

Owasco Watershed Rules and Regulations State-Local Technical Workgroup Report

For OLWMC Monthly Meeting: July 19, 2022

General Update:

The State agencies wanted to acknowledge and express appreciation for the motivation, time and effort put into the proposed regulations. A state-local technical workgroup was formed on June 23rd to develop best approaches to address water quality issues based upon the proposed OLWRR revisions, other existing state regulations and relevant programs that potentially can help define these best approaches. The state-local technical workgroup consists of representatives from five New York State agencies including the: Department of Health (DOH); Department of Environmental Conservation (DEC); Department of Agriculture & Markets (AGM); Department of State (DOS); and Department of Transportation (DOT), as well as the local technical workgroup that had guided the development of the proposed OLWRR revisions. This local technical workgroup includes members from: Owasco Lake Watershed Management Council (OLWMC); Town of Owasco; City of Auburn; and Cayuga County. This state-local technical workgroup has met 3 times since the last Council meeting and is making progress as described below in the following meeting summaries.

Summary from 6/23 Meeting: Kick-off

The State interagency workgroup had 4 recommendations for the technical committee:

1. Continue to encourage alternatives and use of other programs and partnerships to obtain water quality goals.
2. Revise the proposed 2020 WRRs Watershed Rules and Regulations to ensure regulations do not conflict with other State laws and regulations.
3. Develop an implementation strategy for the proposed WRRs that outlines how impacted entities will come into compliance and what funding or other actions will assure implementation.
4. Continue to utilize the existing funding programs, as described in the section below.

The workgroup will use a science-based approach to address water quality challenges being faced in the Owasco Lake watershed. Findings from scientific studies, including but not limited to the Owasco Lake Nine Element Watershed Plan, will be utilized to inform regulatory and programmatic options for solving water quality issues in the watershed.

Summary from 6/30 Meeting: Sewage/Wastewater

The workgroup reviewed provisions that did not need revision (V.5, V.10, V.13, V.15) and came to consensus on some edits for other provisions (V1, V.6, V.8, V.9 (a, c, d), V.12). The technical workgroup provided clarification on several provisions (V.2, V.9b, V.14, V.16) which helped the State agencies better understand enforcement and communication. DOH needed to follow up with legal about the

requirement to discharge less than 2 mg/L phosphorus for septic systems. Provision V.7 will not be included in this round of amendments because the technology is not widely available to homeowners at this time. If/when technology becomes available, the watershed rules and regulations can be amended with DOH approval of technology.

Summary from 7/12 Meeting: Pesticide Use

The technical committee reviewed provision IV(1): Pesticides shall not be applied in a manner or at a rate which contravenes the water quality standards set forth in the current version of 6 New York Codes, Rules, and Regulations Parts 700-705. The discussion revolved around jurisdiction and whether or not pesticides could be included in the Watershed Rules and Regulations. No conclusions were made during the call. DEC will discuss jurisdiction in more detail internally and will report back to DOH. A follow up technical committee meeting will be scheduled.

Proposed Meeting Schedule for Remaining Provisions:

Storage of Petroleum, Chloride Salt & Coal	<i>Tentatively Aug 2, 2022 (virtual)</i>
Sediment Generation	August 17, 2022 (in-person)
1 st Nutrient Management	September 22, 2022 (in-person)
2nd Nutrient Management & Variances	October
Conclusion/Wrap Up	November
Follow up meeting on Pesticide	TBD

Overall Process Timeline:

- State Interagency Workgroup meets with Owasco Technical Committee – June 2022
- New Workgroup will meet approx. 6 times - June to Oct 2022
- DOH publishes proposed amendments to WRRs- Nov 2022
- Three-month public comment period- Feb 2023
- DOH submits response to comments- Mar 2023
- DOH publishes amendments to WRRs - May/June 2023