



Cayuga Lake Watershed Intermunicipal Organization (CWIO)

Wednesday, January 26, 2022

Held VIA ZOOM

Minutes

Members, Associate Members, and Ex-Officio Members Present: Liz Thomas, Roxy Johnston, Don Slocum, Tee-Ann Hunter, Michael Reynolds, Mitch Rowe, Dave Sprout, Tony Del Plato, Carolyn Greenwald, Michael Allinger, Kent Hubbell, Jackie Cassaniti, Roxanne Marino, Darby Kiley, Stephanie Redmond, Tom Vawter, Margaret Johnson, Cynthia Brock, Shawn Murphy, Seth Lutter, Michele Wunderlich, Michelle Henry, Bob Meek, Mary Jump

Stakeholders, Partners, and Committee Members Present: George Patte, Paulette Rosa, Angel Hinickle, Nathaniel Launer Jon Negley, Erin Peruzzini, Dave Kierst, Dave Eckhardt, Lydia Ruffinii, Michael Murphy, Lauren Darcy, Aaron McKeon, Eileen O'Connor, Michael Boggs, Erin Kurtz, Bill Ebert.

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

RESOLVED that the CWIO approves the draft minutes of the 12/15/2021 meeting provided in the meeting package, and financial report ending 12/31/2021 with a balance of \$65,654.40

Moved: Don Slocum

Seconded: Kent Hubble

Vote: Unanimous

Resolution 2022-7: Payment of Bill

RESOLVED that the CWIO approves reimbursement payment of the zoom license for 2022 in the amount of \$117.05 to Elizabeth G. Thomas.

Moved: Roxy Johnston

Seconded: Don Slocum

Vote: 13 in favor. Liz Thomas abstaining

Agenda Item 3 – Soil and Water Conservation District (SWCD) Offices Report – Jon Negly, Erin Peruzzini, Shawn Murphy, Erin Kurtz, Dave Kierst, Lauren Darcy, Lydia Ruffinii.

The SWCD offices help farmers, municipalities, and their residents to protect soil and water. Jon Negly gave an update on how SWCD offices operate; what they try to accomplish; and who they interact with. They work with their agricultural partners to fulfill their conservation mission and with other partner agencies. Jon noted that Tompkins County is split north south by Cayuga Lake and its tributaries. In response to a question, Erin Kurtz from the Natural Resource Conservation Service noted that their work is based more on partnerships than any particular subwatersheds. Shawn Murphy works for the Cortland SWCD which only has 1/10th of its water going into the Cayuga watershed via Fall Creek. The majority of their water go to the Chesapeake watershed. Doug Kierst from Cayuga County added that they respond to many calls from private landowners, especially regarding flooding. In response to a question, Jon responded that “best management practices” are implemented on a voluntary basis by landowners. Erin added that in the Seneca watershed, what BMPs are implemented depends on the farmer they are working with. Liz noted that municipalities can learn from examples of what other municipalities have accomplished working with SWCD staff. Jon noted that grant matches are often 10% of the total cost which can be prohibitive for some growers. Reaching out to state and county legislators is important to ensure adequate and continued funding for SWCD offices.

Agenda Item 4 – Update on Hiring of a Watershed Manager

CWIO needs to make several important decisions tonight including whether by the whole CWIO or delegate some of the decision-making to a smaller group. Decisions include salary, benefits, where to house the person, the finalized job description, the hiring process, where to advertise the job and who should be on the interviewing team.

The Executive Committee reached out to Ian Smith, Watershed Steward for Seneca Lake, and Adam Effler, the Watershed Director for the Owasco Watershed on a starting salary for a Watershed Manager for the Cayuga Watershed. After discussion, the recommendation is approximately \$55-60,000 plus benefits.

The job description presented to CWIO was nearly the same as what CWIO adopted as the draft job description in August.

The Executive Committee explored where to house the Watershed Manager and met with the Town of Ithaca, our Administrative Center, to explore the possibility of housing the person there and what the fringe costs would be. Tee-Ann Hunter reached out to the Finger Lakes Institute for the same information. While FLI would not be a central location within the watershed, the WM could benefit from working with other Finger Lakes water experts like Lisa Cleckner and Ian Smith. The benefits and fringes were slightly less at FLI. The Executive Committee is waiting to hear back from FLI if this possibility is approved by the Hobart and William Smith College administration where FLI is housed. With all the estimated costs accounted and a salary of \$59,000, the total cost is estimated to be \$90,000—our target.

