

Regular Meeting
Cayuga Lake Watershed Intermunicipal Organization (CWIO) Meeting Minutes
Wednesday, June 23, 2021
Held Via ZOOM
Minutes

Voting Members Present: Michael Allinger, Jackie Cassaniti, Ronny Hardaway, Kent Hubbell, Tee Ann Hunter, Roxanna Johnston, Bronwyn Losey, Roxanne Marino, Michael Murphy, Kelly O’Hara, Stephanie Redman, Becky Sims, Don Slocum, Dave Sprout, Liz Thomas, Tom Vawter.

Stakeholders Present: Greg Colucci, Darby Kiley, Ian Smith, Jennifer Karius, Donna Shaw.

Agenda Item 1 – Call to order.

Agenda Item 2 - Resolution to approve minutes and finance report.

RESOLVED that the CWIO approves the draft minutes of the 5/26/2021 meeting provided in the meeting package, and financial report ending 5/31/2021 with a balance of \$60,369.19.

Moved: Tee Ann Hunter, Seconded: Roxy Johnston

Vote: 13 Yeas 1 Abstention

Agenda Item 3 – Total Maximum Daily Load (TMDL) Discussion

This is the last CWIO meeting before the public comment deadline of July 8th for comments on the TMDL. Roxy Johnston and Darby Kiley updated the CWIO on various groups commenting to the DEC about the TMDL. Roxy said the Tompkins County Water Recourses Council was finalizing their letter to the DEC and Darby said the Monitoring Partnership will submit their comments soon. They will be available on the CLWN website.

Tom and Ian added that the conditions of a lake such as Cayuga are judged by 1. Clarity 2. Total phosphorous and 3. Chlorophyll A. Tom said that Cayuga Lake should not be on the EPA’s Clean Water Act “303(d) List” because Cayuga Lake is not in imminent danger of being highly eutrophic. EPA section 305(b) reports provide information on the water quality status of all waters in the state, whereas section 303(d) lists are a subset of these waters – those that are impaired by a pollutant and in need of a TMDL. Ian felt getting off the 303(d) list would be difficult.

Agenda Item 4 – Watershed Manager’s report

Ian Smith is moving forward with a DEC grant application under the “non-point source, non-ag, planning and engineering” grant category. The project is off Slaterville Road at Six Mile Creek Vineyard (estimated completion of planning grant by March 2023 and then application for a subsequent implementation grant). The DEC allows grant funding for work on private and public property, whereas the DOS does not. The Six Mile Creek Winery is willing to participate with the Town of Ithaca that will hold the grant. Ian said his services to help with the application are covered by his CWIO salary. The project will also positively impact water quality for the City of Ithaca drinking water reservoir downstream and is a good example of a multi-municipal project in cooperation with a private entity. The Town of Ithaca DPW is grateful for the help. The project is one of the 29 projects being currently prioritized by the CWIO Project Advisory Committee.

Ian is also applying for a road ditch assessment and improvement grant. Road crews report many ditches and culverts are undersized for the wetter weather we are experiencing now. The project will develop an assessment tool to determine which ditches are contributing to water quality degradation and model

how ditches can be improved. The ditch project grant will be held by the Town of Fayette in Seneca County and Ian would like SWIO and CWIO to participate. The project is a pilot with results intended for application throughout the watershed. Both the Cayuga and Seneca Watershed Intermunicipal Organizations would contribute a total of \$5,000 each to the project over several years. Liz said the CWIO has almost \$13,000 unspent budgeted funds that will not be used in 2021. The Schuyler County road crew has expertise they are willing to share regarding ditch management and will be working with Ian to develop the assessment tool.

The following resolution was moved:

Resolution to Approve Spending on Ditch Assessment Grant

WHEREAS the Watershed Manager for both Seneca and Cayuga Lake, Ian Smith, is applying for a grant to develop a road ditch assessment framework to inform best management practice implementation targeted to protect downstream waters; and

WHEREAS the grant funds would be from the NYS Department of State through the Local Waterfront Revitalization Program with a required 25% local match; and

WHEREAS as part of the local match, both the Seneca and Cayuga Lake Watershed Intermunicipal Organizations will pay an equal amount of \$5,000 each.

THEREFORE, BE IT

RESOLVED that the Cayuga Lake Watershed Intermunicipal Organization approves an appropriation of \$5,000 in 2021 as part of the local match for a ditch assessment grant to develop and assess best management practices for ditches, the outcome of which would be applicable in both the Cayuga and Seneca Lake watersheds.

Moved: Elizabeth Thomas, Seconded: Roxanna Johnston

Motion passes unanimously.

Discussion: Jennifer Karius expressed support for the project because ditches are an important conduit to the lake and should be studied especially due to the unique topography of the region. The movement of water on roads and streams with slope and vegetative cover has to be considered; over 4 degrees slope for 1000 feet can double the velocity of running water, and erosion is higher without vegetation. Ian said checking the highest flow from small sub-watersheds is expensive; Darby added that usually only certain sub-watersheds are checked.

Agenda Item 5 – Fair Funding Formula (FFF) - consider adoption of new dues calculation.

Liz said the CWIO needs a permanent staff person to implement projects such as the Six Mile Creek winery grant. Staff would help to coordinate CWIO efforts, implement the Cayuga Lake Restoration and Projection Plan, and write grants to remediate problem areas. The winery project on Slaterville Road is coming together quickly because of Ian's time and expertise.

