



# The TRAILBLAZER

January 2007

Niagara Group of the Sierra Club

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## Jamestown's "Clean Coal" Project

1. The Governor's veto of A. 11832 was a big blow to the Jamestown project, costing the power plant's financing \$27 million in taxpayer funding. Interestingly enough, the Jamestown City Council, Board of Public Utilities (BPU), or Jamestown's local newspaper did not explain Pataki's environmental reasons for vetoing – but Walter Simpson did when he was on a 3 hour call-in radio program in Jamestown a couple weeks ago. The Governor's veto occurred because of a concerted effort by Sierra Club, NRDC, EA of NY, and others who directly contacted the Governor's staff and requested the veto.

2. The Draft Environmental Impact Statement may be released by the Jamestown BPU in as soon as two months. It has been delayed at least a year, perhaps because of opposition to the plant from Sierra Club and others statewide environmental groups. We will need to analyze and challenge it, possibly in court.

3. Walter will soon be briefed on SEQRA by two local lawyers to better understand how to legally challenge the DEIS. He may need Niagara Group and Atlantic Chapter resources to mount that challenge.

4. We are hoping Spitzer's office will join Sierra Club and other environmental groups in challenging the DEIS; this would be unusual but possible. Walter has also asked the Spitzer campaign to be careful and not to play politics with

the Jamestown issue. There has been no response yet.

5. Walter has FOILed Region 9 DEC for all info on the Jamestown power plant proposal as well the last ten years of JBPU pollution violation correspondence.

6. Walter will be asking for a meeting with Region 9 director Abby Snyder soon. Statewide Atlantic Chapter participation would be helpful.

7. Jamestown resident opponents of the power plant are preparing a campaign newspaper which will be distributed door-to-door in Jamestown soon. Walter is lending support by contributing articles and editing. Niagara Group Sierra Club and the WNY Climate Action Coalition members will be invited to travel to Jamestown to help with distribution.

8. We need to ask Eliot Spitzer to promise that, as Governor, he will discontinue the flawed "clean coal" project now being pursued by Pataki's Governor's Office of Regulatory Reform with the cooperation of the New York Power Authority. It now appears that funded projects may not be required to sequester carbon; thus they will contribute to global warming – and that is not acceptable. We need to be prepared to resist all new coal power plants and expansions of plants, such as in Tonawanda, which do not include carbon sequestration. We need to ask to ask our next governor to support that platform.

## Legislature Orders Halt to Logging Erie County Forest *by Larry Beahan*

On October 5, 2006, Sierra Club and the Adirondack Mountain Club together with other environmental organizations appeared before the Erie County Legislature's Committee on Energy and Environment. We presented the case against the unplanned and environmentally destructive logging that had been going on in the Erie County Forest during 2006. This was our second hearing. In the meantime the County Comptroller had written a scathing report on the logging operation, and we had toured the forest with Committee Chair Tom Loughran. We sat down with the Buffalo News Editorial Board who then wrote on the issue favoring our side of the argument, twice. The Forest is drained by Cattaraugus Creek. At a meeting to plan the future of the Creek's watershed, we discussed the ill advised logging with the newly-elected environmentalist Republican Supervisor for the Town of Sardinia. Sardinia contains a large portion of the Forest. She was incensed and gave a flaming speech at the Committee hearing.

There the Legislators had done their homework. They listened to our presentation. They questioned the Parks Department, the County Forester, and the representatives of the logging

company severely and in the end ordered them to cease logging. A day or two later the loggers were discovered taking two more very high-value black cherry trees out of the Forest. A neighbor notified a Buffalo News Reporter who took a photographer to the scene and caught them red-handed. A large color photo appeared on the front page of the local section of the News with the headline, "Illicit Logging Incenses Lawmakers."

The logging has been stopped. The Legislature has promised to start over again from scratch and work out a plan for what should be done with the Forest. Sierra is recommending that they hire an independent forester who has an ecological perspective and ask him to develop a plan which will offer a variety of options for management ranging from leaving it alone through managing it for ecological sustainability up to full timber harvesting. The plan should then be put through a formal Environmental Impact Study under SEQRA (the State Environmental Quality Review Act) with public review and input. Then the appropriate plan should be implemented. Sierra will advocate a return of the Erie County Forest to its use for the last seventy years as a minimally managed "Forest Park."

