

# Broome County Environmental Management Council

Patrick J. Brennan, Broome County Executive



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## Broome County Environmental Management Council (EMC)

Notes from the meeting held Thursday, May 5, 2011

United Way of Broome County, Jenson Road, Vestal, NY

### Present:

**Members-at-Large:** Tony Lubzanski, Erin Heard, Chris Burger, Andre LaClair, and Bill Heaviside

**CAC Reps:** Cindy Westerman (Vestal)

**Special Reps:** Kevin Mathers (CCE-BC)

**Ex-Officio Reps:** Frank Evangelisti (BC Planning)

**Staff:** Beth Egitto, BC Planning

**Other:** Eric Bare and Melissa Chapman

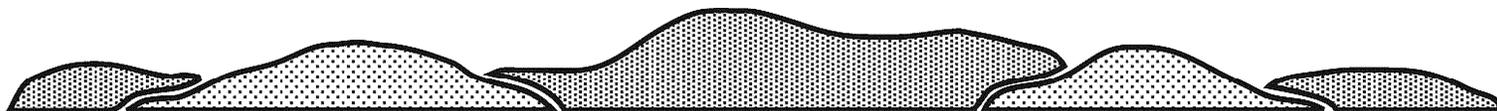
1. The meeting was **convened** at **7:00 pm**.

### 2. Privilege of the Floor/Announcements/Member Items of Interest

- Beth mentioned that both the NYSDEC and the USEPA are undertaking initiatives to promote the use of green infrastructure techniques for stormwater and other environmental benefits. The DEC has incorporated green infrastructure practices into their stormwater design manual and has issued guidance regarding these changes. EPA has launched a new strategy to promote the use of green infrastructure. As part of this strategy they are working with local governments that have utilized green infrastructure and use them as models for the rest of the country. This is an area that the EMC should keep abreast of and perhaps an opportunity for future projects. Kevin mentioned that Mike Haas, a local landscape architect, has done this type of work and perhaps would be a good speaker for a future meeting.
- The EPA and the Army Corps of Engineers has released draft guidance to expand federal jurisdiction over wetlands. The guidance provides the agencies' views on the reach of the federal Clean Water Act (CWA or Act) in light of recent Supreme Court decisions. If adopted, it will significantly expand federal CWA jurisdiction over millions of acres of property, and very likely be challenged. The public comment period ends on July 1<sup>st</sup>.
- A free electronics recycling event is being held on May 14<sup>th</sup> by Blue Storm Technologies. Items can be dropped at Geodis Asset Recovery Center in Endicott and Lockheed Martin in Owego anytime between 8am and 12pm.
- The Binghamton Regional Sustainability Coalition will be hosting a free talk by Dr. Sandra Steingraber, "Protecting Our Children From Environmental Pollution", on Friday, May 13<sup>th</sup> at 7pm at Clayton Ave Elementary School in Vestal. Dr. Steingraber has won the Rachel Carson award for her writing about the connection between our health and the environment.
- There are still spots available for the Livable Communities Alliance Smart Growth Symposium being held May 19<sup>th</sup> at the Binghamton Riverwalk Hotel. A tentative agenda was circulated.
- Tony and Frank attended a presentation at the County Office Building by GasFrac. They use propane rather than water to extract natural gas. According to the presentation it appeared that there were several benefits to this method including reuse of the propane and more thorough gas extraction. There was a brief discussion about some of the questions surrounding this method, including whether there were chemicals left in the ground and whether the process liberated chemicals.

### 3. Aqua-Terra Timber Harvesting

Concerned residents Melissa Chapman, a neighbor to Aqua-Terra, and Eric Bare, a local attorney and County resident, were present to discuss their concerns about a resolution (Resolution 2011-58) recently



