



Owasco Lake Watershed Management Council

February 20, 2024, 10:00-11:30 AM

Meeting of the Directors

Owasco – Ed Wagner, **Cayuga County** – Aileen McNabb -Coleman, **City of Auburn** – Ginny Kent
Niles – Joan Jayne, **Locke** – Thane Benson, **Scipio** – Nancy Hart, **Fleming** – Karen VanLiew,
Town of Moravia – Terry Palmer, **Village of Moravia** – TBD (Chris Fulton Supervisor),
Village of Groton – Theodore Skibinski, **Summerhill** – Charlie Ripley, **Sennett** – Tom Blair, **Dryden** –
Anne Clark
Executive Director- Adam Effler

Presiding: Dr. Adam Effler- Dr. Effler announced that Nancy Hart will be Scipio’s new representative.

- A. Board of Directors – Roll call: **City of Auburn** – Ginny Kent. **Cayuga County** – Aileen McNabb - Coleman **Niles** – Joan Jayne, **Scipio** – (Ann Robson representing), **Town of Moravia** – Terry Palmer, Owasco-Ed Wagner (on-line) Ex- Officio members attending- Tony Prestigiacomo, Daniel Welch Joseph Decker, Greg Rejman, Dr. Lisa Cleckner, Ani Fish, Tim Schneider.
- B. Approval of the Agenda: Motion to approve made by Joan Jayne seconded by Ginny Kent, vote was unanimous, motion carried.
- C. Approval of Minutes from the January 16, 2024 Board Meeting. Motion to approve made by Ann Robson seconded by Ginny Kent, vote was unanimous, motion carried.
- D. Public to be Heard: None heard.
- E. Recognition of Terry Baxter. Dr. Effler recognized Terry Baxter for his six years of service as Moravia’s Director for OLWC and for his many years of community service.
- F. Director’s Summary – Adam Effler (distributed for review prior to meeting) and audio and video of this presentation may be accessed at <https://www.olwmc.org/news>
Watershed Rules and Regulations

Project Update:

The NYSDOH has indicated that it does not have the authority from the legislature to create nutrient management regulations for the Owasco Lake watershed. Specifically, the NYSDOH indicated that when the Agricultural Environmental Management (AEM) program was established, nutrient management on farms became the sole responsibility of the NYS Department of Agriculture and Markets (NYSDAM).

The City of Auburn, Town of Owasco, and Owasco Watershed Lake Association (OWLA) filed an Article 78 with NYS, seeking to clarify whether the NYSDOH has the right to regulate nutrient management practices under updated Owasco Lake Watershed Rules and Regulations. Article 78 is a petition that challenges the actions of administrative agencies and other government bodies. The lawsuit contends that the laws cited do not firmly establish that the NYSDAM’s authority concerning nutrient management supersedes the NYSDOH’s responsibility to promulgate regulations for the protection of public health.

The following details were provided within NYSDOH’s project update report (2.20.24 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 February 20, 2024 OLWMC public board meeting:

General Update:

DOH continued to prepare the regulatory impact statement and other necessary documents for the rulemaking process.

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>

NYS Tributary Legislation Project Review

On November 17, 2023, the NYS Senate Bill (S1725A), which would have added Class C streams to the list of protected streams, was vetoed by Governor Hochul.

Recognition, Awareness, Education and Outreach Projects Update

The OLWMC’s staff feature article published with the Citizen on February 9, 2024 spotlighted City of Auburn Mayor Giannettino’s commitment to protecting Owasco Lake water quality and his wish to recognize the efforts of City staff towards providing drinking water to the community. OLWMC staff will continue spotlighting watershed protection efforts, including residents and programs making positive strides in watershed protection.

On January 25, 2024 Watershed Inspectors presented with the AP Environmental class of Victor Senior High School, educating on watershed science and professional opportunities in environmental protection.

OLWMC staff are developing the 2023 annual report, which highlights both statistics and outcomes concerning watershed inspections, as well as OLWMC driven projects.

