



Cayuga Lake Watershed Intermunicipal Organization (CWIO)

Wednesday, June 28, 2023

Held VIA ZOOM

Minutes

Members, Associate Members, and Ex-Officio Members Present: Susan Ainslie, Michael Boggs, Jackie Cassaniti, Ben Darfler, Tony DelPlato, Laurie Ervay, Michele Henry, Tee-Ann Hunter, Margaret Johnson, Roxy Johnston, Anne Koreman, Shawn Murphy, Gary Mutchler, Joe Philip, Mitch Rowe, Rebecca Sims, Dave Sprout, Liz Thomas, Michele Wunderlich.

Staff: none

Stakeholders, Partners, and Committee Members Present: Grascen Shidemantle, Bud Shattuck.

Agenda Item 1: call to order

Agenda Item 2: Resolution to approve minutes and monthly financial report

RESOLVED that the CWIO approves the minutes of their 5/24/23 meeting and accepts the financial report ending 5/31/23 with a balance of \$234,110.62.

Moved by: Roxy Johnston, Seconded by: Tee-Ann Hunter. Vote: unanimous in favor.

Agenda item 3: Presentation: Community Science Institute – Grascen Shidemantle, Executive Director.

The CSI mission is “to foster and support environmental monitoring in partnership with community-based volunteer groups in order to better understand our shared natural resources and how to manage them for long-term sustainability and protection.” CSI, started in 2002, now has over 250 volunteers throughout the Finger Lakes. Her talk was about “Navigating Community Science Institute’s Online Water Quality Databases”. She talked about what CSI is, how they make a difference, the “Streams and Lakes Chemistry Database,” the “NEW HAB’s Database” and how to use them, with a glossary, a tutorial on their YouTube channel, and a question and answer segment. Thank you Grascen. Contact Grascen at gshidemantle@communityscience.org.

Question: Tony Del Plato asked how long it takes to test for HAB’s Answer: Three to five days.

Agenda item 4: Rural Community Assistance Partnership

Becky Sims explained the services offered by Rural Community Assistance Partnership (RCAP). RCAP offices are throughout all 50 states. They help with drinking water and wastewater problems; help municipalities find state and federal funds. The service is free to rural communities of less than 10,000 people or have water systems that serve less than 10,000. For more information contact Becky at bsims@rcapsolutions.org 607-233-3824 or <https://www.rcapsolutions.org>

Questions: Tee Ann Hunter asked if Becky could make a presentation to a municipal board. Answer: Yes
Annie Koreman asked about any payments involved with surveys needed to get RCAP help.

Answer: RCAP can provide money for the survey charges.

Michelle Henry asked if Becky could help Newfield get in compliance with INI (public water systems violations). Answer: Yes.

Agenda item 5: Draft Solid Waste Management Plan comments – Roxy Johnston

The New York State DEC has released for comment a draft NYS Solid Waste Management Plan titled *Building the Circular Economy Through Sustainable Materials Management (2023 - 2032)*. It's goal is to protect communities and mitigate the effects of climate change. The plan builds upon sustained efforts to reduce waste and advance the state's transition to a circular economy. The Plan intends to guide actions over the next decade, from the beginning of 2023 to the end of 2032, and builds upon the State's 2010 Beyond Waste Plan.

While the plan is generally very good, Roxy pointed out concerns over the increased land application of biosolid waste from waste water treatment facilities. These biosolids can contain heavy metals and PFAs both of which can leach into drinking water supplies and are very difficult and expensive to remove. The letter at the end of these minutes was approved to be sent in as comments from CWIO.

More about the draft plan is at <https://www.dec.ny.gov/chemical/41831.html>

Resolution authorizing submission of comment letter.

RESOLVED that the CWIO voting membership authorizes the comments letter regarding the draft Solid Waste Management Plan presented and discussed at the 6/28/23 CWIO meeting to be submitted to the DEC.

Moved by: Dave Sprout, Seconded by: Tony Del Plato Vote: unanimous in favor.

Agenda item 6: Consider Resolution to Bridge Funding for Data Visualization Project

Liz asked the CWIO membership to consider a resolution to move forward a data visualization project in conjunction with the Cayuga Lake Watershed Network (CLWN), Community Science Institute (CSI), and CWIO with the assistance of the Central NY Regional Planning and Development Board. CLWN is looking to apply for funding for this joint project through the new Finger Lakes funding opened up through the Finger Lakes Hub. The project would be similar to that done by the University of Maryland for the [Chesapeake Bay](#). The visualization would help to identify subwatersheds most in need of attention, and also identify subwatersheds that need more data.

The project would contract with the University of Maryland to do the work, but may require “bridge” funds to pay the contract before the funds from NYS are received. Therefore the following resolution was introduced.

