WATERWORKS

FEDERATION OF LAKE ASSOCIATIONS

Fall 1986
Volume 2
No. 4

Vegetation Control: Putting Computers to Work

Cayuga County has been involved in aquatic vegetation control for over a decade and has now begun to integrate the use of computers in much of its work. Although significant advantages have been evident in using these new tools to help with routine administration, this article deals primarily with the use of new programs and techniques to help in monitoring the effectiveness of various treatment techniques. New applications are also discussed which hold great promise in monitoring and treating the causes of excessive vegetation, particularly erosion, non-point nutrient plants. Work on these new techniques has been greatly assisted by guidance from the Lake Assessment Bureau and by local assistance funding from the New York State Department of Environmental Conservation.

An important part of the control program is directed at the source of nutrients entering the lakes where vegetation is a problem. While significant work is annually done by the County Soil and Water Conservation District under the direct supervision of Jon Drosses, his harvesting and direct treatment activities are only a part of the story. A separate monitoring program is being coordinated by the County Environmental Management Council and Planning Board, under the supervision of Bob Brower. Computers are being used to assist in data gathering activities which are needed to describe base-line nutrient loading and to analyze land based conditions in the watershed through which the subject stream runs.

There are two types of computer program being used to undertake these tasks. One is a data base program, (dBase) and the other is a Geographic Information System (GIS).

Data Base Programs and Geographic Information Systems

A field station has been installed at the mouth of Dutch Hollow Brook, which is a tributary to Owasco Lake. The tributary drains a watershed which is some 22,000 acres in size. The field station houses several pieces of equipment, one of which is a microprocessor with a small memory. It is connected by an underground and underwater cable to a sensor mounted underwater, 10 inches off the bottom of the stream. Readings which describe the amount of water flowing through the stream into the lake are taken by the sensor every 15 minutes. Theses are stored temporarily in the microprocessor. The information is periodically down loaded into

a portable computer through cables which connect the two pieces of equipment. The information is carried into the office whiere it is then loaded into a microprocessor, again via cable.

The information describing flow is thus taken from a micro-cassette storage medium to a floppy disk, where it can be manipulated by a customized dBASE program. The manipulation makes it possible to correlate flow with water quality samples taken with another piece of equipment at the field station, the sampler. Water samples thus taken are analyzed for nutrient content and sediment loading, during critical high water "events" such as rainstorms or snow melts.

Low flow conditions are similarly monitored to add to a total "loading" picture for the tributary, over an extended period of time. Baseline data has been collected in this manner for about a year and a half and is contributing greatly to an understanding of the loading characteristics of this stream.

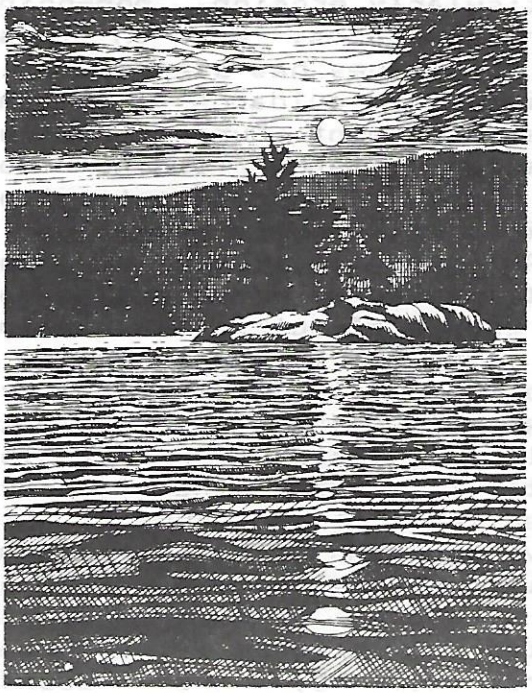
This information in turn contributes to additional work having to do with what happens to the nutrient load once it enters the lake. A limnological "lake management" model is being constructed under the direction of William Catto who is in charge of the Cayuga County Health Department. This work is directly under the supervision of Dr. Steven Effler of the Upstate Freshwater Institute, and his affiliate, Harry Greer of Cayuga Community College. Similarly the information contributes a measure of effectiveness for land based corrective measures designed to reduce the nutrient loading from the stream. It is in this arena that the GIS program is used.

The GIS (Geographic Information System), allows us to store and manipulate mapped information which in this case describes conditions in the Dutch Hollow Brook watershed. Since soils data can be entered, soil interpretation maps can be done by the computer. This allows the potential to use the system in planning stream bank stabilization efforts. Maps can be generated which indicate for example, severely erodible soils within 500 feet of the tributary. Land use maps can also be stored and analyzed, and then "overlayed" in the same critical areas. In general then, we can track changes in land use patterns over time, and map stabilization projects while continually monitoring impacts in the consequent loading characteristics of the stream.

If efforts to control erosion are effective, declines in suspended solids should be observed. To the extent that erosion is a vehicle for carrying nutrients into the stream, and into the Lake, reductions in nutrient levels should also be measurable. Such efforts could contribute to a reduced population of nuisance vegetation in the lakes.

