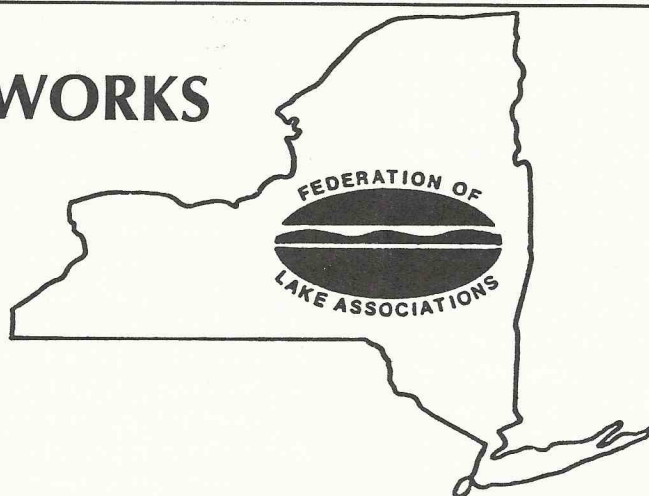


# WATERWORKS



SUMMER 1988  
Volume 4  
No. 3

## CANANDAIGUA LAKE PURE WATERS LTD. WELL PLANNED COORDINATED EFFORTS PAY OFF

Canandaigua Lake is one of five glacially formed Finger Lakes located in central and western New York State. The lake is seventeen miles long, has an average width of about 1.5 miles and measures 300 feet at its deepest point. Due to the glacial formation, the entire lake is surrounded by steep and beautiful hills. To complete the picture, there are seven independent municipalities including the city of Canandaigua and two counties, Ontario and Yates, surrounding the shoreline.

It is interesting to note that the Indian word, Canandaigua, translates to "Chosen Place". Over time, Canandaigua has served as not only the chosen place for the Iroquois but, more recently, has become the "chosen place" for a great many people. There are thousands of homes, cabins and condominiums on the shoreline and many times that number in hills that comprise the watershed. Along with this rapid growth in development has come the inordinate increase in boat density and noise on the lake itself thus adding additional pressures on the lake and its watershed.

Canandaigua Lake Pure

Waters, Ltd. (CLPW), which currently includes more than 800 family and corporate members, was formed twenty years ago to protect the quality and safety of Canandaigua Lake. Over the past several years, the increased boating activity on the lake has developed into a major community concern. Among those concerns is a recent increase in the number of boating accidents which spurred CLPW into action.

Over the past three years, members of CLPW have been pleasantly surprised to find how effective a well planned, coordinated effort can be. Canandaigua Lake now has state mandated laws covering boat speed limits, boating while intoxicated (BWI), and noise pollution. As a result, it is very clear that Canandaigua Lake has become a quieter and safer place to be during the past two summers.

Here is how it all started. In the fall of 1985, we appointed a Lake Use Safety Committee, chaired by a Director of CLPW, to study the problems and report back to the CLPW Board with its findings and recommendations. This committee met about five or

six times over the course of several months and then presented its final recommendations to the CLPW Board in early 1986. The following is a summary of the recommendations which CLPW adopted from their report.

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CLPW recommends immediate pursuit of goals and supporting legislation that are reasonably attainable in the near term (1986/87). These efforts should be coordinated and highly focused at both the state and local levels. Issues that are more controversial or that require considerable study and legislative effort should be deferred until after implementation of the short-term recommendations.

### SHORT-TERM RECOMMENDATIONS:

We recommend five specific changes to the New York State Navigation Law to improve boating safety and enjoyment for all users of our inland lakes and waterways. Similar changes have already been made in many other states and have been under consideration by the New York State Legislature for some time.

(continued on page 10)



## MESSAGE FROM THE PRESIDENT...

The Federation of Lake Associations, Inc. has had a very good year. In the six years of our existence, we have grown to include 230 members, including 73 individual members, 84 associations of up to 99 members, 32 associations of 100 to 199 members, 28 associations of over 200 members, and 13 corporate members. This represents a minimum of 28,000 people.

The Federation held its 5th annual Scientific Conference and Annual Meeting at Keuka College in June. The Conference was very successful and covered many topics concerning comprehensive lake and watershed management planning.

This will be our third year of the Citizens' Statewide Lake Assessment Program (CSLAP), which is conducted jointly with the New York State Department of Environmental Conservation. After several years of hard work and conscientious participation by volunteers, CSLAP has now developed into the leading citizen lake monitoring program throughout the United States.

This year we have fifty-three lakes participating in CSLAP. Throughout the summer season, lake volunteers collect water samples which are then sent to Albany for analysis. The long term water quality trends which are generated can be valuable when establishing short and long term management plans for lakes throughout the state. If your lake association is interested in receiving additional information about CSLAP, please contact me at the Federation of Lake Association, Inc. office, 273 Hollywood Avenue, Rochester, NY 14618 and/or Scott Kishbaugh at the Bureau of Water Resources, NYS DEC, 50 Wolf Road, Albany, NY 12233-0001.

The Federation of Lake Associations, Inc. office in Rochester continues to be run by volunteers. Anne Saltman of Cazenovia is a Consulting Executive to our Association and editor of our quarterly newsletter, *Waterworks*. Donald S. Mazzullo of Harter, Secrest, and Emery law firm in Rochester is our lobbying representative. Our yearly working budget of \$26,000 takes care of the expenses of running the Citizens' Statewide Lake Assessment Program, and the publishing of *Waterworks*.

The Board of Directors will be working on several on-going and exciting new projects during the coming year.

1. The Citizens' Statewide Lake Assessment Program has been very successful and we hope to add several new lakes next summer.
2. We are now in the process of establishing a program to test for acid rain in selected areas of New York State.

