

Minutes of the EMC General Meeting November 9, 2011

Voting Members Present (7): Kenny Christianson, Brian Eden, Martha Ferger, Dan Lamb, Jim McGarry, Steve Nicholson, Kristine Shaw

Voting Members Excused (5): Spring Buck, Katie Kelly, Gary Stewart, Lucia Tyler, Roger Yonkin

Voting Members Absent (2): Sarah Adams, Eric Banford

Non-Voting Member Present (1): Peter Harriott

Staff Present: Scott Doyle (Coordinator), Kathy Wilsea

Call to Order – The meeting was called to order by Chair Steve Nicholson at 7:04 p.m.

Privilege of the Floor – There were no visitors who wished to speak under Privilege of the Floor.

Changes to the Agenda and Approval of Minutes – There were no changes to the agenda. There were no changes made to the draft minutes of October 12, 2011. The minutes were not finalized due to lack of a quorum.

Comments to DEC on the Gas Drilling dSGEIS – Martha Ferger said she has examined our comments made in 2009, and feels this time DEC prefers comments to be more specific. The introduction and four components provided to members prior to the meeting were available for comment. Brian Eden spoke of the item he is drafting for contribution on wastewater treatment. Although no wastewater treatment plants in New York responded to DEC's inquiry about plants that were interested in upgrading to have the capacity for treatment of flowback, Niagara Falls has been quoted in the press as now considering this. On-site treatment is a DEC favorite, and would involve reuse of flowback, but to Brian it seems weak to have so many small systems. Deep well injection is another way to dispose of flowback, but Bill Kappel of USGS says our rock is not suitable. The fourth disposal method is injection to the same strata. Beneficial use of brine as a deicer was tested, then stopped because the flowback has some radioactive component. But flowback is considered non-hazardous industrial waste. Marcellus has some radioactivity in flowback, and that can contaminate treatment plants and pipes. Natural gas production produces 40% of methane in the United States, and the dSGEIS does not mention the NYS Climate Protection Plan. Radon dissipates (half life of 3.8 days) but R226 is more dangerous, especially to workers who are most exposed, and it has impacts on aquatic life. Brian will try to gather comments into a short, concise statement that is technically correct.

Dan Lamb said he attended a meeting today with Jim Tierney of DEC. DEC expects a lot of duplication in comments and all comments will be sorted and read. We need to submit substantive comments. Kristine Shaw said we should try to have novel comments, rather than unique. 25 counties commenting on a certain aspect still have an impact. We should focus our energies, realize our limitations and comment as we can.

Brian said under the draft a permit holder has to identify and certify that they have a disposal site. Do we support out-of-state shipment of waste? When Brian worked on the CU Veterinary School waste system, the group wanted to be responsible for treating the waste locally. It took many years to negotiate local treatment, but they felt if the benefits were local, the negative aspects should be resolved locally, too. He is also opposed to shipping waste due to greenhouse gas emissions of transport. Peter Harriott noted Pennsylvania and Ohio are sending us SO₂ gases, and we object to that.

Brian will finalize his flowback treatment/disposal comments. Kristine will send some comments on the notification process, which she already drafted for Town of Ithaca. Kenny Christianson will write about the need for local officials to have access to the drilling sites, noting that under the draft DEC is the only body allowed to inspect sites. A timeline was established for completion of the comments: 12/1 final draft will be distributed by email; 12/5 any

comments are due to Martha Ferger and considered for inclusion; 12/7 to Executive Committee; and 12/12 is the deadline. Executive Committee accepts responsibility for submitting to DEC digitally and by paper copy. Scott Doyle will circulate Planning Department draft comments 11/18.

Planning a State of the Environment Report – Scott Doyle said EMC has a lot of action to report, particularly effort for restructuring of the council. This can be sharpened into an opinion piece, including the future of the council, and pointing out areas of concern.

Update on Restructuring of EMC – Dan Lamb reported on his attendance at the County Legislature's PDEQ committee meeting 11/2. He feels restructuring has the overall support of the Legislature. Dooley Kiefer opposes this proposal, and spoke against it at PDEQ. Pat Pryor has concerns about finding an appropriate citizen from her district to serve, and Dan wanted Legislators to consider this an opportunity to get to know and interact with their constituents. Dan will try to rewrite the resolution with Pam Mackesey and Pat Pryor to address issues raised at the meeting, and return 12/7.

Results of Doodle Poll Concerning Meeting Dates – Steve Nicholson reported that 13 respondents preferred moving meetings to 4PM on the second Thursday of the month. So we will do that beginning with the January 12, 2012 meeting. Location will be worked out, with Kathy Wilsea checking on possibilities that will include 395 Pine Tree Road and the Transit Center.

Establish Nominating Committee – Steve Nicholson appointed Kenny Christianson, and asked Kenny to check with Eric Banford and Lucia Tyler about their willingness to serve. The Nominating Committee finds candidates for officer slots.

Committee Reports – Unique Natural Areas: Dan Lamb reported they met this week and are making progress. Consultant contracts are in place for boundary changes of 38 sites and consideration of two new sites. They are having discussions on species lists.

Municipal Reports – Cayuga Heights: Brian Eden provided an update on his written report. The Village is the subject of a lawsuit concerning the recently-passed deer management plan. The plaintiffs are appealing the County Supreme Court decision, so this will go to the NYS Supreme Appellate Court.

Reports – Chair: Steve attended the Conference on the Environment, which he said was well attended and productive. He will serve as Vice Chair of the NYS Association of EMCs next year. Staff: Scott Doyle said staff is busy at the office. Ed Marx is working on leasing of photovoltaic units for County buildings. Scott is coordinating tree planting for a stream buffer project on Fall Creek near Ithaca High School.

Member Items – Brian reported he has established a public meeting on December 1st for a report from Tom Whitlow's fall class on dredging concepts. The class went to Baltimore to see dredging in the harbor and how the spoils are being used for construction of wetlands in the Chesapeake. The 12/1 event will be in the Thaler/Howell Room at the Public Library and will present some ideas for opportunities in Cayuga Inlet. Brian noted Whitlow is not as concerned about Hydrilla in the Inlet as many other local scientists are, and that will also be part of the presentation. Martha Ferger said she heard about an idea to have a local meeting to voice concerns on the dSGEIS and comments would be submitted to DEC. This is organized by ShaleShock and TCCOG, who think the official public hearings are too far away. If this occurs on 12/1 it would conflict with the dredging meeting. Brian also reported NYS just approved a State deer management plan for 2012-2017. They may set up experimental areas, and one could be local due to Cornell's experience. Steve Nicholson said Caroline is trying to buy 100% renewable energy and they are finding MEGA prices to have come down. Brian said TCCPI had a discussion recently on electricity costs for the Library. Kenny Christianson and Peter Harriott pointed out data for the Library needs to take into account that the County only paid half of the price of the solar panels, and the rest was a grant. Brian said solar prices are dropping fast due to Chinese production of panels, and that is good news. Steve pointed out Caroline and Dryden candidates who were elected were all opposed to gas drilling in the towns.

Adjournment – The meeting was adjourned at 8:58 p.m.

Respectfully submitted, Kathy Wilsea, Secretary, Tompkins County Planning Department
Approved by Council on December 14, 2011