



Owasco Lake Watershed Management Council (OLWMC)

December 20, 2022- Director's Summary

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.

Project Update:

NYSDOH project updates are now posted on the OLWMC's website (<https://www.olwmc.org/projects>). The following details were provided from NYSDOH's project update report (12.20.2022 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 December 20, 2022 OLWMC public board meeting:

'The State-Local workgroup has not met since the Nov 4, 2022 meeting. The State has been collaborating with Division of Legal Affairs and other state agencies in order to prepare for the legal meetings to review the proposed regulations. Those meeting will be scheduled as soon as possible. DOH will schedule the next State-Local workgroup meeting after the legal meetings are complete.'

Revised Meeting Schedule:

<i>State Agency Legal Meetings</i>	<i>December 2022/January 2023 (if necessary)</i>
<i>Follow up with State-Local Workgroup</i>	<i>January 2023</i>

Revised Overall Process Timeline:

- *State Interagency Workgroup meets with Owasco Technical Committee – June 2022*
- *Series of State-Local Workgroup meeting - June to Jan 2023*
- *DOH publishes proposed amendments to WRRs- Mar 2023*
- *Three-month public comment period- Jun 2023*
- *DOH submits response to comments- Aug 2023*
- *DOH publishes amendments to WRRs - Sep/Oct 2023*

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. Moreover, if passed, 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.

Project Update:

On December 2, 2022, bill A6652 was delivered to Governor Kathy Hochul. The bill, passed by both houses, was vetoed by the Governor. Her Veto Memo is as follows:

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 6652, entitled:

"AN ACT to amend the environmental conservation law, in relation to the protection of certain streams"

NOT APPROVED

This bill would expand the definition of regulated streams under the Environmental Conservation Law (ECL) Article 15 protection of waters program to include "Class C" waterways, thereby requiring a permit prior to disturbance. Class C water bodies support fisheries and are suitable for non-contact activities.

I fully support efforts to safeguard clean water and natural resources across our state. While the intent of this bill is laudable, it would have significant regulatory impacts on related projects and will carry substantial costs to the State, as well as to local governments and to

the communities that would bear the impact of these new regulations. It would more than double the amount of stream miles as well as the number of permits over which the Department of Environmental Conservation has a planning and oversight role. These significant practical and fiscal implications have not been addressed since the bill was last vetoed in 2020 and were not budgeted for in the State's financial plan. This legislation would be more appropriate to address in the State's budget process.

Therefore, I am constrained to veto this bill.

This bill is disapproved. (signed) KATHY HOCHUL

Municipal Codes and Ordinances Review

The Village of Moravia has 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.

Nine Element (9E) Watershed Plan

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 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 will provide a coordination role for future projects and programming according to the recommendations of the 9E Watershed Plan.

Project Update:

The OLWMC created the 9E Plan Project Coordination Committee via Resolution 03-2022 at its November 15, 2022 public board meeting. The Committee's charter will be to prioritize, coordinate, and facilitate project and programming implementation based on the recommendations of the 9E Plan. Subsequently, request letters for Committee participation by the OLWMC's Ex Officio partners were delivered to the following organizations:

- Environmental Health Division of the Cayuga County Health Department
- Cornell Cooperative Extension Cayuga County
- Cayuga County Planning Department
- Cayuga County Soil and Water Conservation District
- City of Auburn Municipal Utilities
- Cornell CALS PRO-DAIRY
- Onondaga County Soil and Water Conservation District
- Owasco Watershed Lake Association
- Tompkins County Soil and Water Conservation District
- The Nature Conservancy

Committee participation by OLWMC Directors of the Board will also be sought.

