



The Trailblazer

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NYS Comptroller Divests Fossil Fuel Stocks

By Roger Cook

This past December 2020, NYS Comptroller, Thomas DiNapoli, made a critical decision: he agreed to divest the public retirement fund of billions of dollars of fossil fuel stocks. For years he has refused to do so, arguing that investment decisions should be based on a sole criterion: Is it profiting the retirement fund?

Since Hurricane Sandy, **DivestNY**, a group of 40 climate justice organizations, including the Interfaith Climate Justice Community of WNY, has been pressuring the Comptroller to recognize that fossil fuel investments enable coal, gas and oil companies to extract, refine and sell products that have created a climate emergency. The coalition's demands were largely ignored until this year when we got 32 NYS Senators and 68 Assembly members to cosponsor the Fossil Fuel Divestment Act, a bill that would have mandated divestment of the fossil fuel stocks from the fund. The bill, which had the support of the Atlantic Chapter, seemed assured of passing this upcoming legislative session. In response, DiNapoli agreed to negotiate with the bill's Senate sponsor, Liz Krueger, and our coalition representatives. The outcome of the talks was successful; the Comptroller agreed to a divestment plan.

The divestment plan will require that over the next five years all the fossil fuel companies present plans on

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Reflections on SCNG 2020 Accomplishments

By Sara Schultz, Chair

As I write this on the day of the Solstice the return of the light has begun. This turns out to be a metaphor for so many of our hopes looking toward 2021. The sages of our great traditions all teach us that, indeed, "Weeping may endure for a night, but joy comes in the morning." And since there is a moment of stillness between the darkness and the light, let us take a moment to reflect on all that we have accomplished this past year, in spite of the darkness that fell so heavily on our nation and our hearts. Our members continued to fight bravely in these uncertain times for the health of our planet: our home.

We are really proud of our members for the energy and time they put into the elections. Our Executive Committee alone wrote over 1,600 letters to swing state voters. After Nov. 4th more letters, postcards and calls went out to voters in Georgia for the January 5th Senate Elections. Many thanks go to Roger Cook and Janet Lenichek for spearheading all of our political endorsements and activism! Job well done!! Your efforts bore fruit!

Through continued pressure on the Army Corps of Engineers and FERC we have gotten another halt on the Northern Access Pipeline (NAPL). Many thanks to Diana Strablow for her tireless efforts to prevent the NAPL project! Another win, in collaboration with others, was getting our NYS Comptroller, Thomas D'Napoli, who controls the NY State Pension Funds, to commit to divestment from fossil fuels. Kudos to Roger

Cook for his great work on this in collaboration with the Interfaith Climate Justice Community!

We have had other collaborations that have reaped rewards. Lynda Schneekloth functions as an advisor to the WNY Youth Climate Council, who successfully persuaded the City of Buffalo to declare a Climate Emergency. This will enable us to further our goals of greater sustainability and accountability here in the City of Buffalo. Lynda also is our Liaison to the Environmental Alliance of WNY and the Native Plants Collaborative. The Native Plants Collaborative is dedicated to education and study of nature-based solutions for climate change. Lynda has also educated our region on nuclear waste and the Department of Energy's plans for the demolition of the Main Plant Process Building at the West Valley Nuclear Demonstration Project. Larry Beahan and Lynda Schneekloth both are representatives for the Our Outer Harbor Coalition (ourouterharbor.org). OOHC is pushing for public space rather than private development on our precious shoreline. Larry also represents Sierra Club with the Niagara Regulatory Commission (NRC) allocating money for shoreline restoration and other important projects.

David Alicea, (Atlantic Chapter Lead Organizer), and I participated in the creation of United Solar Energy Supporters of NY (USESNY). This year we became a non-profit organization and presented 8 webinars on Solar Energy that had great influence over municipal

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Sierra Club Niagara Group
P.O. Box 1127
Williamsville, NY 14221-1127



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Who's Protecting Us from Nuclear Radiation? Nuclear Waste and Western New York

By Lynda Schneekloth

As many Sierra Club members know, we live in the shadow of a major nuclear waste site – the West Valley Nuclear Waste Facility located about 30 miles SW of Buffalo near Ashford Hollow and Springville, upstream from the Seneca Nation in Cattaraugus County and Lake Erie. This site has been dangerous since the 1960s and there have been releases of radioactive material since that time. And yes, there have been citizen groups working to protect WNYers from any further release of radiation into the air, water and land by watchdogging the US Department of Energy (DOE), state agencies NYS Energy Research and Development Authority (NYSERDA) and the Department of Environmental Conservation (DEC), both of whom have responsibility for this dangerously contaminated site.