## BOARD OF DIRECTORS New York State Federation of Lake Associations

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3. We will continue our cooperative work with the New York State Department of Environmental Conservation in a scientific and positive fashion to study and implement methods of protecting lakes, rivers and other waters in New York State.
4. We will continue to seek new members and associations to help us in our endeavors and will work closely with other organizations or associations which share common goals.
5. We will continue to support the Scientific Advisory Board of the Federation of Lake Associations, Inc.
6. The Board of Directors will hold the next annual meeting and Scientific Conference at Keuka College, Keuka Park, New York in June, 1989. Among the subjects to be addressed are some practical approaches to lake management issues, and to place more emphasis on defining the problems of small lakes in New York State. We also hope to discuss immediate and long-term remedial solutions to these problems.

This is your association and we encourage you to become more involved. We welcome new ideas, new workers, and new zeal.

Sincerely,

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



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## **PLEASURE BOATING LEGISLATION**

### ***An Update of the 1987-1988 New York State Legislative Session***

The 1987-1988 Session of the New York State Legislature proved to be one of the most active sessions in history with respect to pleasure boating legislation. A wide range of legislation related to pleasure boating has been introduced, with the bulk of it related to boating safety requirements. Some of these bills have statewide applicability while others are restricted to specific localities. Local bills are referred to as "home rule" bills and only effect their locality. Due to the large amount of legislative activity, the following is only an attempt to outline a number of the more significant bills that were proposed during the 1987-1988 Session.

#### **New Laws**

Several home rule bills have become law since the Session commenced. The first bill, which the Governor signed nearly a year ago, establishes maximum noise levels for pleasure vessels on Canandaigua Lake. The bill reduces the permissible decibel level, in two stages, depending on the year of manufacture of a boat. It was introduced by Senator Kehoe and Assemblyman Talomie.

Another law regulates the speed limit on Irondequoit Bay. The law establishes a speed limit of 25 mph on the Bay generally and a speed limit of 5 mph when a vessel is less than 200 feet from shore. The purpose of this bill is to lower the wake in order to lessen possible damage to docks and piers, and to reduce the risk of personal injuries. The bill was introduced by Senator Kehoe and Assemblyman Robach.

A third bill adopted this Session regulates the speed limit on Greenwood Lake, Orange County. A maximum speed limit of 45 mph during the day, and 15 mph at night, has been imposed. This bill was introduced by Senator E. Levy and Assemblywoman McPhillips.

#### **Boating While Intoxicated**

There are four bills which have been introduced this Session related to Boating While Intoxicated (BWI). They all propose to toughen up on BWI and propose to make the definition of and penalties for BWI similar to Driving While Intoxicated (DWI). The first bill proposes that BWI be measured at a .1 BAC level. This is the same requirement for DWI. The bill, sponsored by Senator N. Levy, has passed the Senate and is currently in the Assembly Transportation Committee, where it will likely remain this year.

Two other bills, one sponsored by Senator Padavan with a companion in the Assembly Rules

Committee, and the other sponsored by Assemblyman Bianchi, also call for a strengthening of Chapter 450 of the Laws of 1986, the original BWI statute. Law enforcement officials have found Chapter 450 difficult to enforce. The last bill, sponsored by Senator Trunzo and Assemblyman Cochrane, would allow BWI to be a component of a county's STOP-DWI plan. The purpose of this bill is to educate the public on the growing problem of BWI. The U.S. Coast Guard has estimated that more than 50% of all boating accidents are alcohol related.

#### **Horsepower**

Two bills relating to horsepower regulation have been introduced. The first bill, introduced by Assemblyman Connor, would prohibit certain vessels to be equipped with engines of a horsepower greater than specified by the manufacturer. The bill has passed the Assembly and is currently in the Senate Tourism Committee.

The second bill, sponsored by Senator N. Levy and former Assemblyman Halpin, would require operators of motor boats with engines in excess of 25 horsepower to be holders of a boating safety certificate. The bill is currently in the Senate Tourism Committee, while its companion is not an active bill this year.

#### **Noise Level**

Two bills regulating noise level have been introduced. The first bill, sponsored by Senator Kuhl and Assemblyman Davidsen, is a "home rule" bill. It proposes to regulate the noise level on Keuka Lake. Vessels would be prohibited from operation on Keuka Lake if their noise level is above 86 db at full throttle. The bill has already passed both Houses and is awaiting delivery to the Governor.

The other bill, sponsored by Assemblyman Bianchi and Senator N. Levy, proposes a blanket noise level requirement for the entire State. The bill would require that by September 1, 1992 all new boats would be subject to a noise limitation of 82 db. This would be phased in by lowering the db starting this year, with the maximum noise level being 86 db. The bill is on its third report in the Senate, while its companion is in the Assembly Rules Committee.

The aforementioned proposals represent only a few of the many bills that have been or are still being considered during this legislative Session. In all, over 40 bills related to boating safety and lake preservation have been introduced in 1987 and 1988.

If you would like an expanded version of this report, or if you have a question regarding a specific bill or law, contact:

Donald Mazzullo, Esq.  
HARTER, SECREST & EMERY  
700 Midtown Tower  
Rochester, New York 14604 •



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OF LAKE ASSOCIATIONS  
SCIENTIFIC ADVISORY  
BOARD 1987-1988**

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Governmental Research  
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**ON THE LOCAL SCENE . .**

**ACCOMPLISHMENTS OF THE BLACK LAKE ASSOCIATION**

Black Lake is unique in its beauty. It is the largest of the Indian River Lakes and is about twenty miles long and four miles across at the widest point. The shoreline is very irregular, creating an abundance of bays, and islands are scattered throughout the lake. These beautiful bays are now being choked with weeds and are filling in with silt. In this respect, Black Lake is not unique. We have the same excess vegetation that many other lakes throughout New York State are experiencing.

