

St. Lawrence County Environmental Management Council
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MEETING MINUTES

Wednesday November 17, 2021 at 6:00 PM
Via ZOOM

Action items in bold italics / Motions underlined

1. **Call to Order:** In the absence of the Chair, Vice-Chair Sue Rau called the meeting order at 6:02 pm.
2. **Land Acknowledgement:** At the request of Vice-Chair Rau, John Tenbusch read a Land Acknowledgement:

“As we meet today, let us first give thanks and acknowledge that the land upon which we are gathered is part of traditional indigenous territories, including the Rotinoshionni (Low-dee-no-SHOO-nee), the People of the Longhouse, also known as the Iroquois Confederacy; and the Kanienkehaka (Ga-nyun-geh-HA-gah), the People of the Land of Flint, also known as the Mohawk Nation.” Used with permission from Tony David, Director of the Environment Division, St. Regis Mohawk Tribe.
2. **Roll Call, Determination of Quorum: A quorum was NOT present.**

In attendance: Dustin Bowman; Herb Bullock; Lucas Hanss; Rick Marshall; Sue Rau, Vice Chair; Lance Rudiger; Nicole Terminelli; Brian Washburn. Rod Tozzi called in but was not able to stay.

Absent: Catherine Bennett; Joe Brant; Steve Manders; Rod Tozzi; three vacancies.

Guests: Adrienne Rygel, SUNY Canton, presenter; Sarah Trick, Indian River Lakes Conservancy (ILRC).

Staff: Dakota Casserly; John Tenbusch.
3. **Acceptance of Order of Business, Items for New Business, Items for Unfinished Business**
 - a. The Order of Business was accepted by consensus.
4. **Approval of the Minutes of the September, October 2021 EMC Meetings**
 - a. A quorum was not present, therefore the minutes could not be approved.
5. **Comments from the Public / Speaker.** There were no comments from the Public.

John Tenbusch introduced the speaker, Adrienne Rygel, Chair of the Civil and Construction Technology Department at SUNY Canton. Tenbusch noted that he and Dr. Rygel had worked together in 2015, when the U.S. Army Corps of Engineers trained students and instructors at local high schools and colleges to conduct water quality,

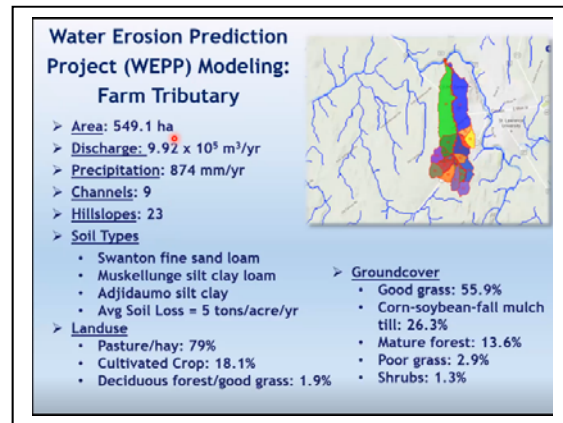
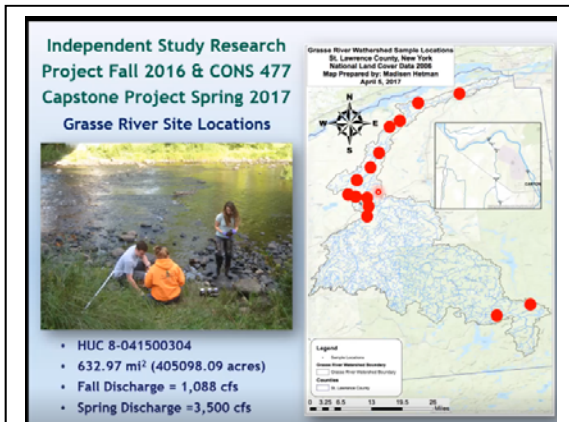
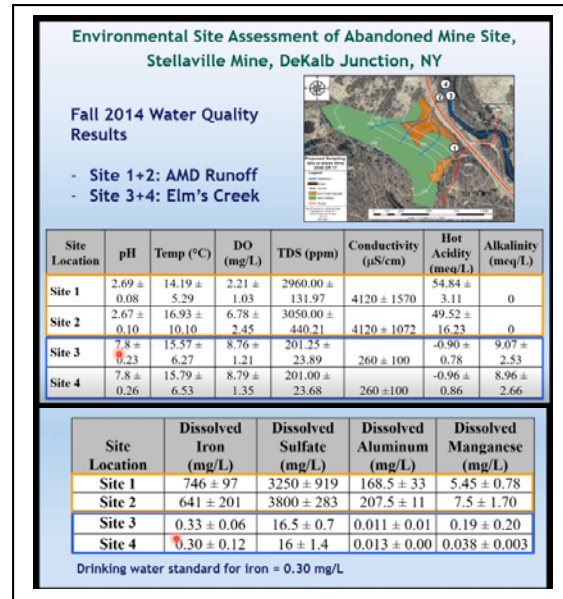
EMC: Everybody Must Care!

