

**Cayuga County Water Quality Management Agency
February 3, 2022 Meeting Minutes
Meeting conducted virtually on 8x8**

Members or Designees Present: Doug Dello Stritto, Jeff Emerson, Doug Kierst, Ron Kuck, Seth Jensen, Steve Lynch, Pat Mooney, Eileen O'Connor, Dale Powell, Ed Wagner, Dan Welch, Carl Wiezalis

Others Present: Jillian Aluisio, Sam Beck-Andersen, Ally Berry, Jeremy Boyer, Lauren Darcy, Adam Effler, Emily Fell, Ani Fish, Olivia Green, Tee-Ann Hunter, Tyler Knapp, Aaron McKeon, Frank Moses, Greg Rejman, Michele Wunderlich

Announcements

None.

Old Business

Minutes

The minutes from the January 6, 2022 WQMA meeting were reviewed. Jeff Emerson made a motion to accept the January 6, 2022 minutes as written. Dale Powell seconded the motion and it passed unanimously.

New Business

Draft 2020-2022 Clean Water Act Section 303(d) List of Impaired/TMDL Waters

Michele Wunderlich read the draft resolution on the draft 2020-2022 Clean Water Act Section 303(d) List of Impaired/ TMDL Waters (Attachment A). Steve Lynch made a motion to put the resolution on the floor; Seth Jensen seconded the motion.

The pros and cons of the proposed resolution were discussed.

Seth Jensen made a motion to amend the resolution by adding an additional Whereas after the third one; "WHEREAS, while the Cayuga County Water Quality Management Agency recognizes that many waterbodies in the County are in great condition, there are some areas that do not meet their best uses; and." Seconded by Jeff Emerson.

Emily Fell suggested adding "at all times" to the end of the Whereas.

Seth Jensen made a motion to amend the resolution by adding an additional Whereas after the third one; "WHEREAS, while the Cayuga County Water Quality Management Agency recognizes that many waterbodies in the County are in great condition, there are some areas that do not meet their best uses at all times; and;" and to approve this amended resolution. Seconded by Jeff Emerson. Votes were as follows:

Dan Welch: no	Ed Wagner: yes	Eileen O'Connor: yes
Doug Dello Stritto: yes	Seth Jensen: yes	Steve Lynch: yes
Doug Kierst: no	Pat Mooney: no response	Dale Powell: no response
Jeff Emerson: yes		

Motion carried.

Presentation

Olivia Green presented “Our Lakes Depend on Us: Water Quality in the Finger Lakes.”

WQMA Priority Working Groups Reports

Michele Wunderlich distributed the Cayuga County WQMA 2021 Year End Report to members and designees. Dan Welch made a motion to approve the Cayuga County WQMA 2021 Year End Report as written. Ed Wanger seconded the motion and it passed unanimously.

Michele Wunderlich stated that she will be working on the Cayuga County WQMA 2022 Work Plan for vote on at the next meeting.

Agency Reports

Cayuga County Health Department

Eileen O’Connor reported that they are currently planning a class on wastewater system inspection for new and current inspectors and it will be held in the last week in March.

Department of Parks and Trails

Doug Dello Stritto thanked the City of Auburn and Cayuga County Soil and Water Conservation District for their work with them on the embayment area in front of the sluiceway pipes that they cleaned out last year. There has been quite a bit of flow through the sluiceway pipes so the cleanout was successful.

He stated that they lost a section of the west retaining wall on Deauville Island and the County Legislature passed a resolution in January to fund its repair. He stated that Doug Kierst put together a design that has been reviewed by Engineering Firms to replace the entire west concrete seawall and it is currently under review by the New York State Department of Environmental Conservation for permitting.

They are waiting for a New York State Department of Environmental Conservation permit to dredge the Deauville Island channel in the spring. He reported that the contracts have been signed for Sterling Nature Center and they are waiting on a mobilization date.

Cayuga County Department of Planning and Economic Development

Steve Lynch stated that resolutions for the following will go through his department to the County Legislature this month:

- Funding for the Community Science Institute’s Cayuga Lake tributary monitoring
- Funding for the Finger Lakes Institute’s Owasco Lake monitoring
- Funding for Cayuga County’s portion of Community Science Institute’s Harmful Algal Bloom monitoring in Cayuga Lake
- To accept Finger Lakes Lake Ontario Watershed Protection Alliance funding
- Funding to support the Cayuga Lake Watershed Intermunicipal Organization (CWIO).

