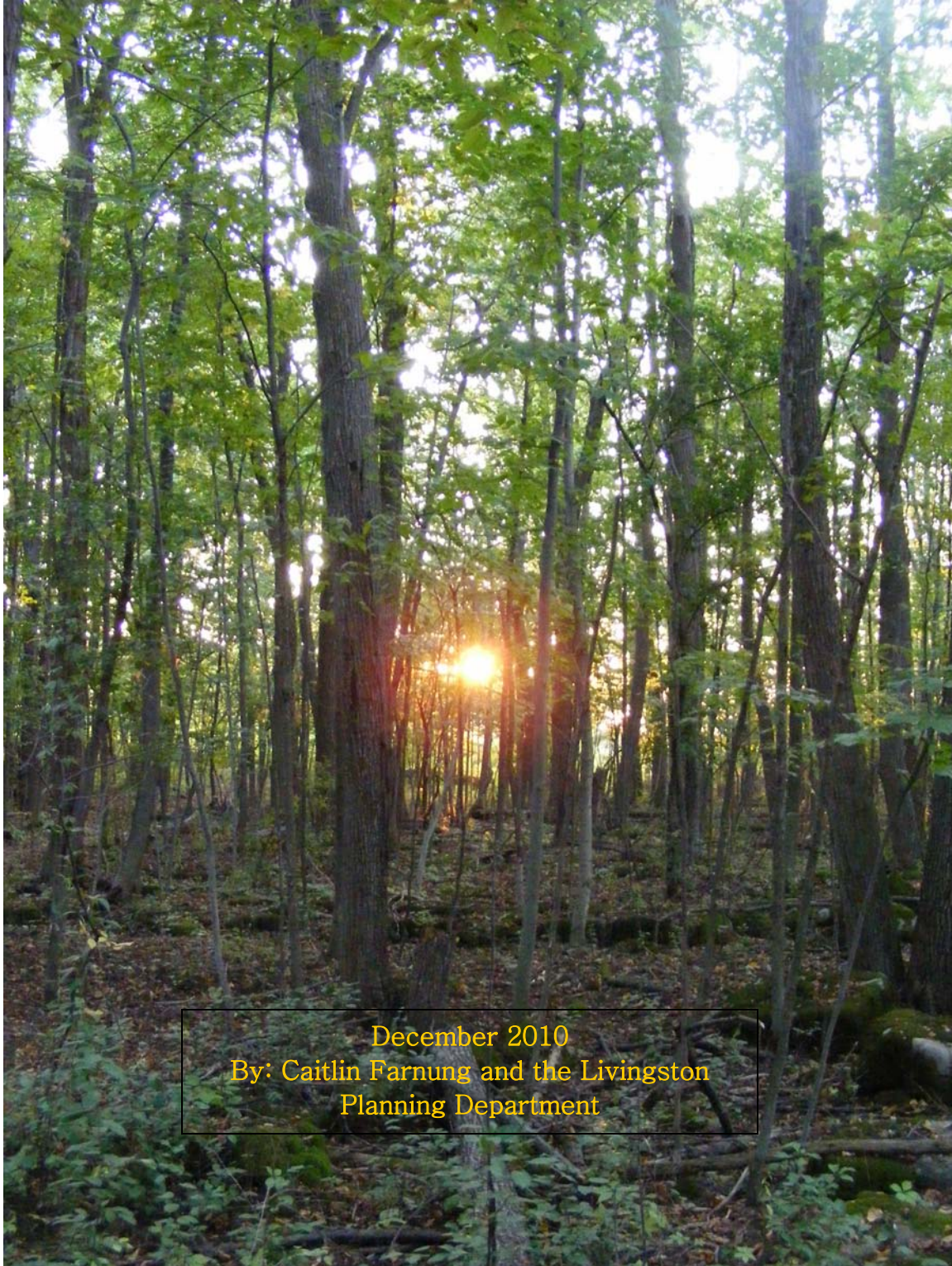


A 30-Year History:

The Livingston County Environmental Management Council



December 2010
By: Caitlin Farnung and the Livingston
Planning Department

Photo: MacKay Wildlife Preserve, Caledonia

Photo by Heather Ferrero

Introduction

Environmental Management Councils (EMCs) were established in New York State under Article 47 of the Environmental Conservation Law passed in 1970. These boards were optional and consisted of volunteers meant to advise the county governments and connect the community and the county. The Livingston County Environmental Management Council was formed with the purpose of preserving and protecting the natural and man-made environments of the County. The Livingston County EMC is one of 23 EMCs active in New York State today.

