



TOWN OF ULYSSES
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Town Supervisor (607) 387-5767, Ext 232 supervisor@ulysses.ny.us
Town Clerk (607) 387-5767, Ext 221 clerk@ulysses.ny.us

OBJECTING TO THE DEC AUTOMATICALLY RENEWING WITHOUT RIGOROUS ENVIRONMENTAL REVIEW THE CARGILL PERMIT TO OPERATE THE CAYUGA SALT MINE UNDER CAYUGA LAKE

RESOLUTION 2017-203:

WHEREAS it is known that Cargill's 5-year permit to mine under Cayuga Lake expires on 1 November 2017, and

WHEREAS, the Town of Ulysses borders extend into Cayuga Lake over the Cayuga Salt Mine, and

WHEREAS Town of Ulysses draws some drinking water from an aquifer at Taughannock Falls State Park that is hydraulically-connected to the lake, and

WHEREAS Water Districts in this municipality also obtain drinking water from Cayuga Lake via the Southern Cayuga Lake Intermunicipal Water Commission, and

WHEREAS, The Town Board of Ulysses recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and

WHEREAS New York State has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions, and to prepare any draft environmental impact statements that may or should be required, for any projects that are directly undertaken, funded or approved by DEC or other relevant local, regional and state agencies; and

WHEREAS environmental review early in any permit issuance, renewal or modification allows a project to be vetted, and modified as needed, to avoid adverse impacts on the environment; and

WHEREAS the ongoing salt mining has both on-going and potential adverse impacts that have not been properly reviewed and vetted under SEQR, including unreviewed adverse impacts involving local water resources, groundwater and the waters of Cayuga Lake; and

WHEREAS these and other potential adverse impacts on the environment should be subject to review under SEQR before any further permit is issued or renewed or modified for the Cargill salt mining operation;

BE IT THEREFORE RESOLVED that the Town of Ulysses hereby joins in a second Article 78 (78-2) to be brought in New York State Supreme Court to ask that any issuance, renewal (including automatic renewal) or modification of operating permits that may be issued by DEC for the operation of Cargill salt mine that does not or did not require full compliance with SEQR (including preparation of a draft environmental impact statement) be nullified and set aside as contrary to law, rules or regulations governing such salt mine and any permits associated with such salt mine.

FURTHER RESOLVED that certified copies of this resolution be sent to Joseph M. Dlugolenski, Deputy Regional Permit Administrator; Matthew Marko, Regional Director, Region 7; Basil Seggos, Commissioner; Andrew Cuomo, Governor, State of New York; Roann M. Destito, Commissioner, NYS Office of General Services; Eric Schneiderman, Attorney General, NYS Office of the Attorney General; Patricia W. Silvey, Dep. Asst. Sec. for Operations, Mine Safety and Health Administration, US Dept of Labor; Wayne Palmer, Dep Assistant Secretary for Policy, MSHA; Peter Montali, District Manager, MSHA, Warrendale, PA; Pamela Helming, Senator, 54th NYS Senate District; Senator Thomas O'Mara, NYS 58th Senate District; Barbara Lifton, Assemblywoman, NYS Assembly District 125; Article 78 2017-1 municipal petitioners:

Village of Aurora; Mayor Bonnie Bennett
Town of Caroline: Supervisor Mark Witmer
Town of Danby: Supervisor Ric Dietrich
City of Ithaca: Mayor Svante Myrick
Village of Lansing: Mayor Donald Hartill
Village of Trumansburg: Mayor A. Martin Petrovic
Town of Ulysses: Supervisor Elizabeth Thomas
Attorney Richard Lippes, Lippes & Associates, Buffalo, NY

Vote: 3-1

Date Adopted: 11/14/17

CLERK'S CERTIFICATION:

STATE OF NEW YORK}
COUNTY OF TOMPKINS} SS:
TOWN OF ULYSSES:

I, the undersigned Clerk of the Town of Ulysses, County of Tompkins, DO HEREBY CERTIFY that the above resolution is an exact copy of the same adopted by the Ulysses Town Board at a meeting on the 14th day of November, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Ulysses, New York, on this 16th day of November, 2017.

{ SEAL }


Carissa Parlato, Ulysses Town Clerk