



# *The* TRAILBLAZER

April 2004

Niagara Group of the Sierra Club Vol. XXXVI, No.1

## **League of Conservation Voters Endorses Kerry**

The League of Conservation Voters, an important environmental group that issues "report cards" on candidates' environmental records, has endorsed a candidate for president for the first time in its history.

They state that any of the Democratic candidates would be preferable to President Bush in environmental matters, but that they are endorsing John Kerry because of his sterling record in environmental issues over his entire Senate career. If you wish, go to the League of Conservation Voters' website to read more: [www.lcv.org/](http://www.lcv.org/)

The League of Conservation Voters also states, "George W. Bush has quickly amassed the worst environmental record of any president in modern history...but that's nothing compared with what he could do in a second term in the White House – when he won't have to worry about facing the voters again... We need to act decisively and effectively, because if George W. Bush wins a second and final term in office, he won't even bother to pretend to care about the environment."

Want to learn more and find out how to help? Visit [www.lcv.org](http://www.lcv.org) or write them at PO Box 1419, Merrifield, VA 22116-9750.

## **The Living Heritage Project Needs Your Support**

The Living Heritage Project is a program designed to bring back the majestic American elm tree. Through fundraising and volunteer aid, our goal is to plant this once abundant tree along streets, in parks, and on any available public lands.

Our native American elm is highly susceptible to Dutch Elm Disease and has therefore been almost entirely wiped out. However, the Elm Research Institute has created and patented six genetically different, disease resistant elms. The procedure they used to create these clones can be found on their site, [www.libertyelm.com](http://www.libertyelm.com).

The Living Heritage Project is quite simple. Donations are collected and placed in a bank account where they will collect interest, ultimately providing for the purchase of future elms. Our county's legislators have already purchased elm trees for their respective districts. After the trees are purchased, they will be cared for in a nursery area in southeastern Erie County. Once the elms reach five to six feet, they will be ready for community planting. Both during their stay at the nursery and during planting, volunteer help will be needed. Pruning and watering is necessary while in the nursery, and planting and watering will be necessary afterward.

*Currently, The Living Heritage Project is providing elms to Erie County's streets and public parks. One specific area of interest within the County is the City of Buffalo. Our city was once known for its beautiful elm lined streets and parks. In the future, we hope to provide the city with elms to line its streets and possibly for the restoration of the Olmstead Park System that is being proposed. Most importantly, the goal of this project is to simply re-establish the American elm as a street and park tree in Western New York.*

For any questions or possible donations, please contact Evan Reed at [livingheritageproject@yahoo.com](mailto:livingheritageproject@yahoo.com)

## **Urgent Election Notice**

This year there is an unprecedented level of outside involvement and attention to the Sierra Club's Board of Directors' election. Several outside organizations have endorsed Club Board candidates and are urging their supporters to join the Club as a means to influence club policy in line with their non-environmental agendas.

The Board of Directors urges every member of the Club to act to ensure that the Sierra Club remains faithful to its environmental mission and principles. Please cast your vote in this year's election as a means of demonstrating to outside groups that they cannot influence our organization. - *Larry Fahn, President*

## **Sierrans Hear Friends of the Rivers**

*by co-editor Charles Lamb*

On Tuesday, Feb. 24, 26 Sierra Club members and friends met to hear Friends of the Rivers present an outstanding program about cleaning up and caring for our rivers and waterfront. Julie O'Neill, their executive director, and Barry Boyer, their president, presented the program.

A special time to work in cleaning up the Buffalo and Niagara Rivers is set for April 22 - May 1. If interested, phone 881-1217 or go to their website at [www.fbnr.org](http://www.fbnr.org).

Gen Robins' beautiful painting of the Portugal seacoast was raffled off, with 300 \$1.00 tickets having been purchased. This adds \$300 to the Sierra Club Group account; we owe her great thanks. The lucky winners were Lynn and Larry Beahan.

# Important Hearing Requires Massive Attendance

by co-editor Charles Lamb

**March 16 at 6:00 p.m.** is the time for a hearing concerning the Department of Environmental Conservation's "siting plan." This is a plan to list Chemical Waste Management in Niagara County as the one and only toxic waste disposal site in the whole state, and in fact in the northeastern part of the United States.

This plan has been issued by the DEC in the face of a court order from almost 10 years ago that they provide an "equitable" siting plan.