"Legislature" con't from pg. 1

The citizens of Erie County are fortunate to own 3500 acres of forest land in our southern tier of towns. These woods were set aside as County Forest in 1927. Since then they have been used for skiing, hiking, bird study, Four H Club programs and as an example to landowners showing the benefits of reforestation in terms of the soil, water, and habitat benefits of reforestation. The forest had become a de facto Forest Park.

In April of 2004 the County published on the internet and presented to a meeting of concerned individuals a partially-completed timber management plan for the Forest Sierra Club. The Adirondack Mountain Club, Foothills Trail Club, and Audubon reviewed the plan and objected strongly to it. It was a plan designed primarily to extract timber. It lacked any provisions for controlling erosion or water pollution. It would have used clear-cutting techniques in places, pesticides, and taken old-growth but, most troublesome of all, it did not include an option to continue the use of the Forest as it had been used since 1927.

The Parks Department agreed to revise the Plan so that it would preserve some areas; about half of the Forest as nature preserve and amend the timber harvesting to be more respectful of the ecology of the Forest. The Plan was to be presented again to the public for review and put through the NYS SEQRA public review procedures.

Then the County of Erie went into a budget crunch. The State appointed a control board to supervise its finances. The County administration looked greedily at the Forest, discarded its promises and plans, and suddenly began cashing in its one-hundred-and-fifty to one-hundred-and-eighty-year-old black cherry, maples, and oaks in a crash attempt to aid the mismanaged coffers of the Erie County Government.

The County Legislature has wisely intervened to save this magnificent forest heritage.

## News of Note

Joe Gardella, professor of chemistry at University of Buffalo and a member of the Executive Committee of the Sierra Club, has been named to the Environment and Energy Transition Team for Governor Elect Spitzer!

## Saving Amherst Wetlands

There is a federal moratorium on development of wetlands in and around Wehrle Drive in Amherst. This moratorium, begun in 1983, is to last for 50 years. It was formed as part of an agreement for \$5.8 million dollars to build the Youngs Road interceptor sewer.

Because of this, developer William Huntress' attempt to develop his property on Wehrle Drive may run into complications. He wants to develop a 26 acre site near Wehrle and Bellingham. The Town of Amherst recently ordered him to stop cutting trees on his property without a permit.

Huntress plans to push his wish to develop the property in a court suit. Neighbors will continue to oppose his plans.

## December Meeting Date Changed

The December meeting of the Niagara Group of the Sierra Club will be held Monday, Dec. 18 rather than the 4th Tuesday which falls during Christmas week.

## Judge Reinstates Original Roadless Rule Marking Huge Victory for Americans, Wild Forests\*

*Statement of Carl Pope, Sierra Club Executive Director*

"Today marks a huge victory for America's last remaining wild forests and the millions of Americans who have spoken out in support of protecting these special places for future generations. These are increasingly scarce unspoiled places that provide some of the highest quality fish and wildlife habitat, backcountry recreation and clean water supplies in the country.

"Today's ruling underscores the strong framework of the Roadless Rule, the basis of which was overwhelming scientific and economic evidence and public opinion in favor of protecting America's last wild forests.

"The Bush administration replaced the original rule with a policy that left wild forests across the country vulnerable to destructive oil and gas development, commercial logging and road building. The administration has already moved forward with timber sales in roadless areas in Alaska, New Hampshire, and Oregon.

"From policies that prioritize logging over community fire protection to proposals that sell-off National Forests, the Bush administration has worked to weaken or eliminate the core protections for America's wild forests. They have put the interests of the timber industry ahead of the clean water, recreational opportunities, economic benefits and wildlife habitat that these forests provide the country."

