

AGENDA
EMC MEETING

November 8, 2012 ■ LOCATION: 395 Pine Tree Road ■ 4:00 p.m.

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| I. | Privilege of the Floor | 4:00 |
| II. | Changes to the Agenda & Approval of Minutes | |
| III. | Transportation Initiative of the Year Award – Executive Committee | 4:05 |
| IV. | Recent Transportation Initiatives in Tompkins County
<i>Fernando de Aragon, Exec. Dir.,
Ithaca Tompkins County Transportation Council</i> | 4:10 |
| V. | Resolutions (Moved and Tabled 9/13/2012) – <i>UNA Update Committee</i> :
01: Amendment to the UNA Inventory Document for addition of a new
UNA to be called Hawthorn Orchard UNA-193
02: Amendment to the UNA Inventory Document for addition of a new
UNA to be called Salt Road Fen UNA-194
03: Amendment to the UNA Inventory Document consisting of
boundary revisions. Discussion on boundary criteria | 4:30 |
| VI. | Committee Reports and Member Questions
<i>Energy, Environmental Review, Gas Drilling, State of the Environment,
and Executive</i> | 5:00 |
| VII. | Staff Reports- <i>Scott Doyle & Kathy Wilsea</i> | 5:10 |
| VIII. | Member Items
Identifying undiscovered leaking underground storage tanks and
hazardous waste sites – <i>Roger Yonkin</i>
Other member items | 5:15 |
| IX. | Appointment of 2013 Nominating Committee | 5:25 |
| X. | Adjournment | 5:30 |

Upcoming Meeting Dates: December 13, 2012 and January 10, 2013

<p>Reminder to Members: If you are unable to attend, please contact: Steve Nicholson, Chair (scnfish@gmail.com) or Kathy Wilsea, Secretary (274-5560 or kwilsea@tompkins-co.org).</p>

8 **DRAFT -- Minutes of the EMC Special Meeting**
9 **On Proposed Changes to the Unique Natural Areas Inventory**
10 **October 16, 2012**
11 **Tompkins County Public Library, 7 PM**
12

13 **Voting Members Present (11):** Spring Buck, Poney Carpenter, Brian Eden, Bill Halton, Emily Hamilton, Katie
14 Kelly, Jim McGarry, Scott Miller, Steve Nicholson, Carolyn Peterson, Ed Wilson

15 **Voting Member Excused (6):** Kenny Christianson, Kate Engler, Darrick Evensen, Martha Ferger, Dan Lamb, Lucia
16 Tyler

17 **Voting Member Absent (5):** John Dennis, Pegi Ficken, Kristine Shaw, Gary Stewart, Roger Yonkin

18 **Non-Voting Members Present (1):** Karen Edelstein

19 **Guests Present:** Bob Beck, Susan Beeners, Steven Bissen, Candace Cornell, Anne Klingensmith, Lars McCann,
20 Linda Orkin, Sue Ritter, Anna Stalter, George Taber, Chris Tessaglia-Hymes, David Weinstein, Robert Wesley

21 **Staff Present:** Scott Doyle
22

23 **Call to Order** – The meeting was called to order by Chair Steve Nicholson at 7 PM.
24

25 This special meeting consisted of background on Unique Natural Areas, proposed changes to the UNA Inventory and
26 discussion with visitors.
27

28 **Adjournment** -- The meeting adjourned at 8:45 PM.
29

30 Respectfully submitted,

31 Scott Doyle, EMC Coordinator

32 Tompkins County Planning Department

33 Approved by Council on _____, 2012

8 **DRAFT -- Minutes of the EMC General Meeting**
9 **September 13, 2012**
10

11 **Voting Members Present (15):** Spring Buck, Kenny Christianson, John Dennis, Brian Eden, Kate Engler, Darrick
12 Evensen, Martha Ferger, Bill Halton, Emily Hamilton, Katie Kelly, Scott Miller, Steve Nicholson, Carolyn
13 Peterson, Gary Stewart, Lucia Tyler

14 **Voting Member Excused (4):** Poney Carpenter, Dan Lamb, Jim McGarry, Ed Wilson

15 **Voting Member Absent (3):** Pegi Ficken, Kristine Shaw, Roger Yonkin

16 **Non-Voting Members Present (3):** Karen Edelstein (UNA Consultant), Peter Harriott, Dooley Kiefer

17 **Guests Present:** Town of Dryden Conservation Board: Bob Beck, Steven Bissen, Bard Prentiss; David Weinstein,
18 UNA Committee resource staff; Robert Wesley, UNA Consultant

19 **Staff Present:** Scott Doyle, Kathy Wilsea
20

21 **Call to Order** – The meeting was called to order by Chair Steve Nicholson at 4:02 p.m.
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23 **Privilege of the Floor** – Tom Livigne, Cornell University’s Director of Real Estate, read a prepared statement that CU is
24 unable to respond to the UNA amendment proposals due to short notice and the time of year in the college calendar. He
25 urged EMC to provide more time for his office to review the proposals and provide comments. Bob Beck, a member of the
26 Town of Dryden’s Conservation Board and former EMC member, thanked EMC for commenting to DEC on the SEQR
27 document for proposed Peruville Mining. Steve Nicholson thanked Bob for all his work. Steve introduced David
28 Weinstein, another former EMC member, who has been serving on the UNA Committee.
29