The battle against the weeds started before we had created a lake association. In 1980, a small amount of weeds were harvested with financing provided by private donations. The availability of State money later enabled us to complete three years of studies on non-point source pollution and on the effects of weed harvesting in our lake. In the meantime, the Black Lake Association was formed in 1983 and a larger number of property owners got involved.

There are a lot of organizations and agencies available to help lake associations and we have managed to find a few. The St. Lawrence County Environmental Management Council (EMC) helped us apply for funding through the State Senator's office and through the Adirondack North Country Association (ANCA). At that time, we knew that our problems started in the watershed but did not know where to start to remedy it.

The St. Lawrence Eastern Ontario Commission (SLEOC) and the EMC have helped us to form a Lake Protection District. Our lake is in five towns within one county, so our County Legislature is able to establish a district of this type. The final approval of the district is still pending, but we're not sitting still. In the meantime, we have sent a survey to each property owner around the lake to learn what they think are important lake concerns. We were overwhelmed with the pleas to "cut the weeds" or "get rid of the weeds".

We are also working with the Soil Conservation Service (SCS) and the Soil and Water Conservation Districts (S&WCD) of St. Lawrence and Jefferson Counties. A major portion of our watershed is located in these two counties with the remaining watershed found in Lewis County.

The Resource Conservation and Development Council is giving us organizational help to form a three-county Watershed Steering Committee, designed to review several projects to reduce nutrient input to the lake. Settling ponds for barnyard run-off and "dual purpose wetlands" have been suggested by a core group of interested organizations involved with this Steering Committee. Efforts from this group have helped secure \$50,000 from the State for sedimentation and phosphorus loading studies. We hope that the results from these studies will aid the SCS and S&WCD to develop land practices which will benefit the lake.

A major change in our watershed and potential threat to our lake is the expansion taking place at Fort Drum. The base is the new home of the 10th Mountain Division and is located mostly within our watershed. We are now experiencing rapid population growth in the small villages and hamlets along the Indian River. Fort Drum has been referred to as the biggest single military expenditure since World War II, and it is all right here within an hour drive from our lake. Unfortunately, none of the towns on the lake shore have protective ordinances, and the word "zoning" is not well received.

Black Lake is participating in the Citizens' Statewide Lake Assessment Program this year to help monitor our water quality trends. This will be especially important in light of the Fort Drum expansion project. Our enthusiastic volunteers were ready even before the program was put into the state budget.

We are trying to slow the nutrient input to our lake as well as address the mistakes of the past. A total management plan will look to the watershed for long-term solutions and weed harvesting for some immediate relief. Everyone within the watershed has a role in the future of our lake. Four newsletters a year go to everyone around the lake in order to keep all of our residents well informed.

Our message is an old one and certainly not original. "If you're not part of the solution, you're part of the problem."

by Margaret J. Schaefer

President, Black Lake Association, Inc. •



## THE FEDERATION OF LAKE ASSOCIATIONS ANNUAL CONFERENCE

In June the Federation of Lake Associations, Inc., (FOLA) held its annual conference at Keuka College, overlooking Keuka Lake. At the conference, which was co-sponsored by the Keuka Lake Association, Inc., and the Water Resources Board of the Finger Lakes Associations, Inc., interested homeowners, lake managers, and members of the scientific community from throughout New York State gathered for a beautiful weekend to hear speakers present information on lake and watershed management planning.

During a Friday night "rap" session, moderated by Conrad Tunney from the Finger Lakes Association, discussions centered on the value of lake resources to the community. The responsibilities of the Finger Lakes Association and the Water Resources Board were summarized. Robert Hanson, from the New York Department of State, discussed the role of the Inland Waterways Program, and Tom Hirshel, a sociologist from Cornell University, spoke about the impact of the tourist economy on rural lake populations. John Miller then finished up with a presentation on the accomplishments of the Twitchell Lake community in dealing with a lake water quality issue during the past several years.

In his presentation on Saturday morning, Langdon Marsh discussed how individual property owners and state and local governments are involved in lake management issues. He encouraged homeowners to work with local governments and to use all the available tools to help manage their lake environments. Donald Mazzullo, the FOLA lobbyist, also presented a talk on initiatives for legislation on both the state and local levels.

An update of CSLAP was presented by Scott Kishbaugh. He commented on the reliability of the volunteers involved in the lake monitoring program and discussed future CSLAP projects such as copper sulfate effectiveness in lakes, acid rain monitoring, expansion to year-round testing, and the idea of broadening the number of sampling locations.

On Saturday afternoon, several speakers gave presentations on management issues concerning watershed activities. Much of the afternoon was devoted to methods of evaluating the natural resources within the lake watershed and the use of computers in the process of data analysis.

Long-term management alternatives were also discussed. Land acquisition, local planning, land use controls, and the role of individuals and lake associations were some of the options summarized as protective measures for land and water resources.

A brief annual business meeting was followed by a wine and cheese reception, sponsored by the Keuka Lake Association. Shortly thereafter was a chicken barbeque where the conference participants gathered on an informal basis. After dinner, Daniel Barolo, Director of the Division of Water at the DEC, summarized water programs and initiatives for 1988. Toxics, groundwater, infrastructure, acid rain, and accountability were some of the topics that he discussed. Education and public participation were emphasized as key ingredients for the successful implementation of water resource projects.

