

SHAWANGUNK WATCH

Winter 2003 Preserving Open Space in the Shawangunks Volume 8 #1

Friends of the Shawangunks & The Shawangunk Conservancy

Save the Ridge: We need your help now!
Shawangunks face long contentious battle

SPECIAL AWOSTING RESERVE DEVELOPMENT ISSUE

This Is Land Conservation?

John Bradley's idea of the way to conserve his Awosting Reserve is to build 349 houses on it. I guess we shouldn't be surprised by the audacity of this man who claims he is a conservationist, given what we hear from his neighbors about some of the things he has done in the past. He certainly couldn't convince the Shawangunk Ridge Biodiversity Partnership (a group of public and nonprofit organizations with a common goal of protecting the biodiversity of the Shawangunks) that what he proposed to do was in any way going to be beneficial to the biodiversity of the Shawangunks. On the very day that Bradley and his associates in the Awosting Reserve filed their development plans with the Town of Gardiner, the partnership mailed them a letter notifying them that the Reserve was no longer a partner.

Bradley has entered into a partnership arrangement with Chaffin/Light Associates, an organization with a record for developing what they euphemistically call "conservation-based communities." The plan calls for a gated community that will be decidedly upscale. The bulk of the houses (269) would contain a livable floor area of up to 4,500 square feet; the smallest houses, called "cabins," would contain "only" 2,000 square feet—more than most houses in the area. The largest houses would be built high on the ridge, clearly visible from places such as Gertrude's Nose and Hamilton Point in Minnewaska State Park Preserve—not to mention the valley below.

The developers are proposing to build what they call a clustered development, but the process by which they determined that 349 houses would be allowed in the development was faulty. The developer is supposed to first determine how many houses can be built with a conventional development, i.e., one house for every five acres. This should set the maximum number of houses allowed under clustering. But what the developers did was to figure out how many five-acre lots they could get out of the property without regard to any terrain features such as wetlands and cliffs that might prohibit the construction of a house, and use this as the maximum number for clustering.



*If development takes place you could be at Hamilton Point looking out at a sea of houses instead of this pristine view
Photo by Hardie Truesdale*

The layout of the house lots is unlike normal clustering in that they have been placed on any usable land, with the cliffs, streams, and wetlands left vacant. Their so-called clustering, resulting in lot sizes as small as 1/5 acre, is clearly just an attempt to get around the 5-acre zoning.

IT IS INEVITABLE!

It's not inevitable that this proposed Awosting Reserve development will actually happen, but it is inevitable that we will need your support to defeat it.

Fighting the proposed development is going to take money—lots of money. First and foremost, there will be lawyers to be paid, but at least we have the best in Phil Gitlen of Whiteman, Osterman & Hanna. Then there will be a whole collection of experts whose testimony we will need to refute the "facts" presented by the developers.

So, guess what! We're asking you for money, probably more money than you have ever thought of sending to Friends. If you have ever stood on Gertrude's Nose, Hamilton Point, Margaret Cliff, or Murray Hill, and looked down over the Palmaghatt Ravine and the Awosting Reserve, you don't need to be told what the public stands to lose if the developers are successful.

We won't have a second chance to prevent this travesty, so please dig deep.

Also planned is an 18-hole golf course in the Tillson Lake area. This part of the plan raises all kinds of concerns about the pesticides and herbicides that will of necessity be used, and the resulting contamination of ground water, the lake, the Palmaghatt Kill, and eventually the Wallkill and Hudson Rivers.

This proposed development presents many other problems. The engineering firm of David Clouser & Associates, in a study commissioned by the Shawangunk Valley Conservancy, identifies 62 of the proposed lots that do not

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Congressman Maurice Hinchey Emphatic about Saving the Ridge and stopping the Awosting Reserve Development

A highly charged crowd of over 600 convened in January at Wallkill High School and patiently listened to a slick powerpoint presentation that glossed over the major environmental impacts of Awosting Reserve, a 349-house subdivision in the Northern Shawangunks. We had patiently listened to these "conservation-friendly" posers, with two reprimands from Supervisor Hayes who controlled the agitated crowd by threatening to end the meeting if any rowdiness continued. When the developers finished we were ready to hear comments from the audience. Supervisor Hayes introduced a surprise participant, Maurice Hinchey. The Congressman stirred all of us who had gathered for the Chaffin/Light presentation. Below is a transcript of Hinchey's brilliant speech—one that thrilled and roused the emotional crowd to standing ovations, tears, and overwhelming optimism.

Dear Supervisor Hayes and Members of the Gardiner Town Council:

I appreciate the opportunity to submit comments this evening regarding the development proposal recently submitted by Awosting Reserve, LLC and Chaffin/ Light Associates. This is an issue of great importance to the Towns of Gardiner, Shawangunk and Wawarsing, and for the entire region surrounding the Shawangunk Ridge. A large number of my constituents have contacted me over the past weeks to voice their concerns. I commend the Town of Gardiner for sponsoring tonight's meeting to begin a substantive public discussion on this development proposal whose impacts will certainly be felt most directly in Gardiner.

I applaud the Town Council's decision to seek the intervention of the New York State Department of Environmental Conservation as lead agency in the SEQRA environmental review of Awosting Reserve's application. As you are aware, I forwarded separate letters to DEC Commissioner Erin Crotty and the Gardiner Town Council on January 21, 2003 regarding this issue. I stated my belief that due to the vast scale of the proposed Awosting Reserve development, the DEC is the only agency with the resources necessary to apply the appropriate level of scrutiny. The project will impact the sensitive ecology of the Shawangunk Ridge and have repercussions to the broader region. I am pleased that DEC is indicating their willingness to take lead agency responsibilities.