passed by the Broome County Legislature to expand an existing timber management agreement to include county parkland including watersheds and other county owned lands. While the resolution states “county parks” the only one that is being considered at this time is Aqua-Terra and this is the focus of Melissa’s concern. She noted that there is an online petition with over 600 signatures opposing logging at Aqua-Terra Park. One of the issues that concerns Melissa, Eric and others is the lack of an opportunity for public comment. Melissa was involved during a previous attempt to log Aqua-Terra Park in the mid-90’s. She noted that there had been two opportunities for public comment at that time and that the same forester had been involved in the previous logging attempt. In response to the attempt in the 90’s a committee was formed to assess the implications of logging at Aqua-Terra. Thee recommendation stated that income from the logging would be minimal, and that Aqua-Terra should receive the same protections as other parkland. When the issue came up again recently, the Town of Binghamton, where the Park is located, was not notified. The town has interest in the project due to a required \$2 million bond for heavy equipment on their roads. Melissa stated that parkland is intended to be protected and preserved. She feels that the \$114,000 estimated value of the timber is not substantial enough to go forward with this action. Eric added that there is concern that since the resolution includes all parks, logging at Aqua-Terra sets a precedent that allows additional logging at that park in the future and opens up other parks as well. There is also the issue of whether this constitutes alienation of parkland.

There was discussion about how the idea came about and where the money will go. County officials have indicated that the funds from logging will go toward keeping Finch Hollow open. The issue had been discussed at the time when the budget was approved. Melissa indicated that there may be some benefit to getting an assessment from a forestry expert that is not associated with the timber harvesting contract. She indicated that there are environmental issues such as continuity of the forest between Aqua-Terra, the French Tract, and Jones Park, the presence of special species such as the barred owl and wood turtle. She indicated that the Friends of Aqua-Terra would be organizing a public input session of their own at the Binghamton Town Hall in the near future.

Several members of the EMC expressed concern about the issue. Members agreed that the issues surrounding the legality of logging within a park and alienation were beyond the purview of the Council. However, the group feels that there are some issues that should be addressed. These include the necessity to assess the park grounds for areas of environmental significance, the need for a more comprehensive overall parks plan that creates a vision for the plan and establishes policies before any individual proposal comes up, and the need for public input opportunities prior to any action. The group reviewed the EMC’s comments from the 90’s regarding this issue which requested that the County hold off on any action until the larger policy issues raised were addressed. Chris motioned that the EMC send a letter of a similar nature to the County Executive, Chair of the Legislature and Deputy Commissioner of Parks. The members discussed some changes that should be made to the comments. Cindy seconded the motion. All in favor, motion approved. Beth will draft a memo and it will be finalized by the members via email.

#### **4. Committee and CAC items**

- The Natural Resources Committee did not have a scheduled meeting in April. Beth indicated that the May meeting will have to be rescheduled due to a conflict with the Smart Growth Symposium on the 19<sup>th</sup>.
- Cindy reported that the Vestal CAC met on March 17<sup>th</sup>. They discussed several items including Mittendorf Park and the issue of liability at Rock Road, which they feel may be a good place for a park, and the continuing issue of logging at Jones Park. There was also discussion about extending the terms for CAC members to 2 years. The next meeting will be held on May 19<sup>th</sup>.
- Andre reported that the Fenton CAC will be meeting the 1<sup>st</sup> Tuesday of each month at Fenton Town Hall. They are currently working to define their roll in the town and to draft regulations to give the CAC status as a board rather than a committee. Being a board allows the group to call on the DEC for

assistance and grants. The group is looking to create a checklist for analysis of planning board proposals and continues the open space plan.

**5. Membership and Administrative Items**

- Beth gave an update about the Earth Fest which was held on April 30<sup>th</sup>.
- Beth circulated sign up sheets for the upcoming special events that need volunteers. These include the the opening reception for the Joyce KL Smith Photo Show scheduled for Wednesday, May 11<sup>th</sup>, 5:30-7:30pm., and Photo Show special exhibit for the Susquehanna Heritage Area's Heritage Weekend on May 14<sup>th</sup> from 12-5pm.
- Beth attended the Symposium on Energy in the 21<sup>st</sup> Century is being held Friday, April 8<sup>th</sup> at the Links at Erie Village in East Syracuse. There were several interesting speakers, however a full schedule left little time for detailed presentations.

**6.** The meeting adjourned. **Next meeting:** Thurs., June 2<sup>nd</sup> @ 7:00pm, United Way of Broome County, Vestal.