At first the DEC tried to rush this plan through during the holidays, but a huge outcry from Residents for Responsible Government (RRG), the Sierra Club, and others forced them to lengthen the hearing process and to schedule a hearing near where Chemical Waste Management is located.

The hearing will be held at the Lewiston Porter High School Auditorium on Creek Road (Route 18) a few miles north of the village of Lewiston.

The editorial below was written BEFORE the March 16th hearing was announced, and it was published in the local Lewiston and Porter newspaper, "The Sentinel." *However, it contains pertinent information that is still useful.*

A large attendance at the hearing should help show the DEC that we care!

*This editorial appeared in the Dec. 13, 2003 issue of The Sentinel Newspaper.*

## THE DEC IS TRYING TO PULL A FAST ONE ON YOU

The New York State Department of Environmental Conservation (DEC) has released a Hazardous Waste Siting Plan and asked for commentary. This sounds boring and might get little public attention. In fact, it is dangerous and needs your response. Once you are informed, you'll be outraged.

The plan, together with its Impact Statement, totals over 50 pages of obtuse language. You can see it at the Lewiston or Porter Town Halls or the Lewiston, Youngstown, or Ransomville Libraries. I doubt if you'll be able to stick with it all the way through.

But the DEC says you can come to a meeting on January 7 at Stony Brook, or Long Island City, or New Paltz, or 6 other cities to make your thoughts known. Want to go? Well, the closest one is in Niagara Falls. But none are in Porter or Lewiston! We're just the ones most affected by the plan! We have been waiting for this plan since 1987, when a New York State law required development of a plan stating where hazardous waste sites could be placed. The DEC drew up a plan which the New York State Supreme Court threw out as inadequate in 1994. The court then ordered the DEC to draw up an adequate plan "with all deliberate speed." The plan was to assure equitable distribution of toxic waste across the state.

Well, after a long wait, it seems the DEC is trying to rush this new plan through while you aren't looking. Merry Christmas!

## WHAT'S WRONG WITH THE PLAN?

What's wrong with it? Let's count some ways!

1. It leaves Chemical Waste Management (CWM) as the one and only licensed site for toxic wastes in the entire North east. This is "equitable distribution"?
2. It totally fails to address, or even mention, where the 176,000 truck loads of PCBs from the Hudson River might go, even though it says CWM has capacity to continue to receive wastes through 2005.

3. It leaves in place the current situation in which New York State receives hazardous materials from 30 states and from Canada.
4. It defends the idea of geographical dispersion of hazardous waste facilities but doesn't admit that the other sites mentioned are closed or are for on-site owners' use only. This is extremely misleading.
5. There is no concern whatsoever about putting toxic wastes on top of already contaminated areas and the unknown dangers this may pose.
6. Not a word is mentioned regarding health concerns.
7. There is no call for environmental justice. It says we already have it! Do you think so, when we're the dumping ground for the whole state, and more?
8. It disregards the importance of the transportation issue.

Those are just a few things wrong! Are you concerned yet? In the meantime, PERMIT APPLICATIONS HAVE BEEN FILED WITH THE DEC FOR CONTINUATION AND EXPANSION OF CWM. THIS SHOULD NOT BE ALLOWED. Let's have no permits until there is an adequate siting plan.

## SO WHAT CAN WE DO ABOUT IT?

We need to say to the DEC, loud and clear:

1. We will not accept this plan.
2. Extend the time limit for commentary through March.
3. Hold meetings in Lewiston and Porter, of course!! That's where we are, you know!
4. Start over! This plan won't fly. As they say in the South, "This dog won't hunt." We won't accept it.

We didn't need this hassle for Christmas, but we got it. Don't let them get away with it.

Our Niagara County Legislature has passed a resolution calling for more time for the public to become informed and involved. The Porter and Lewiston Town Councils have done the same. Lee Simonson and Clyde Burmaster, from the County Legislature, are working hard to slow down the DEC bulldozer, and Residents for Responsible Government (RRG) is doing that too. Much of my information, in this article, has come from RRG. And the Sentinel is doing the public a great service by providing lots of information you wouldn't have found elsewhere, such as the article in their Dec. 6 issue by Terry Duffy.

