



## 2012 ANNUAL REPORT

### TOMPKINS COUNTY

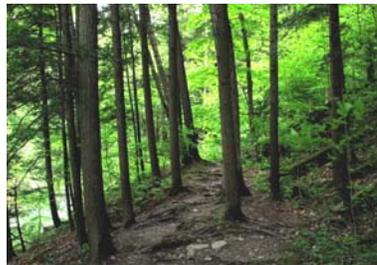
<http://www.tompkins-co.org/emc>

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#### ORGANIZATION AND ADMINISTRATION

The Tompkins County Environmental Management Council (EMC) was created in 1971 by a resolution of the County Board of Representatives. The EMC acts as an advisory body to the County Legislature on matters affecting the preservation, development and use of the natural features of the County. The EMC identifies problems, proposes priorities, and coordinates activities in the development and management of our natural resources. It provides a public forum to discuss issues related to the natural environment in Tompkins County.

Staff and equipment are shared between the EMC and the Tompkins County Planning Department. The EMC reports directly to the County Legislature's Planning, Development & Environmental Quality Committee (PDEQ).



Steve Nicholson served as Chair. The Chair reports to PDEQ on the EMC's projects throughout the year and serves as the group's primary spokesperson and liaison to the Legislature. Spring Buck, Kenny Christianson and Brian Eden served as Vice Chairs.

Scott Doyle, of the Tompkins County Planning Department, was the Tompkins County Planning Department staff member who served as Coordinator. He coordinated EMC activities with other governmental advisory boards, County departments, and the Legislature.

EMC members are appointed by the County Legislature to serve two-year terms. Municipal members served as representatives from the City of Ithaca; the towns of Caroline, Danby, Enfield, Groton, Ithaca, Lansing, and Ulysses; and the villages of Dryden, Cayuga Heights and Lansing. Municipal representatives provide an important link between countywide and local issues by giving periodic municipal reports to the Council. EMC also has twelve at-large voting seats. Three associate members were appointed to participate on EMC committees. Members have a variety of backgrounds and levels of expertise.



## PUBLIC MEETINGS

In keeping with the charge of the Legislature to provide a public forum to discuss issues related to the natural environment, EMC sponsored three well attended public meetings on topics of local interest: *Hydrilla in Cayuga Inlet* in April at Cornell Plantations, *Unique Natural Areas* in October at the Tompkins County Public Library, and *Proposed Cayuga Lake Modeling Project* in December at the Tompkins County Public Library.

## RESOLUTIONS

The EMC adopted two resolutions concerning additions to the Unique Natural Areas Inventory in 2012. Action followed a September slide show, "Proposed Changes to the Unique Natural Areas Inventory", information provided to the full council by Robert Wesley and Karen Edelstein, and discussion of public comments received at a special meeting held at the Tompkins County Public Library in October. Resolution 01 of 2012 created Hawthorne Orchard as UNA 193, which met our criteria as an important birding site, cultural site, designated natural area/preserve, diverse fauna, important teaching site, rare/scarcce animals, recreational value, urban green space, and scenic/aesthetic value. Resolution 02 of 2012 created Salt Road Fen as UNA 194, which met our criteria for remarkable botanical reasons, the high number of species at the site (including many rare and scarce ones), the number of typical or characteristic rich fen species, and the number of plants of the globally rare globeflower.

## PRESENTATIONS AND DISCUSSIONS

Special presentations and discussions at the regular monthly meetings included:

City of Ithaca Priorities Concerning the Environment - *Svante Myrick, Mayor of Ithaca*

Recycle and Repurpose on Cornell Campus – *Spring Buck*

All Hazard Mitigation Planning – *Scott Doyle*

Green Umbrella – *K.C. Alvey*

Tompkins County Energy Conservation Corps - *Keren Bitan & Mariana Caballero*

Recent Transportation Initiatives in Tompkins County — *Fernando de Aragon, Exec. Dir., Ithaca Tompkins County Transportation Council*

## OTHER ACTIVITIES

### Transportation Initiative of the Year Award

At the December meeting, the EMC presented the fourth TIY award to the Zimride project. Zimride is an organization that allows people to find rides as a joint effort of businesses, organizations, and private citizens. It was formed in Tompkins County by the RideShare Coalition, which has no formality, using a NYSERDA grant for startup. The award was accepted by Fernando de Aragon (Ithaca-Tompkins County Transportation Council), Dwight Mengel (Tompkins County Social Services), and Ray Weaver (Cornell Cooperative Extension).

