



S.2053-A (Webb)

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BILL S.2053-A (Webb)
SUBJECT Environmental Impact Assessment for Salt Mines.
DATE February 11, 2025
OPPOSE

The Business Council opposes this legislation that would target the renewal of the mining permit for the Cargill salt mine in the towns of Covert, Lansing and Ulysses in the Finger Lakes region for extra review and costly additional permit conditions.

This legislation would result in a likely unprecedented action, in that it proposes statutory changes to declare that a targeted permit renewal would likely have a significant effect on the environment and therefore be required to prepare an environmental impact statement (EIS) under the State Environmental Quality Review Act. Importantly, the state's SEQR regulations, "license, lease and permit renewals , or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities," are considered Type II actions not requiring an EIS. This Type II designation is based on the assessment that a limited category of agency actions will not have significant environmental impacts. The DEC's notice of permit completion clearly states its findings that "The New York State Department of Environmental Conservation (NYS DEC), as lead agency, has determined that the proposed Permit Modification and Renewal Application for Cayuga Salt Mine will not have a significant adverse environmental impact."

And while the DEC has not required an EIS for this project, the permit renewal process did include a substantial public comment period, with the original (and typical) 30 day comment period, announced on November 20, 2024 in the DEC's Environmental Notice Bulletin, was extended an extra month, through December 19, 2024 to assure adequate opportunity for the submission of public comments on the permit renewal. The Department is still in the process of reviewing and responding to public input.

We also find that the sponsor's memo in support of this bill provides misleading justification of this legislation, stating that, "Now, after decades of mining by Cargill, Cayuga Lake is saltier than nearly all the other Finger Lakes." This assertion is not supported by state data. According to the most recent "Finger Lakes Water Quality Report" published by the DEC, chloride levels in Cayuga Lake are down from 1970 although up slightly from 1990. Also, Seneca lake and Conesus are the highest amounts, not Cayuga Lake, which has chloride levels near the same levels as the other Finger Lakes. The report also notes that, "Chloride concentrations vary in freshwater lakes due to natural conditions (e.g., geology and soils)" and also notes that levels can be impacted by road deicing agents, stormwater runoff, intrusion from salt water, wastewater and industrial discharges," noting further that since the late-1990s industrial discharges have been reduced. Finally, the report shows that chloride concentrations in all Finger Lakes are well below the state's drinking water standard for chloride.

The company has also raised concerns that the bill's mandate for extraordinary financial security as a condition of its permit renewal would be difficult if not impossible to obtain, and would be

cost prohibitive to secure, with the cost of the premium likely to outweigh the economic value of the mine. If such mandates were to preclude a renewal of their permit, it would eliminate the production of some 2 million tons of salt per year, over half of which is sold to New York State for winter road maintenance.

We believe that the state employs sound regulations and policies for the environmental review of projects and the issuance and renewal of environmental permits. We are very concerned with legislative proposals that would ignore those programs and their criteria and impose project-specific mandates and restrictions.

For these reasons, The Business Council respectfully opposes approval of S. S.2053-A.