

Environmental Watchdogs for Cattaraugus County  
**Concerned Citizens of Cattaraugus County**

Website: <http://concernedcitizens.homestead.com>  
Facebook: CCCC - Concerned Citizens of Cattaraugus County

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**Message from CCCC president, Kathy Boser...**

With the release of this newsletter, I am mindful of our mission: "To assure Cattaraugus County's air, soil, water and environment is clean and healthful, and to advocate with the public and governments that policies be implemented and that laws be passed to assure such a clean and healthful environment; to assure that local, state and federal environmental protection laws are enforced; to encourage skills for citizen advocacy for a clean and healthful environment."

Since taking office as president, I've been continually impressed by the number of individuals in our community who have stepped forward to make a statement, whether it's been over the local wind farm issues, concerns for our environment and water sources, the potential threats from hydrofracking or any number of environmental concerns.

Although each person has a different level of concern and may have different views pertaining to the issues, I'm impressed by the involvement and continued growth of our membership. I would like to personally thank all for their support and to invite you if you haven't yet become a member, to feel free to join us at of our meetings.

Together I know we can make this world a better place.



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**The Goal of CCCC is to keep the citizens of Cattaraugus County informed with up-to-date data on all environmental issues affecting this area.**

**Officers:**

*President:*

Kathy Boser, Allegany

*Vice President"*

Barry Miller, Hinsdale

*Treasurer:*

Marie Comstock-Johnson

Olean

*Secretary:*

Karen Mosman, Allegany

**Have You Considered Serving on the Board of Directors of CCCC?**

CCCC's spring elections are approaching! Elections are a time to rethink priorities and consider new agenda items. Old and new members alike are encouraged to throw a hat in the ring and become a member of the Board of Directors of the organization. Candidates should attend the *May meeting where* elections are to be held by vote of the CCCC members present. Next meeting: **May 1 (Wednesday), 7:00 PM at the Olean Public Library Gallery room. Water Sentinels to meet one half hour before at 6:30. ~ Hope to see you there!**

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## Water Sentinels Program

Concerned Citizens from around New York State are engaging in a campaign to record baseline [water quality](#) information for local streams through training provided by the ALLARM staff, an environmental organization based out of Dickinson College which has trained community members to monitor water quality for 25 years and to monitor for Marcellus Shale drilling impacts since 2010.

While conventional oil and gas wells use tens of thousands of gallons of water to extract the last bit of the resource, each "hydrofracked" drilling site requires millions of gallons of fresh water mixed with chemicals injected under explosive pressure. Wells can be sited as close as 500 feet apart, and under DEC's proposed regulations, if the developer controls 60% of the property around you, horizontal drilling beneath your property and potential groundwater and surface water pollution cannot be stopped (this is called "compulsory integration" into a drilling unit). The associated increase in chemicals used and toxic waste water produced will bring more threats to the environmental health and welfare of citizens.

CCCC volunteers are currently sampling area streams monthly to obtain baseline (clean) water quality data to compare to future water quality should fracking begin here and are seeking additional volunteers to help in this effort. **If you would be interested, the next training program will be held on Saturday, May 11, 2013 from 8:30 a.m. – 3:30 p.m. at the David Howe Library in Wellsville NY.** This training will consist of an all-day stream water-monitoring workshop focused on gas drilling, which will include training on taking regular water samples, to include being supplied with monitoring equipment and laboratory analysis resources, and taught to compile inventories and evidence.

**Registration is requested by May 1.** For additional details and on-line registration go to <http://www.nywatersentinels.org/>. Each person should consider donating at least \$20 toward the per-person program cost of approximately \$130. For additional details e-mail NYWaterSentinels@gmail.com.

### CCCC Gift Card Raffle Fundraiser

Between now and our June Meeting, we will be conducting a Shopper's Delight Gift Card Raffle to raise funding for our legal costs. Tickets are \$5.00 each or three for \$10, with drawing to be held at the June meeting. First Place prize will include gift cards valued at \$500, Second Place, valued at \$75 and Third Place at \$25. (Gift Cards include: 1st Place: \$500 value: Amazon, Beef N Barrel, Greater Olean Chamber of Commerce, Home Depot, JCPenney, Keystone Gas Card, Kmart, Kohls, Park & Shop Service Store, TJ Maxx, Tops, Walmart, Worth Smith 2nd Place: \$75 value: Greater Olean Chamber of Commerce, Home Depot, JCPenney and 3rd Place: \$25 value: Olean Chamber of Commerce) Tickets will be made available at the Franklinville Mapfest and will be available from CCCC members/supporters or contact Kathy Boser at (716) 373-0406.

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## **Current Status of Everpower/Allegany Wind and the Town of Allegany**

At the end of August 2012, CCCC withdrew a court challenge questioning the Town of Allegany's approvals for this project. In December 2012, Everpower sued the Allegany Planning Board and Town Board, claiming the Planning Board's request for a supplemental review of noise impacts, in light of Everpower's request to utilize larger turbine blades, was arbitrary. On February 28, 2013, the court threw out the lawsuit against the Planning Board, citing Everpower's "contumacious conduct."

