

MONROE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

February 21, 2024

In Attendance:

EMC

At Large - Tom Dooley; EMC Chair
At Large - Haines Lockhart
At Large - Deb Muratore
City of Rochester – Wes Grooms
Town of Brighton - Paul Johnson
Town of Chili - Larry Lazenby
Town of Clarkson – Jake Straub
Town of Gates - Charles Johnson
Town of Hamlin – Steve Rutherford
Town of Henrietta - Bill Santos
Town of Honeoye Falls - Andy Less
Town of Ogden - Bill Parkhurst
Town of Penfield - Cynette Cavaliere
Town of Perinton - Mark Gaul
Town of Pittsford – Caroline Kilmer
Town of Riga – Greg Adams
Town of Rush – Beth Hoak
Town of Webster - Charles Zlotkus
Ex Officio Alternate - Clement Chung; MCDES
Ex Officio Alternate - Steve Olufsen; MC
Planning & Development
Ex Officio Alternate - Starr O’Neil; MCDPH
Ex Officio Alternate - Yasmin Guevera; MCDES
Recording Secretary – Ryan Parra-Merrell

Guests

Madison Quinn - MCDES
Brendon Fleming – Monroe County Law Dept.
Brian Green – Monroe County Law Dept.
Stephen Peletz – MCDES, Ecopark
Virginia McIntyre – County Legislator District 4,
CSC Task Force Coordinator Gates
Dick Spade

Meeting location:

- Monroe County Fleet Center, Building 1 Conference Room
145 Paul Road, Rochester 14624

Call to Order:

- Meeting was called to order at 4:00pm

Introductions:

- Introductions were made from all present

Review of Minutes:

- Motion to approve with changes regarding Privilege of the Floor by Steve Rutherford; seconded by Mark Gaul. All in favor; approved.

Meeting Topic(s):

SEQR Basics

Patrick Gooch, Senior Associate Planner, Monroe County Planning and Development

- New York State Environmental Quality Review Act (SEQR) is required review that enables agencies to evaluate environmental effects of their decisions.
 - Began as part of the National Environmental Policy Act, passed by President Nixon in 1969.
 - SEQR passed in 1975; www.dec.ny.gov/permits/357.html
 - SEQR activated when agency must make discretionary decision that has the potential to affect the environment
 - Environmental factors are resources or characteristics that could be affected by an action, including: land, air, water, minerals, flora/fauna, noise/visual character, agriculture, historic, and archeological resources, aesthetics, and community character.
 - Need to incorporate Environmental Factors and the EARLIEST POSSIBLE TIME
- An *agency* is a state, county, municipal organization, or other group chartered by the state (boards, legislatures, councils, etc.)
 - Involved Agency - authority in permitting or undertaking, including funding
 - Lead Agency - controlling the SEQR process
 - Interested Agency - having no authority
- An *action* is when an agency undertakes a discretionary decision or a direct action. A direct action is any of the following, or combination of the following:
 - When an agency sponsors, undertakes, or approves projects or physical activities.
 - Planning or policy-making that may commit the agency to a future course of action.
 - Adoption of rules, regulations, or procedures.
 - Examples of actions include site plans, special use permits, rezoning, adoption of plans or local legislation, purchase of property, or funding of projects.
- SEQR process:
 - An agency proposes an action or receives an application
 - Action is classified (as Type II, Type I, or unlisted)
 - Lead agency is established and coordinated review begins
 - Determination of significance
 - Environmental impact statement is made, if needed
 - Findings and agency decision
- First agency to receive application is responsible for initiating SEQR, and must classify action as well as identify other agencies with jurisdiction over project
- Classifying an action looks at the whole action (considers all components or aspects of a proposal)
 - Type II action: Does not significantly impact environment or is otherwise precluded from environmental review under SEQR. Must be listed in one of the 46 options.
 - Type I action: More likely to have significant adverse impact on environment. Coordinated review required. Must use full/long Environmental Assessment Form (EAF). Will likely need to complete Environmental Impact Statement (EIS)