WHEREAS, a new grant funding opportunity focused on the Finger Lakes was announced on June 5, 2023 with a deadline of July 21, 2023, and one of the eligible project types is Water Quality Monitoring and Research; and

WHEREAS, the minimum award amount is \$25,000, the maximum award amount is \$50,000, the grant requires a 15% match for which in-kind services is allowed, and grant payments are reimbursements; and

WHEREAS, representatives of the Cayuga Lake Watershed Intermunicipal Organization, Cayuga Lake Watershed Network, Community Science Institute, and the NYS DEC Finger Lakes Hub have been discussing a data visualization project to combine water quality datasets from Cayuga Lake tributaries in order to prioritize future management efforts and to gauge the effectiveness of those efforts;
Therefore be it

RESOLVED that if the grant application is successful, CWIO approves the use of up to \$50,000 in CWIO funds to make payments that will be reimbursed by New York State and returned to CWIO's account.

Moved by: Gary Mutchler, Seconded by: Anne Koreman Vote: unanimous in favor.

Questions and Comments:

Tee-Ann Hunter asked if this type of visualization could be used on other Finger Lakes. Grascen said yes, it could serve as a template for others.

Shawn Murphy encouraged bringing in SWCD offices to encourage land-owner buy in.

Agenda item 6: Watershed Manager Report –

Erin Norris took another job. Her last day was June 16. Her June report is online at <https://cwio.org/wp-content/uploads/2023/06/Watershed-Manager-Executive-Summary-06-2023.pdf>.

Agenda Item 7 – Chair Report

- Liz welcomed in new representatives from Cayuga County. Aileen McNabb Coleman, Legislator for Cayuga County is the voting representative and Michele Wunderlich from Cayuga County Planning is their voting alternate.
- On June 13, a special meeting of CWIO voting members convened to approve a hiring process for a new watershed manager.

Resolved that CWIO Voting Members approve the job description and budget for hiring a Watershed Manager for CWIO as proposed, and further

Resolved that CWIO authorizes the CWIO Executive Committee to establish an interview team, a process for interviewing, and may offer the position to the applicant that best meets CWIOs needs.

Moved by: Darby Kiley, Seconded by: Gary Mutchler. Vote in favor: Stephanie Redmond, Tom Vawter, Liz Thomas, Kent Hubble, Susan Ainslie, Ben Darfler, Darby Kiley, Gary Mutchler, Roxy Johnston, Bud Shattuck, Tee-Ann Hunter, Don Slocum, Seth Thomas, Laurie Ervay.

- Dues: Only the Town of Hector dropped out of paying dues in 2023 and CWIO added the Village of Waterloo. There are 39 paying municipalities, and 25 voting members (municipalities that have appointed a representative. The goal for 2023 if ALL municipalities paid their dues was \$67,500. Income for 2023 was \$55,415 or 82% of the goal. The end goal in 2024 is \$90,000 but this will not cover the cost of a watershed manager with cost of living increases. The recommendation from the CWIO finance committee based on Canandaigua and Seneca watersheds was \$130,000 but this amount was not approved back in 2021 by CWIO.
- Dues reminder letters were sent out in May. As of mid-May the dues income for 2023 was had \$30, 689 with a target of \$67,500 if 100% of the municipalities contributed.
- Liz reminded the membership that her 3-year term as Chair expires in 2023.
- A new line of funding specifically for the Finger Lakes has been released through the Finger Lakes Hub which is a part of the DEC. The total amount of funding is \$350,000 with each grant

needing to be between \$25,000 and \$50,000. Municipalities are encouraged to apply and may submit 2 applications.

- The DEC is launching a committee to develop a Finger Lakes Action Agenda (FLAA)

Agenda Item 8 - Committee Reports

Executive Committee –

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TMDL – The letter from CWIO was sent. Other groups sent letters too and the WRC from Tompkins County heard back from the DEC. The CLWN heard back from Senator Lea Webb who expressed interest in meeting and learning more.

Watershed Manager – the ExCom spent quite a bit of time addressing the need to hire once again.

In-Person meeting in August – Tee-Ann Hunter and Ann Balloni are planning an in person meeting in August in the Village of Cayuga from 3:00 to 4:30 with a social networking gathering after.

State Outreach – The ExCom continues to interact with the State Outreach committee on outreach to state representatives.

Biosolids comments on the NYS solid waste management plan submitted.

Agenda Item 9: Reports from Partners

Cayuga County Water Quality Management Agency (WQMA): Michele Wunderlich said the Cayuga County WQMA newsletter will be out soon and they have a YouTube channel also, at <https://www.youtube.com/cayugacountyWQMA>

Submitted by Jackie Cassaniti and Liz Thomas

Comments on the State Solid Waste Management Plan:

Director David Vitale
New York State Department of Environmental Conservation
Division of Materials Management, Bureau of Solid Waste Management
625 Broadway
Albany, NY 12233-7260
Sent via email to: NYSSolidWastePlan@dec.ny.gov

RE: Comments on State Solid Waste Management Plan

Dear Director Vitale,

The Cayuga Lake Watershed Intermunicipal Organization (CWIO) was formed as part of a state funded watershed management planning process whose mission is to:

Bring local governments in the Cayuga Lake watershed together to work collectively and collaboratively with partner agencies and organizations to monitor, protect, and restore water quality throughout the watershed in the face of a changing world.

