

## **Cayuga Lake Watershed Intermunicipal Organization (I O) Meeting Minutes 5/20/19**

Attendance will be listed on the Water Resources Council (WRC) minutes, approx. 40 people were there.

This was a combined meeting of the I O and the WRC to hear about the progress of the new rules and regulations for the Owasco Lake Watershed in Cayuga County. The main speakers were a panel of members working in Cayuga County: Eileen O'Conner, Cayuga County Environmental Health Director; Ed Wagner, Town of Owasco Supervisor; Ken Post, Owasco Watershed Lake Assoc. representing the property owners and farmers; and Brian Boerman, Agricultural Consulting Services, Inc., (Ithaca) who writes nutrient management plans.

The meeting was started off by Cynthia Brock, chair of the WRC and Tee Ann Hunter, chair of the I O asking everyone to introduce themselves. Then Angel Hineckle reported on the MS4 reports and stormwater resources program, this info is online at the TCSW website. TCSW trained 48 people to understand stormwater rules and regulations in Tompkins County this year.

Eileen talked about the public meetings held to help continue to define the "Owasco Lake Watershed Rules and Regulations, Proposed Draft Revision, 3/1/2019", this copy was handed out at the meeting as well as a summary and a sheet of the process of preparing the draft rules and regulations. These can be found at the Cayuga County website, [www.cayugacounty.us/](http://www.cayugacounty.us/) then go to the above publication.

She went on to say that Owasco Lake water was voted the best in NYS in 1997, but has gone downhill from then because of weeds, pollutants and nutrients; later zebra mussels and Asian clams; disinfection by-products and HAB's were found as of 2012, and in 2016 testers found toxins in the water. This is water that ½ of Cayuga County uses for drinking, so in 2016 the City of Auburn and Cayuga County wanted to create rules and regulations to help purify the water. It was noted that the City of Skaneateles and NYC use their water right from their water sources. It was also noted that the last watershed rules and regs. adopted in NYS was in 1994. (The earliest rules and regs. were from the early 1900's when there was a typhoid outbreak.) The last time the Owasco Lake Watershed rules and regs. were updated was in 1984; work on revising the Owasco Lake Watershed Rules and Regulations (OLWRR) was started in June 2017. After 4 separate public meetings with different stakeholders, a draft was put together in the fall of 2017 with the help of at least 7 Cayuga County organizations, and in June of 2018 they were ready to present these findings to the public at meetings again, and a new draft was presented in the summer of 2018, updated again in March of 2019.

It turned out that a lot of farmers, landowners, and others didn't know the rules and the public meetings helped the presenters and the public. Last week there were 2 more public meetings and this presentation was also to get questions to help the process of drafting rules that will be acceptable to NYS and the DEC. One of the big things is that the county needs a second inspector to see that rules are followed, there are over 200 miles of the watershed that need this inspection as there are over 244 farms and 3 or 4 CAFO's in the county. They all need to be doing "best management practices". Eileen said new wells can't be put in less than 100 feet away from a barn. Vermont requires nutrient training for all farms, they have plans created for less than \$1,000.

Questions were: #1. Who adopts and enforces rules and regulations? The HAB's meeting in 2018 was a good example of letting people know what is going on. Brian added that the meetings were effective in giving people a voice, not that they all agreed. #2. What is the coverage of sanitary septic and should

Tompkins County follow Cayuga County (16% of the Owasco Lake Watershed is in Tompkins County)? #3. How much did it cost to hire a facilitator? How much does the watershed manager get paid? The residents of Cayuga County pay \$1.25 a year for water related issues. The facilitator is paid \_\_\_\_\_. The City of Auburn spends \$200,000 a year and the City of Owasco spends \$30,000, the budget next year for the watershed managers is \$240,000, they are a 501.c3 organization. They now have a part-time bookkeeper to apply for grants and they bought 2 cars for the inspectors, but it took them 12 years to get here. Eileen said the meetings are online, she also said it is important to have waivers because "it depends" on how and what the landowners and farms are doing. Brian said lots of farms have done work while others haven't. Sewage and septic is a big part of the OLWRR, so #4. How will applicants be notified? It will involve the inspectors and the code enforcer, so the watershed inspector program can know what is going on. #5. How many municipalities (munis) have "no zoning"? about 2(...since Owasco Lake is in Cayuga County, it is easier to make rules and regs. that everyone should follow...not like Cayuga Lake, where there are 3 major counties and a total of 43 munis) #6. What is a pollutant? There are 6 pages of definitions, so it helps to clear up what is meant in the rules and regs. (see def. #49). One thing not in the definitions is what happens when something comes to a ditch, then goes to the lake? #7. What are nutrients? This will be described by Ed; Brian said anything connected to manure. Brian added that testing is done up the tributaries especially around the CAFO's to test for nitrogen, specifically. #8. What about refuse? It is in there. #9. What about silt? Road ditch maintenance should be done regularly. #10. What about septic holding tanks? A resident can't have a holding tank as a permanent solution, but OK for a repair. What happens is that some summer homes become year-round and the septic systems are too close to the lake, within 100 feet, and that is not allowed. #11. How can holding tanks be checked? The EPA says to get a lot of samples to see where the pollution is coming from; look for "hot spots" around the lake ex. manure storage. This will be easier to do once most things are cleaned up. #12. What is an option for small property owners that can't have septic? Eileen said they can't build, and if it is there, it can't be a residence, maybe it can be sold to a neighbor. #13. What about composting toilets? This is OK if only composting "gray water". #14. Who does training for ditch maintenance? This is done by Cornell Local Road and soil and water departments. #15. What if there is too much rain? It is illegal to have overflow, a landowner needs to have a contingency plan like an emergency field for water. (They haven't looked into drought situations.) #15. Do Skaneateles and NYC have these rules? It's easier to have no farms than to control farms. Skaneateles gives cash if farmers follow the rules, this can be expensive. #16. Do these regs. deal with TMDL's? No, not for Owasco Lake, only for Cayuga Lake. #17. The I O has a DOS grant to reconfigure itself, Tee Ann asked how Owasco Lake does it? One answer is that an executive director gets paid. Another answer is that Owasco Lake is all in one county (except for part of the watershed), that makes it a consolidated effort. #18. How do you regulate farms that are in both watersheds? Possibly, money can be used to purchase buffers for farms. #19. How do you assess the success? Can success be monetized? NYS looks at the CAFO's by "best practices", small farms haven't been looked at yet. Eileen said so far it is a good product. #20. Does the definition of watercourse include wetlands? It is not in there, but NYS covers it, you can't discharge into a wetland.

It was noted that small property owners would have the hardest time, but Eileen said it was always the case that they had to at least build 100 feet from the lake, there is a grant system where up to 22 properties (and there is a waiting list) can get grants to help them comply with these rules. It was also noted that there are good and bad things about extending a sewer system; it will take a large number of people off septic systems, but at a high cost that they don't want to pay. This was ended by Ed saying

that anymore questions or comments can be put on the Cayuga County website (shown above) until June 14<sup>th</sup>.

Submitted by Jackie Cassaniti