Background on Roadless Area Conservation Rule, Today's Decision:

The Roadless Rule, designed to protect 58 million acres of roadless wild forests in 39 states, was the result of the most extensive public comment process in history, spanning three years and 600 public meetings. During the rulemaking, the Clinton administration received a record-breaking one million public comments in support of protecting wild forests. To date, the Forest Service has received more than 4 million comments from the American people.

Blocking the Roadless Rule was one of the new administration's first decisions upon taking office, followed shortly by refusal to defend the rule in court. In the spring of 2005 the administration officially repealed the original rule and replaced it with a process whereby Governors must petition the federal government for forest protections in their states. Governors had until November of this year to announce their petitions. In the public comment period for the Bush administration policy, the majority of the 1.8 million comments were opposed to the change.

Today's decision reinstates the original Roadless Rule and finds that the Bush administration violated the law when it adopted their petition process. The ruling enjoins the Forest Service from taking any action contrary to the Roadless Rule.

\*The Sierra Club was one of the many environmental groups represented by Earthjustice in this lawsuit.

For a copy of the judge's ruling, please call (415) 977-5619 or email [annie.strickler@sierraclub.org](mailto:annie.strickler@sierraclub.org)  
<http://www.sierraclub.org/forests/roadless/>

## Noah; the First Animal Advocate *by the Rev. Fred Jensen*

*(Fred Jensen is an ordained Disciples of Christ minister in western New York. He submitted this article for inclusion in the Trailblazer.)*

The story of Noah and the flood from the sixth through the ninth chapters in the book of Genesis presents humanity as responsible for animal life. We find this responsibility affirmed in both the story and the promise, or covenant, that God makes to humanity at the story's conclusion. As the story goes, God laments the human violence (6: 5-12), and decides that the only option is near total destruction of all life on earth. Yet some will survive: the righteous Noah, his family, and enough animals to preserve every species. God delegates the responsibility of preserving every species to Noah by commanding him to build a gigantic ark to protect them. After the flood, God releases the humans and the animals from the ark and makes a promise to all living things, for all times. The promise has four parts: 1) God won't destroy all life again – in spite of human violence, 2) God promises to maintain the order of nature in the form of regular seasons; "As long as the earth endures, seedtime and harvest, cold and heat, summer and winter, day and night, shall not cease." (Gen. 8: 22), 3) God places animals at the mercy of, and in the care of human beings who may eat them, but... 4) God denies humanity the right to consume animal blood.

Let us consider each part. First, God won't destroy all life again – in spite of the fact of human violence. God cares for animals independently of human behavior. As creatures made in God's image, we must share God's care for living things. If we must fight one-another, we should see to it that animals do not suffer on account of our violence toward one another.

Second, God promises to maintain the order of nature in the form of regular seasons. Some might say that this promise gives human beings license to do whatever damage we

please, and let God fix the damage. Yet such an interpretation exonerates humanity of all responsibility, which clearly goes against the major theme of the story and promise. God's maintenance of the natural order means that the rules of cause and effect will remain the same. Noxious chemicals will be noxious whether we like it or not. We human beings must therefore be mindful of the natural order; for God will not clean up our mess for us.

Third, God places animals at the mercy of, and in the care of human beings who may eat them. We have the power to care for or kill other living things, but we need them for food. It follows that we would be best served by caring for them.

Fourth, God denies humanity the right to consume animal blood. The exact quote is, "Every moving thing that lives shall be food for you; and just as I gave you green plants, I give you everything. Only, you shall not eat flesh with its life, that is, its blood (Gen. 9: 3-4, emphasis mine). In the context of Noah's Covenant, the rationale for this proscription is that animal's blood is equivalent to its life. Suppose we interpret the prohibition against eating blood as simply a prohibition against consuming life? Then we could read these two verses from Genesis 9 to simply say, "Okay, humans – you can eat animals, but preserve their bloodline, for it is their lifeline." That is, while eating animals is ethical, annihilation of a species is not. Animal bloodlines must be preserved, just as God commanded Noah to preserve all animal species on the ark.

My hope is that viewing this story in this light, as a story illustrating human responsibility toward animal life, will make the story relevant to environmentalists who may have not reflected on it before, and that those who hold the story to be sacred will now reflect more on this responsibility.

