

**Town of Danby RESOLUTION 59 of 2017: Objecting to the DEC Permitting Cargill Mine Expansion Without Proper Environmental Review.**

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

**Whereas**, communities adjacent to Cayuga Lake, as well as many lake shore residents obtain drinking water from Cayuga Lake, and

**Whereas**, New York has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions and projects that are directly undertaken, funded or approved by local, regional and state agencies; and

**Whereas**, environmental review early in the planning stages allow a project to be vetted, and modified as needed, to avoid adverse impacts on the environment; and

**Whereas**, Cargill's proposed shaft construction, the mining of the one-mile connecting tunnel, and expanded salt mining have potential adverse impacts that have not been properly reviewed as a whole and vetted under SEQR in contrast to the Hampton Corners Salt Mine in Livingston County which is carrying out its second Draft Environmental Impact Statement; and

**Whereas**, SEQR discourages the "segmentation" of projects, meaning that the environmental review of a single action or project should not be divided into various activities or stages as though they were independent, unrelated activities, resulting in a less complete environmental review than would be required for the single action or project; and

**Whereas**, NYSDEC has nevertheless issued Cargill a permit to construct Shaft #4 which is proposed to be connected to Cargill's ongoing salt mining operations under Cayuga Lake, with such permit issuance being based on an improperly "segmented" environmental review which treats shaft construction and ongoing salt mining as independent, unrelated activities; and

**Whereas**, both the shaft construction and the ongoing salt mining have potential adverse impacts that have not been properly reviewed and vetted under SEQR; and

**Whereas**, adverse impacts include impacts on local water resources, including groundwater and the waters of Cayuga Lake; and

**Whereas**, many of these unreviewed adverse impacts on local water resources, including groundwater and the waters of Cayuga Lake, involve various ways in which substantial quantities of salt would be incidentally brought into contact with such local water resources, not only during current mining operations but also during the post-operational period after the mine is closed and abandoned; and

**Whereas**, "the abandonment of dry salt mines raises a difficult problem, as post-abandonment mine flooding is, in most cases, highly probable, with possible severe consequences at ground level;" and

**Whereas**, "the majority of salt mines succumb to collapse and flooding;" and "Flooding, whether intentional or inadvertent, is 'game over' for successful containment or control of the salinity associated with the brine that will inevitably be squeezed out of the mine;" and

**Whereas**, some of the adverse impacts involve gradual sagging or other loss of mechanical integrity of rock layers above the mine; and

**Whereas**, the "carbonate beam supporting the overlying rocks in the area north of the present mine under the Cayuga Lake has been eroded out or greatly thinned," resulting in "a geological condition with more risk than the Retsof mine was in, before it collapsed;" and

**Whereas**, subsidence is an ongoing process that also tends to open up groundwater flow pathways in bedrock above a mine; and

**Whereas**, the 1994 collapse and flooding of the Retsof salt mine in Livingston County and subsequent salinization of an adjacent fresh water aquifer provides an example of various adverse impacts and some of the factors implicated in salt-mine collapse; and

**Whereas**, these and other potential adverse impacts on the environment should be subject to full and proper environmental review under SEQR; and

**Whereas**, since 1975, and despite several applications for mine expansion by Cargill, the NYSDEC has never requested a full environmental impact study of the mining risks; and

**Whereas**, the DEC reviewed the Cargill Shaft 4 project and concluded that the action meets their standards, and on 16 August 2017 issued an applicable permit without full environmental review of the project in its entirety; **Now, Therefore, It Is**

**Resolved**, that the Town of Danby joins with other municipalities and Cayuga Lake stakeholders in a soon to be filed Article 78 proceeding to require environmental review under SEQR pertaining to all Cargill's proposed projects including Cargill's Shaft #4 project and all proposed construction and expansion of the Cargill Mine, and it is

**Further Resolved**, that a copy of this resolution be forwarded by the Town Clerk to Governor Andrew Cuomo, NYSDEC Commissioner Basil Seggos, Senators Patricia Helming and Thomas O'Mara, Senate Leader John Flanagan, Senate Minority Leader Andrea Stewart-Cousins, Assemblywoman Barbara Lifton, Assembly Speaker Carl Heastie, Assembly Minority leader Brian Kolb, Chair of the Assembly's Standing Committee on Environmental Conservation Steve Englebright, and Tompkins County Legislature Chair Michael Lane.

Moved by Brenner, Second by Holahan.

A roll call vote on the Resolution resulted as follows:

Brenner	Aye	
Connors	Aye	
Holahan	Aye	
Miller	Aye	
Dietrich	Aye	Carried Unanimously

STATE OF NEW YORK )  
COUNTY OF TOMPKINS ) SS:  
TOWN OF DANBY )

Pamela Goddard, Town Clerk in the Town of Danby, a Municipal Corporation of the County of Tompkins, State of New York, does hereby certify that the forgoing resolution is a true and exact copy of a resolution duly adopted by the Town Board of said Town of Danby at a Regular meeting held on the 18th day of September of 2017.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the Seal of the Town of Danby, this 19th day of September of 2017.

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Pamela S Goddard, Town Clerk