



Owasco Lake Watershed Management Council (OLWMC)

September 19, 2023- Director's Summary

Staff Recruitment

The OLWMC is underway with recruitment to fill its vacant Watershed Inspector position, having interviewed five promising applicants over the last several weeks.

Watershed Rules and Regulations

Project Review:

The Watershed Rules and Regulations (WRR) Workgroup is a state-local partnership consisting of representatives from five New York State agencies, as well as members of a technical local workgroup representing the Owasco Lake Watershed, including members from: Owasco Lake Watershed Management Council (OLWMC); Town of Owasco; City of Auburn; and Cayuga County. The Workgroup was formed in response to the submission of proposed revisions to the 1984 Watershed Rules and Regulations (Part 104.1- City of Auburn and Town of Owasco) to the New York State Department of Health (NYSDOH) in December 2020. NYSDOH project updates are posted on the OLWMC's website (<https://www.olwmc.org/projects>).

Project Update:

The following details were provided within NYSDOH's project update report (9.19.23 Monthly Owasco WRR Update for OLWMC) delivered to the OLWMC Board of Directors, Ex Officio Partners, and engaged members of the public prior to the September 19, 2023 OLWMC public board meeting:

General Update:

As mentioned in the August update, the State-Local Technical Committee met on July 31st to review the state-recommended revisions to the proposed regulations. A high priority for DEC, AGM and DOH in August was responding to inquiries from Senator May's and Mayor Quill's office. DOH will send a revised version of the regulations out to the technical workgroup as soon as possible. DOH will then begin the State Administration Procedure Act process and prepare the documents listed below the timeline.

Tentative Schedule:

<i>Regulation Development **</i>	<i>July 2023 to July 2024</i>
<i>Publication in NYS Register- Notice of Rulemaking</i>	<i>August 2024</i>
<i>End of 60-day public comment period</i>	<i>October 2024</i>
<i>DOH submits response to comments</i>	<i>December 2024</i>
<i>DOH publishes revised rulemaking</i>	<i>March 2025</i>
<i>Notice of adoption</i>	<i>July 2025</i>

*****This includes putting the regulations into express terms and developing supporting documentation in accordance with SAPA:***

- ***Concept paper (DOH only)***
- ***Regulatory Impact Statement (RIS)***
- ***Regulatory Flexibility Analysis (RFA) or statement in lieu of RFA***
- ***Rural Area Flexibility Analysis (RAFA) or Statement in lieu of RAFA***
- ***Job Impact Statement (JIS) or Statement in lieu of JIS***
- ***Executive Order 17 Assessment***
- ***Executive Review Documentation (Proposed Rule Transmittal)***
- ***SEQR***

NYS Tributary Legislation Project Review

Project Review:

An OLWMC endorsed, NYS environmental conservation bill ([A6652/S4162](#)) would protect up to 41,000 miles of New York streams. Class "C" waterways, which are regularly used by people for boating, fishing, and other activities. The new law would offer permit-based protections that are currently provided to waterways with higher classifications. The new law would require the need for permit for certain stream access and project(s) scenarios. On May 24, 2022 the bill passed the Senate and was returned to the Assembly. The bill passed both NYS houses. On December 2, 2022, bill A6652 was delivered to Governor Kathy Hochul and was subsequently vetoed. S4162 was reintroduced in the 2023 legislative session under a new print number: S1725. There has been general opposition to the bill by NYS Soil and Water Conservation Districts (SWCDs) based on the potential for stream restoration project delays due to new permitting requirements for Class C streams. The NYS Senate, at the insistence of Environment Chairman Pete Harckham, has included protections for Class C streams in their budget. Governor Hochul vetoed regulating class C streams in December, 2022 with a veto memo arguing the bill belonged in the budget with monetary resources for implementation. The version included in the Senate's "one-house" budget modifies the bill to exempt Soil and Water Conservation Districts (SWCDs) from permitting requirements, if they have an MOU with the NYSDEC outlining appropriate stream protection measures; the ultimate goal of the stream protection bill is to protect stream corridors from disturbance, not to complicate the work of SWCDs. Furthermore, a reduction in permitting

requirements for SWCDs that have MOUs could help alleviate some of the NYSDEC budgetary/staffing concerns that the Governor indicated as part of her opposition to the bill. Importantly, the bill now includes \$1 million in implementation funds to cover NYSDEC staff hires to implement. On April 25, 2023 S1725A passed the NYS Senate. The bill was then referred to the Assembly Environmental Conservation Committee. On June 6, 2023 the Assembly passed the bill and returned it to the Senate. The Governor will sign (approve) or veto (reject) the bill.