nutrient loading, and sediment loading using sediment sticks. Dr. Rygel's students have continued to use this methodology in their classes and projects.

Rygel gave an overview of the Civil and Construction Technology Department at SUNY Canton, and the environmental projects and research she has been doing.

She reported that students do research in the Grasse River, next to campus. They also can do testing at a closed mine site in DeKalb Junction, and at tributaries passing through nearby agricultural lands. Students work on designs for municipal wastewater treatment, stormwater pollution prevention, among other topics.

Dr. Rygel conveyed her enthusiasm at the opportunities her students received to do substantive fieldwork and analysis.



Grasse River Water Quality Analysis

Solids	Parameter	GR Fall Avg	GR Fall Stdev	GR Spring Avg	GR Spring Stdev	F-Value	P-Value	F Critical
Solids Related Water Quality Parameters	Conductivity (µS)	124.88	50.16	78.29	24.37	7.25257	0.013618	4.324794
	TDS (ppm)	87.62	34.36	63.61	10.42	4.51901	0.044708	4.30095
	Turbidity (NTU)	1.40	0.42	2.82	0.69	39.26538	2.63E-06	4.30095
	Apparent Color (PCU)	49.08	12.93	85.30	18.14	31.36781	1.47E-05	4.324794
	Total Color (PCU)	33.69	8.31	54.60	3.84	53.98177	3.13E-07	4.324794

green = difference
red = no difference
One-way ANOVA tests with α = 0.05

Nutrients	Parameter	GR Fall Avg	GR Fall Stdev	GR Spring Avg	GR Spring Stdev	F-Value	P-Value	F Critical
Basic Water Quality Parameters	pH	8.21	0.37	7.51	0.08	11.92391	0.002263	4.30095
	DO (mg/L)	9.84	0.80	14.27	0.69	341.0567	2.45E-13	4.30095
	Nitrate	1.40	0.64	1.78	0.38	2.944162	0.100318	4.30095
Nutrients (mg/L)	Nitrite	1.93	0.62	1.10	0.32	15.11601	0.000792	4.30095
	Total Phosphorus	0.38	0.16	0.32	0.21	0.816214	0.44083	4.30095
	Orthophosphate	0.07	0.03	0.07	0.02	0.008985	0.927018	4.30095
	Sulfate	2.93	1.90	3.20	10.12	0.009762	0.92219	4.30095

➢ No difference between Normal + Minor rated sites

One particularly interesting project involved students using acid mine drainage sludge to remove nutrients including phosphorus from farm stream runoff.

Rygel discussed her ideas for future water quality research, the need for additional local laboratory capacity, and other research considerations.

In response to questions, Dr. Rygel noted that her students' research might assist analysis of the environmental needs of Atlantic salmon, if they are re-introduced.