Right now, the West Valley Action Network with which the Sierra Club Niagara Group is working, is sounding an alarm because of the planned spring demolition of the on-site Main Process Plant Building, probably one of the hottest buildings on earth. The demolition is needed – that is not the alarm. What is causing deep concern is the demolition process they appear to have selected and the lack of information to the public about how people in the region will be protected from an accidental release of radioactive material that will be deadly for millions of years. The possibility of release is real as it happened at the Hanford site in Washington State where people were exposed. Accidents do happen and we insist that DOE inform the public of the risks they are exposing us to – and what actions they are taking to prevent any potential accidents.

There are also best practices that could be deployed that would offer additional protections such as an enclosure over the structure during demolition, essentially 'putting a mask on West Valley.' And there can be thorough (real time/publicly accessible) monitoring of water

and air in the surrounding community that would alert residents if there were a release. We are asking for these actions or minimally for a science-based persuasive case about why it would be as safe to do an open-air demolition, backed up by research into past accidents. The DOE had promised to do a report that compares enclosure vs. open air demolition, but has not.

Given that we have not had satisfying conversations with DOE, we are turning to the state of NY and asking those agencies involved and our own elected officials to step in. We need the state to stand up for the people and environment of our home here in WNY. We are asking that the elected officials and agencies provide more oversight of DOE: about process, procedure and potential for release; why they have selected open air demolition in the absence of the promised report; how people will be informed in the event of a release; and what emergency procedures are in place, among other questions.

The West Valley Action Network has contacted our elected officials such as Majority Leader Crystal Peoples Stokes and Senator Sean Ryan and asked them to contact NYSERDA, DEC and also the Department of Health (DOH) for better and transparent information about the proposed demolition.

To reinforce that request WE ARE ASKING YOU, to sign a petition that will demonstrate to NYS officials that there are many people in our region who know about and care about the processes occurring at West Valley. Upon signing, your request will be sent to Majority Leader Peoples Stokes and Senator Sean Ryan, and also the Lt. Governor Kathy Hochul and Gov. Andrew Cuomo.

PLEASE OPEN AND SIGN THIS PETITION To protect WNY's people, land, water and air from any release of plutonium or other nuclear material by using an enclosure during demolition and doing real-time publicly available air and water monitoring in the surrounding area. <https://nirs.salsalabs.org/ny-west-valley-action-2020>

This action about the proposed spring demolition doesn't resolve the problems at West Valley and we will still have to fight for full clean-up of the site. But this action will a major step forward in protecting our health, lands, air and water from deadly nuclear waste.

[For additional information, read editorial published in Buffalo News 12/20/20. https://buffalonews.com/opinion/another-voice-demolition-at-west-valley-nuclear-site-must-be-monitored/article_33ada9c6-406d-11eb-8103-cf6083e0c0b1.html

Climate Contemplations

By Richard Stockton

Perhaps the most important lesson to come out of this past year is to be reminded of our pressing need for humility; how we are an inescapably a small part of nature. How a virus, which may have existed in another species for longer than human beings have existed, can take over our lives because of our own ignorance and ineptitude. How politics

have no answers for this problem. That the only way forward is a deeper understanding of the natural world around us and how we must become more attuned to its lessons. This will not be the last time that humanity will be shocked by nature; climate change is already upon us and is an existential threat to our human society! Are we ready?

State of the State Wishlist

By John Szalasny

Even with a pandemic nearly shutting down the New York State Legislature, a number of positive environmental bills were passed and signed by Governor Cuomo. In addition to the ban on Expanded Polystyrene (Styrofoam) food containers in the State Budget, the state also passed legislation like **The Toxic Free Food Packing** bill ban on Per- and Polyfluoroalkyl substances (PFAS), removing a “forever chemical” from food packaging. In addition, the **Save Our Species** bill expanded for endangered species that were at risk of federal environmental roll-backs from the outgoing administration. But, even with a solid report card from environmental groups, there are issues from the 2019-20 legislative session that should be addressed with the new session.

Let’s start with a bill recently vetoed by Governor Cuomo. **The A-B-Cs of Stream Protection** was sponsored by our local Assemblyman Sean Ryan. This bill would amend the Environmental Conservation Law to protect Class C waterways (those that support fisheries and non-contact recreation) under State law. In 2019, the Federal Government rolled back protection on thousands of miles of streams, many of which are in the Class C waterway classification in New York. Protection of the water quality of these waterways were key in the NYS Department of Environmental Conservation decision to reject permits for the Northern Access and Constitution methane pipelines.