Steve Lynch reported that Michele Wunderlich has joined the CWIO as a non-voting technical advisor upon their request.

Cayuga County Soil and Water Conservation District (SWCD)

Doug Kierst reported that they completed the majority of a project on Hemlock Creek in the Town of Locke to alleviate flooding issues. They are also working on emergency repairs on a couple projects from the summer storms.

Doug Kierst stated that they had fifty people recycle Christmas trees through the Trade-A-Tree program and they are doing their annual tree sale.

Cooperative Extension of Cayuga County

Dan Welch reported that the County Legislature has increased their budget in 2022 and they will be joining regional ag extension teams. This will give them more expertise and support for farmers and increase their ability to do some applied research on County farms. He reported that they are advertising for a position to work with farmers on water quality. At the March 3rd WQMA meeting, Joe Lawrence and Kirsten Workman from the ProDairy Program will discuss considerations that farmers have to think through when planting cover crops.

City of Auburn

Seth Jensen reported that the City of Auburn continues to work on capital projects. The majority of his focus over the last month has been on the biosolids improvement project at the wastewater treatment plant. They are currently nearing an estimated \$60 million capital cost upgrades to the wastewater treatment plant, which will be the largest capital project the City has ever undertaken. He stated that they are looking at including a city-wide inflow and infiltration study in this project.

Lake Reports

Cayuga Lake Report

Tee-Ann Hunter reported that the CWIO finalized their job description for the watershed manager which is being funded for two years by a Park Foundation grant. They are working out the details to have the Finger Lakes Institute house the position with landing places around Cayuga Lake. They hope to have someone in that position by this summer. She reported that Soil and Water Conservation District representatives presented at the last CWIO meeting. Finally, she reported that the dues letters have gone out for funding the CWIO.

Cross Lake/Seneca River Report

Carl Wieszalis stated that they believe the water level is down significantly from December, but there is ice cover so it is hard to tell.

Lake Como Report

Pat Mooney reported that they have signed a contract with Solitude to treat the weeds in the lake this coming spring. It is quiet and there is a lot of ice and ice fisherman on the lake.

Skaneateles Lake Report

Frank Moses reported that the Skaneateles Lake Association (SLA) is continuing their Hemlock Woolly Adelgid surveys with engagement to landowners and coordination with the Onondaga County Soil and Water Conservation District around Firelane 16 (Hemlock Hollow) with

funding from USDA GLRI grant. They are also coordinating some treatment and filling in gaps in areas without surveys.

The Lake Friendly Living Coalition of the Finger Lakes meeting is February 10th and they are focusing on climate change and lake friendly living. He stated that the SLA is looking at doing a mini grant program to provide funds for projects on shared private roads.

Partner Reports

Central New York Regional Development and Planning Board

Aaron McKeon reported that they are working with the CWIO to hold a virtual public meeting on March 16th at 4:30 pm on their project that prioritized water quality improvement projects submitted by municipalities in the Cayuga Lake watershed. He reported that they are helping to coordinate five virtual stormwater trainings and the first is March 9th on post construction stormwater practices. Finally, he reported that they are starting work on the Skaneateles Lake 9E plan.

Finger Lakes Institute/Finger Lakes Partnership for Regional Invasive Species Management (PRISM)

Sam Beck-Andersen stated that he is the aquatic Invasive Species Program Manager for the Finger Lakes PRISM. He reported that their field crews covered over 21,000 acres and conducted over 18,000 rake tosses looking for hydrilla and other invasive species in high priority areas. The treatment of the Lansing Marina is going out to bid and the United States Army Corps of Engineers will continue their treatment of the hydrilla in Cayuga Lake at Aurora while the Finger Lakes Institute will continue to survey for hydrilla plants and tubers. They are currently doing a Hemlock Woolly Adelgid campaign; are promoting for their volunteer trail and tree of heaven surveys and their macrophyte surveys for the summer; are currently hiring; and they are working on translating spotted lanternfly information into Spanish.

Owasco Lake Watershed Management Council (OLWMC)

Adam Effler stated that the OLWMC will also be submitting a letter to the NYSDEC to add Owasco Lake to the 2020-2022 Clean Water Act Section 303(d) List of Impaired/ TMDL Waters. He introduced Jillian Aluisio who is the new inspector in the Inspection and Protection Division. He reported that they have swapped out the Hyfi water level sensor at Dutch Hollow Brook and adjusted it to reduce bridge interference; have prepared their annual report and will be presenting it to the City of Auburn in March; had their annual meeting with the New York State Department of Environmental Conservation; are working with Cayuga County Soil and Water Conservation District on contract requirements for their Conservation Kick Grant; revising a previously submitted grant; are looking at submitting a Great Lakes Commission grant for sediment reduction and have an article on road salt for *The Citizen*.