The Shawangunk Ridge is one of the Hudson Valley's greatest natural resources. The Ridge is recognized for its national and regional importance and is a destination for an estimated 500,000 visitors each year who come to enjoy bicycling, hiking, climbing, nature study and other outdoor activities. New York State recognized the significance and uniqueness of the Shawangunk Ridge in the 2002 NYS Open Space Conservation Plan. The plan mentions the exemplary natural communities found along the Ridge and the more than 25 known rare plant and animal species found in the Shawangunk Mountains. The Open Space Conservation Plan further states:

"Taken together these elements of biodiversity make the Shawangunks one of the highest priority areas for biodiversity conservation in the north-eastern United States...The unfragmented forest and barrens and the fractured bedrock aquifer of the Shawangunks assure high quality ground and surface water flow"...to the Rondout and Wallkill Valleys.

The Nature Conservancy, our nation's largest nonprofit conservation organization, has rightly deemed the Ridge one of the "Last Great Places." The Ridge boasts a rich history of conservation and public enjoyment spanning from the conservation tradition begun in the late 1800s by the Smiley family to the creation of Minnewaska State Park Preserve and Sam's Point Preserve. It is fair to say that the Ridge is a large part of what defines our region and draws people to live in this area.

The development proposed by Awosting Reserve is being presented to the public as an environmentally friendly "conservation community" that will be an asset to the Ridge. The applications repeatedly refer to this development as a "cluster subdivision" that the developers claim will set a high standard for conservation planning and cluster development for our region. In reviewing this plan, though, there is a stark difference between the ecologically friendly language and the reality of the proposal.

Rather than an environmentally benign project, which utilizes the tenets of smart growth, this project provides a clear example of suburban sprawl, inappropriate land use and degradation of critical natural resources. The conservation rhetoric used throughout the application and during public presentations is disingenuous and does little to disguise the fact that this is just a very large suburban housing development on an inappropriate site. This development, targeted for a very ecologically sensitive area with no

existing infrastructure, will threaten rare and endangered species, fragment critical wildlife habitat, lay down miles of new roads and destroy more than 540 acres of forest. This is clearly not consistent with smart growth planning or conservation ethics.

Awosting Reserve touts its proposal as a sustainable community for "families who wish to live simply with a conservation ethic." The plan calls for Adirondack style "cabins, cottages and retreats" referring to 349 new homes ranging from 2000-4500 square feet each. The applications include intentions to build a community swimming pool, fitness center, racquet courts, an 18-hole golf course, a 12,000 square foot golf house, pro shop, mountain lodge, dining facility, library, post office, Sales and Administration Building, and many other attendant buildings. More than 940 new parking spaces, a large number of new septic systems and a sewage treatment plant will be necessary to serve this new development. The Reserve's application also ironically mentions so-called "welcome houses" which will be installed at the two entrances to the development. This is one of a host of examples of the disingenuous phrases sprinkled lavishly throughout the proposal.

Awosting Reserve's references to simple living, conservation and sustainability in their application are not consistent with the actual details and provisions of their plan. In reality, this is a sprawling gated housing development that will be accessible to only the very wealthy. If this project is to set the standard for new smart growth in the region, as the developer maintains, the Hudson Valley is clearly in trouble.

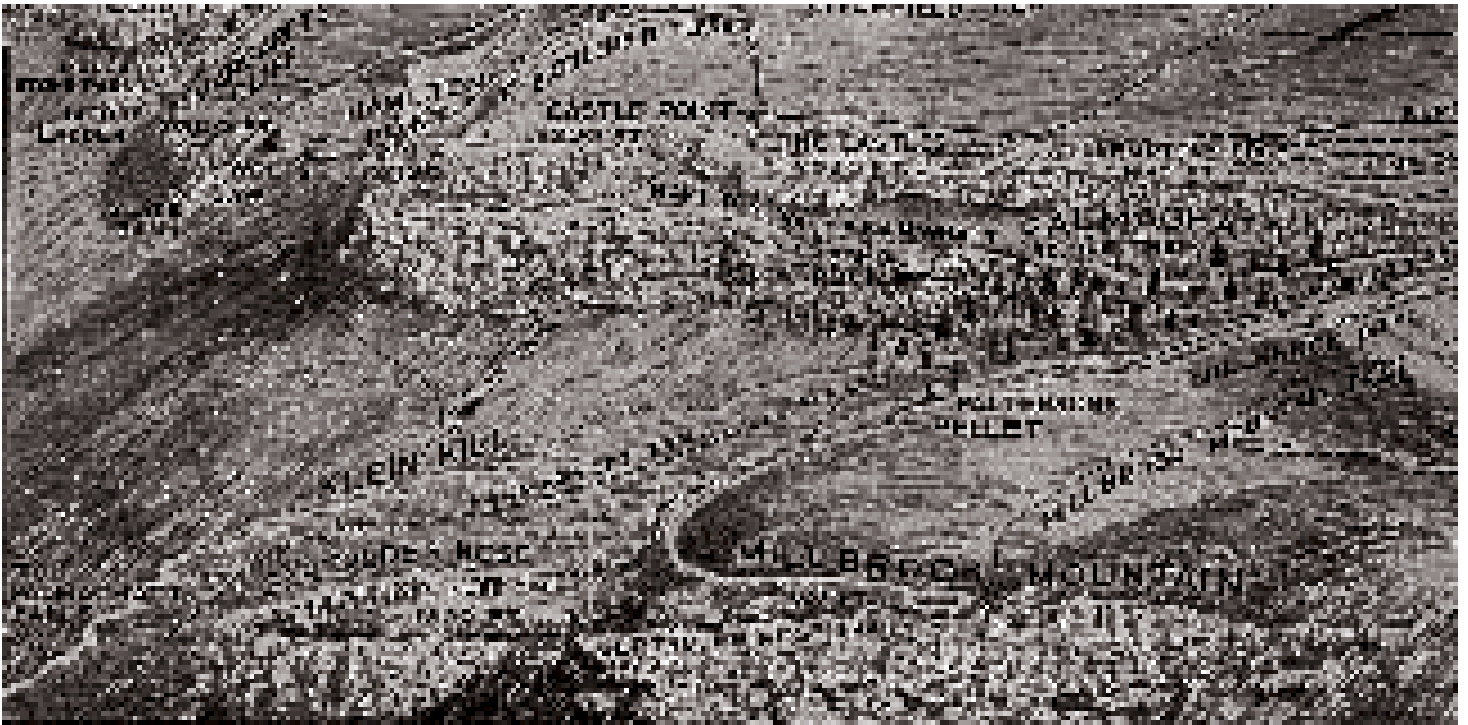
The effects of this development will ripple throughout our communities. From the estimated 157,000-gallons of water used per day to the herbicides and pesticide runoff from the hundreds of acres of new golf course, the environmental impacts of the project will be substantial. The voluntary conservation easements trumpeted by the developers do not compensate for the fragmentation and disruption of a significant wildlife habitat. As most conservationists recognize, one of the most critical issues in dealing with wildlife and natural communities is to protect large swaths of undeveloped land from the very fragmentation being proposed by Awosting Reserve.

