



The TRAILBLAZER

January 2010

Niagara Group of the Sierra Club

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Chill the Drills *by Bob Ciesielski*

Our Group member Ron Missel contacted the National Sierra Club to arrange for Arctic Organizer, Kit McGurn, to speak on oil drilling on Alaska's North Slope. Presentations at the University of Buffalo and Daemen College were well attended. Kit McGurn has made numerous trips to the North Slope and brought his extensive knowledge to our area. His presentation focused on four environmentally sensitive areas of the North Slope which the Club is working strongly to protect as refuges for separate caribou herds of 150,000 and 450,000 head, numerous birds which migrate to almost every continent in the world, whales, bears and musk oxen.

Highlighted by a beautiful series of photographs of the region and its wildlife, Kit then discussed the attitudes of the native Inuit population, the despoiling of the area by gas and oil drillers, the politics of Alaska,

and how little the oil exploration in Alaska actually affects our nation's energy needs. If oil production on the North Slope were fully developed, it would supply only 1.4 years of our country's demand for oil. An increase of gas mileage in US automobiles to 39 miles per gallon would offset the total available production by more than ten times within a 40 year period. Oil drilling in the Arctic has become a political symbol, and if the industry is successful, will only lead to increased pressure. Kit also discussed the gigantic coal reserves of Western Alaska. Australian mining companies are already buying rights to portions of the coal regions where they have contracted for delivery to Chinese companies.

So not only will the United States lose a precious resource, but we will end up receiving China's carbon dioxide and mercury emissions to boot.

Letter from Larry Beahan to Senator Thompson, Chair- NYS Senate Standing Committee on Environmental Conservation

Clean Water Hearing Testimony, Sept 29 2009

Sierra Club Niagara Group finds these six issues to be the most pressing of the current clean water problems facing New York State:

1. Deep gas well hydro-fracturing as used to tap natural gas in Marcellus Shale poses an unacceptable threat to aquifers and water wells. We believe this practice has too heavy an environmental risk to warrant its use in New York State.
2. The West Valley Nuclear waste storage site, standing on the eroding banks of the headwaters of Cattaraugus Creek which drains into the Great Lakes, threatens to contaminate their vast waters. This waste site must be completely eradicated.
3. The proposed large Bellaire development in the heart of the Catskills Mountains threatens a watershed that supplies 90% of New York City's drinking water. This watershed is one of the few in the nation that is unfiltered. The cost of filtering this water necessitated by the environmental damage of this project would be \$20 to \$30 billion.
4. Run off from poorly regulated CAFOs (concentrated animal feeding operations) are an increasing source of water pollution. Recently a lagoon of cow fecal material flooded the Black River in upstate New York and precipitated a massive fish die off. The development of this industry should be strictly curtailed and existing units must be much better regulated.
5. The gap between New York State and Federal wetland regulation has left an opening for the unwarranted and destructive development of smaller wetland parcels. Wetlands are one of the key elements in the purification of storm water run-off. Legislation to plug this defect in law has often been proposed. It must be enacted into law.
6. Combined storm-hygienic sewers are a dangerous, polluting relic and must be replaced by adequate sewage treatment facilities.

Sincerely
Laurence T. Beahan MD
Conservation Chair
Sierra Club Niagara Group.

A Message from Senator Charles E. Schumer

Dear Reverend Lamb:

Thank you for your letter regarding the new regulation which will allow companies to mine for coal through a controversial process known as “mountaintop removal.” I share your concerns at this disregard for the environment. There is a bill in the Senate right now, the Clean Water Restoration Act, that would have the effect of permanently prohibiting this practice. You will be happy to know that I am an original co-sponsor of this legislation and I will be working hard to see that it passes.

Mountaintop-removal mining is an environmentally destructive method of obtaining coal. It is used primarily in the Appalachian Mountains of West Virginia, where the coal industry has continuously pushed for weaker and weaker environmental and occupational safety regulations. Beginning in the 1980’s, coal-mining companies adopted the mountaintop-removal method as a cheap and fast way to extract all of the coal from a piece of land. Unfortunately, we have come to learn that the process wreaks incredible and permanent damage on the environment.