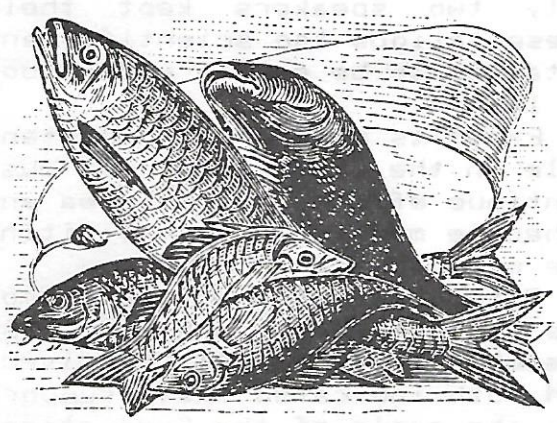
Citizens' Statewide Lake Assessment Program

Preserving Water Quality in New York State



Bass and Panfish Management- A Pilot Program for Lake and Pond Owners of New York State

Cornell University is offering a unique opportunity for lake and pond owners (lake associations, clubs, individuals, etc.) to participate in a program of bass and panfish management. This demonstration project is being sponsored by Cornell Cooperative Extension, the Department of Natural Resources, and the Renewable Resources Extension Program (RREP). Research during the past 10 years has shown that, with the help of cooperating anglers, data can be collected which will provide information needed to manage fish populations through size selective harvest. It has also been demonstrated that microscopic zooplankton provide important clues about the size structure and balance of fish populations. This project seeks to apply these research findings to a program of bass and panfish management. This project will require cooperating lake owners to participate in sampling, mostly while fishing, and to support the work on their lake with a very low cost grant. Specific management goals will be developed for each lake. In order to participate, groups or individuals should own or exercise substantial control of the lake or pond. For more information, write to Dr. David M. Green or Dr. Edward L. Mills, Cornell University Biological Field Station 5114 Shackelton Point Road, Bridgeport, New York 13030 or call (315) 633-9243.



New York State Federation of Lake Associations Scientific Advisory Board 1986-1987

Officers and Executive Committee:

Chairman - R. Warren Flint
Vice Chairman - William Morton
Secretary - Scott Sherwood
Past Chairman - Bruce Gilman

Mr. William Banaszewski, Community College of the Finger Lakes, Canandaigua, New York 14424 (716) 394-3500.

Mr. Michael Gann, Inland Fisheries Section, NYS DEC, Albany, New York 12233 (518) 457-5698.

Dr. Carl George, Biology Department, Union College, Schenectady, New York 12305 (518) 370-6330.

Dr. Joe Makarewicz, Dept. Biological Sciences, SUNY College, Brockport, New York 14420 (716) 395-5750.

Dr. Ed Mills, Cornell University Biological Field Station, RD #1, Bridgeport, New York 13030 (315) 633-9243.

Dr. Francis Smith, Community College of the Finger Lakes, Canandaigua, New York 14424 (716) 394-3500.

Dr. Robert Werner, 275 Illick Hall, SUNY College of Environmental Sciences and Forestry, Syracuse, New York 13210 (315) 470-6804.

Dr. Donald Adams, Center for Earth and Space Science, SUNY, Plattsburgh, New York 12901 (518) 564-4037.

Dr. Jay Bloomfield, Lake Services Section, NYS, DEC, Albany, New York, 12233 (518) 457-7470.

Mr. Bruce Gilman, Community College of the Finger Lakes, Canandaigua, New York 14424 (716) 394-3500.

Mr. Dean Long, LA Partnership, 468 Broadway Street, Saratoga Springs, New York 12866 (518) 587-8100.

Dr. R. Warren Flint, Research Center, SUNY College, Oswego, New York 13126 (315) 341-3639.

Dr. Herman Forest, Biology Department, SUNY College, Geneseo, New York, 14454 (716) 245-5279.

Mr. Russell James, Ecoscience, RD 4, Box 208, Moscow, Pennsylvania 18444 (716) 842-7631.

Dr. Thomas Storch, Environmental Resources Center, SUNY, College, Fredonia, New YUork 14063 (716) 672-4984.

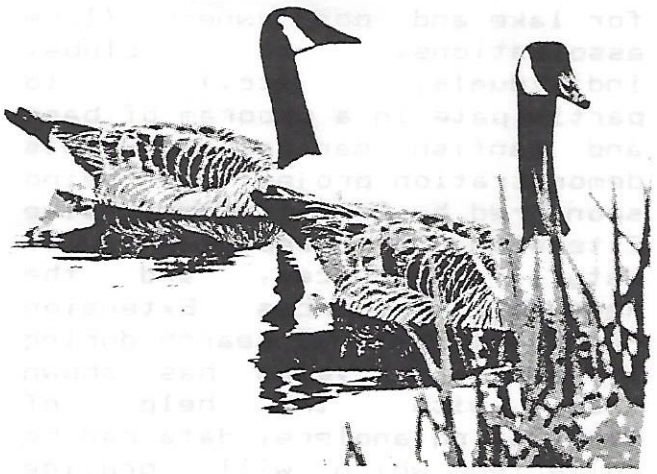
Dr. Thomas Young, Department of Civil and Environmental Engineering, Clarkson University, Potsdam, New York 13676 (315) 268-4430.

