

# ENVIRONMENTAL MANAGEMENT COUNCIL

April 27, 2010  
Mayville, New York

**Members Present:** Doug Conroe (Chair), Bob Sundell, Claire Quadri, Harry Centner, Kim Sherwood

**Excused:** Randy Peterson, Bill Boria, Ruth Lundin, John Jablonski

**Others Present:** Christine Kinn

## 1. CALL TO ORDER

The meeting was called to order at 4:30 p.m.

## 2. MARCH MEETING MINUTES REVIEW

Claire Quadri asked to amend the minutes to include her description of the overlap that the proposed Pattern wind project has with the Important Bird Area in Westfield and Ripley. She also asked that the concerns that John Jablonski expressed regarding potential impacts on hydrology and watersheds be included. She said that he specifically referred to habitat fragmentation, and expressed serious concerns about the construction of turbines due to the predicted migratory bird mortality. Kim Sherwood asked that his comments be clarified regarding the attendance.

Bob Sundell moved, and Claire seconded, to accept the minutes as amended. All ayes.

## 3. CONTINUING BUSINESS

### CHAUTAUQUA LAKE WATERSHED ACTIVITY

Signs –

Doug Conroe brought a prototype 32”x55” sign w/ 5-inch letters. Once final design is decided they will be printed up and DPW would install them on county roads where crossed by the Chautauqua Lake watershed boundary.

Watershed Plan Status

The plan is pending the consultant's revisions.

WEMO

Kim Sherwood said there is no WEMO news this month.

NYSDEC Environmental Notice Bulletin (ENB)

There was some discussion of notices. No actions were taken.

- Town of Portland Water District #7– 111 residences are served by new water system.
- Open burning – regulations are currently in place and the season is limited.
- Bears – range of black bear has grown significantly. There are new regulations for licensing dogs and hunters for treeing bears, and for restricting human activities (e.g. feeders) that encourage them. After one warning, people can be fined or get jail time.
- State air quality standards – Doug noted that these may have benefits for agricultural traders. Pollutant trading must include reduction in output.
- Draft regulations on restricting commercial sale of non-native species - Several locally-available commercially-distributed naturalized species may be affected: burning bush; Norway maple, barberry, etc. There was discussion of knotweed and areas where it has become problematic: along Canadaway, Walnut, and Silver Creeks; and in several Chautauqua Lake subwatersheds.

## HIGHWAY COAL ASH

Claire had no update at this time. There was some discussion of the Crop Plus poster that is claiming piles are "Hazardous Waste" according to the 'definition'. Claire will get a copy of the analysis and report back.

## COMPREHENSIVE PLAN

Chris Kinn announced upcoming events: a meeting of the Environment and Waste subcommittee, and public workshops scheduled for May 18 and 19 in Dunkirk and Jamestown.

Chris reported that the consultant, WRT, is developing a vision statement and the outline for the draft plan. It will be clustered around 3 or 4 themes which will be relayed to committees and public. They had not yet set the time and place for the next round of public meetings. Historically public meetings are not well attended beyond the second week in June and they wanted to steer away from Memorial Day. What information will be presented to public is unknown at this point. Discussion followed. Members commented on the good turnout in February, but felt that certain sectors, such as young people, the Amish, and the rural communities, may have been under-represented. Chris said there was some consideration being given to holding upcoming meetings at east and west end of county, but there are not adequate venues, and it may confuse previous attendees. Doug commented on the strong environmental turnout. Discussion followed regarding input at previous meetings. There was strong environmental concern in Jamestown; input for grape industry in the north county. Walkable communities were mentioned at previous meetings in both locations. Chris reported that the ad hoc committee "Built Environment Team", works to identify walkable community type issues with health issues. AARP is sponsoring an upcoming "Complete Streets" activity. Complete Streets is a national program to raise awareness and get support for building street environments to accommodate all users: walking, cyclists, people with disabilities, etc., in addition to automobiles. Doug reported that Chautauqua Institution is adopting a 'Shared Streets' programs. Westfield and Fredonia were mentioned as good examples of walkable communities.

## WIND POWER

### Ripley Westfield DEIS

Doug asked the members if there is a desire to comment and reminded them of Randy's comments about being positive as well as negative. Kim concurred, relaying the Environment/ Waste focus group's concerns about polarization between environment and development and the lack of middle ground on issues. He gave that as the reason why he's concerned about simply endorsing G. Randall's letter. He also said he's more comfortable commenting on the hydrology.

Claire agreed about the polarization and reminded everyone that the deadline is the DEIS document. It's not the windpower per se but whether the DEIS is complete and accurate. Regarding aviary impacts, birds may be the one aspect that cannot be mitigated and the DEIS doesn't offer any mitigation, but she said there are other issues to consider. She clarified the scope and complexity of the project and the reality that input needs to be comprehensive. There was discussion of the Important Bird Area, and how the impacts were portrayed. She said that percentages may be misleading because the absolute numbers are relatively huge.

Chris raised a question about the claim that the birds don't cross the lake directly but hug the shore. Discussion included reference to guidance documents that state that these areas should be avoided. In the Executive Summary for DEIS, there is an incorrect statement about no suitable bald eagle habitat in the project area. Other points that were brought out were the issues with where turbines and collection lines are going, and siting facilities on land that has not been leased. There is concern about these unknowns and their potential impacts. It was noted that this is NOT a Generic EIS (as Marcellus Shale was), but is a site-specific EIS that has inadequacies.

Noting that the deadline for comment is 5/14 or 17, Doug entertained discussion on how to proceed and suggested we identify multiple issues (birding, siting issues, SEQR, scope of issues, etc.) and the inadequacies in the DEIS rather than tell reviewers what must be done. Doug offered to draft list of issues and Claire, Doug, and Kim will draft comments and refine a final draft for the members to review.

**4. OTHER BUSINESS**

Meeting Schedule – Chris distributed a list of the remaining meetings for the year, and explained that it's important to be consistent with Open Meeting Law and minimize number of meetings that are changed.

**5. ADJOURNMENT**

The meeting adjourned at 6:23 p.m.

**The next meeting will be held on Tuesday, May 18, 2010 at 4:30 p.m. Chris will check to see if it can be held at the Clarion Hotel in Dunkirk prior to the public meeting for the comprehensive plan**

(Notes compiled by Kim Sherwood and C. Kinn)