Sunday's topics covered an overview of the specific lake and watershed management plans which had been developed on Lake George in New York State as well as for Wallon Lake in Michigan. The conference concluded in the early afternoon with a presentation by Craig Doran entitled "When does municipal regulation become a taking of private property?"

All in all, the annual conference proved to be a great success. One of the central issues this year dealt with homeowners making a continued effort on the local level to learn more about their watershed. By addressing the causes of their lake problems through an analysis of land-use activities within the watershed, both short and long-term solutions can be developed. Emphasis was placed on the key ingredients for effective lake management decisions including reliable background information, a thorough knowledge of the natural and cultural resource base, perseverance, and long-term perspective.

Our special thanks go to Dr. Warren Flint, conference coordinator and director of the FOLA Scientific Advisory Board, who organized the conference agenda, to Dr. and Mrs. John Colgan, to Robert Canfield (Keuka Lake Association) and Pam Mahan (Keuka College) who all worked to conscientiously handle the technical details which allowed the weekend to progress so smoothly. ●

Those who attended the FOLA annual conference at Keuka College may, upon request, obtain a list of conference participants by contacting Dr. John Colgan, FOLA President, 273 Hollywood Avenue, Rochester, NY 14618.



*Langdon Marsh, Executive Deputy Commissioner at the NYS Department of Environmental Conservation, gave a presentation at the FOLA Annual Conference in June. The following article represents the first portion of his talk. Subsequent sections will be printed in later issues of Waterworks.*

## **DEC ASSISTANCE FOR LAKE MANAGEMENT**

by

Langdon Marsh,  
Executive Deputy Commissioner  
NYS Department of  
Environmental Conservation

Presented at the  
Annual Conference  
of the  
New York Federation  
of Lake Associations, Inc.,  
Keuka College, June 10, 1988

I'd like to spend some time this morning describing what DEC can do to help local lake associations with lake management problems. I also want to remind you about what you can do to help yourselves.

New York State is blessed with water—rivers, streams, lakes and ponds. It is amazing, given the fragility of our lakes, that we have so many left to enjoy and use. Throughout our history, they have been an attractive resource. They have served us well—meeting our needs for commerce and industry, water supply, agriculture and recreation. New York State is fortunate in having abundant water resources and this asset is going to serve the people of this state well in the future.

It is true that we have abused our lake resources. We have crowded in around many of our lakes with summer homes and roadways without much planning and certainly without much thought for lake ecology—i.e., our impact on the state and condition of the lakes and the need to preserve and protect a fragile resource. Everyone wants "a place

on the lake." As land development has intensified and expanded around our lakes, with summer homes being converted to all-year use and other shoreline uses gradually changing, more and more nutrients, sediment and other pollutants have been going into our lakes. Clear, pure lakes where sandy bottoms once were readily visible on a warm, summer's day are now plagued with algae and turbidity problems that cut visibility to a fraction of what it once was and the bottoms are covered with noxious weeds and thick muck.

During the past decade or so we have become aware of another problem which is causing tremendous damage to our lakes, soils and forests—acid rain. It should be clear to all of you what we mean when we say that "our lakes are dying" as a result of acid rain. Some lakes already have become completely sterile. The fact that the fish life is gone is really just an indication that all of the minute organisms that support a fish population are gone. The fish are just a part of the chain of life. What is happening in lakes as a result of acid rain is indicative of what is happening on land.

You may be aware that Governor Celeste of Ohio and Governor Cuomo recently signed a pact that is designed to reduce acid rain that results from sulfur emissions from coal burning plants. This is a major step forward, one that will put increasing pressure on the federal government to do something about this problem. I urge that you lend your strong support to these efforts.

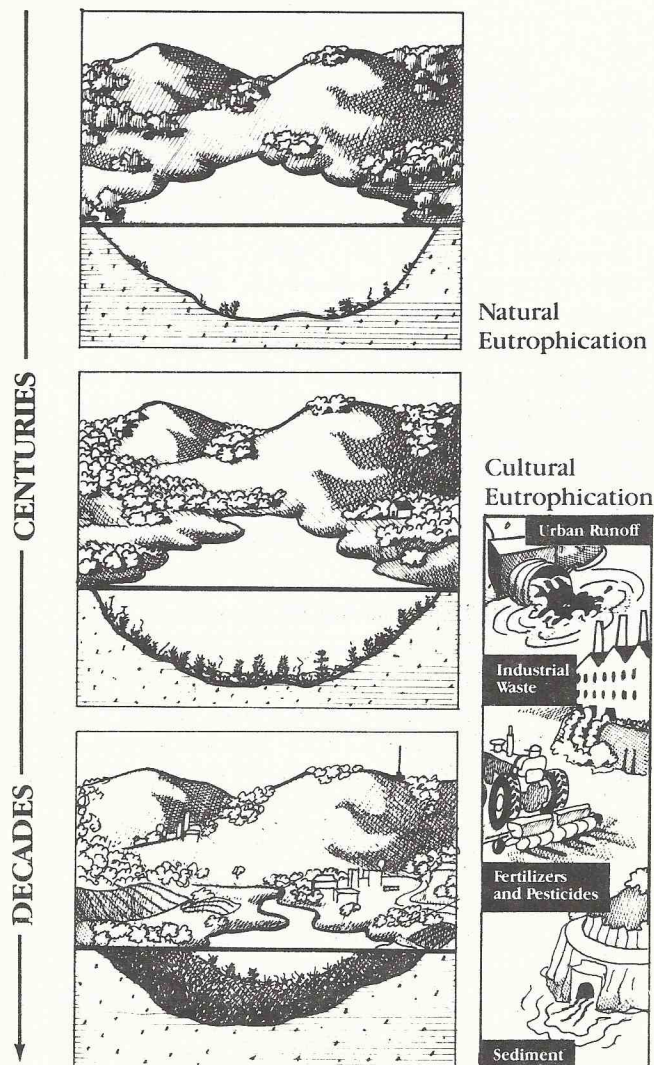
We are going to have to drastically change the way in which we are doing business if we expect to reduce and reverse the damage that has been and is being done to our lakes. The New York Federation of Lake Associations has been and must be in the forefront of this work, giving leadership and

