

Regular Meeting
Cayuga Lake Watershed Intermunicipal Organization (CWIO) Meeting Minutes
Wednesday, May 26, 2021
Held Via ZOOM
Minutes

Voting Members Present: Liz Thomas, Tee Ann Hunter, Ronny Hardaway, Roxanna Johnston, Kelly O'Hara, Dave Sprout, Bronwyn Losey, Tom Vawter, Grace Bates, Cynthia Brock, Jackie Cassaniti, Roxanne Marino

Stakeholders Present: Robert Meek, Darby Kiley, Carolyn Greenwald, Hilary Lambert, Shawn Murphy, Liz Cameron, Michelle Henry, "Teddy" (sorry, there was no description)

Agenda Item 2 - Resolution to approve April minutes and financial report

RESOLVED that the CWIO approves the draft minutes of the 4/28/2021 meeting provided in the meeting package, and financial report ending 4/30/2021 with a balance of 60,361.00.

Moved: Tee Ann Hunter Seconded: Roxy Johnston Vote: Unanimous

Agenda Item 3 - Total Maximum Load for Phosphorus (TMDL) in Cayuga Lake presented by Roxanna Johnston

The comment period for the TMDL has been extended to July 8th. Roxy has a copy of the draft Cayuga Lake Phosphorus TMDL which she has read thoroughly, and Liz Thomas said Hilary at CLWN has a set-up on their website of comments and how to add a comment at <https://www.cayugalake.org/resources/information-draft-cayuga-lake-tmdl/>. This is good because there are already 33 pages of comments. The CWIO already authorized the Executive Committee to make comments to the DEC. Roxy: The DEC had the information they used for this report in 2016, but didn't come out with it until 2021. She had 12 slides; the most important one is the background for the "whole lake" TMDL, the basis was because Cornell wanted to set up Lake Source Cooling in the late 1990's (the first one in the USA) and some people in the community were worried that the discharge water would put phosphorus in the lake, so in 2002 Cayuga Lake was listed as impaired for phosphorus. Now, after many years, Cornell, CSI, FLI and others have seen that the lake is not impaired for phosphorus, but the DEC was committed to this, because it was thought that less phosphorous meant less chlorophyll alpha and less biomass (there were no HAB's listed at the time), but Roxy said it doesn't work that way, and in hard water lakes, the algae is not correlated with phosphorous. Other slides show comments that the document is a very rough draft. Also, constituents need to know more information about the costs and compliance for CAFO's, MS4 communities, forests and waste water treatment plants. Streams are a phosphorous concern that is not addressed in the TMDL, and it is unclear how forests contribute P to the lake. Drinking water is threatened by HAB's, but not by phosphorous, Roxy works at a drinking water plant, and knows that the lake is not threatened by the organic matter from the streams. Questions arise such as: Where does the DEC come in to take a leadership role in the TMDL? How will the programs work better now than they did before? Once the TMDL is finalized, it becomes a regulation, it doesn't go away, part of Tompkins County is already in the Chesapeake Bay

TMDL and spending money on it, like Chemung County which costs the Elmira area over 1 million dollars. What the CWIO needs to do, get the EPA engaged, have public meetings, answer the questions, and, Darby added, make it an iterative process, so it becomes more understandable. Roxy suggests that you check the Table of Contents for the sections you are interested in. Roxy referenced the **NYS Section 303(d) List of Impaired/TMDL Waters**

Liz asked for comments - Ronny said he will read the document as it applies to the Village of Lansing and talk to Roxy. Tee Ann said the Town of Ithaca is putting a letter together to send to the state representatives in the watershed, to help with getting a dialog with DEC. She would also like a resolution from the CWIO Executive Committee to send that letter.

