

NAME OF COMMITTEE: Environmental Committee

DATE: October 21, 2009

TIME: 6:00 PM

PLACE: Legislative Chambers, 6th Floor
County Office Building

LEGISLATORS PRESENT: Chairman Brian Shapiro, Deputy Chairperson Laura Petit (arrived 6:12 PM), Legislators Gary Bischoff, Richard Parete (arrived 6:10 PM), Hector Rodriguez (arrived 6:14 PM) and Kevin Roberts

LEGISLATORS ABSENT: Legislator Dean Fabiano

OTHERS PRESENT: Amanda LaValle, Coordinator, Department of the Environment
Mike Bemis, Ulster County Resource Recovery Agency
Steve Noble, Ulster County Environmental Management Council
Michaela Sweeney, Student, Coleman High School
Gary Capella, Ulster County Soil & Water
Wes Gillingham, Catskill Mountainkeeper
Victor Melville, League of Women Voters Observer Corp.

1. Chairman Brian Shapiro called the meeting to order at 6:04 PM.
2. Approved minutes from September 16, 2009
3. Amanda LaValle, Coordinator, Department of the Environment:
 - There was discussion regarding the proposed changes to Type II SEQRA for the County of Ulster. Pursuant to 6 NYCRR § 617.14(e) of SEQRA, all agencies are subject to the Type I and Type II SEQRA lists, but each may adopt its own lists of Type I and Type II actions so long as (1) such lists include all the actions specified in the SEQRA lists, (2) the environmental criteria to be applied to the listed actions are no less protective than the environmental criteria in the SEQRA Type I and Type II actions, and (3) such lists are adopted in accordance with SEQRA criteria. 6 NYCRR § 617.14(f) requires that a public hearing must be held prior to the adoption of such SEQRA local procedures. The committee **agreed to set a public hearing** on this matter on the date of February 2010 Caucus.

Legislator Richard Parete motioned, seconded by Legislator Roberts to approve the resolution to set a public hearing. All in favor.

- Resolution - Authorizing The Chairman Of The Ulster County Legislature To Execute An Assistance Agreement To Accept United States Department Of Energy, Energy Efficiency And Conservation Block Grant (EECGB) Program Funds - Amending The 2009-2014 Capital Program, And Establishing Capital Project No. 327 - Energy Efficiency and Conservation Project - Department Of The Environment

There was no discussion regarding this resolution. The grant has been reviewed at previous committee meetings.

Legislator Bischoff motioned, seconded by Legislator Rodriguez to approve the resolution. All in favor.

4. Gary Capella, Executive Director, Ulster County Soil and Water Conservation District

- Budget Review

Mr. Capella explained their Budget process under Charter government and his meeting with the County Executive in July. The County benefited from nearly \$2,000,000. in programs and services due to the District's existence. The return benefit ratio to the County in 2008 was roughly a 20 to 1 return. The District desperately needs a 4th position but they will appreciate any funding.

There were various questions asked and answered:

Can you survive on same amount of funding appropriated in 2009? Yes.

Can you give up participation in the MS4 Stormwater Program? There was discussion regarding how the MS4 Program is envisioned and how it is handled.

Are there any other sources of revenue? Most revenue requires a match. Although grants help; they are not the long term answer. If funding is reduced below the \$102,000. (2009) amount, the State revenue would also be reduced.

Chairman Shapiro asked for the committee to go on record to the Ways & Means Committee to support funding for the Soil and Water Conservation District at the same amount as the 2009 Appropriation. The Committee acknowledges the vital work that Soil & Water provides to the County and with the Committee's permission, Chairman Shapiro will draft a letter regarding the funding; Legislator Petit seconded. All in favor.

5. Guest Speaker: Wes Gillingham, Program Director, Catskill Mountainkeeper spoke regarding gas drilling in the Catskills and the Delaware River Valley

The people of the Catskill Region are a diverse group from families whose roots in the area go back hundreds of years to new arrivals; from hunters and fishermen to hikers and rock climbers; and from people living in vibrant college towns to families living in economically struggling communities.

There are some things that these people have in common - an enduring love of the Catskills, a dedication to preserving the quality of life here and a belief that together we can make this a better place to live.

That's why Catskill Mountainkeeper was established. Catskill Mountainkeeper is an organization dedicated to protecting the way of life, environment and economic future of the Catskills Regions. It is a grassroots group working on behalf of the entire Catskill Mountain area which works alongside existing groups who are focused on specific needs of the region; coordinate efforts among environmental, educational, business and cultural groups; and take a leadership role in promoting a sustainable future for the Catskills.

Catskill Mountainkeeper takes on tough issues: preserving the region's clean air and water and working to control flooding; calling for better long-range planning so roads, schools and municipal services aren't strained by haphazard development; opposing Las Vegas- style casinos and other massive projects that are not compatible with the rural character and environment of the region; and demanding better access to state- and city-owned land, because the mandate to keep this land "forever wild" doesn't mean "never used".

The Catskills and the Delaware River Valley sit on top of Marcellus Shale. Geologists have known about the gas here for years but now with the new technologies of horizontal drilling and hydraulic fracturing, recovering the gas is now the big new "Shale Play" as the industry refers to it "Land men" are knocking on doors in the Delaware River Valley of Pennsylvania and Sullivan and Delaware Counties in New York, to obtain gas leases for various companies.

What gas drilling means to you and your community: compromised drinking and groundwater resources; gas and oil companies are exempt from adhering to environmental and public right to know protections including: Protections in the Clean Water Act; The Environmental Response, Compensation, and Liability Act, The Resource Conservation and Recovery Act, The Safe Drinking Water Act, and the Gas Industry is not covered by public right to know provisions, which mean companies can withhold information about the chemicals they use in the "fracking" process; and the pollution from oil and gas exploration and production has resulted in the release of dangerous chemicals, compounds and poisons.

There potentially could be a well drilled on every 40 acres of land. There have been incidents where "fracking fluids" have spilled in the water killing fish and other wildlife. There are as many as 120 reported cases of well contamination and DEC hasn't presented reports of any testing after drilling has been done in any area. Communities are not aware of the impact gas drilling has on the air, soil and water quality. They may not be able to drill on State owned land but on privately owned land, the gas and oil companies can ask for an EIS on a individual well. The regulatory process needs to change and cumulative impact provided.

There was discussion about gas drilling and the impact on the communities. Chairman Shapiro suggested that the Committee take time to digest the information presented and schedule further discussion about what action might be taken at the next meeting.

6. Steve Noble, Environmental Management Council:

He discussed the County-wide meeting of 16 CACs with the Department of the Environment. Some towns don't have a CAC and have been invited to attend anyway. They are hoping for collaboration on local projects. The Environmental Management Council is now an advisory board which is supported by the Department of the Environment.

He pointed out the proposed cut of one position in DOE which he believes will affect the EMC as far as minutes, records, notification of events, etc. is concerned. He feels it might be early in the process but EMC really needs some administrative support.

There was discussion about the proposed cut in DOE. The Committee examined the salary, the amount of paperwork this position handles, other departments losing staff, the various duties of the position being cut, and the possibility of covering these duties by sharing staff. Overall conclusion was that this position helps strengthen the link between the County and the EMC.

7. Motion to Adjourn

Legislator Richard Parete motioned, seconded by Legislator Rodriguez to adjourn. All in favor.

Meeting adjourned at 7:45 PM.

Respectfully submitted,

Karen L. Binder, Deputy Clerk
Ulster County Legislature