Nine Element Watershed Plan (9EP)

Project Update:

The 9E Coordination Committee is focused on capacity building for local organizations to provide the programming necessary for the watershed agricultural industry to advance best management practice (BMP) implementation at the rate recommended by the NYS approved 9EP. The Committee finalized its proposal for NYS to fund the development of a focused Owasco Lake Watershed Agricultural Program that would leverage the existing tiered AEM program. Committee members met with NYS Officials on January 25, 2024 to discuss official sponsorship of the proposed program under the NYS 2024 budget. The 9E Coordination Committee plans to continue holding monthly meetings in 2024 to drive implementation of the 9EP with the next meeting scheduled for February 28, 2024.

Watershed Lake and Tributary Monitoring

Project Update:

The Cayuga County Planning Department is developing 2024 lake and watershed monitoring and implementation priorities in the context of annual Finger Lakes Lake Ontario Watershed Protection Alliance (FOLLOWPA) funding.

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. 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 received consultant support through NYS to develop its DWSP2. The sixth Town of Owasco DWSP2 group meeting held on October 12, 2023 hosted a final review and discussion among local partners involved in development of the proposed plan. The consultants involved in the project have finalized and delivered the plan to NYS agencies for their review and approval.

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.

Project Update:

- Proposed erosion and sediment control ordinances concerning new construction activities were prepared for OLWMC directing municipalities for their independent board review and consideration for adoption.
- The Town of Fleming reviewed the proposed ordinances and concluded that they already have adequate protections in place concerning new construction activities as part of an existing overlay district.

Land Holdings

Fillmore Nature Preserve Project Update:

Cornell’s Design Connect program team held a field trip at the Fillmore Nature Preserve on February 18, 2024 to identify the existing trail network there and gather information for mapping and marking trails.

Other Potential Acquisitions Review:

- 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 Groton, mixed farmland
- 72-acre parcel in Venice, dense wetland

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

- On October 4, 2023, OLWMC staff and Board Chair, Ed Wagner, visited the Groton parcel to evaluate the property and prompt discussions about the OLWMC taking ownership of the property at some point in the future.

Programs, Funding, and Related Opportunities

SOGL Project Update:

On February 13, 2024, the working group confirmed that contractor contracts have been executed and reviewed the schedule for the ‘Reducing Sediment in Owasco Lake (NY)’ project. This Owasco Inlet stream restoration project will progress through project permitting, design, and implementation over the next couple of years.

Pertinent Federal and NYS Programming and Funding Updates:

- Paraphrased from Governor Hochul’s 2024 State of the State address, page 100 (<https://www.governor.ny.gov/sites/default/files/2024-01/2024-SOTS-Book-Online.pdf>)

‘To help protect our valuable ecosystems, Governor Hochul will dedicate resources to some of the most highly valued watersheds, including the eastern Finger Lakes watershed and Chautauqua Lake.

Governor Hochul is directing key investments into the Eastern Finger Lakes Coalition of Soil and Water Conservation Districts to build professional capacity and accelerate agricultural and resiliency related projects – specifically providing necessary capital investments that will galvanize implementation of the plans and programs developed to address on-the-ground actions necessary to address the root causes of HABs and significantly reduce their prevalence. The capital infusion will also include support for farmers to invest in more cover crops, improve culverts to reduce runoff, and other investments to improve soil health and reduce water quality impairments in the region.’

- From NYSDEC-
 - Under 2023 Round 19 of the Water Quality Improvement Projects (WQIP) Grant, the Fingers Lakes Land Trust, Inc. (FLLT) received \$1,240,000 for Land Acquisition to Protect Owasco Lake. FLLT will work with landowners and partners in the Owasco Lake watershed to permanently protect approximately 500 acres through direct acquisition and the use of perpetual conservation easements. The program will focus on conservation and stewardship efforts to protect Owasco Lake.
 - Applications and eligibility criteria are available for the next round of New York State’s Water Infrastructure Improvement (WIIA) and Intermunicipal Grant (IMG) programs. This round of WIIA/IMG includes improvements to maximize benefits for small, rural, and disadvantaged communities. The Environmental Facilities Corporation (EFC) administers the WIIA and IMG programs in coordination with DEC and the Department of Health. Applications are due by 5:00pm on June 14. Find more information, including the applications and eligibility criteria, on EFC's website. A webinar is scheduled from Monday, March 4 from 9:30am to 10:30am to review program changes and the application process. Advanced registration is required.