She further discussed the acid mine drainage sludge as filter material, noting that while the sludge pulled phosphorus from runoff, it did release dissolved iron, and might release other heavy metals. Adrienne also discussed how students evaluated buffer zones as part of erosion prediction.

At the conclusion of Dr. Rygel's presentation, Vice Chair Rau thanked her, and called for a short recess. The meeting reconvened at 8:15 PM.

6. **Report by the Representative of the Board of Legislators.** Nicole Terminelli reported:
 - The BOL is putting together a list of environmental clean-up sites for 2022.
 - Nicole thanked Dakota Casserly for putting out frequent emails with environmental updates. She reported that she frequently distributes those to other BOL members.
 - Tenbusch and Rau agreed.
7. **Report of the Committees**
 - a. **Executive Committee:** No meeting.
 - b. **Conservation of Resources Committee.** No meeting.
 - Tenbusch reported that NYS will ban Styrofoam, beginning on January 1, 2022. See <https://www.dec.ny.gov/chemical/120762.html>
 - Lance Rudiger reported that the *Conservationist* magazine has a good article on the topic. See article, attached.
 - Nicole Terminelli reported that this will be a huge issue for local school districts, due to supply chain problems.
 - c. **Environment & Economy Committee**
 - Casserly gave the report; see attached.
 - The Committee issued a Public Service Announcement about Fish Ladders on the Grasse and Oswegatchie Rivers. See attached.
 - Casserly reported that Legislator Curran contacted him to thank the Committee for working on the issue.
 - Casserly also reported that, since the fish ladder topic involved Atlantic salmon, he had done some investigation about stocking these. He learned that a group in Oswego has been stocking Atlantic salmon; the EMC might expect a presentation on fish-stocking programs next year.
 - Casserly noted that the next topic to be addressed will be deer management.
 - d. **Invasive Species and Watershed Management Joint Committee.** No meeting.
 - Sue Rau and Brian Washburn reported on having attended a public workshop on the Coastal Lakeshore Economy and Resiliency (CLEAR) Initiative (<https://www.northcountryclear.com/>), a program initiated by NYS to support shoreline communities along Lake Ontario and the St. Lawrence River to adapt and become more resilient in the face of extreme water level variability.
 - A final CLEAR report will be issued in early 2022.
 - Tenbusch reported that staff, and the ISC and WMC, had been working on issues related to Black Lake. Several sessions of the Black Lake Summit have been conducted; each session had approx. 20 persons in attendance. One more Summit is planned on December 1.
 - Staff are in the process of making informational presentations to local governments surrounding Black Lake.

- Staff have asked each community to designate a liaison between the town and the Black Lake project.
- Washburn suggested that staff report to the BOL about the Lake Management Study being conducted by the Town of Oswegatchie. This study is being funded at \$95,000 through NYS Senator Ritchie’s office.
- Tenbusch reported that Dakota Casserly has created a Web page for the Black Lake project: <https://stlawco.org/node/2777>

8. Report of the Staff:

- Tenbusch reported:
 - The County was awarded \$580,000 in CDBG-CARES funding for housing rehabilitation.
- Dakota Casserly reported on his work with redistricting BOL districts in St. Lawrence County. A draft map has been prepared; a public hearing will be held in December; the BOL will vote on the redistricting map in early 2022.
- Washburn noted that the Town of Hammond had recently updated their zoning; he asked if that new zoning would incorporate recommendations from the County’s shoreline resiliency study (completed in 2019). Casserly reported that the Town chose to not include recommendations from that study.

9. Unfinished Business: None.

10. New Business: None.

11. Announcements

- Casserly reported that DEC has released a film entitled “Uninvited”, about invasive species. It is designed to be presented to a general audience. The film is available at <https://www.youtube.com/watch?v=NKh8Lc31rm8>

12. Message to Board of Legislators

- Thank you for turning to the EMC to address issues on Black Lake. We are continuing to work on that project.