Critics have called mountaintop-removal mining “stripping mining on steroids.” Miners clear-cut the forest on top of the mountain in question, then use dynamite to blast off the soil and rocks in progressively deeper layers until they expose the coal deposits below. The vast amounts of debris this creates – the entire top of the mountain is reduced to rubble – is dumped into the valleys between mountains. In the wet and windy Appalachians, these valleys usually have streams running through them. When the top of the beheaded mountain is dumped at its feet, the streams become an incidental casualty of mountaintop removal. Tributaries are completely blocked and a stream that is usually three feet deep in the spring is now buried under tens of feet of rubble. Even miles downstream, the stream is still reeling from the effects of the waste chocking it: studies have shown that these streams carry significantly higher levels of silt and toxins, threatening aquatic life and the safety of drinking water. Between 1985 and 2001, the Appalachians were subjected to 6,700 “valley fills.” As a result, the U.S. Environmental Protection Agency (EPA) estimates that 700 miles of pristine mountain streams have been damaged.

This procedure has also been proven to have an adverse effect on human health. Studies by Eastern Kentucky University show that the children in areas where mountaintop removal mining is prevalent – overwhelmingly poor rural communities – suffer from gastrointestinal problems and difficulty breathing. Doctors call this phenomenon “blue baby syndrome.” Not a single disease, it is rather a suite of unrelated health problems that

all appear together in children affected by coal-mining pollutants in their drinking water. Medical experts fear that long-term exposure to contaminated drinking water poses health risks including liver and kidney failure, gastrointestinal cancers, and bone damage. And in addition to medical ailments, coal mining threatens people’s physical safety because denuded mountain ranges lead to flash floods in the neighboring valleys. More than ten people have been killed in flash floods in the Appalachians since the industry began mountaintop-removal mining.

The public’s outrage at the devastation caused by mountaintop removal led to a series of lawsuits which eventually slowed the industry’s use of the practice. Ambiguities in the law mean that state and federal courts are determining under what circumstances mountaintop removal is legal, but there is a trend in these courts towards continually restricting its use. Most of these lawsuits depended on the Clean Water Act’s authority to regulate pollution in the streams at the base of the mountains. This past summer, however, the Administration sought to overturn these decisions by changing a regulation. The EPA and the Army Corps of Engineers redefined the debris from the battered mountaintops “fill” instead “waste.” If the rubble is classified as “fill,” then despite the awful impact it has on stream health, the Clean Water Act does not ban it. Because of this, mountaintop-removal mining may soon be increasing again.

The Clean Water Restoration Act of 2007 will expand the authority of the federal government to regulate water health. It specifically states that rubble from mountaintop removal is “waste,” and not “fill.” Valley fills would immediately become illegal under federal law, and this would make it almost impossible for companies to continue mountaintop removal mining. Because the law is not ambiguous and would not require court decisions to interpret, its effect would be faster than that of any lawsuit. I am sponsoring this legislation and I am hopeful that it will come to the floor for a full vote.

Thank you for contacting me about this important issue. Please do not hesitate to contact me again if I can be of assistance on this or any other matter.

Sincerely,
Charles E. Schumer
United States Senator

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<http://newyork.sierraclub.org/niagara/>

Stop Toxic Dumping Now

Hearings were held on Nov. 18 and 19 concerning the new siting plan, issued by the Department of Environmental Conservation.

The plan states clearly that there is no need for additional hazardous landfills anywhere, as there is ample capacity for years to come.

However, it continues to state that there is currently an equitable geographical distribution of such sites in New York. This is far from the truth.

Chemical Waste Management in Niagara County is the only commercial hazardous landfill in the state, and it continues to import toxics from many states. The DEC plan takes no account of the 8 million tons of toxics already accumulated there, and it compares CWM with other sites that exist for recycling or for use only by the industry that owns them.

It is important to oppose this plan. CWM wants to expand and has a permit application ready as soon as a siting plan is approved.

The plan states that even though there is no need for additional capacity, a permit could still be granted if it is of economic benefit. Of course it is not. The Niagara County Legislature has declared hazardous landfills to be an economic negative! But CWM continues to stress how much they supposedly benefit the community.

Tell the Governor and DEC Commissioner that there is no equitable geographical siting and that any plan that implies that there is must not be approved! Tell them that hazardous waste landfills are a detriment to our environment, health, and economy.

Please go to www.stopdumpingonus.org for more information!

North Tonawanda Tries to Stop Wetland Protection

Council members in North Tonawanda have retained a law firm to challenge the basis for wetlands protection there.

Sierra Club members feel the city is too eager to develop sections of the city that need to be preserved as wetlands.

The City will be spending perhaps as much as \$30,000 in an attempt to be able to use wetlands for commercial development!