Partners for Healthy Watersheds

Greg Rejman reported that the new CAFO draft permit is out for review and comment; the water withdrawal deadline is approaching; and there are proposed changes to overtime to change it from 60 to 40 hours. He stated that they will participate in the Finger Lakes Regional Water Authority zoom meeting with Senators O'Mara and Helming asking for increased funding to Soil and Water Conservation Districts. Finally, Olivia Green gave her presentation to them on zoom.

Miscellaneous

Jeff Emerson made a motion to adjourn. Seth Jensen seconded the motion and it passed unanimously. The meeting was closed at 12:02 am.

Attachment A (Draft Resolution Brought to the Board):

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has released the Draft 2020-2022 Clean Water Act Section 303(d) List of Impaired/Total Maximum Daily Load (TMDL) Waters for public comment; and

WHEREAS, the Cayuga County Water Quality Management Agency reviewed and discussed this list and the data available; and

WHEREAS the Cayuga County Water Quality Management Agency understands the importance of protecting the waters within the County; and

WHEREAS, the Consolidated Assessment and Listing Methodology (CALM) that NYSDEC uses to determine which waters are impaired and should be on this list allows the use of both narrative and numeric health water quality standards in 6 NYCRR, Part 703 to determine whether a water body supports its best use; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) is legally mandated to enforce the U.S. Clean Water Act and the Safe Drinking Water Act in order to safeguard the public from contaminants in drinking water that cause adverse health effects; and

WHEREAS, the NYSDEC has been delegated authority by EPA to enforce the Clean Water Act in order to safeguard public health from contaminants in drinking water; and

WHEREAS, a narrative standard in 6 NYCRR 703 states that for all classes of water bodies, taste, color, and odor producing, toxic and other deleterious substances shall not be present in amounts that will adversely affect the taste, color or odor thereof, or impair the waters for their best usages; and

WHEREAS, based upon data from raw water samples collected by the Town of Owasco and the City of Auburn at their respective water treatment plants from 2017 to 2021, cyanotoxins are present in amounts that impair the water for its use as a drinking water supply and in 2021, the level of microcystin in the raw water was as high as 8.37 ppb; and

WHEREAS, the drinking water and bathing beach standards set by the NYSDOH is 0.3 ppb and 4 ppb respectively; and

WHEREAS, due to elevated levels of cyanotoxins, Owasco Lake currently does not support its best uses as both a drinking water supply and primary contact recreation; and

WHEREAS, the NYSDEC report “Proposed Nutrient Criteria for Water Supply Lakes and Reservoirs” by Cliff Callinan et al. reported that levels of chlorophyll a should not exceed 6 ppb to prevent the formation of disinfection by-products in drinking water from exceeding the maximum contaminant level set by Subpart 5-1 of the New York State Sanitary Code; and

WHEREAS, according to data collected in the CSLAP program in the time period between 2017 and 2019, Owasco Lake had levels of chlorophyll a up to 19.4 ppb, and in addition, during this time period, the following public water systems that purchase water produced by the City of Auburn were in violation in that their drinking water exceeded maximum contaminant levels of disinfection by-products: Brutus, Montezuma, Fleming/Springport, Aurelius Water District #2, and Aurelius Water District #3; and

WHEREAS, due to elevated levels of chlorophyll a, Owasco Lake currently does not support its best use as a drinking water supply and therefore should be included on the Draft 303(d) List provided to the EPA; and

WHEREAS, another narrative standard in 6 NYCRR 703 states that for all classes of water bodies there shall be no increase of turbidity that will cause a substantial visible contrast to natural conditions; and

WHEREAS, there have been numerous instances following even minor rain events in which water discharging from the Owasco Inlet, Dutch Hollow Brook, and minor streams into Owasco Lake contrasts significantly to natural conditions; and

WHEREAS, increased sediment can harm aquatic ecosystems by damaging habitat and impacting the food web; and

WHEREAS, according to data collected in the NYSDEC's 2019 Finger Lakes Tributary Program, the total phosphorus concentration in Sucker Brook and an unnamed tributary off of Widewaters Road averaged 46.4 ppb and 94.1 ppb, respectively, exceeding the NYSDEC guidance level of 20 ppb, and