13. Adjournment: The meeting adjourned at 7:59 pm by consensus.

Minutes drafted by John Tenbusch.

Going Foam Free: New York State's Expanded Polystyrene Foam Container and Loose Fill Packaging Ban

BY GLENN HEWITT

It's fall, the sun is shining, and white, puffy clouds float by lazily. You think to yourself, "What a great day for takeout and eating outside." You go to your favorite lunch spot and order a sandwich and chips, which come in a seemingly harmless foam container that is easy to carry and keeps your food secure until you're ready to eat it. At the park, you sit down at a table, open your lunch, and slowly eat it while enjoying the beautiful day—the people walking by engaged in conversation, the ducks quacking on the pond, and the birds chirping in the trees. It all seems wonderful as you finish your lunch and head over to the trash can to throw away the container. The trash can is a little full, and you notice many containers like the one you are discarding. You place your container on top of the other trash and think to yourself, "It's fine, they'll be collecting the trash soon."



That's when the trouble begins. The wind soon picks up and the container you placed in the trash bin blows away. It's made of expanded polystyrene foam, sometimes referred to as EPS foam or mistakenly as Styrofoam™, and as the container blows around, it becomes litter. Eventually, it may succumb to the elements and begin to break down. But what you may not know is that the pieces that are left could be a danger to the environment. They will break down into smaller and smaller pieces that, over time, may become microplastics (plastic particles less than 5 millimeters in diameter),

which, while hard to see with the naked eye, are becoming a growing concern, polluting the water, soil, air, and even our food supply.

EPS foam does not biodegrade and can persist in the environment for years. Aside from a few uncommon mail-in or drop-off programs, EPS foam is not accepted in most recycling programs because it is difficult to recycle and has little economic value (although it still mistakenly ends up in recycling bins). As a result, EPS foam containers (often marked with #6) or packing materials often foul the recycling stream or are destined for disposal.

Recycling and Foam Materials

EPS foam containers are often marked with #6 inside a chasing arrows symbol, sometimes with the letters “PS,” which stands for polystyrene. The number on plastic containers, inside the chasing arrows, does not necessarily indicate recyclability, but simply identifies the type of plastic a container is made from, which can be helpful for recycling facilities. Most recycling programs in New York State do not accept foam containers or packaging for recycling, but people often mistakenly put these items in recycling bins. Foam containers and packaging that are incorrectly placed in recycling bins end up in the recycling stream along with bottles, cans, or paper, where the foam breaks apart and contaminates other recyclable materials, reducing their value and ability to be used to make new products. For more information about how to recycle properly, visit: <https://recyclerightny.org/>.



Impacts of EPS Foam Litter

It's not just that the discarded foam is an ugly sight that mars the environment. Marine, freshwater, and terrestrial wildlife can consume foam and other plastic litter. Consumption of various types of plastic litter can be lethal to wildlife because these plastics can block their digestive tracts or fill their stomachs. The plastics are not digested, leaving no room for actual, essential nourishment, causing wildlife to eventually die from starvation or injury. Although there are many cases of serious injury or death to wildlife associated with various types of plastic litter, it's underreported and the impacts from ingesting these plastics are not well understood.

Whether you are at the park, hiking in the woods, kayaking, or even walking on a sidewalk in your community, it's not uncommon to see EPS foam litter from takeout containers or packaging. This packaging is a concern for humans and the environment—in streamside surveys, and International Coastal Cleanup data, it has been found to be one of the top contributors to environmental litter. EPS foam has been detected in the Great Lakes tributaries and the Hudson River, and it was the most abundant type of plastic particle detected in a study of the NY/NJ Harbor. It's an aesthetic problem that also negatively impacts wildlife, waterways, and other natural resources.