The first meeting of the Livingston County EMC was held on October 24, 1979. At this first meeting there were 23 voting members, six ex-officio members, two guests and two staff present. Concerns and interests that were discussed at the first meeting included soil and water conservation, agricultural conservation, ecology, water purity, recycling, economic effects on the environment, and increasing awareness of environmental issues. The members of the Council came from many different backgrounds and interests. Members were Livingston County residents, and they had backgrounds in agriculture, business, education, public agencies, or town Conservation Advisory Councils (CACs). The by-laws of the EMC state that members should consist of people from the business, agriculture and general citizen sectors of the community; in this way the Council ensures that it takes into account the opinions of all the layers of the County population.

Citizens push environmental council

By BOB BICKEL

GENESEEO — Citizen water planners in Livingston County got less than they hoped for from the Board of Supervisors yesterday, but more than environmentalists have been able to obtain for the past eight years.

At issue was formation of a Livingston County Environmental Management Council.

Aware that eight years ago the board established a council, then abolished it two days later at the urging of business and industrial leaders in the county, members of a Livingston County review and research group which has been doing 208 pure waters planning in Livingston presented their case for formation of a council very carefully.

They pointed out that it would earn state aid, would give top priority to enlisting business and industrial membership and would require very small funding, for mileage reimbursement and the like.

Formation of a council as an advisory agency to the board itself, which would assume responsibility for managing pure waters activity, was presented by Irene Swanton of Avon as the official recommendation of a 208 Policy Advisory Committee appointed by the supervisors.

The policy committee, a 208 technical committee, and a 208 citizen advisory

committee formed the review and research group after their committee assignments were completed.

Several members of the research group yesterday summarized their work and findings, and announced that they would soon present a water resources plan for the board's approval.

Mrs. Swanton said the policy committee proposal would enable the

county to keep control of its own water planning.

Others said the proposed board-council operation would enable supervisors to influence environmental quality review, wetlands control and "a board spectrum of environmental management."

The research group members were promised a resolution by the board and left the meeting.

Later, a resolution was adopted unanimously, but instead of establishing the board-council program, it promised only that the board would consider the recommendation, and might possibly include it in the water resources plan promised by the group.

The resolution was presented by the board's Legislative Committee and its chairman, Carroll Bickford.

Figure 1: An article on the formation of the EMC (12/14/1978), from the Livingston Republican.

The main duty of the EMC is to advise and update the Board of Supervisors. Other mandated responsibilities include: compile and update a natural resources inventory (NRI), conduct research, create and distribute pamphlets as needed, keep accurate recordings of meetings, cooperate with other unofficial or municipal bodies and file an annual report. As stated in the New York State Environmental Conservation Law:

The [Environmental Management] council shall develop and maintain an inventory of natural resources within the county and other such environmental information as may be appropriate. Said inventory shall include wetlands and open spaces and may include, but not limited to factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat, unique natural areas, and scenic, historic, and archaeological sites (ECL, Section 47-0107(5-a)).

The original EMC was divided into executive and standing committees: NRI, energy, resource recovery, and comprehensive water quality committees. Each member of the EMC had the responsibility to attend bi-monthly meetings, participate in activities, to be a member of one the Council's standing committees, be informed on environmental matters, and advise the Board of Supervisors, and other County, Town and Village public and private agencies on environmental matters. Frequently, members of the Livingston County EMC expressed a particular concern in preserving the 'character' of the County. One difficulty the EMC faced was finding a balance between growth and preservation in order to maintain the character of the County.