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) have convened 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. At recent meetings, the DWSP2 committee reviewed and edited the draft plan. The NYSDEC and NYS Department of Health (DOH) are also reviewing the plan and will provide comments. 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 and name the implementation team. During the last meeting, the committee discussed implementation steps and expressed support desired from consultants and NYSDEC/NYSDOH to help maintain momentum.
- The Town of Owasco’s application for the DWSP2 was received and reviewed by NYS agencies. A program award to the Town of Owasco from NYS would piggyback on the City of Auburn’s plan and extend resources to target continued and more detailed planning, facilitated by the NYS-funded consultants, to coordinate and propose specific projects. The proposed projects and programming would represent the broad recommendations of the overall watershed-based plan.

Harmful Algal Blooms (HABs) Identification and Reporting

Project Review:

- Regarding HABs, the NYSDEC (New York State Department of Environmental Conservation) encourages the community to “know it, report it, and avoid it.”
- Consistent with previous year, in 2022, The Owasco Watershed Lake Association (OWLA) led the volunteer HABs surveillance program for Owasco Lake.

- Generally, year over year, observations of HABs are increasing throughout the eastern Finger Lakes Region. Importantly, associated cyanotoxin levels in Owasco Lake's raw water have been elevated this year from previous years.

Project Update:

- HABs season has ended for 2022, and the NYSDEC's NYHABs notification page is no longer available for reference. The NYSDEC's HABs Archive Page is available for reference. During 2022, 198 waterbodies statewide were listed with "Confirmed HABs" NYHABS. Over 1,600 HAB reports were collected by NYSDEC and its partners, and of these, over 1,000 met DEC criteria for a Confirmed HAB. The reports ranged from a single observation to widespread blooms that were persistent throughout the season. HABs may occur on waterbodies throughout the year, although fewer blooms occur as water and air temperatures decrease.
- The third annual Harmful Algal Bloom Research Symposium will be held on January 5 and 6, 2023. This virtual symposium is free. Visit the North Central Region Water Network's website for more information.

Recognition, Awareness, Education and Outreach Projects Update

Project Review:

- Aquatic Invasive Species (AIS) awareness (and mitigation) project partners decide to provide for new visibility of the OLWMC's 'Clean, Drain, Dry' portable billboard currently positioned at the Emerson Park boat launch. In 2023, staff are planning to target improved visibility at the south end of the watershed by positioning the billboard on a Cayuga County owned pull-off along Route 38. The billboard was relocated from the Emerson Park Boat launch back to its winter location adjacent to the Cayuga County Parks and Trails building.

Project Update:

- On the weekend December 3rd and December 4th, 2022, Ginny Kent, acting Secretary and Member of the OLWMC, hosted a watershed education booth at the Cayuga Community College Craft Fair. The OLWMC and OWLA shared the booth and educational materials to promote water quality protection for Owasco Lake.
- The OLWMC's December staff feature article with the Citizen newspaper spotlights the OLWIPD staff site winterization recommendations.
 - OLWMC staff have committed to monthly feature articles with the Citizen in 2023. Consistent with previous years, articles will target recognition of watershed residents making strides in watershed protection.
- The Town of Dryden Conservation Board is considering its recommendation to the Dryden Town Board for the Town to resolve to take the Lake Friendly Living (LFL) Pledge.

Land Holdings

OLWMC Land Preserve Project Review:

- The OLWMC is nearing the final transfer of a land preserve from The Nature Conservancy (TNC) that will advance its position as a land conservation steward for properties within the watershed. TNC acquired the property in the summer of 2021 using funds from the NYS Water Quality Improvement Program for the purpose of protecting Owasco Lake water quality. The property consists of 164 acres located near 6053 Filmore Road in Sempronius (with a small portion in Summerhill). The Cayuga County tax map numbers are 212.00-1-51.2 and 51.2 (Sempronius property), and 223.00-1-1.822 (Summerhill property).
- The OLWMC developed a land protection and management policy, adopted from TNC's plan, to ensure the OLWMC meets project responsibilities. The OLWMC's Land Protection and Management Policy for the new property references the OLWMC's proposed 'Land Stewardship' standard policy adopted from the 'Land Trust Alliance Standards and Practices.' The policies were adopted by the OLWMC at its June 21, 2022 public board meeting.
- As part of a successful transfer of ownership of the property, TNC will offer \$15,000 of upfront land stewardship dollars to help the OLWMC get started with funding needs (e.g., insurances) to own and maintain the land preserve.
- A property liability insurance policy has been selected to cover the OLWMC's new exposure.
- The Notice of NYSDEC Grant Agreement has been provided to OLWMC. The OLWMC has agreed to follow the stewardship and management protocols approved by the DEC, as indicated in its adapted management protocols for the property.
- OLWMC's Board of Directors has agreed to own and manage the Filmore Road property for the purposes of water quality protection and passive recreation. The OLWMC's commitment to these terms is detailed in Resolution No. 02-22 approved at the July 19, 2022 OLWMC board meeting.
- In early August, 2022 the NYSDEC approved the transfer of the Filmore Road property to the OLWMC.
- Property signage, required for posting requirements and also identifies the allowance for respectful public access, was designed and produced.
- Partners have finalized language for a public release statement following completion of the property transfer.

OLWMC Land Preserve Project Update:

- Concerning the property transfer of the Fillmore Nature Preserve from TNC to the OLWMC, project partners are working with real estate attorneys to finalize required documentation to close. The group continues to target closing in the near term.
- Property signage will be installed with the help of TNC, following closing. The associated field trip will also accommodate TNC's insights and recommendations on effective property inspection protocols to meet the OLWMC's annual property inspection commitment.

Partner Project Updates:

- The Finger Lakes Land Trust (FLLT) is nearly closed on a conservation easement that will secure the 160-acre Post property in the Owasco Lake watershed. In conjunction with the easement, the FLLT will expand riparian buffers through planting of native trees and shrubs.
 - A letter of OLWMC support was written for a grant proposal written by the FLLT from the NYS Conservation Partnership Program. The NYS Conservation Partnership Program is a joint effort of NYSDEC and the Land Trust Alliance – it provides a variety of grants for the Land Trust community.
- FLLT has recently undertaken wetland restoration work on a parcel Land Trust owns within the Owasco Flats, off Rockefeller Road. The parcel will be transferred to NYSDEC at some point in future.

Watershed Lake and Tributary Monitoring

Project Review:

- Projected for 2023, NYSDEC is pairing down its funding of the Citizens Statewide Lake Assessment Program (CSLAP) in the Finger Lakes Region by nearly half. Local lake stewards will be responsible for covering the costs and sampling for any additional samples.
- Lake and watershed monitoring partners prepared a comprehensive budget for review by the Cayuga County Planning Department that includes costs for 1) a new Owasco Lake monitoring role by the Finger Lakes Institute, Hobart William Smith Colleges, and 2) laboratory analysis for watershed tributary samples collected by OWLA.

Hyfi Watercourse Level Sensors

Project Review:

- OLWMC staff maintain 16 watercourse level sensors throughout the watershed, targeting locations that align with modeling sites for the Nine Key Element (9E) watershed plan's Soil and Water Assessment Tool (SWAT) model. The sensors are used for guiding flood and asset management, as well as for level monitoring. Hyfi has completed their development of correlation and regression analysis for the relationships between the watercourse level sensors and conventional USGS stream gauging. A highly significant relationship between long-term datasets supports the continued use and funding of the more spatially robust watershed sensors.
- OWLA's 2022 sediment and nutrient sampling program, which has elements of both routine and storm event sampling, aligns with watercourse level sensor locations. The project can provide invaluable lake loading information for continued calibration of the SWAT model.
- The two-year pilot project grant period is officially complete.

