

# TOMPKINS COUNTY WATER RESOURCES COUNCIL

**April 20, 2009  
Meeting Minutes**

**Voting Members Present (17):** Will Burbank, Ed Bugliosi, Liz Cameron, Donna Eschenbrenner, Barry Goodrich, Roxy Johnston, Joan Jurkowich, Dan Karig, Darby Kiley, Gregg McConnell, Frank Proto, Elaine Quaroni, Craig Schutt, Bud Shattuck, Mary Shelley, Linda Wagenet, Roger Yonkin

**Voting Members Excused (2):** Rick Manning, Cindy Schulte

**Voting Members Absent (1):** Sharon Anderson

**Non-Voting Members Present (6):** John Andersson (Associate), Dooley Kiefer (Associate), Jose Lozano (Associate), Todd Miller (Ex-Officio), Steve Penningroth (Associate), Marjory Rinaldo-Lee (Associate)

**Staff Present (1):** Kathy Wilsea (T C Planning Dept.)

**Guests Present (5):** Martha Ferger, Bill Kappel, Erika Knight, John Simeone, Lisa Wright-Mathews

**Public Hearing: Water Quality Strategy Update --** Chairman Frank Proto called the public meeting to order at 4:23 PM. Joan Jurkowich, chair of the WQS committee, read email comments from Stephanie Wojtowicz of the NYS Department of State:

“I just quickly went over the Water Quality Strategy and thought it was good overall. I liked to see the inclusion of the WPP (watershed protection plan). Two very small things that I noticed, is there is really no discussion of onsite wastewater treatment and impact to water quality related to poor maintenance. I’m not sure how many OWTS there are in the county, but I would image (sic) a fair amount. It might be good to include some objectives related to proper installation, inspection, and maintenance.

“Another thing you may want to consider is the re-evaluation and revision of the watershed plan. It is going on ten years now and things have definitely changed. Given all the work that has been done in terms of implementation and new data that is now available, it may be a good objective to have under goal E. This would be doable under the next EPF round, if you are interested. I know that Canandaigua came in last year to update their watershed plan and received funding.

“Just some thoughts.”

There were no guests who wished to comment. The public hearing was adjourned at 4:28 PM.

The meeting of the Water Resources Council was called to order at 4:29 PM by Chairman Frank Proto.

**Agenda Review and Approval of Minutes –** There were no changes to the agenda. The draft minutes of March 16, 2009 were moved by Linda Wagenet and seconded by Barry Goodrich. Sentence “Chair Darby Kiley was absent.” was struck from the Aquifer Committee Report. Amended minutes were accepted by unanimous voice vote. New member Will Burbank, liaison for the County Legislature, was welcomed. Introductions were made around the room.

Joan Jurkowich moved to accept the draft Water Quality Strategy, which was seconded by Craig Schutt and passed unanimously.

**Marcellus Shale –** Bill Kappel was present from US Geological Survey. He said today’s PowerPoint presentation is the same one he has given to the Environmental Protection Agency and the Department of the Interior. The multiple horizontal hydrofracking technology was developed in Texas, Oklahoma, and Arkansas. NYS DEC is drafting a supplemental GEIS on hydrofracking because of the large amount of water used in the process. The drilling phase uses a rig, pumps, supplies, and frack tanks for up to two months in an around-the-clock process. Hydrofracking currently allowed by DEC can go up to 80,000 gallons of water. Water can come from municipalities, surface water

and/or ground water. There are different oversight entities for some of the stream withdrawals (Delaware, Upper Susquehanna, Great Lakes), and interbasin transfers are not allowed.

