffic Parking and Pedestrian Circulation page 2-49 Bullet 2	This bullet discusses the headways for the Ski Area Local during the peak periods. The Applicant should indicate what the proposed headways are during the off peak periods?	Traffic- SDEIS 3.5	2		
1207	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation	The scoping document states that "This section of the DEIS will also describe the current availability of off-street parking in the vicinity and discuss current parking in relation to what would be necessary for any special event." The Applicant should provide this information in the Traffic Patterns section of the DEIS.	Traffic- SDEIS 3.5	2		
1208	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation	The Applicant should also indicate how the parking supply was calculated for each use and provide a table comparing the proposed parking to what is required.	Traffic- SDEIS 3.5	2		
1209	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation	The Applicant should provide a discussion of internal road grades.	Traffic- SDEIS 3.5	2		
1210	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation page 2-40	The Applicant should define typical in the second sentence, i.e. per Table 3-31, typical = based on median day of operation	Traffic- SDEIS 3.5	2		
1211	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation page 2-41 Item 3	After the 5th sentence the Applicant should add a sentence stating the Resort will generate 347 vehicle trips in the AM peak hour and 339 vehicle trips in the PM peak hour. The Applicant provides total resort numbers for the typical day but divides the vehicle trips by resort for the peak winter traffic.	Traffic- SDEIS 3.5	2		
1212	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation page 2-41 Item 3	The first paragraph states "It is anticipated that approximately 50 percent of the peak hour trips generated by the proposed resort during the winter will be shared trips with the Belleayre Mountain Ski Center." The Applicant should indicate or reference how this percentage was determined. The Applicant should also comment on the reasonableness of this given that approximately 50 percent of the lodging will be time-shares or extended stay type lodging.	Traffic- SDEIS 3.5	2		
1213	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation page 2-41 Item 4	The first sentence provides a discussion of traffic volume increases expected in vehicles per minutes; the Applicant should also provide the increases in vehicles per hour.	Traffic- SDEIS 3.5	2		
1214	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation page 2-41 Item 4	The last sentence of the third paragraph states "Traffic is not expected to increase on local roads, including the roadways in the Hamlet of Pine Hill" How can this be stated especially since most if not all patrons to the resort will arrive by private automobile and may at some point during their stay decide to sightsee or shop in the villages/hamlets?	Traffic- SDEIS 3.5	2		

1215	Town of Shandaken	2.2.7 Traffic, Parking and Pedestrian Circulation,	The Applicant should develop a Transportation Demand Management (TDM) plan if special/major events such as a golf tournament are planned. The plan should indicate how and where people will park, any changes to the proposed shuttle service and consideration of off site parking nearby with a shuttle service provided.	Traffic- SDEIS 3.5	2		
1216	Town of Shandaken	2.2.7Traffic, Parking and Pedestrian Circulation page 2-41 Item 5	The second paragraph states "This number of trips from the Resort would use less than 15% of the capacity of Route 28..." Please indicate how this was determined and please clarify that the trips are to and from the site. The second paragraph also states "An increase in traffic of this magnitude will typically not be noticeable." A comparison of Figures 3.2 and 3.10 in Appendix 25 shows the Route 28 (west of Route 47) anticipated 2008 winter Saturday PM peak hour volumes to be 784 vph in the No Build and 1079 vph in the Build condition. This 37 percent increase may be noticeable.	Traffic- SDEIS 3.5	2		
1217	Town of Shandaken	2.2.10 Signage	The Applicant suggests that information signs be placed on the main roadways. The Applicant should prepare and submit a "way-finding" sign plan to the County/Towns and Department of Transportation. Per the final plan, the Applicant should furnish and install the signs as part of the development proposal.	Signage- SDEIS 2.8.11	2		
1218	Town of Shandaken	2.4.2 Operational Stage Activities - Employment	Seasonal help comprises a significant portion of the new employment opportunities that will be created. Will seasonal employees receive benefits? If not, will the lack of benefits diminish the attractiveness of these positions, as compared with other jobs in the tri-county area? If the local labor pool cannot supply the needed employees, where will these seasonal workers come from and where will such workers be housed?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1219	Town of Shandaken	2.4.2 Operational Stage Activities - Employment	The HRA report notes that a rise in the number of part time workers does not likely lead to improved living standards, and stated, "a key goal of the economic development strategy is to ensure an adequate supply of full time, non-seasonal jobs . . . to Watershed residents at livable wages" (pg. 10). Does the proposed project further this goal?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1220	Town of Shandaken	2.4.3 Operational Stage Activities - Employee Housing	new employee housing may be more than anticipated if the jobs created by the resort are not competitive (in terms of wages and benefits) compared with other jobs in the tri-county region. See comments for page xix, new residential development.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1221	Town of Shandaken	2.4.7 Operational Stage Activities Deliveries of Goods and Services	The Applicant should provide a trip generation estimate for delivery/service trucks. The Applicant should also indicate the access routes the trucks are expected to use. Section 2.4.7 -- Deliveries of Goods and Services generally indicates what is expected but does not provide a peak hour and daily estimate. The Applicant should also indicate if there will be any restrictions on the times of the deliveries	Traffic- SDEIS 3.5; 4.7	2		
1222	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions	The existing traffic counts are low. Community Consulting Services, Inc., conducted traffic volume counts in 2003 and found that the morning and evening peak hours at Route 28 and County Road 49A were twenty (20) percent higher than those reported in the DEIS.	Traffic- SDEIS 3.5;	2		
1223	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions	County Road 49A and Friendship Road are proposed as the major access points. Both of these roads are narrow (18-20 feet). The Applicant should, per the scoping document, provide an analysis and discussion on the ability of these roads to safely and efficiently accommodate the anticipated traffic demand including trucks.	Traffic- SDEIS 3.5;	2		

1224	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions page 3-118 Pargraph 1	This first paragraph discusses additional vehicles that would be added to Route 28. The Applicant should provide hourly estimates, not just estimates of vehicles per minute.	Traffic- SDEIS 3.5;	2		
1225	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions page 3-118 Pargraph 1	Please clarify the fourth sentence which states," the addition of three vehicles during the peaks will not have a significant effect on the Route 28 traffic." There will be more than three vehicles generated during the peaks.	Traffic- SDEIS 3.5;	2		
1226	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions - page 3-118 Pargraph 5	This bullet describes County Road 49A and indicates that there are nine foot travel lanes in each direction. Can these narrow travel lanes safely and efficiently accommodate the anticipated traffic generated by the proposed development?	Traffic- SDEIS 3.5;	2		
1227	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions - page 3-119 2nd Bullet	This bullet describes Friendship Road and indicates that the overall pavement width is between 18-20 feet. Can this narrow roadway safely and efficiently accommodate the anticipated traffic generated by the proposed development?	Traffic- SDEIS 3.5;	2		
1228	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions page 3-120 paragraph 1	The first paragraph indicates that two seasonal traffic conditions were evaluated to select the peak period for the year, Please explain why a special event such as a golf tournament was also not evaluated. It is possible that special events may take place at the resort The Applicant should provide a Transportation Demand Management (TDM) plan for a special event.	Traffic- SDEIS 3.5;	2		
1229	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions page 3-120 paragraph 2	The second paragraph discusses the winter conditions analysis. During the public meetings it was brought to our attention that the Martin Luther King, Jr. holiday weekend of Saturday, January 15, 2000 was not a peak day condition. The scoping document requires an analysis of a peak day. The Applicant should revise the traffic information based on more recent attendance records at Belleayre Mountain Ski Center and traffic volume counts.	Traffic- SDEIS 3.5;	2		
1230	Town of Shandaken	3.7.1 Traffic Patterns - Access to the Site and Existing Conditions page 3-121 paragraph 3	This paragraph indicates the vehicles per minute during the typical winter traffic peak hours and during the typical fall peak hours. The Applicant should define "typical" and provide the estimates in hourly volumes.	Traffic- SDEIS 3.5;	2		
1231	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The Applicant should include a better description and summary of trip generation in the main body of the DEIS. The main body of the DEIS is confusing as it includes various figures including a typical day and figures broken out by project component, etc. Table B--1 from Appendix B [of Appendix 25] should be incorporated in the main body.	Traffic- SDEIS 3.5;	2		

1232	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures p 3-122 Paragraph 1	The first paragraph indicates that the proposed project will open during the year 2006 and continue with construction through 2008. The Applicant should revise this and the traffic study based on a more reasonable project completion date.	Traffic- SDEIS 3.5;	2		
1233	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122	The Applicant should provide a trip generation estimate for delivery/service trucks in Traffic Patterns section. The Applicant should indicate the access routes the trucks are expected to use. Section 2.4.7 - Deliveries of Goods and Services generally indicates what is expected but does not provide a peak hour and daily estimate. The Applicant should also indicate if there will be any restrictions on the times of the deliveries.	Traffic- SDEIS 3.5;	2		
1234	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122 2nd Bullet	The Applicant should indicate the date/year the rate was determined for the facilities at Sunday River and Killington.	Traffic- SDEIS 3.5;	2		
1235	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122 Paragraph 1	Two sources of trip generation are cited: The Institute of Transportation Engineers Trip Generation and counts of similar resort facilities. The Applicant should provide a reference for the similar resorts including location and date of data.	Traffic- SDEIS 3.5;	2		
1236	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122 Paragraph 2	The third sentence states "As a conservative estimate it has been assumed that 40 percent of the trips to and from the golf courses on peak days will be made on shuttle buses." The Applicant should indicate how this was calculated and determined to be a "conservative estimate".	Traffic- SDEIS 3.5;	2		
1237	Town of Shandaken	3.7.2 A. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-123 Paragraph 2	The first sentence states "Shuttle buses will play a significant role in reducing the trips from the development." The Applicant should edit this to state "…trips within the development."	Traffic- SDEIS 3.5;	2		
1238	Town of Shandaken	3.7.2 G. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-123 1st Bullet	During the PM peak hour (2008 Build), the eastbound Gunnison Road approach will experience LOS F and the westbound Belleayre Lower Driveway will experience LOS E. It is indicated that a traffic signal is not warranted. The Applicant should consider and address other mitigation such as the use of a police officer to direct traffic during the peak winter Saturday peak hours. The Applicant also indicates that it is recommended that signs be placed within the Wildacres Resort to divert the existing traffic to the southern resort driveway. Again, The Applicant should clarify whether they are proposing to furnish and install the signs. Was this diversion considered in the capacity analysis?	Traffic- SDEIS 3.5;	2		

1239	Town of Shandaken	3.7.2 G. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-128 Paragraph 1	The second sentence indicates that highway capacity software, HCS version 4.1a was used. The Applicant should use the latest version 4.1 c in the DEIS.	Traffic- SDEIS 3.5;	2		
1240	Town of Shandaken	3.7.2 G. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-129 2nd Bullet	A poor level of service (LOS F and E) is expected in 2008 Build for the northbound and southbound approaches, respectively during the AM peak hour and LOS D and F for these approaches, respectively during the PM peak hour. It is indicated that a traffic signal is not warranted. The Applicant should consider and address other mitigation such as the use of a police officer or traffic control person to direct traffic during the peak winter Saturday peak hours.	Traffic- SDEIS 3.5;	2		
1241	Town of Shandaken	3.7.2 G. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-129 Continuation of Bullet from Previous Page	This bullet discusses impacts and mitigation to NY Route 28 and County Road 49A. The Applicant is proposing a "fair share" contribution to the improvements. The Applicant should define "fair share" and indicate who is expected to participate in the cost of this improvement. Also the formula proposed for calculating the shares should be included. The Applicant should consider paying the entire cost of improvements. While it is understood that a poor level of service is anticipated under the No Build condition due to traffic generated by the ski center, the proposed development will benefit from the close proximity of the ski center.	Traffic- SDEIS 3.5;	2		
1242	Town of Shandaken	3.7.2 G.Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-129 First Complete Bullet	A poor level of service (LOS E) is expected in 2008 Build for the southbound approach during the PM peak hour. It is indicated that a traffic signal is not warranted. The Applicant should consider and address other mitigation such as the use of a police officer to direct traffic during the peak winter Saturday peak hours.	Traffic- SDEIS 3.5;	2		
1243	Town of Shandaken	3.7.2 I. Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-131	The Applicant should indicate the proposed length of the westbound left turn lane and indicate if it is warranted. Also The Applicant should consider making improvements to Friendship Road between NY Route 28 and the resort access and address in the FEIS.	Traffic- SDEIS 3.5;	2		
1244	Town of Shandaken	3.7.2 Traffic Impacts - Potential Impacts and Mitigation Measures and Appendix 25 Traffic Impact Study	The Applicant should provide a capacity and level of service analysis for key segments along the mainline of Route 28. This is in compliance with the scoping document which states that "a traffic impact study will be performed for the proposed action to assess the potential impact of the project construction and operation on local traffic patterns and roadways." The Applicant should provide the analysis for Route 28 for the Existing, No Build and Build scenarios. The Applicant should also include anticipated speeds along Route 28 under these scenarios.	Traffic- SDEIS 3.5;	2		
1245	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The Applicant should provide more details on the proposed shuttle service (i.e. hours of operation, trip generation estimates and cost for patrons etc.)	Traffic- SDEIS 3.5;	2		

1246	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures	The Applicant indicates that signalization is not warranted but no other mitigation is considered. The Applicant should consider other mitigation such as use of police officer or traffic control person in the following locations: 1) Route 28 at Route 42 2) Route 28 at Route 214 3) County Road 49A at Gunnison Road/ Belleayre Mountain lower driveway 4) County Road 49A and Belleayre Main (upper) driveway.	Traffic- SDEIS 3.5;	2		
1247	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122 Paragraph 2	The fifth sentence states "Of these trips it has been assumed that 80 percent of them will be on shuttle buses." The Applicant should indicate or reference how this percentage was determined.	Traffic- SDEIS 3.5;	2		
1248	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-122 Paragraph 3	The fourth sentence states “In the winter the main activity will be skiing and it has been assumed that 50 percent of the peak hour trips generated by the Resort will be to and from Belleayre." Is this a "conservative estimate"? The Applicant should indicate or reference how this percentage was determined. The Applicant should also comment on the reasonableness of this, given that approximately 50 percent of the lodging will be time-shares or extended stay type lodging.	Traffic- SDEIS 3.5;	2		
1249	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-123 1st Bullet	Indicates a single golf course, however two golf courses are described in the project description. The Applicant should rectify.	Traffic- SDEIS 3.5;	2		
1250	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-124 and 3-125, Table 3-31, 3-32 and 3-33	These tables provide a summary of the estimated trip generation for the Resort. Information is provided for Design, Estimated Maximum and Typical. The Applicant should revise the title of "Estimated Maximum" to "Similar Resort", as this figure was based on a limited amount of data collected at a few facilities.	Traffic- SDEIS 3.5;	2		
1251	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-124 and 3-125, Table 3-31, 3-32 and 3-33	The total "Design" trip generation for the fall Friday PM peak and Sunday PM peak should include trips for the golf courses, as the courses will be open to the public. The "Design" scenario is actually not based on a full occupancy of the lodging but rather on ITE rates. The ITE Trip Generation Manual indicates that these rates for Land Use 310 (Hotel) had an average occupancy rate of 83 percent.	Traffic- SDEIS 3.5;	2		
1252	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-127	The Applicant should provide an intersection and stopping sight distance analysis for all proposed access points and internal project roadway intersections.	Traffic- SDEIS 3.5;	2		