RESOLVED THAT *the CWIO supports the Executive Committee to submit a letter to the DEC regarding the TMDL asking for a dialog prior to the comments submission deadline in order to clarify certain sections of the draft TMDL before submitting comments*

Moved: Tee Ann Hunter Seconded: Roxy Johnston Vote: Unanimous

Darby also suggested that even if a person doesn't understand the document, it is a useful to comment. She said it needs to be easier to read, even for professionals. Tom said the lake is not really impaired by phosphorus and doesn't need a TMDL; is there any chance of rescinding the TMDL? Roxy said it could become a 9-Element Plan; that would be better suited to protect the watershed, Owasco and Seneca Lakes are developing 9-E plans. Kelly added, as an operator of a CAFO, he has had to meet regulations and wants to see how municipalities will have to change how they manage as he did 15 years ago; it is important to keep the DEC engaged. Roxy said the DEC has the information to correct the TMDL, but won't do it now. Liz: we want to work with the state, but need a better document.

Agenda Item 4 - National Heritage Area - Tee Ann Hunter

Resolution in support of the Finger Lakes National Heritage Area

WHEREAS, *the Finger Lakes form a unique and diverse region in Upstate New York and encompasses a patchwork of cultures and history, as well as spectacular natural, scenic, recreational and natural resources that reflect a unique contribution to the collective American identity; and*

WHEREAS, *the Finger Lakes is distinguished by eleven pristine lakes formed over 19,000 years ago at the end of the "Ice Age" that have over the years been Native American hunting grounds and villages, rich agricultural lands that inspired settlement, villages and small towns, a critical center to this nation's Woman's Suffrage movement, passage for the Underground Railway as well as more recently creating a world-renowned wine industry, which together form a unique and distinctive cultural and geographic landscape; and*

WHEREAS, *the Congress of the United States has the authority to designate National Heritage Areas that encompasses a region where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape shaped by geography and cultural traditions; and*

WHEREAS, the Finger Lakes National Heritage Area Feasibility Study was authorized by the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, which directed the Secretary of the Interior to evaluate the natural, historic, cultural, educational, and recreational resources of the Finger Lakes; and

WHEREAS, the legislation identified the following counties to be considered as part of the study: Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates; and

WHEREAS, portions of Cayuga, Cortland, Schuyler, Seneca, Tioga, and Tompkins counties are within the Cayuga Lake watershed; and

WHEREAS, the work of CWIO in protecting and restoring the health of the watershed through the collaborative efforts of its 50 municipal members is dependent upon a sense of place and a shared stewardship for the rich natural and cultural resources contained throughout the region; and

WHEREAS, the Finger Lakes Tourism Alliance, founded in 1919, has worked since 2014 with regional and area civic organizations, local jurisdictions and local governments, business community and numerous other stakeholders and non-profit groups in submitting the original request to the National Park Service which resulted in the Feasibility Study funding in 2019, and continues to work with the National Park Service to gather input from the public regarding the creation of a national heritage area in the Finger Lakes; now, therefore,

BE IT RESOLVED THAT the CWIO supports the Finger Lakes National Heritage Area designation and the inclusion of all fourteen counties including Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates in the National Heritage Area, and supports the Finger Lakes Tourism Alliance in their leadership role in administering said National Heritage Area; and

BE IT FURTHER RESOLVED THAT Elizabeth Thomas, Chair of the CWIO is authorized to sign and submit this resolution on behalf of CWIO.

Moved: Tee Ann Hunter

Seconded: Roxy Johnston

Vote: Unanimous

Tee Ann said it would be good for the region. There are 55 NHA's in the USA. It will help retain the character, protect the environment and give a strong sense of place, as well as being good for tourism in the area.

Agenda Item 5 - Watershed manager's report - Ian Smith

Ian had another meeting, he will report next month. He did meet with Tee Ann and Roxy and said he wants to submit a grant application for ditch assessment and is asking for \$5,000 from Seneca and the CWIO. He is still working on the Slaterville Road project.

Agenda Item 6 – CWIO Chair report –

Liz said her report and the **Executive Committee report are the same because that is what she is working on. She has been working with Ona Ferguson from CBI on the organizational assessment of CWIO. Ona will make a report in August. Kathy Bertuch should have a finished project ranking soon. Liz said she sees lots of grant proposals, but the CWIO doesn't have anyone to apply for them. Also, residents of NYS have a right to clean water; The DEC SPDES permit review list has the salt mine in Lansing near the top of the list.