generating grass roots support for action by the federal, state and local levels of government. The Federation, with your help and backed by your strong personal involvement in lake improvement, can make a difference. I cannot urge you too strongly to work closely with your Federation leaders and to make your concerns known to your representative in Congress, in the State Legislature, State agencies and in local government. Become familiar with the players. Learn who you can count on for help. Get to know the programs that can be applied to lake management. Be aggressive and be persistent. This is not a struggle that can be won in the short term. You are going to have to take some innovative steps if our lakes are to be saved. Most of all, you are going to have to be organized and dig in. Membership in the Federation is an excellent example of grass roots organization. Participation in the Citizens' Lake Assessment Program is another.

I'd like to point out that many of the problems associated with lakes arise from how the land around lakes is used. The location, density and other qualities of development around lakes will determine, to a large extent, water quality conditions, how the shorelines and lake surfaces are used and the overall quality of the recreation experience which one can obtain. Does development such as roads and private residences crowded around the shoreline of your lake leave no room for lakefront parks, beaches and boat launching areas? Have open space areas been preserved to provide a buffer zone to protect water quality from sediments, nutrients and other pollutants in stormwater runoff and to maintain the natural scenic beauty of lakeshores and adjoining mountainsides or hillsides? All of these problems—and many more



## LAKE EUTROPHICATION



about which you will be hearing today—have their roots in how we are allocating and using land resources.

DEC has quite a few programs which require us to regulate the use of land directly—such as Freshwater Wetlands; Water and Air Quality; Foodplain Management; Stream Protection and others. But, we are not a land use planning and regulatory agency in a comprehensive sense. We have a mandate to protect certain critical resources and our regulatory programs are designed to accomplish these purposes. Our fish and wildlife, forest management and solid waste management programs also have significant land use implications. However, local governments have a far more significant role in controlling land use and the adverse impacts of haphazard, ill-conceived land development.

Under the U. S. Constitution, the power to control growth and development is left to the states and, historically, the states have largely delegated this function to their local governments. Enabling legislation

was enacted in the 1920's by many states to authorize and encourage local governments to establish local land use controls. In the 1960's and 1970's some of this authority for land use planning and regulation was transferred by state legislatures back to the state level in some states, such as Oregon, Hawaii and Vermont. In New York, this was done for the Adirondack Park as well as with respect to some of the critical resources already mentioned.

Some functions of government are best carried out at the local level. Land use regulation is one of them. In the case of the Adirondack Park Freshwater Wetlands and other critical resources programs, provision is made for delegation of responsibility for land use regulation to local governments which prove themselves capable of doing the job.

I encourage you to work with local governments and to use all of the tools that are available to them to help manage lake environments. By this I mean the watershed as a whole not only the area immediately around the lake. Find out whether the local comprehensive plan adequately reflects lake management needs and whether ordinances and local laws adequately back up the plan. Lake associations also can be a major force for ensuring that there is effective coordination between local jurisdictions on a watershed basis, working not only with city, town or village governments, but also with county and regional agencies. •

### THE RETURN A GIFT TO WILDLIFE PROGRAM HELPS NEW YORK STATE LAKES

Over the past five years, over \$8 million dollars has been donated by New Yorkers for the State's Return a Gift to Wildlife program. Donations are made to the State Conservation Fund when citizens mark the contribution line for 'Return a Gift to Wildlife' on their New York State tax forms.

Over 65 fish and wildlife projects state-wide have benefited by these funds. Special emphasis has been placed in the areas of species protection and management, habitat improvement, and public education.

Funding this year has been allocated to many projects of special interest to New York State lake users. Of particular interest, for example, is a book titled *The Inland Fishes of New York*, which was compiled as a result of funds made available through the program. Additional projects include research in the area of fish pathology, the NYS Marine Mammal/Sea Turtle Stranding Network, the presence and status of Kemp's Ridley Sea Turtle, genetic identification of Heritage Brook Trout, and the Western Tier Bog turtle population status surveys.

Tentative projects include evaluation of aquatic vegetation control with sterile grass carp, management of Colonial waterbirds, and posters and educational packets.



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## **ALTERNATIVE APPROACHES TO CREATING A LAND USE INVENTORY**

Many lake associations throughout New York State face similar questions when dealing with issues such as poor water quality, excessive plant growth, shoreline erosion, sedimentation, eutrophication, and conflicting uses of the lake resources.

Development of a lake management plan frequently begins with members of the lake community gathering information about the environmental and land-use patterns within the lake and its watershed. This process is commonly referred to as a land use inventory. Information from a land use inventory can eventually be used by local government officials, county planners, and regional resource managers when setting long and short range management objectives for their lake. A land use inventory can also be used by professionals who use computers and other supporting equipment to model nutrient loading to the lake from the watershed. The development of a land use inventory can be part of a lake association's long range goal. This baseline information can then be updated on a yearly basis to reflect changes in agriculture, reforestation, and/or land subdivision and development.

### ***Defining The Watershed:***

A watershed is all the land that drains to a lake. It includes streams, valleys, hillsides, and wetlands. This area should initially be identified, since most activity within the watershed directly affects the water quality in the lake. A watershed can be identified through the use of standard 7.5 minute United States Geologic Survey topographic maps which are available at a USGS office, a local library, or at a bookstore.

