



# Owasco Lake Watershed Management Council

August 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** –Chris Fulton, **Village of Groton** – Theodore Skibinski, **Summerhill** – Charlie Ripley, **Sennett** – Tom Blair, **Dryden** – Anne Clark, **Lansing** – Joseph Wetmore

**Executive Director**- Adam Effler

### **Presiding: Dr. Adam Effler:**

- A. Board of Directors – Roll call: Owasco-Ed Wagner, City of Auburn-Aileen McNabb-Coleman, Niles-Joan Jayne, Scipio-Nancy Hart, Fleming-Karen Van Liew, Lansing-Joseph Wetmore, Summerhill-Charlie Ripley. Ex-Officio attendees: John West, Matthew Gallo, Doug Young, Johannes Lehmann, Jesse Lloyd, Tony Prestigiacomio, Carol Sutkus, Frank Clarke, Daniel Welch, Ken Kudla, Greg Rejman, Ryan Staychock, Michele Wunderlich, Matthew Gallo
- B. Approval of the Agenda: Motion to approve made by Ed Wagner and seconded by Nancy Hart. Motion carried by unanimous vote.
- C. Approval of Minutes from July 16, 2024, Board Meeting as previously distributed via email. Motion to approve made by Joan Jayne and seconded by Nancy Hart. Motion carried by unanimous vote.
- D. Public to be Heard:
- E. Director’s Summary – Adam Effler (distributed for review prior to meeting).

### Watershed Rules and Regulations

#### Project Update:

On July 22, 2024, the New York State Department of Health, Bureau of Water Supply move forward with amendments to 10 NYCRR Part 104.1 City of Auburn and Town of Owasco Watershed Rules and Regulations. According to their letter, ‘following internal evaluation of the existing regulations, the Department determined that amendments are not necessary to ensure potable water quality for the foreseeable future.’

### Staff, Recognition, Awareness, Education and Outreach Project Updates

- The OLWMC’s staff feature article published with the Citizen on July 26, 2024 spotlighted the Town of Lansing’s decision to join the OLWMC. The August article, composed by Lead Watershed Inspector, Jesse Lloyd, introducing Mr. Lloyd and his reflection on his services to date.

- The Environmental Protection Agency (EPA) removed a potentially dangerous chemical used in agriculture from the market over concerns it can cause damage to unborn fetuses. In its emergency order, the agency said exposure to dimethyl tetrachloroterephthalate (DCPA) can change fetal thyroid hormone levels in pregnant mothers, particularly those working on farms or living in farm-working communities. The exposure could result in low birth weight, impaired brain development, and a decreased IQ. The EPA said pregnant women working with DCPA products could be exposed to levels four to 20 times higher than what is deemed safe for fetuses.
- In collaboration with the Federal Environmental Protection Agency, the State of Minnesota has made progress toward adopting numeric nutrient water quality criteria for nitrogen and phosphorus. Beyond NYS's 20 ug/L guidance value for phosphorus, NYS had failed to create a nutrient standard for this limiting nutrient.
- On Saturday, August 24, 2024, OLWMC staff will partner with leaders from OWLA to present with the Scipio Lake Property Owners' Association during their meeting at Casowasco Camp and Retreat Center, Moravia, NY. The group will discuss the Owasco Lake 9E Plan for Phosphorus Reduction, as well as the Lake Friendly Living Pledge, among other topics.
- OLWMC staff will partner with the Cayuga County Planning Department to present the OLWMC's educational watershed model with school children at the Cayuga County Soil and Water Conservation District's (CCSWCD's) Conservation Field Days on September 18, 2024.

#### Nine Element Watershed Plan (9EP)

- 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 composed and submitted its proposal for NYS to fund the development of a focused OLWAP 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.
  - \$500,000 was included within the Senate one house budget for the 9E Coordination Committee's proposed OLWAP.
    - Ultimately, the OLWAP was not funded within the 2024 NYS budget.
- The Finger Lakes Land Trust (FLLT) was invited to participate as a member of the 9E Coordination Committee. The group plans to leverage synergies between FLLT's recently NYS-awarded \$1,240,000 for Land Acquisition to Protect Owasco Lake, which targets protections of the Sucker Brook wetland, and the City of Auburn's NYS-awarded \$75,000 for stream corridor assessments in the Owasco Lake HUC12 subwatershed, which includes Sucker Brook. Restored streambanks and wetland corridors are ranking criteria for FLLT while targeting land acquisitions to create protected preserves and easements.
- The Committee is updating the 9E Plan's implementation checklist to track the status of associated programming and projects implementation.

#### Project Update

During the upcoming August 28, 2024 9E Coordination Committee Meeting, the committee will discuss continuing watershed monitoring in the context of SWAT modeling used for prioritizing watershed restoration practices and spatial priorities. The committee will also discuss the status of grant awards and next steps to seek funding for the proposed OLWAP.

