



EMC News

April 1, 2009

www.tompkins-co.org/emc

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EMC'S APRIL GUEST SPEAKER

The Transportation Committee has arranged for Fernando de Aragón to visit our April 8th meeting. Mr. de Aragón is the Staff Director of the Ithaca-Tompkins County Transportation Council, the Metropolitan Planning Organization (MPO) for the Ithaca-Tompkins Metropolitan Area. Mr. de Aragón has more than 15 years of professional experience in the field of transportation planning. He has served as director of the ITCTC since 1998. There he has focused on efforts to preserve current transportation infrastructure investments, while providing support for expanded services that provide alternatives to single occupancy vehicle use, including car sharing, development of multi-use trails, bicycle/pedestrian facilities and expanded transit service.

Visit the ITCTC website at:

<http://www.co.tompkins.ny.us/itctc/>

TOWN OF LANSING REPORT

Submitted by Larry Sharpsteen

The Town of Lansing planning board is currently considering two large projects, the Lansing Commons project and the Cayuga Farms project. The first is a mixed use (single family, duplex, office and potential multiple residence) project. The second is a high density (within allowances of the zone) project that is under negotiation with other local municipalities (road access) and has undergone the joint review process. The Town Board has convened a citizen committee to review the zoning ordinance and its relationship with the Comprehensive Plan. The Town Board, Planning Board and Board of Zoning Appeals are hosting a joint training session (with Scott Chatfield as the speaker) on April 13.

TOWN OF DANBY REPORT

Submitted by Roberta Dixon

1. Danby does not, as of yet, have an agreement with Time Warner—work is yet to be done for broadband. The current discussion involves getting the money together in order to build towers. This means talking to residents about selling their land in order to build towers in strategic locations. Another approach being considered: putting forth a proposal to co-locate on county towers, or co-use towers (co-using could involve utilizing low-vibration wind turbines).

2. Danby Land Bank Cooperative: this involves organizing a cooperative effort to mow unused fields and use the grass and brush as biofuel. If a resident has seven or more acres and joins the cooperative, they become eligible for an agricultural tax assessment, which should reduce taxes. Danby is studying how to be responsible when considering biofuels: "Before we rush to embrace biotechnology, let's make sure we don't do anything to make the situation worse."

A cooperative would provide:

- An alternative use for open space
- Community building (cooperatives bring people together)
- A potential economic benefit

3. Danby has a natural gas pipeline. For somewhere between \$500,000 – \$750,000 a natural gas pumping station could be built. As of now, the closest natural gas fueling station is Syracuse. If the major fleet operators could come to an agreement (and these conversations are happening now), having a natural gas pumping station would be economically beneficial to Danby.

TOWN OF NEWFIELD REPORT

Submitted by Kiwi Mackie-Cunningham

The Newfield Town Board is looking into the environmental implications of a 36-unit affordable housing project, which is sponsored by Better Housing for Tompkins County and is being developed by William Frandsen. It is to be built near some wetland areas, and the municipal sewer in the area is already at or over capacity, so the sewage system design will be reviewed.

Upcoming EMC meetings!

April 8th at 7:00pm

May 13th, June 10th

At the Transit Center

Members: If you are unable to attend, please contact Amy Risen, Chair (ajr53@cornell.edu) or Kathy Wilsea, Secretary (274-5560 or kwilsea@tompkins-co.org)

The proposed location of Ithaca's construction debris site on Van Ostrand Road has caused concern for Newfield. The site is located on Ithaca property but the corresponding road section is owned by the Town of Newfield. In order to address concerns of inadequate road conditions to support the expected increase in truck traffic, the Town Board has posted Van Ostrand Road with a 4 ton weight limit.

The Town Board approved participation in another year of Floating Classroom education in collaboration with the school district.

Newfield has continued to develop a wind energy law similar to the one passed in Enfield recently. They are currently looking closely at possible environmental effects of wind turbines (birds/bats/etc.) as well as the decommissioning process.

ENERGY COMMITTEE REPORT

Submitted by Tony Nekut

Drew Lewis, manager of CURBI (Cornell U. Renewable Bioenergy Initiative) at the Ag Experiment Station, has agreed to make a presentation to EMC about this project next Fall. CURBI aims to test biomass energy systems that could be used to help meet the University's carbon emission goals.

The Danby Land Bank Coop held its second organizational meeting on March 14. Judging by the high turnout and comments by participants, it seems likely that the Coop will gather sufficient acreage commitment to move forward. The steering committee is currently working with a lawyer specializing in establishing coops. The immediate goal of the coop will be to coordinate biomass harvesting and sales and provide members an opportunity to qualify for property tax reduction via ag assessment. Possible future goals include biomass processing (e.g. pelleting) for local consumption.

ERC GAS DRILLING SUBCOMMITTEE REPORT

Submitted by Amy Risen

The Gas Drilling subcommittee has shifted gears for the spring of 2009 from state regulations to responding locally in Tompkins County. As we review concerns and identify regulations we are making them available on our EMC website. In 2008 the NYDEC prepared a draft scoping document for a draft Supplement to update their Generic Environmental Impact Statement (dSGEIS) on the Oil, Gas and Solution Mining Regulatory Program. This was done to address impacts associated with the high volume of gas drilling anticipated in the Marcellus shale. ERC researched environmental health issues and

submitted comments on the scope of the dSGEIS to the DEC. Our comments will be posted on the EMC website, however, these are the topics we addressed: siting regulations, composition of hydrofracturing fluids, disposition of cuttings, environmental fate of contaminants, assessment of pollution events, storage of fluids in open pits, and impacts on wildlife. A final scoping document was released by the DEC on February 6 2009 and this can be found on the DEC website. The dSGEIS will be released later this spring for public comment.