Board of Supervisors

One of the central duties of the EMC is to act as a knowledge base for the Board of Supervisors on environmental issues. It is their commission to be well informed so that the Board can rely on them to supply advice and information on these specialized concerns. However, advice is not limited to the Board; the EMC has contributed to both the public and private sectors as well.

Energy Efficiency

One of the first suggestions the EMC proposed to the Board was to make the County buildings more energy efficient. This included suggestions such as weatherizing windows, insulating attics, and reducing paper waste. These suggestions were accepted by the Board, and in 1981, energy-saving storm windows were installed in County buildings. In 1983, the EMC reviewed and commented on the Draft Energy Savings Plan Recommendations and supplied the County with energy savings information. These suggestions were taken into account when constructing buildings such as the Livingston County Government Center in Geneseo. The Council pointed out to the Board that such improvements to buildings would not only be environmentally sound but also would save the County money. The Council published a "County Energy Plan" to outline ways to utilize the County's resources, along with balancing future energy needs and development with conservation.

Bottle Bills

Another important topic on which the Council and the Board communicated was the progression of intensifying Bottle Bills set forth by New York State. The first Bottle Bill was brought forth in 1981. This Bill proposed that containers such as soda cans, beer cans, and wine coolers could be returned to the retailer for a refund of five cents in New York State. The EMC supported the Bottle Bill from the beginning and advised the Board to endorse the Bill [Figure 2]. The Bill, known as the New York State Returnable Container Law, was enacted at the State level on June 15, 1982. Along the same lines, the EMC advised the Board to support the Returnable Container Act (2004). In 2004, the discussion of a new Bottle Bill was also brought up within the Council. It was decided that the Board should support this new legislation. This Bottle Bill would add bottled water to the containers that carried a five-cent refundable deposit. This Bill had more difficulty in proceeding than the previous one, but the Board followed the Council's advice and supported the new Bill in 2007. In 2009, the Bill finally passed at the State level and became effective on October 22, 2009.



Livingston County
Board of Supervisors
Court House
Geneseo, New York 14454

Attn: Robert F. Hart, Chairman

Gentlemen:

Recently there has been much interest and controversy in Albany over the adoption of a Bottle Bill.

After reviewing the various proposals the Livingston County Environmental Management Council recommends the Board of Supervisors officially support the Koppell/Lack Beverage Container Deposit legislation (Assembly 3692, Senate 2831) over the Robach/Smith legislation for the following reasons:

- * The Koppell/Lack Bill provides an economic incentive to collect litter at the source whereas the Robach/Smith legislation does not.
- * The Koppell/Lack Bill requires no expenditure of State money whereas the Robach/Smith Bill requires funding of \$11.2 million annually.
- * According to the GAO report by the Comptroller General of the United States, "States' experience with beverage container deposit laws shows positive benefits". The report concludes that the revenues generated will more than offset the private cost to industry.

Figure 2: Letter to the Livingston County Board of Supervisors supporting the Bottle Bill, dated May 14, 1982

Retsof Salt Mine

With the collapse of the Retsof salt mine on March 12, 1994, the EMC was trying to assess the complete environmental consequences. The EMC provided an outlet for community concerns and comments. By 1997, the EMC had been observing the recovery of the affected areas and felt that Akzo could do more to try and aid in the rehabilitation of the area. They informed the Board that they supported Akzo's further addressing the severe water quality and supply issues in the northern Genesee Valley. It was the opinion of the Council that there was a need for more permanent solutions and further geologic and groundwater assessment of the area. This led to a larger project for the EMC of understanding the complexities of groundwater in the region, which will be discussed later.

Radon

Valuable knowledge obtained by the EMC is consequently passed on to the Board of Supervisors. This was the case when, in 1998, the Council became alarmed by what they were finding about radon in the County. Livingston County has the fifth highest radon levels in the state; radon is a carcinogen and is the second leading cause of lung cancer. Due to these dangers, the Council recommended to the Board that radon be considered a County health priority. The EMC also supported the Livingston County Department of Health in passing a resolution to make October 18-24 Radon Week. To the general public, the Council suggested that homeowners conduct home tests to assess their exposure to radon.