Personnel	\$59,000	
Fringe Benefits	\$21,240	36% of salary
Travel	\$500	
Supplied	\$1,077	Computer, etc
Total – Direct Costs	\$81,817	
Indirect Costs	\$8,182	10% of direct costs
Project Total	\$89,999	

Kent Hubble asked if this is a one-year position. Liz Thomas replied the position would be permanent as long as CWIO dues come in as projected with the new dues formula and in combination with state and federal grant funding. Paulette suggested that the CWIO not include the salary in the job description in case it needs to be changed as years go by. Jon Negly thought the salary would cause competition with SWCD office staff positions. Liz wants the new WM to integrate and collaborate with the existing SWCD systems, not to compete with them. Rather than a county-wide focus, the WM would have a watershed wide focus. Roxy Johnston would like to move ahead as quickly as possible on hiring to meet the grants deadlines that are usually in June and July. Cynthia Brock reminded CWIO that Cayuga Lake is the only major Finger Lake without a WM and wondered if WMs on other lakes compete with SWCD offices. Erin Peruzzini and Doug Kierst, both from SWCD offices, said they benefit from WM knowledge and grant writing, but that a good communication system is important to avoid duplication of efforts. Liz added that grant applications often benefit from having several entities apply or support one project, which would incentivize a WM to work in conjunction

with SWCD on grants of mutual interest. Mike Murphy suggested a friendly amendment to the resolution to add “and benefits” to the salary in the job description.

Resolution 2022-8 to Set a Starting Salary for a Watershed Manager and Approve Negotiating a Contract with Hobart and William Smith College to House the Watershed Manager:

WHEREAS the CWIO Executive Committee reviewed salaries of Watershed Managers or their equivalent in other Finger Lakes watersheds, and

WHEREAS the CWIO Executive Committee explored and considered various options throughout the Watershed for where to house a Watershed Manager.

Therefore be it

RESOLVED that based on starting salaries within the Finger Lakes region for other Watershed Intermunicipal Organizations approves a starting annual salary of \$59,000 and benefits to hire a full time Watershed Manager, and further

RESOLVED that the CWIO authorizes the Executive Committee to develop a contract with Hobart and William Smith Colleges to house a Watershed Manager.

Moved: Roxy Johnston Seconded: Tom Vawter
Roll call Vote: Unanimous

Once the salary decision was made, CWIO turned to approving the job description. Kent Hubble asked who the WM would report to and that this issue should be laid out in the job description. Roxy said CWIO will need to decide, but to make this large of a change to the job description would delay the movement forward and recommended one or two people work on the WM oversight and present those ideas to CWIO at a later date. Erin asked that the words “identify and facilitate projects be added to the job description. Liz Thomas said the Executive Committee is working on other “landing spots” within the watershed for the WM to work from, perhaps at Wells College and possibly at the Town of Ithaca or other southern location. Liz reported that the Executive Committee is suggesting a 5-person interview team and a bigger group who will listen in to the interviews and advise the smaller group in the hiring decision.

Resolution 2022-9: Approval of the revised CWIO Watershed Manager Job Description

Whereas of the major Finger Lakes watersheds, the Cayuga Lake watershed is the only one without any staff to help with education, outreach, coordination, and implementation of projects that would improve, or protect, the water quality within the watershed; and

Whereas the Cayuga Lake Watershed Intermunicipal Organization (CWIO) adopted a funding formula in 2021 to fairly calculate annual municipal dues to provide adequate funding to hire a Watershed Manager to help achieve the mission and goals of the CWIO, and

Whereas the CWIO received a Park Foundation grant funding the position for the first two years; and

Whereas the CWIO adopted a draft Watershed Manager job description on August 25, 2021; and

Whereas the draft Watershed Manager job description was reviewed and revised based upon discussions with watershed managers in other watersheds, now therefore be it

Resolved that the CWIO accepts the job description for a Watershed Manager for the Cayuga Lake watershed as presented at the CWIO meeting on January 26, 2022, and further

Resolved that CWIO empowers the Executive Committee to review and approve minor changes, if any, that HWS may require.

Moved: Roxy Johnston Seconded: Tom Vawter
Roll call Vote: Unanimous

Agenda Item 5 – Update on Website Development

Flourish Design will be the web developer for the new CWIO website. Roxy Johnston said this new version should be live by 3/21/22 and will be sent to the CWIO Executive Committee for feedback. Roxy and Hilary Lambert have been working to compile information for the developer with help from Michele Wunderlich. If anyone has photographs or website requests, they should contact Liz Thomas.

Agenda Item 6 - Camp Barton Update.

The towns of Covert and Ulysses and the village of Trumansburg are working on a mutual agreement to co-manage Boy Scout Camp Barton in the town of Covert for both use by the Boy Scouts and the public. A letter of support from the CWIO will be sent to NYS requesting financial help to purchase the land which in total is about 130 acres with ~1200 feet of shoreline. NYS Parks is supportive. The Scouts plan to sell 30 acres along NYS Route 89 and approximately 6-11 acres of land along the north side of the camp on the shore. Town of Covert Supervisor Mike Reynolds said a meeting will be held on this topic on February 15 at the Trumansburg Fire Hall. Mike reported that NYS Parks is interested in being involved in buying the acreage but does not want to run the camp or maintain the buildings. Liz reminded the group that public access to the lake is very limited with 90% of the shoreline under private ownership.