You can learn even more from the Sentinel Website at [www.wnypapers.com](http://www.wnypapers.com) or the RRG website at [www.rrg-wny.org](http://www.rrg-wny.org). Join the effort! There will be a meeting at the Porter Town Hall on Monday 15th at 7:00 p.m. The DEC plans a commentary meeting at the Niagara Falls Public Library on January 7 at 2:30 and again at 6:00. And you can write: Glenn Milstry, New York State DEC, Division of Solid and Hazardous Materials, 625 Broadway, Albany, NY 12233 7251.

I also suggest you protest to Governor Pataki! Tell him what the DEC is doing and you want him to tell them to do their job. You can contact him at Governor George Pataki, Executive Chamber, State Capital, Albany, New York 12224 or by phoning him at 518 474 8390. Get ready to say NO in words and actions the DEC and our Governor can understand.

- Charles Lamb

# GET INVOLVED TODAY!

## Must See!

The Niagara Group, Sierra Club, web page. It is updated regularly by Mike Stroh. Find it at [www.newyork.sierraclub.org/niagara](http://www.newyork.sierraclub.org/niagara).

## Must Join!

For late breaking news and messages from other Sierra Club members, join our list-serve. You do that by sending an e-mail to [listserv@lists.sierraclub.org](mailto:listserv@lists.sierraclub.org). In the body of the message write SUBSCRIBE ATL-NIAGARA-NEWS. Be sure to send the message using the e-mail account you typically will be using. Once you do that, you'll get a welcoming message telling you how to use the service.

## Must Read!

The Trailblazer, of course! Our quarterly paper is packed with environmental news, especially concentrating on happenings in western New York. You'll learn how to be more involved. We have over 2,000 members in our Niagara Group. To submit articles or provide information, contact Charles Lamb at [clamb0@prodigy.net](mailto:clamb0@prodigy.net).

## Must Be a Member!

You no doubt have already joined the Sierra Club, since you're getting this paper. Or are you reading a friend's copy? The Sierra Club is the largest environmental advocacy group in the United States. Join if you haven't, or subscribe for a friend. It costs \$39 per year or \$47 for a joint membership. Contact the Sierra Club at Box 52968, Boulder, CO, or <https://ww2.sierraclub.org/membership/> to join online.. You'll get their national magazine, other information, and join with many others in the struggle to protect our environment.

## Must Come!

If you live in western New York and have joined the Sierra Club, you are automatically a member of the Niagara Group. Why not come, get involved, get to know other people who share your interests? The group meets on the 4<sup>th</sup> Tuesday of each month at 7:00 p.m. at the United Methodist Church of Williamsville, 5681 Main Street, in Williamsville. (Exceptions

## Must Work Together!

Well, you don't really *have to* contact one of the following people, but you're invited to do so if you wish. They are active members of the Niagara Group, Sierra Club, who will be glad to hear from you if you need information or help with environmental projects.

Beahan, Larry, Amherst, NY, 716-839-3112, [larry\\_beahan@adelphia.net](mailto:larry_beahan@adelphia.net)  
Burns, Steve, Orchard Park, NY, 716-662-2853, [sburns50@email.msn.com](mailto:sburns50@email.msn.com)  
Gisel, Bonnie J., 209-403-6676, [bigisel@yahoo.com](mailto:bigisel@yahoo.com)  
Hufnagel, Jim, Wilson, NY, 716-751-3877, [stopat2@lycos.com](mailto:stopat2@lycos.com)  
(Contact for the issue of population)  
Jontz, Jane, Snyder, NY, 716-628-6934, [jontzja@hotmail.com](mailto:jontzja@hotmail.com)  
Kaszubski, Liz, N. Tonawanda, NY, 716-695-3570, [lizanddan@juno.com](mailto:lizanddan@juno.com)  
Kukla, Mike, Buffalo, NY, 716-833-3242, [kukla@buffalo.edu](mailto:kukla@buffalo.edu)

to the meeting dates are made occasionally, especially in December due to the holiday season.) There is no additional charge to come; if you are a Sierran you're welcome. Even if you're not a member yet, come anyhow and see what's happening!

