



Thursday, May 20, 2010

## Minutes

**CALL TO ORDER** – Chair Tom Santulli called the meeting to order in the STC Conference room at 4:30 p.m.

### **ATTENDANCE**

Chemung County – Theodore Bennett; Ernie Hartman; Richard Gunderman; Thomas Santulli

Schuyler County – Danielle Hautaniemi; Tim Hicks

Steuben County – Mark Alger; Don Creath; Patrick Donnelly; Greg Heffner; James Griffin; Robert Nichols; Scott Van Etten

Staff – Marcia Weber; Susan Cratsley; Victoria Ehlen; Jennifer Fais; Chelsea Robertson; Janet Thigpen; Daniel Wilhelm

**WELCOME/INTRODUCTIONS** – Chair Thomas Santulli welcomed everyone to the meeting. He welcomed new board member Tim Hicks from Schuyler County, who is the environmental representative. Mr. Santulli welcomed Chelsea Robertson, STC Planner. Everyone introduced him/herself.

**APPROVAL OF MINUTES** – the minutes of the April 22 and April 27 meetings were approved on a motion by Ernie Hartman, seconded by Richard Gunderman, and carried.

Marcia noted that she received a note from Kathy Schafer, the keynote speaker for the annual dinner, thanking STC for the opportunity to speak about the CVS project and for the hospitality, professionalism, and support of STC.

### **COMMITTEE REPORTS**

#### 1. **Audit Committee**

- a) **Abstract of Claims** - Don Creath reported that the Committee reviewed and approved two (2) abstracts totaling \$35,121.98. On a motion by Don Creath, seconded by Scott Van Etten, the abstracts were approved.

2. **Budget and Personnel Committee** – Tom Santulli updated the Board regarding the application for an STC credit card. Dan Wilhelm gave a detailed account of how the credit cards will be used.
3. **Physical Resources Advisory Committee** – on behalf of PRAC, Danielle Hautaniemi gave the following report.

She reported that PRAC met with representatives of the energy task forces in Chemung and Schuyler Counties and talked about their goals, issues and the possible ways that STC can play a role in addressing gas well drilling in the southern tier.

Chemung County - The Executive Advisory Commission on Natural Gas Solutions was just created in April 2010. It is made up of county officials and has a number of committees. These include: water quality; business opportunity; information /education / outreach; public safety / roads; workforce development; environmental impact; and planning and zoning. The Commission meets once a month on the fourth Thursday. Andy Fagan and Mark Watts are co-chairs. Jennifer Trimber staffs the Commission for \$15,000/yr.

Schuyler County - The ad hoc Schuyler County Energy Task Force was created in August 2009 by the Schuyler County Council of Governments. They have committees including the executive, social and economic, environmental, and roads/infrastructure committees. Danielle Hautaniemi is coordinator of the task force. Danielle drafted the Mission Statement; the Schuyler County task force currently has twenty-five to thirty members. The Schuyler County Energy Task Force webpage is [www.schuylereenergy.org](http://www.schuylereenergy.org). There is no extra funding set aside for the task force work.

Steuben County –The Steuben County Natural Gas Task Force has been recommended for approval by the AIP Committee with adoption expected by the Steuben County Legislature at the end of May 2010. The mission of the task force is to understand and prepare for the effects of Marcellus Shale on county operations. A secondary mission is to cooperate regionally with neighboring counties and also to help local municipalities if there is time and money. Members will probably be selected from a pool of interested people who will have submitted their Letter of Interest with their resumes. It is expected that the county planning department would receive those letters. There is no additional funding for this group.

In general, county and local governments are waiting for a toolbox of model agreements and tax structures to help them address Marcellus Shale.

#### Regional approaches

There are ten counties that have formed task forces in NYS. CaRDI is offering to provide the coordinating role if needed at the regional level. There are 20,000 landowners covering 800,000 acres or 20% percent of the land base in 35 landowner coalitions. Most are countywide, while some are at the town level, for instance in Tompkins County.

