

Waterworks



Fall 1991 Volume 7 Number 4

In New York State, it is widely recognized that nonpoint sources of pollution contribute 80% or more of the sediments, nutrients, and pathogens to the state's waters. Many lakes have been studied to determine the sources and impacts of pollutants and, in some cases, remedial measures have been implemented. By in large, however, very few comprehensive and coordinated watershed-wide programs have been implemented to prevent these nonpoint sources of pollution from contaminating our valuable lakes and streams.

The Keuka Lake Watershed Project (KLWP), sponsored by the Keuka Lake Association (KLA), is an attempt to foster the development of a uniform, coordinated, and cooperative watershed management program to protect Keuka Lake. Keuka Lake and its watershed, like many of the other Finger Lakes, is long and slender, and cuts through numerous political jurisdictions including two counties and twelve towns and villages. Public policy formation in a multi-jurisdictional setting is especially challenging, requiring a well-supported, designed and implemented program.

One ingredient essential to successful public policy formation is an organized, committed, and financially sound nucleus organization. The KLA has over 1,700 members and has raised in excess of \$100,000 for the 2-3 year watershed project. Membership support is also vital. A recent KLA survey indicated watershed program development to be the top priority among the organization's members. As a result, several specialized KLA committees have been formed or strengthened (e.g., water testing committee) in support of the project.

There are three fundamental components of the KLWP: 1) science and technology; 2) education and awareness; and 3) institutional cooperation and participation. Scientific information is being collected through a variety of programs including water quality monitoring, resource inventory and mapping, septic system sanitary surveys, watershed resident opinion surveys, and economic impact studies. Research results provide the bases for defining problems and identifying potential solutions, as well as providing critical information for educational materials. Educational materials distributed to the public-at-large, such as informative brochures, help to put the watershed project in a public light while also encouraging a more informed watershed citizenry. Establishment of communication links between the KLWP and existing institutions, such as town boards, county-level Soil and Water Conservation Districts, New York State Department of Environmental Conservation, and New York Water Resources

A MODEL FOR DEVELOPING WATERSHED MANAGEMENT PROGRAMS IN NEW YORK STATE

*How Communities
on Keuka Lake
are Working Together
to Develop Acceptable
Watershed Solutions*

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On The Local Scene

The Tuscarora Lake Association

FEDERATION OF LAKE ASSOCIATIONS, INC. Board of Directors

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Waterworks is published four times a year. Individuals who wish to submit articles, calendar items, artwork, or photography to *Waterworks* are welcome to contact the editor, Anne B. Saltman, FOLA, 2175 Ten Eyck Avenue, Cazenovia, NY 13035 (315) 655-4760. For address changes, contact John Colgan, FOLA, 273 Hollywood Avenue, Rochester, New York 14618 (716) 271-0372. Permission to reprint articles is granted with credit.

Erieville Reservoir, or Tuscarora Lake as it is commonly called, was built in 1850 as a feeder for the Erie Canal System. This 400 acre lake is located in the town of Nelson in Madison County and has the highest elevation of any lake in the state other than the Adirondack Region. Most of the residents are very concerned for the quality of life in the region and share a desire to help both financially and physically. A recent homeowner survey indicated that major concerns within the lake community were aquatic weed growth, water quality, and fluctuating water levels.

At the request of concerned citizens, the Town of Nelson imposed a moratorium on major subdivisions in the area in the spring of 1990. This was designed to allow time for the Nelson Master Plans of 1972 and 1974 to be updated to reflect current conditions and to project what could occur in the future. The Tuscarora Lake Association (TLA) then appointed a Planning Committee to present their lake and watershed concerns as the new Master Plan was being developed.

The Nelson Master Plan was updated by the Planning Board and a professional planner, with the assistance of the Tuscarora Lake Association and other interested groups. This Plan was designed to reflect many of the concerns of the lake shoreline homeowners. New and revised ordinances are currently being developed.

The TLA Planning Committee was also requested by the Town of Nelson to assist in writing a **Lake and Watershed Management Plan** that was specifically designed to address lake and watershed concerns. This committee, along with help from the county Planning Department, recently completed a first draft which includes specifications for an Environmental Protection Overlay District (EPOD). The EPOD provides special provisions for land use and development in the watershed when standard zoning controls are not adequate to protect the vital enforcement features and resources. Major concerns expressed by the TLA include sanitary protection, stormwater runoff and specific regulations that would address new developments such as roads, septic systems, shore access and boat docking relative to keyholing.

In reference to these concerns, the TLA is now assisting residents in a septic tank pump-out program, and sponsored a soil erosion workshop where people on the state and local level met to discuss the inventory and management of the lake tributaries. Our lake association has been actively involved with the Citizens' Statewide Lake Assessment Program (CSLAP) since 1986. Several association members are active with the Federation of Lake Associations, Inc. and helped provide background information for the completion of CSLAP's five-year water quality summary.