Outreach to Other Agencies

Other governmental agencies also benefited from the expertise of the EMC. For example, in 1981, the Council made suggestions on the Town of Genesee's Zoning Ordinance on the Generic Environmental Impact Statement (GEIS). The EMC also suggested that the Department of Environmental Conservation (DEC) require an Environmental Impact Statement (EIS) for Hemlock Lake after the rehabilitation of conduit #1 in 1985. In this way, the EMC acts as a double check for other environmental organizations, being able to identify issues that may have been missed. Another example was when the Council sent a letter to the DEC in 1989, regarding a concern about the overdrawing of water from Conesus Lake. The EMC's review of NYSDEC permits also allows for additional comment on environmental proceedings.

The EMC communicates with the inhabitants of the County as well. In 1986, the Council wrote a letter to the County's firemen congratulating them in participating in a series of drills on how to handle toxic spills and chemical fires. They also sent a thank-you to the Department of Transportation for keeping the roads safe, which included some concerns about their plans to cut banks along Route 256 and suggested some vegetation to keep the ground stable (1988). Another letter was written in 2003 to recognize DEC officers retiring from State service. This communication not only serves to convey the EMC's environmental messages but also fosters a relationship with the community.

Natural Resources Inventory (NRI)

The Natural Resources Inventory [Figure 3] was a long and arduous undertaking assigned to the EMC upon its inception. Despite setbacks and years of hard work, the document was ultimately completed in 2007.

The process began with the acquiring of a student intern in 1981. This intern worked for the natural resources committee compiling information already in the records. Not all the information for the NRI was available, and in 1983, the committee delegated students to undertake a vegetation study of the County. In this study, students examined satellite imagery data on woodlots and reclaimed agricultural land. Another student study in that same year was on the changes in land use south of Conesus Lake over the years. There was also a student timber coverage study and a landfill sustainability study. All this was done in 1983, and the natural resources committee began to realize they were only scratching the surface.

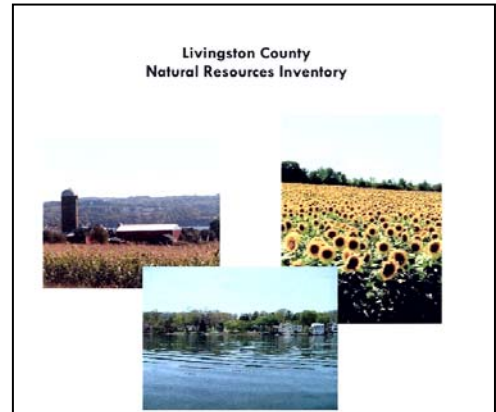


Figure 3: The cover of the completed NRI

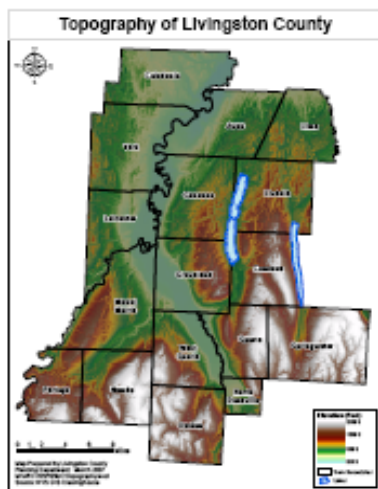


Figure 4: Topographic map from the NRI

In the following years, there was a steady stream of studies undertaken by the EMC members and interns to compile all the information necessary to complete the report. In 1984, there were studies on dumpsites and soil permeability and aquifers. In 1986, there was a survey on groundwater resources, in 1987 a list of map resources was prepared and, in 1988 a student prepared an overlaying map showing the watercourses in the County. For the final product, the NRI was done with advanced technology, and maps were developed using geographic information systems (GIS), which is a computer-based tool that displays data, and organizes and interprets layers of data [Figure 4].