Recognition, Awareness, Education and Outreach Projects Updates

- OLWMC staff and Owasco Watershed Lake Association (OWLA) volunteers have been coordinating watershed science educational events using the OLWMC's grant-procured physical watershed model. OWLA recently used the model for youth education at a local library and at the TomatoFest on September 9, 2023. The model will be used again for Conservation Field Days youth education at Emerson Park on September 20, 2023.
- OLWMC staff will offer a Nine Element Plan project update to OWLA at their public forum on October 4, 2023.
- Published feature articles with the Citizen newspaper continue to spotlight watershed protection efforts and residents and programs making strides in watershed protection. The most recent article submission will feature the importance of protecting wetland ecosystems.

Nine Element Watershed Plan (9EP)

Project Review:

Cayuga County received a New York State Department of State grant to implement a high priority recommendation from the 2016 Owasco Lake Watershed Management and Waterfront Revitalization Plan, which was to incorporate the EPA Nine Key Elements into the Plan. This project was led by the Cayuga County Department of Planning and Economic Development and the consultant on the project was Ecologic, LLC.

The Owasco Lake Watershed Nine Element Plan for Phosphorus Reduction (9EP) was approved by the New York State Department of State and the New York State Department of Environmental Conservation (https://www.dec.ny.gov/docs/water_pdf/owasco9e.pdf). This Clean Water Plan advances efforts to restore and protect the water quality of Owasco Lake and its watershed. This collaborative effort identified focused strategies to ensure the lake water supply, aquatic habitat, and recreational uses are protected.

The development of the plan focused on understanding and managing phosphorus and sediment inputs from the Owasco Lake watershed to provide for recommendations that will drive watershed protection and remediation projects. The OLWMC is providing a coordination role for future projects and programming according to the recommendations of the 9EP.

The OLWMC's 9EP Project Coordination Committee (via Resolution 03-2022 at its November 15, 2022 public board meeting) will prioritize, coordinate, and facilitate project and programming implementation based on the recommendations of the 9EP. Partnering agencies and organizations convene on a semi-monthly basis to advance 9EP goals.

During its June 22, 2023 meeting, as part of the group's 2023 work plan, the Owasco Lake 9E Coordination Committee discussed next steps towards preparing project proposals and fundraising for watershed streams inventorying and engineering planning in 2023 (Phase 1) to direct stream restoration projects between 2023-2024 (Phase 2), for funding tributary monitoring b/w 2024-2025, and for developing an Owasco Lake Watershed Agriculture Program similar to what was created for the Skaneateles Lake watershed.

Project Update:

1. The OLWMC's 9E Coordination Committee is advancing watershed inventorying and monitoring initiatives to drive implementation projects in accordance with the recommendations of the Owasco Lake Watershed Nine Element Plan for Phosphorus Reduction (9EP). The following grant proposals were submitted in response to NYS grant program solicitations earlier this summer, and target the highest phosphorus contributing landscape/acre within the Owasco Lake Watershed, as documented in the 9EP.
 - a. 2023 non-point ag planning grants
 - i. The City of Auburn submitted a proposal through the NYS CFA to assess stream corridors within the Owasco Lake HUC 12 subwatershed. The City of Auburn applied for a \$75,000 grant to complete a comprehensive stream corridor assessment of the Owasco Lake HUC-12 which includes Sucker and Veness Brook, as well as multiple small tributaries along Owasco Lake.
 - b. Finger Lakes Watershed Grants Program- award notifications expected by September 28, 2023.
 - i. The Cayuga County Soil and Water Conservation District submitted two proposals in response to the DEC Finger Lakes Watershed Grants Program. The proposals targeted advancing stream corridor assessments of Dutch Hollow Brook and Sucker Brook.
 - ii. OLWMC submitted a funding request to place 2024-2025 tributary sampling, analysis, and results display under management of Community Science Institute (CSI) located in Ithaca.
2. The Committee now plans to focus on capacity building for local organizations to provide the programming necessary for the watershed agricultural industry to advance BMP implementation at the rate suggested by the NYS approved 9EP. The next Committee meeting will be held September 28, 2023.