Another thing taken off the table by the Governor was the **Environmental Bond Act (EBA) of 2020**. The 2020-2021 New York State budget authorized the Bond Act which was supposed to go to the voters for the November election. This was taken off the ballot citing an “unstable financial situation.” This may have been short sighted as the \$3 Billion Bond Act looks to be huge jobs creator, funding environmental protection, natural restoration, resiliency, and clean energy projects. Like the 1996 **Clean Water/Clean Air Bond Act (CWCABA)**, it focuses on the big issue of the day. Unlike the Superfund-lite focus of the CWCABA, the EBA focuses on today’s need to build resilience to climate change, an issue that affects all regions of the state.

If the EBA is placed on the 2021 ballot, it could be one of two state initiatives on the ballot. The second is the **Green Amendment**, which would amend the NY State Constitution and guarantee that “each person shall have the right to clean air and water, and a healthful environment.” This passed in the Legislature in 2019, but amendments to the State Constitution must pass in two successive legislative sessions and then be passed

by a statewide voter referendum. In 2019, the amendment was supported by 90 organizations, including the Sierra Club. I would expect it to have wider support this time after experiencing the recent dismantling of many basic environmental protections on the federal level and with society’s increased focus on environmental justice.

Finally, 2019 also saw a proposal in the State of the State address for a **Bottle Bill Expansion** which would include most non-alcoholic beverage containers. This should be re-introduced with a 10¢ deposit. The raise in deposit would improve the redemption rate from its current 60-62% range to closer to 90%. This was what happened in Oregon after they raised their deposits by a nickel. With more and more pledges from industry to use recycled plastic in their packaging, bottle redemptions provide the cleanest stream of PET (#1) plastic for recyclers and takes the cost of collecting and sorting away from municipalities. With beverage giants like Coca-Cola and Pepsi joining the race to use recycled content, some of the opposition seen two years ago should be silent this time around.

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how they will transition from fossil fuel to non-fossil fuel products and services, including renewables. These plans must respond to the International Paris Agreement’s aspirational goal of limiting the earth’s temperature increase to 1.5C (2.7F) above preindustrial levels. The Comptroller will complete a review of each energy sector (tar sands, fracking, oil and gas) by 2025. Companies that fail the transition test will be divested from at that time. To date, 27 coal companies have been reviewed and 22 failed the test and are being divested from. Companies that pass the initial test in 2025 will be reviewed annually with full public disclosure of the results. All companies in the portfolio, including companies that use fossil fuel energy, must totally “decarbonize” by 2040.

The oil and gas sector has consistently been among the worst-performing on the stock market over the past decade and the very worst in 2020. The long-term prognosis looks even worse. BP recently announced that it is cutting its oil and gas production in the next decade and significantly increasing its investments in renewable energy.

Among government funds that have divested, including the Republic of Ireland, N.Y. City, and Oslo, the N.Y. State fund is the largest with a portfolio of \$226 billion. Worldwide, over 1200 institutions with combined portfolios of \$14 trillion have divested. “Stop the Money Pipeline” which includes coalition partners such as the Sierra Club, 350.org, and Public Citizen is targeting the largest institutional investors like Blackrock, Morgan-Chase and Liberty Mutual. Together, these investment firms fund the major oil and logging companies who are the largest contributors to greenhouse gas emissions and deforestation.

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leaders and stakeholders. Bob Ciesielski and Ellen Banks, who also serve on our Atlantic Chapter Executive Committee, have continued to educate the public on the benefits of Wind and Solar Energy. Their guidance during public hearings regarding the Office of Renewable Energy has been invaluable.

Collectively, the Sierra Club Niagara Group has contributed 21 published articles on renewable energy and sustainability. Kudos to our dynamic and prolific writers who maintain the drum beat toward building a sustainable community. Luckily, we have Bill Nowak to keep us all pushing for more Geothermal sourced heating and cooling. We must move away from oil and gas if we are to decarbonize NY State. John Szalasny is definitely moving the needle away from single use plastics and styrofoam. You can find many of his articles on Buffalo Rising’s website as well as the Amherst Bee and the Buffalo News. Many thanks to Rebecca Strong for her wisdom and a huge thanks to Richard Lippes for his wise council on the Grand Island/Amazon issue, as well as other legal dilemmas that have surfaced.

There is so much more to add to our accomplishments, but before your eyes start glazing over, I just want to tout about the continued efforts of our Transportation Committee and the work we are doing to promote transition to electric public buses, battery electric school buses, trucks and personal use vehicles. Rick Steinberg and Abdur-Rahman Morgan have put in hours to ensure our air gets cleaner and our cars have charging stations. Many thanks go to Jessica Enzmann for her volunteer support and to Allison Considine who led the state’s efforts. We are so lucky to have such dedicated Sierra Club staff to help us do the work.

A warm heartfelt send-off is due to our statistician and bomb train educator, Charley Bowman. Charley’s expertise as a scientist and “data guy” extraordinaire has increased our understanding on many local and national issues. Even as you step off the Executive Committee, you will be hearing from us Charley as future consultant. A huge thank you for all that you have done!