Mr.Robert Brower, Cayuga County Planning Board and Environmental Management Council, Auburn, New York 13021 (315) 253-1276.

Mr. Charles Morrison, Bureau of Land Resources Management, DEC, Albany, New York 12233 (518) 457-0904.

Mr. William Morton, Bureau of Water Quality Management, DEC, Albany, New York 12233 (518) 457-9871.

Mr. Scott Sherwood, Center for Governmental Research, Rochester, New York 14608 (716) 325-6360.



Federation of Lake Associations Conference
Colgate University
June 7, 8,1986

The Conference attracted 103 registrants plus ten walk-ons, thirteen exhibitors and nine advisors, as well as eighteen speakers.

A great deal of the success of the Conference was due to a planning meeting held with Messers. Gilman and Sanzone. This enabled the Scientific Advisory Board to have major program input.

The program was kept on schedule. All speakers offered the opportunity for questions at the end of their presentations. Only two speakers kept their presentations too scientific and detailed to be easily understood by layman.

Exhibits played an important role in the Conference; we must continue effort in this area and schedule more time for visiting the exhibit area.

Both major speakers (one from the State Senate, one from the Assembly) were well received, and both indicated their support for the goals of the Federation.

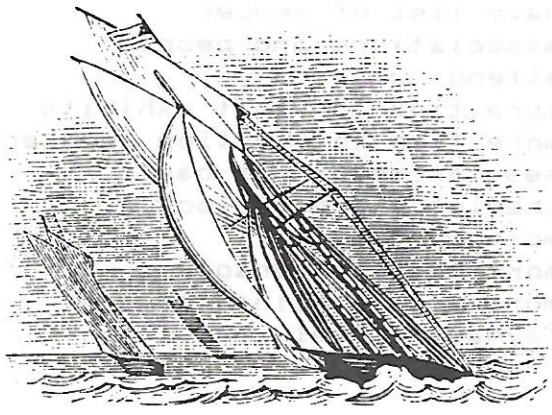
Suggestions for Future Conferences

1. Definitely schedule more time for visiting the exhibits.
2. Continue the Friday "rap session" and perhaps schedule a second such session at the end of Saturday evening's formal program. (This session should be confined to the day's program topics, with the speakers sitting as a panel.)
3. The evaluation sheet idea should be continued for future planning.
4. I feel that we should use active members on the program who have done some down-to-earth problem solving.
5. With budgetary control and continued interest in the conference, it would seem that it is time to consider offering speakers at least an expense honorarium.
6. The Board of Directors might consider setting up a central public relations committee. This committee could function all year with spot items, and ould be of great assistance to the Conference Director in getting publicity, and even corporate support. Being an official branch of the Federation, the committee could establish State-wide media contacts and therefore have more clout in getting releases before the public.
7. Adjourning the Conference after the Sunday noon meal is the best closing time. However, I do not think that the major speaker should be scheduled at this meal.
8. If we must have "political type" speakers, I suggest it be limited to one, to speak at the Saturday evening meal.

Summary of 1986 Conference Evaluation Sheets

45 forms were returned

1. Was the pre-conference information adequate?
   yes 40 no 5
2. On a scale of 0-5 (5 top rating) rate the general format of the conference.
-the average score was 4.4, indicating that the conference format met with general approval.
3. In your judgement, what was the most important part of the program?
   A few of the most repeated opinions:
-ramifications of being a private lake
-testing programs
-non-point sources of pollution
-alternatives to waste systems
-meeting and talking with other "lakers"
-Friday evening group discussion
-Senator Hoffman
-political techniques - Swart and Brower
4. List topics that you feel should be included in future conference programs.
-more hands-on, practical information - "how to" advice and techniques
-permit information
-more on fish management
-sources for self-help material
-more time for questions



-alternatives to harvest/chemicals
-liability insurance
-home rule concept
-methods of contacting, informing and involving lake association members
-legislation review - pending bills
-funding sources and procedures for applying, etc.
-regulations and methods for establishing weed or aquatic districts
-case studies and workshops
-organization of regional "federations"
-identifying problems and short-term and long-range prevention

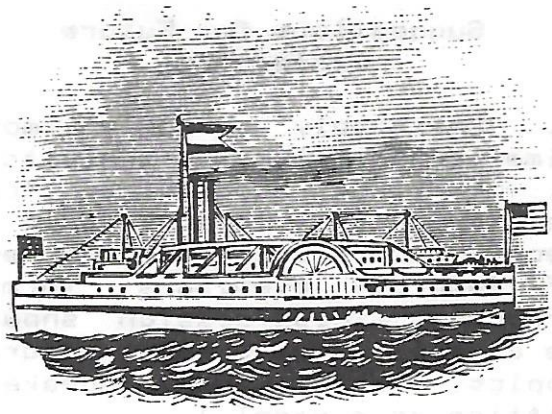
Note: Many other topics suggested - the above were most prominent.

