



# **Erie County Environmental Management Council**



*- Photo by Daniel Stribick*

## **2015 Annual Recommendations Report**

**July 2015**

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# Executive Summary

The Erie County Environmental Management Council's (EMC) Annual Recommendation Report provides information for strategic planning and priority setting for the allocation of resources to address environmental issues facing Erie County. The report is divided into ten sections: Air Quality, Climate Change, Contaminated Sites, Ecosystem Health, Energy, Land Use, Solid Waste Management, Toxic Emissions, Transportation, and Water Quality.

Whereas there are several recommendations under each of the above sections, below are the key recommendations of the Council. They are not in any particular order except to group them in similar or related areas.

- **Create an energy policy and a public education component to the County energy office's work.** The County has accomplished significant energy savings through various conservation projects. By posting the energy policy and energy projects on the County web site, the public can learn about the efforts the County is making to save taxpayers' dollars, as well as protect the environment.
- **Pursue renewable energy and energy efficiency projects for the County,** as well as alternative fuels for the County Fleet. By decreasing the use of fossil fuels air quality is improved through decreased emissions.
- **Participate in the Public Service Commission's REV 2.0 Proceedings** (Reforming our Energy Vision) in cooperation with other municipalities to promote increased resiliency, greater integration of renewable resources, and the maintenance of affordable and reliable service.
- **Complete the County's Greenhouse Gas Inventory.** The EMC commends the County Executive for signing the Climate Smart Communities pledge and securing funding to complete a Greenhouse Gas Inventory.
- **Continue to seek funding for proactive planning to adapt to climate change.** This work should be coordinated across the County including emergency response agencies, as their work is influenced due to increased flooding and other more intense weather events.
- **Pursue additional funding for habitat work at the Natural Habitat Pocket Park sites along the Buffalo River.** This work, combined with the efforts of Buffalo Niagara Riverkeeper, the Valley Community Association, and the Seneca-Babcock Community Association, is bringing the Buffalo River closer to being delisted as a United States Environmental Protection Agency "Area of Concern."
- **Pursue funding to create an education campaign regarding phosphorous loading to reduce the chance of toxic algal blooms** in this end of Lake Erie. This could be tied to public education that is done by the stormwater program.
- **Increase promotion of the projects the Erie County Division of Sewerage Management (DSM) does to protect water quality.** DSM is investing in major projects to reduce sanitary system overflows in old sewage systems that have been taken over by the County. By increasing public understanding of the benefits of these projects, the public will have a better understanding of the need to upgrade infrastructure in the future.
- **Continue to implement green infrastructure.** The New York State Environmental Facilities Corporation has grants to fund 90% of green infrastructure projects, such as pervious pavement parking lots, cisterns, and green roofs. The

# Executive Summary

County should continue to pursue this funding for such projects, as the grants save taxpayer money by receiving 90% reimbursement for projects which may have been done anyhow and/or that will create multiple benefits.

- **Work with local partners and agencies to reduce plastic pollution, which threatens our wildlife.**
  - ◆ Recent studies at SUNY Fredonia have identified the threat of micro-plastics on fish populations. One source of micro-plastics is found in cosmetics. The County should advocate for the removal of these plastics from personal care products.
  - ◆ Other sources of plastic, such as single-use bag litter, are also a threat to wildlife in Lake Erie. The County should work with local partners to examine ways to reduce this issue of concern.
- **Establish a recycling program in the County Parks.** Although the Parks Department is very understaffed, the EMC recommends that the County partner with the community – whether businesses or non-profits – to find a way to establish a recycling program in the Parks.

## **Increase Household Hazardous Waste Collection funding to provide more events or, ideally, a permanent location.**

A dedicated source of funding could be pursued through a single-use bag fee (see the Solid Waste section), a sewer user fee, or other user fee. It is vital that this program be easy to use. Twice yearly collections are not sufficient as there are many scenarios such as the sale of a home or the death of a relative where years of accumulated waste need to be disposed of in a timely manner. A study of a permanent collection site(s) is needed.

The EMC commends the administration for recognizing the importance of environmental protection and supporting many environmental initiatives. Indeed, progress had been made on the majority of the EMC's 2014 recommendations.

# Introduction

The Erie County Environmental Management Council (EMC) was established in the Erie County Charter in 1971 under Article 47 of the New York State Environmental Conservation Law. Members of the Council represent many of the cities, towns and villages within Erie County, as well as 12 at-large members from throughout the County.

The EMC's mission is twofold:

- 1) Advise county government on local environmental concerns; and
- 2) Provide a liaison between the community and county government.

