

PROJECT ALERT: CHINA CITY OF AMERICA BY PAULA MEDLEY

DEVASTATING environmental impacts will ensue if China City of America, the latest unsuitable scenario planned for Mamakating (and Thompson), reaches fruition, thereby impelling the BKAA to oppose it.

Minimal information has been forthcoming at presentations before the combined Boards of Thompson on May 15 and Mamakating on May 23. Nevertheless, critical facts are evident.

Total project area is 2,181 acres: 1,604 in Mamakating, 572 in Thompson, and 5 in Fallsburg (see accompanying Maps I & II for venture's entire boundaries). Mamakating's portion encompasses 1,075 acres (Maps III and IV) along with 529 at Yankee Lake (Map II). In Mamakating, Phase 1 will comprise 700 residences, followed by commercial enterprises highlighted on maps, culminating in Phase 3, a Chinese Disneyland at Yankee Lake. 300 residences are scheduled for Thompson. Notably, no other China City of America has been built. [Maps start on page 7]

Presently, this endeavor is in the earliest planning (conceptual) stage. To our knowledge, project sponsors have not actually purchased requisite parcels and, at best, possess options to buy. Importantly, they have not yet qualified for the Federal EB-5 program that involves Chinese investors desiring green cards. The EB-5 strategy ostensibly creates American jobs by seeking Chinese investors for projects constructed in the United States. Each Chinese family invests \$500,000 which translates to 10 new jobs. In return, immigration to America is expedited.

Currently, then, there are only colorful maps and renderings in glossy brochures all lacking substantive details. And, it is the data hidden behind the pretty facade, like effects on groundwater, storm water, sewage disposal, et. al. that worries the BKAA and others.

Critical to comprehending our position on China City is recognizing the BKAA's history, from 2006-2009, with this same acreage, minus the Yankee Lake tract, when it was variously known as Kingsboro, Kingwood, and Parkwood. During this period, 641 residential units and 1.3 million square feet of commercial space were proposed for Mamakating with 300 residential units for Thompson. This undertaking reached the environmental review juncture, when, after intense BKAA urging, DEC assumed lead agency or manager of the development's environmental review.

We have included excerpts of DEC Commissioner Grannis' lead agency determination of the earlier plan (which was smaller than China City) so that members will understand the potentially damaging environmental consequences.

In his description, Grannis declared, "The site is rural in nature, including successional forest and abandoned agricultural lands as well as substantial areas of wetlands. It is located about midway between Middletown and Monticello, roughly 2 miles north of NYS 17 (Interstate 86) at the property's closest point to the highway."

Commissioner Grannis later states, "in resolving a lead agency dispute, I am guided by the three criteria listed in order of importance in 6NYCRR Part 617.6(b)(5)(v). The three criteria are:

1. whether the anticipated impacts of the action being considered are primarily of statewide, regional or local significance.
2. which agency has the broadest governmental powers for investigation of the impacts of the proposed action.
3. which agency has the greatest capability for providing the most thorough environmental assessment of the proposed action.

"Considering the first criterion, as Delaware River Basin Commission approval of the sewage treatment plant and water supply is required, there is inherently a regional component to the impacts. Also, the wetlands on the property are identified in the NYS Open Space Plan as the Harlen Swamp Wetlands Complex component of the Neversink Highlands Open Space Project, which is included in the Open Space Plan for its high habitat value. The potential impacts to those wetlands, as well as major changes in nature and intensity of use of their associated uplands, would be regionally significant impacts.

"There are also potentially very significant impacts stemming from the proposal to locate a project of this scale in such a relatively remote rural area. Current land uses near the proposed project include clusters of small lots associated with several lakes or existing hamlets, but otherwise sparse development scattered along roadways. Remote, 'ex-urban' subdivisions such as the one proposed here contribute disproportionately to accelerated generation of greenhouse

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gases, based on their inherently long daily driving distance to jobs or services for residents, equally long drives by potential customers of the commercial area, and basically car-dependent layout. Further, such isolated, sprawling subdivisions can also consume disproportionate open land, water and energy resources while exacerbating fragmentation of large habitat areas like forests and grasslands as well as wetlands, and thus represent a development pattern which is unsustainable in the long term. These additional potential impacts are of far more than local importance, and indeed may rise beyond even regional significance.