The impacts on the towns surrounding the development, particularly Gardiner, must also be considered. Local services will be further stretched by the influx of hundreds of new residents. The character of the Town of Gardiner will be permanently altered by this large-scale proposal. The development will certainly infringe on the resources that so many of us use and enjoy, including Minnewaska Park and Sam's Point. The awe-inspiring views looking out from the perches at Sam's Point, Gertrude's Nose, and Hamilton and Castle Points will be irreparably disfigured. This project is in sharp contrast to surrounding land use patterns and threatens the landscapes that the Ridge's one-half million visitors per year find so distinctive and appealing. It is important to keep in mind that these visitors contribute an estimated \$10 million to the local economy each year.

It is critical to the future of this area that this proposal's impacts on the environment and surrounding communities are given careful scrutiny by the DEC and the towns. The potential negative effects of this development on the recreational and scenic values of the Northern Shawangunks will impact this entire region. The current proposal is incomplete and leaves many questions and concerns unanswered. I strongly believe that this development is inappropriately sited and that the proposal submitted by Awosting Reserve represents a significant threat to the unique and irreplaceable natural resource provided by the Shawangunk Ridge.

Thank you again for considering my remarks. Please do not hesitate to contact me if I can be of assistance in this important matter.

Sincerely,
Maurice D. Hinchey



A turn-of-the-century Minnewaska Mountain House map of points of interest and approximate distances from the Lake. The entrance to the Palmaghatt was 1 1/2 miles from the Lake, and the trip to Palmaghatt Falls was 4 1/2 miles. The Shirley Path crossed the Palmaghatt to a spot where a ladder ascended Gertrudes Nose. These maps were inserted in Mohonk Mountain House annual booklets so that guests could take a carriage ride excursion, and then perhaps alight and take a walk to a pristine and beautiful spot. The map clearly shows where houses could be built and how they would be seen from Hamilton Point, Margaret Cliff, Castle Point, and Gertrudes Nose.

IT'S NOT JUST FRIENDS... IT'S FRIENDS AND...

Be assured, Friends of the Shawangunks is not alone in this fight over the proposed Awosting Reserve development. There are many other organizations in various stages of involvement, though other than Friends, only four—as noted below—have committed money to the fight.

The most active has been an ad hoc group called **Save the Ridge**, the core of which is made up largely of local residents, but which has drawn concerned individuals from a much broader area. You can't approach the Awosting Reserve without seeing their "Save the Ridge" signs they have had made, paid for with money collected from their members. For a group with no formal organization, they are amazingly well organized and very active. They have committees (you're not a member unless you're on a committee) for just about every conceivable aspect of the fight.

The Atlantic and Mid-Hudson Chapters of the Sierra Club have adopted resolutions opposing the development. This quote of Bibi Sandstrom, Mid-Hudson Chapter chairwoman, from a Kingston Freeman article says a lot: "I am appalled that anyone would consider building on this pristine site."

The board of the **New York-New Jersey Trail Conference** has also adopted a resolution opposing the proposed Awosting Reserve development. The Trail Conference is funding the **Shawangunk Ridge Coalition** to assist organizing efforts.

Jim McKenny, **Cragmoor Association** president, in a letter to the Gardiner town board, wrote: "The proposed development of this 2,700 acre tract is on great concern to our organization as it should be to everyone in the area. This is a very delicate environment housing many

unique and endangered species.... Growth and commercial activities are always important to a town, but so are recreational areas and the preservation of our environment for future generations. It is of utmost importance that this environmentally important area be maintained...."

Riverkeeper is investigating the water quality issues posed by the development, and will actively oppose it if it finds any adverse impacts.

Since its beginnings nearly two decades ago, the **Association for Intelligent Rural Management (AFFIRM)** has closely monitored and critiqued many land-use development projects in the New Paltz/Gardiner area. Regarding the Awosting Reserve proposal, it states that "without question, it is one of the worst local development threats we have seen. But the rapid and intense growth of articulate public concern and critique of this project already demonstrates that many grassroots citizens are ready, for their part, to contribute valuable analysis and other efforts to stop it. AFFIRM urges everyone to understand that, as with Marriott and Wal-Mart in the past, we need strong and sustained commitment for a long-range, difficult, but winnable struggle."

The Appalachian Mountain Club views the Shawangunk Ridge as a critical public resource and open space treasure for our region, and finds this proposed development inappropriate.

The Adirondack Mountain Club has received requests from several of its chapters that it act to oppose the development. At its March 8 board meeting the directors passed a resolution to oppose the development of the Awosting Reserve and to support the acquisition of the property for addition to Minnewaska State Park Preserve.

