



Owasco Lake Watershed Management Council (OLWMC)

July 18, 2023- Director's Summary

Staffing Update

Abigail Hai is now employed as the new Watershed Inspector for the Owasco Lake Watershed Inspection and Protection Division (OLWIPD).

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 State-Local Technical Committee met on June 29, 2023. NYS will need to administer State Administrative Procedure Acts as part of WRR rulemaking and before adoption. The following details were provided within NYSDOH's project update report (7.18.23 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 July 18, 2023 OLWMC public board meeting:

General Update:

The State-Local Technical Committee met on June 29th to discuss the ongoing and increasing efforts on planning and implementation of clean water programs in the Owasco watershed. The need for capacity building in the Soil & Water Conservation Districts throughout the Eastern Finger Lakes was also discussed and acknowledged by the State agencies. DEC/DOH/AGM also discussed State authority and provided an overview of the legal review of the proposed regulations. DOH will schedule a follow-up meeting with the technical committee to do a more detailed review in the coming weeks. We look forward to connecting again later in the month.

Tentative Schedule:

<i>Interagency Internal 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 State Administration Procedures Act (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)*
- *State Environmental Quality Review (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. It will be sent to the Governor for signature (approval) or veto (rejection).

Recognition, Awareness, Education and Outreach Projects Updates

- Published feature articles with the Citizen newspaper continue to target recognition of watershed residents and programs making strides in watershed protection. The upcoming article will feature the OLWIPD and new Watershed Inspector, Abigail Hai.
- The NYS Assembly's Commemorative Lake Friendly Living resolution was delivered to all Finger Lakes watershed stewardship organizations that are members of the LFL Coalition and were involved in May 2023 impact events across the region.

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. Subsequently, partnering agencies and organizations agreed to join the committee in support of its objectives. The group has been meeting on a monthly basis.

Project Update:

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 in 2024, and for developing an Owasco Lake Watershed Agriculture Program similar to what was done for the Skaneateles Lake watershed. The next Committee meeting will be held August 31, 2023.

Watershed Lake and Tributary Monitoring

Project Review:

- Owasco Lake and watershed monitoring partners prepared a comprehensive monitoring budget for 2023 that 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 Owasco Lake and watershed water quality monitoring partners finalized a Quality Assurance Project Plan (QAPP) that reflects monitoring logistics for the 2023 field season.
- The Owasco Watershed Lake Association 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) 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. The DWSP2 committee reviewed and edited the draft plan. The NYS Department of Environmental Conservation (NYSDEC) and NYSDOH 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.
- 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.

Project Update:

The Town of Owasco is receiving consultant support through NYS to develop its DWSP2. The third Town of Owasco DWSP2 group meeting held on July 6, 2023 hosted a continued group discussion on plan objectives, as well as inventorying potential sources of contamination.

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 recently hosted Finger Lakes HABs Shoreline Surveillance Training.

Project Update:

- The first harmful algal bloom on Owasco Lake was observed on June 25, 2023. The bloom was reported by the public near Conklin Cove along the eastern shoreline. As of July 14, 2023, this was the only bloom reported through the NYHABs website.

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.
- 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
- 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 is being developed to create a public access lot and educational kiosk at the nature preserve.

Programs, Funding, and Related Opportunities

SOGL

Project Review:

- The OLWMC submitted a Sustain Our Great Lakes (SOGL) 2023 project pre-proposal that targets funding stream restoration and improvement projects along stream reaches of the Owasco Inlet in the southern municipalities of Moravia and Locke. Prior surveys and monitoring by Cayuga County have identified several locations of streambank erosion and flooding along the proposed reaches. This proposed project serves to address streambank erosion in two main tributaries that encompass 60 percent of the acreage of the lake's watershed and are responsible for approximately 40 percent of phosphorus loading into the lake. This proposed project is in conjunction with the Cayuga County Soil and Water Conservation District, with project monitoring that ties into tributary monitoring plans by the Owasco Watershed Lake Association.
 - Total Amount Requested: \$299,640.00
 - Matching Contributions Proposed: \$100,360.00
- A full Sustain Our Great Lakes 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.

Tributary Assessment and Identification Project (TAIP)

Project Review:

The Tributary Assessment and Identification Pilot Project (TAIPP) “pilot” project, which led to the installation of tributary signage in the northern portion of the watershed, provided a starting point to engage the public for tributary protection and education. OLWMC staff plan to expand this initiative, and propose that 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.

Project Update:

OLWMC staff have finalized a grant proposal to fund the expansion of tributary identification signage in the southern portion of the Owasco Lake watershed. 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.

NYS Finger Lakes Watersheds Grant Program -Round 1

Project Update:

The OLWMC will act as a 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.

NYS Non-Agriculture Nonpoint Source Planning Grant

Members of the 9E Coordination Committee, the City of Auburn and Cayuga County Soil and Water Conservation District, plan to submit grant proposals for Comprehensive Stream Corridor Assessments and Stream Restoration Planning concerning the prioritized Owasco Lake HUC12 sub-watershed. Priority watercourses for restoration planning include Veness, Sucker, and Dutch Hollow Brooks.

Fillmore Nature Preserve Access and Education

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.

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, July 14, 2023