

AGENDA
EMC MEETING

January 10, 2013 ■ 4:00 p.m.

LOCATION: Old Jail Conference Room (125 E. Court Street)

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| I. | Privilege of the Floor | 4:00 |
| II. | Changes to the Agenda & Approval of 11/08 and 12/13 Minutes | 4:05 |
| III. | Election of Officers for 2013 – <i>Nominating Committee</i> | 4:10 |
| IV. | Committee Reports and Member Questions
Energy, Environmental Review, Gas Drilling, State of the Environment, Executive | 4:15 |
| V. | Municipal Reports
Village of Lansing – <i>John Dennis</i>
Village of Cayuga Heights – <i>Brian Eden</i>
Town of Lansing – <i>Darrick Evensen</i>
Village of Dryden – <i>Martha Ferger</i>
Town of Groton – <i>Pegi Ficken</i>
Town of Caroline – <i>Steve Nicholson</i>
Town of Ulysses – <i>Lucia Tyler</i> | 4:25 |
| VI. | Staff Reports | 4:30 |
| VII. | Member Items | 4:35 |
| VIII. | Discussion: Evaluation of 2012 Activities/Member Expectations and Contributions 2013 | 4:40 |
| IX. | Discussion: Formation of Core Committees – <i>Scott Doyle</i> | 4:50 |
| X. | Core Committee Break-Out Session & Reconvene for Report Back | 5:00 |
| XI. | Adjournment | 5:30 |

Upcoming Meeting Dates: February 14 and March 14

Reminder to Members:

If you are unable to attend, please contact:
Steve Nicholson, Chair (scnfish@gmail.com) or
Kathy Wilsea, Secretary (274-5560 or kwilsea@tompkins-co.org).

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7 **DRAFT -- Minutes of the EMC Regular Meeting**
8 **November 8, 2012**
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10 **Voting Members Present (15):** Spring Buck, John Dennis, Brian Eden, Kate Engler, Darrick Evensen, Martha
11 Ferger, Pegi Ficken, Emily Hamilton, Katie Kelly, Jim McGarry, Scott Miller, Steve Nicholson, Carolyn
12 Peterson, Gary Stewart, Ed Wilson

13 **Voting Member Excused (2):** Kenny Christianson, Dan Lamb

14 **Voting Member Absent (5):** Poney Carpenter, Bill Halton, Kristine Shaw, Lucia Tyler, Roger Yonkin

15 **Non-Voting Member Present (1):** Peter Harriott

16 **Guests Present:** Carol Czimback, Fernando de Aragon, Dwight Mengel, George Taber, Ray Weaver

17 **Staff Present:** Scott Doyle, Kathy Wilsea

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19 **Call to Order** – The meeting was called to order by Chair Steve Nicholson at 4:05 PM.

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21 **Privilege of the Floor** – There were no guests who wished to speak under Privilege of the Floor. Member Ed Wilson outlined the
22 steps necessary for Cornell University to renew their DEC SPDES permit for the Lake Source Cooling facility, and spoke of the
23 study that will be undertaken and how data will be used by DEC in determining Total Maximum Daily Load for phosphorus. Ed
24 distributed copies of a press release from the Town of Ithaca with corrections/clarifications from Cornell staff, and bookmarks
25 with the web address for the Cayuga Lake Modeling Project (cayugalakemodelingproject.cornell.edu). The study is a \$2 million
26 project that will tie together sampling results and a new watershed model to assess phosphorus sources. Lake Source Cooling
27 draws water from a cold/deep location and releases it at a warmer temperature on the southern shelf of Cayuga Lake, so the
28 process moves phosphorus.

29
30 **Transportation Initiative of the Year Award** – For the Executive Committee, Spring Buck presented the 4th TIY award to
31 Fernando de Aragon (Ithaca-Tompkins County Transportation Council), Dwight Mengel (Tompkins County Social Services), and
32 Ray Weaver (Cornell Cooperative Extension) for the Zimride project. Zimride is an organization that allows people to find rides
33 as a joint effort of businesses, organizations, and private citizens. Fernando said the RideShare Coalition, which has no formality,
34 organized this and applied for a NYSERDA grant for startup. It will be evaluated to see if Zimride, which is a company, should be
35 the program they continue to use. Zimride specializes in colleges, so was excited to expand to the whole community.