Wild Boars in Allegany

The Orlean Times Herald ran an article recently stating that Allegany State Park officials have reported feral pigs in the state park.

They were seen along ASP Route 2 near France Brook Road deep in the park.

This is the first time they have been confirmed in the park, according to Brad Whitcomb, park manager.

The DEC is concerned. Wild boars are a serious problem in some southern states.

Sierra Club Calls for a Ban on Gas Drilling in NYS

On Saturday, October 17, 2009, the Executive Committee of the Atlantic Chapter of the Sierra Club met in Syracuse and passed a resolution proposed by the SC Gas Drilling Task Force. The resolutions calls on the NYS legislature to enact a ban on unconventional gas drilling in NYS.

WHEREAS extensive environmental and health damages would be caused by horizontal drilling and high pressure hydrofracturing gas extraction techniques due to the contamination of water, soil and air by the toxic chemicals used in drilling and fracturing, and the naturally occurring toxic chemicals brought to the surface from deep in the ground,

WHEREAS these environmental and human and animal health damages will have damaging economic consequences on residential property values, and on the state's tourism, agriculture, forestry, winery, real estate development and educational businesses,

WHEREAS the infrastructure costs of building and repairing roads, water treatment facilities, and other public services would far exceed any economic benefit to local communities, and

WHEREAS it is yet to be proven that the green house effects of the production and use of natural gas produced by horizontal drilling and hydrofracturing are any less than those of the production and use of coal when the life cycle emissions of natural gas production and the higher impact of methane as a green house gas are taken into account.

Be It Resolved that the Atlantic Chapter of the Sierra Club calls on the New York State Legislature to enact a ban on permitting gas wells that use horizontal drilling and hydro-fracturing to release gas from tight sand and shale formations such as the Marcellus.

Hopeful Steps Regarding Niagara Gorge

Wild Ones Niagara, which is a national organization, has become interested in the project of restoring a healthy environment to the Niagara Gorge. They are seeking funding from the Niagara River Greenway Commission to do an exhaustive study of the area. Part of the plan almost certainly would call for elimination of the Robert Moses Parkway from Niagara Falls to Lewiston.

A public hearing was held on October 21, with most of those in attendance urging that the study and plan go forward. This may be a breakthrough in the long-stalled efforts to make some final decision about the Gorge and the Parkway.

Michelle Vanstrom, president of the local chapter of Wild Ones, points out that it is important for a study to be made not just by people concerned about transportation, but by an environmental firm.

EPA Assessing Tonawanda Coke's Compliance With Environmental Laws

The Environmental Protection Authority has informed residents that the Agency is assessing Tonawanda Coke's compliance with federal and state environmental regulations and laws.

Because of community concerns, the EPA is conducting a full multifaceted evaluation of the facility.

Tonawanda Coke objected to providing some information, and the EPA has responded. The EPA rejected Tonawanda Coke's objections to performing sophisticated testing called "differential absorption light detection and ranging," or DIAL. EPA will require the company to develop a protocol for this testing quickly.

The EPA is also requiring significant changes to protocols for more traditional testing.

For more information, contact Mike Basile, EPA Public Affairs Specialist, Western New York Public Information Office, 716-551-4410 or basile.michael@epa.gov.

As We Go to Press *by Charles Lamb*

The Copenhagen Conference is underway as we go to press. Nations of the world are working to form an agreement to limit greenhouse gasses. Protestors are in the streets, demanding urgent and stronger action. By the time you read this some decisions may have been made. I fear they may be inadequate.

Churches in many countries tolled their bells 350 times, reminding leaders that 350 parts per million of carbon dioxide in the atmosphere is the most the world can handle, according to many scientists.

I know of no churches here that joined in that bell-ringing effort. I fear that people in the U.S. are lagging behind our friends in Europe in pushing our government hard to combat global warming. Not many are speaking out as forcefully as we could.

Stopping global warming is a priority of the Sierra Club. What can we do as the Niagara Group, and what can you do as an individual, to add to the pressure on our leaders to do more and do it faster?

If you have information you wish to share or copy for use in the Trailblazer, please send it to Charles Lamb at 335 Walnut Lane, Youngstown, NY 14174 or clamb9@roadrunner.com or call 716-745-7037. Deadlines for the year are as follows: March 1, June 1, September 1, and December 1.

The Niagara Group of the Sierra Club meets on the 4th Tuesday of every month at 7p.m. at Daemen College, Dunn Scotus Hall, room 222. All Sierrans are invited!

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