Everpower has filed a notice that it will appeal the dismissal of its Planning Board lawsuit. Meanwhile, Everpower's lawsuit against the Town Board has yet to be heard in the Cattaraugus County Supreme Court. Everpower may submit a new application to a state siting board, a procedure made available last year when the Public Service Commission issued regulations implementing a new Article 10 of the Public Service Law. This procedure preempts local permitting, so Everpower could disregard the town's objections.

On June 11, 2012, the Planning Board granted Everpower an extension on its zoning permit up to 12 months, or only 90 days if then-pending CCCC litigation terminates. The Board decided on the 90 day period because Everpower said the CCCC litigation caused it to stop work on the project.

In response, CCCC withdrew its lawsuit, and as a result Everpower's permit expired on December 6. A second request for more time by Everpower was denied by the Planning Board on October 15, 2012.

DEC commented on the project, noting that noise sources operating at night should be evaluated more conservatively than Everpower has done, sources that make pulsating noise like wind turbines should add 5 decibels to what is modeled, and sources that operate at night should add another 10 decibels. If DEC's recommendations were followed (Everpower rejected them), 10 decibels would be added to Everpower's model, and many homes in Chipmonk and the Four Mile Rd. areas can be expected to get 40 decibels at night.

We consider 40 decibels to be unacceptable. Even during the day, when background sound can be about 40 decibels, people will hear wind turbines because the noise they make is unlike natural background sounds. It often includes low-frequency thumping noises, beating in time with the spin of the blades. Measuring noise impacts by decibel levels alone does not take this into account.

CCCC's position is that Everpower's methods and conclusions depart from established professional standards in acoustics and are designed to achieve a result that just barely complies with Allegany's rules. As has happened at operating wind projects, towns have received several complaints about wind turbine noise, but no turbines have been relocated or shut down at night.

### **Industrial Wind Farm Noise**

Promoting wind energy facilities without understanding the noise problem has resulted in a significant number of community complaints once wind farms are up and operating, and that has decreased property values, made it difficult to sell residential property near a wind farm, and accordingly over time decreases the host town's tax base, threatening to negate the direct payments to the town by the wind developer.

At the request of the Wisconsin Public Service Commission, four acoustic experts measured inaudible low frequency sound and infrasound over a 3-day period in the Town of Glenmore's Shirley Wind project in southern Brown County, Wisconsin, in early December 2012. As noted on page 2 of the report, "all of the [experts'] firms are pro-wind if proper siting limits for noise are considered in the project design."

continued (Please see Noise pg 4)

**Noise** (continued from page 3)

The measurements were consistent with complaints reported by residents of three homes vacated since the project became operational two years ago. One of the experts got sick himself as a result of exposure to the noise and reported that it took him a week to feel right when he returned to Maine.

This story has been repeated in communities hosting wind farms all over the world, in Australia, Europe, Ontario CN and the USA. In these communities there is generally at least one family that abandons their home as a result of the effects of wind turbine noise, such as chronic sleeplessness. Meanwhile, studies of actual wind turbines show that performance declines over a 15-year period from a peak of about 24% to 15% of installed capacity. For the foreseeable future backup power plants burning fossil fuel will be required to run when the wind stops blowing. This calls into question the effectiveness of wind farms in reducing greenhouse gas emissions. If wind turbines are not very effective, why should host communities tolerate the intrusions visited on them?

**Citizens Task Force (CTF) April 24, 2013 Meeting - West Valley Report**

A report on the replacement of the Thomas Corners Road bridge which traverses Buttermilk creek where radioactive materials had been released upstream. Core samples have been sent to the laboratory; however, no noticeable readings of the area were above normal background levels. Another report was provided on the safety performance over recent 164 days without a lost-time work accident or illness. A budget briefing was provided with minimal change in allocated funding for 2013.

A discussion on methods of outreach to the public determined that the best method would be to create a presentation that could be aired on local public access TV as well as other public venues. Three people on the CTF volunteered to work on the project. It will be on the June agenda to report on the status of the effort. The general public has sketchy knowledge of what is going on at WV. Some people think that there is still reprocessing going on, others think that everything has been cleaned up. The facts are that there are many buildings yet to be demolished, existing high level waste canister relocation into casks which will be stored with the capability to be there for 50 years, not to mention digging up the leaking underground tanks and placing these highly radioactive materials into safe on-site storage methods. There has been and is ongoing waste classified as "low level" hauled out to the waste depository in New Mexico.

**MEMBERSHIP - GIVING FORM**

Yes, I want to be a member of the Concerned Citizens of Cattaraugus County!

- o \$30.00 - Group/Organization
- o \$20.00 - Individual/Family
- o \$12.00 - Senior/Student
- o \$ \_\_\_\_\_ Patron/Gift

\* Many companies provide matching contributions. Please see your Human Resources Dept. However, you should know that as a 501(c)(4), contributions aren't tax-deductible.

*Please make check payable to:*

**Concerned Citizens of Cattaraugus County**

*Mail to:*

**Concerned Citizens of Cattaraugus County**

**P.O. Box 23, Franklinville, NY 14737**

NAME(S) \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE (optional) \_\_\_\_\_

E-MAIL \_\_\_\_\_