In this interim, our subcommittee has decided to review the local efforts in Tompkins County. The county and municipalities are trying to identify the power they have to prepare for and respond to drilling activities. An environmental attorney, Kimberlea Rea, discussed options with representatives at the TC Council of Governments meeting on March 30th. Most of the municipal policing power is in developing the appropriate road ordinances. Other stipulations may be set as part of the site permitting process. Ms. Rea urged us all to keep an eye on the DEC Environmental Notice Bulletin for draft permits <http://www.dec.ny.gov/enb/enb.html> and advised us that municipalities could position themselves as involved agencies in the permitting process under some circumstances. Stipulations in the permits could require the gas developers to provide insurance or bonds, financial support for emergency response training and equipment and for personnel to oversee roadway issues and other tasks. In the Q&A section, county legislator Carol Chock addressed concerns that each municipality would have to recreate the wheel when developing these new regulations and asked if a clearinghouse exists. None could be identified by Ms Rea, except examples of road ordinances at the Sullivan County website discussed below. Other neighboring counties have been reviewing the same questions that we have here in Tompkins County. The Sullivan County Gas Drilling Task Force has a summary of information for towns (including sample road laws) and a report on preparing for natural gas development on their website www.scgnet.us.

The Ithaca Journal recently reported on decisions made by our wastewater treatment plants (WWTPs) concerning accepting drilling fluids. While the Ithaca WWTP is not currently accepting any drilling fluids for treatment, Cayuga Heights is. The disposition and reuse of hydrofracturing and flowback fluids is discussed by the DEC in section 2.1.2.2 of the final scope of the dSGEIS. Highlights include: WWTPs who wish to receive fluids must do a headworks analysis and have an approved pre-treatment process, and road

spreading of brines require a Part 364 permit and a petition for beneficial use determination. These regulatory processes should be reviewed to determine whether they address all contaminants of concern (metals, radioactive elements, salinity & hydrofracturing fluid compounds). The Ithaca WWTP is currently conducting a headworks analysis that they refer to as a Headworks Loading Study. Our subcommittee is discussing drilling fluids concerns with members of the Headworks Loading Study team. While the primary focus of this study is to evaluate an alkaline hydrolysis waste stream from Cornell, gas drilling fluids are also considered in the report.

Our subcommittee has also discussed baseline testing of wells for contamination so that homeowners can prove that pollutants detected after a disturbance were not there previously. Identifying possible contaminants from hydrofracturing fluids has been a concern as ingredients are often kept under proprietary secret. It appears as though lists of ingredients will be made public though, and as a start, Fortuna has made a description of their chemicals available. Details will soon be available on our EMC website. A full work-up of baseline testing can cost several hundred dollars, so if this is not a stipulation in the gas drilling lease it can be cost prohibitive for the homeowner. A WSKG Community Conversation was aired on the radio on March 24th and they discussed the option of developing water sample banks. Water samples would be frozen and stored at these banks so they could be tested in the event of a suspected pollution event. Our subcommittee is working with the Tompkins County Water Resource Council's Gas Drilling Committee on issues related to water testing, and we expect to have more to report in the near future.

GAS DRILLING FORUM

The next forum from Shaleshock will take place Wednesday, May 6th, 7 to 9 PM, at the Women's Community Building. Topic: What Towns Can Do.

TAX CODE CHANGE WILL REVOLUTIONIZE RENEWABLE ENERGY FINANCING

Submitted by Steve Nicholson

Included in the stimulus package signed into law by President Obama last month was one small and barely noticed change to the tax code that may turn out to be one its most significant achievements. It will enable local governments to provide property owners the option of installing clean energy projects and pay for them over 20 years through a voluntary line item on their property tax bills.

Cities pay for the capital costs of solar and other renewable energy installations through proceeds derived from the sale of CityFIRST bonds. The bonds are repaid by proceeds from a new line-item on participating property owners' tax bills over 20 years.

Benefits to Property Owners:

- No upfront cost to the property owner,
- Incremental property tax payments are low and fixed for 20 years,
- Property tax transfers to the new owner when the property is sold,
- Energy savings reduce utility bills.

Benefits to Cities and Counties:

- Cities and counties can use CityFIRST to meet their climate and energy goals,
- All CityFIRST program costs can be pad out of bond proceeds,
- No liability or other exposure to a city's general fund,
- CityFIRST promotes the green economy.

The results may be staggering. A UC Berkeley study published in January found the potential for a \$280 billion clean energy program nationwide, one that could eliminate a gigaton of CO2 emissions with no additional cost to local, state, or federal governments beyond existing incentives. Unlocking that clean energy program may well be the best green investment in the Stimulus package.

FINGER LAKES NATIONAL FOREST

Submitted by Michael Bald, USFS

The Finger Lakes National Forest 2008 Year-in-Review is now available on the USFS website. **It includes a trail map.** The web address is: http://www.fs.fed.us/r9/forests/greenmountain/htm/fingerlakes/f_home.htm