36
37 **Recent Transportation Initiatives in Tompkins County** – Fernando de Aragon outlined some programs, such as the regional
38 transportation study, which is still in the planning stage and will work with 7 counties in our region. John Dennis asked how the
39 community can discourage idling of vehicles. Fernando said this will be part of Get Your GreenBack. Guest Carol Czimback
40 encouraged education because turning off an idling engine can save gas. Carolyn Peterson said the City does have an anti-idling
41 law on the books. Carol said when her car died she lost her job and couldn't find any information about transportation programs at
42 that time, and it's important for DSS to share information on these programs and for information to be available to the public.
43 Carolyn pointed out many of these program will become useful for seniors as they quit driving. Dwight addressed Gary Stewart's
44 question about where Gadabout is heading, saying Gadabout is having a leadership transition, which is an opportunity to examine
45 how they work and how to cope with their rapid growth. Ridership is up 13% so far this year. He expects they will need to invest
46 in some smart information technology resources to better manage their operation. They are also looking at partnerships and
47 leverages, and checking many opportunities for improvements. Fernando then spoke about local trails, saying the Black Diamond
48 Trail is getting the two bridges needed for completion, but many culverts need replacement and then the trail will be resurfaced.
49 Town of Ithaca has earmarked funds for the trail near Buttermilk Falls State Park. Because federal programs are shrinking, we all
50 need to stay smart about looking for funding.

51
52 **Approval of Minutes** – The September draft minutes were accepted without change. The October draft minutes were accepted
53 with addition of the names of two guests. Final minutes are available on the EMC webpage: www.tompkins-co.org/emc.
54

55 **Resolutions** – Steve Nicholson announced the UNA Committee wishes to hold draft resolution 03, which amends boundaries,
56 until a future meeting. The Planning Department will help in 2013 with some contract funds to fine-tune the boundary proposals.
57 Draft resolutions 1 and 2 were removed from the table. Discussion: Scott Doyle said Mina Amundson, Cornell University
58 Planner, conferred with Tom Livigne (Cornell Real Estate) and Todd Bittner (Cornell Plantations) and informed Scott that they
59 supported the additions. They also proposed some boundary changes for existing UNAs. The only criticism heard at the public
60 meeting on 10/16 came from landowners who were concerned about people who might want to visit private property.

61
62 *Resolution 01:* Amendment to the UNA Inventory Document for addition of a new UNA to be called Hawthorn Orchard UNA-
63 193 – passed by unanimous show of hands.

64
65 *Resolution 02:* Amendment to the UNA Inventory Document for addition of a new UNA to be called Salt Road Fen UNA-194 –
66 passed by unanimous show of hands.

67
68 Concerning sharing information with the public, Brian Eden said we need to have specific language about private property, and no
69 matter is to be removed from UNAs. Some people are very interested in the plants. Information concerning private property
70 should be on each individual UNA datasheet, as most people don't see the whole binder. Steve Nicholson thanked members of the
71 UNA Committee.

72
73 **Committee Reports** – Energy: Brian Eden reported they are examining how to support the Tompkins County 2020 Energy
74 Strategy. The County's current energy contract expires at the end of this year. Peter Harriott and Brian made comments at PDEQ
75 meetings. The County will buy renewable certificates. The committee will reassess the situation next year. County Administrator
76 Joe Mareane presented a PowerPoint slide show at PDEQ, which will be reviewed at a committee meeting. Environmental
77 Review: Jim McGarry reported the committee submitted comments on the proposed Newfield solid waste transfer station, citing
78 several reasons DEC should not issue a permit. Gas Drilling Working Group: Martha Ferger reported they met on 11/7 and
79 discussed plans to make a comprehensive survey of sources of road salt used by all town highway departments as well as the
80 County and State highway departments. Our concern stems from the fact that increasing fracking activity in PA is undoubtedly
81 producing more flowback water that may be offered for sale in our area as a cheap source of brine. State of the Environment:
82 Kate Engler reported they have met regularly, and Darrick Evensen joined this committee. They hope to have a draft document in
83 January. Executive: Brian reported the Invasive Species list has been updated, but the old one still shows on Google search. He
84 encouraged new members to sign up for committees at the January organizational meeting. Steve reported the Executive
85 Committee has agendas drafted for the first few months of 2013.