30 **Slide Show: Proposed Changes to the Unique Natural Areas Inventory** – Robert Wesley provided some background on
31 the UNA Inventory, which originated with a 1976 study by Craig Tufts as his thesis while a student at Cornell. Mr. Tufts
32 did most of the research on the original sites, which numbered around 75. Robert has worked with Nancy Ostman on
33 previous updates to the Inventory. It has grown to include more sites, more details, and now includes all DEC wetlands.
34 The 2000 update provided better graphics and more details. He and Karen Edelstein reviewed some of the most important
35 sites for this update. They especially focused on boundaries and the addition of two new sites. Karen addressed Mr.
36 Livigne’s concerns by saying during the 2000 update she was especially concerned about providing notice to landowners.
37 An extensive mailing to landowners was performed, and EMC provided a feedback mechanism. They received about 30
38 calls, most thanking them for the information and some asking how their land could be permanently protected. Three calls
39 were from landowners that the committee interacted with to address their concerns.
40

41 As part of the current review, a rating system was used to come up with priorities sites for review. Karen and Robert
42 reviewed the top 25% at this time. The current proposal involved increasing information on rare/scarce animals, which was
43 gathered from experts and integrated with Important Bird Areas. For most boundary changes, this update “snapped to” tax
44 parcel boundaries. 2009 aerial photos were also used to study plant growth. This resulted in an increase of total acreage.
45

46 Karen proceeded through the slide show of proposed revisions. Dooley Kiefer asked if soil types were part of the criteria for
47 a particular wetland, and Karen responded that soil types are a factor in designation of federal wetlands. Dooley questioned
48 changes at Wyckoff Swamp. Robert said some is from old growth vegetation, and Karen pointed out aerial photos of
49 vegetation can be extremely telling. Concerning Malloryville Fen, Dooley felt the flow of ground water means to her that
50 the prior, wider boundaries made more sense. Karen showed how the aerial photo led to the new boundary to the west.
51 Robert suggested field work should be done at Malloryville Fen in the future. Change in the Coy Glen boundary was based
52 on field visit by Robert.
53

54 Karen stressed that UNA designation is not regulatory. The Inventory is supposed to help municipalities learn about
55 properties. At this time there are no consolidations proposed, but there may be some areas where that make sense for
56 contiguous sites. She then reviewed the two candidates for addition. Concerning both proposed UNAs, Hawthorn Orchard
57 and Salt Road Fen, much of the land is owned by Cornell and some is privately owned. Salt Road Fen was drawn per
58 vegetation. In response to a question about the relationship to tax parcels, Karen said many of these changes are to keep
59 fractions of an acre out, make it easier to map and notify landowners. But Robert pointed out vegetation was the major
60 indicator. Darrick Evensen asked for examples of how the document is used, and Karen said EMC and Tompkins County
61 are motivated to do periodic updates because municipalities use the Inventory for consideration of Critical Environmental
62 Areas, gas drilling, and other development reviews. David Weinstein said he serves on the Town of Dryden Planning
63 Board, and they always start with UNA information when doing development reviews – it can show a property that warrants
64 a closer look in decision-making. Brian Eden pointed out several municipalities are currently using the Inventory during
65 their comprehensive plan updates.

66
67 John Dennis asked if we need outreach to municipal planning boards. Karen said this slide presentation is on the web. In
68 2000, presentations were made to all municipalities, and now is a good time to repeat that. Scott Doyle concurred that this is
69 a huge opportunity for education. Brian suggested specifically inviting municipal planning board members and elected
70 officials to the October 16 presentation at the Library. Carolyn Peterson voiced concern about the process, saying she feels
71 this information should go to municipalities and landowners first. City planning staff was not aware of the proposed
72 changes. She asked if the update is solely an EMC decision. Steve Nicholson confirmed that this is an EMC document and
73 does not require any kind of adoption by municipalities. He offered a historical example: around 2001 a developer
74 questioned a boundary. At that time, EMC had no protocol to make changes between update periods. The authority lies
75 with EMC. The committee and consultants prepared the changes under review now, and have purposely tried to get away
76 from having others make suggestions. Scott Doyle said he has received some comments since the agenda was released. He
77 encouraged EMC to give it a month for public input and education. Some concerns will be addressed at the October 16
78 meeting. Lucia Tyler provided a municipal perspective, saying in Ulysses people objected to the Town Board making
79 UNAs official. They thought UNAs impact their ability to develop property, and could devalue property. Scott Doyle
80 pointed out some realtors include mention of UNAs in advertising properties for sale. Lucia said there is much mis-
81 information out there.