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The Pristine View from Hamilton Point

Photograph by Hardie Truesdale



What You See Is What You Lose

Friends of the Shawangunks has been concerned about the possibility of development of the Awosting Reserve for a long time. It was in 1987 that Friends commissioned a viewshed analysis by environmental consultant Karl Beard. His findings are as relevant today as they were then. In his report Beard states that the “Awosting Reserve...contains dramatic scenic resources, including...a major cliff-top scenic viewpoint, described as the ‘Crag’s’...dramatic cliff-top views and the

“The development would make a mockery of the heretofore successful efforts of thousands of people, and the State of New York itself, to preserve the Shawangunk Mountains as a natural scenic wonder for all to enjoy.” Marc B. Fried

sense of wilderness make Minnewaska State Park what it is. Any change in the use of the adjoining Awosting Reserve property would seriously compromise the value of the State Park’s current land holdings by changing the park’s wild and scenic quality. In many ways, this property is the ‘soft underbelly’ of the Minnewaska State Park.”

The fact that Minnewaska is now a State Park Preserve only exacerbates the adverse impacts that will result from the development of the Awosting Reserve.

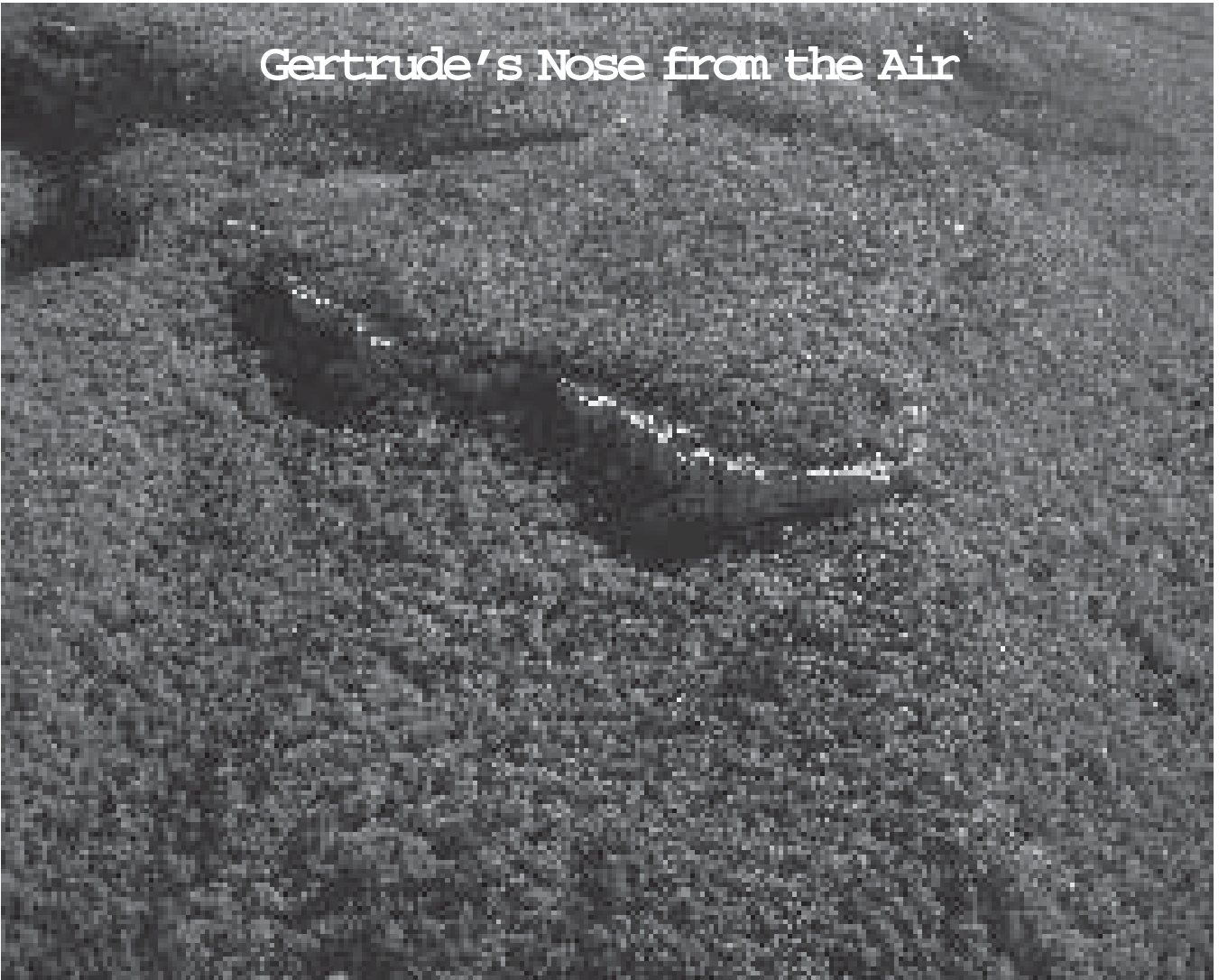
Beard’s report comments further regarding the visual impact of any development: “Awosting Reserve lands form critical views from the key scenic overlooks and scenic trails already within Minnewaska State

Park. State-owned scenic trails and scenic overlooks line the property boundary on nearly three sides. These command outstanding views of steep cliffs, rugged landforms, and sweeping expanses of wild land. Several of Minnewaska State Park’s most scenic and most heavily visited viewpoints directly overlook the parcel, and benefit greatly from its scenic and forested character. These are Gertrude’s Nose, Hamilton Point, Castle Point, Murray Hill, and Margaret Cliff. The dramatic view from Gertrude’s Nose across to Hamilton and Castle point (and vice versa) is directly across intervening Awosting Reserve lands. Common sense would have the viewshed from these locations protected from development.”

As far as the impact of views from the valley, Beard observes that “The number of potentially scenic viewpoints in the Wallkill Valley is limitless compared with the...viewpoints within the Minnewaska State Park.”

The visual impact of development of the Awosting Reserve was clearly a matter of great concern in 1987, and it remains so today. It is the visual impact that will be most noticeable to visitors to the Shawangunks. Marc Fried, Shawangunk explorer and author, feels that the development “...would constitute a huge disfigurement of the Shawangunk range and incalculable loss to park visitors—indeed, a huge loss of value to the taxpayers whose resources created Minnewaska State Park Preserve in the first place. The development would make a mockery of the heretofore successful efforts of thousands of people, and the State of New York itself, to preserve the Shawangunk Mountains as a natural scenic wonder for all to enjoy.”