### ***The Use of Tax Maps:***

After the watershed has been determined, the inventory of land uses and potential problems should be documented and displayed on a watershed land use map. One method of assembling this type of map is with the help of tax maps which are available from the county clerk's office at a cost of about \$0.25 to \$1.50 per sheet. These maps, which can show individual lots along each road, are available in several different scales depending on the population density and land use patterns.

Land use patterns can also be displayed with the use of topographic maps, but this method is less accurate than using tax maps. Topographic maps do not show lot lines, and it is therefore difficult to show land uses of each parcel.

The major categories of land uses which are frequently identified on land-use maps are residential, forest, active agriculture (areas where farming is readily visible), inactive agriculture, and vacant. Types of active agriculture, such as row crops, orchards, or

pasture land, should also be identified whenever possible.

### ***The Use of Photography When Developing A Resource Inventory:***

Other methods of resource inventory involve photographing or video taping the lake watershed, either by using surface or aerial observations. Observations made at the surface of the lake are most effective by using still photography. Pictures taken of stream banks, stream discharge points and deltas, shoreline features, and roadbanks are very useful. It is important to make consistent observations of items photographed and take measurements whenever possible. For example, evidence collected over time of an eroding stream bank and its effect on the formation of a delta in the lake could help to secure funding for corrective action through the Soil Conservation Service.

### ***Video Taping The Lake and Its Watershed:***

Another method for inventorying lake resources is through video tape coverage. Video taping is especially useful when making aerial surveys of the lake, its shoreline, and land use within the watershed. Aircraft flights cost approximately \$60.00 to \$100.00 an hour.

To accurately quantify an observation, items of known sizes and bulk should be included in each scene. For example, if an aerial video tape is being made of the lake shoreline and associated macrophyte beds, boats of known sizes at each area will allow a good approximation of plant cover. The same type of relationship can be developed by having houses of known sizes within the scenes.

When taking aerial photographs or video coverage from a plane window, be aware of a slight degree of distortion, and always use a manual focus on a video camera. If auto focus is used, the camera may focus on the window or some other image on the aircraft instead of objects on the ground.

Video tapes can also be made to inventory docks or boating activity. When a boating inventory is determined, be sure to pick a day which reflects an average amount of boating on your lake.

The gathering of data is a process of observing and recording information for future use. The goal in establishing records is to create a consistent and reproducible data set. The analysis, or interpretation, may require input from professionals but the quality of the analysis is ultimately tied to the quality of the data. A lake association can begin to inventory lake resources but goals should be established in the beginning so that the correct data is collected.

by Dean R. Long  
Director of Environmental Planning  
The LA Group, P.C. •



## NEED HELP?

The Citizens' Statewide Lake Assessment Program (CSLAP) is now in full swing. Throughout the summer, routine visits are made by DEC and FOLA staff to each of the fifty-three lakes which are participating.

Each DEC Regional Office also has a Lake Manager who can provide technical assistance and advice to New York State lake users. These Lake Managers are trained to assist you with comprehensive management decisions for your lake and watershed. If they are not familiar with certain problems, they know where to go for additional help.

Assistance with lake issues can be provided by the following people:

### S. Kishbaugh

CSLAP Program Coordinator, DEC  
(518) 457-7470

### S. Brol

DEC Region 1  
(516) 751-7725

### R. Austin

DEC Region 2  
(212) 482-4933

### L. Myerson/C. Manfredi

DEC Region 3  
(914) 761-6660

### T. Blanchard

DEC Region 4  
(518) 382-0680

### F. Dunlap

DEC Region 5  
(518) 891-1370

### J. Luz

DEC Region 6  
(315) 793-2554

### A. Saltman

Federation of Lake Associations  
(315) 655-2236

### Scott Cooke

DEC Region 7  
(315) 426-7500

### P. Jangbari

DEC Region 8  
(716) 226-2466

### G. Palumbo

DEC Region 9  
(716) 847-4590

There are many organizations throughout New York State which are designed to assist in water resources funding, research, and education. Over the next few issues of *Waterworks*, we hope to provide a brief overview of several of these groups.

## WHAT IS THE WATER RESOURCES BOARD OF THE FINGER LAKES ASSOCIATION?

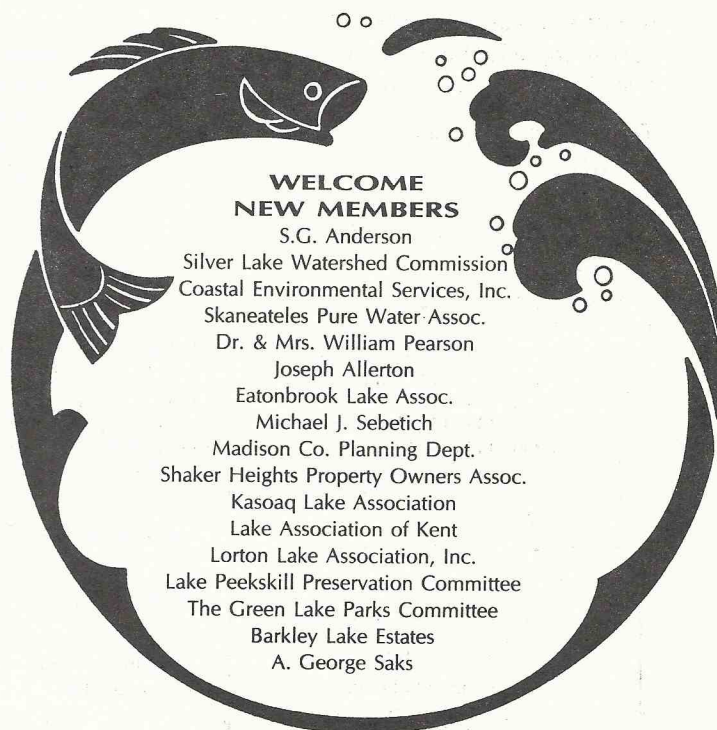
The Water Resources Board (WRB) is a group of 15 representatives from Upstate New York counties which participate in Aquatic Vegetation Control Programs funded by New York State. Each county representative has one official vote in matters requiring consensus.