The EMC's Annual Recommendation Report provides information for strategic planning and priority setting for the allocation of resources to address environmental issues facing Erie County. The report is divided into ten sections: Air Quality, Climate Change, Contaminated Sites, Ecosystem Health, Energy, Land Use, Solid Waste Management, Toxic Emissions, Transportation, and Water Quality.

To prepare this report, the EMC used each monthly meeting to listen to and engage with County personnel, concentrating on the issues addressed in the sections above. From these conversations, new recommendations were developed. The report was finalized at the July EMC meeting.

It is important to note that many of the 2014 Recommendations have been acted on and the EMC congratulates County leadership and staff for their good work. In particular the EMC has been excited by the progress on Energy issues since the Director of Energy Management was hired at the end of 2014, as well as the issue of sustainability within County operations. The EMC looks forward to hearing from the County Green Team as it is established.

In the past year, the EMC also initiated a new Environmental Awards program to bring attention to good projects being done by municipalities and not-for-profits. The EMC is planning to continue this award program over the next year.

The EMC looks forward to working with County staff and leadership to support and implement the 2014 recommendations.

# Air Quality

## *Outdoor Air Quality*

There are several ongoing outdoor air quality issues in the County, including the concerns over pollution at the Peace Bridge and in the industrial corridor in Tonawanda. In general, the County does not play a role in these matters as they are regulated by state and federal agencies. However, the EMC recommends that the County increase public awareness about outdoor air quality issues in the following ways:

- **Continue to pursue opportunities to conduct public outreach to improve air quality.** This effort could focus on issues such as the health and safety concerns, as well as restrictions, associated with outdoor burning and/or transportation issues, such as reducing the single occupancy vehicles through commuting programs.
- **Continue to support environmental non-profit organizations, such as the Clean Air Coalition of Western New York (CACWNY), that are dedicated to reducing air pollution.** Community activism in Tonawanda spearheaded by the CACWNY contributed to enforcement actions by the EPA and NYSDEC against Tonawanda Coke, a major source of industrial emissions in the area. The EMC commends the Erie County Legislature's vote in 2014 to keep the Amigone Funeral home's crematory closed – an issue that CACWNY has worked on for years.
- **Complete the County's Greenhouse Gas Inventory.** The EMC commends the County Executive for signing the Climate Smart Communities pledge and securing funding to complete a Greenhouse Gas Inventory.

- **Pursue renewable energy and energy efficiency projects for the County, as well as alternative fuels for the County Fleet.** By decreasing the use of fossil fuels air quality is improved through decreased emissions.
- **Support Smart Growth/Main Street projects which will increase walkability.** Like the recommendation above, walkability decreases driving which in turn decreases air pollution.

## *Indoor Air Quality*

Indoor air quality is also a concern in Erie County. The County's indoor air quality program conducts outreach about radon as well as carbon monoxide. The program relies on state funding which has currently expired and thus does not have staffing at this time. EMC recommends that the County:

- Pursue grant funding for continuation/reinstatement of the program as a whole, as well as an indoor air quality education campaign related to natural solutions such as plants and alternative cleaning products and conduct outreach through the EMC to municipal buildings.



*Photo by Bonnie Lawrence*

# Climate Change

Despite the recent harsh winter and the often heard desire for warmer weather, Climate Change could have devastating impacts on the region especially as it relates to more intense weather events, reduced lake levels, increased appearance of invasive species, altered growing cycles, increased displacement of populations, particularly due to either rising sea levels or the ability to obtain adequate drinking/bathing water, and changes in distribution of vector borne diseases. It is already apparent that Erie County is experiencing an increased frequency of more intense storms in all seasons - more precipitation and stormwater runoff in a shorter period of time. These extreme weather events are increasing occurrences of flooding, severe erosion, sedimentation, and debris accumulation in stream corridors which is resulting in increasing costs for repair, remediation and replacement of public and private infrastructure.

The EMC congratulates the County on recently becoming a Climate Smart Community in a resolution dated June 12, 2014. This New York State program involves conducting a greenhouse gas inventory of municipal operations and subsequently implementing projects to reduce greenhouse gas emissions.

The EMC recommends that the County take several other actions to help mitigate the impacts of climate change, as well as prepare for adaptation to the impacts of Climate Change:

- **Continue to seek funding for proactive planning to adapt to climate change.** This work should be coordinated across the County including emergency response agencies, as their work is influenced due to increased flooding and other more intense weather events.
- **Complete the greenhouse gas inventory associated with the Climate Smart Communities pledge** and then work to implement projects to reduce greenhouse gas emissions.
- **Continue to implement the projects identified in the Western New York Region's Sustainability Plan** funded through the New York State Energy Research and Development Agency (NYSERDA) Greener, Cleaner Communities Program.