86
87 **Staff Report** – Kathy Wilsea said many members need to apply for reappointment, and passed around blank forms. Scott Doyle
88 reported solar panels are going up on seven County buildings. He has been working with municipalities to develop a draft Hazard
89 Mitigation Plan. Recent storms bring focus to the need for this plan. The group hopes to have a draft document by the end of this
90 year. The County received grant funding to update the Agriculture Plan (previously published in 1996).

91
92 **Member Items** – Gary Stewart suggested EMC meet at the Sustainability Center when it opens next year. Brian Eden attended
93 the public meeting on Hydrilla last night, where lots of information was provided. The Task Force hasn't "crunched their
94 numbers" yet. One sprig of Hydrilla was found at the red lighthouse, but that was the only one found outside the Inlet. Brian
95 organized those people who wanted to talk about the technical aspects of the herbicide, and he stays in touch with them and Roxy
96 Johnston. One variety of Hydrilla in Florida has resistance to Floridone. New herbicides are being developed. The University of
97 Florida has a big federal program on Hydrilla. Liz Cameron, of Tompkins County Environmental Health, reported at last night's
98 meeting that no traces of herbicide were found at the test site between the Inlet and Bolton Point. Steve Nicholson reported
99 Energy Independent Caroline is working with a Madison County citizen on setting up a purchasing cooperative for solar panels.
100 Brian said he has asked Cayuga Heights about using their outfall for hydropower. He toured the outfall this week and the Village
101 is considering a study. On 11/29, Tom Whitlow's class will have a presentation on deer impacts. Ithaca College students are
102 trying to get the State to build a sidewalk down Aurora Street, and Brian thinks EMC should consider supporting that.

103
104 **Appointment of 2013 Nominating Committee** – Steve said the Nominating Committee has the task of forming a slate of officers.
105 The Council votes on Chair in December and three other members of the Executive Committee in January. Darrick Evensen, Kate
106 Engler and John Dennis volunteered. Kathy Wilsea will email information on duties of officers to all members.

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108 **Adjournment** -- The meeting adjourned at 5:14 PM.

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110 Respectfully submitted,
111 Kathy Wilsea, Secretary, Tompkins County Planning Department
112 Approved by Council on _____, 2012

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8 **DRAFT -- Minutes of the Environmental Management Council Special Meeting**
9 **December 13, 2012**
10 **Public Meeting on the Proposed Cayuga Lake Modeling Project**
11 **Tompkins County Public Library**
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14 **EMC Voting Members Present (15):** Steven Bissen, Spring Buck, John Dennis, Brian Eden, Kate Engler, Darrick
15 Evensen, Martha Ferger, Emily Hamilton, Jim McGarry, Scott Miller, Steve Nicholson, Carolyn Peterson, Gary
16 Stewart, Lucia Tyler, Ed Wilson

17 **EMC Voting Member Excused (1):** Pegi Ficken,

18 **Voting Member Absent (7):** Poney Carpenter, Kenny Christianson, Bill Halton, Katie Kelly, Dan Lamb,
19 Kristine Shaw, Roger Yonkin

20 **Non-Voting Member Present (1):** Dooley Kiefer

21 **Staff Present:** Scott Doyle, Kathy Wilsea
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23 **Guest Presenters:** Sharon Anderson (moderator -- Cornell Cooperative Extension), Steve Effler (Upstate Freshwater
24 Institute), John Halfman (Finger Lakes Institute/Hobart & William Smith Colleges), Darby Kiley (Coordinator,
25 Cayuga Lake Watershed Intermunicipal Organization), Jeff Myers (Director, NYS Department of Environmental
26 Conservation Bureau of Water Assessment and Management)

27 **Water Resources Council Members Present (9):** Sharon Anderson, Roxanna Johnston, Darby Kiley, Jose Lozano,
28 Steve Penningroth, Marjory Rinaldo-Lee, Craig Schutt, Tom Vawter, Linda Wagenet

29 **Other Guests signed in (31):** Jim Adams, Steve Beyers, Bert Bland, Dave Bouldin, Becky Bowen, Andrew Casler,
30 Rich DePaolo, Jeremy Dietrich, Barbara Eden, Seth Eden, Chris Engler, Herb Engman, Jeff Furst, Fay Gougakis,
31 Walter Hang, Angel Hinickle, Tony Ingraham, Lanny Joyce, Barbara Lifton, Dave Matthews, Pat McNally, Liz
32 Moran, Joe Schwartz, Seth Schweitzer, Ken Smith, Joe Solomon, Katie Stoner, Sue VanPatten, Tom Whitlow,
33 Stephanie Wostowicz, Matt Yarrow
34