### NYS Association of EMCs

The EMC remained active with the New York State Association of Environmental Management Councils (NYSAEMC). Steve Nicholson continued to serve as at-large director/treasurer of NYSAEMC. In 2012, the annual Conference on the Environment, co-sponsored by NYSAEMC, NYS Association of Conservation Advisory Councils, and Hudson Hills and Highlands Environmental Leaders Learning Alliance, was held in West Point in November. The 2012 theme was "Regional Approaches to Conservation".



## COMMITTEE ACTIVITIES

### Environmental Review

Members: Jim McGarry (Chair), Brian Eden, Kate Engler, Dooley Kiefer, Kristine Shaw

The ERC commented on eleven specific local projects during 2012.

- *Ithaca Dredging Project DEIS (Released Nov. 2011) [January]* Comments focused on improper segmentation of the project, and beneficial alternative uses for the dredged sediment in creating wetlands at the south end of the lake. These suggested alternatives would significantly reduce the energy footprint of the project.
- *Variance Application on steep sloped Cayuga Lake shore [February]* We submitted photographic evidence and comment regarding the habitat destruction and erosion risks to a Tompkins County Unique Natural Area. The variance was denied, but later resubmitted and approved by the municipality with conditions.
- *Cornell Sailing Center Dredging Project February* We commented upon the hydrilla threat and asked specific questions about plans to handle that threat. Dredging has the potential to spread hydrilla tubers. We also disagreed with the designation of this action as SEQR Type 2, not requiring environmental review. We were informed of the steps that were being taken to deal with the hydrilla threat and the project went ahead. None of those steps had been outlined in the documents provided to us.
- *Site Plan Review for the CU Marching Band development [March]* We commented on the storm water management difficulties created, the erosion risk on the steep slopes of Cascadilla Gorge, and the potential for slope failure. The project went ahead unchanged.
- *A Draft Local Law for Preventing the Spread of Invasive Species [May]* We supported the law and suggested several alterations, additions, and clarifications.
- *Proposed subdivision and sale of Cherry Street property by the City of Ithaca [July]* Oral comments were made to City of Ithaca Planning and Development Board regarding the strategic location of the parcel in a riparian flood zone and adjacent to Black Diamond Trail. Some wetlands and forested areas should be retained as buffer, for potential green infrastructure development, or as part of a natural areas corridor from Treman State Park to Cayuga Lake.
- *Cascadilla Landing Development [August]* We commented on this proposed residential and commercial development regarding flooding, traffic, and parking issues as well as the effects on the viewshed of four- and five-story buildings. We also requested a vegetation plan and proposed steps to prevent toxics issues on land so easily flooded.
- *Application for Stream Setback Variance [August]* An addition to a Taughannock Blvd. residence was proposed that was on a steep slope and entirely within the stream setback requirements of local law. The property lies between NYS 89 and the western shore of Cayuga Lake. To protect the steep slope, the stream, and Cayuga Lake, into which the stream flows, we opposed the granting of the variance.
- *Peruville Road Gravel Mine Permit application [October]* The proposed gravel mine is immediately adjacent to, and upslope of, the Nature Conservancy's von Engeln Preserve and a Tompkins County Unique Natural Area. We requested a positive declaration requiring a full environmental review since the owner planned to mine below the groundwater level. The nearby preserves are rare wetlands and require the groundwater flow which may be interrupted by this mining. The permit was issued by DEC, but the mining was restricted to above the groundwater level.
- *Newfield Solid Waste Transfer Station Permit Application [October]* We opposed the granting of this permit for a site on Bishop Road pending a very thorough environmental review. Issues requiring consideration here include watershed protection of a wetland and stream immediately adjacent to the site, maintenance of roads under increased heavy truck traffic, and detrimental impact on this residential neighborhood. The Newfield Town Council has not permitted this project and is now considering a local ordinance against permitting of additional waste facilities for a period of one year to provide time to study the potential impacts.
- *SPDES Permit for the Lake Source Cooling Project [December]* We supported the granting of the permit with its conditions. We did request additional study on organism entrainment in the intake, and sediment transport to the lake which carries most of the phosphorus that the lake receives.