1253	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-127 1st Bullet	Indicates that the realignment of Route 49 A is expected to improve the sight distance at the Middle Driveway and Belleayre Mountain driveway. The Applicant should indicate what the improved sight distance will be in feet and if it will be adequate to meet the desirable criteria.	Traffic- SDEIS 3.5;	2		
1254	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-127 2nd Bullet	Indicates that sight distance is limited at the intersection of County Road 49A and the Southern Driveway. The third sentence states, "Clearing on the west- side of County Road 49A would improve the sight distance looking to the left." The fourth sentence states "However, to further mitigate the sight distance deficiency due to the vertical profile, it is recommended that driveway ahead warning signs be installed on the northbound and southbound County Road 49A approaches to the intersection." It is not clear if the applicant is proposing to clear the west side and install signs or if they are hoping the County will do this. The Applicant should clarify. The Applicant should also indicate what the sight distance is expected to be with these mitigation measures. The Applicant should also evaluate additional measures to improve the sight line such as changes to the vertical profile.	Traffic- SDEIS 3.5;	2		
1255	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-127 Paragraph 1	The sixth sentence states "The sight distance for the golf cart crossings was conducted using the local road speed limit on Gunnison Road of 30 - mph." The Applicant should indicate why the 85th percentile speed was not used or make note that the 30mph posted speed is indeed the 85th percentile operating speed.	Traffic- SDEIS 3.5;	2		
1256	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-127 Paragraph 1	The Applicant should also indicate which movements do not meet the criteria and include Table 4.2 Sight Distance Evaluation from Appendix 25.	Traffic- SDEIS 3.5;	2		
1257	Town of Shandaken	3.7.2 Traffic Patterns - Potential Impacts and Mitigation Measures, page 3-128 1st Bullet	This section indicates that sight distance is limited by both vertical and horizontal curvature of County Road 49A. The second sentence states “It is recommended that the side slopes be cleared and regraded to provide additional sight distance.” The third sentence states “Advisory speed signs and intersection ahead warning signs should be installed on the County Road 49A approaches to this intersection.” It is not clear if the Applicant is proposing to clear the side slopes, re-grade and install advisory speed-signs or if they are hoping the County will do this. Please clarify. Please indicate what the sight distance is expected to be with these mitigation measures. Please evaluate additional measures to improve the sight line such as changes to the vertical and or horizontal profiles.	Traffic- SDEIS 3.5;	2		
1258	Town of Shandaken	3.8.2 Adjacent Land Use and Community Character Page 3-139 B.1	The resort will provide lodging, dining, recreation, and spa facilities (as well as retail opportunities). The applicant then reasons that the resort will be fairly self-contained so there will be no impact on community character. Previously the applicant asserted that the local economy will benefit from the resort. This is inconsistent. Either the resort will have little impact, both positive and negative, or the resort will impact the local economy and community character in both positive and negative ways. Please clarify.	Project Benefits- SDEIS 1.3.G;	2		

1259	Town of Shandaken	3.8.3 Local and Regional Land Use Plans Page 3-140 Section C	The applicant states that no mitigation measures are necessary. Given the comments here, this assessment is premature.	Mitigation- SDEIS Section 3; Appendix 1;	2		
1260	Town of Shandaken	3.9.1 Emergency Services Page 3-177 Section B	The DEIS states that additional services will be needed. The costs for such services must be provided. See comments for pages v and xvi above regarding impacts on community services	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1261	Town of Shandaken	3.9.1 Emergency Services Page 3-177 Section B	The DEIS should state the additional services that will be required, the costs of such services, and assess how the existing service providers and the community will be impacted as a result of the additional services provided. For police, fire and emergency services, the DEIS should provide data related to the existing number of calls, and the projected numbers of calls at full build out. The number of projected calls should include calls to service new employees, new residents (on-site, second homeowners and new employees living in the study area), and resort guests (both restaurant and hotel).	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1262	Town of Shandaken	3.9.7 Schools Page 3-182 Section A	Was the school renovation project completed? If so, is this why the school district now has capacity? Please clarify.	Community Services- SDEIS 3.10	2		
1263	Town of Shandaken	3.9.7 Schools Page 3-182 Section B	In addition, the number of schoolchildren generated and the cost per child should be identified in this analysis, regardless of whether the school district has capacity, as the local tax payers will partially absorb the costs of educating new school children. The total number of schoolchildren generated should include children generated from new employees and new businesses in the study area.	Community Services- SDEIS 3.10	2		
1264	Town of Shandaken	3.9.7 Schools Page 3-182 Section C	Given the comments here, this assessment is premature. The characterization of employees in the hotel industry conflicts with previous statements claiming that the majority of the work force for the resort would come from within the tri-county area. The potential tri--county labor pool is composed of people in several age categories, as the applicant's demographic information indicates, and it can be assumed that many employees will have children. If the applicant is anecdotally discussing the 16 to 20 management/specialty positions previously mentioned, it can be assumed that the young children of such employees will grow up and require educational services.	Community Services- SDEIS 3.10	2		
1265	Town of Shandaken	3.9.9 Roadways Section B	The proposed project will also impact public roads. As the number of people using the roads increases, maintenance costs rise, and additional traffic improvements are required. Such impacts should be quantified in terms of increased traffic and increased costs.	Traffic- SDEIS 3.5;	2		

1266	Town of Shandaken	3.10 Socio-Economic Setting	Although the DEIS contains a voluminous amount of data, and has attempted to be thorough, significant pieces are missing from the socio-economic analysis, including: (1) an updated market study; (2) an analysis of labor availability and associated housing needs; (3) a cost/benefit analysis comparing costs and anticipated revenues generated by the proposed development to the Town of Shandaken, the State of New York, the Onteora Central School District and Ulster and Greene Counties; (4) a thorough discussion regarding impacts on community character, especially with regard to existing businesses and the economic integrity of the hamlets; (5) a detailed analysis of growth inducement; and (6) a viable discussion of alternatives. The discussion of alternatives should also include the no action alternative. In particular, assuming that the Ski Center expands and the Proposed Action is not approved, what benefits/costs would accrue to the hamlets, existing lodging facilities, restaurants, etc.?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1267	Town of Shandaken	3.9.9 Section B	This assessment is premature	Comment does not raise any substantive issues / no response required;	4		
1268	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions	We suggest using a per capita approach to more accurately portray existing and future demographic conditions. The applicant should include 2003 per capita, per worker and per school pupil costs, as well as other relevant service costs. This per capita analysis will require population projections per person, per worker and per pupil. Worker estimates should be derived from public sources and trade industry groups. Pupil estimates should be derived from children generated from on-site housing, as well as from children generated by new employees relocating to the area.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1269	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions	Costs should be based upon existing costs per capita and per student, plus the additional/incremental costs that will accrue as a result of the Proposed Action. Per capita costs should be determined by apportioning non-school costs to both residential and non-residential project components. Residential costs should be based upon the local population. Nonresidential costs should be based upon the number of people working locally. Existing per pupil costs should be derived by dividing total school district costs by local school enrollment, and allowing for various aid formulas.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1270	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Page 3-187 Paragraph 1	What percent of employers in the study area were surveyed?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1271	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Page 3-187 Paragraph 4	The DEIS indicates that the percentage of second homes in the study area is significant. Isn't it plausible that the creation of a tourist destination will increase this already significant trend especially in the study area where second home ownership accounts for 45.2 percent of all housing units in the Town of Middletown?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1272	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Page 3-188 Paragraph 4	How will decreases in the labor force impact the potential labor pool for the proposed resort? For the expanded ski facility? For new and existing businesses? Please explain.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

1273	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Page 3-193 Paragraph 3	If the service and retail sectors currently provide more than half of the jobs, how will the resort impact these sectors? Will there merely be a reshuffling of employment opportunities?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1274	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Page 3-193 Paragraph 6	How will the proposed resort impact tourism? Will there be an increase in spending on lodging, food/dining and shopping, or will there simply be a shift in spending patterns as the resort captures most of the market demand? Please analyze.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1275	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Table 3-40	What are the figures for average individual rather than household salaries? for median household incomes? for median individual incomes?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1276	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Table 3-53	The figures for tourism spending are based on data from 1997. Have these numbers changed since 9/11? Have other similar areas seen a decline/increase in tourism spending?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1277	Town of Shandaken	3.10.1 Socio-Economic Setting - Existing Conditions Table 3-61	Did Crossroads base the construction costs upon similar projects they have undertaken? Or on similar projects undertaken by other corporations in the region? Based upon the broad categories listed, it is difficult to assess the accuracy of the construction numbers, and such numbers are important as they provide the baseline, in part, for the RIMS II calculation presented in Table 3-61. Please document all numbers.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1278	Town of Shandaken	3.10.1 Socio-Economic Setting -Existing Conditions	It cannot be disputed that the resort will impact employment and sales in the retail and service sectors. The DEIS should discuss how the existing retail and service sectors will be impacted. If additional spending generated by resort visitors is captured by other large-scale retailers and service providers that come into the area to service the surplus demand, the economic benefits might be offset by changes in community character. The ability of small-scale retailers and service providers to survive is critical to community character, especially in the hamlets.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1279	Town of Shandaken	3.10.1 Socio-Economic Setting -Existing Conditions Page 3-194 Paragraph 5	The largest retail sector in terms of employment is eating and drinking places, with over 34.6 percent of the retail employees. Again, with the amount of seating capacity provided by the resort, will there be an increase in spending overall in this sector or will the resort capture the majority of the market? The HRA report states that development should support existing retail businesses (pg. 26) and stresses the importance of maintaining the economic viability of the hamlets (pg. 16). Based on the above, what is the potential impact on retail employment? Similarly, what are the potential economic impacts on the hamlets given that small businesses typically have limited capital and less of an ability to negotiate competitive price.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		

1280	Town of Shandaken	3.10.1 Socio-Economic Setting -Existing Conditions Page 3-195 Paragraph 5	The largest service sector in terms of employment is hotels and other lodging places, with 49.7 percent of the service employees. With the number of rooms provided by the resort, will there be an increase in spending overall in this sector or will the resort capture the majority of the market? What is the potential impact on service sector employment? Especially in light of the fact that many lodging facilities are obsolete and poorly located? (pg. 11 HRA report) Similarly, what are the potential economic impacts on the hamlets and existing lodging facilities given that small lodging places typically have limited capital and may have difficulty upgrading their facilities? typo - substitute "retail employee" with "service employee."	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1281	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts	The methodology used needs to be expanded upon to more accurately and adequately estimate costs and benefits associated with the Proposed Action. More specifically, benefits including sales tax, property tax and job generation both on and off-site must be presented at various stages until the project is fully operational in order to portray when such benefits will actually accrue to the Towns. In addition, bBenefits should be presented as a percentage of total tax levies or jobs, factoring in various growth multipliers. Also, all projections must be updated using current demographic information, as well as recent market data reflecting changes post 9/11.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1282	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts	Population projections (persons and pupils) should be based upon: 1) Public Use Micro-data Sample (PUMS) from the decennial census. Household size and public school age children demographic multipliers should be developed by housing unit type, size, and price for a multi-county area comprising an approximate housing region; 2) a field study of actual public school yields from "build" developments in the region that are comparable to components of the Proposed Action.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study	2		
1283	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts and 5.10 - No Action Alternative	The socio-economic impacts associated with the proposed action should be compared to the no action alternative. In particular, assuming that the Ski Center expands and the proposed action is not approved, what benefits/costs would accrue to the hamlets, existing lodging facilities, restaurants, etc.?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1284	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-197 Paragraph 2	Based upon the text, it is not clear how the total ($145.49) was calculated. Please clarify.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1285	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-199 Paragraph 3	Operations-related jobs would largely occur by 2018 assuming it requires four years after construction is completed in 2014 to achieve 90 percent sales of time-shares.	Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		

1286	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-200 Last Paragraph	The DEIS states that workers commute long distances and would likely change jobs for one closer to home. This is probably accurate if the existing salaries for commuters are commensurate with those offered by the resort. Workers often commute long distances to get better jobs, better pay, better benefits, etc., and may not be willing to change jobs, even if such a job is close to home, if the change is not fiscally beneficial. According to the HRA report, in 1999, per capita income was estimated at $24,000, with Delaware County having the lowest per capita income figures, ranging from $15,000 to $17,000. According to the DEIS, the typical salary for guest services jobs will be $16,390.Based upon the above, these types of resort jobs will not provide an increased living standard for local residents.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1287	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-201 Paragraph 1	The DEIS states that the median wage for ETE positions would be $27,272. How was this calculated? The high end management positions should be removed from any such calculations as these positions skew the data. The DEIS then goes on to compare median and mean (average) wages, This comparison is meaningless. Please amend so that median and mean data are separately analyzed. Please break out employee categories with annual salary data for each category.	Project Benefits- SDEIS 1.3.G; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0	2		
1288	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-202 Paragraph 5	Resort-related off site sales are expected to translate into the equivalent of 211 off-site jobs. Please discuss when these jobs would be available.	Project Benefits- SDEIS 1.3.G;	2		
1289	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-203 Paragraph 4	Sales tax projections of $718,000 per year to Ulster County and $238,000 to Delaware County are based in large part on off-site sales, much of which are projected to be generated by time share and country club members, assuming 85 percent occupancy 310 days per year. This occupancy must be supported with recent market data.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS 1.3.G;	2		
1290	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-203 Paragraph 4 and Table 3-70	Off-site sales and associated sales taxes will not accrue in full to the counties until 2022 since 76 percent of resort user off-site sales are attributed to time-share owners and country club members for which occupancy is forecasted to take from 2006 to 2018. Sales tax revenues generated as a result of the Proposed Action should be reported at various stages of the project until the project is fully operational. Underlying assumptions regarding the methodology used to project these estimates need to be more fully disclosed.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1291	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-204 to 3-206, Tables 3-73 to 3-76	It is misleading to only compare property taxes on resort land rather than to total Town property tax revenues. Thus, the 2022 tax benefits of the $1,503,000 to Shandaken and Ulster County should be reported in comparison to its total tax levy. It is misleading to list annual tax benefits as if they would be immediately available. Tax benefits will not be paid in full until 2025 due to a business investment exemption. Property tax revenues generated as a result of the Proposed Action should be reported at various stages of the project until the project is fully operational. Underlying assumptions regarding the methodology used to project these estimates need to be more fully disclosed. Please address.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

1292	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-204 to 3-206, Tables 3-73 to 3-76	By not reporting background trend-based growth of property tax revenues over the 22 years before the full property taxes are paid in 2025, the DEIS overstates the significance of the contribution from the project. Thus, what appears to be a 10 percent 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 percent if there were just a 1 percent annual growth in the Town's total tax levy over 22 years, At recent 7-8 percent growth rates, resort taxes would add 2 percent. The scenario would be similar for Shandaken. Please adjust accordingly.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1293	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-209 Paragraph 2	This occupancy rate must be supported with recent market data.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1294	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-212 Paragraph 2	What is the basis for the 50 percent spending split?	Growth Inducing Impacts- SDEIS 7.0	2		
1295	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-214 Paragraph 1	The occupancy rate for the hotel rooms at the resort is not the issue when addressing impacts on existing lodging facilities. The key issue is what percentage of the market will the resort capture? How much will the capture rate of the resort erode the capture rate of existing lodging facilities? The DEIS should include an inventory of existing facilities in the study area, along with room-night data.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1296	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-214 Paragraph 3	What is the basis for the 25 percent spending split?	Growth Inducing Impacts- SDEIS 7.0	2		
1297	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Page 3-216 Paragraph 2	What is the basis for the 60 percent spending split?	Growth Inducing Impacts- SDEIS 7.0	2		
1298	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Table 3-61	Did Crossroads base the construction costs upon similar projects they have undertaken? Or on similar projects undertaken by other corporations in the region? Based upon the broad categories listed, it is difficult to assess the accuracy of the construction numbers, and such numbers are important as they provide the baseline, in part, for the RIMS II calculation presented in Table 3-61. Please document all numbers.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1299	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Table 3-66	How were gross annual revenues calculated?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		

1300	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Tables 3-76 and 3-78	Upon what are these figures based?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10;	2		
1301	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts Tables 3-80	How do projected occupancy rates compare with similar resorts?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1302	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts	Although the DEIS provided a tally of development-generated revenues, including monies from local property taxes and sales taxes, mortgage tax revenues and other sources of income, State and governmental aid was not included in the analysis. Adjustments should be made for business incentive programs that may be applied in New York State and effects on school aid. The analysis-should distinguish "net new" revenues from gross revenues generated.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Business Exemption- SDEIS 1.5; Industrial Development Agency (IDA) 1.4.2; Project Benefits- SDEIS	2		
1303	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts	A matrix showing the benefits minus the costs should be included in the analysis to determine net fiscal impacts for various jurisdictions, as well as cumulative impacts. Impacts should be determined based on phasing of the project over time, as well as full build out.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Project Benefits- SDEIS 1.3.G; Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS	2		
1304	Town of Shandaken	3.10.2 Socio-Economic Setting - Potential Impacts	The applicant has the burden of achieving substantial compliance consistent with the *Fiscal Impact Handbook*	Comment does not raise any substantive issues / no response required	4		
1305	Town of Shandaken	3.10.3 Socio-Economic Setting - Mitigation Measures Page 3-218	The assertion that no mitigation is needed is premature.	Mitigation- SDEIS Section 3; Appendix 1	2		
1306	Town of Shandaken	Appendix 6 - Letters of Record	The impacts upon community services have not been addressed. 1) A baseline analysis should be provided to document existing conditions; 2) The service providers should estimate future capacity absent potential budget constraints; 3) The applicant should estimate the projected increase in services that is likely to result from the Proposed Action for each service provider; 4)Future service capability should be compared with projected service needs. This part of the analysis should identify personnel needs, equipment needs, etc., along with cost estimates.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1307	Town of Shandaken	Appendix 6 - Letters of Record, letter from Margaretville Central School District	The School District stated that the system possessed adequate capacity to service the Proposed Action. However, the District noted that additional capacity was available only for the schoolchildren generated by the homes in Highmount Estates. Given the small number of homes in Highmount Estates, and given that a portion of these homeowners will not be year round residents, the schoolchildren generated from Highmount Estates is so few as to be insignificant. A much larger number of schoolchildren could potentially be generated from the new employee base.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