Gertrude's Nose from the Air



Hardie Truesdale's spectacular aerial photograph of Gertrudes Nose and the Palmaghatt

WHAT LAND TRUST IN ITS RIGHT MIND?

The Awosting Reserve makes a big deal about their claim to be “protecting” 1,500 acres, or about 60% of their land holding. Looking at their plan, it’s hard to imagine where this number comes from unless they are including the golf course and roads. And then there are the stream buffers (they plan to protect a 50-foot buffer area along the streams, the minimum required by the state) and wet lands. Perhaps they are including the wooded border around each of the 349 house lots that the owner must keep intact.

All of this 1,500 acres is to be “protected” by conservation easements. According to the plan submitted by the Awosting Reserve, “This open space will be managed by the nonprofit Awosting Land Trust with all conservation easements held and monitored by a second independent land trust to be selected during these proceedings.” It’s hard to imagine that there is a land trust that would want to hold those easements. Most easements cover a large block of land with fairly straight-forward boundaries. The land the Awosting Reserve is proposing to ease would be highly fragmented with boundaries that would be extremely difficult to locate, especially if the protective borders around the houses were included.

Conservation easements, while a great tool for a property owner to ensure that his or her land will not be developed in the future, are potential nightmares for land trusts. The problems typically arise not with the owner granting the easement, but with a future owner who is unaware of the existence of the easement, wants to modify the easement, or chooses to simply ignore it.

When a land trust agrees to hold an easement, it becomes responsible for enforcing the terms of that easement. The easement holder must conduct site visits to ensure that there have been no violations of the terms of the easement. If violations are detected, the easement holder must take steps to correct them, including possibly taking the violator to court. Land trusts have learned the hard way that at some point in time an easement may be violated, and that enforcing the terms of an easement can be costly. They therefore usually require the grantor of the easement to give to the holder a fairly significant amount of money that goes into a fund for easement monitoring and enforcement.

Now, imagine what it would be like to have to enforce easements on a property that includes 349 house lots, with 349 owners, and boundaries so numerous as to be almost impossible to find. What land trust in its right mind would want to get involved in a situation as chaotic as this? To accept these easements would be a masochistic act of the highest order, essentially begging for problems and lawsuits.

The Nature Conservancy notes that it has designated the Shawangunks “One of the Earth’s Last Great Places” because of the high degree of biodiversity found on the ridge. Working with other conservation land managers, the Conservancy has used a science-based process to identify threats to the ridge’s unique biological resources and has developed conservation strategies for reducing those threats to biodiversity. Large-scale development, such as proposed at Awosting Reserve, would fragment habitat, reduce the extent of natural communities targeted for conservation, and cause erosion of fragile soils on steep slopes. Ecological processes that have shaped the ridge’s natural communities over thousands of years—such as fire—are likely to be interrupted or suppressed.

Carol Ash, Executive Director of **Palisades Interstate Park Commission**, in an article in the Mohonk Preserve’s *Ridgelines* observes that: “Chief among the threats to the ridge is the clear and present danger posed by inappropriate development, the kind that fragments habitats, creates barriers to the movement and dispersal of species, risks causing permanent alteration and loss of natural communities and destroys viewsheds. ...The ridge’s beauty alone justifies our efforts”

GARD (Gardiner Association for Responsible Development) has stated “...that this development does not belong on the Shawangunk Ridge and that if approved, the development would cause permanent damage to the environment and to the quality of life in Gardiner.” For a complete text of GARD’s position see the next page.

The Mohonk Preserve has concerns about the scale, location, and configuration of the development, and has challenged the developers to consider ways to significantly redistribute home sites to set aside a larger, intact, more functional tract of open space that integrates with community and ridge-wide open space goals. Its board will be discussing the development at its April 7 meeting. Executive Director Glenn Hoagland has said the Preserve will offer scientific, land management, and planning information to help effect a positive outcome consistent with its mission to protect natural communities in order to preserve the Shawangunk Ridge ecosystem; preserve the integrity of the historic landscape; provide for contemplation, recreation, and visitor use in keeping with the peace and natural beauty of the land; and promote a concerned understanding of the relationship between humans and nature.

Scenic Hudson has issued the following statement: “We see a troubling trend of large-scale development being proposed for environmentally sensitive areas such as this fragile ecosystem. We believe that sound sustainable development can occur in appropriate places that will protect critical resources while providing economic benefit to the region. However, this project in the Shawangunks does not meet that objective.”

Clearwater executive director Andy Mele, in his introduction to the organization’s latest Navigator that deals with the Awosting Reserve proposal, says that “All the sanctimonious ecobabble in the world cannot conceal the fact this project will degrade habitat on a regional scale. The Hudson Valley landscape is full of compromises, and a line must be drawn somewhere. This should be the place.” The newsletter included articles by Friends’ president Keith LaBudde and Cara Lee, director of The Nature Conservancy’s Shawangunk Ridge program.

The Shawangunk Valley Conservancy has as its major mission preserving the extraordinary natural, historic, and visual resources of the Shawangunk Ridge and the valley of the Shawangunk Kill. In keeping with this mission it will work to assure that the legal protection of those precious resources is rigorously enforced, and that any proposals—such as that of the Awosting Reserve—which might negatively impact those resources will be examined and modified to minimize those impacts. In keeping with this mission, the Conservancy commissioned—and paid for—an analysis (referred to in the article on page 1) by David Clouser & Associates of the Awosting Reserve’s conventional development plan.