"Therefore, given the broad nature of the potential impacts, including the Open Space Plan implications, and the regional consequences of a very large, sprawling project in a rural area, I conclude that NYSDEC is most appropriately designated lead agency under the first criterion.

"The second criterion, breadth of authority to conduct the environmental review, also favors NYSDEC. NYSDEC has broad mandates encompassing protection of air and water resources and quality in general; regulation of land uses in and adjoining wetlands; regulation of new water supplies and of large wastewater discharges; and maintenance or preservation of valuable or unique habitat complexes. NYSDEC staff includes members with technical specialties which will enable it to most effectively address the whole range of potential impacts of the proposed project, specifically including the regional and wider impacts of accelerated greenhouse gas generation and habitat fragmentation as well as the infrastructure and resource

demands inherent in such a massive development. Compared to a local lead agency (like Mamakating's Planning Board), whose authority and expertise is limited to land use within its boundaries, NYSDEC clearly has the more appropriate authority to conduct the scale of environmental review which this proposal demands.

"As I am able to reach a decision based on the first two criteria, I need not consider the third. For the foregoing reasons, and based on the facts presented by this particular application, I conclude that the New York State Department of Environmental Conservation should serve as lead agency for the environmental review of this project."

Also environmentally crucial is China City's location within the Basha Kill watershed. Three Bashakill Wildlife Management Area streams originate on or near the site: Pine Kill, Wilsey, and South Brooks.

Shortly after DEC's intervention, Kingwood/Parkwood's developer withdrew its application from Mamakating, proposing instead to erect residential units solely in Thompson. This construction never occurred, however. But the BKAA feared that another scheme eventually would be foisted on this same land and its residents, so here we are five years later with China City!

What to do? WRITE LETTERS! (See below.) The BKAA will closely monitor China City activities and apprise members/concerned citizens of significant actions. Additionally, we will contact Lake Association and other impacted organizations about joint efforts.

ACTION ALERT: CHINA CITY LETTER-WRITING CAMPAIGN

BY PAULA MEDLEY

Let's keep the momentum going! Write letters NOW to your political leaders voicing opposition and/or concerns regarding China City. Urge elected officials to represent residents' (your) interests rather than those of outside concerns, whose development will "traumatize" your environment and quality of life. Highlight environmental and zoning/planning issues in your correspondence (see accompanying PROJECT ALERT and maps for pertinent points). DO NOT employ political, racial, religious, or cultural references when arguing your case!!!

For More information call President Paula Medley directly at (845)754-0743 or email info@thebashakill.org.

See next page for pertinent addresses.

CHINA CITY LETTER-WRITING

Mamakating:

Mamakating Town Supervisor Harold Baird,
Board Members, Town Attorney Richard Stoloff:
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Mamakating Planning Board Chair Gary Tetz,
Planning Board Members, Attorney Langdon Chapman
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Mamakating Zoning Board of Appeals
Chair Scott Buchholz, ZBA Members,
Attorney Christopher Westbrook
USPS and email same as above

County Legislators:

1. Kathy LaBuda
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2. Jonathan Rouis
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UPDATE: NEW CITY FOR MAMAKATING BY ANITA ALTMAN

Last fall a New York State Appeals Court upheld the Town of Mamakating's denial of property tax exemption for the former Homowack Lodge. The court ruled against Congregation Ahavas Chaverim Gemilas Chesed's application which sought the exemption for a proposed religious camp.

As of April, 2013, the congregation has not paid taxes on this property other than in January, 2011, and now owes in excess of a half million dollars of real estate and school taxes.

Following the court decision, the congregation put the property up for auction, which was held in December. Apparently there were no bidders, and so the property remains in their hands accumulating additional taxes and

penalties. I have been advised by the County Treasurer's office that if no payments are forthcoming, they will commence foreclosure proceedings in October. The ultimate outcome is likely to be that the former Homowack property is auctioned off by the county next year.

While our concerns about the inappropriate development of "a new city" seemingly can be put to rest for now, the reality is that this large parcel of land remains ripe for development. Moreover, the condition of the buildings and the land continue to deteriorate, and not only are an eyesore but potentially hazardous.

We will continue to monitor the situation, and would appreciate hearing from you, if you see or hear anything new about this property. The email address is valley209keeper@yahoo.com.