



THE STERLING MESSENGER

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Foul Ways to Fairways: Sterling Forge Estates plan would stifle the heart of Sterling Forest State Park

Even as the ribbon was being cut at the Lautenberg Visitor Center at Sterling Forest State Park, private developers were incubating a scheme to carve the park's heart into a golf course and 108 McMansions.

Sterling Forest LLC, the holding company that profited handsomely from state's acquisition of Sterling Forest State Park, still owns 571 acres at the core of the park. That parcel is the site of the planned Sterling Forge Estates. To realize it, hills will be blasted, wetlands altered, roads constructed, water spoiled, and the ecosystem of the park will be transformed. On June 10, the developers submitted a Final Environmental Impact Statement (FEIS) to the Town of Tuxedo Board.

The New York State Department of Environmental Conservation (DEC) notified the Town of Tuxedo Supervisor that the presence of threatened timber rattlesnakes on the Sterling Forge property requires further study before the approval process can continue. (See article next page).

The public has invested \$85 million to date in the acquisition of Sterling Forest State Park lands. The expense yields rewards—a clean watershed, an unfragmented forest, a natural habitat for many species, and a link to the legacy of early iron mining.

The plan menaces the public's heavy investment. Studies funded by the Sterling Forest Partnership show that the project will significantly degrade water quality with chemicals and other contaminants. It will create a gap in the middle of the park, fragmenting an integral forest. It will demolish wildlife habitats and provide opportunities for invasive species (such as cowbirds) to enter the forest ecosystem. It will dispel the forest's wildness and interrupt its tranquility. It will bulldoze remaining evidence of early iron mining operations.



*Sterling Forest State Park, May 30—
Governor George Pataki, Senator Frank Lautenberg,
Former Congressman Benjamin Gilman and
Congressman Scott Garrett dedicate the Frank
Lautenberg Visitor Center to future generations.*

Tuxedo Town Board Receives Sterling Forge EIS for Review

Questions Abound

At its regular meeting June 16, the Tuxedo Town Board acknowledged receipt of the Environmental Impact Statement (EIS) for the Sterling Forge Estates project. The EIS was filed June 10 by the project's developer, Sterling Forest LLC. The new document is expected to address issues cited in the Board's review of the Draft EIS last year.

The Board raised several procedural questions, which were directed to Stuart Turner, the Town's planning consultant.

Councilman William Lemanski asked for clarification about the "snake issue," referring to the New York DEC's April 15 letter to Town Supervisor Ken Magar requesting time to study and evaluate timber rattlesnake behavior in the area (see related article below). He noted that the results of the study could alter many other aspects of the document.

Deputy Supervisor Alyse McCathern added her concern that the document is intended as a Final
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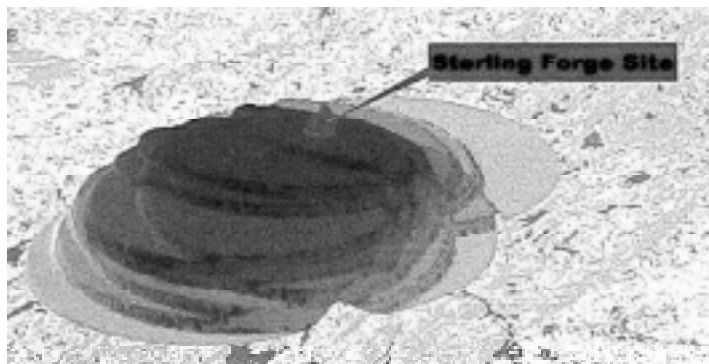
Environmental Impact Statement (FEIS), while the timber rattlesnake studies are still in progress. She wondered why the document should come under consideration now while conditions for approving it are still mutable.

Turner advised that the Board may analyze other elements in the document which have caused concern. "The snake issue is more a matter of a hole here or there and is not important in relation to the general issues," Turner said.