Resolution 2022-10: Approval of Letter Supporting Preservation of Camp Barton.

The Cayuga Lake Watershed Intermunicipal Organization (CWIO)—an organization officially recognized by New York State—encompasses 57 governments that work collaboratively to protect waters within the watershed. CWIO acted on the following resolution on January 26, 2022:

WHEREAS the preservation of rare tracts of undeveloped lands along the shores of Cayuga Lake is important not only for water quality protection, but for habitat preservation and public access; and

WHEREAS Camp Barton is an approximately 130-acre Boy Scout Camp on the steeply sloped west side of Cayuga Lake on a designated Scenic Byway in the Finger Lakes region with nearly 2,600 feet of lake frontage and the scenic Frontenac Creek in the Town of Covert, Seneca County; and

WHEREAS the Baden-Powell Council of the Boy Scouts of America must raise funds very soon by selling land to offset its legal obligations; and

WHEREAS if sold, this property would most likely result in the construction of single-family homes with separate septic systems; and

WHEREAS clearing the natural vegetation from land with steep, wet slopes such as this to accommodate buildings, pavement and drainage requirements often increases surface water runoff and runoff velocity which contributes to both higher amounts of nutrients running into the lake as well as increased erosion and resultant sediments. Preserving the natural existing woodlands more efficiently filters water and slows stormwater runoff; and

WHEREAS emerging patterns of harmful algal blooms (HABs) show that spikes in HABs often occur after high stormwater runoff events; and

WHEREAS, harmful algal blooms (HABs) negatively affect the health and recreational use of Cayuga Lake, and the Community Science Institute (CSI) has documented 102 HABs in Cayuga Lake in 2021 which is a 250% increase since 2018, and CSI also noted that “This year stood out due to the occurrence of widespread bloom events and many ‘late season’ blooms,” and

WHEREAS the Village of Trumansburg has a public drinking water well on the Camp Barton property that supplies public water for the Village of Trumansburg and beyond. Protecting this drinking water source from development is critical to the health of those within the water districts; and

WHEREAS approximately 90% of the Cayuga Lake waterfront is under private ownership and inaccessible to the public, and

WHEREAS Camp Barton is one of the few remaining undeveloped lakeshore properties on Cayuga Lake, and

WHEREAS the Town of Covert in Seneca County and the Town of Ulysses and Village of Trumansburg in Tompkins County have signed a Memorandum of Understanding to pursue alternative solutions, and have sent a letter to Governor Kathy Hochul asking for sufficient funding to purchase the property and protect it for use by the public and the Boy Scouts under joint management by the municipalities; and

WHEREAS the following list of state, local, and non-profit plans and documents support the preservation of Camp Barton as its existing use or one with lower impact;

- Boy Scout land, and specifically Camp Barton, have been identified as a state priority in the NYS DEC’s 2016 Open Space Conservation Plan and specifically mention “NYS Parks is interested in acquiring this property”(pages 125, 150)¹.
- In the New York State DEC’s Harmful Algal Bloom Action Plan for Cayuga Lake², the following goals and actions are recommended:
 - Section 13.3.1 Priority 1 Projects, mid-term goal 10 (page 76): “... conserve lands within the watershed to protect and maintain existing buffers...”

¹ https://www.dec.ny.gov/docs/lands_forests_pdf/osp2016final1.pdf

² https://www.dec.ny.gov/docs/water_pdf/cayugahabplan.pdf

- Section 13.3.2 Priority 2 Projects, section 13.8 Coordination Actions (long-term #2 page 81): “... facilitate acquisitions of conservation easements to implement watershed protection strategies... for water quality protection.”
- The Finger Lakes Land Trust lists preservation of undeveloped shoreline as one of the top 10 Conservation Strategies³.
- Two of the goals in the 2017 Cayuga Lake Watershed Restoration and Protection Plan⁴ is to “preserve open space, wetlands, and riparian areas for effective water quality protection.” and to “Protect and expand public access to the lake” (page 16).
- “Recommendations for Action and Next Steps” in the 2017 Cayuga Lake Watershed Restoration and Protection Plan⁴ (pg 20) are “identifying and preserving critical resource areas.” and “Encourage state and local efforts to provide public access to the lake and its tributaries.”
- The NYS Department of Environmental Conservation’s draft Total Maximum Daily Load for Phosphorus in Cayuga Lake (TMDL⁵) lists section 7.8.3 Land Conservation (page 79) as part of the recommended phosphorus management strategies.