*Photo by Lori Whittington*

# Contaminated Sites

Erie County has been a leader in addressing the issue of contaminated sites, areas where chemical pollution or other hazardous materials are concentrated in the environment to such an extent that environmental and human health are, or could be, impacted. The Erie County Department of Environment and Planning has been successful in working with local municipalities in redeveloping 14 contaminated sites since the program's inception in the mid-1990s. Despite the success of this program, funding for this program at the State level needs to be secured to continue this important work. The EMC recommends that the County:

- **Advocate for continued funding of the New York State Department of State Brownfield Opportunity Area Program**, which provides local governments the necessary funding and technical support to undertake market studies and detailed planning to address economic redevelopment of brownfields and adjacent neighborhoods on an area-wide basis.
- **Monitor and advocate for full State and Federal funding for the Phase 1 remedial activities at the West Valley Demonstration Project**, and ultimately, complete removal of site radioactive waste.



*Photo by Lori Whittington*



# Ecosystem Health

Ecosystem Health refers to the well-being of our living environment, which includes plants and animals. Society is dependent on a healthy ecosystem as it produces the clean air we breathe, the water we drink, the food we eat, and the soil we stand on. Thus, this section could include many areas which threaten the ecosystem, such as pollution and invasive species. In fact, Erie County has been doing excellent work protecting our ecosystem. For example, the County is working on habitat restoration projects along the Buffalo River, tree inventories in County Parks, stormwater pollution prevention education, Emerald Ash Borer outreach and education, and being an in-kind sponsor for the recent Buffalo Niagara Riverkeeper “Western New York Guide to Native Plants for your Garden.” The Erie County EMC recommends that the County continue that good work and also:

- **Pursue additional funding for habitat work at the Natural Habitat Pocket Park sites along the Buffalo River.** This work, combined with the efforts of Buffalo Niagara Riverkeeper, the Valley Community Association, and the Seneca-Babcock Community Association, is bringing the Buffalo River closer to being delisted as a United States Environmental Protection Agency “Area of Concern.”



Photo by Lori Whittington

- **Work with local partners and agencies to reduce plastic pollution in our waterways, which threatens our wildlife.**

Recent studies at SUNY Fredonia have identified the threat of **micro-plastics** on fish populations. One source of micro-plastics is found in cosmetics. The County should advocate for the removal of these plastics from personal care products.

Other sources of plastic, such as **single-use bag litter**, are also a threat to wildlife in Lake Erie. The County should work with local partners to examine ways to reduce this issue of concern.

- **Pursue funding to create an educational campaign regarding lawn chemicals and fertilizers** that informs on the risks of use/overuse of these chemicals including the connection to algal blooms.
- **Seek additional funding through the New York State Department of Environmental Conservation to conduct tree inventories at more County Parks**, as it has for Akron Falls, Como Park, Ellicott Creek, and Elma Meadows.
- **Continue the eradication of giant hogweed on any County property.**
- **Partner with Erie County Soil and Water Conservation Service and PRISM to pursue ditch training for Highway Departments with a focus on invasive species and creating more shallow ditches.** This training should be promoted at Highway Superintendents meeting and coordinated with the WNY Stormwater Coalition.

# Energy

The EMC would like to congratulate County Executive Poloncarz for his leadership on recognizing the importance of hiring a County Energy Officer, as well as the County Legislature for approving the funding for this position. This position is an excellent investment and will not only result in energy savings, offsetting the cost of the position, but it will also reduce the County's greenhouse gas emissions. There is much that the County can do to build upon this investment, as well as the previous energy conservation work the County has done. The EMC recommends that the County:

- **Create an energy policy and a public education component to the County energy officer's work.** The County has accomplished significant energy savings through various conservation projects. By posting the energy policy and energy projects on the County web site, the public can learn about the efforts the County is making to save taxpayers' dollars, as well as protect the environment.
- **Participate in the Public Service Commission's REV 2.0 Proceedings (Reforming our Energy Vision)** in cooperation with other municipalities to promote increased resiliency, greater integration of renewable resources, and the maintenance of affordable and reliable service.
- **Continue to promote the use of renewable energy installations on County property, as well as examine energy storage projects.** Renewable energy investments support one of the recommendations in the Greener Cleaner Communities Western New York Sustainability Plan funded by the New York State Energy Research and Development Authority.
- **Assist municipalities by providing access to training and resources regarding new energy and zoning codes.** Many of the municipalities do not have the resources to keep up with these changes, many of which will help in conserving resources.
- **Take the steps to make PACE (Property Assessed Clean Energy) financing available to commercial and multi-family residences in Erie County.** PACE is an innovative way for property owners to pay for energy efficiency upgrades, on-site renewable energy projects, and water conservation measures. This national initiative has been used for decades in other parts of the country and has features that can solve barriers to the adoption of energy efficiency measures.
- **Continue to work with community partners to help residents access resources for energy conservation projects** and seek ways to help fund projects for those residents that cannot qualify for existing loan programs.
- **Continue to work with partners to provide support for a Sustainable Business Roundtable,** a business organization with the goal of increasing the implementation of sustainable practices such as energy conservation projects.