New York State Taking Action

A new law passed in New York State, the “Expanded Polystyrene Foam Container and Polystyrene Loose Fill Packaging Ban,” will go into effect on January 1, 2022. Prior to the passage of this law, many communities in New York State, including New York City, had already banned many of these problematic EPS foam products. Many businesses have voluntarily stopped using foam containers and packaging, recognizing the negative impacts of these products. Products such as foam bowls, hinged takeout containers, cups, plates, trays, and many other items used for ready-to-eat prepared food and beverages are included in the ban, which also includes polystyrene loose fill packaging (commonly referred to as packing peanuts).

Entities covered by the law will be required to switch to containers and packaging that do not contain

EPS foam, such as containers made of fiber (some of which may be compostable), more easily recyclable materials, such as foil containers and polyethylene terephthalate (often referred to as PET and features the #1 recycling symbol), or even reusable or returnable options that can be cleaned and used repeatedly. Alternatives to packing peanuts include plant-based options made from starch, as well as various cushioning options made from paper, cardboard, and other fibers, or film plastics, like air pillows and bubble wrap, which can be recycled at many retail drop-off locations. Unlike EPS foam, many alternatives can be made with recycled content, which means recyclables can be used to make some of these alternative options, many of which are also biodegradable. There are a variety of alternative items that your favorite establishment will be able to switch to or that you will be able to find at your local store.



The new law will prohibit EPS Foam packing peanuts. There are alternative packaging and cushioning options.

New York State Requirements

Under this law, disposable food service containers that contain EPS foam and polystyrene foam loose fill packing peanuts will be banned in New York State. Disposable foam containers used for prepared food and beverages will no longer be allowed to be distributed, sold, or offered for sale in the state by anyone in the business of selling or distributing prepared food and beverages, or at retail and wholesale stores. Manufacturers and stores will not be permitted to sell or distribute EPS foam packing peanuts. Consumers will no longer find disposable food service containers that are made of EPS foam at restaurants, coffee shops, grocery stores, cafes, delis, retail stores, and a host of other establishments.



How Will the Ban Affect Me?

Consumers won't be directly affected by the ban or notice much of a difference other than receiving food and beverages in different kinds of containers. Consumers will also no longer be able to find the familiar white foam containers and packaging in stores, nor will you see EPS foam packing peanuts surrounding the products you purchase. There are also many choices you can make to further reduce environmental impacts:

- Check your local recycling guidelines at <https://recyclerightny.org/> to see if alternative takeout containers or packing materials can be put in your home recycling bin, or check the Recycle Right NY Recyclopedia to see if any film plastic packing materials can be recycled at store drop-off locations.
- Reduce waste when ordering takeout—be sure to indicate if you do not need utensils, straws, napkins, and/or condiment packets.
- Try switching to a reusable mug or tumbler, and prepare on-the-go beverages at home.
- You can also help reduce pollution by purchasing product alternatives made with recycled content, when possible.
- Bring reusable containers when you go out to eat so you can pack your own leftovers right at your table.
- Advocate for your favorite restaurant to switch to reusable takeout containers that can be returned later or ask them to provide reusables for sit-down meals.

The EPS foam ban will help keep the places we like to visit beautiful by reducing the amount of litter we see and will help improve the recycling stream so that more containers and packaging can be recycled into new products. It will also reduce waste as establishments and institutions will be required to switch to foam-free containers and packaging items, many of which are easier to compost, recycle, or reuse—meaning less waste going to landfills. The ban will also protect wildlife by reducing hazards caused when they ingest plastics, and help preserve natural resources for current and future generations. The EPS foam ban is a win-win, for the environment and for you.

To learn more about New York State's Expanded Polystyrene Foam Container and Loose Fill Packaging Ban visit <https://www.dec.ny.gov/chemical/120762.html>. You can learn more about International Coastal Cleanup data at <https://oceanconservancy.org/trash-free-seas/international-coastal-cleanup/> and read the NY/NJ Harbor Estuary Plastic Collection Report at <https://www.nynjbaykeeper.org/wp-content/uploads/2019/03/NYNJBaykeeper-Plastics-Report-February-2016-2.pdf>.

