

Editors' views:

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'Environmental' hurdles

The proponents of the Crossgates shopping mall in the Town of Guilderland may have lost another battle, but they — and mall developers across the state — appear to have won the war.

While Robert F. Flacke, the commissioner of environmental conservation, denied the application to build the mall because the plans did not meet air quality standards, he all but encouraged the developers not to give up on the project, and seemed to express regret that his department ever got involved in what he said was essentially a local concern lacking any major environmental issue.

Said Mr. Flacke, "In our review (of shopping center) cases the controversial issues which have been brought before us have consistently proved to be matters of local concern and are more appropriately dealt with by local governments.... The maturing of the State Environmental Quality Review Act ... clearly indicates to me that shopping centers, with few exceptions, do not have regional environmental considerations."

Nonetheless, the Crossgates mall proposal has been bogged down for months as the environmental conservation department was obliged to decide if the mall would endanger the Karner Blue butterfly (the redesigned project would not); if it would adversely affect the reservoir (no, the creek downstream of the reservoir was already polluted); if the 3.9 acre project would damage the remaining 4,000 acres of the Pine Bush (Mr. Flacke said no); and if filling of the wetlands was reasonable (it was). In Thursday's decision, Mr. Flacke ruled that the stormwater management system could accommodate the increased runoff the mall would generate.

All that remains to be decided is the issue of whether an altered highway design will achieve a reduction in carbon monoxide emissions. From the point of view of the mall proponents, this development looks promising.

But the question of building shopping centers, Mr. Flacke now says, does not inherently involve environmental issues at all, but mostly local issues that raise questions relating not to the environment but to the "quality of life of a community, type of growth, lifestyle and social integrity," all issues properly handled by local government.

The attempts to frustrate the mall construction by raising these environmental questions resulted in 81 days of public hearings during which testimony was heard from scores of witnesses and during which thousands were spent on a variety of environmental tests and traffic and planning studies. The delay risks an \$85 million private-sector investment at a time when businesses across the country are struggling to stay afloat and when the unemployment rate is high.

Moreover, as Mr. Flacke pointed out, this and similar debates prevent the environmental conservation department, faced with growing budgetary concerns, from policing the more serious environment problems of hazardous waste and ground water pollution from toxic chemicals.

If the mall developers re-submit the traffic plans — as they are expected to do — and they are found to be environmentally acceptable, then the real issues regarding Crossgates will finally be on the agenda: jobs, change, growth, the social and economic make-up of the community and lifestyle. And they will have to be decided by the local government.