- Unlisted action: Not defined as Type I or Type II in §617.4 or §617.5. Coordinated review optional; can use short or long EAF
- Determination of significance (Part 3 of SEQR) is the decision whether to require an EIS to further explore potential impacts of an action, as well as options to avoid/mitigate impacts
 - Negative Declaration – no impact; done with SEQR process
 - If get Type I negative declaration, must file with NYS
 - Positive declaration - impact to environment; should consider further review
 - If get ANY positive declaration, must file with NYS
 - Positive Dec. → Formal Scoping → Draft EIS → Public Comment → Final EIS
 - This is what normally trips people up – be explicit in your reasoning and elaborate on how/why you got to the conclusion you made
 - DOCUMENT, DOCUMENT, DOCUMENT
- Critical Environmental Area (CEAs): Areas in state designated by local/state agencies to recognize specific geographical area with one or more of the following characteristics:
 - Feature that is a benefit or threat to human health.
 - Exceptional or unique natural setting.
 - Exceptional or unique social, historic, archeological, recreational, or educational value.
 - Inherent ecological, geological, or hydrological sensitivity to change, which may be adversely affected by physical disturbance.
 - There are four CEAs in Monroe County currently: Riga =1, City = 3
- Resources
 - Environmental Resource Mapper <https://gisservices.dec.ny.gov/gis/erm/>
 - Environmental Remediation Databases
<https://extapps.dec.ny.gov/cfm/extapps/derexternal/index.cfm>
 - CRIS/SHPO <https://cris.parks.ny.gov/>
 - EAF Mapper <https://gisservices.dec.ny.gov/eafmapper/>
- SEQR compliance:
 - No enforcing agency is named in the statute; SEQR self-enforcing through law suits.
 - Court standards require lead agency to evaluate all potential impacts of a proposed decision, and follow SEQR procedures.

Committee Reports:

- **Program and Presentations** - Haines Lockhart
 - Next EMC meeting will be March 20 with topic on the Eclipse Fest, presented by Jessica Fisher from the Helmer Nature Center
- **Nominating and Community Liaison** - Starr O'Neil for Bill Santos
 - Waiting on resolution for appointments. Actively working on getting legislator appointments - still pending.
 - Still looking for general members to serve on executive board.
 - Larry reaching out to school districts for student involvement.
- **Natural Resources**
 - No February Meeting

Monroe County Staff Reports:

- Steve Olufsen: Will keep group up-to-date on future SEQR trainings.
- Yasmin Guevera: Working on reports for permitted facilities and for food scraps program
- Clem Chung:
 - M54 permit; deadline was yesterday for notice of intent. Next deadline is 6 months after the permit takes affect
 - Stormwater Coalition webpage has list of town representatives [Members — Stormwater Coalition of Monroe County](#)
 - Clem will be appearing on Evan Dawson’s Connections to discuss rainfall on 2/23
Recording available here: [How the future of rainfall will affect our communities](#)
- Madison Quinn: Setting up stakeholder meeting for Climate Action Plan via Zoom (tentatively March 7)
- Patrick Gooch: Agricultural and Farmland Protection Plan being updated – there will be a presentation in May
- Starr O’Neil:
 - Rochester Embayment Area of Concern (AOC) delisting - primary draft report has been developed; first level of internal reviews is being conducted by DEC and EPA. Then additional reviews to stakeholders and public. Hoping to fully delist by end of the year
 - New grant funding for Lead Prevention (Lead Rental Registry – high risk area of City)
 - Food permitting - placarding facilities operating without annual permit in near future.

Other Business/Announcements

- EMC 2025 Budget Proposal – looking at awards, possible GIS licensing. If have any suggestions for budget, please email Tom or Starr
- Recycling Advisory Committee (Haines Lockhart) – Getting reports of light loads from recycling haulers due to cardboard boxes; the machines cannot compact the boxes well. PLEASE break down and flatten your cardboard boxes before putting into curbside recycling.

Privilege of the Floor

- Charles Johnson (Gates): Provided handout for Earth Day EcoFest on April 20 10am-1pm.
- Larry Lazenby (Chili):
 - Who to reach out about getting H2O Hero signs? MCDES – Clem Chung/Stormwater Coalition
 - Are there any towns using or contracting with only one hauler?
 - Pittsford – developing refuse districts by neighborhood; need over 50% of the neighborhood to agree to districting, then goes out to bid and gets included into taxes.
 - Brighton
 - Encouraged/thanked EMC for helping Chili develop tree policy which passed last week
- Deb Muratore (At Large): Wanted to thank the group for being voted in as a Member At Large

Adjourn:

Meeting was adjourned at 5:39.