Watershed Lake and Tributary Monitoring

Project Review:

- Cayuga County's comprehensive monitoring budget for 2023 includes costs for 1) a new Owasco Lake monitoring role by the Finger Lakes Institute, Hobart William Smith Colleges, 2) laboratory analysis for watershed tributary samples collected by the Owasco Watershed Lake Association (OWLA), 3) continued funding of the USGS gauge station along the Inlet, 4) continuation of the Citizen's Statewide Lake Assessment Program (CSLAP) and 5) the continuation of Hyfi level sensor use for monitoring water levels within the Owasco Flats constructed retention basins. The Cayuga County Planning Department submitted elements of

the program budget to the NYSDEC as part of their 2023 Finger Lakes Lake Ontario Watershed Protection Alliance (FOLLOWPA) budget.

- The Cayuga County Planning Department and water quality monitoring project partners are adhering to a Quality Assurance Project Plan (QAPP) that reflects monitoring logistics for the 2023 field season.
- OWLA is underway with its 2023 watershed tributaries monitoring program designed to include both baseline monitoring and storm event-based sampling.

NYS-awarded Drinking Water Source Protection Program (DWSP2)

Project Review:

- Consultants for the City of Auburn’s NYS-awarded Drinking Water Source Protection Program (DWSP2) worked with City of Auburn water resource managers and partners to identify potential sources of Owasco Lake water quality contamination and provide recommendations for resource protection. Project consultants provided recommendations to Auburn City Council on July 14, 2022. The DWSP2 committee reviewed and edited the draft plan. A refined draft of the City of Auburn’s DWSP2 was delivered from the contracted consultant to the City of Auburn and circulated among the project committee. The local group awaits final plan approval from NYSDEC and NYSDOH to move forward on plan implementation and associated project(s) proposal(s) development. Barring any changes based on agency feedback, the plan can be finalized. At that point, Auburn City Council will be asked to endorse the plan.
- The Town of Owasco is now receiving consultant support through NYS to develop its DWSP2.

Town of Owasco Project Update:

The fifth Town of Owasco DWSP2 group meeting held on September 14, 2023 hosted a discussion on identifying protections and management methods.

Municipal Codes and Ordinances

Project Review:

The Village of Moravia adopted the Sediment and Erosion Control Plan, and associated Appendix E, prepared and proposed by the OLWMC for advancing municipal control requirements for new construction activities.

Harmful Algal Blooms (HABs) Identification and Reporting

Project Review:

- Generally, year over year, observations of HABs are increasing throughout the eastern Finger Lakes Region.
- Regarding HABs, the NYSDEC encourages the community to “know it, report it, and avoid it.”
- Consistent with previous years, in 2023, the Owasco Watershed Lake Association (OWLA) is leading the volunteer HABs surveillance program for Owasco Lake.

- The NYSDEC hosted Finger Lakes HABs Shoreline Surveillance Training.

Project Update:

- According to the NYHABs website, as of September 15, 2023, there was 6 reported and archived HABs more than two weeks old and 35 current HABs reported within the last two weeks.

Land Holdings

Fillmore Nature Preserve Project Review:

- The OLWMC closed on the property transfer of the Fillmore Nature Preserve from The Nature Conservancy (TNC) on January 10, 2023. Fillmore Nature Preserve property boundary signage was installed by OLWMC staff with the help of TNC on March 8, 2023. The associated field trip accommodated the first annual property inspection to meet the OLWMC's annual property inspection commitment.
- On May 22, 2023, student conservation work at the Fillmore Nature Preserve was one of the activities included as part of Moravia High School 'Moravia Gives Back Day.' Students collected litter along the roadway adjacent to the preserve, pulled invasive species, and identified species to inform a conservation database. Moravia High School students were the first to assess biodiversity at the preserve. Now, every time someone uses iNaturalist© to identify a species found there, the uploaded information will contribute to their initiated project.
- The Town of Owasco is providing trail maintenance support at the Fillmore Nature Preserve.
- A grant proposal was developed to create a public access lot and educational kiosk at the nature preserve.

Project Update:

TNC has expressed interest in having the OLWMC own and steward two additional properties poised for acquisition and preservation within the Owasco Lake watershed. These include:

- 100-acre parcel in Locke, mixed farmland
- 72-acre parcel in Venice, dense wetland

They will present these acquisitions to the OLWMC Board once they are complete.