By 2005, Volume I of the NRI was completed. Volume I included the location of water bodies, watersheds, wetlands, flood hazard areas, soils, NYS parks, forests and wildlife management areas, land trust preserves, digital orthographic quarter quadrangles, land use and land cover. This part of the NRI was used as a catalyst for the complete project. It was presented to towns and villages throughout the County, explaining the resources available within the County, and also getting the word out about the EMC.

The EMC experienced problems with topics in Volume II of the NRI. One resource that was included was ‘scenic viewsheds.’ The EMC discussed that this resource is personal opinion and what is important to some may not be important to others. Discussion among the group eventually resolved the issue by having each municipality identify its own scenic viewpoints, and the project moved on. The completed Volume II included the locations of important bird areas, national natural landmarks, significant historical places [Figure 5], recreational areas in Livingston County and public hunting areas. In 2007, the full NRI was prepared for publication. It was decided that the NRI would be released to the public for a period of thirty days for review.

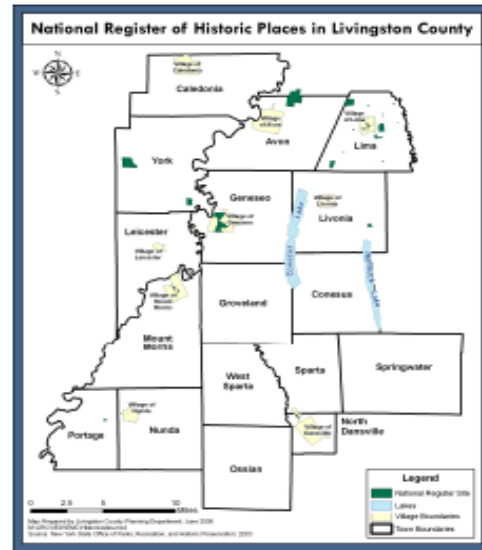


Figure 5: Map of Historic Places from the NRI

In May 2007, the NRI was officially completed and was full of valuable County information. The publication was distributed to towns, villages, local libraries, and other interested parties. Presentations on the NRI were given at the West Sparta Town Board and at the Association of Villages meeting. In 2009, NRI comments were added to the Livingston County Planning Board staff reports. These reports are generated for County Planning Board zoning referrals, and NRI comments provide information on the presence and location of natural resources and provide advisory comments regarding impacts to those resources.

Public Education

In a time when ‘green’ is leading the way, the EMC is trying to keep one step ahead, learning about new technologies and projects, ascertaining their consequences, and sharing their knowledge with the public. The EMC holds open meetings and invites speakers to talk about pertinent environmental topics. In this way, the Council keeps informed on important issues, and the public can learn as well. Thirty years of guest speakers and tours have provided the public with comprehensive environmental information.

Bill Stevens of Niagara Mohawk was the first speaker in 1980, giving a presentation on the importance of insulation. This was followed up the next year with Jerry C. Hiller talking about the recycling program in the Town of Batavia. Many of the speakers presented on issues pertaining to the concerns of the day. For example, in 2007, when an ethanol plant was proposed for the County, the Council had Matt Cole present ‘Ethanol 101,’ a discussion about the production of ethanol and an ethanol plant at the Finger Lakes Community College. Bill Banaszewski, a professor of Conservation, came to present on the ‘Return of the River Otter to the Honeoye Lake Watershed’ when this occurred in 2002.

Presentations such as that on the otter also show how the EMC strives to educate the public on issues important to the County. In 2006, the Council sponsored a presentation on the after-effects of the Akzo salt mine collapse. Another presentation was on the 'Wildlife in Livingston County - an Exploration of Livingston County's Wildlife Management Areas, Conesus Lake and Rattlesnake Hill' (2009). Presentations such as these are relevant to the population of Livingston County and provide information that may be useful, like the radon presentation that was held in 1998.