Since 2004, all municipalities have paid \$900/year/municipality for CWIO dues, no matter what their size or land within the watershed. The recommended amount to raise to pay a watershed manager is \$90,000/yr. CWIO hopes to raise this money by increasing dues over a 3-year period.

The following resolution was provided with the agenda and introduced at the meeting:

Resolution to Approve a Fair Funding Formula for CWIO 2022 Dues.

WHEREAS the purpose of the Cayuga Lake Watershed Intermunicipal Organization (CWIO) is to bring municipalities together to work collectively and collaboratively on monitoring, protecting, and restoring the health of the watershed, and

WHEREAS to achieve this purpose the CWIO needs funding for staff to coordinate efforts, write grants, identify problem areas, educate, and generally assist municipalities as well as to help pay for priority projects identified by the CWIO membership, and

WHEREAS municipal watershed organizations in Canandaigua, Keuka, Seneca, Owasco and Skaneateles all have either a Watershed Manager or other staff to assist municipalities in implementing their protection plans for their watersheds; and

WHEREAS since 2004 all municipalities pay the same amount in dues (\$900) regardless of their size or how much of their municipal land is within the watershed, and

WHEREAS other watersheds within the Finger Lakes use a formula that more fairly calculates dues based on logical mathematical factors; and

WHEREAS the CWIO Finance Committee passed a resolution on March 23, 2021 recommending a funding formula that fairly calculates municipal and government dues using an equation that factors in miles of shoreline, % of acreage within the watershed, taxable assessed value, and population density. They also recommended a goal of \$90,000 and a phased in approach to the new dues system; and

WHEREAS the Executive Committee recommended a phased approach of 50% of total calculated dues be paid in 2022, 75% in 2023 and 100% in 2024, and

WHEREAS the funding formula has been discussed for over a year and presented at CWIO meetings in 2021 on 3/24/21, and the final draft at their meeting on 5/23/21, and final draft again on 6/23/21.

THEREFORE, BE IT

RESOLVED that the CWIO approves a new dues formula, called the Fair Funding Formula (FFF) as presented at their meeting on 6/23/21, and further

RESOLVED that the FFF has a goal of raising \$90,000 phased in over time with municipalities owing 50% in 2022 (yr 1), 75% in 2023 (yr 2) and 100% in 2024 (yr 3).

RESOLVED that the FFF be instituted for the fiscal year 2022 for counties, towns and the city, and for the fiscal year 2022-2023 for villages; and further

RESOLVED that CWIO approves a reduction of dues for the municipality serving as the Administrative Center of up to \$2,000.

Moved by: Tee Ann Hunter, Seconded by: Roxanna Johnston.

Vote: 13 Ayes, 1 abstention

Discussion: Roxy said Ian is doing a great job for the CWIO already, as a very part-time watershed manager. Tom endorsed the FFF in the name of Dave Morehouse who asked for more funds to be collected for projects right from the inception of the CWIO, but it wasn't done then. Liz has been giving

talks to municipalities within the watershed and has been well received. She will speak to the Tompkins County Council of Governments tomorrow. Municipalities may add the dues fee to the water bills of municipal water users to pay for work on Cayuga Lake done by the CWIO. Municipalities are working on their budgets now, so this is the time to make budget requests.

Liz will send out the budget request letters soon. Some dues go up and some go down. Several elected officials feel that the Covid federal stimulus money they received can be used to on watershed projects such as the CWIO dues. Tom and Tee Ann especially like the effort Liz is doing to get more money for the CWIO.

Agenda Item 6 – Chair Report-

see Executive Committee report below

Agenda item 7 - Committee Reports –

Executive Committee - Liz has been working with Consensus Building Institute (CBI), Hilary Lambert from the Cayuga Lake Watershed Network, and the CWIO Executive Committee to draft updated bylaws and a related Memorandum of Agreement, as well as a job description for a watershed manager. In August Ona Ferguson from the CBI will present her recommendations for the CWIO organization based on the interview findings and Hilary's review of other watershed organizations. Liz will send out the drafts for the July meeting for municipalities to review. Please pay particular attention to the membership sections of the bylaws and submit questions in advance.

At her presentation to the Seneca County Board of Supervisor's, Liz said Seneca County is considering the launch of a septic system testing and inspection program. Cayuga County has a successful septic system inspection program already fully implemented.

The Executive Committee approved comments to be submitted to the DEC on behalf of CWIO regarding the TMDL.

The Department of State grant to create a prioritized list of projects is nearing the end. The Project Advisory Committee will meet July 7 to finalize the list of ranked projects.

Membership Committee – No recent meetings

Agriculture Committee - No meetings until after grant deadlines are over.

Project Advisory Committee - Kathy Bertuch is convening the group on July 7th to go through the project rankings.

Financial Committee - No recent meetings. None expected until early 2022.

EPPOC – No recent meetings due to focus on TMDL.

Agenda Item 8 - General Announcements

Liz hopes to have in-person meetings around the lake again soon with zoom access as well. Tom said he might be able to help facilitate some of the meetings in Cayuga County. Ronny said the virtual meetings have a better attendance. Kent would like to meet in-person at least occasionally.

Agenda Item 9 – Adjournment

Moved: Liz Thomas; Seconded: Tee Ann Hunter

Submitted by Jackie Cassaniti