Turner also advised that the Board must ultimately decide whether the document is sufficient to accept it as a Final EIS, or whether to consider it a Supplemental EIS.

If the Board accepts the document as "Final," state law requires no further public input (although the Board can request public input at its pleasure). If the Board decides that the document presents sufficient contrast to the DEIS, it may consider it a Supplemental EIS, requiring fresh public input and response from the developer.

McCathern affirmed that public comment is desirable, regardless of the status of the document. Councilman Lemanski added however that if the document is indeed accepted as a Final EIS, the applicant is not required to respond to public comments.



A graph from hydrologist Paul Rubin's report shows overlapping rattlesnake migration ranges (based on known dens). The golf course and housing project sits in the area of peak activity.

DEC arrests Sterling Forge approval in order to study rattlesnake presence

The New York State Department of Environmental Conservation (DEC) has informed Tuxedo Town Supervisor Ken Magar in writing that "significant use" of the Sterling Forge property by timber rattlesnakes has now been documented. The State agency asked Magar to "not conclude" the Tuxedo Board's review of the development until further studies determine how it will affect the rattlesnake.

The agency's April 15 letter cited studies identifying a previously unknown den site near the property. "The field data is not sufficient for the DEC to conclude its review of the project's potential impacts on timber rattlesnakes," the letter stated. Alexander F. Cieslik, Jr., Deputy Regional Permit Administrator, signed for the agency.

Reporter Chris McKenna summarized the DEC letter in the (Middletown) Times Herald Record (April 23, 2003). McKenna quoted DEC officials indicating the new studies could run to mid-October.

The presence of rattlesnake habitats were a major element of the successful drive to prevent the construction of the Torne Valley power plant last year

Study indicates that the Sterling Forest Region hosts the Richest Herp Biodiversity Quotient in New York

For sheer variety of habitat-sensitive reptiles and amphibians, no place in the state of New York is more abundant than Sterling Forest State Park. This is the finding of Paul Rubin, a hydrologist engaged by the Sterling Forest Partnership to study the potential impact of the Sterling Forge Estates golf course and housing project on habitats in the new State Park.

Rubin discussed his findings with audiences at the Tuxedo Club and the Sterling Forest State Park Information Center in presentations sponsored by the Sterling Forest Partnership.

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Rubin consulted data in the New York State Amphibian and Reptile Atlas (casually known as the "Herp Atlas"), a ten-year census documenting the geographical distribution of herpetofauna in the state.

The data showed that Sterling Forest State Park, and the area of the proposed development that the park encloses, are at the core of the most species-rich sector in the entire state. Of nearly 1000 districts surveyed, the Sloatsburg Quadrangle tops the list in diversity of species. This quadrangle includes part of Sterling Forest State Park, the Sterling Forge Estates site and other parts of Tuxedo and Sloatsburg

Up to 41 different species of reptiles and amphibians inhabit the State Park region, while most of New York State hosts fewer than a dozen species.

Among the species found in Sterling Forest are the Wood Turtle, the Northern Spring Peeper, the Northern Red Salamander, and the threatened Timber Rattlesnake.

Focusing on individual species, Rubin discovered that the region embracing Sterling Forest State Park accounts for nearly a quarter of the State's Timber Rattlesnake dens! The steep slopes, jutting rocks, and undisturbed habitats offer ideal den locations, and accordingly, it hosts rattlesnake dens in more than triple the density of any other New York quadrant.

Developed areas surrounding Sterling Forest State Park form an impassable boundary around its natural habitats. This boundary defines a "safe" corridor where the rattlesnake has successfully nested in densities unknown elsewhere in the state. Rubin calls this zone the Sterling Forest Corridor.

Perhaps Rubin's most astonishing discovery in the Herp Atlas data shows the density of rattlesnake migration zones within the Sterling Forest Corridor. By pinpointing the location of known rattlesnake dens and plotting a seven-kilometer radius around each den (the snake's standard migration range), Rubin found out that the area of peak migration density hugs a narrow course right in the center of the corridor, intersecting the area of proposed development.