## Watershed Lake and Tributary Monitoring

### Project Update

- OWLA's 7<sup>th</sup> Owasco Lake tributary sampling run of 2024 was in response to storm conditions from tropical storm Byrly and was conducted on August 18, 2024.

## NYS-awarded Drinking Water Source Protection Program (DWSP2)

### Project Update:

- Based on NYS's decision not to update Owasco Lake Watershed Rules and regulations, a recommendation included within the draft City of Auburn DWSP2, that feature was removed from the plan, allowing the plan to move forward to completion. The project Community Advisory Group met with project consultants on August 14, 2024 to review final details of the draft plan.

## Harmful Algal Blooms (HABs) Identification and

### Programming Updates:

- On July 23, 2024, both Camp Y Owasco and the Owasco Yacht Club were closed due to HABs.
- As of August 16, 2024, there were 13 HAB reports more than two weeks old, but reported this year.

## Land Holdings

### Project Updates:

- From July 8-10, 2024, PRISM conducted the proposed 'species of interest' inventory at the Fillmore Nature Preserve, focusing on the identification of invasives species that exist there.
- Education kiosk signage was printed and is ready to be mounted following kiosk construction later this fall.
- PRISM 'boot brush station' signage has been designed for inclusion on the educational kiosk.
- As recorded in the meeting minutes from its August 8, 2024, board meeting, the Town of Owasco formally committed to a mutual aid agreement for assisting with property maintenance, when available, at the preserve.
- During the weeks of August 5, 2024, and August 12, 2024, Town and OLWMC staff collaborated on clearing trees from the trail networks there.

### Other Potential OLWMC Acquisitions Review:

- On June 14, 2023, NYSDEC announced that New York State, in partnership with The Nature Conservancy, permanently protected two environmentally sensitive parcels of open space in Cayuga County. A 203-acre addition to Fillmore Glen State Park in Moravia and 72 acres of forested wetlands in Venice were preserved. Both projects were funded through the State Department of Environmental Conservation's Water Quality Improvement Project program to protect the water quality in Owasco Lake Watershed.
- TNC has expressed interest in having the OLWMC own and steward two properties poised for preservation within the Owasco Lake watershed. TNC will present these acquisitions to the OLWMC Board for ownership and stewardship consideration. The acquisitions include:
  - 72-acre parcel in Venice, dense wetland

- 100-acre parcel in Groton, mixed farmland

#### Other Potential OLWMC Acquisitions Update:

- Based on an inquiry with the OLWMC's insurance producer and the pre-existing policy, the increase in property liability insurance premium associated with the proposed acquisitions would be nominal.

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#### Federal Grant Projects and Funding

#### SOGL Project Update:

- The project team met on August 9, 2024, to review preliminary design recommendations. EA screened the stabilization alternatives for Sites 1-6. Each site has stationed cross-sections where the channel velocities and shear stresses were calculated for the 2-year and 100-year flow events. Of the alternatives where the permissible shear stress/velocity is within the range they provided, CCSWCD informed the designers of which bioengineering alternatives they would like EA Engineering to focus on incorporating into the design. In response, CCSWCD shared a variety of nature-based stabilization techniques that they recommend and are comfortable using for streambank stabilization projects.
- Once EA's 30% design is complete, project partners will look at which practice features can be implemented under the CCSWCD's general permit.

#### NYS Recognition and Relevant Bills Review

- NYS Senator Rachel May and Assemblymember Anna Kelles honored the Lake Friendly Living Coalition through the presentation of a NYS proclamation commemorating the Finger Lakes' Community Celebration of Lake Friendly Living in May, 2024.
- On the morning of June 14, 2024, participants were invited to Ventosa Vineyards, Geneva, to join those from across the region who care deeply about the health of the Finger Lakes and to make connections and learn about proposed NYS legislation aimed at mitigating environmental threats therein. The legislators shared information about the following proposed bills they are cosponsoring to address Harmful Algal Blooms, the discharge of per- and polyfluoroalkyl substances (PFAS) into our waterways, and other conservation efforts:
  - The **New York Open Water Data Act (Senate 239E/Assembly 3299A)** would enable better water governance statewide by asking water-related agencies to come together to create a common set of water data standards for the state and a public-facing interface where such data can be shared, viewed, and used by interested parties.
  - The **Harmful Algal Bloom (HABs) Monitoring and Prevention Act (Senate 8356/Assembly 8867A)** would develop and maintain a comprehensive state 'clearinghouse' to bring together existing and new available statewide cross-sectional and longitudinal data and information on harmful algal blooms, potential and known causes, best practice interventions, expertise, and funding resources. These data and the subsequent report would enable the state to effectively and efficiently administer a grant program supporting data-driven best practices in prevention and mitigation of harmful algal blooms.
  - The **PFAS Discharge Disclosure Act (Senate 227B/Assembly 3296)** would require those proposing to discharge pollutants into New York's waterways disclose whether their existing or proposed discharges contain PFAS.
  - The **Biosolids Spreading Ban (Assembly Bill A8317)** would prohibit the sale or land application of biosolids from wastewater treatment facilities unless such biosolids are treated and tested to not exceed the maximum contaminant levels established in the public health law.

