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November 23, 2013

The Honorable Judi Bosworth  
Supervisor-Elect  
Town of North Hempstead  
c/o Nassau County Legislature  
1550 Franklin Ave.  
Mineola, NY 11501

Dear Supervisor-Elect Bosworth:

Congratulations on your election to lead North Hempstead.

I have been authorized by the Green Party of Nassau County, the Sierra Club Long Island Group, arborist Richard Oberlander and the President and Co-founder of Long Island Orchestrating for Nature (LION), John DiLeonardo, to urge that you as the incoming Supervisor of North Hempstead, reach out to the various entities involved in the plan to level about 26 acres of forest in the Village of North Hills and try urgently to stop what would be a serious environmental loss if carried out as may be imminent.

As you hopefully remember, I spoke to you and emailed you about this issue in the past two months. To bring you up to date and repeat:

The 80-acre Grace Forest in North Hills is located between the Long Island Expressway and the Northern State Parkway, running east from New Hyde Park Road to Shelter Rock Rd. .

This forest was designated a rare and significant resource by the NYS Natural Heritage Program, but nevertheless has been significantly destroyed by three real-estate developments in the past approximately 10 years since an environmental easement was stripped from it.

There is a narrow strip of some dozen acres on the eastern end that I was told are owned by NY State. But the remaining roughly 26 contiguous western acres of forest and woodland, near New Hyde Park Road, are slated for development in two parcels: a 17-acre parcel owned by RXR Realty, a company headed by Scott Rechler, who is also Vice Chairman of the NY-NJ Port Authority; and a 9-acre parcel owned by a firm called X-

Cell Realty, also listed as "Hess Associates" in a search.

Despite the presence of numerous species of animals in the forest, including two now classified as "species of special concern" by New York State, both RXR/Rechler and X-Cell have approvals from the Village of North Hills to virtually obliterate the forests that exist there.

(RXR is has North Hills' authorization for a ten-building apartment project with manicured grounds, and X-Cell has authorization for a 2-building office complex surrounded by hundreds of asphalt parking spaces. It should be noted that the Nassau Planning Commission has heard and is in the process -- I believe -- of deciding on recent revisions in the RXR site plan.)

As acknowledged by the Environmental Impact Statements ("EIS") done by RXR in 2006, animals living in this forest will "suffer direct losses" because "the site will be extensively cleared" (Draft EIS pages 2-53 to 2-55).

North Hempstead was once extensively forested. The area in which this forest is located has been largely developed in only the past roughly 15 years.

Our remaining forests and woodlands are part of mankind's and the planet's primary means of mitigating global warming. The forests provide us clean air, and they provide home to indigenous wildlife. Further they are an aesthetic resource to our increasingly stressed populace.

At the time of the RXR review, the NY State Department of Environmental Conservation wrote: "The Department strongly urges the Village of North Hills to undertake whatever measures are necessary to help ensure the protection and preservation of as much of this forest as possible....including protection of large contiguous blocks of forest." (9/15/2005, DEC John W. Pavacic, Regional Permit Administrator.) But in fact, nothing would be protected or preserved.

With all we know about climate change and the other global ecological crises, many of them characterized by habitat destruction, we find it contrary to sensible public policy to allow the continued destruction of healthy forests and open space here, where we live.

We therefore urge you to take a public stand against the RXR and X-Cell projects and to use the power of your office to appeal to the property owners to find a way to preserve the lands.

It may be noteworthy that the X-Cell project was approved by North Hills with no environmental impact statement ("EIS"), and the EIS for the RXR project completely failed to mention the impact of the proposed development on the neighboring parcel. In other words, there were serious flaws.

For some reason neither project went forward -- until now. We know that RXR is eager to proceed. And we can only imagine that X-Cell may do likewise.

So time is short. We are exploring an urgent legal effort to require a new round of environmental review under the NY State Environmental Quality Review Act to bring the information up to date, but it is uncertain.

We therefore urgently ask you to speak with the Town's Acting Supervisor and your colleagues on the Board to pass a resolution and to begin outreach to the property owners and the Village of North Hills, as well as to the Nassau Planning Board.

We would also welcome the Town's assistance in advocating for a Supplemental Environmental Impact Statement.

Thank you for your assistance. We look forward to hearing from you and would be happy to met with you at your convenience. We are approaching other elected officials in this area and welcome your assistance in that regard as well. North Hills may be reached at (516) 627-3451.

I will provide you some copies of documents I have referred to shortly. But I am sending this now because time is of the essence.

Sincerely,

**SIGNED**

Richard Brummel, Planet-in-Peril.org

Mark Kinnucan, Chair, Sierra Club, Long Island Group (631) 424-1889

Jim Brown, Chair, Green Party of Nassau County (516) 608-1446

John DiLeonardo President, Long Island Orchestrating for Nature (LION) (As An Individual) (516) 592-3722

Richard Oberlander, Certified Arborist (516) 456-3968

cc The Honorable Town of North Hempstead Supervisor John Riordan