5. List speakers who you feel would contribute to future programs.

Planning and zoning speakers:
-Dr. Robert Rubin, North Carolina State University - Agricultural engineer
-Professor William Sharp, Penn State - Dept. of Agriculture
-Someone from fisheries
-Richard Boos, NYS Dept. of State - Land Use Regulations
-Art Cooley, Durkee Lane, E. Patchoque, NY - Environmental Defense Fund

6. General Comments
-too many presentations in one day
-have list of member associations and people attending
-more time to visit exhibits
-more time to question speakers
-session needed on basic chemistry and biology
-more hand-outs
-more media coverage
-more presentations at the layman's level

Mark S. Randall
Program Director



Canandaigua Lake Speed Bill signed by Governor

Canandaigua Lake now has a daytime speed limit of 45 mph and a nighttime limit of 25 mph. This law became effective as soon as the governor signed the bill this summer. A maximum speed of 5 mph will also apply within 200' of shore or fixed object.

First time violators of the new law will be fined from $25 to $100 or imprisoned for up to thirty days. Repeat offenders could receive a $500 fine or 180 days jail term.

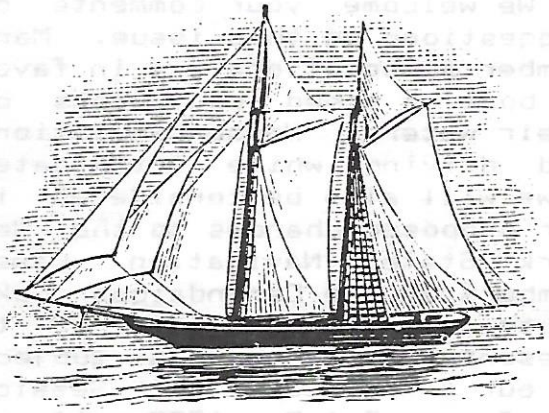
Such legislation was proposed strongly supported by CLPW and a local task force comprised of area citizens and officials headed by Town of Canandaigua Supervisor Jim Holdon.

Earlier this summer, Cuomo signed a bill making it unlawful to operate a boat while intoxicated. This bill was the result of a compromise of two separate bills in the State Assembly and Senate. CLPW supported the Senate version that included "implied consent" which we feel is very important for effective enforcement of the law. Unlike similar laws in at least thirteen other states, our New York State law will exclude "implied consent." Proper enforcement is questionable because of the restrictions in the law.

Federation of Lake Associations, Inc.

President's Message
November 14, 1986

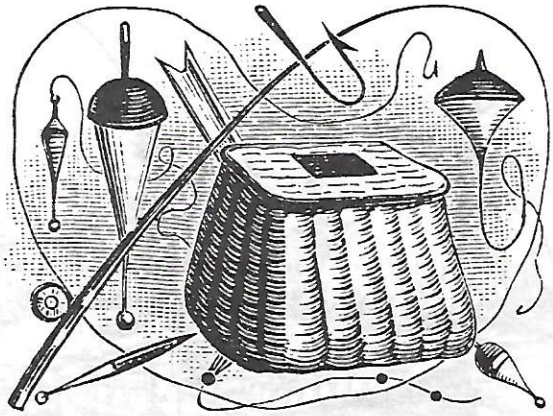
Twenty-five (25) member associations just finished a first successful year of the five (5) year program of the Citizens' State Wide Lake Assessment Program. It is anticipated that this program will continue and other associations will be invited to join this program. Monies are not presently on hand, but we are planning this program assuming monies will be available. Scott A. Kishbaugh, N.Y.S.D.E.C. coordinator and Tracey Clothier, Federation of Lake Assocation, Inc. coordinator, revealed to us their unique, all encompassing talents as exemplified in the results of the data collected by the twenty-five (25) lakes during the first year of sampling. We are planning to again use these coordinators' talents next year (1987).



R. Warren Flint, 1986-87 Scientific Advisory Board Chairperson, is breathing new life and direction into the Scientific Advisory Board. The current committee structure of the Scientific Advisory Board is to be dissolved, and the committee will address its problems in a holistic manner. The present main objective of the Board shall be:

1. Education and Extension Activities
2. Clearinghouse and Liason Functions
3. Development and Dissemination of Issue Papers

