



December 7, 2009

MEETING MINUTES

ATTENDANCE: **Roger Burlew**, Town of Erin; **Diane Fiorentino**, Stormwater Coalition; **Richard Gunderman**, County Legislator; **Reeve Howland**, EMC; **Dick Kankus**; **Paul Kingsbury**, EMC and Town of Elmira; **Janet Thigpen**, Southern Tier Central RPDB; **Jennifer Trimmer**, EMC; **Jake Trimmer**, Sportsman Federation; **Jabe Warren**, CCE; **Mark Watts**, SWCD; **Lee Younge**, EMC.

1. Call to order and Communications – Diane Fiorentino called the meeting to order at 1:05 PM at the American Legion, Big Flats, NY.
2. Approval of the November 18, 2009 minutes – No action.
3. WQC comments to DEC on the Draft SGEIS (gas well drilling) document – The following suggestions were made:
 - The SGEIS looks at permitting issues for individual wells. Diane suggested that it should also evaluate the cumulative effect of many wells in each county. Janet noted that an assessment of cumulative impacts is particularly relevant in the Chesapeake Bay watershed where a TMDL is currently being developed to require reduction of sediment and nutrient loads from current and future sources.
 - Lee expressed concern that the Towns would have no input on siting or approval of projects. Diane shared suggested language from Jennifer Fais that the Department should require – rather than strongly encourage – operators to consult with local government. Jennifer also recommended that NYSDEC require applicants to comply with local wellhead/aquifer protection laws, wetland laws, local noise ordinances, local "dark sky" light ordinances, and Public Service Commission public hearing and notice requirements. It was also suggested that municipalities could have more jurisdiction regarding site restoration after drilling operations are complete.
 - Concerns about radioactivity were raised and Dick Kankus passed around a Star Gazette article indicating that Department of Health analysis of wastewater samples from Marcellus drilling indicated high levels of radium-226. The group agreed that more information is needed about the threat posed and the procedures that would be used to ensure that the radioactive materials are handled appropriately.
 - Concern was expressed about the potential for increased work for the County Health Department. Funding should be provided to reimburse the County for additional work load associated with taking samples, responding to questions, etc.
 - Well testing conducted "immediately after" fracking would not detect problems that might develop later. It was recommended that testing be done over an extended period of time.

- The Committee expressed concern about the staffing levels required to provide regulatory oversight for major gas development activity and strongly recommends that DEC secure the funding required to provide adequate staff.
- Diane indicated that Jessica Verrigni is available to municipalities for construction site inspection of pipe crossings on local roads. However, municipalities (even MS4s) have no jurisdiction over stormwater management on drilling pads and access roads. Although EPA has exempted the industry from SPDES permit requirements, they are not exempt from water quality violations, which should be reported to NYSDEC. The DSGEIS stated that hydraulic fracturing will require the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity and proposes to amend this permit to require Stormwater Pollution Prevention Plans (SWPPPs) that meet the same standards as those for the Construction General Permit. However, the Division of Water will probably not be responsible for SWPPP review or site inspections. It was suggested that the stormwater requirements and enforcement procedures be more clearly stated.

4. Formation of Chemung Investigates Natural Gas – Jennifer Trimber distributed an information sheet about the proposed task force to gather and disseminate information regarding natural gas drilling activities in Chemung County (based on a motion approved at the last WQC meeting). Lee suggested that Jennifer Trimber (who currently works part time for the EMC as a CCE employee) serve as the coordinator for this task force. The funding needed to support the increased staff time could be pooled from various sources (SWCD, WQSC, Farm Bureau, Chamber, County, etc.). An email from Kevin Keeley (Chemung County Chamber of Commerce) expressed interest in this task force, but concern about the potential for an anti-drilling slant. Jennifer indicated that her objective would be to take a balanced approach focused on information without taking sides. The Committee felt that she could be an impartial facilitator and asked that Mark Watts, Jennifer Trimber, and Lee Younge meet with Tom Santulli to develop a strategy for funding the required staff time. **Diane Fiorentino moved that the Water Quality Strategy Committee contribute \$500 toward the \$14,000 required to support 20 hours per week of Jennifer Trimber’s time to coordinate a Chemung Investigates Natural Gas task force; seconded by Roger Burlew; and approved.**

5. New Business – None.

The next meeting will be January 20, 2010 at 9:00 AM at the Big Flats Community Center.

6. Adjourn – The meeting adjourned at 2:10 PM.

Respectfully submitted,
Janet Thigpen