35 **Call to Order** – The meeting began at 4:03 PM with word of welcome from the Moderator, Sharon Anderson, and
36 background from EMC member Brian Eden. Brian said local interest in the health of Cayuga Lake seems to be limited to
37 ecosystems, but climate change also needs to be discussed in the future. Guest speakers were introduced.
38

39 **DEC:** Jeff Myers, Director of the Bureau of Water Assessment and Management for DEC, said his office collects
40 information on all waterbodies. He has been involved in Cayuga Lake issues for the last nine months. He provided a slide
41 show. The reasoning behind the draft permit for Lake Source Cooling is that DEC remains uncertain focusing on LSC will
42 resolve the water quality problems of Cayuga Lake. Water quality impacts predate LSC and phosphorus is increasing
43 lakewide. The reductions of phosphorus from wastewater treatment have no reduced overall levels of phosphorus in the
44 lake. The planned modeling project will address phosphorus on the southern shelf of Cayuga Lake and find out if some is
45 coming from the rest of the lake. The draft SPDES permit is out now, and DEC feels this is the best opportunity to gather
46 data and proceed to Total Maximum Daily Loads (TMDL). TMDL limits will replace the default limits of the SPDES
47 permit. He noted there is currently no phosphorus limit on the LSC discharge.. Cornell must meet TMDL or final
48 phosphorus limits, which may include relocation of the outfall site.
49

50 **Upstate Freshwater Institute:** Steve Effler provided background on UFI, which will be conducting the lakewide
51 phosphorus study. UFI is a not-for-profit research organization. The end product will link water quality application to
52 phosphorus, which DEC will use for establishing TMDLs in Phase 3. Dr. Effler described the tasks for UFI and Cornell

1 University for Phases 1 and 2. UFI will document phosphorus bioavailability, which will be analyzed by a national expert.
2 Sampling sites will be throughout Cayuga Lake, some weekly at the southern end, and some bi-weekly. Some water quality
3 sampling will be at depth and some at the surface. He stressed it is important to use all available data – soluble reactive
4 phosphorus, dissolved phosphorus, total phosphorus, and inorganic forms. The goal is to integrate all into the modeling
5 initiative.

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7 **Finger Lakes Institute:** John Halfman was present as an independent panelist to provide insights from his work in eight of
8 the Finger Lakes. He provided data on his work in the lakes, showing secchi depths, soluble reactive phosphorus records
9 from surface and bottom water collections, and much more in a quick review. He noted Cayuga Lake has many streams into
10 the south end of the lake. Phosphorus levels here have been dropping since reductions were instituted for wastewater
11 treatment. He showed correlation between phosphorus levels and reduced rainfall the last few years.

12
13 **Cayuga Lake Watershed Intermunicipal Organization:** Darby Kiley said the IO has a Restoration and Protection Plan
14 (RPP) which is a watershed management plan for the whole lake. This may or may not be useful to DEC, and is based on
15 IO's Watershed Characterization of 2000. The RPP has eleven strategies for action. The biggest project was accomplished,
16 which was establishment of the Floating Classroom. She met today with representatives of the Department of State about
17 funding for an update to the RPP. There are many new issues to address, including updating priorities of the municipalities,
18 but going forward depends of municipal participation. The IO needs to coordinate with regional groups to target the best
19 projects to be addressed.

20
21 **Question and Answer Period:** Sharon Anderson reviewed ground rules. Brian Eden noted the open comment period to
22 DEC will end December 19.

23
24 Q: Do we know we will have TMDLs? How would they be developed for non-point source (NPS) phosphorus?

25 A: Jeff Myers: There are well-established ways of setting TMDLs. NPS phosphorus is a large part of the load. The
26 Watershed Modeling Project will show activities on the landscape that contribute to tributaries. Point sources are easier to
27 identify. Non-point sources are more difficult and we need to set reasonable assurances based on research. DEC has
28 experience in this from other watersheds.

29 A: Steve Effler: A land use phosphorus model is in the study. These have been extremely valuable elsewhere. This will
30 quantitatively assess how much particulate phosphorus is capable of growing algae. Usually the bioavailable percentage of
31 phosphorus is small – 10 to 15%, sometimes 20%.