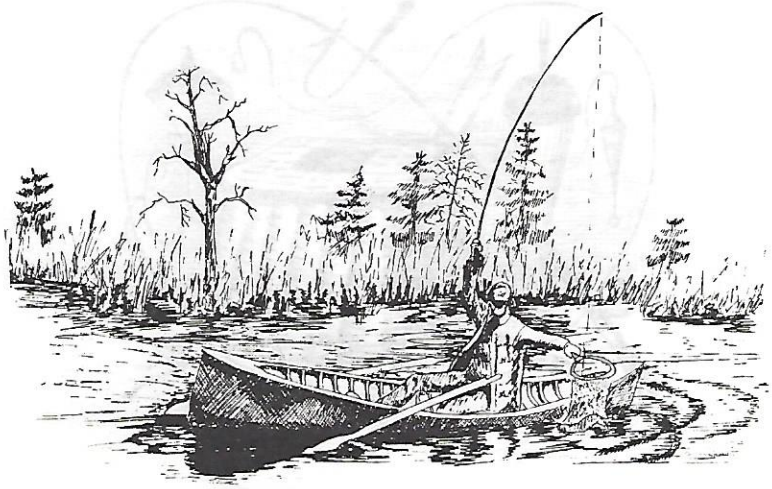
Why should you care? Because you're probably the closest person to the problem and most likely to experience the negative effects of a failing system (and it will probably happen while you have guests)...and because failing systems represent a threat to the quality of the lake water. The release of inadequately treated sewage triggers unwanted plant growth in streams and the nearshore areas (where you swim) and carries the threat of diseases as well.



Some of the signs of a failing septic system are:
-slow flushing action
-back-up of effluent into household drains or toilets
-septage odors near septic tank or drainfield
-ponding over surface of drainfield, or any surface discharge from system

Failure can result from:
-unsuitable site or improper installation
-blockage within the system
-damage to piping, septic tank, or drainage lines
-overloading of septic system

So how do you know if your septic system needs work? If you can't remember the last time it was pumped out then it's safe to say it needs it now. Generally, septic tank scum and sludge should be pumped out every 2 to 5 years and inspected regularly. How often a tank needs pumping depends on the size of the tank and the number of people served. As shown in the sketch below, the tank is filled with three layers. The solids collect in the bottom (sludge), the floating material (scum) collects at the top, and the water occupies the middle third before passing out to the



R. Warren Flint assumed an additional responsibility of chairing the annual scientific conference committee consisting of past chairman Mark S. Randall, Jaya Bhattacharyya, and any other members of his choosing. One of the themes of the conference will be land use and watershed planning as it effects lake basins. A holistic approach to this theme will be used. The conference and annual meeting will be held on June 5,6,7 at Oswego, New York on the campus of the State University of New York at Oswego.

The Canandaigua Lake Pure Waters, Ltd. under the direction of its president, Ed Perego and Robert L. Rohrer, Chairman of the Boating Safety Advisory Committee, were instrumental in establishing boating regulations on the waters of the Canandaigua Lake. These are found in the New York State Navigation Laws 1986, Chapter 805, Section 45 aa.

Your Board of Directors at its fall meeting of October 1986 asked the Federation of Lake Association Inc. to seek means of changing the New York State Navigation Laws of Chapter 805, Section 45 aa applicable to all navigable waters within New York State.

Some of these changes would be:

1. Daytime maximum boat speed 45 mph.
2. Nightime maximum boat speed 25 mph.
3. Maximum boat speed 5 mph within 200 feet of shoreline, dock, pier, raft or bouyed boat.

We welcome your comments or suggestions on this issue. Many member associations are in favor of boating speed regulations on their waters. Noise regulations and driving while intoxicated laws will also be considered in our proposed changes to the New York State Navigation Laws. Members of the Canandaigua Lake Association, Ltd. offerred to present a paper on this subject at our Annual Scientific Session on June 5,6,7, 1987 if a sufficient interest in this subject is made known.

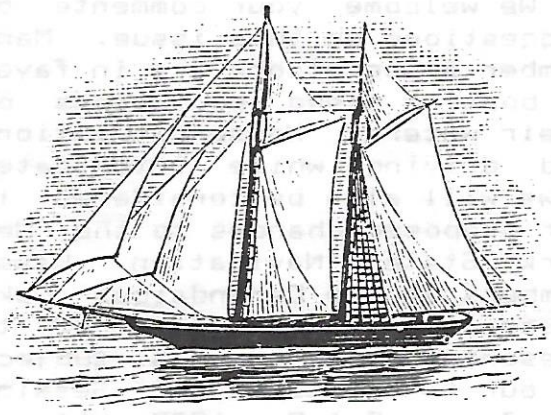
The Federation of Lake Associations Inc. shall continue to seek with your support any and all means to fulfill our common goal of seeking pure waters throughout New York State waters.

John W. Colgan, President
Federation of
Lake Associations, Inc.

Federation of Lake Associations, Inc.

President's Message
November 14, 1986

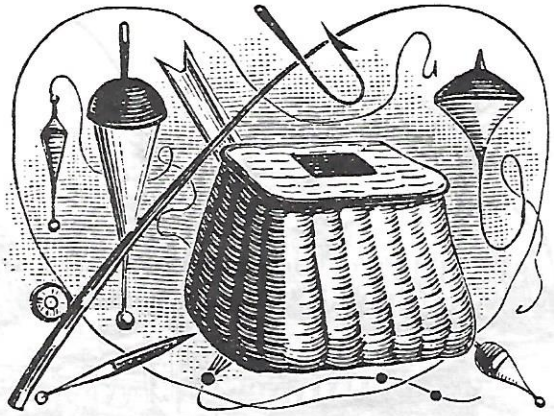
Twenty-five (25) member associations just finished a first successful year of the five (5) year program of the Citizens' State Wide Lake Assessment Program. It is anticipated that this program will continue and other associations will be invited to join this program. Monies are not presently on hand, but we are planning this program assuming monies will be available. Scott A. Kishbaugh, N.Y.S.D.E.C. coordinator and Tracey Clothier, Federation of Lake Assocation, Inc. coordinator, revealed to us their unique, all encompassing talents as exemplified in the results of the data collected by the twenty-five (25) lakes during the first year of sampling. We are planning to again use these coordinators' talents next year (1987).