Agenda Item 7 - Committee Reports

****Executive Committee** - see above

Membership Committee – Cynthia said they are almost done.

Agriculture Committee – Shawn Murphy - The Ag Committee hasn't met yet; they will soon.

On a note about soil and water, they are working on some combine comments with other soil and water districts and some individual comments, they have experience with implementation plans and looking at models.

Finance Committee - In March they decided that the fair funding formula should include % of acreage within the watershed, miles of shoreline, population density, gallons of water consumed and taxable assessed value in the municipality. Would it be legal to put the CWIO dues on their water bill? They could put the new dues into effect gradually. If the CWIO hopes to hire a watershed manager, they need to raise more money. Ronny said if we had a watershed manager our response to the TMDL would be better. Maybe administrative time donations from the municipalities could lower their dues? Check the dues formula on an attachment to the 5/26/21 email from Liz Thomas inviting everyone to attend the ZOOM meeting. Cynthia is concerned about the City of Ithaca paying the most in the watershed, but knows they will benefit from a watershed manager, as other municipalities will. Darby is calling other counties to see what they are doing, part of her job as Tompkins County Planner is to work on water quality issues.

Education, Public Participation, and Outreach Committee (EPPOC)

EPPOC – Roxy said no one came forward to apply for the \$7,000 grant from EPPOC, so she would like to use it to create a CWIO website that is editable from within CWIO. (Right now Bruce Keplinger from CNYRPDB is managing it, but that service stop when the grant is over in 2021.) The website is important to communicate with members and the public; this is one of the goals of EPPOC for 2021.

Agenda Item 7.e. - A resolution to Approve Funds to Build the CWIO Website and develop an RFP for the \$7,000.

***WHEREAS** part of the mission of the Cayuga Lake Watershed Intermunicipal Organization (CWIO) is to communicate information between and among local governments within the Cayuga Lake Watershed; and*

***WHEREAS** the CWIO Education, Public Participation and Outreach Committee (EPPOC) has 3 goals in their 2021 workplan—goal 2 being to “educate municipal officials about land and water*

protection options, how to use them and how to respond to threats” and goal 3 is to “improve our website and social media presence”; and

WHEREAS *to achieve goals 2 and 3, the CWIO needs a useful and updatable website; and*

WHEREAS *currently the CWIO website is under the temporary management of the Central New York Planning and Regional Planning and Development Board (CNYRPDB) office which has very limited time to devote to the CWIO website; and*

WHEREAS *once the grant with CNYRPDB is completed sometime in 2021, the CWIO will no longer have their web support.*

THEREFORE, BE IT

RESOLVED *that in order for the CWIO to effectively communicate information with its members and others within the watershed, it needs to have a reliable and easily updated website; and*

RESOLVED *that the EPPOC is authorized to develop an RFP to distribute to website developers to build a website and website editing dashboard that will allow CWIO to edit the website content; and*

RESOLVED *that the CWIO authorizes the EPPOC to approve spending up to \$7,000 on the development of a CWIO website, and*

RESOLVED *that EPPOC will follow the procurement processes of the CWIO administrative center at the Town of Ithaca.*

Tee Ann asked if this is to create or manage the website? Liz said the website could use a dashboard to make it more easily editable. The CWIO may want to consider using a municipality with an IT department to develop the website in lieu of dues or to reduce dues.

Moved: Roxy Johnston Seconded: Tee Ann Hunter Vote: Unanimous

Agenda Item 8 – General Announcements

- CBI will present their recommendations at the August meeting of CWIO
- Kathy Bertuch and the TAC have finished their ranking process of projects within the watershed. She should have a final document sometime in June.

Agenda Item 9 - Adjournment

Moved: Tom Vawter Seconded: Dave Sprout

Submitted by Jackie Cassaniti