Our lake has many power boats (including sea-doo's and jet-skis) so safety has become a primary concern. Homeowners are now provided with buoys that are situated 100 feet from the shore to help swimmers, boaters, and skiers in identifying safe boundaries.

Activity in our lake association boasts of strong leadership and sound lake and watershed programs. A willingness to contribute time and effort has led to a comprehensive management plan which will effect the scenic and recreational well-being of everyone in the region.

*by Donald Schwartz, Chairman, Tuscarora
Lake Association Planning Committee*

Federation News...

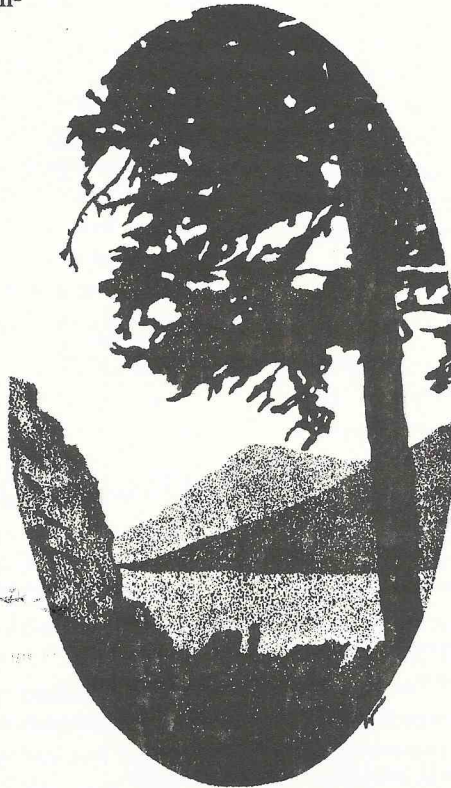
LETTER FROM THE PRESIDENT

The autumn leaves have fallen and, as the days grow shorter, I have been reflecting on the Federation's accomplishments and our plans for where we hope to head in the months to come.

The Federation of Lake Associations' (FOLA) membership continues to grow. Our primary interest is in addressing the needs of the lakeside homeowner, and in this effort, we now represent citizens at more than two hundred lake associations throughout New York. Our membership also includes state, regional and local organizations, as well as corporations, in a continuing effort to enhance our networking ability.

In 1992, we plan to broaden our role as a clearinghouse for information by strengthening the Information Management Service. We will be providing specialized packets of information to our members on topics such as the formation of special lake and watershed protection districts, the development of local ordinances for lake protection, lake association by-laws, and legislative updates.

The 1992 annual conference will be held on June 12, 13 and 14 at Rensselaer Polytechnic Institute in Troy, New York. This central location was chosen to provide an opportunity for more FOLA members to attend. Under the leadership of Dr. John Peverly and the FOLA Scientific Advisory Board the program agenda is already well underway. In 1993, the conference will be located in the western part of the state.



The annual review for the Citizens' Statewide Lake Assessment Program (CSLAP) is now in progress as FOLA and DEC staff work on ways to strengthen the water quality monitoring program for the 1992 sampling season. Our congratulations go to the conscientious efforts of nearly three hundred dedicated volunteers who have made this program such a success. During this past summer, CSLAP again received national recognition when it accepted an Environmental Achievement Award from the National Environmental Awards Council. In recognition of this accomplishment, Scott Kishbaugh (DEC) and Anne Saltman (FOLA) participated in a three-day conference and awards ceremony in Washington D.C. in June.

Over the next several months, FOLA is planning to develop an instructional video that will be based on Diet For a Small Lake: A New Yorker's Guide to Lake Management. We could use your help. Please contact the Federation office (315) 655-4760 if you have an interest in participating in this exciting project.

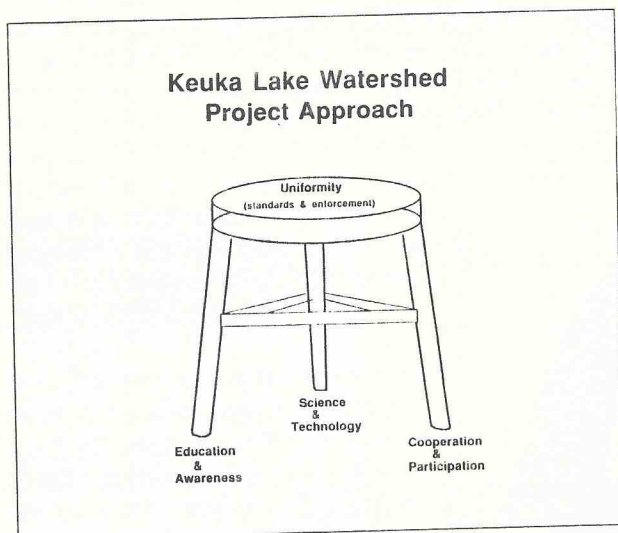
With new talent and enthusiasm, our Board of Directors will be working throughout the winter to better address the needs of our members.