1308	Town of Shandaken	Appendix 6 - Letters of Record, letter from Margaretville Central School District	The School District stated that the system possessed adequate capacity to service the Proposed Action. However, the District did not provide existing or projected enrollment numbers. Therefore, the assertion regarding capacity is unsupported.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1309	Town of Shandaken	Appendix 6 - Letters of Record, letter from Margaretville Memorial Hospital	The Hospital stated that the facility possessed adequate capacity to service the Proposed Action. However, the Hospital then notes that the facility is experiencing a "serious financial situation" and will require an affiliation to be viable. Based upon the Hospital's statement, it appears that the facility lacks the financial resources to service the proposed project presently.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1310	Town of Shandaken	Appendix 6 - Letters of Record, letter from Soild Waste Coordinator of Delaware County	The Coordinator stated that the facility possessed adequate capacity to service the Proposed Action. However, implications of accepting a significant amount of new solid waste were not addressed. The Coordinator stated that the landfill had a remaining life of 15 years, but did not address how the Proposed Action would shorten the life of the existing landfill, nor did the Coordinator analyze the potential costs of siting a new landfill or shipping waste to another facility.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1311	Town of Shandaken	Appendix 25 - Traffic Impact Study	The Applicant needs to update the traffic study to reflect a more realistic year of opening and full build out. The DEIS currently assumes a full build out of 2008 with an 8 year construction period. During the public meetings it was brought to our attention that the Martin Luther King, Jr. holiday weekend of Saturday, January 15, 2000 was not a peak day condition. The scoping document requires an analysis of a peak day. The Applicant should revise the traffic information based on more recent attendance records at Belleayre Mountain Ski Center and traffic volume counts.	Traffic- SDEIS 3.5;	2		
1312	Town of Shandaken	Appendix 25 - Traffic Impact Study	The DEIS indicates that the traffic impact study used a 3 percent background growth rate to reflect in part the planned expansion of skier visits to Belleayre Mountain Ski Center. The Applicant should explain how this was determined and what expansion is accounted for in the growth rate.	Traffic- SDEIS 3.5;	2		
1313	Town of Shandaken	Appendix 25 - Traffic Impact Study table 4-2	This table provides a sight distance evaluation for 3 access points on 49A based on speed limits of 40 mph and 30 mph. On page six in the fifth bullet, the last sentence indicates that the speed limit on County Road 49A is assumed to be 55 mph. The Applicant should explain why the 30 and 40 mph sight distance evaluation is presented and should provide the sight distance analysis at the existing 55 mph speed limit. Speed changes are a statutory process.	Traffic- SDEIS 3.5;	2		
1314	Town of Shandaken	Appendix 25 - Traffic Impact Study table 4-3	The Applicant should provide documentation from the appropriate agencies that their proposed changes are reasonable and feasible.	Traffic- SDEIS 3.5;	2		
1315	Town of Shandaken	Appendix 25 - Traffic Impact Study table B-1	The Applicant should provide an explanation of how the estimates in Table B-1 were calculated. Table B-1 should also be included in the main body of the DEIS. The Applicant should also provide a total trip generation estimate for the entire proposed development. The Applicant should also include a trip estimate for the shuttle bus	Traffic- SDEIS 3.5;	2		

1316	Town of Shandaken	Appendix 25 - Traffic Impact Study Table B-1, 5th Line Item	We question the trip generation for the Saturday PM peak hour for the 183 Club Membership. The total generation for the 183 units is 67 vehicles. Once could expect it to be greater during this time as Saturday PM is typically prime time for time-share check in. This estimate seems low; please reconsider. The PM exit volume is missing a volume in parenthesis. Likewise the AM peak hour on a Saturday is generally a peak time for time Belleayre Resort at Catskill Park DEIS Traffic Review share unit users to check out. The total generation of 67 vehicles seems low. The Applicant should address.	Traffic- SDEIS 3.5;	2		
1317	Town of Shandaken	Appendix 25 - Traffic Impact Study, Figure 3.8	The note indicates the remaining 40 percent will come to/from the south on Route 49A outside the study area boundaries. The Applicant should explain/validate how this was determined.	Traffic- SDEIS 3.5;	2		
1318	Town of Shandaken	Appendix 25 - Traffic Impact Study, figures 3.6, 3.7, 3.8	The Applicant should provide a figure that shows the total trip generation for the entire resort, i.e. sum of Wildacres, Big Indian Plateau and Highmount Estates both for average levels and during the Saturday, Friday and Sunday peak hours.	Traffic- SDEIS 3.5;	2		
1319	Town of Shandaken	Appendix 25 Traffic Impact Study	Table B-1 also needs more explanation. The Applicant needs to explain how the shuttle and internal trips are accounted for. For example, please explain the following: the trip generation estimate for the Wild Acres resort is 130 vehicles for the Saturday PM peak hour enter movement. The Applicant is using a vehicle estimate of 84 - how was this calculated/determined? The Applicant should explain the math associated with the footnote in the table " Assuming that 50% of the morning trips exiting would be to Belleayre Mountain and 40% of these would ride the shuttle means that there would be 144 trips made by guests in their own vehicles and 8 shuttle trips for a total of T 52 trips."	Traffic- SDEIS 3.5;	2		
1320	Town of Shandaken	Appendix 25 Traffic Impact Study	The Applicant should provide a trip assignment figure for each time period analyzed for the resort total (a combined estimate for Wild Acres, Big Indian Plateau and Highmount Estates). The document (Appendix B) currently provides trip assignment figures separately for the individual uses.	Traffic- SDEIS 3.5;	2		
1321	Town of Shandaken	Appendix 25 Traffic Impact Study	The Applicant should also provide separate trip generation estimates and assignment figures for the proposed shuttle system	Traffic- SDEIS 3.5;	2		
1322	Town of Shandaken	Appendix 25 Traffic Impact Study	The Applicant should provide reference/validation for the following assumptions used in the trip generation analysis: 1) shared trips with the Belleayre Mountain Ski Resort (50 percent of the winter peak hour trips generated by the proposed resort will be shared). It is not clear as to how this was accounted for in the traffic study and the Applicant should clarify. 2) 80 percent of the resort trips to and from the ski area will be on the shuttle bus 3) 40 percent of the resort trips to and from the golf courses will be on shuttle bus	Traffic- SDEIS 3.5;	2		
1323	Town of Shandaken	Appendix 25 Traffic Impact Study	The traffic study indicates that various Transportation Management Initiatives are planned. The Applicant should provide a Transportation Management Initiative plan that includes what is proposed and specific details of each element. The Applicant should incorporate an employee commute option program, including a ride matching service and ride board.	Traffic- SDEIS 3.5;	2		
1324	Town of Shandaken	Appendix 25 Traffic Impact Study	The traffic analysis does not consider the effect that railroad operations (proposed or existing) will have on the study area intersections. The Applicant should incorporate this into the analysis and consider if the crossing treatments are appropriate for the traffic volumes anticipated in the full build out year.	Traffic- SDEIS 3.5;	2		

1325	Town of Shandaken	Appendix 25 Traffic Impact Study	The capacity analysis conclusion for the intersection of Route 28/Route 214 as presented in Appendix 25 is confusing. The Applicant indicates that the peak hour volumes meet the peak hour warrants for a traffic signal but then goes on to say that a traffic signal is not warranted. The Applicant should clarify and provide a warrant analysis for each intersection	Traffic- SDEIS 3.5;	2		
1326	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - page 15, Response to Comment 22	In the Evaluation of Sight Distance table, the Wildacres resort - CR 49A/Southern Driveway (with realignment) and the Highmount Estates-CR49A/Access Road intersections are expected to have less than desirable sight distances. The Applicant should consider additional measures to mitigate this. The Applicant should indicate the proposed work shifts.	Traffic- SDEIS 3.5;	2		
1327	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - page 19 Response to Comment 27	The second paragraph states "Although this level of traffic from the project does not indicate a need for mitigation along Route 28 west of the project, there are long standing concerns regarding the use of County Route 38 as a connector. The project sponsors should support the Town (Middletown) and County's efforts to address these concerns with the New York State Department of Transportation." The Applicant should explain what this means and what is proposed.	Traffic- SDEIS 3.5;	2		
1328	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - page 2, comment 1	Referring to Winchell's Corners the sixth sentence states "The Resort sponsors will support the Town (Olive) in its efforts to address this issue with State officials." The Applicant should elaborate what is meant by this and what it will entail.	Traffic- SDEIS 3.5;	2		
1329	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - page 4, Response to Comment 2	Figure 1 shows the crosswalk for the golf cart crossing at an angle rather than at the typical 90 degrees. The Applicant should explain why this was done, as it makes the crossing path longer.	Traffic- SDEIS 3.5;	2		
1330	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - page 9	Page 9 of this addendum provides a sight distance analysis of the golf cart crossings. At all three locations the sight distance to the left from the driveway is less than desirable and the sight distance from the right is also less than desirable from the maintenance facility drive. The Applicant should consider additional measures beyond just signage to ensure safety at these crossings. Additional measures may include adding flashing warning lights to the signs, providing pedestrian push buttons to activate flashing warning lights embedded in the pavement, and/or clearing to improve sight distance.	Traffic- SDEIS 3.5;	2		
1331	Town of Shandaken	Addendum to Appendix 25 - Traffic Impact Study - pages 6&7, Response to Comment 4	The Applicant should provide an overflow parking plan. The response indicates that additional on-site temporary grass surfaced parking areas that exist next to both hotels will accommodate any overflow parking from special events. The Applicant should indicate how many spaces are available in these grass areas.	Traffic- SDEIS 3.5;	2		
1332	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects	The DEIS should provide a detailed inventory of vacant buildings suitable for redevelopment. The inventory should include addresses and be mapped.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1333	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects	The DEIS should provide a detailed inventory of vacant land which could potentially be developed, including private lands on secondary roads and off access roads, as these are typically considered prime real estate for second home buyers. The inventory should be mapped	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		

1334	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects	The DEIS should analyze the impacts of growth on agricultural lands. The HRA report identified 200,000 acres of agricultural land, which represented 20 percent of the total land mass (see pages 13--14), The conversion of agricultural lands and the potential impacts associated with such a mass conversion should be addressed.	General Project Description- SDEIS 1.2	2		
1335	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects page 1-2	A detailed inventory of retail and service establishments, along with a rental housing inventory, should be completed.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1336	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects page 1-3	A detailed breakdown of construction costs should be provided, with an estimate regarding the amount to be spent on such materials in the tri-county area. The employment, wage and salary estimates should identify only "net new" employment and wages to more accurately identify the fiscal impacts of the Proposed Action.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1337	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-2 1st paragraph	Typo. Change "or" to "of."	Comment does not raise any substantive issues / no response required;	4		
1338	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-3	If the study area is to be compared with New York State as a whole, some explanatory language should be provided, as downstate salaries tend to skew the overall figures for New York State.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1339	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-3 paragraph 2	Typo. Amend the "the an" language.	Comment does not raise any substantive issues / no response required;	4		
1340	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-4	The household employment data show that household income in the study area is $39,524 in 2000, with 46 percent of the households earning in excess of $40,000. How will the resort employment opportunities alter the earning potential of existing households?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1341	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-5 Table 2-4 and 2-5	In two of the three counties the labor force has declined. Overall, the labor force has lost. 3,400 persons from 1990--1999. Please discuss this decline as it relates to the labor needs of the proposed resort	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

1342	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-6	This paragraph is somewhat misleading. Many blue-collar jobs require little formal education, yet provide salaries and benefits above the state average. Please incorporate such information into this discussion as has been done on page 2-9.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1343	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-6	Rewrite based upon the comments above to provide a more balanced picture of the labor market.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1344	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-6 paragraph 2	Typo. Amend the "over 2 percent" for all New Yorkers to 27.4.	Comment does not raise any substantive issues / no response required;	4		
1345	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-8	The last sentence states that in-commutation increased significantly during the 1990s. Please discuss this trend as it relates to the labor needs of the proposed resort	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1346	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-8	High-skilled jobs increased and low-skilled jobs declined in the study area. Please discuss this trend as it relates to the competitive attractiveness of the employment opportunities at the proposed resort	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1347	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-8	The last sentence states that out-commutation was due to the low number of jobs. Please discuss this trend as it relates to the employment opportunities available at the proposed resort	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1348	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-9	The high rates of out-migration are discussed. How will the proposed resort assist in stemming the tide of out-migration?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

1349	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-10 paragraph 1	The first sentence states that 48.1 percent of the unemployment insurance benefits went to blue collar workers. Please discuss this trend as it relates to the employment opportunities available at the proposed resort.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1350	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-11	The services and retail sectors comprise over half of the jobs in the tri-county region. As discussed previously, given the importance of these sectors to the local economy, please discuss potential impacts likely to be caused by the Proposed Action	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1351	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-11 paragraph 4	Please provide retail and service wages for 2004, and note how these compare with retail and service-related jobs at the proposed resort.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1352	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 2-12 paragraph 2	Tourism is a significant income generator. Given the importance of this niche to the local economy, please discuss potential impacts likely to be caused by the proposed action. Will tourism dollars actually increase, or will the existing dollars simply be redirected?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1353	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-13 last paragraph	Typo. Change "retail" to service.	Comment does not raise any substantive issues / no response required;	4		
1354	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-14 to 2-15	The largest retail sector is eating and drinking places. Please discuss potential impacts likely to be caused by the Proposed Action	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1355	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Existing Socioeconomic Conditions page 2-15 paragraph 2 and page 2-16	Typo. Change "retail" to service. The largest service sector is hotels and lodging places. please discuss potential impacts likely to be caused by the Proposed Action	Comment does not raise any substantive issues / no response required;	4		

1356	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects Table 3-1 on Page 3-2	Overall economic benefits are estimated for New York State. Please provide a similar set of estimates for the tri-county area.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1357	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects Table 31 on Page 3-3	Were soft costs included as indicated on page 3-1? What were cost estimates based upon? Since the cost estimates drive employment and economic demand estimates it is important that such estimates are accurate. What percentage of the materials for construction would be purchased in the tri-county area?	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study; Energy and Materials Management- SDEIS 2.8.12;	2		
1358	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects Page 3-4 Paragraph 3	The DEIS states that construction will have a "marginal" effect on the local economy. Please be more specific. Approximately how many tri-county residents would be employed during the construction period? What would the duration of employment be for these workers?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1359	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects Page 3-4 Paragraph 3	Do the first three figures include both direct and indirect benefits? Please amend paragraph so that it can be more easily understood	Comment does not raise any substantive issues / no response required;	4		
1360	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects Page 3-6 Paragraph 2 and Table	Please provide a more detailed breakdown for cumulative fiscal benefits, especially for calculations related to tax generation, including indirect sales taxes, corporate and business taxes, personal income taxes, utility taxes, etc. For each type of tax benefit, the breakdown should distinguish between benefits accruing to New York State, as opposed to those accruing to the counties.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1361	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-2	The Applicant should indicate where the construction workers will park.	Construction Activities- SDEIS 2.8.9; Roads and Parking; Roads and Parking- SDEIS 2.8.2	2		
1362	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-2	The DEIS noted that the resort would provide 1 percent of the employment in the region, yet anticipates that the labor force will not be overburdened. Given the area's shrinking labor force, and the increasing number of experienced unemployed, this assertion is questionable. Please provide a more thorough analysis of the available labor pool using 2004 data.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1363	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-2	How many of the "experienced unemployed" are likely to be interested in the jobs that will be available to them at the proposed resort?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1364	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-3	Typo. Change "conventionally" to "convention." It is assumed that the "underemployed" will automatically opt for full employment. The underemployed often are underemployed for a reason (caretakers for children or elder parents).	Comment does not raise any substantive issues / no response required;	4		