So, I am raising a virtual toast (in a reusable glass, of course) to our skilled editor, Pamela Hughes, and graphic designer, Gretchen White for their ongoing newsletter work. And an extended thank you to all of our Sierra Club members; whether you sign petitions, donate, write letters, come to rallies or are a member who lives with the smallest carbon footprint possible ~ YOU are valuable. We all are a community that cares about the future. I look forward to sharing more success stories with all of you in 2021!

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like this at
NiagaraSierraClub.org

Wetlands

By Larry Beahan

Climate warming has plunged environmentalists deep into the task of converting our energy sources from fossil fuels to wind, sun and geothermal. If, in this way, we slow the flow of CO2 into the atmosphere, we may mitigate the droughts, storms and deluges of our changing climate and slow their terrible effect on our planet’s habitat. The habitat on which our existence depends.

But in the meantime, let us not lose sight of that habitat itself. Wetlands or swamps as we often call them disparagingly are an extremely important part of that habitat. They have often been looked upon as superfluous wastelands to be drained, filled, paved over and built upon. In 2009, the US Fish and Wildlife Service announced that in the previous 5 years we had lost 360,720 acres of coastal wetland and 443,780 acres of forested wetland.

Naturally occurring wetlands provide us amazing services by simply existing. These services would be almost beyond the capacity of our economy to supply without those wetlands. In heavy rainstorms they retain storm water and prevent floods. Polluted runoff from streets and farms settles out in wetlands, which then purify the water which refill aquifers, rivers and lakes. Wetlands are nature’s ideal incubators for fish, birds and reptiles, providing them shelter, food and water. Inland wetlands retain soil run-off and thereby prevent erosion. Coastal wetlands, like those that the Buffalo Outer Harbor has replaced, provide a natural buffer against inclement weather like Lake Erie’s storms and seiches.

The wetlands of the Niagara River Greenway have fared badly at the hands of recreation, industry and commerce. Flotillas of motorboats plow through and chew them up. The rise and fall of the Niagara River caused by varying amounts of water drawn off to generate electric

power has played havoc with wetland plant life. Cheap electric power attracted industry becoming a massive source of pollution and choking them.

The Niagara River Greenway Authority has recognized the plight of the Niagara river wetlands within its bounds and has devoted a considerable proportion of its Niagara Power Project relicensing money to preservation and repair of these savaged natural gifts.

The Niagara Power Project harnesses the energy of the river: 20% of the earth’s fresh water as it rushes toward the Falls, turning it into electricity. In 2007, to continue this privilege, the Federal government required the New York Power Authority to negotiate with the communities along the River to compensate for its ill effects upon them.

Sierra Club participated in these relicensing negotiations which resulted in a \$450,000,000 pledge to be paid to the Niagara River Greenway over the following 50 years. Through this participation, the Sierra Club earned a voice on the GESC (Greenway Environmental Standing Committee). This committee disburses the equivalent of \$2,000,000 a year for the environmental enhancement of the River.

In the last 13 years, the GESC has funded wetland restoration projects that were carried out by, among others, Buffalo Waterkeeper, Buffalo Audubon Society, the Tuscarora Nation and the Buffalo Museum of Science. The projects were located at sites that included: Ellicott Creek, Hyde Park Lake, Tift Nature Preserve, North Tonawanda Botanical Gardens, the Tuscarora Nation and Grand Island’s Sandy Beach.

A complete review of all the various imaginative approaches employed by the creators of these projects is beyond the scope of this piece, but in addition to actual

in-the-water replanting and construction, the education of landowners and enlistment of volunteers was undertaken in order to guarantee the continuation of these wetland rehabilitation and preservation efforts.

The objectives of the “Mosquito Junction Swamp Restoration Project” at Tift Nature Preserve, as sited in its application for Greenway funds, provides an excellent example of this wetland restoration work (abridged):

In pursuit of restoring Mosquito Junction to protect the adjacent marsh, maintain and improve quality bird habitat, and reestablish functional native plant communities.

- Cut, clear, and stump-treat 100% of woody invasive vegetation, roughly six acres. This includes common buckthorn, honeysuckle (*Lonicera* spp.), and glossy buckthorn (*Frangula alnus*.)
- Reduce the cover of common reed, covering roughly five acres, to less than 10% of its current cover, with the intention of eradication of this species from the project site with future maintenance herbicide treatments
- Re-establish a community of native plants resembling other local hardwood swamps and floodplain forests
- Significantly increase the diversity and abundance of native insects
- Keep the general public informed, aware, and engaged.

For a magnificent aerial view of Tift’s expansive wetland take a look at this video: Tift Nature Preserve | Facebook