Relevant NYSDEC Programming Review (as sourced from DEC Delivers):

- *On June 26, 2024, New York State Departments of Environmental Conservation (DEC), Agriculture and Markets (AGM), and the 11 Soil and Water Conservation Districts (SWCDs) in the Eastern Finger Lakes, announced \$1.2 million in funding for the Eastern Finger Lakes Coalition to accelerate watershed protection and restoration measures to improve water quality and combat harmful algal blooms (HABs). This key investment into the Eastern Finger Lakes Coalition 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 HABs. 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. The Eastern Finger Lake watershed covers more than 30 percent of the Lake Ontario drainage basin and contains seven of New York’s Finger Lakes and their watersheds: Canandaigua, Keuka, Seneca, Cayuga, Owasco, Skaneateles, and Otisco lakes.*

*The county Soil and Water Conservation Districts in the Eastern Finger Lakes (Cayuga, Chemung, Cortland, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tompkins, Wayne, and Yates) have planned for, written, and implemented hundreds of millions of dollars of competitive grants to protect and improve water quality in the region. However, there remains a substantial need for increased program support and funding to implement DEC- approved clean water plans, HABs Action Plans, and Strategic Agricultural Environmental Management plans specific to the Eastern Finger Lakes. Established in 2023, the Eastern Finger Lakes Coalition are the 11 SWCDs working to protect and improve water quality and critical natural resources in the watershed. The lakes and waterways serve as public water supplies, provide recreational opportunities, are key habitats for fish and wildlife, and are important for local economies via tax bases, agricultural production, and tourism.*

*In 2018, DEC convened four regional summits to examine the causes of HABs and develop sustainable solutions to reduce impacts. DEC worked with State and local partners to develop and implement HABs Action Plans for 12 high priority waterbodies, including several in the Eastern Finger Lakes. New York State supports the Eastern Finger Lakes Coalition as another action to aggressively combat HABs.*

*To date, New York State awarded more than \$428 million in grants for projects designed to reduce the frequency of algal blooms by targeting phosphorus and nitrogen pollution, factors that trigger HAB occurrences. Supporting SWCD programs aligns with recommendations from the Action Plans and with the regional protection/improvements priorities as described in the Finger Lakes and Great Lake Action Agendas, Lake Ontario Lakewide Area Management Plan, and other initiatives.*

*Among the many environmental victories in the enacted 2024-25 State Budget, Governor Kathy Hochul and legislative leaders maintained the Environmental Protection Fund (EPF) at \$400 million, the highest-ever level of funding in the program's history. Under the EPF Open Space line, \$1.2 million was made available for the Eastern Finger Lake Coalition, fulfilling a promise Governor Hochul made in the 2024 State of the State.*

- *DEC has announced an Advanced Notice of Proposed Rule Making (ANPRM) to solicit public input toward DEC’s Triennial Review of Water Quality Standards (WQS). The Clean Water Act includes requirements for states to perform a formal regulatory review of WQS every three*

years, known as the Triennial Review. It provides an opportunity for DEC to integrate the best available science and methods into WQS to protect the waters of the State. Regulations subject to Triennial Review are any that direct the water quality standards, waterbody classification, and antidegradation policies and actions of the State. The effort may result in amendments to water quality standards found in 6 NYCRR Parts 700-706. View the ANPRM document on DEC's website. You can submit input and feedback in response to the ANPRM through November 4, 2024. Find more information in the May 8 Environmental Notice Bulletin

- *DEC's Interim Commissioner Sean Mahar has announced the finalization of DEC's Division of Environmental Permits Policy "Permitting and Disadvantaged Communities"(DEP-24-1) to implement environmental justice provisions of the Climate Leadership and Community Protection Act (Climate Act). The policy provides guidance in DEC's permitting processes for considering impacts and existing burdens on New York's most vulnerable communities. Find the full text and pdf printable version of this policy on DEC's website.*  
*Additional information available on the Freshwater Wetlands Program page.*

Relevant NYS Funding Updates (as sourced from DEC Delivers):  
is Applications Now Open for DEC's Municipal Zero-Emission Vehicle Rebate Program.