1365	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-3	The underemployed are not necessarily going to opt for a part-time or seasonal position at the resort unless these positions are more attractive than those they are currently holding.	Comment does not raise any substantive issues / no response required;	4		
1366	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-3	To be more accurately estimate average salary, the top 23 percent of the full-time management positions should be deleted from the calculation of median annual wages. Also, median salaries should be stated separately for full-time, seasonal and part-time employment, rather than using FTEs. Wages should then be compared using 2004 data. The salary range provided is misleading.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1367	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-4	What sources did the applicant use to develop these estimates?	Comment does not raise any substantive issues / no response required;	4		
1368	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-5	Until issues regarding labor pool availability are resolved, assumptions regarding indirect benefits are also questionable.	Comment does not raise any substantive issues / no response required;	4		
1369	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-7	Please cite source for “one-third” assumption	Comment does not raise any substantive issues / no response required;	4		
1370	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-7 and Table 4-7	Off-site sales and associated sales taxes will not accrue in full to the counties until 2022 since 76 percent of resort user off-site sales are attributed to time-share owners and country club members for which occupancy is forecasted to take from 2006 to 2018. Sales tax revenues generated as a result of the Proposed Action should be reported at various stages of the project until the project is fully operational. Underlying assumptions regarding the methodology used to project these estimates need to be more fully disclosed. Also, please cite standardized sources used for sales tax estimates.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1371	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-13	It is inadequate to simply list the new tax revenues without any reference to new costs incurred. New revenues minus new costs is a more accurate reflection of the true fiscal benefits of the project.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1372	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-17	Newspapers, magazines, clothing and local crafts & arts will be provided on-site. How will this impact potential off-site sales?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

1373	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-18	As the applicant notes in paragraph 4, the majority of spending will occur on site. Therefore, the 50 percent split seems high. What is the basis for the 50 percent spending split?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1374	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-20	The proposed Belleayre Resort amenities would likely give the . . . facilities a dramatic competitive advantage over other lodging choices throughout the Catskill region. Based upon this projection, the impact of other lodging facilities should be analyzed as noted repeatedly above. The projected occupancy rates at the resort are expected to be 60 percent for Big Indian and 70 percent for Wildacres. What are these rates based upon? What is the industry standard for minimum occupancy rates required for long-term economic viability? Given the room shortage noted by the applicant previously, why are the occupancy rates not higher? If the more competitive resort facilities will have an occupancy rate between 60-70 percent, what will projected occupancy rates be for other lodging facilities once the proposed resort is fully operational?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		
1375	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-21, paragraph 2	Could additional single-family units be built in future development phases?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1376	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-22	The estimated occupancy for Highmount Estates more than triples national averages. The case study analysis did not provide occupancy rates. Please explain in more detail the significant departure from national averages, especially in light of the fact that many of these homeowners are likely to have at least one additional vacation property at their disposal.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1377	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-23, paragraph 2	What is the basis for the 60 percent spending split?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1378	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects page 4-26, paragraph 4	What is the basis for the $100 per day and the 75/25 split?	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1379	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-1	Based upon the methodology, only the Route 28 corridor was analyzed. Does limiting the analysis in this manner ignore development on lesser developed roads, streets, etc.? Should the study area be expanded to capture those areas where second home development seems to be occurring (i.e. areas that are off Route 28 and are more isolated in nature)?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0; Project Benefits- SDEIS 1.3.G;	2		

1380	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-1	What percentage/number of acres of the hillsides are buildable? Many second homeowners do not seek residences in the hamlets, but want more isolated properties with views. Development on the hillsides should be taken into account, especially those areas which do not exceed 25 percent slope. As noted on page 5-10, in the Town of Shandaken, R5 zoning predominates along the hillsides on either side of Route 28, with land off side roads following the same pattern.	Slopes- SDEIS 2.2; 2.3;	2		
1381	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-3 and Table 5-1	The FEMA designation does not, in and of itself, prohibit development. Does NYCDEP or local regulations prevent development on these sites? If not, these areas should be included in the analysis of potentially developable land.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1382	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-4	Unless specific prohibitions on development exist, all land parcels should be considered potentially developable. Please address.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1383	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-5	NYSDEC restricts, but does not prohibit development. Parcels could still be developed while adhering to buffer zone and sewage disposal regulations, especially in light of the fact that in the Town of Shandaken R5 zoning predominates in river and stream valleys. Please address.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1384	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-6	All of these NYCDEP buffer areas should be included in the inventory of buildable land. Please amend.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1385	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-6	Duplicative features should be considered, and should be reflected in the amount of developable land available	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1386	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-6 paragraph 2 and 3	ACOE regulates, but does not absolutely prohibit, development on these wetlands sites. Therefore, such sites should be included in the inventory of developable land. Is development prohibited on the NYSDEC wetlands? If not, these areas should be included in the inventory.	Land Use, Planning and Zoning- SDEIS 3.8.2; Wetlands- SDEIS 3.4.2;	2		

1387	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-6 paragraph 2 and 3	Are the buffer areas noted duplicative? Please address and/or distinguish.	Land Use, Planning and Zoning- SDEIS 3.8.2; Wetlands- SDEIS 3.4.2;	2		
1388	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-7	Since induced growth in the form of secondary homes is a significant concern, such land should not be discounted, and such land should be included in the inventory of buildable land.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1389	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-7	Lands in excess of 15 percent can be developed for residential uses, and alternative septic systems can be employed. The "concern" expressed by NYCDEP has not resulted in an outright prohibition on such development. Again, such land should be included in the inventory of buildable land.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1390	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-8	Unless there is an outright prohibition regarding slope, all private lands should be considered developable.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1391	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-8	Unless there is an outright prohibition regarding certain types of soil and/or depth to bedrock, all private lands should be considered developable.	Land Use, Planning and Zoning- SDEIS 3.8.2; Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1392	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-10	Although the Town seeks to "encourage"" intensive development, thereby avoiding strip development, the lot size and building coverage requirements may actually encourage less dense development.	Comment does not raise any substantive issues / no response required;	4		
1393	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-11	Amount of land in the FW district should be estimated with the assistance of the Town. All other lands within the FEMA "floodway" should be considered developable.	Comment does not raise any substantive issues / no response required;	4		

1394	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-11	116-28 constrains the configuration of development. However, it does NOT prevent development. Often what seems undevelopable due to environmental or financial constraints becomes developable over time as real estate values rise.	Comment does not raise any substantive issues / no response required;	4		
1395	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-12	The DL district constrains the configuration of development. However, it does NOT prevent development. Again, unless building on a particular parcel is prohibited, it should be considered potentially developable	Comment does not raise any substantive issues / no response required;	4		
1396	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-13 and 5-14	The environmental constraints summary requires significant revision. The summary should include an analysis of developable versus non-developable land. Although the DEIS can present a table of elements constraining development, many of the constraints merely make development more difficult or costly, but do not categorically prohibit development.	Land Use, Planning and Zoning- SDEIS 3.8.2;	2		
1397	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-14	Please provide an inventory of all vacant structures referenced in the text. The inventory should include street addresses, along with a map to identify the specific location of the vacant parcels. The assertion that vacant structures are likely to be retenanted may or may not be true. It is equally likely that new businesses will seek newer, larger facilities that can more readily accommodate their needs, especially since retrofitting can be more costly than building new. Therefore, issues related to sprawl and greenfield development should be discussed.	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1398	Town of Shandaken	Appendix 26 Economic and Growth Inducing Effects - Land Supply Analysis page 5-15	Given the limitations of existing retailers, please discuss the possibility of new retailers with more capital entering the market area	Socio-Economics- SDEIS 3.9; Growth Inducing Impacts- SDEIS 7.0;	2		
1399	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis	Although Windham is somewhat relevant, the other two case studies differ from Belleayre to such a large degree, that comparisons are not particularly helpful. Additional analysis with more detail is needed. In addition, housing starts in Towns in the tri-county region that do not service an existing ski resort should be compared to Towns servicing ski resorts.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1400	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-4 and 6-5	Currently, Windham has 300 owner-occupied units on-site. These units are not part of the resort's rental market, single family units at the mountain are owner-occupied, and not part of the rental market. In addition, 400 owner-occupied units off-site have been built. In the case of Windham, 700 "second home" units in one form or another have been provided, and the interest in new real estate development both on and off site is increasing. Assuming that the experience in Windham is representative, the impacts of similar levels of second home development should be analyzed. Given the more versatile nature of the resort, it is likely that the second homeownership trend would be even more pronounced for the Belleayre resort. Please address.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		

1401	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-5	In Windham, the labor supply has tightened, especially for the lowest wage service jobs, and the resort has had to draw employees from farther afield. Please discuss these findings as they related to the labor supply for the proposed resort.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1402	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-10 and 6-11	The usefulness of the Greylock case study is limited at best, since the resort has not yet been built, and all impacts are mere projections. Moreover, assuming that it is eventually developed, Greylock will not have the New York City market at its disposal for a number of reasons due to its distance from NYC, its inconvenient highway access, its unappealing aesthetic qualities, and its sole focus on Nordic rather than alpine skiing. Therefore, given its more limited target market, Greylock is not likely to have the same types of development pressures as would the tri-county area if the proposed resort is built.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1403	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-10 and 6-11	Interestingly, Greylock is planning to build one golf course. Apparently, a single golf course is economically feasible for this facility. Please address as it relates to the applicant's assertion that two golf courses are necessary to the economic viability of the proposed resort.	Project Size- SDEIS 1.4; Proposed Action- SDEIS 2.0; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1404	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-15 and 6-16	The DEIS notes that the Gore Mountain ski resort has not caused tremendous development pressure or sprawl. However, Gore differs from the proposed resort in that it is controlled by the Adirondack Park Agency which limits development, it is further from the NYC market, and it is not known as a four season tourist destination. Therefore, development pressures surrounding Gore, are compared with those of the proposed resort, are likely to be less intense. However, given the lack of detail, this analysis is not particularly helpful.	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1405	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-18	How will the more developed nature of the corridor induce growth?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1406	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-22	The market for speculative growth may be modest, but what about houses that are not built on spec? Please address	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1407	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-23	The market for on-site versus off-site housing may be very different, especially given the trend for country "retreats." The applicant cannot simply assume that these markets are the same, nor can he forego the analysis regarding induced growth due to increased second home ownership.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		

1408	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-23	Secondary effects on the margins of the proposed project are in fact the concern here. Induced growth in the already developed hamlets could actually he beneficial. Additional customers will not "stabilize the existing real estate market." Will the resort exacerbate existing second homeownership trends to the detriment of the community?	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1409	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-25	Zoning codes throughout the corridor should be reviewed to ensure that the codes do in fact enforce the type of planning that the Towns and hamlets desire. The planning jurisdictions should also analyze whether sufficient enforcement capacity exists. The "lack of coordinated investment" is not necessarily what drives sprawl. Sprawl is typically driven by cost considerations, the attractiveness and convenience of existing commercial locations, and the planning restrictions that are in place. Please amend.	Land Use, Planning and Zoning- SDEIS 3.8.2; Local Permits and Approvals- SDEIS 1.4.1.A	2		
1410	Town of Shandaken	Appendix 26 Economic Benefit and Growth Inducing Effects - Case Study Analysis page 6-25, paragraph 2	These assertions are premature	Comment does not raise any substantive issues / no response required;	4		
1411	Town of Shandaken	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	What if the lodging component was smaller? Could the resort be viable with one golf course? In essence, fewer rooms would require less available golf tee times. The project could be downsized in such a scenario, while still increasing visitation to the area. Do similar resorts in the region have only one course? If so, are these facilities financially viable? According to the applicant's consultant, "the New York Metropolitan area is the most undersupplied golf market in the country." If this is the case, it would seem that the resort could attract golfers regardless of the number of courses, although two would clearly make the resort more competitive compared with similar resorts featuring only one golf course. The applicant should analyze the economics of the project with one golf course.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1412	Town of Shandaken	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	Gail Flannigan Associates notes that two golf courses are needed, "especially with related conference components of the proposed project." If the conference components were eliminated, could the facility be financially viable with only one course? Please analyze.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1413	Town of Shandaken	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	Edwin McMullen stated, "no major resort developer is likely to demonstrate real interest in a project that has less than 36 holes of golf." However, Mr. McMullen has not undertaken similar projects in New York. Given that the New York market is completely underserved, is Mr. McMullen's assessment still accurate? Tri-state rather than national market factors should be considered in determining market feasibility.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1414	Town of Shandaken	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	What is the calculated rate of return for project scenarios with a “one golf course option” if the detached lodging units are included?	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		

1415	Town of Shandaken	5.3.4 Allternative Layouts - Either an "East Resort" or a "West Resort" Alternative	The assessment regarding mitigation is premature. Moreover, the scenarios provided on page 5-12 were not conclusive. Pg 14 --The HRA report states that niche-based accommodations are needed in the study area, but does not advocate such large-scale developments. Therefore, a smaller resort should also be considered, as well as an alternative that would address the 1000 room projected shortfall in lodging accommodations. Perhaps the choice is not between the east or west alternative, but some combination of both east and/or west. Please provide a series of feasible alternatives as per the SEQRA requirements.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1416	Town of Shandaken	5.6.2 Alternative Site Access - Wildacres Resort and Highmount Estates	The Applicant proposes using Winding Mountain Road as the main construction access. Winding Mountain Road is steep, narrow and not surfaced. In certain locations there is only sufficient width for one truck. The Applicant should comment on the ability of this road to safely and efficiently accommodate construction traffic. Does the Applicant have concerns about the ability of this road during heavy rain periods? The Applicant should consider improving this road. The Applicant should also indicate if Winding Mountain Road gets blocked or becomes unpassable how will the construction site be accessed?	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1417	Town of Shandaken	5.6.2 Alternative Site Access - Wildacres Resort and Highmount Estates	The last sentence indicates that five access points are proposed to County Road 49A. The Applicant should provide a sight distance analysis at each one.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1418	Town of Shandaken	5.10.3 No-Action Alternative - Socioeconomic Benefits - page 5058 and 5-59	Both pages discuss socioeconomic benefits, but do not include socioeconomic impacts. Please address.	Alternatives- SDEIS 5.1-5.9; FEIS 5.1-5.9	2		
1419	Town of Shandaken	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	If the employees are drawn primarily from the tri--county area, there will be a substitution effect. As residents exchange their existing jobs for jobs at the resort, "new personal income" will be marginalized, unless these residents are commuting to another county or these residents are under employed or unemployed. Please distinguish between "net new personal income" and "new personal income," as well as the substitution effect.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1420	Town of Shandaken	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	Based upon the salary information provided, it is not clear that personal income would increase due to new resort jobs. Please provide more data to support this assertion.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1421	Town of Shandaken	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	New household income would only be generated for new entrants (including those who are currently under or unemployed) into the work force. Again, please distinguish between "net new household income" and "new household income."	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		

1422	Town of Shandaken	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	"New personal income" can only be analyzed for those employees re-entering the workforce or increasing their hours of employment.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1423	Town of Shandaken	7.2.1 Commercial Development and Demand - Estimating Induced Commercial Demand	What is the 50 percent split based upon? The $9.4 million cited is not 50 percent of $20.5 million, Where would the other 50 percent of the workers live? Revise the analysis to reflect only net new income in the corridor	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1424	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	Sales and sales tax projections must be recalculated based upon recent occupancy rates. Sales tax revenues generated as a result of the Proposed Action should be reported at various stages of the project until the project is fully operational. Underlying assumptions regarding the methodology used to project these estimates need to be more fully disclosed.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1425	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	If sales grow by 2 percent per year as projected by the State for background traffic growth between 1999 and 2022, sales will grow by 58 percent (2 percent compounded over 23 years), bringing the future sales to $196 million and the resort-generated increase to 10 percent. 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 percent of total sales in the corridor. If these are escalated by 56 percent 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 percent increase. Sales tax projections should be portrayed in light of projected growth patterns. Please adjust accordingly.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1426	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	The discussion regarding new eating and drinking places is inadequate. First, the impact on existing establishments must he incorporated into the analysis as previously noted. Second, the DEIS has not supported its assertion that new restaurants would open in the hamlets, especially since "clusters of new restaurants . . . are not typical." The estimate of acres consumed is overly optimistic, and the assumption that zoning would preclude all such development is inaccurate. Given that many large restaurant chains, not only fast-food establishments, may seek to enter the market if the proposed resort is built, the analysis presented is inadequate. Moreover, even a small amount of new construction may have a significant impact, as sprawl tends to feed upon itself. Please revise.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1427	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	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 percent of which are expected to occur in Shandaken, even though it has no supermarket.	Comment does not raise any substantive issues / no response required;	4		