Figure 6: The EMC at Mackay Wildlife Reserve

Public education programs are not exclusively limited to presentations, and field trips have been a growing trend for the EMC over the years. Some tours include Mackay Wildlife Reserve in the Village of Caledonia (2008) [Figure 6], Sugarbush Hollow in the Town of Springwater (2006), Donnan Farms milking center in the Town of York (2005), the American Rock Salt mine in the Town of Groveland

(2004), Wethersfield wind farm in Wyoming County (2004), and the City of Rochester's Hemlock Lake filtration plant in the Town of Livonia (2001). A particularly enjoyable outing is the EMC's annual expedition to Letchworth State Park with naturalist Doug Bassett. This tradition began in 1997 and has been held continually since then.

Open meetings are not the only approach that the EMC uses to reach out to the public; workshops, radio announcements and publications are all ways that the Council has educated the public. In 1982, the Council developed a workshop to teach local public agencies about the provisions of the SEQR (State Environmental Quality Review Act). Later in 1984, the EMC also held a public workshop on SEQR. In 1987, in order to educate the public on proper pesticide disposal, the EMC provided service announcements over the radio. Also in this year, the EMC held a public workshop on recycling. In 1989, the EMC distributed brochures on household hazardous wastes, informing the public what they should and should not do regarding these wastes. In 2009, the Council held an energy forum, "Save dollars, save energy, reduce waste." William McCleary, a member of the EMC, wrote columns to keep Livingston County informed on environmental initiatives. The topics he addressed in his articles ranged from cotton vs. disposable diapers to silt in the Genesee River. The use of these different media ensures that the EMC's environmental messages reach the largest audience possible in the County. Knowledge about an issue is the first step in getting a community to change their behaviors or attitudes for the better. The Council supplies this information to equip environmentally conscious citizens with the methods and tools to lessen their impact on the earth.

Waste Disposal

In early 1980, concerns began to be raised throughout Upstate New York about the shrinking amount of landfill space. The EMC began discussing the impending landfill crisis in 1980 and took the opportunity to discuss Batavia's innovative Resource Recovery Operations. This was a recycling program of source separation, and the Council wondered if the program could be expanded. In 1981, the Council decided to undertake a study, the "Livingston and Wyoming Counties Solid Waste Management Study," to better understand the growing solid waste problem. A questionnaire was sent to 36 groups operating recycling programs to better understand the logistics associated with beginning a recycling program.

Along with these actions, the EMC began to explore the possible damaging effects of waste disposal procedures. In 1981, a new committee was formed to study the effects of land-spreading sewage sludge. The basic purpose of this committee was to get a grasp of what type of sludge was being disposed of and how many municipalities were land spreading. The committee found that better communication was needed between the farmers and sewage treatment plant workers. In addition, the EMC found that if DEC regulations were followed, land spreading could be implemented safely.

The Council recognized that waste reduction would be beneficial for the County. The EMC recommended to the Board of Supervisors that they should endorse the concept of materials recovery as part of their solid waste management plan, direct all firms making proposals to include material recovery, and direct a further study on the implementation of a materials recovery program. With recycling, there would be less material that would have to go into a landfill. Not everything can be recycled, so along with these recommendations the Council also published a report on potential sites for landfills.

In the following years, the Board took the EMC's advice and directed further investigations into the effects of recycling. In 1982, an in-depth survey was sent out to recycling programs already in place in the County, and participants were asked their opinion on the feasibility of a countywide recycling program. In the following year, a student intern carried out a study on recycling, and she spoke to the Board on the benefits of recycling. In 1984, another student intern did research on possible sites for a small landfill.

In 1984, the Council held an office paper-recycling workshop. The Council was also busy investigating alternative waste management methods. The EMC researched a proposed waste-to-energy plant and a proposed trash burning plant. In 1986, the severity of the landfill situation was intensified. Focus was again on implementing recycling programs in the County. The EMC became involved in getting recycling going in the community; they hosted a workshop in 1987. By 1988, the EMC had proposed a possible waste management plan for Livingston County. At this time, the counties surrounding Livingston had allied to try to solve their waste problems; the coalition formed was called GLOW (Genesee, Livingston, Orleans and Wyoming).

