COMMENTS BY GEORGE PATTE, JR. OF CLEAN, MADE TO COUNTY LEGISLATURE IN SUPPORT OF RESOLUTIION N, NOVEMBER 8, 2023

I LEARNED TO SWIM IN Cayuga Lake about seven decades ago, and have boated and fished its waters ever since. It means a lot to me and the citizens of this County. We have to look at Cargill’s salt mine under the lake and its risks. I’m a retired lawyer always based in Ithaca and I decided as a CLEAN member to investigate. Several things became apparent about this mine.

The mine under the lake is allowed by New York State through the Office of General Services (OGS) which granted Consent Orders to Cargill to operate on state lands under the lake over the decades since the 1970’s. CLEAN thinks the Consent Orders should not have been granted for under-the-lake mining, and now, with a sale of the mine being discussed, the terms of the Consent Order in place should be followed—and—

 OGS should not approve a sale. OGS has the power to veto a sale under a “new paragraph 15” of the Consent Order. OGS must exercise this power.

Governor Hochul, as chief executive in this state, needs to hear our concerns in Resolution n being considered tonight (ID # 11981). She has authority over the two agencies involved—OGS, as well as DEC, who are both stewards charged with safeguarding the lake now endangered.

The governor should:

 \*Make clear she expects both agencies to responsibly conduct a review and to perform an environmental impact statement with full public participation, and

 \* Make sure proper weight is given to evidence that salinity in Cayuga Lake has risen to a level that is not safe to drink, or safe for fish in the lake, and the risk of mine collapse in anomaly areas that are scoured and weaker, and

 \*Make sure the review includes a hard look at the eventual but inevitable closing of the mine and a safe means to close it.

The End-of-Life Plan, being a new request, and a possible sale of the mine, should trigger a full review under the Environmental Conservation Law, state environmental quality review provisions in the law, and the Public Lands Law, as the current plan is inadequate or non-existent or non-compliant.

The trigger mandates a review of any Consent Order or operating permit granted to Cargill before allowing any sale or any approvals to operate.

The sale can be blocked until full disclosure by Cargill of data and information, and evaluation is open and encouraged, an environmental bond is in place that is adequate in amount, and decisions can be made about the future of the mine. CLEAN stands ready to participate in this process.

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