1428	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	The discussion regarding gas stations is flawed. The 13,900 square feet anticipated may be quite modest. It is also possible that new gas stations will be built to replace the older, smaller stations.	Comment does not raise any substantive issues / no response required;	4		
1429	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	Given the existing strip concentrations, impacts to these areas should be discussed in more detail.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1430	Town of Shandaken	7.3.1 Potential Induced Development - New Commercial Development	Given the scope, the applicant is charged with analyzing growth inducement, it is not sufficient to state that managing such growth simply falls to the Towns and Villages.	Project Benefits- SDEIS 1.3.G; Growth Inducing Impacts- SDEIS 7.0;	2		
1431	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	Depending upon where the project is located, such a commercial concentration could have a significant impact in terms of future growth inducement.	Growth Inducing Impacts- SDEIS 7.0;	2		
1432	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	Residential demand is driven by recreational amenities. Demand increases as recreational amenities improve. Given that the proposed resort will improve the quantity and quality of recreational amenities, a corresponding increase in residential demand off-site is likely.	Growth Inducing Impacts- SDEIS 7.0;	2		
1433	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	Given that sales will occur over a multi-year period, the fiscal benefits will not fully accrue until all of the units have been sold. This should be reflected in the representations regarding fiscal benefits. Moreover, given that the applicant has not provided updated market data, is the interval period projected realistic? Please explain.	Socio-Economics / Feasibility- SDEIS 1.3; Appendix 3 & 5; FEIS 1.3 and updated Feasibility Study;	2		
1434	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	Given that the majority of prospective buyers will NOT purchase a timeshare, approximately 2500 of these prospective buyers will consider an off-site home instead. Please discuss the potential impacts in terms of growth inducement, property values, etc.	Growth Inducing Impacts- SDEIS 7.0;	2		
1435	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	The cumulative impacts of the proposed resort and the Belleayre Mountain Ski Center on growth inducement should be discussed. The DEIS has clearly stated that the economic feasibility of a resort of this scale is based upon the ability of the upgraded ski facility to attract additional visitors. Therefore, the cumulative impacts of both facilities are relevant. Please address.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center's UMP-DEIS and Belleayre Resort SDEIS;	2		
1436	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	The applicant finally admits that the area will become even more attractive to second homebuyers, but dismisses analyzing this growth inducing phenomenon. The scope requires such an analysis and, given the potential growth inducing impacts of such a large-scale project, this scoping item cannot be ignored.	Growth Inducing Impacts- SDEIS 7.0;	2		
1437	Town of Shandaken	7.3.2 Potential Induced Development - New Residential Development	See comments above pertaining to labor pool availability, the competitiveness of the resort jobs compared with other jobs in the region, rental market and housing needs, etc. The applicant's assertions are suspect, especially in light of the fact that the case studies indicate that the resort will have difficulty filling the lowest wage jobs, and that on-site housing for such staff may be required.	Socio-Economics- SDEIS 3.9;	2		

1438	Trout Unlimited	Appendix 2 NYSDEC Permit Applications	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 though 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. 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]; (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	n/a	1		
1439	Trout Unlimited	2.2.4 Wastewater Treatment and Disposal	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.	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
1440	Trout Unlimited	2.2.5 Irrigation Water Supply	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, 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."	Irrigation- SDEIS 2.8.6; 3.2.1; 3.2.3; Appendix 13	2		
1441	Trout Unlimited	2.2.5 Irrigation Water Supply	The further 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....They are, (1) there isn't enough water in the aquifer, and (2) pumping the Rosenthal wells will take water from Birch Creek.	n/a	1		

1442	Trout Unlimited	2.2.6 Site Drainage and Grading	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1443	Trout Unlimited	2.2.6 Site Drainage and Grading	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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1444	Trout Unlimited	2.2.6 Site Drainage and Grading	Accounts from the National Weather Service 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.	Slopes- SDEIS 2.2; 2.3	2		
1445	Trout Unlimited	2.2.6 Site Drainage and Grading	It is the position of the two chapters that the SEQRA process won't be complete until: 1)Belleayre Mountain precipitation is more scrupulously defined. 2) Precipitation data for the water budgets are consistent with those for the storm water management plans. 3) Extreme conditions are modeled in the water budgets, especially in respect to droughts. 4) The water budgets are peer-reviewed 5) Irrigation demands and sources are re-done with more realistic numbers 6) 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.	Water Budget- SDEIS 3.2.2; Appendix 22	2		

1446	Trout Unlimited	2.2.6 Site Drainage and Grading	The DEIS assumes a type C soil in its calculations, though some type A and D soils are said to be present. the '1'R-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, the volume and rate of runoff from this total acreage will be closer to that of pavement than good-condition grass.	Stormwater- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1447	Trout Unlimited	2.2.6 Site Drainage and Grading	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 not runoff volume, What the document claims on one page, it contradicts on another.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1448	Trout Unlimited	2.2.6 Site drainage and Grading	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 revegetated over time. 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.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1449	Trout Unlimited	2.2.6 Site Drainage and Grading	The General Permit for Construction Activities: appendix E states: "Natural drainage channels should not be altered or relocated without the proper approvals" 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.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

1450	Trout Unlimited	2.2.6 Site Drainage and Grading - Conclusion on Stormwater Claims	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. The two chapters again raise the same fundamental objection they raised previously: 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. If the project does proceed substantially as proposed, then, pursuant to the GP-02-O1, 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." 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.	Grading- SDEIS 2.8.8 Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1451	Trout Unlimited	2.2.6 Site Drainage and Grading and 3.2.2 Surface Water Resources - Potential Impacts	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1452	Trout Unlimited	2.2.6 site drainage and grading and 3.2.2 Surface Water Resources - Potential Impacts	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. That nothing much could be done is tacitly admitted in 43, where it is 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.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1453	Trout Unlimited	2.3.2 Construction Activities - Construction stage activities	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.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1454	Trout Unlimited	Appendix 19A Water Budget Analysis - Wildacres	We ask 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	Water Budget- SDEIS 3.2.2; Appendix 22;	2		

1455	Trout Unlimited	3.2.1 Surface Water Resources - Existing Conditions	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.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
1456	Trout Unlimited	3.2.1 Surface Water Resources - Existing Conditions	Water quality studies conducted by the DEC indicate that Birch Creek is already somewhat nutrient enriched. 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" Yet there will be no try-out for this project. If the Resort is built, one 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 SEQRA that is conservative, meeting the most comprehensive and stringent requirements available, bar none.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
1457	Trout Unlimited	3.2.1 Surface Water Resources - Existing Conditions	We ask 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 in-stream flows, if any. Though unmapped drainages are inventoried in the DEIS it's far from established 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 SEQRA. 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.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
1458	Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1459	Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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/1 limit for chlorine on the draft SPDES permit is the detectable limit, while the allowable limit for B and C streams is .005 mg [6 NYCRR X, Part 703.5 (f}].	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

1460	Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts	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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1461	Trout Unlimited	3.2.2 Surface Water Resources - Potential Impacts and 2.2.4 Wastewater Treatment and Disposal	Disinfection is with ultraviolet with chlorine back-up in case of ultraviolet failure, but potable water for the Resort will be chlorinated 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. 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 SEQRA and New York State law.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
1462	Trout Unlimited	3.2.3 Surface Water Resources - Mitigation Measures	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. 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	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1463	Trout Unlimited	3.2.3 Surface Water Resources - Mitigation Measures	We ask 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 Yapbank, Long Island	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1464	Trout Unlimited	3.2.3 Surface Water Resources - Mitigation Measures	We ask 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	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
1465	Trout Unlimited	3.2.3 Surface Water Resources - Mitigation Measures	We ask 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	Wastewater- SDEIS 2.4; 3.1.4; Appendix 16; SPDES Draft Permit Application- SDEIS Appendix 10	2		
1466	Trout Unlimited	3.2.3 Surface Water Resources - Mitigative Measures	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	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1467	Trout Unlimited	3.2.3 Surface Water Resources - Mitigative Measures	We ask 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.	n/a	1		

1468	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology	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.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4; Water Budget- SDEIS 3.2.2; Appendix 22	2		
1469	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology	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.	Land Conservation- SDEIS 1.4; Table ES-1; 1.3 G; 2.5; Appendix 2; Terrestrial and Aquatic Ecology- SDEIS 3.4; Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
1470	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology	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.	SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1471	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology	We ask 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	Terrestrial and Aquatic Ecology- SDEIS 3.4; Surface Waters- SDEIS 3.1; Groundwater Resources- SDEIS 3.2	2		
1472	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology and 3.2.2 Surface Water Resources - Potential Impacts	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) Nonpointsource contaminants (potential)	Terrestrial and Aquatic Ecology- SDEIS 3.4; Surface Waters- SDEIS 3.1; Groundwater Resources- SDEIS 3.2	2		

1473	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology and 3.2.2 Surface Water Resources - Potential Impacts	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 refugea, 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.	Terrestrial and Aquatic Ecology- SDEIS 3.4; Surface Waters- SDEIS 3.1; Groundwater Resources- SDEIS 3.2	2		
1474	Trout Unlimited	3.5 Terrestrial and Aquatic Ecology, 3.2.2 Surface Water Resources - Potential Impacts and 2.2.4 Wastewater Treatment and Disposal	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 . 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.	n/a	1		
1475	Trout Unlimited	3.5.3 Terrestrial and Aquatic Ecology - Wildlife	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.	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1476	Trout Unlimited	3.5.3 Terrestrial and Aquatic Ecology - Wildlife and 3.2.2 Surface Water Resources - Potential Impacts	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	Terrestrial and Aquatic Ecology- SDEIS 3.4;	2		
1477	Trout Unlimited	Appendix 9A Operational Phase Stormwater Quantity Management Plan	The developer should more adequately address the matter of safeguards in the event of a major storm with detention basin failures	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

1478	Trout Unlimited	Appendix 9A Operational Phase Stormwater Quantity Management Plan	The developer's claims for runoff volumes and percolation are unpersuasive, and should be independently corroborated by peer-review.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1479	Trout Unlimited	Appendix 9A Operational Phase Stormwater Quantity Management Plan 10A Operational Phase Stormwater Quality Management Plan	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 vanes 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	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1480	Trout Unlimited	Appendix 10A Operational Phase Stormwater Quality Management Plan	The certified Professional Erosion Control Specialist should be hired by, and answer to, the DEC, but be paid by the developer	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1481	Trout Unlimited	Appendix 10A Operational Phase Stormwater Quality Management Plan	We ask 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	n/a	1		
1482	Ulster County Development Corporation	3.10.2 Socio-Economic Setting - Potential Impacts	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. 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.	Comment does not raise any substantive issues / no response required	4		

1483	US EPA	3.2.2 Surface Water Resources - Potential Impacts	New York State has expended very substantial resources on what is of paramount importance to both our agencies, the protection of the drinking water supply for 9 million people. A project of this magnitude can significantly lessen the margin of safety under which we provided New York City a FAD. It is in this context that we ask the State to evaluate additional measures that could be taken to minimize secondary impacts and, above all, to continue to work with the developer to reduce the project footprint. We also ask the State to take a hard look at all opportunities to mitigate any potential water quality impact, both during construction and after. We have provided additional comments, which are attached, that focus on some of those opportunities.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1484	US EPA	7.3 Potential Induced Development	The impact that this project might have on future development in the New York City watershed, outside of existing town centers. We consider this impact a significant “unknown” that was not adequately addressed by the DEIS. In fact, some of the environmental constraints that the DEIS describes as limiting future growth outside of town centers are the very constraints the developer overcame in planning the Belleayre Resort project.	Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9;	2		
1485	US EPA	7.3 Potential Induced Development and 3.2.2 Surface Water Resources - Potential Impacts	The DEIS has not provided a substantial basis for its conclusion that commercial and residential development resulting from this project will be negligible. Indeed, if this project does portend increased development in forested areas outside of town centers, it could call into question the ability of the City to meet one of the major requirements of the Surface Water Treatment Rule for an unfiltered system - that the 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."	Growth Inducing Impacts- SDEIS 7.0; Socio-Economics- SDEIS 3.9; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Surface Waters- SDEIS 3.1;	2		
1486	Various	3.2.2 Surface Water Resources - Potential Impacts	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 tout. 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

1487	Various	3.2.2 Surface Water Resources - Potential Impacts	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 invertebrates and trout. Toxins are indicative of industrial pollution, wastewater discharge, and stormwater runoff in developed areas. Use of heavy equipment, will substantially increase the absorption of copper, lead, and zinc into the soil. Wear of brake linings, as well as wearing of tires will raise levels of zinc substantially. Fuel emissions 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.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1488	Wanda Davenport	3.8.4 Visual Resources and Aesthetics - Visual Resources and Appendix 21 - Visual Impact Study	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.	Visual Impacts- SDEIS 3.6;	2		
1489	Watershed Inspector General	1.4.4 Environmental Review Permits and Approvals - State	The DEIS should include a detailed Stormwater Pollution Prevention Plan ("SPPP") for the entire project. The DEIS now contains only a limited proposed SPPP for an 85-acre portion of the Big Indian resort complex. This SPPP is to serve as an example of the type of program the project sponsor would follow for other portions of the site. A complete SPPP is necessary to analyze impacts as required by SEQRA. Moreover, engineering designs and calculations must be attuned to the highly varying conditions found throughout the project site, so one sample set of' designs cannot address other portions of the site. A full SPPP is also required to allow DEC to adopt mitigation measures, as mandated by SEQRA, that will mitigate adverse environmental impacts to the maximum extent practicable taking into account social and economic considerations.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1490	Watershed Inspector General	2.2.6 Site Drainage and Grading	The selection of design discharge points at the bottom of the mountain should not be accepted by DEC as it would tend to significantly reduce the projected impact of stormwater discharges by ignoring the impact on the undeveloped land within the Project's boundary. Contrary to what is suggested in the DEIS, natural "sheet flow" conditions will not be replicated along the middle of the mountainside in a manner that existed prior to construction because the hydrology of the project site will have been dramatically altered by construction activity. Design discharge points at the base of the mountain are not appropriate because stormwater effects will not be mitigated as the water travels down mountain slopes because: (i) the project site consists of hydrologic soil group "C" and "D" soils that have very low percolation rates - especially under storm flow conditions and (ii) the site has steep slopes so there will be little retention time for infiltration.	Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

1491	Watershed Inspector General	2.2.6 Site Drainage and Grading	Properly prepared site grading plans are needed. To the extent they are shown, the erosion and sediment control measures are presented on the "phasing" plans; these plans provide a large scale overview of what area is worked on during each phase of construction. Phasing plans are not employed to govern actual project implementation by contractors. Rather, standard practice during construction is that the deployment of erosion and sediment control measures are depicted on the far more specific construction "grading" plans. The grading plans will be employed by the construction contractor to understand exactly what is to be accomplished and implemented. This failure, if not corrected, will confuse site contractors and frustrate effective implementation of the erosion and sediment control plan. The grading sheets should contain the appropriate tables and information describing the specific attributes of the erosion and sediment controls.	Grading- SDEIS 2.8.8 Stormwater- SDEIS Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1492	Watershed Inspector General	2.2.6 Site Grading and Drainage and 2.3.2 Construction Stage Activities	A revised grading and excavation schedule is needed. Grading and excavation operations should not be permitted outside of the growing season because vegetation will not be able to be effectively established to stabilize soils, This likely means that excavations and grading should not take place at this high altitude site before April 15th and after October 1st.	Grading- SDEIS 2.8.8	2		
1493	Watershed Inspector General	2.2.6. Site Drainage and Grading and 3.6.1 Soils - Existing Conditions	All soils on the site are hydrologic soil group C and D soils with little to exceedingly low percolation rates. It appears that the DEIS indicates lower levels of stormwater volumes as a result of water infiltration in a number of situations. An underestimate of stormwater volumes due to assumed infiltration that is in fact unlikely to occur, would result in the inadequate design of numerous stormwater and erosion control measures. The DEIS should re-do calculations and model assumptions to determine where infiltration was improperly assumed, correct any mis-calculations, and re-design/re-size stormwater measures as appropriate.	Soils- SDEIS 3.3; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1494	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule	Construction phasing should follow DEC guidelines and ensure proactive monitoring. The General Permit at Part M.D.2(a)(4) requires the project sponsor to "provide a construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance." This provision further identifies the state-wide requirement that "there shall not be more than five acres of disturbed soil at any one time without prior written approval of the [DEC]."	Lighting, Landscaping and Signage- SDEIS 2.8.11 Construction Activities- SDEIS 2.8.9	2		
1495	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule and 3.2.2 Surface Water Resources - Potential Impacts	The New York State Standards and Specifications for Erosion and Sediment Control ("E&SC Standards"), that are the DEC recognized SPDES standards (see General Permit at Part III Dl), also state that "[n]o more than 5 acres of unprotected soils should be exposed at any one time" and goes on to state that "[s]ite factors including topography, soil erosion potential, proximity to wetlands and water courses may require limiting the amount of raw earth that can be exposed at any one time to less than 5 acres." The DEIS proposes a construction phasing plan that seeks to exceed the 5 acre standard, with construction phases exposing as much as 50 acres of raw earth at one time on the project site. The project sponsor has also requested that it be allowed to depart from the state-wide standard as part of its individual SPDES stormwater construction permit application.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