# Land Use

With regard to land use, the EMC heard presentations from the Erie County Department of Parks, Recreation and Forestry, Environment & Planning's (DEP) habitat restoration projects, as well as the DEP's Office of Geographic Information Systems. Based on the information garnered at these presentations, the EMC recommends that the County:

- **Increase resources at Erie County Parks to provide grant writing and coordination of volunteer projects.** There are many grant opportunities that the County Parks department could be pursuing. Investing in grant writing/management and volunteer coordination could leverage a significant amount of additional resources for the Parks. There are a variety of ways this may be achieved, such as through partnerships with local colleges and universities and/or hiring additional staff.

- **Partner with existing efforts to minimize destruction of plantings by browsing animals.** This is especially important for the County's habitat restoration work at its natural habitat pocket parks along the Buffalo River and at Times Beach.
- **Continue to support Erie County Soil and Water Conservation District** in its delivery of programs and technical assistance for the management of riparian (streamside) buffer zones which are critical management areas for erosion control and floodplain protection.

**Encourage all economic development efforts in areas with existing infrastructure to discourage sprawl.**



*Photo by Don Stribick*

# Solid Waste

Erie County has secured grant funding for a Recycling Coordinator in the Department of Environment and Planning. The Recycling Coordinator plays a critical role in education about waste reduction and recycling, while working with both the solid waste management boards as well as the public. The work done by the recycling coordinator could be enhanced through some County-wide initiatives. The EMC recommends that the County:

- **Institute a “single-use bag fee.** A fee for single-use bags has already significantly reduced waste and decreased litter in many areas of the Country. Such a fee is usually split between the store and the government instituting the fee. Thus this program would provide a needed funding source for programs such as the Household Hazardous Waste Collection Events (see the Toxics chapter), as well as reduce plastic bag litter that threatens wildlife.
- **Ban polystyrene foam, often referred to as Styrofoam, food containers.** Many areas of the country, including Albany County, have banned these containers for environmental reasons; the containers take many years to break down and disperse easily in the wind. These communities have also cited health concerns associated with the containers.
- **Establish a recycling program in the County Parks.** Although the Parks Department is very understaffed, the EMC recommends that the County partner with the community – whether businesses or non-profits – to find a way to establish a recycling program in the Parks.



*Clogged Storm Drain*

# Toxic Emissions

The County's Household Hazardous Waste program holds collection events every year. This program works to remove a significant amount of hazardous and toxic products that might otherwise go into the solid waste stream, to a sewage treatment plant, or stay for years within households causing problems if there is a flood or fire. Funding for this program has been reduced over the years, but demand has increased. The EMC recommends that the County:

- **Increase Household Hazardous Waste Collection funding to provide more events or, ideally, a permanent location.** A dedicated source of funding could be pursued through a single-use bag fee (see the Solid Waste section), a sewer user fee, or other user fee. It is vital that this program be easy to use. Twice yearly collections are not sufficient as there are many scenarios such as the sale of a home or the death of a relative where years of accumulated waste need to be disposed of in a timely manner. A study of a permanent collection site(s) is needed.

- **Pursue funding to create an education campaign, tied to the HHW program, to educate consumers on alternatives to hazardous products for their home and garden use.** Less purchasing of these chemicals would reduce the need for County collection events and lower the likelihood that these chemicals could contaminate our water and/or air.