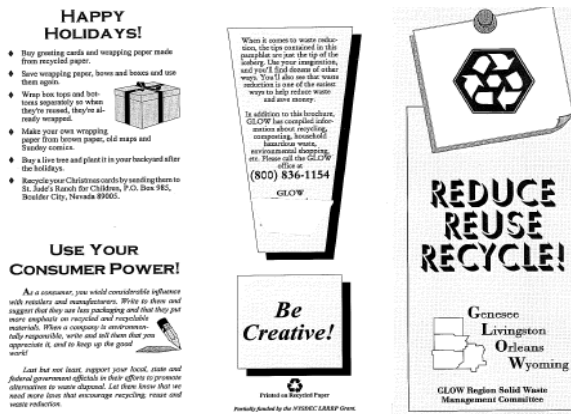


Figure 7: Recycling brochure from GLOW

Members of the EMC were also active participants in GLOW. Four student interns conducted a survey in the GLOW region to assess citizens' attitudes towards recycling. The EMC applied to the State for \$56,000 in 1989, in order to educate the public on GLOW and its issues. The money would go towards an informational movie, a slideshow, brochures and other advertising. The State granted the EMC \$25,500 to put toward their educational efforts [Figure 7]. In 1989, it was found that there was change in attitudes about

recycling because of landfill closings. A recycling program was initiated in Livingston County, and GLOW is still in place today helping to deal with new waste management issues.

Groundwater

In 1980, Ruth Benin played a significant role in making water quality one of the major focuses of the EMC. In 1981, the Council developed a water quality plan for Livingston County. In 1983, the EMC studied the zoning regulations for Hemlock Lake, which can affect ground and surface waters. Then, in 1985, the Council conducted a study on the underground storage of petroleum products, along with a study on groundwater management and public water supply. Bruce Butler of the DEC also came in this year to speak publicly about the importance of high quality groundwater.

The result of all this work was that in 1988, watershed protection was identified as an important objective. And in 1989, the Council encouraged the Board to contract a study of water supplies in the County. Subsequently, the County hired Clark Engineers of Rochester, and they conducted a comprehensive water supply study of the County. There was a great response and commitment from the County as a consequence of this study, in regard to the importance of groundwater.

This point was regrettably highlighted with the collapse of the Retsof salt mine in 1994. The collapse was damaging and far-reaching. However, this event was the catalyst the EMC used to promote the creation of a well-registration program. A well-registration program would establish baseline conditions of wells, identify problem areas, and provide information on subsurface conditions of groundwater resources. With this information, groundwater could then be managed and protected.

A water well-registration sub-committee was formed in 1998. The committee recognized the need to protect the groundwater and to identify obstacles to water resource management. These included unregulated well drilling, lack of information about individual wells, and lack of a central compilation for such data. The first step for the committee was to conduct preliminary research and to contact resources outside the

County to understand the peripheral and management problems associated with a well-registration program. A survey was sent out in 1999 to all counties in the state to gauge support for a statewide well-registration program. Thirty-seven counties responded, and of the respondents, 70% were in favor of a well-registration program.

In that same year, the committee's objective was attained; a statewide well-registration program was put in place. Drillers would have to be certified by 2003 under the NYS Water Well Registration Driller Law; this included new permits and other information gathering before new wells could be drilled.

Earth Day Award

In 1998, the EMC wished to find a way to honor Earth Day and the citizens of Livingston County who showed exceptional commitment to conservation; this is when the idea of an annual Earth Day Award was created. The first recipient of the award was Jean Meekin in 2000. She received the award for all her hard work toward conserving Conesus Lake.

