

**NEPA PUBLIC SCOPING MEETING ON EPA REGION 2
SCOPING DOCUMENT “ALLEVIATE SEDIMENTATION
TO ONONDAGA CREEK
FROM MUDBOIL ACTIVITY
TULLY VALLEY, ONONDAGA COUNTY, NEW YORK”**

QUESTIONS AND COMMENTS



Originator: *EPA Region 2*

Coordination: *Onondaga Environmental Institute*

Location: *Grimshaw Elementary School, LaFayette, New York*

Date: November 5, 2010

Time: 6:30 p.m. to 8:00 p.m.

Note: This meeting was not recorded with electronic audio equipment. These notes should not be considered a verbatim recording of what was said at the meeting. Notes are interpretation and transcription of verbal questions, comments, and EPA answers at the meeting. Errors of interpretation and transcription are inherent in the note-taking process.

Public: Any Environmental Assessments done on mudboils prior to this one? Who will pay for this? Linking of solution mining and ground water took what was a small, natural phenomenon and turned it into a persistent phenomenon. 1899 mudboil recorded after brine mining started.

EPA: Might be part of superfund? No. USEPA does have some money which why the NEPA process is being done. NEPA isn't addressing liability, remediation; but rather examining alternatives. The alternatives selected are beyond EPA's budget.

Public: When you look at this situation holistically, need to consider this and landslides as sources of turbidity to Onondaga Creek. All of this material is being exported downstream, with increase of flow it is mobilized. Creek is listed on 303(d) list for turbidity-Question – can this project/should it proceed prior to issuance of TMDL for turbidity? EPA will need to coordinate with that part of the agency and think more clearly about solutions.

Public: What is the difference between EA and EIS – less information?

EPA: Explanation.

Public: Not sure what impacts will be.

EPA: Depends on alternative.

Public: Will know more in February?

EPA: Yes.

Public: Some recommendations are heading in the right direction- for example using the available natural wetlands is good, but have you considered making another Finger Lake instead of de-pressurizing and keep pressure on top? Will mudboils pop up in other areas? What will be the long lasting sustainable change to protect the ecosystem?

If you spend a lot of money and still have different mudboils pop up??

Public: What about the farms in the area that would be flooded? Some farmers may be perturbed by the lake idea.

Public: NEPA gives us a chance to look at various alternatives.

Public: How can we, the public help you? What is it you are looking for from us?

EPA: We are looking for you alternatives. If you have particular potential impacts, we want to know; if you have additional alternatives we should consider.

Public: Commenter lives near the mudboils- one of the mudslides is near her- hope all these alternatives aren't mutually exclusive?

EPA: No.

Public: Is further information available on the potential impacts of various alternatives?

EPA: We don't have that yet. The process at the point – educate about the impact of the alternatives?

Public: It may take a number of the alternatives working together to accomplish a solution (e.g. this summer one of the wells was swallowed). Understand that the mudboil swallowed one of the wells. If the mudboils get worse, diversion may be necessary, plus wells.

EPA: Yes, looking at combined alternatives, may combine some of them.

Public: Three comments: purpose and need is much too narrow. If only focused on sediment in the creek – is too narrow – what can we do upstream to remediate? There is some evidence that wells cause mudboils. Diverting the Creekbed- that amount of

construction and disturbance could create even more mudboils. Applying very temporary solutions- look at salt mining and try to stop what's feeding the mudboils. When looking at creekbed, I'm very concerned that construction activity could cause another mudboil right away. What we see here is very temporary solutions to problem. Can we look further upstream - salt mines – all interrelated.

Public: How do you see treatment of the mudboils – how do they fit into other efforts – will you include OCRP and Nation's Vision for a Clean Onondaga Lake in your consideration of the alternatives? OEI's Onondaga Lake's Restoration Plan. Take a look at these two reports.

EPA: We are not going to be actually out in the field, but we'll be pulling together all of the information collected from USGS, USFW, ACOE, ON, OEI, etc., and try to make sense out of it. We'll be bringing experts from all around the country to contribute with possible new technologies.

Public: Problem solving and problem identification need to be examined. This mudboil problem has existed for 150 years- our solutions have been based on the past. Now EPA needs to change your perspective and look at the larger scale- eco-system wide- part of a larger system. Maybe the mudboil area should be a natural state. In the 1880s, unleashed subsoil spongy surface that gets weaker every time we punch another hole. 10 engineering answers to a wrong problem may be happening.

EPA: We are looking into this. For example using wetlands to assist us- instead of fighting nature or fighting turbidity going into creek. Looking at wetlands – nature can filter it – instead of fighting it. Possibly use silt as a growing medium for plants, may have benefits itself.

Public: Really looks like treating the effects of the problem and need to look at cause of the problem. Doesn't look like you are addressing what's causing it. The Creek hasn't always been sediment filled. The Creek wasn't always turbid. Something caused this- mining? Road building? Treating all of the results without addressing the cause. You can invest millions of dollars. If it can't be remediate, then why waste the money? Cause of this situation is not natural and needs to be addressed.

Public: Take a close look at the Study Area (5 miles from the mudboils)- if water happily flows for five miles, and then suddenly pops up between Rattlesnake and ? It's a geological reason underground stopping the water flow- we need a common sense look at this area.

Public: Large scale, long-term and five mile flow- water goes in- 30 year lag time for pressure to travel 5 miles away- local water is forced up, brine, alluvial fan part of picture, climate change, brine mines, global warming (bringing increased rain- increasing water pressure). May need several alternatives: re-forest the watershed, de-pressurize wells and use wetlands to have stabilization. The solution is bigger than de-pressurizing

wells for the mudboils. We may need wetland, address brine mining, continuous process – it is a bigger process.