Project Update:

- Hyfi’s project dashboard was updated and is linked within the OLWMC website. The new landing page was created for the purposes of improved navigation and data access.
- The Cayuga County Planning Department is drawing upon their remaining 2022 FLOWPA funding balance to cover the continued operation and maintenance costs of the Hyfi watercourse level sensors through the remainder of 2022. Cayuga County is evaluating continued funding for the project in the context of the overall lake and watershed monitoring programming for 2023.

Programs, Funding, and Related Opportunities

Project Review:

- Water quality funding from federal and state governments depends partly on feedback from local governments on their anticipated needs. The NYS Environmental Facilities Corporation (EFC) has extended the deadline for municipalities to submit their Clean Watersheds Needs Survey to December 23, 2022. Local governments are asked to submit documentation about their anticipated water quality infrastructure project needs. This documentation may include information that municipalities already have available to show estimated costs for needed infrastructure repairs and upgrades.
 - Staff from the Cayuga County Departments of Health and Planning and the Cayuga County Soil and Water Conservation District (CCSWCD), as well as City of Auburn Municipal Utilities, are preparing a collective response to the needs survey.
- The CCSWCD completed their installation of Water and Sediment Control Basins on a watershed farm, funded by a collaborative Great Lakes Commission Conservation Kick grant and associated cost share provided by the City of Auburn. The CCSWCD also completed hydroseeding an adjacent section of ditch along Mobbs Road. The CCSWCD was recently awarded two NYS Agricultural Nonpoint Source grants that will help fund an on-farm nutrient storage liner cover and flare.
- The OLWMC endorsed, via a letter of support, a Finger Lakes Institute and Finger Lakes Partnership for Regional Invasive Species Management (PRISM) grant proposal to the USDA Forest Service that would fund the treatment of hemlock forests for hemlock woolly adelgid (HWA) in Finger Lakes region Watkins Glen, Fillmore Glen, Buttermilk Falls, and Robert H. Treman State Parks. This proposed project would also provide education and outreach about the project, and about the negative impacts HWA can have on the important natural resources that make up these state parks.

Project Update:

- OLWMC staff prepared and submitted a foundation proposal and associated job description for the hire of a 2023 summer intern. The proposed intern would help with developing a watershed resident survey to garner interest from the community concerning the implementation of willow plantings to be installed throughout the Owasco Lake watershed, in support of riparian zones, reduced stream bank destabilization, and the

provision of stream shading. The vegetative material would be sourced from the Town of Owasco's Willow Nursery created in the spring of 2022. Specific proposed intern responsibilities would include:

- Identifying prime locations/properties within the Owasco Lake watershed for shrub willow plantings
 - GIS map development of a comprehensive map of priority planting areas
- Developing a fact sheet that can be presented to landowners, describing the program initiative and including the benefits of planting shrub willow
- Developing a data repository containing the contact and parcel information of interested landowners concerning:
 - Willow Plantings
 - LFL Pledge
 - Follow up with pledge signage and information
- Generating an outline of a management plan for the future planting and maintenance of the shrub willow

Municipal Opportunities

- The NYSDEC Municipal Zero-emission Vehicle (ZEV) Rebate Program has awarded \$567,500 from the Environmental Protection Fund to municipalities for the purchase or lease of electric light- and medium-duty fleet vehicles. EC Municipal ZEV Rebate Program continues to support municipal efforts to mitigate further climate change. Since it began in 2016, the ZEV Rebate Program has awarded over \$1.5 million (including this round) towards the purchase or lease of 114 plug-in hybrid vehicles and 182 all-electric vehicles.
- Governor Hochul recently announced the new Green Purchasing Communities Program that helps local governments to ensure that the products they are purchasing have a lower environmental impact. Local governments that participate will receive recognition for their commitment to purchasing green products and services through the Climate Smart Communities program. Learn more here: <https://ogs.ny.gov/green-purchasing-communities>

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.

Project Update: OLWMC Director, the Village of Groton, is considering appointing a new representative on the Board to support better involvement with our initiatives.

Summary Prepared by Adam Effler, December 16, 2022