Another group that has taken up the sword is **Synthesis**, made up of students from SUNY New Paltz, Ulster County Community College, and Rondout Valley High School. It has become involved in the fight against the Awosting Reserve as a result of its goal of empowering the “youth of the planet” and helping them understand the interconnectedness of political, environmental, and social justice issues. They want to preserve and protect wild land for future generations. They believe “the destructive cycle of development of our most precious resources must be replaced by one that betters the earth, in which educated community opinions override those of monetary interests.”

Other organizations that have taken a position in opposition to the Awosting Reserve development include **Audubon New York**, **Wallkill Valley Land Trust**, and the **Basha Kill Area Association**.

And finally there are all the unaffiliated volunteers who have come forward. Some have particular skills that will be invaluable. Others just have a fire in the belly over this issue. We are grateful to all of them.

A spectacular view of the valley and unspoiled ridge from Hoagerberg Road in the town of Shawangunk. Photo by Ryan Trapani



GARD STATEMENT

Over the past several months the Gardiner Association for Responsible Development (GARD) has been asked many times to state its position on Awosting Reserve. Before the application was filed there was very little hard fact and we preferred not to express a definitive opinion under those circumstances.

GARD has now had a chance to do some research and review the lengthy Awosting Reserve, LLC application. It is GARD's opinion that this development does not belong on the Shawangunk Ridge and that if approved, the development would cause permanent damage to the environment and to the quality of life in Gardiner.

A landowner absolutely has the right to sell to anyone he or she chooses. In the 21st Century however, with the widespread devastation of natural resources, the people of the region also have the right to demand that those who purchase precious parcels of land are subject to sufficient restrictions to prevent them from damaging further what little is left. We feel that the Shawangunk Ridge is an asset to the entire region, and must be protected from damaging and irreversible development.

As long ago as 1972 the Supreme Court of Wisconsin ruled that, "An owner of land has no absolute and unlimited right to change the essential character of his land so as to use it for a purpose for which it was unsuited in its natural state and which injures the rights of others. Nothing this court has said or held in prior cases indicates that destroying the natural character of the land so as to make the location available for human habitation is a reasonable use of that land when the new use, although of a more economical value to the owner, causes harm to the general public." [Just vs. Marinette County] Chaffin/Light appears to be a highly professional company with a history of building developments that many consider to be assets to the regions in which they are built. If Chaffin/Light were planning this development elsewhere in Gardiner, we might even welcome them. Their plan for the Shawangunk Ridge however, is to build more than 350 homes, a golf course, swimming pool, tennis courts, and nearly 50,000 square feet of commercial buildings including a pro shop, club house, mountain lodge, real estate office, fitness center, offices and meeting and lecture rooms, all on a system of private roads.

GARD's position is to advise both seller and buyer that the people of this region will fight for as long as it takes to prevent it, and GARD will fight with them.

The Gardiner Association for Responsible Development is a growing group of involved citizens dedicated to examining significant community issues with an open mind. GARD members voluntarily contribute their time and skills to proactively advocate for solutions to our shared problems. GARD, PO Box 408, Gardiner, NY 12525

Is This Land Conservation?.....continued from Page 1

meet the minimum town zoning requirements. The study further points out that two factors, the steep terrain and shallow soil, necessitate "massive site alteration" to construct the proposed road network. The study reaches several conclusions based on these two limiting factors:

- "This portion of the Ridge and its sensitive environmental setting would be irreversibly altered by this scale of site transformation."

- "Standard stormwater management and erosion control techniques...cannot be employed without great difficulty on sites such as this due to steep slopes and minimal depth to bedrock."

- The removal of soil cover "might lead to exposing paths for contaminants to enter groundwater supplies through the fractured bedrock geology that exists at this site."

The New York State Department of Environmental Conservation (DEC) is the lead agency in examining the environmental impacts of the proposed development under the State Environmental Quality Review Act (SEQRA). Scoping (the process by which the DEC will identify the potentially adverse impacts of the development) is slated to begin in April. Complicating the whole process will be the need for the developers to redo their conventional development, taking into consideration (1) features of the terrain that prohibit building, (2) town codes regarding lot layouts, and (3) how the slope will impact the location of roads and thus of lots. The "clustered" plan can not be finalized until the problems associated with the conventional plan have been resolved.

We are embarking on what we expect will be a long, contentious process. There is strong opposition to the proposed development from residents who have formed an ad hoc group called Save the Ridge, with which Friends is working closely. Opposition also is coming from other environmental organizations and land conservancies (see page 3).

PROJECT WATCH

*savethegunks.com or
savetheridge.com*

Webmaster Kerry Clair started a "Save the Gunks" website which will keep you up to date on what is happening with the Awosting Reserve development. The website features a bulletin board that covers all aspects of this slowly unfolding drama that is likely to have a major impact on the Shawangunks.

You can check the web for future meetings and for ways of becoming involved in this important work. Local activists are geared up with Save The Ridge signs that you can post on your lawns if you live in the area or just want to put up for all to see and wonder about. Bumper stickers are also available.

Check the web today!



The Awosting Reserve Proposal

by Karen Schneller McDonald

To ensure that the diverse biological resources of the Shawangunk Ridge will be available for future generations, we need to practice wise stewardship today. This will require an understanding of the complexity of the Ridge's biological resources and an understanding of the common good in balance with individual property rights concerns.

The biological resource

To anyone who has enjoyed the view of the Ridge in October or experienced the lush bloom of mountain laurel in June, the beauty of this system is obvious. But what we see is only part of the picture, and the individual species that grab our attention depend on a much larger ecosystem for their existence. The Ridge supports an unusually high diversity of plants, animals, and biological communities; it's described as a "Significant Biodiversity Area" by the New York State Natural Heritage Program. The very view we admire is a product of that diversity.

The Northern Shawangunks are an ecological unit containing many interrelated plant and animal species; no single property contains all of the significant habitat types or rare species, but each is an essential part of the whole. While we have set aside Sam's Point, Minnewaska and Mohonk properties, this does not mean that we've effectively protected key components of the entire system.