R. Warren Flint, 1986-87 Scientific Advisory Board Chairperson, is breathing new life and direction into the Scientific Advisory Board. The current committee structure of the Scientific Advisory Board is to be dissolved, and the committee will address its problems in a holistic manner. The present main objective of the Board shall be:

1. Education and Extension Activities
2. Clearinghouse and Liason Functions
3. Development and Dissemination of Issue Papers

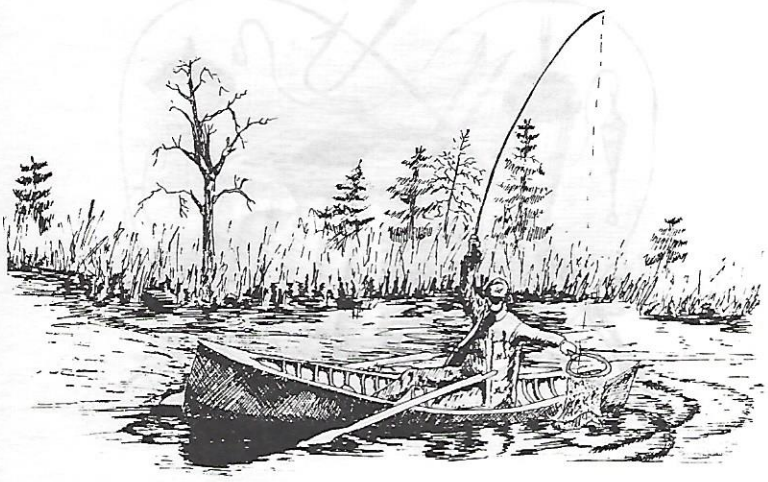
Why should you care? Because you're probably the closest person to the problem and most likely to experience the negative effects of a failing system (and it will probably happen while you have guests)...and because failing systems represent a threat to the quality of the lake water. The release of inadequately treated sewage triggers unwanted plant growth in streams and the nearshore areas (where you swim) and carries the threat of diseases as well.



Some of the signs of a failing septic system are:
-slow flushing action
-back-up of effluent into household drains or toilets
-septage odors near septic tank or drainfield
-ponding over surface of drainfield, or any surface discharge from system

Failure can result from:
-unsuitable site or improper installation
-blockage within the system
-damage to piping, septic tank, or drainage lines
-overloading of septic system

So how do you know if your septic system needs work? If you can't remember the last time it was pumped out then it's safe to say it needs it now. Generally, septic tank scum and sludge should be pumped out every 2 to 5 years and inspected regularly. How often a tank needs pumping depends on the size of the tank and the number of people served. As shown in the sketch below, the tank is filled with three layers. The solids collect in the bottom (sludge), the floating material (scum) collects at the top, and the water occupies the middle third before passing out to the



R. Warren Flint assumed an additional responsibility of chairing the annual scientific conference committee consisting of past chairman Mark S. Randall, Jaya Bhattacharyya, and any other members of his choosing. One of the themes of the conference will be land use and watershed planning as it effects lake basins. A holistic approach to this theme will be used. The conference and annual meeting will be held on June 5,6,7 at Oswego, New York on the campus of the State University of New York at Oswego.

The Canandaigua Lake Pure Waters, Ltd. under the direction of its president, Ed Perego and Robert L. Rohrer, Chairman of the Boating Safety Advisory Committee, were instrumental in establishing boating regulations on the waters of the Canandaigua Lake. These are found in the New York State Navigation Laws 1986, Chapter 805, Section 45 aa.

Your Board of Directors at its fall meeting of October 1986 asked the Federation of Lake Association Inc. to seek means of changing the New York State Navigation Laws of Chapter 805, Section 45 aa applicable to all navigable waters within New York State.

Some of these changes would be:

1. Daytime maximum boat speed 45 mph.
2. Nightime maximum boat speed 25 mph.
3. Maximum boat speed 5 mph within 200 feet of shoreline, dock, pier, raft or bouyed boat.

We welcome your comments or suggestions on this issue. Many member associations are in favor of boating speed regulations on their waters. Noise regulations and driving while intoxicated laws will also be considered in our proposed changes to the New York State Navigation Laws. Members of the Canandaigua Lake Association, Ltd. offerred to present a paper on this subject at our Annual Scientific Session on June 5,6,7, 1987 if a sufficient interest in this subject is made known.

The Federation of Lake Associations Inc. shall continue to seek with your support any and all means to fulfill our common goal of seeking pure waters throughout New York State waters.