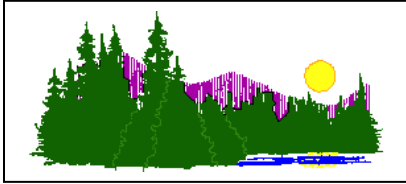
Glenn Hewitt is an Environmental Program Specialist with DEC's Bureau of Waste Reduction & Recycling.



Discarded foam containers are not just unsightly litter; when they break down, they can harm or kill wildlife.

Exemptions and Local Laws

- Certain non-franchise small businesses, as well as facilities that provide meals to people who are food insecure, may be eligible to apply for a financial hardship waiver to continue using foam containers.
- The law doesn't ban molded packaging, such as the puzzle-like foam holding products in place inside a box, or Styrofoam™ used in building and industrial applications.
- Also exempt from the ban are EPS foam products used to package raw meat or fish that will be cooked or prepared off-premises; prepackaged food filled and sealed prior to receipt at a covered food service provider; and rigid, hard plastic food service containers marked with #6 that are not foam.
- New York City will also continue to implement its local foam ban, which is already in place. All other local laws will be preempted by the State law; however, some counties with foam bans already in place may apply to DEC to continue implementing their local laws if they provide environmental protection equal to or greater than the State law.



SLC EMC: Agenda for Environment + Economy Committee

Members: Herb Bullock, Tiernan Smith (Chair), Rod Tozzi

Staff: D. Casserly **Guest(s):**

Meeting Date: Monday, November 8, 2021 at 5:00 PM via Conference Call

Time	Item	Outcome	Responsibility	Next Steps
5:00 PM	Meeting starts	Call 1-605-475-2090 Access: 1197050#	Committee members MUST CALL IN	
5:05	Review Report of Last Committee Meeting (September)		All	
5:30	Priority Projects for 2021			
	Fish Ladders/Passage Project on the Grasse and Oswegatchie Rivers.	TLAS Conference Call (Smith) PSA (see below) Fish Creek Atlantic Salmon Club , speaker, Paul Miller (Former Madison Co. Administrator, EMC member, Planning, and SWD)		
	SMRT fish studies	Update (Smith)		
	Ogdensburg dam FERC relicensing	Update (Casserly) <ul style="list-style-type: none"> Active license expires 5/31/2027 Relicensing begins 5/31/2022 		
	DEC Deer Management Program Recreation Economic Impact	Preparation/Update (All) Economic Impact of Snowmobiling on the Tug Hill Region		
5:45	Discuss speakers for EMC meetings	DEC Deer Management Program <ul style="list-style-type: none"> Joe Lydon (DEC), 1/19/21 (scheduled) 	All	
5:50	Develop Pub. Service Announcements	This Committee will develop 3 PSAs per year on E+E topics (at least 1) <ul style="list-style-type: none"> Final draft is ready, awaiting Smith additional text. 	All	
5:55	Set date/time for next meeting	January 10, 2021 @ 5pm *Note, no EMC meetings in December		
6:00	Adjourn			

Attendance: Bullock and Casserly

Review of October report

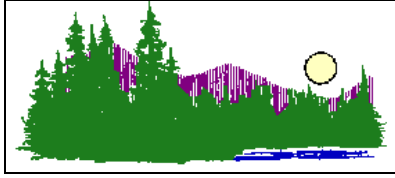
Priority Projects

- TLAS
- PSA
 - Bullock said that we need to send out. Casserly agrees and will send by Wednesday.
- Fish Creek Salmon Club
 - Bullock suggested inviting a representative to present to full EMC. Casserly will coordinate for 2022.
- SMRT fish studies
- Oberg FERC
 - Casserly said that the leasing company for the Ogdensburg dam recently [left their lease operation at the Cranberry Lake dam](#).
- DEC Deer Management Program (DMP)
 - Casserly will assign tasks for E+E members to tackle in preparation for the January meeting.
 - Bullock will contact Steve Sherwood (DEC) for further deer management contact(s) info. He also suggested Brett Canary (DEC).
 - Bullock mentioned contacting larger landowners in the County to hear about their DMP experience.
- Lewis Co Snowmobile Economic Impact
 - Bullock said that we should contact [Deb Christy \(SLC Trails\)](#) for a presentation about economic impact of SLC recreation trails (motorized and non).