*On Thursday, April 25, 2024, NYSDEC announced the next round of its Municipal Zero- Emission Vehicle (ZEV) Rebate Program with \$750,000 available for municipalities to purchase or lease all electric, plug-in hybrid, and hydrogen fuel cell vehicles for their municipal fleets. Municipalities can apply for funding, which is available on a first-come, first-served basis through Sept. 27, 2024. Rebates are available to municipalities across the State that purchase or lease for a minimum of 36 months an eligible vehicle placed into municipal service at a dealership in New York State between Sept. 30, 2022, and Sept. 27, 2024. More details can be found in the Request for Applications (RFA) posted on the DEC website. Applications are available through the New York State Statewide Financial System Grants Management System. Of the funding awarded to date, \$1.2 million went to municipalities that contain disadvantaged communities, as identified by the Climate Justice Working Group's final criteria. Under the Climate Act, New York is required to direct at least 35 percent with a goal of 40 percent of the benefits of investments on clean energy and energy efficiency programs toward disadvantaged communities. Since its inception in 2016, the ZEV Rebate Program has awarded a total of more than \$1.5 million toward the purchase or lease of 114 plug-in hybrid vehicles and 182 all-electric vehicles. More information about DEC's Municipal ZEV Rebate Program, as well as Municipal ZEV Infrastructure Grants, is available on DEC's website. For questions regarding the program, email ZEVrebate@dec.ny.gov or call DEC's Office of Climate Change at 518-402-8448.*

### 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, and Skaneateles.

- F. Board of Directors/Municipality Representatives Feedback: Joan Jayne asked about the status of the Article 78 Lawsuit regarding the revised Watershed Rules and Regulations brought about by OWLA, Town of Auburn and Town of Owasco. Dr. Effler reported that without updated WRR we will move forward the best we can without the regulations. He also reported a follow up from

question regarding offsets for municipalities who lose tax revenues from land acquisitions that go into conservancies/land trusts. To date there are no financial offsets for communities however there is an attempt to phase in the lost revenue.

G. Treasurer's Audit and Finance Report

July 2024 Financials Approval – Joan Jayne reported as of July 30, 2024: Total Checking and Savings \$462,051.40, Total current assets \$463,751.40, Total Fixed Assets \$525,843.43 and Total Liabilities and Equity \$525,843.43. Motion to approve made by Karen VanLiew and seconded by Ed Wagner. Motion carried by unanimous vote.

Adam Effler reported we have realized almost \$2000 from our CDs.

H. Lake Level Report – John West-lake level at good shape, continue to manage level right where we are now at 712.69 feet. As necessary will adjust for weather conditions which are continually monitored.

I. Invasive Species Assessment at the Fillmore Nature Preserve – Matthew Gallo at Hobart and William Smith, Invasive Species Institute. To hear and view this informative presentation please visit: <https://www.olwmc.org/news> General inventory done in July 8-10,2024. An overview reveals a high diversity and abundance of native species, few invasive species, invasives that are present are in small, manageable populations.

J. Conservation Agriculture and Pyrolysis Bioenergy Systems on Farms – Doug Young, Spruce Haven Farms, Dairy Farmer with regenerative agriculture mechanisms and biochar research in his dairy, and Dr. Johannes Lehmann from Cornell University to hear this very interesting presentation please visit <https://www.olwmc.org/news>

Open Days at Spruce Farms on September 10-preregistration required.

K. Watershed Inspection Monthly Report – Jesse Lloyd, lead inspection manager. To view and hear is presentation please visit: <https://www.olwmc.org/news>

L. NYSDEC FL Hub Update – Tony Prestigiaco-mo-unavailable.

M. Owasco Watershed Lake Association Update – Carol Sutkus reported the organization is continuing with stream sampling through October, planning a presentation for the Scipio Lake Owners Association meeting on Sat 8/24, and planning to offer boat rides as part of Tomato Fest on 9/10/24, The next board mtg is on 9/18 at Dutch Hollow. Starting in October OWLA will return to previously treated hemlocks for wooly adelgid to evaluate treatment efficacy.

N. Cornell Cooperative Extension Update –Frank Clarke-July 17-18 over 1400 people for manure expo. The Youth Conservation fair was a success. Cooperative Extension will be holding a corn drying fest to predict the best dates for corn harvest. Managing Your Forest Workshop will be held 9/11/24.

O. Communications: Nancy Hart commented on the educational value of OWLA's boat rides.

P. Issues of Concern: none heard

Q. Next Meeting is September 17, 2024, at 10 AM in Memorial Hall of Auburn City Hall.

R. Adjourn; Motion to adjourn made by Joe Wetmore and seconded by Ed Wagner. Motion carried by unanimous vote. Meeting adjourned at 11:30 am.

Respectfully submitted,

Vivian Cunningham