# Transportation

Transportation conveys substantial socioeconomic benefits, but at the same time impacts environmental systems. Plans should be developed within the county to ensure a policy and design that addresses both. The EMC recommends that the County:

- **Adopt a County Complete Streets Policy.** By adopting a Complete Streets policy, the County will design and operate transportation projects to enable safe access for all users including pedestrians and bicyclists. Special attention is needed to evaluate the adequacy and safety of road shoulders.
- **Seek funding and partnerships to develop a County transportation demand management plan.** Along with this plan specific performance measures should be adopted that measure the impact including, but not limited to:
  - Increase in the share of bicycles, pedestrians and transit users
  - Crash data -- Identify high risk areas using crash occurrence data.
  - Use of new projects by mode
  - Compliments and Complaints
  - Linear feet of pedestrian accommodations built
  - Number of ADA accommodations built
  - Miles of bike lanes/trails built or striped
  - Number of transit accessibility accommodations built
  - Number of street trees planted
  - Number of building permits issued along new complete street

- **Continue to work with community partners to decrease the environmental risks, such as potential watershed impacts, and spill response capabilities for the exponential increase of Bakken oil shipments.** It is vital that our communities are prepared to respond to the risks associated with the transport of these oil shipments through our communities along the CSX and Norfolk Southern Railroad corridors.
- **Seek funding and partnership opportunities for alternative fuel vehicles for the County fleet, including installing electric vehicle charging stations on County property.** The County should take advantage of the Governor's ChargeNY Program and include electric vehicle charging stations as part of all new building designs, as well as any new stadium or upgrades to Ralph Wilson Stadium.



Photo by Rick Rutkowski

# Water Quality

Erie County is named after and has grown around Lake Erie. The importance of this connection and interdependence is highlighted in the County Executive administration's "Initiatives for a Smart Economy." In fact, the plan has a chapter on the Blue Economy, which recognizes that water restoration and protection projects are significant economic drivers. The County has been playing a leadership role in this topic by providing coordinators for both the WNY Stormwater Coalition and the Lake Erie Water Watershed Protection Alliance (LEWPA), as well as playing an active role with the Erie County Water Quality Committee. Going forward, the EMC recommends that the County:

- **Continue to implement green infrastructure.** The New York State Environmental Facilities Corporation has grants to fund 90% of green infrastructure projects, such as pervious pavement parking lots, cisterns, and green roofs. The County should continue to pursue this funding for such projects, as the grants save taxpayer money by receiving 90% reimbursement for projects which may have been done anyhow and/or that will create multiple benefits.

- **Pursue funding to create an education campaign regarding phosphorous loading to reduce the chance of toxic algal blooms in this end of Lake Erie.** This could be tied to public education that is done by the stormwater program.
- **Increase promotion of the projects the Erie County Division of Sewerage Management (DSM) does to protect water quality.** DSM is investing in major projects to reduce sanitary system overflows in old sewage systems that have been taken over by the County. By increasing public understanding of the benefits of these projects, the public will have a better understanding of the need to upgrade infrastructure in the future.

**Continue to support Erie County Soil and Water Conservation District.** The District's purpose under the Soil and Water Conservation District Law is to provide for the conservation and preservation of the soil, water and wildlife resources of the state through the delivery of technical assistance and education to farms, landowners and units of government for the control and prevention of soil erosion, the management of water, the control and abatement of agricultural nonpoint sources of water pollution, the maintenance of streams and corridors, and protecting and promoting the health, safety and general welfare of the people of the State.



Photo by Don Stribick

# Conclusion

It is generally understood that clean air, land and water are vital to having a thriving community. The EMC recognizes and appreciates that the current County leadership has made environmental protection a priority. The EMC urges County leaders to continue to invest more in the protection of our environment. Not only is this good work important to our current and future health, it also can be an economic engine, creating a place where young people want to stay and/or relocate.

Erie County has many excellent environmental programs and is in the process of starting new ones, but there is a need for even more. As the County moves forward with its budgeting process, the EMC encourages the county to consider the following additions to the budget to fund:

- A study of a permanent Household Hazardous Waste collection site location(s);
- Grant writing/management and coordination of volunteer activities;
- Resources needed to address internal County recycling and solid waste issues, especially at County Parks; and
- Promotion and education regarding the environmental value of the County's sewage treatment plants.

There are also several recommendations regarding County policies and local laws. The EMC encourages the County to pursue:

- PACE (Property Assessed Clean Energy) financing available to commercial and multi-family residences in Erie County;
- Local laws to ban microbeads and polystyrene foam, often referred to as Styrofoam, food containers;
- The development of a County Energy Plan; and
- A County Complete Streets Policy.

Many of the other recommendations include education and outreach. The EMC looks forward to assisting the County with this outreach, as well as supporting any grant requests to pursue resources for those projects.

In order for the EMC be an even stronger asset to the County, it has submitted a formal request to re-establish a budget for the EMC. This requested budget would be used to create educational displays for municipalities, enable EMC members to attend the statewide EMC conference, and improve the awards program.