In 2001, the award was given to Don Root and John Baldwin for their work on Hemlock and Conesus Lakes, respectively. Holly Adams and the Dalton Elementary School received the award the following year for their creation of an Earth Club. In 2003, Sheriff John M. York, Major James H. Rose, Corporal Jamie Kelley and Deputy Michael Malone all received the award because of the Livingston County Jail's Work Release Program. These programs removed trash from the highways and provided labor for recycling programs and non-profit organizations. Douglas Bassett



received the award in 2004 for work in environmental education at Letchworth State Park. The next year, Chuck Winship received the award for his educational efforts at his sugar bush farm, Sugarbush Hollow. Richard Palermo received the award in 2006 for his dedication to Conesus Lake and his contributions to the Town of Livonia's Vitale Park extension park program. In 2007, Don Wetzel and Don Root were given awards for their work and dedication to the health of Conesus Lake and Hemlock Lake, respectively. The succeeding year, Barry Ganzhorn received the award for shepherding the Mackay Wildlife Preserve into creation, operation of the Caledonia recycling station and provision of nuisance animal management services to the Village of Caledonia. The award was given to the Genesee Valley Conservancy in 2009 for all they have done to encourage an active and green lifestyle in the community.

Conclusion

The Livingston County Environmental Management Council has been involved in many other activities. In 2001, the EMC developed a website, a sub-section of the Livingston County website, which provides information on the mission of the Council, the NRI and the Earth Day Award. Another notable project of the EMC was their participation in the Adopt-a-Highway program starting in 1998 up until 2007. The Council adopted part of Route 256 from Groveland to Conesus and conducted clean-ups four times a year. This part of the highway was chosen in particular because it was part of the Conesus Lake watershed. Over the course of several years, the EMC shared their achievements with other EMC groups at annual meetings.



An integral part of the EMC that may be overlooked is their involvement in other organizations within the County. The EMC provided assistance to the Conesus Lake Watershed Council, the Genesee Valley Health Partnership's Environment and Health Committee, the Department of Health and the Planning Department, among others during their years of existence. The EMC also plays a vital role in keeping current on the latest environmental issues and technologies. Discussions at the meetings range from the prospects of drilling natural gas to the possibility of porous pavement. EMC members take it upon themselves to research these new developments and to supply the information to the other members of the Council, and to the Board of Supervisors when appropriate. These discussions are not purely broad topics but also apply to strictly local issues. For instance, the Council recognized the need to keep abreast of County concerns, such as the Letchworth State

Park Portageville bridge project in 2009. To properly address this, they sent a representative to attend the meetings on the bridge so that he could report back to the Council.

The accomplishments of the EMC in recent years are particularly impressive because the Council no longer receives State funding. Since 1995, the lack of money made the Council shift gears slightly. This development made the EMC move from being a data collecting, research organization to more of a public education council.

The Environmental Management Council has been a beneficial asset to Livingston County. A foremost initiative was to complete the NRI. It was decided the utility of the Council definitely did not end with the NRI; the EMC will continue to arrange programs such as the Earth Day Award, supply advice to the Board of Supervisors, and provide educational presentations for the public.

**EMC Membership
2010**

<u>AGRICULTURE</u>	<u>TOWN</u>	<u>APPOINTED</u>
Robert Donnan	York	1986
Eric Grace	Geneseo	2001
Amos Smith	York	2008
David H. Swanson	Mt. Morris	1982
Susan Walker	Springwater	1994
 <u>GENERAL CITIZENS</u>		
Raymond Case	Livonia	2010
Barbara Davis	Geneseo	1979
Barry Ganzhorn	Caledonia	2008
William McCleary	Livonia	1998
David W. Parish	Geneseo	1982
Wendy Stevenson	Springwater	2008
Ralph Van Houten	Lima	1998

EMC Chairmen	Length of Term	
Eric Grace	2006	2010
William McCleary	2001	2006
Susan Walker	1996	2001
Rob Donnan	1991	1996
Laurence Shongar	1990	1991
Ellen Coyne	1988	1990
Dr. William Brennan	1987	1988
Dwight Brown	1986	1987
James Morgan	1983	1986
Dean A. Johnston	1979	1983