82
83 Brian said basic cartography is not up for political discussion. Karen provided some history of Hawthorn Orchard, saying
84 very few people were aware of it in the early 2000s, as it was only known to birders. Then two things happened: Cornell
85 looked to expand their soccer fields and, in order to point out how special the site was, a Lab of Ornithology analyst came
86 forward to explain its importance as a birding area. An alternate site was identified and selected for the soccer fields. This
87 points out how biological designations should be separate from political action. Dooley wished to make two comments:
88 She understands it is easier to redraw boundaries to tax parcels, but it may not relate to natural areas, so she is sorry it was
89 used so much in these proposed changes. Re public involvement, it is easy to put information out. Citizens should respect
90 the need to protect rare plants. These are not public properties, so she disagreed with Carolyn about municipal participation.
91 Steve Nicholson pointed out all the changes and additions currently proposed came from internal review. The protocols are
92 for changes proposed by outsiders. Gary Stewart asked if the landowner is notified for proposed additions being developed.
93 Scott Doyle said the update process only requires contact for access permission. Darrick Evensen asked how to learn more
94 about UNAs in his municipality, and Steve said maps are on the website and each municipality received an Inventory binder
95 with a large map of all UNAs.

96
97 Lucia reiterated education is a very important part – the public needs to appreciate these sites in order to protect them. Brian
98 said EMC should provide periodic presentations because elected officials and their volunteer boards change. Gary asked if
99 site visits were made to the sites proposed for addition. Robert said yes, these two sites have access to the public. Gary felt
100 CU should have been notified. Scott Doyle recommended an education period before the resolutions are addressed. He
101 feels the work is solid, and called the UNA Inventory a flagship database. But he recognizes the need to talk about what
102 UNAs are and are not. Carolyn concurred the education component is important. John Dennis said, as a social scientist, he
103 has been involved in public outreach and is willing to help with this aspect. He praised the immense amount of work by
104 Karen Edelman and Robert Wesley. He characterized UNAs as neither fish nor fowl – are the private? Public? Protected?
105 Maybe we can learn and promote ways landowners can get tax breaks if property is protected. Karen pointed out tax breaks
106 are on income tax, not property taxes. Vermont has a real estate transfer tax that helps preserve land. Spring Buck
107 recommended postponing the resolutions. There was a round of applause for the work of Karen and Robert.

109 **Resolutions** -- As chair of the UNA Update Committee, Steve Nicholson moved the resolutions, which was seconded by
110 Darrick Evensen. Following member comments, Darrick said he promotes tabling the resolutions to the next business
111 meeting, which was accepted as a motion, and several others voiced support for that. Lucia encouraged members to talk
112 with Groton residents, where this is particularly viewed negatively. There was discussion about whether or not all
113 landowners would receive notification, and it was agreed to notify landowners for the additions and rely on public outreach
114 for the landowners affected by proposed changes. Motion seconded by John Dennis to table action on resolutions. Katie
115 Kelly said she thought she was hearing some of the same concerns that were discussed when we changed the process last
116 year, so maybe the process is not clear enough. Motion to table passed by unanimous show of hands.
117

118 **Approval of Minutes** – The draft minutes were accepted with minor corrections. Final minutes are available on the
119 EMC webpage: www.tompkins-co.org/emc.
120

121 **Invasive Species List** – Postponed to next business meeting.
122

123 **Staff Reports** – No report.
124

125 **Committee Reports** – Energy: Brian Eden recommended that members access the Cleaner Greener regional sustainability
126 plan online and provide comments. Public meetings are coming up, and members will be informed of dates when they are
127 established. Energy Committee will meet next week. Environmental Review: Brian reported for Jim McGarry that the
128 committee provided comments on the Cascadilla Landing project, which will have buildings 3 – 5 stories tall and be highly
129 visible. The Town of Ithaca established stream setbacks and now some residents are asking for variances. ERC commented
130 on one proposal on the west shore of Cayuga Lake. Executive: Will meet next week. Gas Drilling: Martha Ferger reported
131 some members participated in a demonstration at the State Fair, waving signs at Governor Cuomo. She noted the Governor
132 seems to be playing both sides of the hydrofracturing debate right now. We should be very aware of water withdrawal and
133 road repair aspects of this industry. Steve said the Town of Caroline enacted a ban earlier this week, and the Town of
134 Groton has a hearing scheduled for a moratorium. State of the Environment: Kate Engler shared topic ideas, and reported
135 committee members have each taken on topics for research.
136

137 **Member Items** – Spring Buck invited members to nominate organizations for the Transportation Initiative of the Year,
138 which is scheduled to be awarded in December. Emily Hamilton encouraged members to learn more about the Green
139 Building Alliance, which has information available on the Cooperative Extension website.
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141 The meeting was adjourned at 5:47 PM.
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143 Respectfully submitted,
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144 Kathy Wilsea, Secretary

145 Tompkins County Planning Department

146 Approved by Council on _____, 2012