

Audubon New York
200 Trillium Lane, Albany, NY 12203

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for considering our concerns.

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