Marcia Weber attended the PRAC meeting to discuss the potential use of ARC funding. She stressed that she was there to hear how we can help the county coalitions achieve what they cannot do alone.

Several topics were named that could benefit from regional support:

- 1) legal review

- 2) watershed protection impacts
- 3) workforce development study
- 4) engineering fees
- 5) economic development impacts

PRAC agreed that a regional approach makes sense because:

- 1) so many issues cross county lines.
- 2) a regional planning board can retain highly specialized and qualified professional staff to provide a systematic approach to the subject.
- 3) the structure of a regional planning board is a perfect framework for coordination because each county executive and/or legislative chair is a member of the board.

STC will provide a good resource through the creation of a web-based data system that will contain excellent information on gas well locations, watershed boundaries, aquifers, etc., available for use by anyone going on the web.

**It was suggested that STC attend upcoming task force meetings to talk about this offer of regional assistance.**

**Each task force was requested to ask its own members how the Appalachian Regional Commission funding could be used to support their efforts.**

STC letter concerning levee certification (in packets) – Janet Thigpen reported that FEMA is developing new flood hazard maps for Chemung County. As part of the project, they need to make a determination of whether the Elmira area levees would contain the 100-year flood. If the levees are “accredited,” then the maps would be similar to the current maps, and protected areas would continue to be shown as outside of the regulated floodplain. If the levees are not accredited, then significant portions of the City, Town of Elmira, Southport, and Horseheads would be included in the mapped floodplain and would be subject to the same requirements as if the levees were not there. This would change requirements for flood insurance coverage, the cost of flood insurance, and floodplain development standards. The National Flood Insurance Program doesn’t account for variable risks (in which levee-protected areas have greater flood risks than hilltops, but lower risks than if the levee hadn’t been built). So this accreditation process can have a significant impact on the local area.

Janet reported that the Horseheads levee along Newtown Creek hasn’t been maintained and doesn’t meet FEMA’s standards for accreditation. The Town and County have been removing trees from that levee and are working through those issues.

Janet stated that this letter is about the floodwalls and levees in the City and Town of Elmira and Southport, which are part of the federal levee system. These levees were built by the Corps of Engineers, are maintained by the NYS Department of Environmental Conservation (DEC), are inspected annually by the Corps, and have never been rated as “unacceptable” by the Corps. When DOT put a road on top of the levee in Southport, this modification was approved by the Corps.

Janet noted that this levee system is high enough to meet the FEMA standard for containing the 1% annual probability (100-year) flood. FEMA also requires documentation regarding the design, operation, and maintenance of the structure and “certification” by the levee owner or local community. DEC engineers have assembled most of the documentation, but DEC lawyers are still reviewing the potential liability

issues and have not yet determined whether the State will certify levees. If DEC does not certify the Elmira levee system and FEMA proceeds on their current course, then thousands of properties would be added to the regulated floodplain.

Janet stated that the letter proposes that the Corps of Engineers levee standards, particularly the tougher post-Katrina standards, should be good enough for FEMA. If the Corps has not identified problems with these levees, FEMA should not require additional expenditure of taxpayer dollars trying to prove that they could never fail. It asks the Senators to promote coordination between FEMA and the Corps of Engineers on this issue. On a motion by Dick Gunderman, seconded by Mark Alger, the Board approved sending the letter to Senators Schumer and Gillibrand asking that FEMA accept the US Army Corps of Engineers inspection reports without requiring additional state certification of the Elmira area levee systems.

Southeast Steuben River Vision Project – Jennifer explained that the project is in the wrap-up stages where alternatives are being proposed. She hopes to conclude the project by the end of June.

The Eleventh Annual River Float on May 15 was a success. Two new launch sites, the Lindley Launch Site and the Mulholland Bridge Launch site in Erwin, were publicized through this effort.