32
33 Q: Didn't UFI have a role in designing Lake Source Cooling? Wasn't a full study wanted then and Cornell refused to do it?
34 Are there examples anywhere else in the world of facilities like LSC?

35 A: Steve Effler: UFI helped develop the sampling program for LSC.

36 A: John Halfman: Other locations have shown that when warm water is deposited back into deep water, it will rise to the
37 surface. Maybe the outflow should be moved up the lake, but remain at a shallow depth. He doesn't feel there would be
38 much difference between having the discharge on the shelf or in deep water.

39 A: Steve Effler: It is not clear the current discharge site is bad. The study will examine whether it needs to be moved.
40 Science first.

41 A: Jeff Myers: Concerning whether or not a similar facility exists anywhere else, he is not aware of other locations. DEC
42 wants better certainty. They want to have data before they dictate relocation of the outfall. Study may confirm the need to
43 move the outfall, or the need to do more on the land.

44
45 Q: Will DEC identify stakeholders to participate in TMDL establishment?

46 A: Jeff Myers: There are a few steps before that. TMDL is a fairly public process, and we are not at a stakeholder phase
47 yet.

48
49 Q: LSC contributes half of phosphorus. Why not do some mitigation now instead of allowing a higher limit temporarily?

50 A: Jeff Myers: Limits follow a typical process and current policy. To meet the water quality level that is in place, they are
51 based on facility history. LSC is not treating wastewater, it is moving water, and there is currently no limit at LSC.

52 Q: John Halfman: If giving permit to a coal-fired power plant, would that have TMDL on phosphorus?

53 A: Jeff Myers: He is not well-versed on that. His office has policies that limit to current discharge.

54
55 Q: The modeling is geared to the entire lake. If appropriate, would delineation be done between the south end and the main
56 body of the lake for the purpose of regulations?

1 A: Jeff Myers: It's unlikely. The reason for the delineation has to do with the stream classifications and the shelf. If the
2 study shows need to change the delineation it is possible, but he does not expect that.
3

4 Q: Doesn't the impaired designation extend to Taughannock?

5 Q: Jeff Myers: He believes segmentation is based on classification, and aligns mostly with the southern shelf. Most in
6 NYS align to stream classifications.
7

8 Q: What is the justification for linking the study to the permit renewal?

9 A: Jeff Myers: This is because of the resources involved. His department has long been interested in establishing TMDL
10 for Cayuga Lake. The study budget is \$2 million. His whole DEC department budget is \$800,000 per year. Cornell
11 University has the resources to do this study.
12

13 Q: As part of the plankton study, are any fish experts involved?

14 A: Steve Effler: Yes, fish experts are involved. But fish studies are not a work element in the water quality monitoring.
15 The majority of water quality models would not explicitly involve fish studies.
16

17 Q: Giant circles were used on the map to show sampling sites. Are detailed maps available? Can we include sampling sites
18 in our comments?

19 A: Steve Effler: We do have specific locations planned, and will work with GPS locations.

20 A: Jeff Myers: This will be part of public outreach. The Quality Assurance Plan will have sampling program oversight. As
21 data becomes available, it will be available to the public and may be the topic of some conference calls. The TMDL process
22 has a public component. The current public comment period is for the overall permit.
23

24 Q: The permit was illegal and violates existing laws. It contained a provision that increased phosphorus would mean
25 amendment to permits, but this was not enforced. TMDL was a high priority in 2004 and sources were never cleaned up.
26 When will TMDL be implemented?

27 A: Jeff Myers: DEC is enforcing the existing permit, but people have looked at it and disagreed. DEC's General Counsel
28 has examined the issue and is satisfied with the current approach. He screened Cayuga Lake for the 303d Impaired
29 Waterbodies list and wanted TMDL, but DEC doesn't have resources to do it. This study and permit will move DEC toward
30 decisionmaking.
31

32 Q: There is a statewide backlog that could take 75 years for creating TMDLs. When will resources be available?

33 A: Jeff Myers: We recognize the need to get information and activities in place. DEC will develop TMDL based on this
34 model. This permit and model allows us to go forward.
35

36 Moderator Sharon Anderson said guest panelists will take walk-up questions, too. The meeting ended at 5:38 PM
37

38 Respectfully submitted,

39 Kathy Wilsea, Secretary

40 Tompkins County Planning Department

41 Approved by Council on _____, 2013