The proposed Sterling Forge Estates project site, Rubin argues, will wreak havoc upon ecosystems in the middle of the Sterling Forest Corridor. "The viability of rattlesnake populations depends upon the existence of an unfragmented habitat," he said. The construction will reduce and fragment the oak forest, alter the wetlands, blast the steep landscapes, replace existing vegetation, saturate it with insecticides and other chemicals, and modify the water with contaminants. Rubin submits that these plans modify the habitat of at least one threatened species, the Timber rattlesnake, in ways the New York Endangered Species Act defines as adverse.

"The development of the Sterling Forge parcel will result in significant modification of one of the most species-rich habitats in New York," Rubin said, "and one that is critical to a last stronghold of the timber rattlesnake. The development may result in the die-off and major reduction of a presently vigorous rattlesnake population. This would violate the intent of the state's Endangered Species Act."

Sterling Forest Conservation Day celebrations will feature woodland fun, small journeys and feasting September 13

The 16th annual Sterling Forest Conservation Day will happen Saturday, September 13, at the Sterling Forest State Park Visitor's Center. Most events begin at 10:00 AM (the long hike begins at 9:00).

On Conservation Day, the Partnership focuses all of its talent on having fun. There will be nature walks led by some of the most perceptive naturalists of our time. Experienced hikers will lead us along forest pathways with exquisite views. There will be a bike tour of Sterling Forest's roadways, an orienteering skills program, and a wildlife education program (with real animals). Adults will be fascinated, children delighted.

And of course there will be music and a big picnic lunch. All events are free, except there is no free lunch (the picnic will cost \$10 for adults and half that for children). Please call Tom for information and pre-registration, 201 327 8712 or 201 848 1080.

Partnership establishes special fund to save Sterling Forest State Park

The Sterling Forest Partnership has set up a "Fund for the Preservation of Sterling Forest State Park (SFSP)" in order to continue its role in fighting the Sterling Forge Estates development and any other projects that have the potential to infringe on the integrity of Sterling Forest State Park.

"As advocates, we need to continue to hire specialists and consultants with the expertise to review the potential impacts of development to the Park and, if necessary, go all the way with litigation to bring home the importance of protecting this precious resource in our midst," said Mary Yrizarry.

Contributions can be made payable to Sterling Forest Partnership or the NY-NJ Trail Conference with "Fund for Preservation of SFSP" on the note line on the check. Donations are tax deductible if made to either organization.

Please send contributions to:

The Sterling Forest Partnership
7 Spring Rock Dr. • Goshen, NY 10924
Phone: 845-783-4302

What You Can Do

As the Town of Tuxedo Board reviewed the Draft EIS for the Sterling Forge Estates project submitted in 2001, it required the applicant to present a great deal of fresh information and to address a host of environmental questions. The new EIS document should reflect those changes. The document is available for review at the Tuxedo Public Library.

If the Board recognizes the new document as a Supplemental Environmental Impact Statement, the applicant is obliged by law to respond to public concerns about the project. These concerns include the issues of water management, forest fragmentation, habitat reduction, blasting and the preservation of archeological evidence. If the Board accepts the new EIS as a final statement, the law does not mandate public input.

Please inform the officers of the Tuxedo Town Board—Kenneth Magar, Alyse McCathern, Francine Rausch, William Lemanski, and Kevin Didricksen—how crucial it is to designate the document a Supplemental EIS, and to permit public scrutiny and a measure of public control over the development. Write to the individual officers directly (c/o Tuxedo Town Hall, Tuxedo, NY 10987), or send e-mail to the Town Clerk, townclerk@tuxedogov.org. Please also inform Orange County, DEC and New York State officials of your concerns.

RETURN SERVICE REQUESTED

Goshen, NY 10924
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Sterling Forest Partnership

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