A few examples of the range of species found on the Ridge include: 62 "typical" plant communities (*The Northern Shawangunks: An Ecological Survey*, Kiviat); 181 species of birds, 38 mammals, 38 reptiles and amphibians, and 205 trees and shrubs (checklists published by the Mohonk Preserve); 17 significant natural communities (NYS Natural Heritage Program).

The New York State Open Space Plan describes the area as follows:

"The Shawangunk mountains contain exemplary natural communities... Within these communities are over 25 known rare plant and animal species. Taken together these elements of biodiversity make the Shawangunks one of the highest priority areas for biodiversity conservation in the northeastern United States. The northern and southern Shawangunks also have extremely high watershed protection value and high scenic and recreational value."

When habitats are fragmented or destroyed by development, the balance between plants, animals and their environment is disrupted. As a result, we lose species that are more sensitive to habitat change and less able to function in disturbed habitats. Habitat specialists, animals such as the Jefferson salamander and wood frog, require small intermittent (vernal) pools for breeding; for the rest of their life cycle they require intact surrounding woodlands. Certain birds require large areas of contiguous forest for breeding. When these contiguous acreages are carved into smaller areas, habitat fragmentation occurs, and the more specialized "interior forest" species of birds are replaced by more common species that can flourish in small wooded areas. When habitat is disrupted, often the balance between predators and prey species is upset, resulting in a decrease in overall species diversity. The overall result is fewer species inhabiting disturbed areas. Problems like deer overpopulation, invasion of wetlands by purple loosestrife, and proliferation of Lyme disease (now associated with disproportionately high populations of certain mice) are a few examples of what can happen when biodiversity decreases.

From these impacts alone—habitat change, fragmentation and outright destruction—the Awosting Reserve development would have significant and far-reaching effects on the health of the entire Shawangunk Ridge biological system that is an essential component of our quality of life.

Why would anyone be permitted to disrupt or destroy this incredibly valuable resource?

Private property rights and the common good

One of the main arguments I'm hearing "for" the development on the Ridge is that Mr. Bradley has the right to do whatever he wants with his land. Immediately the argument shifts from the value of regional biological resources to individual property rights. That should be a valid reason to permit the Awosting Reserve development to proceed, according to supporters of this argument—**no matter what resources are at stake, or how valuable they may be.**

Claiming rights without assuming responsibilities is unethical and illogical.Amitai Etzioni

All ethics so far evolved rest upon a single premise: that the individual is a member of a community of interdependent parts. His instincts prompt him to compete for his place in the community, but his ethics prompt him also to cooperate (perhaps in order that there may be a place to compete for).Aldo Leopold

While individual freedom is one of the cornerstones of our national identity, we have to interact with one another in a constructive manner in smaller groups (communities) in order to maintain our freedom. We are not simply ends in ourselves, either as individuals or as a society. We are parts of a larger whole. (Bellah et al. 1986)

Individualism is in dynamic tension with the common good, which is generally represented by long-term rather than short-term interests. To determine whether a specific action is for the common good, we begin by looking at what its effects will be in the future—in 10, 20, 50, or 100 years.

The freedom of an individual to assert that "I can do whatever I want with my land, and no one has the authority to prevent me from doing so" affects the larger community, and disregards consideration of the common good. If we are all indeed "free" to do what we want with our land, what happens when one person's water pollution ruins the neighbors' drinking water quality? Or when a town's famous scenic views are marred by housing sprawl? Although some people want to be able to do whatever they want with their land, (and thus allow their neighbors to do the same) and enjoy unspoiled natural resources, they can't have it both ways.

Recognizing that all land uses are not compatible, certain individual actions that affect the environment may need to be modified—or even prohibited—in order to protect the common good. Freedom by its very nature calls for some limitations. Without responsibility, freedom is merely license.

An intact Shawangunk Ridge is a local treasure and a regionally valuable resource. This value is dependent on the biological health of the Ridge. Awosting Reserve is simply the worst possible site for a housing development. If we allow this to happen, what regional treasure will be next? Is nothing off limits? Are we willing to allow private interests to destroy the common good: our childrens' right to enjoy the resources we cherish today?

We have rights. And we also have responsibilities. Surely we can be responsible stewards of the land! Development and growth may be inevitable, but they can be planned and located so they don't destroy the best of our biological heritage: the stunningly beautiful Shawangunk Ridge.

From these impacts alone—habitat change, fragmentation, and outright destruction—the Awosting Reserve development would have significant and far-reaching effects on the health of the entire Shawangunk Ridge biological system.

The Whole is Greater than some of its Parks

We asked Hatti Langsford, longtime Shawangunk naturalist to share some of her thoughts about what the proposed development means to her.

The land that encompasses the Awoosting Reserve property is critical to the Shawangunk land that is already protected. So is much of the other land that is in private hands atop the ridge and in the valleys.

I am reminded of my last Mud Pond hike, a couple of years ago. It was early fall, cool but sunny. Starting early for an all-day hike; there was no one else on the trail. Foraging along the way for blueberries that come late in the season because of the slightly cooler areas—called microclimates—where the bushes are. (Knowing these spots is an important way to fulfill a desire to eat wild blueberries for as long a season as possible!) There's a slab where an American Mountain Ash tree grows next to the cliff, and standing there, lost in the branches, one is as tall—for a moment—as the tree. The branches are festooned with clusters of bright red berries, brighter than expected in nature, jarring in their effect, and a delightful surprise every time. The trees retain the berries until March, and they are critical to wildlife in these habitats so harsh in winter. Mountain ash berries are important food for animals like the grouse and the fisher. The grouse and fisher are important to the mountain ash trees here at the southern end of their range where they grow up on the slopes of the Appalachians and similar places like the Shawangunks. These far-ranging animals spread the berries through the habitat so the seeds can find those special little cooler microclimates where then can out-compete the red maple trees and other species that can grow just anywhere. So if the fisher goes, then the mountain ash tree goes. I remember thinking as I lost myself inside the branches of that particular mountain ash tree that someday I would bring my child here. I would share this experience with her and this place would be here. I thought that it was inviolate, protected. Forever, for everyone.