- The New York State Department of Environmental Conservation (DEC) has released for public comment new proposed eligibility guidelines to improve, expand, and assess New York's forestry efforts on public and private lands under the \$4.2 billion Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022. These guidelines will help support Governor Kathy Hochul's initiative to plant 25 million trees by 2033 by building capacity for production of plant materials and investing in a comprehensive data tracking and management system for forestry projects. These guidelines will also help achieve and evaluate long-term outcomes in New York's Great Lakes Action Agenda; unchanging or increasing trends in riparian forest and forest cover. The draft eligibility guidelines available for comment enable the public to provide input on the implementation of Bond Act funding for forestry and community health benefits as part of the \$400 million directed towards 'Climate Change Mitigation.' Once finalized, the criteria will guide funding allocations DEC will use to undertake State-administered forestry projects. Additional eligibility guidelines will be developed to include grant opportunities for locally administered initiatives. The full eligibility guidelines are available in the February 7, 2024, Environmental Notice Bulletin. Public comments on the draft guidelines may be submitted in writing to: Division of Lands and Forests, NYS DEC, 625 Broadway, Albany, NY 12223, or by email to public comments will be accepted through Friday, March 8, 2024.

Municipality Buy-In

Project Update:

On February 13, 2024, a meeting was held at the Town of Sennett to inform Town leadership of the objectives and purpose of the OLWMC and encourage their continued support and directorship on the OLWMC Board of Directors.

G. Board of Directors/Municipality Representatives Feedback: Ginny Kent discussed the draft plan for solid waste management and the connections between water quality and solid waste management. The draft plan is based on the NYS solid waste management plan which is designed reduce the overall amount of solid waste. Ginny encourages people to look at the plan at Cayuga Co solid waste management plan online. Scipio reviewing zoning districts and opportunities for people to review and comment.

H. Treasurer's Audit and Finance Report

- i. January 2024 Financials Approval – Joan Jayne presented the financials as of January 31, 2024: Total Current Assets \$346,625.66, Total Assets and Equity \$ \$412,714.85. Motion to approve report made by Ginny Kent seconded by Terry Palmer, vote was unanimously approved.
- ii. Await bookkeeper report of Proforma. Have provided Towns and Villages with invoices for their commitment to the Council.

I. Lake Level Report – John West unavailable.

J. 2023 In-Lake Water Quality Monitoring Presentation –Dr. Lisa Cleckner, Director Finger Lakes Institute presented the Owasco Lake buoy monitoring information as analyzed by the Finger Laker Institute. To access this presentation please visit <https://www.olwmc.org/news>

K. 2023 Watershed Projects Implementation and Outlooks for 2024 – Tim Schneider, District Field Manager, Cayuga County Soil and Water Conservation District. An audio and video of this presentation may be accessed at <https://www.olwmc.org/news>

L. NYSDEC FL Hub Update- Tony Prestigiacomo- no significant updates for the DEC Hub. Grants for the W2IP awards were announced last week. DEC has extended open public comment time to March 11/2024 for draft operational guidance for publicly owned treatment works.

M. The Nature Conservancy Update – Olivia Green is unavailable-TNC is considering land transfer opportunities to the OLWC.

N. Owasco Watershed Lake Association Update – Ann Robson-OWLA is continuing to work on the scientific symposium for 3/9/24 with excellent presenters on the agenda. Planning sessions for educational opportunities

for children and recruiting volunteers are ongoing.

O. Cornell Cooperative Extension Update – Daniel Welch-January workshop on processing maple syrup well attended, continuing planning for manure expo in July 17-18, 2024.

P. Watershed Inspection Monthly Report –Joseph Decker. Watershed inspection report may be accessed at <https://www.olwmc.org/news>

Q. Communications: None.

R. Issues of Concern: None heard.

S. Schedule Next Meeting is Tuesday, March 19, 2024 at 10:00 AM.

T. Adjourn: Motion to approve made by Joan Jayne, seconded by Terry Palmer, vote was unanimous, motion carried. The meeting adjourned at 11:42 AM.

Respectfully submitted,

Vivian Cunningham