## Must Contact!

When you care deeply about an environmental issue, please contact the person who can act! Personal letters are very powerful. Here's some useful addresses:

To write to a Senator:

*c/o the United States Senate, Washington, DC 20510.*

To write to a Representative:

*c/o the United States House of Representatives, Washington, DC 20515*

When writing to the President:

*White House, Washington, DC 20500.*

When writing the Governor:

*c/o the Executive Chamber, State Capital, Albany, NY 12225.*

## For News About Pollution in Niagara Co.

The Residents for Responsible Government group, which is fighting expansion of Chemical Waste Management and opposing bringing PCBs from the Hudson River to our area, have a web page too! It is at [www.rrg-wny.org](http://www.rrg-wny.org).

## A Good Source for Political Action Updates

The League of Conservation Voters keeps a careful record of the votes of our Senators and Representatives and reports annually on how they've done!. They publish a National Environmental Scorecard so you'll know. Find them at [www.lcv.org](http://www.lcv.org) or by writing LCV at 1920 L Street NW, 8<sup>th</sup> floor, Washington, DC 20036. Contributions are NOT tax deductible. They are free to advocate strongly for those who vote to protect the environment.

## Another Great Web Page

To read more about a cause dear to our hearts, go to [www.niagaraheritage.org](http://www.niagaraheritage.org). Read why the Robert Moses Parkway needs to be removed and replaced with natural parkland beauty.

## Bottles to the Rescue

*(The following is taken from the November 2003 issue of THE GREEN SHEET, a publication of Environmental Advocates of New York's Statewide Bulletin Board.)*

With New York State facing a budget shortfall of up to nine billion dollars, the Legislature and the Governor are turning over every stone to find additional revenue sources. But one obvious strategy for helping close the gap is receiving scant attention: the millions of dollars of unclaimed nickel deposits on beverage containers that are not returned by consumers. **(con't on pg. 4)**

## Make Sure the Birds Are OK!

While we are supportive of development of alternative sources of energy, we also have to be careful about how that is done.

Chautauqua County Citizens for Responsible Wind Power and the Audubon Society have requested, and received, our support in their efforts along these lines. Proposed windmill farms in the Ripley and Westfield area need to be kept out of the migratory flight pattern of birds. Night-flying raptors especially would be endangered if the 34 proposed wind turbines are built in their flight paths. Therefore we are calling for a 3 year study of the flight patterns of migratory birds before the site for the turbines is finalized. Three years is necessary because flight patterns are not identical each year.

Ten to forty thousand birds each year are killed by windmills. Wind power is a good idea, and can be well used if they are erected in the right locations. We urge that we be sure of the right location before construction begins.

Letters can be addressed to John Hecklau, EDR, 238 West Division Street, Syracuse, NY 13204.

### **(Bottle Bill con't from pg. 1)**

Over the bottle bill's 20-year history, beneficiaries of this oversight have included large bottling concerns. The State Attorney General has estimated the amount of their windfall as exceeding \$150 million a year. Some of the nation's 11 bottle bill states have already moved to correct this, since it would help fill state coffers with cash to pay for municipal solid waste programs (which are burdened by unreturned bottles) and other worthy environmental projects. Capturing this unclaimed deposit money for state environmental projects would be an obvious component of legislation to expand the bottle bill to include non-carbonated beverages that were left out of the original legislation. Since the bottling industry will not give up this undeserved perk without a fight, its opposition is formidable.

Call the Governor and tell him it's time to tune up the bottle bill and send the unredeemed deposits where they belong. For more information, contact David Higby, EANY, 518-462-5526, ext. 239.

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 [clamb0@prodigy.net](mailto:clamb0@prodigy.net) or at 716-745-7037. Deadlines for the year are as follows: March 10, June 10, September 10, and December 10.

The Niagara Group of the Sierra Club meets on the fourth Tuesday of every month at 7:00 p.m. at the United Methodist Church of Williamsville, 5681 Main Street. All Sierrans are invited!

## WHAT'S INSIDE . . .

- 1 ♦ League of Conservation Voters Endorses Kerry
  - ♦ Urgent Election Notice
  - ♦ The Living Heritage Project Needs Your Support
  - ♦ Sierrans Hear Friends of the Rivers
- 2 ♦ Important Hearing Requires Massive Attendance
- 3 ♦ Tips on Getting Involved and Taking Action
  - ♦ Bottles to the Rescue



Sierra Club  
Niagara Group  
791 Parkside Ave.  
Buffalo, NY 14216

**Non-profit org.  
U.S. Postage  
PAID  
Permit #868  
Buffalo, NY**