Public: Commenter: Each alternative presented can be implemented in a number of ways. Will the public have the opportunity to address each one? Hard to address b/c we don't know specifically what you guys are going to do.

EPA: Yes. There will be opportunity to comment – there will be some generality to it. Won't present exact process, but will look for general.

Public: Will the public be able to look at implementation plans? It's hard to know which recommendation to focus on when there's not enough detail. Will your rationale behind each alternative be available for public review?

EPA: Yes, numerous combinations, may not address every single engineering detail. Will explain how we reached conclusion.

Public: If there is no EA on each alternative; will public comments have any impact on which combination of alternatives is used?

EPA: We will try and group some and explain why they are no longer being considered; but comment and ask- why did you stop this one? Combining wetlands with de-pressurizing with stabilization--we'll make another scoping meeting if needed.

Public: Farmer: anything we do won't work. I live in this area. There are mudboils all around and they move around. Don't poke any more holes. Can't ask Honeywell – they mined for over 100 years- equal parts salt and limestone were used. Go downstream- across the street from the dam and stop them there. Look at the dam. Expand your area of study. The only way to fix this is dam on reservation – plug the hole and let water flow over the top. This will solve the problem.

Public: Are you going to come up with other alternatives? Will you take the necessary time?

EPA: The process is not predetermined. We might come up with more- we are here to listen to your recommendations. We will take your feedback into account and make recommendations on how to proceed. If it winds up there's so much going on, and we need more time, then we'll have to take more time.

Public: Which pilot projects were successful? Unsuccessful? If wells are ineffective, causing more damage, can we get rid of that as an alternative? Factors you must consider: efficiency; environmental impacts; immediate and long-term; impacts of farms; impacts of resources; cost--- how do these all weigh in and how is the decision made?

So at some point there will be a decision? That decision is reached by? Efficacy?
Impact on community – farming? Taxpayers pay for this. These are the parts available?
As far as the funding situation – may have more in the future.

EPA: The NEPA program makes recommendations to the RA who ultimately makes the decision. As for funding, only described what we have available now; can't speak to Honeywell- that's a higher policy decision and NRD matter.
Cost- analysis- needs to be projected into the future- some alternatives will require permanent O&M expenditures.

Public: It sounds like there is so much that we' don't know – do we have an idea which alternatives are greater, which we can turn away from?

EPA: we are not ready yet, but will do this as part of process. If wells have been ineffective, then maybe not a priority, based on what has happened in the past.

Public: Unintended consequences; is it part of your analysis?

EPA: NEPA will examine alternatives and costs comparatively speaking, from technical point of view, didn't want to base our decision on how much it costs. Whatever technical aspects show, we'll make that recommendation, not based solely on cost.

Public: I'd suggest that when you do the cost part of the analysis that you project that far into the future – b/c will require inputs from us far into the future. Cost isn't simply putting into place.

EPA: (EPA agreed)

Public: EPA should create a 300 mile ANTI-HYDROFRACKING RADIUS- BANNING HF. Many stakeholders have expressed the need for a watershed BAN on HF. Will discuss with Governor Cuomo. Also need to address climate change impacts- warmer weather bringing more rain, more water means more flooding...we need to support green technology, not engineering solutions.

EPA: We sent DEC a comment letter in December 2009 expressing our concerns re: HF and CC.

Public: Reiterated that ban is important, not a joke, should be put in a very serious way. Shouldn't take tax payer money if Hydrofracking is going to be allowed. Climate change – EPA has to take this into account now. Please do put in the seriousness of hydrofracking – shouldn't put any money if drilling will happen – valley will fall apart. We want to help EPA put teeth into EPAS's 12/2009 hf comment letter.

Public: EPA needs to host another meeting with more advance notice and specifically pull in the local citizens who will be directly impacted and affected by some of these alternatives; e.g. lease holders; land owners north of Otisco road. EPA needs to take a look at your schedule and slow it down- holding a meeting in February in CNY isn't feasible.

EPA: We targeted Nov 30, but we encouraged comments after.

Public: Another idea to consider – is there anyway to cap mudboil sediment and use it? Such as “clean fill”. beneficial use of the sediments- clean fill is needed all over the place. Impervious materials (from one of the alternatives)- is this paving? Encourage any alternatives supporting the natural watershed, not adversely impacting it anymore. Trout can live. Urge you to question assumption that mudboils have always been here. Chief Powless told you it's only been 50 years that the Creek is chocolate brown. Clanmother Audrey Shenandoah could see fish under ice in the past – not even seasonally muddy. Consider the reversibility of doing things- widespread grading of the ground is irreversible- please think about what might happen and think about whether your actions are reversible.

EPA: NEPA looks at cumulative impacts.

Public: Be sure that you can easily undo whatever you pick- e.g. an earthen berm (easily reversible) vs. grating (not easily undone).

Public: What's the capacity of HW's wells? All the wells have been filled with cement per DEC order, but the reservoir in the valley is sinking and has been for years- ever since Solvay started, they have studied the sinking levels- Solvay Process/Allied – used to measure how much it sank every year there are cracks in the valley walls- can't stop water from running underground even if dry on the surface.

Public: The stream he's talking about – it dries out – you have to relocate the fish, but you can hear it running in the ground.

Public: are Honeywell wells at higher elevation? Are we measuring the reservoir of water? (no some voices among public)

EPA: Encouraged people to send comments. We want to do a good job with assessment. Let EPA know if you think it would be useful to have another meeting.