1496	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule and 3.2.2 Surface Water Resources - Potential Impacts	The soils, slopes and intensity of rain/snow melt events present significant technical challenges for the design and implementation of effective controls on polluted runoff. The significant percentage of "small particle" or clay-type soils makes this site particularly sensitive because of its location within a major unfiltered drinking water system. Indeed, the sensitivity of this site would justify a downward departure from the normal 5 acre "raw earth" standard due to the risks associated with a significant failure. The major deficiencies in the SPPP and the DEIS that these comments identify support the conclusion that there is no technical justification for a departure from the 5 acre state-wide standard	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1497	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule and 3.2.2 Surface Water Resources - Potential Impacts	Experience with construction in the Watershed suggests that the 5-acre standard is sound and appropriate. For example, the New York State Department of Transportation's approximately 50 acre construction site along the Taconic Parkway in Westchester County sent high volumes of highly turbid water on at least eight occasions into an adjacent stream that flows into the New Croton Reservoir. Expansive plumes of brown, sediment-laden, water were observed in the New Croton Reservoir repeatedly from the Fall of 2001 to the Spring of 2002 as a result of this construction site, despite vigorous enforcement actions by DEC and the Attorney General's Office, a full "stop work and remediate" order, and the emergency expenditure of approximately $1 million by DOT to deploy additional stormwater control measures.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1498	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule and 3.2.2 Surface Water Resources - Potential Impacts	Similar discharges occurred at the Hanna Country Inn and Golf Resort in Delaware County that is a short distance from the proposed project. The Hanna project involved the construction of a roughly 5 acre access roadway up a steep slope to a new club house. This roadway was the subject of a detailed SPPP approved by DEP, however, the site failed on repeated occasions from May of 2002 until at least the winter freeze of that year. Despite active monitoring and enforcement by City DEP, as well as extensive remedial programs by Hanna this site continued to discharge significant amounts of sediment into Hubble Hill Brook and then to the East Branch of the Delaware River and then to the Pepacton Reservoir. Though it was not a large site, the clay/colloidal soils at the Hanna site combined with steep slopes and intense rainfalls to make the effective implementation of an erosion and sediment control plan exceedingly difficult. The relevant attributes of the Hanna site (steep slopes, problematic soils, intense rain events) are very similar to those of the project site.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		

1499	Watershed Inspector General	2.3.1 Construction Activities - Construction Schedule and 3.2.2 Surface Water Resources - Potential Impacts	There should be no deviation from the 5-acre standard until a complete SPPP is submitted for the entire site, along with all supporting assumptions and calculations in a manner that allows for effective evaluation. Post-excavation "stop-work" authority should not be viewed as an effective back-up plan for the requested large excavations because very substantial volumes of turbid water frequently continue to discharge from problem construction sites despite enforcement actions and extensive remedial efforts by the site owner in response to enforcement. Construction phases could be limited to no more than 5 acres in any one reservoir drainage basin at any one time for a total of 10 acres but should also be limited to levels below 5 acres on portions of the project site that are steeply sloped or have highly problematic soils. At a minimum, DEC should require the pilot testing of the erosion and sediment control plan on a small portion of the site prior to any grant of authority to the project sponsor to exceed the 5 acre standard.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1500	Watershed Inspector General	2.3.2 Construction stage activities and 2.2.6 Site Drainage and Grading	A sediment removal plan is needed. The design goal for the sediment basins are properly targeted to capture the 10-year storm and the appropriate bare earth C soils curve number has been employed to determine storm flows. However, a detailed sediment removal plan for these basins is absent and must be presented.	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1501	Watershed Inspector General	2.3.2 Construction Stage Activities	A revised schedule to stabilize soil with vegetative cover is needed. As a best management practice, the project sponsor should develop a program where all graded slopes are seeded within 7 days of final grade. Any slopes in excess of 3 to 1 should be seeded and stabilized with a rolled erosion control mat. Once a road slope is excavated, the cut should be shaped and seeded immediately	Construction Activities- SDEIS 2.8.9 Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan	2		
1502	Watershed Inspector General	2.3.2 Construction Stage Activities	Waste water from concrete production needs to be treated prior to release. Water will be used on site to wash aggregate to produce concrete. Wastewater from this process and from concrete truck washout facilities contains fine suspended material that needs to be treated separately from other site stormwater. The DEIS does not address this issue.	Construction Activities- SDEIS 2.8.9	2		
1503	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management	If there is a real commitment to constructing, maintaining and operating the facility in accordance with IPM/TM principles and practices, there should be a clear statement to that effect at the beginning of 2.4.8 instead of having the pertinent components scattered throughout the section.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1504	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management	In the correct hierarchy of pest management options, chemical controls are not only placed last, but in that category, emphasis is placed on the role of toxicity and risk assessment in the selection of specific products to be used, We were unable to find mention of that critical evaluation in the current DEIS. The evaluation of the health and environmental risks of the pesticides proposed for use is seriously flawed by critical omissions.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

1505	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management	In general, the DEIS contains language describing the elements of an Integrated Pest Management Program ("IPM") designed to minimize - but not eliminate - the use of chemical pesticides. A review of DEIS Section 2.4.8 provides some discussion of non-chemical management techniques, a statement that pesticide use will be the lowest choice in the hierarchy of pest management options and a claim that pesticides will be used only for curative, and not preventive, purposes. All are elements of a good TM program. It took careful review, however, to find those assurances and piece them together into a coherent statement of pest management policy.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1506	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management - Table 2-8	The products identified in Table 2-8 are not the only ones which contain the listed active ingredients. Will the products identified for each active ingredient be the only ones used, or will other formulations of the same active ingredients be applied? Also, inerts are not considered in the risk assessments summarized in Appendix 15. Without the identity of the inerts, the value of any health or environmental risk assessment is, at best, seriously compromised.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1507	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	The DEIS does not consider the potential impacts of "inert" ingredients, which generally comprise at least half of the formulated product. The only product identification is in Table 2-8 where the absence of useful information on the inert ingredients formulated in the products proposed for use is clear. Although the inert ingredients are "not listed" that does not mean that they are not present.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1508	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	There is little discussion of the health effects associated with the active ingredients proposed for use. EPA has identified two of the active ingredients proposed for use as "likely to be carcinogenic to humans." These are the insecticide ethoprop, and the herbicide oxadiazon. An additional half dozen active ingredients have been identified by EPA as "possible human carcinogens" (Fungicides propiconazole and vinclozolin, insecticides acephate and bifenthzin, and herbicides prodiamine and trifluralin.) There is no discussion of the carcinogenic potential of these compounds, and no justification for their use at the golf course, or in the Watershed, in light of their carcinogenicity.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1509	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	Two of the insecticides proposed for use (acephate and ethoprop) are organophosphates - compounds with documented neurotoxic effects, currently being reevaluated by the EPA. The EPA reassessment has already resulted in substantial new restrictions on the use of several organophosphates. The DEIS does not discuss the neurotoxic potential of these compounds, and does not justify their use at the golf course or in the Watershed in light of their neurotoxicity	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1510	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management and Appendix 15 Fertilizer and Pesticide Risk Assessment	Of course, with little or no information about the inert ingredients formulated in the products proposed for use there is no discussion of their carcinogenicity, neurotoxicity or other chronic health effects	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		

1511	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management, Appendix 14 Integrated Turf Management Plan, and Appendix 15 Fertilizer and Pesticide Risk Assessment	LC50 is a crude instrument for the assessment of environmental risk. The assessment of environmental risk attributable to pesticide runoff is based on a comparison of maximum runoff concentrations to LC50 values for fish and aquatic invertebrates. Eight pesticides were eliminated as candidates for use because their maximum modeled runoff concentration exceeded one or more LC50 values. While it is appropriate that short term mortality of 50% of resident aquatic fauna is deemed unacceptable, there is no other threshold of damage applied. Chronic toxic effects of the pesticides on aquatic organisms is not addressed. Neuro-toxicity might alter individual behavior and ability to survive long term in the natural habitat.	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1512	Watershed Inspector General	2.4.8 Golf Course Integrated Pest Management, Appendix 14 Integrated Turf Management Plan, and Appendix 15 Fertilizer and Pesticide Risk Assessment	Mutagenicity, teratogenicity and endocrine disruption can all diminish reproductive success. These chronic effects, not reflected in short term individual mortality can nonetheless result in the loss of local natural populations in a relatively short period of time, although measured in months or years and not hours or days as is the case with experimentally derived LC50 values. With little or no information about the inert ingredients formulated in the products proposed for use there is no discussion of their environmental effects, even by such a crude measure as LC50 values,	Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1513	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	Historical uses do not justify development of the new course. The existence of other golf courses in the area "up to the 1960's" provides little comfort as to the current site suitability. The suite of chemicals used for turf management would have been quite different, as were the regulatory requirements and oversight practices. Were these golf courses maintained to the standards of the proposed course? Is there any monitoring data to support the implied conclusion that the previous golf courses did not adversely impact the local environment?	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1514	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	The risks and costs associated with the use of chemical controls are substantially understated. The discussion at Section 34 ignores a number of important considerations. While chemical controls may reduce labor costs, they also increase material costs and the probability of adverse effects on human health and environmental quality, thereby increasing liability costs. More important, the conclusion that the association of pesticide residues with adverse environmental impacts resulted only from improper use or over use is unsupported and unsupportable. The history of pesticides for which the registrations have been canceled or the uses modified after original registration demonstrate the fact that unanticipated adverse effects occur under the conditions of use originally accepted by EPA and DEC. In fact, federal regulations speak clearly on this point in the prohibition of any label claims as to the safety of the pesticide or its ingredients, even with a qualifying phrase such as "when used as directed." 40 CFR § 156,10(a).	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		

1515	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	The discussion of Biological Controls is inappropriately argumentative and belies a questionable commitment to their inclusion in the pest management program. In counterpoint to the overly sympathetic introduction to chemical controls biological controls are introduced with mention of "pseudo-factual reports" about pesticides and the unsupported conclusion that biological controls are "complex, not totally effective and not always predictable." One could easily say the same of chemical controls, based on the need for repeated re-treatment, the proposal of alternative chemical controls for specific pests, and the many instances in which unanticipated adverse effects have occurred after use of chemical pesticides in accordance with label instructions. Biological controls are not presented in the context of valuable tools for turf' management, but rather as "[o]ne approach that may provide some level of relief for turf managers from increased pressure to reduce pesticide applications”	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1516	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	Misleading terminology is used throughout Sections 4.5 and 6 to describe the chemicals proposed for control. In many instances, the reference to "products" is in fact a reference to an active ingredient without acknowledgment that the active ingredient is not used in isolation, but rather formulated with other ingredients generally not identified on the label and not included in the modeling and toxicological evaluations presented in this DEIS.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1517	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	The prioritization of control options in Sections 4.5 and 6 is not clear, and does not reflect a commitment to the use of chemical pesticides only as a last resort. Generally, options are presented in a sequence of "cultural," "biological" and "chemical." It is not clear here that the options will be implemented in that order, and what criteria will be used to judge that one option has proven inadequate and justify the implementation of' the next option in the hierarchy for each specific pest. In some instances, chemical control seems to be the intended management tool to the exclusion of other options. For example, in section 6.3.6 chemical treatment is listed as the second option, before at least two cultural controls. Cultural Strategy V for annual bluegrass, "Apply a reemergence herbicide” is a chemical strategy, not a cultural one.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1518	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	In the discussion of control options for White Grubs, parasitic wasps are discussed as the third option and parasitic nematodes as the fourth option. While the text notes that parasitic wasp populations may take 2 to 3 years to reach effective levels, there appears to be no plan to establish the wasps during the construction or early days of operation of the course. Without such preparation, it seems unlikely that parasitic wasps can play a meaningful role in the control of white grubs, and chemical controls will be used instead.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		

1519	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	Record keeping is inadequate to assess the efficacy of pest management strategies. The brief discussion of record keeping in Appendix 14, section 313 (p. 24) and the accompanying Figure 4 deal only with records of scouting. While these are useful in determining when and if control measures are needed, they do not help with subsequent analysis of their effect. If any control methods are implemented as a result of scouting/monitoring then there should be a record of what was done, and what effect resulted. These records would not necessarily be required for those preventive measures that are part of the construction and routine operation of the course, but should be generated and kept for all actions taken in response to a pest infestation. These records will document the efficacy of treatments, chemical or otherwise, and should be a valuable resource to the golf course management and others. To maximize their utility, the records should be publicly available.	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1520	Watershed Inspector General	Appendix 14 Integrated Turf Management Plan	There is no provision for notice to golfers, other visitors and neighbors, when chemical pesticides are applied. Given the known and potential adverse health effects associated with chemical pesticides, adequate notice should be given to those who work at the golf course, those who use it and those who reside on neighboring property. This can be accomplished by signs posted around treated areas and by notices displayed prominently at key locations, such as the first and ninth tees, Neighbors should receive advanced notice of applications to allow them to take precautions as they see fit	Golfing Facility- SDEIS 2.8.4; Appendix 15;	2		
1521	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	In no case did the modeling consider either pesticide degradation products or inert ingredients of pesticide products, which, is a severe shortcoming for an analyses described as a "risk assessment."	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1522	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	In Section 2 (p.2) and 2.1 (p3) the USDA's WINPST model is described as an initial screening tool for determining overall pesticide mobility. It is unclear why the WINSPT modeling was even conducted, because there is no indication that any pesticides were accepted or rejected for use based on this exercise. Although the properties of four different soil series were reportedly modeled, Attachment 1 presents only the results for one soil series. Although the modeling produces indices of both pesticide mobility and hazard (hazard potential is based upon toxicological data in an internal WINPST database), the hazard rankings are ignored. The writers apparently prefer to compare LEACHM and GLEAMS generated concentration results to drinking water standards and LC50 values than to consider in any way the hazard potential results generated by the WINPST modeling. This results in the retention of at least nine pesticides that WTNPST predicts will present a high hazard to humans and/or fish. No basis is given for ignoring these results.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1523	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	The modeling utilized 1996 precipitation records, with 1996 being described as a high-precipitation year. The precipitation records are not provided, and so it is not clear whether precipitation was in fact heavy during the pertinent time periods when pesticide applications were modeled.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		

1524	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	Although soils were identified and mapped in the field by the LA Group soil scientists, the modeling incorporated characteristics of type location soils reported in the Greene County Soil Conservation Service publications and the National Resources Conservation Service. Site specific soil characteristics could well have been determined but were not. The modeling apparently did not consider the effects of golf course construction activities on soil parameters.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1525	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	The criteria applied to retain or reject pesticide products was: "Only the products that did not leach at all through the soil profiles and the products that had undiluted leachate concentrations below drinking water standards are recommended for use based on this portion of the this risk assessment." The use of these criteria seems to assume no uncertainty concerning either model results or the protectiveness of the applicable drinking water standard. A more conservative approach would eliminate those products that were predicted to have undiluted leachate concentrations at 10% or more of the drinking water standard. EPA HALS could and should be considered as well.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1526	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	Section 4.3 (p. 20) reports that, "Of the 53 pesticide active ingredients analyzed, all but two were present to some degree in the worst case modeling. The criteria applied to reject pesticides was a concentration in undiluted runoff equal to or greater than the LC50 for the pesticide in question. To better account for all uncertainties and unknowns like sub-lethal effects and effects on different life stages, undiluted runoff concentrations that are greater than 10% of the LC50 could be used.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1527	Watershed Inspector General	Appendix 15 - Fertilizer and Pesticide Risk Assessment	[NYC Watershed Inspector General submitted a] spreadsheet [which] summarizes an alternative pesticide retention rejection scheme. The purpose of this spreadsheet is to demonstrate how arbitrary the selection criteria used in Appendix 15 are. The pest management plan should be re-done with more consistent and conservative methods and incorporating a clear commitment to IPM.	Golfing Facility- SDEIS 2.8.4; Appendix 15; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1;	2		
1528	Watershed Inspector General	3.2.1 Surface Water Resources - Existing Conditions	The importance of the FWS observations concerning unmapped water courses or streams is two-fold. First, accurate assessment of the potential impacts of filling or clearing wetlands cannot be performed if water courses and streams downslope from the impacted wetland areas - the stormwater pathways from those impacted areas - are not accurately mapped and depicted in the DES. Second, if the relevant wetland areas are drained by streams or water courses, then those wetlands would likely constitute "waters of the United States" that would also require an Army Corps' permit before they legally could be filled.	Water Budget- SDEIS 3.2.2; Appendix 22; Surface Waters- SDEIS 3.1;	2		
1529	Watershed Inspector General	3.2.1 Surface Water Resources - Existing Conditions and 3.5.2 Terrestrial and Aquatic Ecology - Wetlands	[continued from comment above] The Army Corps' response to FWS was that the FWS was mistaken concerning the location of the stream in question and that it was "confident that all waters of the United States were identified within the project area." The Army Corps was correct that the stream in question was not south of Gunnison Road at proposed golf tee #5. (The area of concern being questioned by the FWS was actually south of Gunnison Road, near the green at hole 13, as well as north of Gunnison Road).	n/a	1		