## Executive

*Members: Steve Nicholson (Chair), Spring Buck, Kenny Christianson, Brian Eden*

The Executive Committee met frequently in 2012 to plan meeting agendas and discuss long-term goals. They were instrumental in planning the three public meetings on Hydrilla in Cayuga Inlet, Unique Natural Areas, and the Proposed Cayuga Lake Modeling Project.

Following the fall member recruiting cycle, the committee reviewed applications and forwarded recommendations for at-large appointments to the County Legislature's Planning, Development & Environmental Quality Committee for action.

## Unique Natural Areas Update

*Members: Dan Lamb (Chair), then Steve Nicholson (Chair), Karen Edelstein, Katie Kelly, Scott Miller, David Weinstein, Robert Wesley*

The Tompkins County Unique Natural Areas Inventory represents a longstanding effort to document the notable natural features and habitats within the county. The inventory is intended to aid local officials and property owners in making sound environmental planning decisions. Two new UNAs were established by resolutions (see previous page) in September: Hawthorn Woods UNA 193, and Salt Rd Fen UNA 194.

Funding provided by the Tompkins County Planning Department allowed the contracted consultants to prepare maps, digitize adjustments of new boundaries, analyze faunal datasets from avian, mammalian and herpetological records, and prepare new baseline data for the two new UNAs.



A rating system was used to identify priorities sites for review. Karen Edelstein and Robert Wesley focused on the top 25% this year. Increased information on rare/scarc animals, which was gathered from experts, was integrated with Important Bird Areas. For most proposed boundary changes, these updates "snapped to" tax parcel boundaries. 2009 aerial photos were also used to study plant growth. These proposed changes would result in increased total acreage.

A draft resolution to change boundaries of 42 existing UNAs was postponed into 2013 to provide time for close examination of the proposed amendments by the consultants.

## Gas Drilling Working Group

*Members: Martha Fergler (Chair), John Dennis, Brian Eden, Lucia Tyler*

We were represented with one or more members at every major anti-fracking rally in Albany during 2012 as well as at "Governor's Day" at the opening of the State Fair in August. At that event, sign-waving, chanting activists followed the Governor and his retinue from one pavilion to another during their entire visit.

- In MAY we investigated something from DEC called the Community Air Screening Program but decided that it was only designed for study of very specific point sources of pollution and involved use of equipment not widely available.
- In JULY we communicated with the Tompkins County Strategic Tourism Planning Board about comments on fracking in a report they were issuing, finding them much to our liking.
- In JULY we wrote to the Governor, reacting strongly against the trial balloon he had floated about possibly allowing fracking in a few selected counties as an experiment.
- In NOVEMBER we decided to undertake a comprehensive survey of the sources of road salt used on town, county and state roads in Tompkins County. This work is ongoing.
- In DECEMBER we sent a letter to DEC requesting a longer period than the 30 days (Dec. 12 to Jan 11) which they had designated for comments on the more than 300 pages of proposed fracking regulations which they had released at the end of November.
- In DECEMBER we spent countless hours writing comments on the proposed regulations, both as individuals and in the name of the Working Group. The latter were submitted on Jan.11.

## State of the Environment

*Members: Kate Engler (Chair), John Dennis, Brian Eden, Darrick Evensen, Carolyn Peterson*

This committee was formed in May with the charge of creating an updated State of the Environment report. The State of the Environment report was last published in the early 1990s and details the strengths and weaknesses of Tompkins County with respect to various environmental issues. As the report has not been updated for many years, the EMC felt it would be useful to create a new report that reflects the environmental issues the county currently faces.

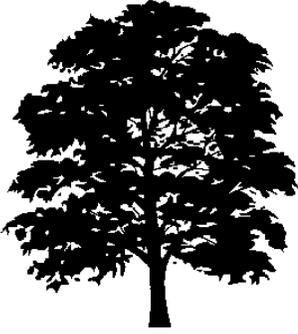
The committee compiled information on county environmental issues such as air quality, transportation, public health, and natural gas development. The committee decided to display this information in a website format rather than in a traditional document format. It is anticipated that the website and the content of the website will be finalized by early April 2013, but it is designed such that the content can be updated as needed in the future.