The Finger Lakes Association (FLA) is the supporting "umbrella" body within which the WRB exists. The FLA provides staff assistance, office space, meeting rooms and otherwise facilitates the activities of the Water Resources Board.

The primary purpose of the WRB is to coordinate and exchange information between participating members, which is related to the condition of surface waterbodies in the area, particularly as this information relates to excessive aquatic vegetation growth.

Currently the FLA provides general office and administrative support from its secretarial and accounting pool and from the Executive Director of the FLA, who functions as a facilitator. In addition, the FLA retains a consultant to work with the Board, who functions as the Program Manager. The Program Manager undertakes those tasks necessary to hold meetings, implement the work program of the WRB, and otherwise assist members as directed by the Executive Committee of the WRB.

The WRB is funded by the New York State Legislature through the New York State Department of Environmental Conservation. Efforts are underway to supplement this State support with additional funds from the private sector and supporting institutions. Though these efforts are preliminary in nature, the full potential of the Board depends to a great extent on the development of such additional support mechanisms. •





From page 1—CANANDAIGUA

1. Expand the current automobile DWI law to include driving a boat and pass it before the summer of 1986.
2. Extend the 5 MPH speed limit from 100 feet from shore (or fixed object) to 200 feet from shore (or fixed object).
3. Impose enforceable speed limits away from shore.
4. Pass a Boating Noise Pollution law.
5. Put "teeth" in the NYS Navigation Laws by raising the maximum fine for violation from \$25 to \$1,000.

In support of the New York State Legislative Initiatives, CLPW recommends the following local actions:

1. Each town pass a resolution in support of the boating while intoxicated, speed limit, and noise pollution legislation and send it to their appropriate State Legislative Representative.
2. Install attractive signs welcoming lake users and informing them of the local and state laws that will be enforced on Canandaigua Lake.
3. Request that the Ontario County Sheriff's Department be funded by the Ontario County Board of Supervisors to maintain a patrol during the evening hours—especially on weekends and holidays—to enforce all current navigation and local ordinances in effect.
4. Finally, we recommend a survey be conducted among the various users of Canandaigua Lake to solicit public opinion which will form the foundation to shape future thinking on longer-term issues requiring resolution.

#### LONG-TERM RECOMMENDATIONS:

Following, is a list of several long-term recommendations which were proposed by CLPW.

1. An updating of New York State Navigation Law regulating the size, brightness and location of

navigation lights and requirements for use.

2. Requirement of a New York State Operator's License for power and sailboats over a certain size and/or horsepower.
3. Boat launch, permit fees, and other measures to lessen or discourage boat size, speed and density.
4. Shore owners' rights in regard to water use and zoning issues.

\*\*\*\*\*

#### Implementation of the CLPW proposals:

The CLPW approved these recommendations and then proceeded to implement them. Since Canandaigua Lake has seven towns, two cities, several townships and two counties, it was apparent that a coordinated effort was required. A meeting was held during the spring of 1986 to discuss our proposals and representatives from every town, city, and county, as well as other special interest groups were formally invited. Most importantly, our local State Senator and Assemblyman were invited to attend.

Following a lengthy discussion, consensus was reached by everyone in attendance. Our State Senator and Assemblyman agreed to sponsor separate bills on speed limits and noise pollution for Canandaigua Lake under what is called "home rule". CLPW agreed the Boating While Intoxicated proposal should be state-wide and proceeded to lobby for its passage. Under "home rule", each local governing body of a political jurisdiction should formally request the State Legislature to pass the law in question. In our case, all seven towns, one city and both counties passed a resolution requesting that the State Legislature pass both the speed limit and noise pollution laws.

Even with this coordinated effort, only the speed limit law passed in the session ending in 1986. Our frustration was heightened when we learned that

it would not become effective until the following fall, thus delaying enforcement by a full year.

The noise pollution law followed a similar process in 1987. The enforcement date was delayed and the law didn't become effective until the summer of 1988.

#### Some of the Lessons Learned:

We have learned a lot through the whole process. If your lake association is attempting a similar project, do your homework and be sure to touch base with an attorney to obtain legal guidance.

Gaining consensus from the various towns and special interest groups is critical. You must be reasonable and professional in gaining their support. A one-to-one meeting with representatives from each town prior to the joint meeting can be very effective.

The local governing bodies MUST pass a resolution favoring the proposal and it should be sent to the State Legislative representative. Use the telephone to follow up with your State Legislature and let them know it is important to your organization and to their constituency. When the State passes your "home rule", go out of your way to publicly thank those who helped you.

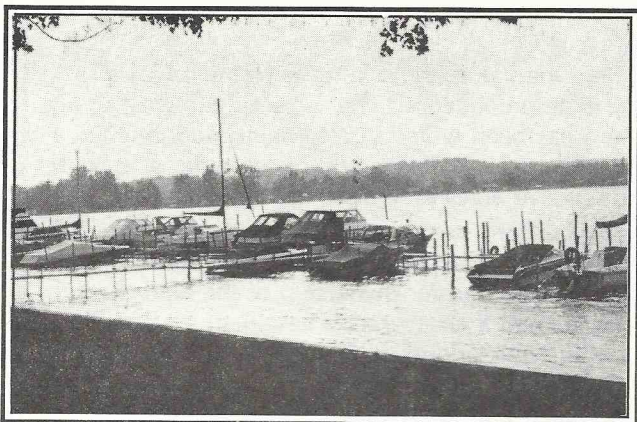
If we had to do it over again, we would have a slightly stricter Noise Pollution Law. Now that we have had some experience, we would recommend 82 (not 86) decibels measured at 50 feet.