## **EXECUTIVE DIRECTOR-S REPORT**

1. Meeting with NYS Department of State – Marcia reported that she met with NYS Department of State along with Southern Tier East and Southern Tier West. The Department of State oversees the ARC program in New York State. George Stafford of DOS said that the Department of State now has a partnership with the Federal Sustainable Communities program. The Department of State’s work now is “all about regions.” George said that DOS cannot sustain the level of effort that they have been bringing into one community at a time, but they can provide the services on a regional level. Since STC, STE, and STW are already working on a regional basis, George said that the three agencies are in a good position to test cases for some of the new programs.

Marcia said that state agencies are collaborating in preparing for the next administration. They will present to the new governor innovative programs and processes. They believe the regional approach will be the most successful; they have a model multi-agency brownfield program to demonstrate the ability to coordinate with other agencies and maximize resources.

The Department of State believes that the three Local Development Districts (LDDs) could be the first regional agencies to propose multi-regional projects because of their history of working together. In addition, the ARC funding could be used to match state dollars, making the state dollars go further. The state agencies would be happy to have the LDDs present a proposal that they could address.

Marcia noted at the meeting with DOS that the Marcellus Shale development issue has been discussed at length with all of the STC committees and board; this issue keeps coming up as a need. DOS suggested that the LDDs develop a project that uses some of the state’s ARC funding, while still keeping some funding available for the projects that are submitted annually through the Appalachian Development program.

Marcia stated that since the New York State Appalachian program has to update its strategic plan, this would be a good opportunity to identify what the LDDs think are the most important needs. This topic will continue to be discussed among the three regional planning boards at a later date. Marcia said that she would be happy to have input from the board and committees on issues that need to be addressed.

## **REGIONAL PROGRAM ACTIVITIES**

1. **Update on Flood Assistance Program** – J. Thigpen reported on her involvement in the Chemung County floodplain mapping project and a letter she wrote to FEMA describing some of the unresolved problems. Janet is very concerned about the technical quality of the mapping products they are producing. Part of this relates to levee issues. There is also a problem with the limited scope of the work that is being done. The engineering analysis behind most of the existing maps was done 30 years ago and FEMA had not allocated funding to review or revise that, even where on-the-ground changes indicate that it is no longer correct. It appears that they are not using modeling that has been done by other agencies because the standards aren't consistent and FEMA allocated no money for integrating that work. Janet has not received any response to the technical issues that she raised in that letter.

Janet reported that she has written letters for the NYS Floodplain and Stormwater Managers Association, as Chair of the Public Policy Committee. She wrote one to the NYS Congressional delegation about levees as they relate to floodplain mapping and flood insurance. Another was comments on a draft FEMA document called "Guide to Flood Maps," encouraging improved communication about what the information on the maps means. The Association submitted comments on the Marcellus Shale dSGEIS, with suggested procedures for addressing floodplain issues in rural areas where floodplains are poorly mapped. She plans to develop a white paper about all aspects of the National Flood Insurance Program – insurance, mapping, floodplain management, and public communication.

Janet reported completion of the Chemung County project to protect existing flood-prone development by providing training in flood proofing techniques. After developing a workshop in Chemung County, it has been taught in Oneonta and will be conducted in Bath in June. The handouts that Janet wrote are on the STC website.

Janet reported that the Environmental Emergency Services bought a stormwater floodplain simulation model, which she has been taking on the road to demonstrate the impacts of land use on flooding and various ways of addressing the problems. It will be at Conservation Field Days in all three counties. She hopes to also use the model for planning board training about floodplain management requirements.

Janet is working with DEC on the required plan for reducing pollution loads to the Chesapeake Bay. Part of EPA's technical support is dedicated to local projects, so she wrote an application and is now working with their contractor on an Elmira-area project to evaluate costs and benefits of various options for reducing stormwater impacts to the Bay.