Now therefore be it

RESOLVED, That the Cayuga Lake Watershed Intermunicipal Organization hereby requests that Governor Kathy Hochul include funding in the NYS 2022 budget for the purchase of this unique, natural resource and supports management of the property by the municipalities, thereby protecting it from development and environmental degradation for future generations, and further

RESOLVED, that a copy of this resolution be sent to the Honorable New York State Governor Kathy Hochul, the Honorable New York State Senators Pamela Helming, Tom O’Mara, Peter Oberacker, the Honorable New York State Assemblyperson Anna Kelles, NYS Senate Leader Andrea Stewart-Cousins, Assembly Leader Carl Heastie, the New York State Commissioner of Parks, Recreation, and Historic Preservation, Erik Kulleseid, New York State Association of Counties, the Towns of Covert and Ulysses and the Village of Trumansburg.

Moved: Liz Thomas
Date: 1/26/22

Seconded: Kent Hubble

Vote: Unanimous

Agenda Item 7 – Chair Report

The Town of Ithaca assisted CWIO Chair to send out a dues letter for 2022 to all municipalities within the watershed requesting payment of dues and completion of the Memorandum of Agreement (MOA) approved by CWIO in August. Municipalities can request minor modifications to the MOA and have the request approved by the CWIO Executive Committee and a few municipalities have done so already asking for something other than the 5-year period of the MOA. The timing for this request is a few months later than previous requests to better align with the year the dues will cover. The deadline for dues payments for 2022 is 6/30/2022. Therefore, on municipal books, it will look like there were no dues paid for 2021 even though the actual funds received are only a few months later

³ <https://www.flit.org/wp-content/uploads/2016/09/FLLT-Bookletlo-res.pdf>

⁴ https://www.cayugalake.org/wp-content/uploads/clwrpp_2017_final_4_30_17.pdf

⁵ [https://www.dec.ny.gov/docs/water_pdf/draftcayugatmdl\(1\).pdf](https://www.dec.ny.gov/docs/water_pdf/draftcayugatmdl(1).pdf)

than previously requested. Municipalities also need to submit documentation to Liz of who their representative and alternate is to CWIO.

The Executive Committee will be working on comments to the DEC regarding the CAFO SPDES General Permit under review. The comments are due 2/18/2022 which is before the next CWIO meeting on 2/23. The ExComm is interested in hearing from anyone with technical expertise on this subject. Shawn has briefly looked over the proposed new permit and at a glance sees no red flags.

Agenda Item 8 - Committee Reports

Executive Committee – The Executive Committee is recommending an updated purchase order agreement that would allow Ian Smith to continue work on projects in 2022, especially the successful grants he initiated. He could then also help with hiring a new CWIO Watershed Manager and be on the CWIO Technical Advisory Committee. The POA would allow up to \$8,000 of Ian’s time in 2022.

Resolution 2022-11: Approve 2022 POA for Ian Smith Project Work

Resolved that the CWIO approves renewal of the Purchase Order Agreement (POA) in the amount of \$8000 with the Finger Lakes Institute (FLI) at Hobart and William Smith Colleges (HWS) to assist CWIO with organizational capability and capacity expansion efforts. FLI staff member and Seneca Watershed Steward (SWS), Ian Smith, will continue work on the Six Mile Creek stormwater runoff project, work with CWIO’s new Watershed Manager, and assist CWIO with educational, project implementation and administrative tasks as requested, and further

Resolved that this resolution and the POA be sent to the CWIO Administrative Center--the Town of Ithaca--for their approval.

Moved: Roxy Johnston

Seconded: Tony Del Plato

Vote: Unanimous

The State DEC is reviewing waters on the 303(d) list which is based on designated best uses for water and requires actions to rectify problem areas. CWIO asked for an extension to the comment period which is now 2/10/22. Changes to Cayuga Lake were made adding areas of the watershed due to pH and iron, and delisting areas of the lake for sediment. Roxanna Johnston and Darby Kiley have been working on comments in conjunction with the Monitoring Partnership and request the following resolution:

CWIO Resolution 2022-12: Authorization for the CWIO Executive Committee to Submit Comments on the Proposed New Listings of 303(d) Waters on behalf of the Cayuga Lake Watershed Intermunicipal Organization

Resolved that CWIO authorizes the CWIO Executive Committee to submit comments to the NYS Department of Environmental Conservation on the recently proposed 303(d) listings of waters within the Cayuga Lake Watershed.

Moved: Tom Vawter

Seconded: Kent Hubble

Vote: Unanimous

Nathaniel Launer offered that CSI has data back as far as 2003 that challenges the iron and pH listings of Fall Creek. Roxy add that there is also a problem with the data on Six Mile Creek.

Agenda Item 9 – General announcements – due to the late hour there were none.

Agenda Item 10 – Motion to adjourn

Moved: Tom Vawter Seconded: Roxy Johnston

Submitted by Jackie Cassaniti and Liz Thomas