### OUTINGS CALENDAR

#### Jan 5 - A Night of Star Gazing and Jazz

On January 5 the Niagara Group of the Sierra Club will be hosting a star gazing and jazz listening event at Beaver Meadows and the Roycroft Inn. It will be a wonderful night for learning about the night sky. Neptune, Mars, Jupiter, and the Great Hercules Cluster will all be in the sky for us to see. The Buffalo Astronomic Association is bringing their eleven and twenty inch telescopes for placement outside and the twelve inch telescope will be open to us in their heated building for a warm viewing location. We will meet at Beaver Meadows from 6pm to 8pm and then go to the Roycroft Inn for a wonderful dinner and live jazz. The Inn has a unique architectural design and a roaring fire. You will want to bring \$2 per person and a thermos of your favorite warm beverage for the star gazing and dinner monies for the Roycroft. There is not a fee for the live jazz. Please pass this information along to other environmental organizations so we can enjoy each other's company while we learn about the wonders of the night sky. Also, please RSVP to Jane Jontz at jontzja@hotmail.com or 716-628-6934. See you with a winter coat on!

Log on to our website for outing updates & opportunities

### Environmental Victories

The League of Conservation Voters reports that in the November 7 election at least 8, possibly more, of their "dirty dozen" legislators were defeated, and at least 7 of their 8 environmental heroes were elected.

### Great Britain Taking Global Warming Seriously

According to an article from the Associated Press, the British Government has said that global warming could have dire consequences for the global economy. Climate change, if not checked, could cost the world up to 20% of its gross domestic product.

Britain has hired Al Gore as an advisor to the government.

Tony Blair said, "It is not in doubt that, if the science is right, the consequences for our planet are literally disastrous." In a government report written by Nicholas Stern, it was stated that it is absolutely necessary that the U.S. and China cooperate in reducing global warming.

"This is manageable," he said. "We can grow and be green."

Blair has signed an agreement with Governor Arnold Schwarzenegger to develop new technologies to combat the problem.

Gordon Brown, who many expect to replace Blair as prime minister soon, said Britain would lead the international efforts

con't on pg. 4

## Be Aware of Reform Control Tactics

The Environmental Information Network has put out a list of techniques some power groups, large corporations, and public entities use to stop citizens from their efforts for reform. A short summary of commonly used tactics appears below. Be on your guard!

- *Speak so long and reserve so little time at the end for public questions that people become discouraged.*
- *Divide the session into small groups with smaller issues so the public is divided, can not hear one another, and never deal with the major issue.*
- *Pack the meeting with employees or governmental people with questions and comment cards that take up time.*
- *Threaten that reform will cost jobs and money. (Clean up work usually adds jobs.)*
- *Give the appearance of action while doing nothing. Appoint an advisory panel or promise to issue a policy statement very soon.*
- *Change the issue; tell people they are not focusing on the over all situation and swamp the public with more data than they can handle.*
- *State that information requested is not available, or would be costly to produce.*

## Park Proposed for Black Rock Channel Area

Assemblyman Sam Hoyt has suggested that a minipark be built along the Black Rock Channel.

There is some land between Porter Avenue and the Peace Bridge that could be used for this purpose. It is just a narrow strip of land along the waterway. Hoyt says that it would offer an excellent walking area and view for those who would use it.

His proposal would include a boardwalk which would join the waterfront bike trail. If the Thruway Authority transfers the land this park could become a reality by 2007.

### "Great Britain" con't from pg. 2

against climate change. He is asking for Europe to cut carbon emissions by 30% by 2020 and by 60% by 2050. Blair's government said it would propose a law to accomplish that.

The United Nations has said German emissions dropped 17% between 1990 and 2004, and Britain's by 14%. But overall there was a 2.4% rise by 41 industrialized nations from 2000 to 2004.

So some are taking the problem seriously and acting strongly. Will we be next?

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 or at 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 The Natural Sciences Complex at UB's North (Amherst) Campus, room 684. This is near the Govenors complex off of Sweethome Road at the Rensch entrance, north of Maple. All Sierrans are invited!

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