1530	Watershed Inspector General	3.2.1 Surface Water Resources - Existing Conditions and 3.5.2 Terrestrial and Aquatic Ecology - Wetlands	[continued from comment above] In an effort to resolve this contradiction, a FOIL request was sent to both FWS and Army Corps concerning the proposed project wetlands. After reviewing the files, a March 30, 2004 telephone conversation with the FWS biologist who had walked the site both north and south of Gunnison Road revealed the following observations down slope from wetland complex #19-22: drift and drainage patterns, erosion, defined bed and bank, exposed roots, rocks and deposited sediment. These factors in concert with the site topographic map tend to indicate that the wetland complex # 19-22 is connected to the north to this drainage channel, which likely connects to a tributary of Emory Brook under high precipitation conditions. Wetlands identified on either side or parallel to this wetland complex were not classified as isolated in the DEIS. Wetland #16 located to the west, and wetland # 23 located to the east, both flow into a tributary of Emory Brook, which is a tributary of the Pepacton Reservoir. This factual issue needs to be resolved before the EIS process under SEQRA is concluded.	n/a	1		
1531	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts	A fundamental element in the environmental analysis of stormwater and erosion impacts is an accurate understanding of pre-development conditions. Projected pollution and flow levels in stormwater both during and after construction are compared to pre-development conditions to understand potential adverse environmental effects relative to the "no-build" condition. Moreover, pre-development conditions often serve as a bench-mark for the pollutant removal efficiencies and flow attenuation levels to which an SPPP is required to be engineered.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
1532	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts	A detailed plan regarding use of a chemical additive for stormwater treatment that removes turbidity is needed. Should DEC decide to consider the use of a chemical additive to remove suspended clay and silt particles in detention basins, both laboratory "bench tests" and field tests need to be conducted to confirm the product's effectiveness on these soils. Field tests need to be run because the performance of chemical additives are affected by water temperature, clay type, flow rates, and chemical levels. The field tests are also necessary to determine whether the chemical additives will be decanted from the basins into area trout streams. If this chemical is placed in the detention ponds, it would appear highly likely that it will flow into area trout streams. Should there be a chemical discharge, the regulatory requirements associated with the addition of chemicals to area streams needs to be assessed, and a SPDES permit may be required.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
1533	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts	A detailed plan to drain the detention ponds is needed. Draining detention ponds in a timely manner is an important practice that will better assure that the detention ponds have available capacity to retain stormwaters from the next storm. As proposed, during construction, water would be pumped out of detention ponds and into a device called a "level spreader."This practice is highly likely to fail. Placing the level spreader at level in the woods and along a mountainside will be exceedingly difficult, particularly given the trees, rock outcrops, topography curves and intermittent streams. The likely dips in the plastic piping will cause high pressure to build up and the piping to break. The resulting flow of water will likely cause severe hillside erosion at the point of failure. Therefore, some other workable method to decant the detention ponds should be developed and proposed.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		

1534	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts	Water quality treatment volumes comparing rainfall and snow melt are needed. The computations used to compare the water quality treatment volume between rainfall and snow melt is absent from the DEIS and needs to be included, as per the 2003 New York State Stormwater Management Design Manual. Without further explanation, the DEIS appears to use low values.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Wastewater- SDEIS 2.4; 3.1.4; Appendix 16	2		
1535	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts	The DEIS does not provide sufficient detail to demonstrate compliance with water quality standards and to further improvement of the impaired Esopus Creek. The DEIS must demonstrate compliance with all New York State Water Quality Standards. Of particular applicability to construction activity are the water quality standards for turbidity and for suspended, colloidal and settleable solids.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2;	2		
1536	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts and 3.3.2 Groundwater Resources - Potential Impacts	There appears to be no adequate provision for monitoring ground and for pesticides and fertilizers during the "operational phase." Provisions for ongoing ground and surface water monitoring for active and inert pesticidal ingredients, their degradation products as well as nutrients, should be included in the operational plans for the golf course. The deep ground water wells that have been proposed for use in operational monitoring are deficient as they will provide little to no useful information concerning impacts. Shallow groundwater monitoring wells should be employed for comprehensive testing.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Water Budget- SDEIS 3.2.2; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		
1537	Watershed Inspector General	3.2.2 Surface Water Resources - Potential Impacts and Appendix 11 Draft Stormwater Pollution Prevention Plan	Times of concentration used in the DEIS appear to be incorrect. Times of concentration (Tc's) for the "hydrocad" routings appear to be much too long for the steep watershed slopes (e g. for sub-catclunent 22, the Tc is stated at 30.5 minutes). A similar TR-55 model analysis would estimate the Tc at only 9.6 minutes. A longer Tc results in much lower estimates of peak rates of post-development discharge flows ("Q.") Thus, discharge rates that are presented in the DEIS appear to be much lower than they should be. Higher values would demonstrate more severe erosive forces, particularly on steep slopes. The Tc values should be re-evaluated for the entire SPPP and accurate assumptions employed in the calculations.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
1538	Watershed Inspector General	3.2.3 Surface Water Resources - Mitigative Measures	The erosion and sediment control mechanisms for the proposed site should be designed for a minimum 2-year storm, which is 4 inches. Given the present status of the erosion and sediment control plan, it is not possible to determine the engineering criteria employed for the design of these measures, to the extent these measures are presented at all. The numerous steep drainage ditches need to be protected with stone lining or turf reinforcement mats.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1539	Watershed Inspector General	3.2.3 Surface Water Resources - Mitigative Measures	A detailed plan for selecting a chemical additive for stormwater treatment that is safe to aquatic organisms is needed.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1540	Watershed Inspector General	3.2.3 Surface Water Resources - Mitigative Measures	Methods to stabilize site soil need to be tested in the field. The DEIS does not mention the use of straw mulch, instead Soil Guard and Eco-Aegis are discussed. These products cement soil and alter infiltration, which means that the use of these agents may promote more runoff. Field tests need to be performed on whatever product is selected to confirm whether or not the sponsor's selected measure is adequate for this climatic region.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

1541	Watershed Inspector General	3.2.3 Surface Water Resources - Mitigative Measures	Although water quality volume ("WQV") computations are presented in the DEIS for the overall project, they are not presented for each sub-catchment. This information was not provided for the Phase 2 SPPP. This prevents an evaluation of whether the post construction stormwater quality measures were properly sized. These computations, as well as those for calculating pollutant removal efficiencies, need to be provided in the DEIS.	Surface Waters- SDEIS 3.1; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1542	Watershed Inspector General	3.3.2 Groundwater Resources - Potential Impacts	A detailed plan for clearing and grubbing waste disposal is needed. The clearing and grubbing of this site would generate large quantities of waste materials that would be many acres in size. Though the DEIS states that these materials will be buried, no waste areas are designated on the drawings. The high volume of wood wastes generated at this site has the potential to harm groundwater. The DEIS should address transporting the waste materials offsite. The waste material must not be buried in a ravine or in an area that could affect a drinking water well. If the waste material is to be buried onsite, an erosion and sediment control plan needs to be developed to account for additional deforestation and to address newly created stormwater concerns.	Water Budget- SDEIS 3.2.2; Appendix 22; Groundwater Resources- SDEIS 3.2; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1543	Watershed Inspector General	3.5 Aquatic and Terrestrial Ecology	[The DEIS] Fails to analyze the adverse environmental impacts of the proposed filling of 1.47 acres of wetlands, the removal of trees from forested swamps and stream corridors totaling 184 acres, and the destruction of associated wetland buffer area;	Wetlands- SDEIS 3.4.2	2		
1544	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Within the New York City Watershed, wetlands play a particularly important water quality protection function, and they comprise only a small fraction of the total land area. In short, the Project can and should be re-designed pursuant to SEQRA so that there is no disturbance or destruction of the 4.5 acres of wetlands or the associated buffer area contrary to what is presently proposed. There are significant factual and technical disputes over the scope and existence of certain wetlands and water courses on the Project site. These disputes must be resolved prior to the EIS process being found to be complete so that decisions are made on an accurate factual record.	Wetlands- SDEIS 3.4.2	2		
1545	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	[The DEIS] Fails to discuss why the wetland impacts could not be avoided through alternative project size or layout;	Wetlands- SDEIS 3.4.2	2		
1546	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	[The DEIS] Does not accurately depict existing site conditions because it excludes stream corridors that drain wetland complex 33-35 and wetland complex #19-22, and apparently connect those purported "isolated" wetlands to Birch Creek and Emory Brook, respectively;	Wetlands- SDEIS 3.4.2	2		
1547	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	[The DEIS] Fails to differentiate between the "waters of the United States" regulatory jurisdiction of the U.S. Army Corps of Engineers under the federal Clean Water Act and the analysis of adverse impacts to wetlands for purposes of SEQRA;	Wetlands- SDEIS 3.4.2	2		
1548	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	[The DEIS] Does not propose any wetland replacement for the area of wetlands proposed to be filled or cleared by creating, expanding or enhancing wetlands elsewhere in the affected watersheds, proposing instead to "mitigate" the wetland impacts by preserving other existing wetlands on the development's property, but for which there appears to be no reasonably foreseeable plans to fill or alter.	Wetlands- SDEIS 3.4.2	2		

1549	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	The DEIS includes no further analysis of wetlands other than present the material submitted to and accepted by the U.S. Army Corps of Engineers. That approach is not adequate for compliance with SEQRA because it erroneously delegates all relevant wetlands issues and decision-making to the U.S. Army Corps, a federal agency that is not subject to SEQRA, and improperly narrows the scope of the issues in terms of both geographic area and subject matter.	Wetlands- SDEIS 3.4.2	2		
1550	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Legally, it is not dispositive to a SEQRA analysis whether or not a wetland is regulated by the Corps of Engineers (or DEC or any other agency); SEQRA demands an analysis of the site regardless of other statutory requirements. Here, the DEIS does not discuss the fact that a much larger area of wetlands is projected to be filled, does not analyze the adverse environmental impacts of such filling, and provides no analysis of avoiding or mitigating those impacts. Those elements must be part of the SEQRA review of this project regardless of federal regulatory jurisdiction.	Wetlands- SDEIS 3.4.2	2		
1551	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	The SEQRA demands of an analysis of the site regardless of other statutory requirements also applies to the projected clearing of trees from almost 3 acres of forested swamps and stream corridors. While the wetland tree removal protocols convinced the Army Corps that the clearing activity would not itself require an Army Corps' permit, those "how it will be done" protocols do not present a SEQRA analysis of the habitat or other environmental impacts of removing the trees from forested swamps and stream corridors, alternatives to avoid the impacts, or practicable ways to mitigate unavoidable impacts.	Wetlands- SDEIS 3.4.2	2		
1552	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Based on site wetland investigations conducted by scientists representing both the FWS and DEP, the wetlands section of the DEIS is factually incorrect and deficient because it does not identify all of the water courses or streams on site. Without a thorough and accurate accounting of the water courses and streams on the project site, the DEIS cannot properly present the environmental impacts and mitigation measures associated with the proposed development.	Wetlands- SDEIS 3.4.2; Surface Waters- SDEIS 3.1;	2		
1553	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Following the field inspection, the FWS sent a letter dated July 11, 2003 to the Army Corps identifying a number of potential inconsistencies concerning site wetlands, One week later the Army Corps filed an internal "memorandum for record" document entitled "Statement of Findings for Application No. 2000-00748-YS by Crossroads Ventures, LLC". The FWS letter to the Army Corps challenged whether all of the wetlands at the site had been properly delineated. According to the FWS: Direct wetland impacts are associated with the construction of road crossings over four stream and wetland complexes. Project plans also include numerous crossings of streams and wetlands by golf course paths. Numerous road crossings are also planned over non-jurisdictional wetlands. At least 13 crossings were noted on the project plans of both streams and wetlands.	Wetlands- SDEIS 3.4.2; Surface Waters- SDEIS 3.1;	2		

1554	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	[continued from comment above] It is unclear if all of the, plans. We recently visited the project site and found channels and discernable bed and banks located down slope 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 water courses 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. (Emphasis added)	n/a	1		
1555	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	Independent of the FWS review, the DEP wrote a letter to the Army Corps dated December 8, 2003, disagreeing with some of their, jurisdictional determinations concerning wetlands at the project site. The DEP confirmed FWS's suspicion that the area north (downslope) of wetland complex ## 19-22 was not properly delineated or mapped as an "isolated" wetland. DEP scientists field identified those wetlands as tributaries of Emory Brook. The DEP also found that the area north of wetland complex ## 33-35, on the eastern portion of the site, was not properly characterized. According to the site DEP's inspection, these three wetlands are tributaries to Birch Creek, which in turn is a tributary of the Ashokan Reservoir. This factual issue also needs to be resolved before the EIS process under SEQRA is concluded.	Wetlands- SDEIS 3.4.2; Surface Waters- SDEIS 3.1;	2		
1556	Watershed Inspector General	3.5.2 Aquatic and Terrestrial Ecology - Wetlands	To the extent that filling wetlands cannot practicably be avoided, the adverse impacts of the lost wetland functions and values must be mitigated under SEQRA unless demonstrated to be impracticable, by replacing the wetland area to be filled by restoring a larger area of former wetland or expanding a larger area of existing wetland within the same tributary system. To the extent that clearing trees from forested swamps and stream corridors cannot practicably be avoided, those impacts must also be mitigated, unless demonstrated to be impracticable. The mitigation proposed in the DEIS, to preserve other wetlands existing on site for which there appears to be no reasonably foreseeable plans to fill or alter, does not meet SEQRA's requirement that "to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided."	Wetlands- SDEIS 3.4.2; Surface Waters- SDEIS 3.1;	2		
1557	Watershed Inspector General	3.6.1 Soils - Existing Conditions	The DEIS should conduct on-site studies of project soils. Most of the soils at the project site have little or no percolation. Based on data provided in the DEIS for the soil test pits excavated on site, soils contain 50 to 60% silt and clay, and the clay content was between 12 and 22%. The very small size of these soil particles, which can flow through a size 200 micron sieve, means that they can remain suspended in water for a long period of time - with important implications for drinking water quality. It would be useful to better understand the actual suspension time by employing a hydrometer analysis. The results from this test will provide useful estimates concerning how long clay/silt soils should be expected to remain in suspension in still water and the rate of settling. This information also will assist in the evaluation of whether the introduction of a chemical additive to detention ponds, as is proposed, will aid in removing clay particles from the water and will help determine the appropriate period of time that the water needs to be retained in sediment basins before it will be clear enough to decant.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		