WHEREAS, NYSDEC's 2018 Finger Lakes Tributary Program data, the average total phosphorus levels for Veness Brook, Sucker Brook, and the Owasco Inlet exceeded 20 ppb, with values as high as 122 ppb in Veness Brook and 111 ppb in the Owasco Inlet, and

WHEREAS, excess phosphorus causes algae blooms that can in turn result in low levels of dissolved oxygen that harm fish and impact water odor and color restricting recreational uses. Non-point source nutrient enrichment also impacts aquatic life (macroinvertebrates); and therefore it be

RESOLVED, that Owasco Lake currently does not support its best uses as a drinking water supply and primary contact recreation and the Cayuga County WQMA states that should be included on the Draft 2020-2022 303(d) List provided to the EPA; and be it further

RESOLVED, that Dutch Hollow Brook, Sucker Brook, Veness Brook, the Owasco Inlet and minor tributaries into Owasco Lake do not support their best use of fishing and contact recreation and the Cayuga County WQMA states that it should also be included in the Draft 2020-2022 Clean Water Act 303(d) List of Impaired Waters (Draft 303(d) List); and be it further

RESOLVED, the Cayuga County Water Quality Management Agency requests the Chair to forward this resolution to all appropriate agencies immediately following the approval of the resolution.

Attachment B (Approved resolution):

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has released the Draft 2020-2022 Clean Water Act Section 303(d) List of Impaired/Total Maximum Daily Load (TMDL) Waters for public comment; and

WHEREAS, the Cayuga County Water Quality Management Agency reviewed and discussed this list and the data available; and

WHEREAS the Cayuga County Water Quality Management Agency understands the importance of protecting the waters within the County; and

WHEREAS, while the Cayuga County Water Quality Management Agency recognizes that many waterbodies in the County are in great condition, there are some areas that do not meet their best uses at all times; and

WHEREAS, the Consolidated Assessment and Listing Methodology (CALM) that NYSDEC uses to determine which waters are impaired and should be on this list allows the use of both narrative and numeric health water quality standards in 6 NYCRR, Part 703 to determine whether a water body supports its best use; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) is legally mandated to enforce the U.S. Clean Water Act and the Safe Drinking Water Act in order to safeguard the public from contaminants in drinking water that cause adverse health effects; and

WHEREAS, the NYSDEC has been delegated authority by EPA to enforce the Clean Water Act in order to safeguard public health from contaminants in drinking water; and

WHEREAS, a narrative standard in 6 NYCRR 703 states that for all classes of water bodies, taste, color, and odor producing, toxic and other deleterious substances shall not be present in amounts that will adversely affect the taste, color or odor thereof, or impair the waters for their best usages; and

WHEREAS, based upon data from raw water samples collected by the Town of Owasco and the City of Auburn at their respective water treatment plants from 2017 to 2021, cyanotoxins are present in amounts that impair the water for its use as a drinking water supply and in 2021, the level of microcystin in the raw water was as high as 8.37 ppb; and

WHEREAS, the drinking water and bathing beach standards set by the NYSDOH is 0.3 ppb and 4 ppb respectively; and

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WHEREAS, according to data collected in the CSLAP program in the time period between 2017 and 2019, Owasco Lake had levels of chlorophyll a up to 19.4 ppb, and in addition, during this time period, the following public water systems that purchase water produced by the City of Auburn were in violation in that their drinking water exceeded maximum contaminant levels of disinfection by-products: Brutus, Montezuma, Fleming/Springport, Aurelius Water District #2, and Aurelius Water District #3; and

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WHEREAS, there have been numerous instances following even minor rain events in which water discharging from the Owasco Inlet, Dutch Hollow Brook, and minor streams into Owasco Lake contrasts significantly to natural conditions; and

WHEREAS, increased sediment can harm aquatic ecosystems by damaging habitat and impacting the food web; and

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RESOLVED, that Dutch Hollow Brook, Sucker Brook, Veness Brook, the Owasco Inlet and minor tributaries into Owasco Lake do not support their best use of fishing and contact recreation and the Cayuga County WQMA states that it should also be included in the Draft 2020-2022 Clean Water Act 303(d) List of Impaired Waters; and be it further

RESOLVED, the Cayuga County Water Quality Management Agency requests the Chair to forward this resolution to all appropriate agencies immediately following the approval of the resolution.