## Energy

*Members: Brian Eden (Chair), Kenny Christianson, Bill Halton, Peter Harriott, Dooley Kiefer, Steve Nicholson, Ed Wilson*

The Committee engaged in the following activities:

- Prepared a memo to and met with Ed Marx, Commissioner of Planning, in February to seek his support for establishing a routine maintenance program for the solar array installed on the Tompkins County Public Library. Weeds have shaded the solar panels in the past and reduced the output efficiency of the system. There has been no follow-up action taken in response to the recommendations in the report of Renovus Energy (2010). Also discussed the Committee's recommendations for consideration by the County as it prepared to enter into a Program Agreement for the supply of its electricity in 2013.
- Submitted information for the Tompkins County Climate Protection Initiative's Annual Report in February.
- Participated in monthly planning committee meetings of the Coalition of Community Partners for Energy Efficiency and Energy Conservation that led to the formation of Get Your GreenBack Tompkins, a community-based full County energy efficiency campaign, during 2011-2012.
- Provided oral and written comments in April and May, to the Planning, Development, and Environmental Quality (PDEQ) Committee, the Budget, Capital, and Personnel Committee, and the Tompkins County Legislature expressing our concerns with the proposed Local Law to Opt Out of the Tax Exemption (Sec. 487 of the NYS Real Property Law) for the construction and installation of renewable energy equipment. The exemption covers the increase in value to the property for the installation of a solar, wind, or farm waste to energy systems. This Opt Out would not only impact a large proposed commercial facility, the Black Oak Wind Farm, but also small scale family-sited installations which we wished to encourage as community support for achieving the 2020 Energy Strategy.
- Presented an April Earth Day display at the Farmer's Market on limiting the impacts of climate change by, among other recommendations, pursuing local commercial- and customer-sited renewable energy project opportunities. Also made available for inspection a Nissan Leaf all-electric zero emission vehicle loaned to us by Tim Maguire of the Maguire Family of Dealerships.
- The Committee had urged the Tompkins County Legislature to arrange a meeting with Gordon Boyd, Energy Next, the purchasing agent for the Municipal Electric and Gas Alliance (MEGA), who negotiates electricity purchases on behalf of Tompkins County, and Barbara Blanchard, the Executive Director of MEGA, to discuss the bid specifications for a Program Agreement with the selected vendor. Gordon and Barbara attended the July meeting of the PDEQ and responded to our questions.
- Discussed at the February EMC meeting our concerns with the public health impacts of air pollution from wood burning stoves located in densely populated areas of the County.
- Attended the 5<sup>th</sup> Annual Education Energy Symposium at Ithaca College in October.
- Participated in planning sessions and provided comments for the Cleaner Greener Southern Tier Plan on several occasions in 2012.
- In October and November made presentations to the Planning, Development, and Environmental Quality Committee on our recommendations that the County Legislature consider the present value of direct investment in energy efficiency equipment in County facilities in lieu of purchasing national wind power Renewable Energy Certificates (RECs) when the County executed an agreement for its 2013 electricity purchase.
- The Chair met with Joe Mareane, the County Administrator, in December to discuss a process to achieve consensus between the Committee and staff on proposals to support the County's 2020 Energy Strategy.
- Wrote Governor Cuomo in November urging him to support proposals for group net metering and the adoption of feed-in tariffs to assist New York State in achieving its Climate Action Plan objectives.



## TOMPKINS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL 2012 MEMBERS

**AT-LARGE:** SPRING BUCK, KENNETH CHRISTIANSON, KATE ENGLER, KATIE KELLY, DAN LAMB, JIM MCGARRY, SCOTT MILLER, CAROLYN PETERSON, GARY STEWART, ED WILSON, ROGER YONKIN

**MUNICIPAL:** PONEY CARPENTER (TOWN OF ENFIELD), JOHN DENNIS (VILLAGE OF LANSING), BRIAN EDEN (VILLAGE OF CAYUGA HEIGHTS), DARRICK EVENSEN (TOWN OF LANSING), MARTHA FERGER (VILLAGE OF DRYDEN), PEGI FICKEN (TOWN OF GROTON), BILL HALTON (TOWN OF DANBY), EMILY HAMILTON (CITY OF ITHACA), STEVE NICHOLSON (TOWN OF CAROLINE), KRISTINE SHAW (TOWN OF ITHACA), LUCIA TYLER (TOWN OF ULYSSES)

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### **2013 Meeting Dates:**

*January 10*

*February 14*

*March 14*

*April 11*

*May 9*

*June 13*

*July 11*

*September 12*

*October 10*

*November 14*

*December 12*