John W. Colgan, President
Federation of
Lake Associations, Inc.

As a result of the laws, Canandaiqua Lake will undoubtedly be safer and more enjoyable for all of us. Canandaiqua Lake Pure Waters applauds the many state, county and local officials and the many concerned citizens who recognized the need for such legislation and were willing to support and work for such laws.

CLPW is hopeful noise pollution legislation will be successful during the next legislative session.

Ed Perego
President, CPLW

Septic System Maintenance

Many people are not aware that septic systems need any maintenance, so it might be worthwhile to cover the basics since so many of the residences in the watershed are equipped with them. If you are connected to one of the sewer districts then this article will not concern you, but if not then please read on.

leach field for absorption into the ground.

As the sludge and the scum collect overtime, they get closer together reducing the available capacity of the system until it is overloaded and the solids and scum will escape into the absorption field where they will clog the drainage lines, preventing the effluent from percolating into the surrounding soil. If the problem goes this far, it can be very expensive to dig up the leach lines and unplug them.

You should have your septic system pumped out by a NYS-DEC-permitted scavenger waste hauler; this is not a job for the do-it-yourselfer. A list of the permitted haulers is available through the DEC or they are probably advertised in your yellow pages.

Please give this important matter the attention it deserves and you, your neighbors and all of us who enjoy the lakes will benefit.

Scott D. Sherwood
Environmental Consultant
Canandaiqua Pure Waters, Ltd.

The Board of Directors thank acting Waterworks editor, Keith McKenna, for doing a fine job on this issue.

MEMBERSHIP CATEGORIES

Associations with up to 99 members ..... $30.00/yr.
Associations with 100 to 199 members ..... $50.00/yr.
Associations with 200 or more members ..... $100.00/yr.
Individual .....$15.00/yr. Corporate ..... $100.00/yr.

Membership dues over $5.00 are tax deductible contributions to the Federation of Lake Associations, to be used for educational, scientific and public information activities of the Federation.

APPLICATION FOR MEMBERSHIP

THE FEDERATION OF LAKE ASSOCIATIONS, INC., 273 HOLLYWOOD AVE., ROCHESTER, NY 14618

Type of Membership (please check) ☐ Association ☐ Individual ☐ Corporate

Association Name: _____

Assoc. Address: Street _____ City _____ State _____ Zip _____ County _____

President/Contact Person: _____

Summer Address _____ Winter Address _____

Summer Phone ( ) _____ Winter Phone ( ) _____

Federation of Lake Association History and Purpose

The Lake George Association Inc. in cooperation with the New York State Department of Environmental Conservation, convened on June 5, 6,1983 a conference of the New York State Lake Associations. As the result of this conference, The Federation of Lake Associations Inc. was formed.

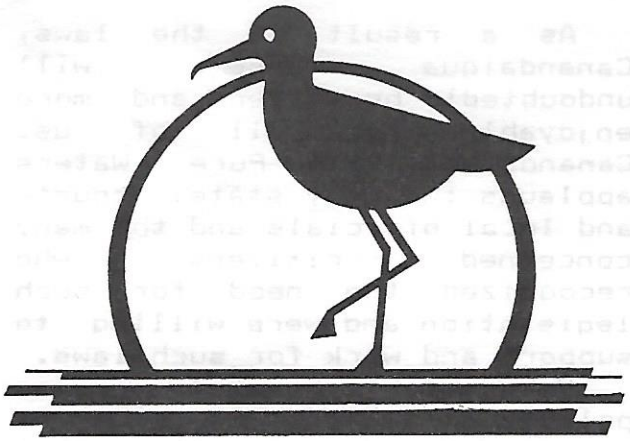
On September 17, 1983 a Steering Committee met in Albany, New York. The steering Committee became the Board of Directors of the Federation of Lake Associations Inc. The By Laws were written and the formalities of establishing a non-profit, charitable organization were initiated under the 501 (c) (3) of the Internal Revenue Code of 1954 as amended. Concurrently the Federation of Lakes Inc. was formed in accordance with 501 (c) (4).

The Federation of Lakes Inc. shall lobby, monitor and report on legislation and administrative actions affecting water quality.

The Federation of Lakes Inc. has the following purposes:

1. Provide a coordinating structure for environmental causes.
2. Provide for the wise use and appreciation of the lakes of New York State.
3. Provide a pool of technical knowledge and expertise to advise and assist member associations.
4. Provide liason with other environmental groups.
5. Provide liason and coordination among various agencies such as:

    a. Soil Conservation Service
    b. County Conservation Service and Districts
    c. County and Municipal Planning Boards
    d. Environmental Committee or Commissions
    e. New York State Department of Environmental Conservation



6. Provide information and expert advice to legislative bodies during the formative phases of writing bills dealing with environmental causes affecting watesheds.
7. Provide coordination of lake-related research projects.

To fulfill these purposes the Federation of Lake Associations Inc. will call upon the local associations for creative ideas, people expertise, and financial support. Related environmental associations and any individual dedicated toward our stated purposes are welcome to help us obtain our goals.