Programs, Funding, and Related Opportunities

SOGL Project Review:

A full Sustain Our Great Lakes (SOGL) funding proposal was developed in partnership with Cayuga County Soil and Water Conservation District (CCSWCD) and EA Consulting, targeting stream restoration along the Owasco Inlet. Proposed project partners also include the Cayuga County Planning Department, OWLA, and SUNY College of Environmental Science and Forestry. Based on a successful pre-proposal the OLWMC submitted a full project proposal for streambank restoration project sites between Booth Hill Road and Cat Path Road in the Town of Locke. Landowners who reside along the targeted Owasco Inlet reaches have expressed concern about severe streambank erosion in those areas.

- Total Amount Requested: \$299,640.00
- Matching Contributions Proposed: \$100,360.00

Tributary Assessment and Identification Project (TAIP)

Project Review:

The Tributary Adoption and Identification Pilot Project (TAIPP) “pilot” project involved the installation of tributary signage in the northern portion of the watershed and effectively engaged the public for tributary protection and education. The OLWMC will expand this initiative with additional tributary signage be placed within the Town of Moravia, Village of Moravia, and Town of Locke. Consistent with existing signage, new signage will include the name of the sub watershed/tributary flowing at a specific road crossing, as well as “quick response” (QR) scan codes that will link smartphone users to the Owasco Lake Watershed Inspection and Protection Division’s project webpage. Emergency contact information will also be included for the public to report observed water quality issues at the location. The Cayuga County Planning Department has committed to the design of the accompanying watershed map, in-kind. Furthermore, the Cayuga County Highway Department has committed to the installation of the signage, in-kind. The grant funding requested is intended to cover the material costs of the project. The SW Metcalf Foundation granted the OLWMC \$4,100 for the expansion of Tributary Adoption and Identification Project (TAIP) signage in the southern portion of the Owasco Lake watershed.

Project Update:

The OLWMC is underway with expanding the TAIP through the installation of new tributary signage near the south end of Owasco Lake. The purpose of this collaborative project is to increase public awareness of watershed watercourses and provide easily accessible contact information for members of the public to engage with the Owasco Lake Watershed Inspection and Protection Division to communicate watershed concerns. Sign designing is now complete. Once signs are produced and project materials are purchased and delivered, the Cayuga County Highway Department will move forward with signage installation.

NYS Finger Lakes Watersheds Grant Program -Round 1

Project Review:

The OLWMC is the lead applicant for the submission of a grant proposal targeting NYS funding for watershed tributary monitoring in 2024 that would accommodate the presentation of collected data in a public facing database. The collaborative proposal seeks to fund continued monitoring of 9E Plan Soil and Water Assessment Tool (SWAT) sites, which would support continued model calibration, and additional sites that align with upstream stream restoration planning proposals underway by the Cayuga County Soil and Water Conservation District. The OLWMC’s collaborative NYS Finger Lakes Watershed Grant Proposal was successfully submitted, meeting the July 21, 2023 program deadline.

Fillmore Nature Preserve Access and Education

Project Review:

The OLWMC is developing a grant proposal to fund and create a small access lot and educational kiosk at the trailhead of the Fillmore Nature Preserve. The gravel lot will allow members of the public to access the land preserve for respectful use of its trails for hiking. The kiosk will provide educational information about the land preserve concerning its purpose. The Town of Owasco has agreed to provide labor in-kind for creating the public access lot. The Cayuga County Planning Department has agreed to provide support through the development of parcel maps to be included within the kiosk. The Owasco Watershed Lake Association (OWLA) will support the effort with

\$500 of plant material for a rain garden they will install at the site. Information about the value of native plants, and the ecosystem services they provide, will also be included within the kiosk. The Town of Moravia has committed to hauling the public access lot gravel in-kind. The OLWMC applied for program support for the creation and posting of trails within the Fillmore Nature Preserve; a Cornell University program called Design Connect accepted a request for project support with trails expansion. They will offer two project managers who will be primary partners along with a team of 5-10 students. The project manager and teams will be chosen in late November for spring 2024 implementation.

Project Update:

On September 14, 2023, the OLWMC submitted its proposal to the Emerson Foundation for the creation of a public access lot and educational kiosk at the OLWMC's new Fillmore Nature Preserve. The proposed project includes agency and cost share from a variety of project partners, including the Towns of Moravia and Owasco (and their respective service/highway departments), OWLA, the Cayuga County Planning Department, and a Cornell University Student group that will assist will creating and posting public access trails at the Preserve.

Municipality Buy-In

Project Review: The OLWMC continues to encourage participation and directorship from the remaining towns within the watershed that have yet to join to help direct project initiatives. They include the Towns of Venice, Sempronius, Groton, Genoa, Skaneateles, and Lansing.

Prepared by Adam Effler, September 15, 2023