2. **Susquehanna-Chemung Action Plan (in packets)** – J. Thigpen reported on the Susquehanna-Chemung Action Plan being developed with Southern Tier East as an ARRA 604(b) project. This Plan will be an "ecosystem-based management" plan, meaning that it will integrate economic, social, environmental, resource, and flooding issues. The ad hoc Advisory Committee includes economic development people and

others who aren't typically involved in watershed management planning. Recommendations will be integrated into the Comprehensive Economic Development Strategy (CEDS) and other planning efforts. The draft vision statement, goals and objectives are in the handout. Staff is currently working on assembling existing plans, GIS data, and other resources. This information will be accessible through the website, so that the Action Plan can be relatively short (about 50 pages). It will present goals and objectives, briefly summarize the current status related to each, and present the implementation recommendations – things for which funding is needed to improve the local economy, quality of life, and water quality. If anyone is interested in being a member of the ad hoc Advisory Committee and email distribution list, please contact her.

3. **Regional Leadership Conference (in packets)** – Marcia noted that the conference was well attended; the report shows the breakdown of how many from each county attended. Next year's conference will be on April 14, 2011.
4. **Telecommunications Update** – M. Weber reminded the board that STC received the number 1 ranking by NYS for the STC-STE telecommunication project submitted for National Telecommunications and Information Administration (NTIA) funding. She hopes that the recommendation by New York State will carry some weight with the NTIA. STC received letters of support from George Winner, Jim Bacalles, and Tom O'Mara, in addition to the two already submitted by Senators Schumer and Gillibrand. STC will continue to receive letters of support from anchor organizations and businesses that would be interested in purchasing services if the project were to be funded. STC is gathering all the background information that it can at this point. Tim O'Hearn, Schuyler County; Jack Wheeler, Steuben County; and Mike Krusen, Chemung County have all agreed to be on the board of directors that will be overseeing the project. The first meeting of the board of directors will be on Monday, May 24. First they will be transitioning the organization from a Southern Tier East organization to one involving three of their counties and STC's three counties. There are bylaws that need to be changed, and the new board needs to be voted in. After that, talk can begin about how everyone can work on the six county basis. Marcia has been in touch with Ron Yorio, STC Attorney, regarding the question that was raised at last month's meeting about whether STC could establish an organization of this sort if it were needed for another project. She has not heard back from him yet.
5. **Appalachian Regional Commission FY11 Program** – M. Weber stated that agencies are enthusiastic about the possibility of developing projects but then state that it is not the right time. She said that there are a couple of economic development studies proposed and a couple of human services applications. The applications are due at STC by June 14. The ratings for the applications and approval by the board will be in July.

6. **Intergovernmental Reviews** – M. Weber reported that this intergovernmental review is the Sheen Housing annual request for funding.

### **New York State**

#### **1019 Housing Preservation Grant**

Project Applicant: Sheen Housing

Description: rehabilitate 26 owner-occupied housing units in Schuyler and Chemung counties.

Federal Agency: US Dept. of Agriculture, HPG Program

Cost: Federal: \$90,000 Applicant: \$25,000 State: \$300,000 Total: \$415,000

On a motion by Scott Van Etten, seconded by Mark Alger the Board approved this intergovernmental review.

### **OTHER BUSINESS**

#### **1. New Business**

Marcia noted that STC received a request from RIT to help distribute information on a workshop that they are having. This workshop is in response to local needs and would help companies get new markets for their business. The workshop is in conjunction with the Department of Defense. The workshops will be held in Corning and Binghamton.

**I-86 Coalition Meeting** - Marcia noted that there will be an I-86 Coalition meeting tomorrow at the Ramada in Painted Post at noon. There will be representatives from the Senator's office, DOT and other transportation related agencies. Marcia encouraged everyone to attend.

2. **Next Meeting** – the next meeting of the Board will be on Thursday, June 17, 2010.

**ADJOURNMENT** - there being no further business, the meeting adjourned at 5:45.

Respectfully submitted,  
Susan Cratsley  
Senior Typist