Assuming the active continuing involvement of its members, the Steering Committee set out the following goals.

1. To promote and support leaders among the participating Lake Associations and individual members who will create and implement environmental programs.
2. To engage in fact finding, research and data correlation in our mutual areas of environmental concern.
3. To establish effective communication channels between the Federation members; appropriate agencies; and the public.
4. To promote public understanding and public support in lake environmental management matters, through informational and educational meetings.
5. To assemble facts, scientific expertise for appropriate local, state and federal agencies; to devise cooperative programs directed toward our common goals.

The policies of the Federation of Lake Associations Inc. shall be:
1. Non-profit, non-partisan.
2. Respect for and upholding the policies and actions of the independent and autonomous member associations.

These policies will allow the Federation to act as a repository and informational clearing house in all matters pertaining to environmental management of New York State lakes.

Legislation Report, 1986 Session

The 1985-86 sessions of the state legislature considered at least eight bills of interest to lake associations. Four bills, having to do with noise, pumpout facilities, licensing and fund reimbursement did not pass. Two passed, one establishing "DWI" style rules for boating and one regulating dock construction.

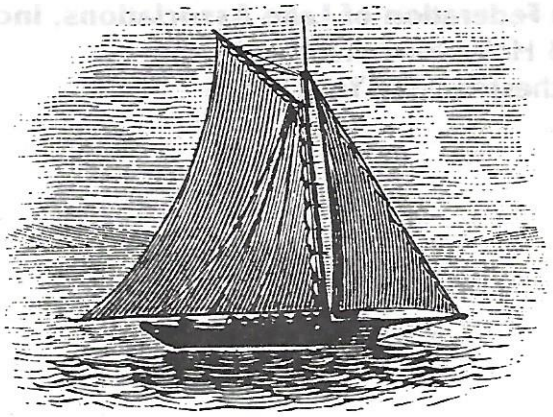
Beyond the specific content of these bills, a point of interest is that some of them were "home-rule" bills. "Home Rule" is a term meaning that a bill constitutes legislation to permit specific local entities such as towns and villages to pass their own laws. The legislature passes such home-rule bills as a way to satisfy constituencies without committing the whole state to statutory change on matters which may only be of interest to those constituencies. Often the changes sought would be illegal or unconstitutional without such permission.

Sometimes a bill may be intended for statewide change but contain some constituency interest specifically. A bill introduced in both houses would have regulated the noise levels of boat engines statewide. The bill specifically included the tidewaters of Nassau and Suffolk counties. It did not pass. Another which did not pass would have required sewage pump out facilities at marinas offering overnight docking.

A third bill would have limited size variations allowed in installation of engines in boats. It was directed at preventing over-powering of boats beyond manufacturers specifications. This failed bill, along with the two above were sponsored in the senate by Senator Levy.

A fourth failed bill, introduced by Senator Perry, would have set up a system of state reimbursement to counties for the cost of things like vegetation contol. It was a home-rule bill in spirit, because it did not involve state initiation of control efforts. It merely said that if a county decided on an acceptable plan, the state would pay back 50% of the cost.

Finally on the failed side of the ledger were two bills which would have established regulations resembling existing automobile operating laws. One would have set up a commission to study proposals requiring insurance coverage for motor boats. The other would have required licensing of boat operators.



A bill which did pass would have been more easily enforced had one or both of these last bills had also passed. This bill, now law, sets up specific definitions for "Boating while Intoxicated" charges against individuals, and also sets up rules for implementation by police agencies. Since, however, there is no "license" to lose or insurance to revoke in case of conviction, enforcement will be difficult. (See additional story).

The legislature also passed a bill permitting certain towns in Monroe county to pass and enforce laws controlling the construction of docks and boathouses in those counties. It is this bill which most perfectly illustrates the home-rule concept: It is narrowly applicable to named locations and it simply permits local legislation. The only state involvement is a clause requiring that new local laws be consistent with state and federal law.

Legislature Passes "BWI' Law

The New York State Legislature has passed a bill setting up specific criminal definitions and penalties for persons convicted of operating a motorboat while intoxicated or impaired. While the new law mirrors existing laws governing the same actions committed while driving a car, companion bills which would have set up a system by licensing for operators and which would have required insurance for boats and operators did not pass, making enforcement of the new law a difficult process.

The new law runs to 250 lines of text, including specific directions for enforcement. Local lake associations should be sure to obtain copies and to forward them to policing agencies. Cooperation together with well managed timing of arrests, test and arraignments will be necessary if the new law is to be of use.

Waterworks is published four times a year. Individuals who wish to submit material or articles to Waterworks are welcome to contact the editor: Tracey M. Clothier, RR #2 Box 2300, Lake George, NY 12845. For additional copies of Waterworks and address changes, contact: Dr. John Colgan, President, 273 Hollywood Ave., Rochester, NY 14618, (716) 271-0372. Please note that all mail should be sent through the Rochester office.

The Federation of Lake Associations, Inc.
273 Hollywood Avenue
Rochester, New York 14618