1558	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Many of the soil types located on the Project site have characteristics (high erosivity, clay or colloidal-type particles, low percolation rates, etc) that can present significant erosion and water quality concerns. Slopes are often steep (15% and above) to very steep (35% and above). The project is in the highest rainfall region in the state, Precipitation for the one-year storm event is 3.5 inches, the two-year storm event is 4 inches, the ten-year storm event is 6 inches, the hundred-year storm event is 8 inches and average annual rainfall is 47.1 inches according to the Natural Resources Conservation Service. The project site is characterized by a combination of intense rain fall/snow melt events, low soil percolation, high soil erosivity, and colloidal soil particles that can remain suspended for many months and steep slopes, all of which create significant challenges with respect to the protection of water quality.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
1559	Watershed Inspector General	3.6.1 Soils - Existing Conditions	The Project site is in an area that is strongly influenced by the activities of glaciers that covered the area during the most recent ice advance 16,000 years ago. Both depositional and erosional features resulting from the glaciers are found throughout the area. Although bedrock can be found close to the surface in the higher elevations, significant thicknesses of unconsolidated deposits are also found in the vicinity of the Project site, particularly in the lower elevations and on the valley floors. Depth to bedrock at the higher elevations ranges between 12 to 22 inches. In some areas of' the valleys, bedrock can be found 80-100 feet below grade. The unconsolidated deposits are composed largely of glacial tills and glacial lacustrine deposits. Thick deposits of silts and clays, deposited by glacial Lakes that once existed, are found throughout the region.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
1560	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Soils on the Project site were characterized and delineated for the Project sponsor by Roger Case, a consultant and former Natural Resources Conservation Service ("NR.CS") soil scientist. Mr. Case produced the "Soils Map Eastern Portion" and "Soils Map Western Portion" that are displayed in the DES (Figures 3-6 and 3-7 respectively) and which were employed in this analysis. To evaluate the level of impact to soils from construction we referred to two GIS files: (1) the soil maps and (ii) a map of proposed impervious surfaces (e.g„ buildings and roads) and landscaped areas (e.g., golf fairways). This data was reviewed to evaluate whether the soils underlying the areas proposed for construction disturbance are suitable for their proposed use pursuant to federal guidelines. A number of' tables were assembled to assist in evaluating potential adverse impacts associated with proposed construction.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
1561	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Table 4 of Exhibit 3 [found in Watershed Inspector General's Comments] evaluates the 10.5 acres of soil at the Wildacres portion of the property that has been set aside for buildings. The data demonstrate that just under half (4.8 acres) of this area is proposed to be built on steep slopes that exceed 15%. The rating class for the proposed development with basements is severe for 10.2 of the acres.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		

1562	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Table 5 of Exhibit 3 [found in Watershed Inspector General's Comments] evaluates the 36.7 acres of soil at the Big Indian portion of the property that has been set aside for roads, streets, and parking. The data demonstrate that approximately two thirds (24.0 acres) of this area is proposed to be built on steep slopes that exceed 15%. The rating class for 22.9 acres of the 24 acres is severe.	n/a	1		
1563	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Table 6 of Exhibit 3 [found in Watershed Inspector General's Comments] evaluates the 24.6 acres of soil at the Wildacres portion of the property that has been set aside for roads, streets, and parking. The data demonstrate that more than a third (8.8 acres) of this area is proposed to be built on steep slopes that exceed 15%.The rating class for more than 10.2 acres is severe.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3;	2		
1564	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Lawns, landscaping, and golf fairway soils are rated for their use in establishing and maintaining turf. The ratings are based on the use of soil material at the location that may have some land smoothing, irrigation may or may not be needed and is not a criterion in the rating. Golf greens are not included in this rating.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3;	2		
1565	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Table 7 of Exhibit 3 [found in Watershed Inspector General's Comments] evaluates the 235.2 acres of soil at the Big Indian portion of the property that has been set aside for lawns, landscaping, and fairways. The data demonstrate that over 60% (148.6 acres) of this area is proposed to be cleared on steep slopes that exceed 15%. The rating class for all 148.6 acres is severe. In addition, 100 acres of land that has a slope of greater than 35% is proposed to be disturbed.	n/a	1		
1566	Watershed Inspector General	3.6.1 Soils - Existing Conditions	Table 8 of Exhibit 3 [found in Watershed Inspector General's Comments] evaluates the 161.2 acres of soil at the Wildacres portion of the property that has been set aside for lawns, landscaping, and fairways. The data demonstrate that almost half (73.7 acres) of this area is proposed to be cleared on steep slopes that exceed 15%. The rating class for the 73.7 acres proposed on steep slopes have been rated as severe. In addition, 30.5 acres of land that has a slope of greater than 35% is proposed to be disturbed.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3;	2		
1567	Watershed Inspector General	3.6.1 Soils - Existing Conditions	This soil information was not included in the DEIS and reflects highly relevant data for the water quality impact analysis. The DEIS should be revised to address the challenges presented by the soil and slope characteristics of the site, recognizing the risks established by the MRCS.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3;	2		
1568	Watershed Inspector General	3.6.1 Soils - Existing Conditions and 2.2.6 Site Drainage and Grading	The DEIS should conduct on-site studies of project soils. Most of the soils at the project site have little or no percolation. Based on data provided in the DEIS for the soil test pits excavated on site, soils contain 50 to 60% silt and clay, and the clay content was between 12 and 22%. The very small size of these soil particles, which can flow through a size 200 micron sieve, means that they can remain suspended in water for a long period of time - with important implications for drinking water quality.	Soils- SDEIS 3.3;	2		

1569	Watershed Inspector General	3.6.1 Soils - Existing Conditions and 2.2.6 Site Drainage and Grading	It would be useful to better understand the actual suspension time by employing a hydrometer analysis. The results from this test will provide useful estimates concerning how long clay/silt soils should be expected to remain in suspension in still water and the rate of settling. (It would not provide useful information about settling rates in moving water), This information also will assist in the evaluation of whether the introduction of a chemical additive to detention ponds, as is proposed, will aid in removing clay particles from the water and will help determine the appropriate period of time that the water needs to be retained in sediment basins before it will be clear enough to decant.	Soils- SDEIS 3.3;	2		
1570	Watershed Inspector General	3.6.2 Soils - Potential Impacts and Appendix 12 - Soil Test Results	This soils analysis demonstrates that some of the areas of the Project site that are proposed for construction disturbance pose a very significant risk. Over 230 acres of the project will involve construction on slopes at or in excess of 15% with soils that are classified by the Natural Resources Conservation Service as being severely restricted for such use. Moreover, some 157 acres of the Project site will be constructed on slopes at or in excess of 35% with severely restricted soils. Hydrologic soils group C and D soils are the only soils groups found on the entire project site. These soils have very low percolation rates, a factor that tends to significantly increase volumes of stormwater runoff. Many of the soils found on slopes below 15% also present severe erosion potentials. In addition, over 52% of the entire Catskill portion of the Watershed is characterized by slopes at or in excess of 15% with soils that are classified as severely limited.	Soils- SDEIS 3.3;	2		
1571	Watershed Inspector General	3.6.3 Soils - Mitigation Measures and 2.2.6 Site Drainage and Grading	The SPPP for the Phase 2 area does not take into account stockpiles of excavated soils, describe their location or duration on grading sheets, or provide for any specific erosion control measures to stabilize these soil stock piles. This substantial omission is contrary to General Permit Part ffl,D.2.(a)(4) and good practice. The grading sheets should provide complete details with respect the manner in which these materials will be effectively managed as part of the overall SPPP. While the various cuts and fills appear to be balanced, the timing and routing of' excavated earthen materials is an important element of the program to control off-site sedimentation. The DEIS and the SPPP should contain far more detailed information so that it can be verified that the transfer of these materials will be managed effectively.	Soils- SDEIS 3.3; Slopes- SDEIS 2.2; 2.3; SPDES Draft Permit Application- SDEIS Appendix 10; Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan;	2		
1572	Watershed Inspector General	Appendix 10 Construction Phase Stormwater Quality Management Plan and Appendix 10A Operational Phase Stormwater Quality Management Plan	The "n" coefficients used in the DEIS appear to be incorrect. The "n" coefficients, which measure the "roughness" or friction associated with surface stormwater flows, and used in the DEIS for overland flow computation, appear incorrect when compared to values presented in USDA SCS TR55, chapter 3. This raises questions regarding the validity of the final routing values employed in the stonnwater models. It cannot be verified whether this value was correctly calculated; an incorrect "n" value would result in incorrect velocity and erosive force values, thereby making inaccurate the engineering calculations that serve as a predicate for the engineered design of stormwater controls. This value should be re-assessed and recalculated for the entire SPPP.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

1573	Watershed Inspector General	Appendix 11 - Draft Stormwater Pollution Prevention Plan	Significant erosion can occur from the unprotected portions of the project site. Calculations using the "Revised Universal Soil Loss Equation" show that 250 tons of soil will be lost from this area over the course of one construction season. This amount of soil is equivalent to the capacity of 10 large construction dump trucks. There are many uncontrolled areas where stormwater sediments can be transported off' site without any containment. The SPPP should identify other such areas and present an adequate erosion and sediment control plan. Moreover, road side ditches throughout the proposed Project do not appear to include any erosion and sediment controls, a situation that should be rectified in a revised SPPP.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1574	Watershed Inspector General	Appendix 11 - Draft Stormwater Pollution Prevention Plan	No construction waste (e.g. asphalt shingles, fuels, lubricants, garbage, etc.) management plan is detailed in the SPPP as required by General Permit III.D.2(a)(4).	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Community Services- SDEIS 3.10;	2		
1575	Watershed Inspector General	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan	The SPPP must include much greater detail. The SPPP as it relates to the erosion and sediment control plan for the 85-acre Phase 2 area does not contain the "fully designed and engineered stormwater management practices with all necessary maps, plans and construction drawings" required by the General Permit at Part III.D.2. The specific requirements of the erosion and sediment control plan are outlined in the General Permit at Part III,D2(a)(1 to 16); these requirements have not been net. The fact that this is a large site does not justify the use of a conceptual SPPP that would be unacceptable at smaller sites. Rather, the size indicates a need for greater, not lesser, detail.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1576	Watershed Inspector General	Appendix 11 Draft Construction Stormwater Pollution Prevention Plan	At a minimum, for each area of the site, the SPPP should contain specific design details concerning: (i) the phasing of construction; (ii) the clearing of vegetation; (iii) the movement and stockpiling of earth; (iv) the channeling and volume of stormwater; (v) the deployment and sizing of erosion control measures such as check dams, stone channels, geo-textile materials, hydro-seed, silt fencing, sod, and mulch; and (vi) detention basin sizing, location, peak flow attenuation, decantation and maintenance. This information should be presented on engineered construction plans in a manner that allows for actual implementation by construction contractors.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1577	Watershed Inspector General	Appendix 11 Draft Stormwater Pollution Prevention Plan	The limited SPPP contains numerous deficiencies with the proposed program to address both erosion and sediment controls and stormwater controls According to DEC guidelines, the SPPP should comply with the standards and requirements contained in the DEC General Permit for Construction Activity, as well as the technical manuals it references: New York State Standards and Specifications for Erosion and Sediment Control April 1997 and New York State Stormwater Management Design Manual October 2001. Other guidance has been provided by U.S. EPA. However, due to its incomplete and general nature, it is not possible to demonstrate compliance.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1578	Watershed Inspector General	Appendix 11 Draft Stormwater Pollution Prevention Plan	The SPPP must be designed based on the attributes of the construction site and the use of standard engineering models and formulas to calculate the size and spacing of various stormwater control measures. The conceptual SPPP presented in the DEIS does not allow for effective review and critique; nor does it provide sufficient information for DEC to make fact-based determinations on appropriate individual stormwater permit conditions.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		

1579	Watershed Inspector General	Appendix 11 Draft Stormwater Pollution Prevention Plan	The DEIS has incorrectly identified design discharge points at the bottom of the mountain near the property boundary for stormwater calculation comparisons. The removal of vegetation, the manipulation of earth and the construction of the proposed project will significantly alter the hydrology of the project site. This change in hydrology will be most significant at the point where the construction disturbance ends and stormwater is discharged. The DEIS and its predicate calculations, however, do not assess the effects of the stormwater discharges (from basins or ditches or other methods) at the various locations on the side of the mountain where the discharges actually occur, but rather, assume the boundary is the discharge point. This failure has taken place in the development of both the erosion and sediment control plan and the post-construction stormwater plan. Therefore, these stormwater calculations were not determined in accordance with DEC's Stormwater Management Design Manual.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1580	Watershed Inspector General	Appendix 11 Draft Stormwater Pollution Prevention Plan	As a result, the calculations and assessments with respect to: (i) appropriate rates of discharge from basins; (ii) detention basin volume and outfall design; and (iii) the erosive impacts of the stormwater discharges at the point of discharge on the mountain side, are not valid and must be re-done. The redesign of stormwater controls based on correct inputs should be required.	Stormwater / Drainage- SDEIS 2.8.8; Appendix 19, Draft Stormwater Pollution Prevention Plan; Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1Stormwater Management – Potential Impacts and Mitigation Measures, 3.1.1	2		
1581	Watershed Inspector General	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	With respect to the secondary growth impact assessment contained in the DEIS, Dr. Knaap found numerous specific disagreements but largely concurred in the DEIS's basic conclusion: that the Project, standing alone, is not likely to cause extensive levels of new impervious surfaces and construction disturbances in off-site areas. Dr. Knaap's projections of new construction are higher than those contained in the DEIS, but not of a magnitude that we would characterize as significant	Socio-Economics- SDEIS 3.9; Community Services- SDEIS 3.10; Growth Inducing Impacts- SDEIS 7.0;	2		
1582	Watershed Inspector General	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action	The planned Belleayre Ski Center expansion should be reviewed in conjunction with the Belleayre Resort project. Clearly it is on the table, since there have been newspaper articles about it and at least 2 public meetings. After one article, 1 (Judith Wyman) and 2 others (Mary Herrmann and Adam Nagy) met with Tony Lanza in his office to discuss the plan. He showed us the plan on paper and willingly discussed it with us. Since it would impact the same area in so many ways (traffic, labor, water resources, etc), there appears to be a segmentation of issues which is contrary to SEQRA requirements. The DEIS should reflect the impacts of the Belleayre Expansion project and should not go further until it complies.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		
1583	Watershed Inspector General	7 - Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action - Cumulative Impacts	The assessment of potential cumulative impacts does raise significant concerns. Dr, Knaap's report identifies the potential for sizeable amounts (many squares miles) of new acres of impervious surfaces and construction disturbances cumulatively in Watershed over time due to likely development pressure. The DEIS is deficient because it failed to require a detailed cumulative impact analysis to better determine the full extent of growth impacts so as to better guide decision-making on the large-scale regional development Project proposed in the DEIS, We recommend that a cumulative analysis be undertaken in a revised DEIS.	Cumulative Effects- SDEIS 1.4; Table ES-1; Part A: Unit Management Plan DEIS; Part C: Cumulative Impact Analysis of Ski Center’s UMP-DEIS and Belleayre Resort SDEIS;	2		

1584	William J. Forbes	Appendix 28 Local Surveys and Letters of Support	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.	Comment does not raise any substantive issues / no response required;	4		
1585		2.2.6 Site Drainage and Grading	In the Belleayre Highlands map (SG-5) there are numerous slopes shown at 1.5 to 1; this is extremely steep for fill slopes. Without information on the attributes of' the fill material, a slope stability analysis is not possible and given the steepness, there is a risk of failure. One such fill is over 100 feet high and is topped with the weight of an access roadway. In addition, it appears that the project sponsor has proposed to place a level spreader to discharge stormwater on that slope - thereby adding large quantities of water from a detention pond in addition to natural rainfall. The weight and soaking effect of this water would likely further destabilize this slope creating a possible safety risk to drivers, in addition to a risk of soil erosion. All steep fills on the site should be carefully evaluated for stability and more moderate grades or vertical retaining walls should be employed where appropriate, Level spreaders and other detention basin discharges should be removed from steep fill areas throughout the Project.	Slopes- SDEIS 2.2; 2.3 Grading- SDEIS 2.8.8	2		
1586		2.2.7 Traffic Parking and Pedestrian Circulation page 2-42 Item 9	This paragraph states that "...various transportation management initiatives are planned that will reduce traffic impacts, These include the use of a shuttle bus for guests and employees, remote park-and-ride lots for the employees and scheduling check in/out times at hotels to occur during off-peak times." Are other management initiatives planned? For the FEIS, the Applicant should provide a Transportation Demand Management plan that clearly lists all the planned transportation management initiatives and how they will be carried out. the Applicant should provide some employee commute option programs such as a ride matching service and a ride board.	Traffic- SDEIS 3.5	2		
1587		2.2.7.G Traffic Parking and Pedestrian Circulation page 2-47	The last sentence states "It is not anticipated that golf carts will he used on any other areas of the Resort besides the dedicated golf course cart paths." What about in the parking lots or for maintenance purposes?	Traffic- SDEIS 3.5; Golfing Facility- SDEIS 2.8.4; Appendix 15	2		