

## **Minutes of the EMC General Meeting November 18, 2009**

**Voting Members Present (15):** Spring Buck, Roberta Dixon, Martha Ferger, Dan Lamb, Katie Kelly, Stan Marcus, Jim McGarry, Steve Nicholson, Amy Risen, Roger Segelken, Kristine Shaw, Gary Stewart, Lucia Tyler, Mark Whitmore, Roger Yonkin

**Voting Members Excused (3):** Kenny Christianson, Larry Sharpsteen, Andrea Turner

**Voting Members Absent (1):** Tony Nekut,

**Non-Voting Members Present (2):** Joyce Gerbasi, Dooley Kiefer

**Guests Present:** Risa Sokolsky

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

**Call to Order** – The meeting was called to order by Chair Amy Risen at 7:06 p.m.

**Privilege of the Floor** – Risa Sokolsky, an Enfield resident, was welcomed.

**Changes to the Agenda** – Reports will be skipped for the Communications/Website and Consumer Products committees.

### **Reorganization of the EMC – Shaping our meeting agenda and committee and leadership structure to meet our goals**

– Scott Doyle brought attention to the history sheet and charts organized from comments gathered at the meeting in October. He said he realizes volunteers have full schedules. He asked what would help the group operate efficiently. When he was an EMC member, he enjoyed the challenges and comradery. He asked how EMC should frame committees (based on experience here and in other groups) and how committees can accomplish their work. Comments included need to break up tasks and have point people for projects, need for clear tasks, need for fewer goals, need for fewer committees, difficulty in scheduling meetings. It was suggested meeting times be established prior to signups. There was discussion on ERC, its workload and its role in interacting with the municipalities. Lucia Tyler commented that Jim McGarry deserves three gold stars for chairing ERC this year. Mark Whitmore found comments to be interesting, and said he doesn't see commitment and participation on the committees. He stressed that EMC membership requires committee work. Jim said ERC usually only has three members active on a topic. While he has tried to get project leaders, this has not been successful.

Scott asked how committees relate to meetings in a broader sense. There were suggestions of adjusting the meeting schedule to have less speaker time, have a committee arrange a speaker for 20 to 30 minutes and follow it up with how this information relates to current committee work, having all committees report at the meetings, having committee meetings before or during the monthly EMC meeting (difficult for members who serve on more than one committee), combining email participation with face-to-face meetings, interacting with municipalities to select meeting topics, arranging public events for people who wish to address EMC but have a topic we are not working on, making presentations to the County Legislature's PDEQ committee, and having committee vice chairs to keep scheduling on track and/or provide reports. Gary Stewart said he would like to get help from the Legislature to fill council vacancies. Lucia Tyler pointed out the participation by municipalities in Tompkins County Council of Governments (TCCOG) is draining liaison efforts. Gary felt the formation of Sustainable Tompkins has also affected our ability to draw new members.

There was also discussion on what functions would be useful to perform prior to the January organizational meeting. Should committees be established before January, and signup take place in January? Members said they found the history list interesting, and thought-provoking in term of planning for the future. The obligations of EMC should be reviewed so all are aware of them. Mark said he would like feedback from municipalities on usefulness of ERC comments, and from the Legislature on our overall performance. Steve Nicholson said not hearing from the Legislature is probably a case of "no news is good news". Presume we are doing OK. Dooley Kiefer suggested reviewing action items for the Tompkins County Comprehensive Plan to prepare for our committees and goals.

**Critical Environmental Areas and other criteria that can be used in the gas drilling permitting process** – The UNA committee discussed this at their last meeting. Steve Nicholson reported the Town of Caroline's Planning Board has established a CEA committee to examine how they could be used in Caroline to prepare for gas drilling. There is one CEA in Tompkins County, established over 30 years ago. CEA is a State designation for State land, otherwise municipalities institute the designation process, write an EIS, hold a public hearing, and the municipal board acts on the designation. The Caroline Planning Board sent correspondence to 1300 households, and received over 120 responses. The letter included a checklist for concerns, and asked about nearby agriculture land not being used for ag, location of water wells, and information on abandoned gas wells. Responses are being compiled.

The CEA designation process triggers a full Environmental Impact Statement. There are 20 UNAs in Caroline, which the committee feels match qualifications for CEAs in that flora, fauna and geology are documented, plus maps are ready. The Town thinks this is enough information. A representative of the City of Ithaca visited them and indicated the City wants the entire Sixmile Creek watershed designated a CEA. 70% of the watershed is in Caroline. The entire watershed would need to be designated.

Mark Whitmore said he sees UNAs as an important view of habitat for flora and fauna. He feels CEAs serve a different purpose. The UNA Inventory was developed using an agreement with private landowners not to publicize locations. These are not parks. The owners do not want visitors. He feels more precise boundaries are required for CEAs. It would be time consuming and expensive to establish precise boundaries. Many UNAs are wetlands, with higher definition. Steve acknowledged UNAs were meant to have fuzzy delineation, but in reality all of our maps are lines on paper. Caroline wants fuzzy boundaries. Joyce Gerbasi reminded members that individual landowners were advised the UNA designation would not be regulatory. Changing to CEAs uses the information differently. Kristine Shaw said the Town of Ithaca is also considering this for their part of the Sixmile Creek watershed. Designation could activate DEC review, and is seen as one of the few things a municipality can do to provide protection. Katie Kelly asked if there is a procedure to reverse the designation, and Steve did not know if a municipality can do so. DEC has the right to reverse designation during litigation.

Mark said it has been good to involve the full council in this discussion, as he now sees CEAs as a good use for Steve's argument. Steve said all the existing CEAs in the state are decades old, and DEC did the mapping before counties had mapping capability. At the NYSAEMC conference last week, Steve asked a Sierra Club lobbyist about this, and was told to "go for it".

**Committee Report** – Amy Risen announced the Gas Drilling ad hoc Committee has completed comments to DEC on the draft supplemental GEIS on gas drilling. It was emailed to members yesterday. Although it was intended that no more edits would be done, she has spotted a few typos. The letter was edited in discussion. Stan Marcus moved to accept the amended letter as the final version and send it from the full council, which was seconded by Mark Whitmore. There was further discussion on formatting. Motion passed by unanimous vote (13:0).

**Approval of Minutes** -- The minutes of October 14, 2009 were accepted with one correction: the move of Katie Kelly's name from attendees to members excused. Final minutes are available on the EMC webpage: [www.tompkins-co.org/emc](http://www.tompkins-co.org/emc).

**Reports** – were not addressed due to lack of time.

**Member Items** – Steve Nicholson said he had a conversation with Tom Livigne of Cornell Real Estate. Mr. Livigne explained that solar panels will not be permitted in the front yard (by the pond) of the new Health Facility on Brown Road because of the park-like atmosphere desired. They would be permitted on the roof and at the rear of the building.

**Adjournment** – The meeting was adjourned at 9:22 p.m.

Respectfully submitted,  
Kathy Wilsea, Secretary, Tompkins County Planning Department

Approved by Council on December 9, 2009