Sadly, the NYS Boating While Intoxicated Law that passed in 1986 is very weak and requires a court order after cause before a breathalyzer test can be administered. We believe this law should be strengthened, requiring a breathalyzer to be administered with suspension of the boat owner's registration if refused.

We hope this information is helpful to you. If your lake association has any questions, please feel free to contact us.

Robert Rohrer  
President, Canandaigua Lake Pure Waters, Ltd.  
P.O. Box 323, Canandaigua, N.Y. 14424 •





**Waterworks** is published four times a year. Individuals who wish to submit articles, artwork, or photography to **Waterworks** are welcome to contact the editor, Anne Bregy Saltman, 2175 Ten Eyck Avenue, Cazenovia, New York 13035. For additional copies of **Waterworks** and address changes, contact Dr. John Colgan, President, 273 Hollywood Avenue, Rochester, NY 14618 (716) 271-0372. Please note that all mail should be sent to the Rochester office.

### Did You Know...

Most of the earth's original supply of water probably is still in use; little has been added or lost in the millions of years since the first clouds formed and the first rains fell. The same water has been pumped time and again from the oceans into the atmosphere, dropped upon the land and transferred back to the sea. In this hydrological cycle, at any instant only about 5 gallons of every 100,000 gallons of the total water supply is in motion; most of the water is stored in the oceans, frozen in glaciers, held in lakes, or detained underground.

Some animals are adapted to environments where fresh water is not available. Whales have kidneys which allow them to drink and dispose of sea water; the sea gull has a special apparatus in its skull for distilling water to obtain a fresh water supply. •

## The Federation of Lake Associations

We are a coalition of organizations dedicated to the preservation and restoration of all lakes, ponds and rivers throughout New York State. We welcome and encourage the memberships of lake associations, property owner groups, fish and game clubs, corporations and individuals. The Federation is incorporated under two mirror organizations with the same officers and board of directors.

The Federation of Lake Associations, Inc. purposes are:

- \* to provide a clearinghouse of environmental information and expertise in all matters pertaining to lake management.
- \* to promote by education the wise use and appreciation of the lakes in New York State.
- \* to provide a pool of technical knowledge and expertise to advise and assist member associations and individuals.
- \* to establish liaison with other environmental groups and agencies.
- \* to provide a coordinating structure for lake-related research projects.

The Federation of Lakes, Inc. purposes are:

- \* to monitor and report to members on legislation and administrative actions affecting the waters of New York State.
- \* to support and lobby for legislation and administrative actions which promote the sound management of the waters of New York State.

### MEMBERSHIP CATERGORIES

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.
Additional Copies of <b>Waterworks</b>	\$ .50 each

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 ( ) \_\_\_\_\_

Total number of newsletters requested of each issue: \_\_\_\_\_



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## Theory and Experience: The Decisions of Three Maine Landowners

Surrounded by extensively developed and heavily used shorefront properties is a twenty-six acre point, remarkably unspoiled and quietly beautiful, a haven for nesting birds. Now it is a permanently protected conservation area, a status it gained after the three individuals owning the contiguous parcels considered their alternatives and acted in concert to preserve the point.

The Maine Audubon Society had an interest in the area: it owned two other properties nearby. Therefore, by virtue of both its general concerns and its particular interest in the area, it seemed to be the conservation organization to be approached about the project.

Two of the landowners weighed the possibility of donating the land to the Maine Audubon Society and the various ways of making the gift. One chose to make an unrestricted gift of her eight acres to Audubon, a gift that was eagerly accepted. The other took a different path. He gave The Nature Conservancy a two-fifths' undivided interest in his twelve acres. The Nature Conservancy then conveyed the land to the Maine Audubon Society on condition that the premises "shall forever be held as a nature preserve, for scientific, educational and aesthetic purposes and shall be kept entirely in their natural state. . ." The Nature Conservancy retained the right to claim title should the conditions ever be violated. Transferring the land in this way gave the landowner the assurance that the land would always be used as a nature preserve, and it also allowed him to

claim the value of the land, unrestricted, as a charitable deduction. The remaining interest in his land has been willed to the Maine Audubon Society, so ultimately Audubon will become the sole owner of the twelve acres as well as the eight acres.

The third owner was faced with different circumstances. Having a house on her parcel, she did not wish to transfer ownership of the land. Rather, she granted a conservation easement on the six acres forming one side of the natural area. Her easement excluded the house lot that was near the road, but it stipulated that the remaining land was to remain "forever wild". Though public use of the property did not come with the granting of the easement, the Maine Audubon Society and the public are able to enjoy the benefits of the scenic and natural protection that it provides.

Thus, three landowners seeking a common goal chose different means of accomplishing their purpose. As with all landowners facing similar decisions, they each considered their individual financial and personal needs and their desires for the land. The range of options was wide enough to allow each to find a suitable solution, and the presence of committed organizations with similar objectives enabled them to make their goal a reality.

*From "The Landowners Options"  
by Janet E. Milne. •*

*We could use your input! **Waterworks** is a way to share your lake issues and experiences with other lake associations throughout the state. If you have stories, artwork, or photography to contribute, please contact the editor.*

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**The Federation of Lake Associations, Inc.**  
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Rochester, New York 14618

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