The fracking phase lasts about two weeks and involves hundreds of trucks moving constantly. While chemicals constitute less than one percent of the fracking fluid, this is still a large quantity because of the 1.5 million gallons of water used for a typical site. A gelling chemical is necessary to prevent the sand from settling during the process. The fluid that comes back up contains heavy metals and salt. Statistics were provided for one well in western Pennsylvania, where concentration of heavy metals and radioactive nucleides increased during the three testing phases of the recovery period. Frack water needs to be treated before disposal. While Pennsylvania allows regular wastewater treatment plants to treat flowback, they were not meant to process these chemicals, heavy metals and radioactive nucleides. The drilling industry claims black box treatment systems are being developed for removal of specific contaminants. If regional drilling is successful, pipelines need to be developed, too. Bill has been told that if pipeline with 'stubs' is used, it moves the installation from an agreement situation into an eminent domain situation.

In the discussion period, Bill said the limited number of drilling rigs affects the timing chosen by companies. NYS has unit size requirements for drilling pads. The drilling company must contract with 60% of landowners in a specific area in order to get a DEC drilling permit. DEC has different divisions, so mineral exploration is separate from water withdrawal. NYS only allows the pad to be active for three years. He doesn't expect many leases to be renewed locally because the price of natural gas has fallen to a point where exploration is not economically viable. Counties can work on controlling roads, water resources, zoning, and protection of drinking water wells. He suggested dialoging with officials from Broome County. Pipelines need compressors on intermediate lines. When the dSGEIS is published, there will be a public comment period. Bill suggested getting a speaker from DEC at that time. Bill's presentation is available on the WRC webpage: <http://www.tompkins-co.org/planning/committees/WRC/index.htm>

**Committee Reports – Gas Drilling:** Liz Cameron reported that they met and discussed water quality issues. **Grants:** Craig Schutt said the NYS budget partially restored the Environmental Protection Fund. FLOWPA project funding is not affected until next year. **Nominating/Membership:** As WRC Chairman, Frank said there have been email discussions on attendance, and he will be making contact with one member. **WRC/CU Monitoring Plan:** Roxy Johnston said Jim Adams reported at the last meeting that the plan went to DEC. It may be posted on the Cornell website by now. The partnership made a proposal for 16 op-ed articles to the Ithaca Journal, which was well received. They are developing outreach materials. **Wetlands:** Darby Kiley reported they are working on a model ordinance. **Aquifer:** Todd Miller said they met and talked about posting information for public access. It will be in the form of a table with some text. **Cayuga Lake Recreation:** Dan Karig reported a cleanup was held recently, sponsored by Inlet Island merchants. Other projects are stalled because of problems contacting co-sponsors.

**Chair Report** – Frank Proto reminded members that the Water Week celebration is coming up. He also reminded members to sign up for committees if they didn't do that earlier in the year.

**Announcements/Other Business** – Elaine Quaroni provided some research materials on Cayuga Heights treating gas drilling fluids, which went to members by email, and spoke with Jose Lozano of the Ithaca Area Wastewater Treatment Plant. She is concerned the Cayuga Heights Wastewater Treatment Plan is not designed for toxics. The Village has stopped taking flowback water (from vertical drilling) for treatment and is doing a headworks study. Full disclosure is an issue, since gas drilling companies do not want to reveal the exact chemicals and amounts they use for exploration. Elaine asked if WRC had a position that treatment plants are not designed to treat toxics. Jose Lozano was present and said the IAWWTP was approached about treating flowback. They want full disclosure, are concerned about the quantity, and need chemical information for a headworks study. He said he was not aware of the interbasin restrictions mentioned by Bill Kappel. Frank asked the Gas Drilling committee to draft a letter to DEC and Cayuga Heights about the appropriateness of wastewater treatment plants treating toxic materials and their need for full disclosure in order to conduct headworks studies. Gregg McConnell said the Fall Creek Watershed Committee is collaborating with Trout Unlimited on a cleanup for Fall Creek.

**Adjournment** -- The meeting was adjourned at 6:05 PM.

Respectfully submitted, Kathy Wilsea, Planning Department Secretary  
Adopted by the Council on May 18, 2009.