PSA

Next Meeting

Adjourn @ 5:30 pm



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Public Service Announcement

Topic: The St. Lawrence County (SLC) Environmental Management Council’s (EMC) Environment and Economy Committee’s (E+E) project regarding potential fish ladders at the Madrid Dam on the Grasse River in the hamlet of Madrid, NY, and at the Ogdensburg Dam on the Oswegatchie River in Ogdensburg, NY.

It is with historical perspective that nationwide new interest in dam removal or other options such as fish ladder/bypasses is taking place. These activities are done with the goal of restoring rivers to their natural or historical state and to increase recreational activities and enhance the health of the local ecosystem. Restoring rivers is not a new concept and is being hailed in many parts of the West, especially in California and the Northwest. This is already taking place in our region with the recent dam remediation project of the Hogansburg Dam on the St. Regis River. Dam removal is often on Tribal Native lands, with the intention of the restoration of many natural fish species, especially salmon.

New York State is supportive of targeted stockings of native and non-native fish, including stocking Pacific salmon in the Salmon River around Pulaski, NY. The Pacific salmon on this stretch of river have become quite famous nationally.

There are significant potential economic and recreational benefits for similar restoration possibilities in St. Lawrence County. The timing now seems appropriate to start discussions of fish ladders. The Ogdensburg dam, which is currently producing electric power, is coming up for FERC (Federal Energy Regulatory Commission) relicensing soon. It is suggested that during this relicensing approval process, the idea of introducing a fish ladder and the associated costs might be incorporated into that process.

In addition, the dam in Madrid, which is not power producing, might be a good candidate for adding a fish ladder through the NYS DEC and/or US FWS grant application process. It is mostly anecdotal information that Native Atlantic Salmon were plentiful in the Grasse River as recently as the early 1900’s, but have been blocked from migration by the dam at Madrid. Salmon in particular are a migratory fish, and are noted jumpers. A properly designed fish ladder would only allow jumping fish to pass over the dam.

It seems, after much research and discussion by the EMC for nearly a year, that dam removal and/or fish by-passes might not be well accepted by the local populations and are overly expensive as compared to fish ladders.

Fish ladders also might have certain benefits over dam removal or fish by-passes in that fish ladders are only passable for jumping type of fish like salmon. This concept of “jumpers

only” has the added benefit of minimizing the risk of other aquatic invasives types from moving upstream.

It is only recently that the dam on the St. Regis River has been removed, and current studies on the effectiveness of that project are now taking place and have been part of the EMC’s discussions. The results of the studies may be useful in determining the restoration value that fish ladders might have on the Oswegatchie and Grasse Rivers

Therefore, it seems worthy of further discussion and study/analysis to better understand the concept of adding fish ladders at either or both dams.

It should be noted that this public service announcement, at this time, is intended to be informational in nature with the hope of bringing this idea to the attention of local stakeholders, agencies and citizens in St. Lawrence County.

We, the SLC EMC, are supportive of and are willing to become more involved with taking a “next step,” either with local informational meetings to help gain support, or with the appropriate agencies to help gain their support as well. The SLC EMC is a 16 member volunteer County advisor board, members are County residents appointed by the County’s Board of Legislators, and the Council is staffed by the County Planning Office. If there are questions or need for further information, please contact the Planning Office at: (315) 379-2292 or planning@stlawco.org.