

A RESOLUTION SUPPORTING THE [THOROUGH REVIEW] ~~FULL ADJUDICATION~~  
OF ALL ISSUES BEFORE THE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION ADMINISTRATIVE LAW JUDGE CONCERNING THE BELLEAYRE  
RESORT AT CATSKILL PARK

Legislator Harris offers the following:

WHEREAS, the purpose of the State Environmental Quality Review Act (SEQRA) is to balance social and economic benefits of a project with its potential environmental impacts, and

WHEREAS, the Department of Environmental Conservation (DEC) has issued a positive declaration for the project causing the drafting of an environmental impact statement, and

WHEREAS, significant investments of time and money by both the applicant and the interveners have resulted in a diversity of expert opinion, and

WHEREAS, the project may have substantial impact on the New York City Watershed and Drinking Water Supply that provides drinking water for over 9 million people including 60 connections by upstate communities, including municipalities in Ulster County, and

WHEREAS, the project may have a substantial impact on hunters, fisheries, water quality and the local community, and

WHEREAS, The Belleayre Resort at Catskill Park would occupy 573 acres of which 85 acres of forested land would be converted into impervious surfaces, and

WHEREAS, the project would have substantial impacts covered by Article 17 of the Environmental Conservation Law (water quality); Article 23, Title 27 of the Environmental Conservation Law (mining and land reclamation laws and regulations); Article 15, Title 5 of the Environmental Conservation Law (protection of waters and streams); Article 15, Title 15 of the Environmental Conservation Law (water supply); and Article 11 of the Environmental Conservation Law (fishery and habitat protection), and

RESOLUTION NO. 288 SEPTEMBER 9, 2004

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WHEREAS, the Catskill Preservation Coalition, consisting of 11 upstate and downstate groups concerned about the rural character of the region, hunting and fishing lands, and water quality, has filed a Petition for Party Status with the DEC to have hearings on these issues to ensure a thorough review,

WHEREAS, the Ulster County Legislature supports economic development and recognizes the project may have substantial economic benefits and advantages for the Catskill region,

WHEREAS, the Ulster County Legislature supports the protection and enhancement of open space and natural resources,

WHEREAS, the DEC Administrative Law Judge (ALJ) is currently reviewing these issues for adjudication pursuant to Title 6 N.Y.C.R.R. § 624, and

WHEREAS, the Ulster County Legislature will not take a position in favor or opposition to the project until a thorough review of all environmental issues, and

WHEREAS, the Economic Development/Education, Tourism and Cultural Affairs Committee has been polled with a majority of the members approving.

RESOLVED, that the Ulster County Legislature supports a [thorough review] ~~the full adjudication~~ of all issues before the Administrative Law Judge in order to [protect] ~~allow for a thorough review that protects~~ the water quality of the Watershed Drinking Supply, the rural character of the Catskill region, and the residents of Ulster County and New York State, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor George E. Pataki, Attorney General Eliot Spitzer, Comptroller Alan G. Hevesi, United States Senators Hillary Rodham Clinton and Charles Schumer, Congressman Maurice Hinchey, Senate Majority Leader Joseph Bruno, Senate Minority Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Charles Nesbitt, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Clifford Crouch, Daniel Hooker and Thomas Kirwan, New York City Mayor Michael Bloomberg, New York City Speaker Gifford A. Miller, Orange County Executive Edward Diana, and Westchester County Executive Andrew Spano,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 17

NOES: 15

(Legislators: Aiello, Bartels, Berardi,  
Donaldson, Every, Hyatt, Kraft, Lomita,  
Loughran, R.A. Parete, R.S. Parete,  
Provenzano, Rodriguez, Shapiro, and Zimet)  
(Absent: Legislator Feldmann)

Legislator Provenzano, seconded by Legislator Lomita, moved to consider amendment submitted by Legislator Rodriguez.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 14

NOES: 18

(Legislators: Aiello, Bartels, Berardi, Donaldson, Hyatt, Kraft,  
Lomita, Loughran, R.A. Parete, R.S. Parete, Provenzano, Rodriguez,  
Shapiro, and Zimet)  
(Absent: Legislator Feldmann)

Legislator Harris, seconded by Legislator Noonan, moved to reconsider Resolution No. 288 of September 9, 2004 as amended in [].

MOTION TO RECONSIDER ADOPTED BY THE FOLLOWING VOTE:

AYES: 19

NOES: 13

(Legislators: Bartels, Berardi, Donaldson, Every, Hyatt, Kraft,  
Lomita, Loughran, R.S. Parete, R.S. Parete, Rodriguez, Shapiro,  
and Zimet)  
(Absent: Legislator Feldmann)

FINANCIAL IMPACT:

NONE

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