



# Onondaga County Legislature

**JAMIE McNAMARA**  
Clerk

**DAVID H. KNAPP**  
Chairman

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Deputy Clerk

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## ENVIRONMENTAL PROTECTION COMMITTEE - FEBRUARY 9, 2021 VIRTUAL MEETING JUDITH TASSONE, CHAIRMAN

**MEMBERS PRESENT:** Mrs. Abbott-Kenan, Dr. Chase, Mr. Holmquist

**ALSO PRESENT:** Mr. Burtis, Ms. Kuhn, Mr. McBride, Mr. Bush, Mrs. Ervin, Ms. Whiteside, Ms. Kaminski, Mr. DeSantis, Ms. Primo, Ms. Vilardi, Mr. Paro, Mr. Frantzis, Mr. Frateschi, Mr. Williams, Ms. McNamara, Ms. Lesniak, Mr. Mento, Ms. Velasco, Mr. Yaus

Chairman Jordan called the meeting to order at 9:03 a.m. *A motion was made by Dr. Chase and seconded by Mrs. Abbott-Kenan to waive the reading of the minutes of the previous committee. MOTION CARRIED. A motion was made by Dr. Chase and seconded by Mrs. Abbott-Kenan to approve the minutes of the previous committee. MOTION CARRIED.*

### **1. WATER ENVIRONMENT PROTECTION:** Frank M. Mento, P.E., Commissioner

#### **a. Authorizing the Execution of an Order on Consent with the New York State Department of Environmental Conservation Relative to the Settlement of the Amended Consent Judgment (Sponsored by Mrs. Tassone)**

Mr. Mento:

- Brief history – Onondaga County entered into this Federal Consent in January 1988 as a result of a lawsuit brought by the DEC and Atlantic States Lake Foundation (“ASLF”) for violations to the Clean Water Act – WEP has done a significant amount of green and grey infrastructure projects intended to reduce impacts of combined sewer overflows to the lake
- WEP has achieved all milestones – construction and storm water limitations – State ordered on consent will now address reoccurring issues with tributaries where we still have some challenges
- Resolution before you authorizes the consent of this order
- Some major issues – first plan 5 year order – intent is to bridge gap as to where we are now with the Amended Consent Judgment (“ACJ”) with where we want to be – regulated at end of pipe by a permit – that is our goal – permit emission – this consent order allows this pathway
- Allows for County, ASLF and DEC to petition Federal court to close the ACJ – consent order will be effective once this is closed
- Component #1 is limited project investment – partnership projects like I81 – WEP will take advantage and make sanitary improvements; green improvement fund will continue; ASLF agreement who will be doing projects
- DEC & ASLF are now partners with WEP
- Use analysis on three tributaries – suggests a reduction or revision to water quality standards
- Limited long term control plan - provides County with a defined end game after 5 years
- Will have less overall cost – if we stay in the ACJ the costs continue to escalate – this will protect us from other citizen groups to file a lawsuit
- At the end of 5 years we will have an approved Long-term Control plan – completely out of ACJ
- Summary – product of negotiation for past 6-9 months with DEC – allowed for partnership with DEC And ASLF
- This will bring Federal oversight to an end

Dr. Chase:

- Could something be inserted so that it doesn't end in five years – hopefully with all our focus this would never happen again – but want to be assured it doesn't happen again – we have done so much work and focus on green stuff this will not happen again
- How are we doing with Ley creek

Mr. Mento:

- Mechanism is already in place to do the oversight – the SPDES (State Pollutant Discharge Elimination System) permit – this permit requires WEP to meet all kinds of criteria at the end of the pipe – applies to all treatment plants and tributaries – tributaries will be analyzed extensively
- Ley Creek is one of the tributaries that will be monitored and has some issues – some are upstream – the tributaries will be the focus of this consent order
- There will be an approval process with DEC and EFA after the five years
- Answered Ms. Tassone's question regarding the number of tributaries that go into the Lake - Harbor Brook, Ley Creek and Onondaga Creek –three main tributaries that feed into this analysis
- Some is County responsibility - some is upstream that impacts tributaries – farms and mud boils for instance - DEC understands this broken responsibility

Mr. Yaus:

- Three tributary outfalls are under the Metro permit

***A motion was made by Mr. Holmquist, seconded by Dr. Chase to approve this item. Passed unanimously; MOTION CARRIED***

Ms. Kuhn:

- Confused - Ms. Tassone is the new chair and Mr. Jordan is marked absent? Is Mr. Jordan

Ms. Lesniak:

- Was going to correct the record with Melanie after – Mr. Jordan is no longer a member of the Legislature

The meeting was adjourned at 9:17 a.m.

Respectfully submitted,



MELANIE VILARDI, Deputy Clerk  
Onondaga County Legislature