Guided by planning documents, we identify and advance projects that will benefit water quality, assist local municipalities in accessing state funding, build project partnerships, and coordinate communications and water preservation efforts between the 57 municipalities that are part of the watershed and other water quality stakeholders.

Regarding the draft Solid Waste Management Plan:

CWIO wholeheartedly supports the move towards a circular economy. A fresh and innovative look at our waste streams to maximize opportunities for reduction, reuse, recycling, and even extraction of value from waste streams, are important steps towards creating a sustainable economy.

We do not support the goal of increasing land application of biosolids as described in the draft Solid Waste Management Plan. Biosolids are known sources of per- and polyfluoroalkyl substances (PFAS) contamination. There is extensive knowledge regarding PFAS exposure and negative human health outcomes. There can also be negative impacts for farms where biosolids application leads to PFAS contamination of the soil or farm products. Maine's Department of Agriculture, Conservation and Forestry¹, has a program to "support farmers facing PFAS contamination and to help them remain viable. Achieving that goal can be time-consuming, resource intensive, and costly" to the farmer. New York has no such program.

The draft Solid Waste Management Plan acknowledges that biosolids are a source of PFAS contamination. It references EPA's effort to determine safe levels and New York's work with SUNY ESF to quantify PFAS in biosolids. These are important steps but do not reduce contamination occurring from biosolid applications occurring now.

Considering the demonstrated negative impacts of PFAS on human health and agricultural operations, it is unwise to continue to apply biosolids to any land without testing and treatment to remove the risk of PFAS contamination.

We request the state suspend all land application of biosolids until they can be tested and determined to be free from PFAS contamination. We realize that this would increase biosolids landfilling and would not remove PFAS from the waste stream. It would, however, take this source of PFAS out of direct contact with our crops. It would also reduce PFAS contamination of our streams and lakes from runoff from agricultural lands. Pausing biosolid land application would provide time for New York to pass legislation banning the use of these compounds in manufacturing and give researchers time to develop viable treatment technologies to remove them from our waste streams.

¹ <https://www.maine.gov/dacf/ag/pfas/index.shtml#impact>

CWIO supports the PFAS discharge disclosure act, Bill A03296, currently under consideration, but would ask for more. The proposed monitoring of New York State permitted (SPDES) discharges will help identify PFAS sources. It will also help downstream communities make informed decisions about the quality and usability of their water resources. It does not, however, provide an expedited path to reducing or removing PFAS from SPDES discharges. Many of the SPDES dischargers who will be subject to this bill are publicly owned municipal wastewater treatment facilities or small privately operated wastewater systems. As currently written, this bill will put the financial burden for testing on taxpayers and small treatment plant operators, not the polluters. Also, most of these facilities do not have the capability to treat PFAS. The required treatment upgrades will take years to complete and cost millions of dollars.

The public has a right to know where PFAS are concentrating in their environment. However, providing that information without robust financial and administrative support from the state to remediate PFAS contamination would be a disservice to the public and the utilities.

We suggest the state initiate the following efforts prior to any increase in land application of biosolids:

- Identify the originating sources of PFAS contamination and stop that input.
- Pass legislation banning the use of PFAS in manufacturing and in products sold in New York.
- Development treatment technologies that are economically viable to remove PFAS from our wastewater discharges and drinking water systems.
- Develop a rapid response program that provides financial and technical support for treatment upgrades to wastewater utilities who discover PFAS in their effluent and to drinking water utilities who discover PFAS in their source water or finished product.

The draft Solid Waste Management Plan includes recommendations for monitoring, research, and legislations actions in its goals. Actionable dates extend into the 2030's. We request that the actions listed above be put in place prior to considering increased land application of biosolids.

CWIO applauds the state in their vision to reimagine waste and move towards a circular economy.

With respect to biosolids though, we believe the goal of increasing land application without first removing the risk of PFAS contamination is counterproductive. Minimizing the spread of contaminants is the best way to reduce the cost of treating wastewater and the best way to protect downstream drinking water sources. It is also an excellent way to protect human health. We ask the state to alter their approach to biosolids and make an investment in stopping the sources of PFAS, developing viable/affordable treatment technologies, and expediting implementation of those technologies where they are needed.

With great respect and appreciation,

Elizabeth G. Thomas
Chair, Cayuga Lake Watershed Intermunicipal Organization (CWIO)
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