The clear tannin-stained waters of Mud Pond are a miracle of nature. A wonder that it can exist here on top of a mountain, in the middle of nowhere. And yet, right across the lake is "private property" as if any one person should be able to lay claim to such a place. Standing on the shores of Mud Pond that late summer day and thinking about the owner of the other side of that precious little lake, I worried what he might someday do.

The Palmaghatt Ravine is the chasm that opens to your left as you progress along the Hamilton Point Carriageway and to the right along the Millbrook Mountain Carriageway. Only once did I descend to explore the depths of this ravine. Once, in eight years of an affiliation with Minnewaska State Park Preserve that affords special permission to access areas without trails. I felt such an intruder in that place. I feared that my footprints might be preserved forever in the bog complex that was extensive and unlike any I had ever seen. I could feel the animals there recoiling from my presence as if to say, "Not here too? Is there anywhere we can go that you do not follow?" From the trails along the cliff tops Barred Owls have answered my hoots, and bobcat and coyote tracks are sprinkled across my ski trails. It is enough for me to know that it is there, I understand enough about nature to know how great a nuisance a human can be.

The Palmaghatt Ravine harbors more rare species in a smaller area than anywhere else in the Gunks, this is called species richness. It has old growth forest and very old trees. The trees are so majestic they prompted the builder of the Minnewaska Mountain Houses, Alfred Smiley, to purchase the ravine 127 years ago in order to protect it from logging, and they are even older now, upwards of 500 years.

There dwells a large unusual bog community that is the headwaters of the Palmaghatt Kill. This place harbors thriving populations of small animals like salamanders and frogs. The narrow corridor does not work for small animals. They require connectivity of a different sort.

No salamander is going to walk from here to the Catskills or the Hudson Highlands. Critical to the survival of salamanders and frogs, however, are overlapping ranges so that their genes move throughout the population. This keeps the populations viable; an isolated population is a dead one.

Seven wild turkeys panicked in front of my car on Yankee Folly Road this week. These ungainly birds are almost graceful in the deep woods of their Shawangunk home but down here in the valley they are wild-eyed and squawking. They have come for the browse under the melting snow of the lowlands as the snow pack on the mountain is deep and hard this year. They are also avoiding the bobcats, coyotes, gray fox and fisher who move more easily on the deep snow. They require corridors to descend the mountain, as do the predators that may follow them. What they require for long term survival is the maintenance of open land, the farms and orchards that are here now. They will not make much of a living amongst the tract housing that is steadily marching in.

The Palmaghatt Ravine is a major place of refuge for much of our large wildlife. Protected from the screaming winds of winter, sheltering food trees that feed the hungry bears, bobcats and fishers. It acts as a major thoroughfare for these animals from the unforgiving highlands to the sheltered lowlands. Unfortunately, a property line bisects it, running right across the ravine. Houses are planned along this line. Houses you can spit on from Gertrude's Nose, kick rocks onto from the Hamilton Point carriageway. A housing development that will effectively strangle this important-for-wildlife topographic break in the ridge. It will change the composition of plant species by introducing non-natives even if none are planted, just because of the roads. Phragmites and purple loosestrife would take over that beautiful bog. Pets will roam out and devastate the nests of the grouse and other species critical to the survival of the bobcat and fisher at certain times of the year. Deer increase in disturbed habitat and we have twice as many deer as the habitat can withstand already. We cannot remake or rebuild what will be lost; haven't we lost enough? We have lost almost all that was ever wild; can't we at least save what's left? Aren't there enough places in the world where people can live? Abandoned buildings are everywhere; can't people live in those? Because, I can tell you, the fishers, the bobcats and the bears, the salamanders, and the five-lined skinks, they can't change addresses so easily; they can't just move down to Newburgh and survive. They need the Palmaghatt Ravine, all of it—intact—so do I.

Save this experience, of being able to see so much diversity so close to home. To appreciate the difference between an intact ecosystem and a town park. The woods in my town are beautiful but know the difference between them and the rich forests of the Palmaghatt. I want my daughter to know the difference, to be able to observe nature at work and not on the Discovery Channel. To see it provide us with the benefits that we don't pay for and can't create. A place where the forest can recover from battles with invasive species. Cleaner water, cleaner air, a more comfortable climate, a place of refuge for all that is strange and rare and holy. Let our legacy be that we left it alone and it was the least we could do.

Hatti Langsford is a concerned local resident and is currently employed as Minnewaska State Park Preserve's Interpreter. She is almost finished renovating a historic home in Gardiner where she lives with her toddler (almost 2!), a black-and-white dog, four chickens, and two goldfish. She was formerly an educator on the Sloop Clearwater, and has worked as a naturalist and environmental educator in the Hudson Valley for the past fifteen years.

PLEASE BE GENEROUS
THIS IS OUR LAST CHANCE
TO KEEP THIS VISTA THE WAY IT IS



*Palmaghatt Ravine with Gertrude's Nose in the Distance
Photo by Hardie Truesdale*

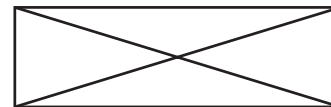
The battle to save the ridge will cost a lot of money.

We need to pay:

- Legal Fees
- Consultants and Experts: (engineers, geologists, hydrologists, traffic consultants, soil analysts, biologists, archeologists. The gist is the -gists cost money.
- Printing costs

If you have expertise that you can help us with, please let us know.

If you can organize a fundraiser, it will help us support this fight.



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Thanks!

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A copy of The Shawangunk Conservancy's latest financial report may be obtained by writing to the Office of the Attorney General, Charities Bureau, 120 Broadway, New York, NY 10271, or by writing to The Shawangunk Conservancy.

Special thanks to Hardie Truesdale for his photographs we used in this special issue.

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