In addition to membership and nominating committees, the Board has an Advisory Council to deal with non-technical issues, long-range planning, and funding opportunities. Please keep in touch! We need to hear from you in order to keep the Federation moving in a positive direction. Letters can be addressed either to me (9941 Keuka Hill Road, Dundee, New York 14837), or to Anne Saltman, FOLA's Executive Consultant, at 2175 Ten Eyck Avenue, Cazenovia, New York 13035. If you call the Federation office, you may have an opportunity to share your concerns with our administrative assistant, Kathy White.

Robert Canfield
President, Federation of Lake Associations

WATERSHED MANAGEMENT *(continued from page 1)*

Institute, enhances an understanding of the current and potential roles and responsibilities of the "web" of institutions involved. Such an understanding is vital to the efficient use of institutional resources and avoiding duplication of efforts.



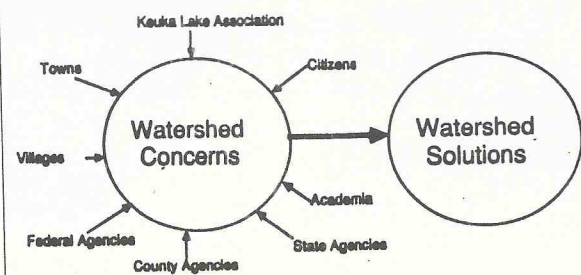
The main components of the KLWP can be viewed metaphorically as legs of a three-legged chair. Each component must be present and successful to support the mission: implementation of a uniform watershed program (pers. comm. Raymond, 1991). Also critical is information exchange between the various "legs" of the program. Each component strengthens the overall project by also supporting other components. This process is greatly enhanced by having one organization with multi-jurisdictional interests, such as a lake association, facilitating the process.

Central to public policy formation is the method used to identify issues or concerns and solutions. The KLWP is using a participatory approach to develop local (or "grassroots") consensus and to open the lines of communication with agencies and academic institutions. The premise is that all organizations or individuals with an interest in or responsibility for the watershed should have an opportunity to "sit at the table" and participate. To facilitate participation and development of grass roots support, Town Watershed Advisory Committees (TWAC) have been established. The purpose of the TWAC's is to provide a legitimate or credible forum in each town within which the issues of water quality and watershed management can be addressed in light of local concerns.

TWAC participants include one town resident liaison from the KLA. The liaison communicates regularly with the KLWP director, to update him on progress and make requests for educational and/or technical information. The KLWP director serves primarily as a clearing house of information about the watershed and committee developments for each town. Important information developed in one town's TWAC may benefit other towns in the watershed, and the KLWP directors office provides an ideal networking and information exchange function.

Institutional arrangements appropriate for watershed management on Keuka Lake are in the formative stages. Several options are available, such as a legislative watershed commission or district, an inter-municipal agreement, strengthening New York State Department of Health watershed rules and regulations, or adopting uniform local legislation in each town. At present, the KLWP is developing informational materials on these alternative institutional arrangement options. The appropriate forum for identifying an acceptable option will be the TWAC's working with their respective town boards and citizenry.

Participatory Approach



As the process unfolds, TWAC's from around the lake will need to meet to develop consensus about appropriate action for the entire watershed. The KLWP will continue to facilitate communication among affected parties and provide resources to keep the process moving ahead.

*by Peter Landre, Project Director,
Keuka Lake Watershed Project*

The Federation has received several questions concerning grass carp regulations. Since the policy regarding the use grass carp for vegetation control has changed within the past year, Douglas L. Stang, the Supervising Aquatic Biologist at the DEC Bureau of Fisheries, was asked to provide the following article.

THE USE OF GRASS CARP IN NEW YORK STATE LAKES

Based on the NYSDEC, Division of Fish and Wildlife study of grass carp on Long Island, thorough literature review, and extensive correspondence with other states, the Department adopted a new policy and procedures pertaining to the use of triploid grass carp for aquatic vegetation control.

New Grass Carp Policy

It will be the policy of the NYSDEC, Division of Fish and Wildlife to approve and issue permits for stocking up to 15 United States Fish and Wildlife Service certified triploid grass carp per surface acre for aquatic plant management purposes in ponds five (5) acres or less in size, having no inlet or outlet to or from other waters and which lie wholly within the boundaries of lands privately owned or leased by the individual making or authorizing such treatments. In addition to the basic criteria, the following must also apply:

- a. Aquatic plants targeted for control are either submergent species or duckweed that encompass a minimum of 30% of the water's surface and significantly impair the intended use(s) of the water body
- b. The subject pond harbors no species of wildlife, fish shellfish, crustacea or plants identified by the Department as being of special concern, threatened or endangered.
- c. The subject pond is not contiguous to a New York State regulated freshwater wetland.
- d. At least two (2) years have elapsed since the last stocking of triploid grass carp, unless it can be demonstrated that a significant portion of the stocked fish were destroyed due to in-pond mortality.

Permit applications for waters other than those meeting the above criteria will not be considered until an Environmental Impact Statement (EIS) is completed and approved in accordance with the State Environmental Quality Review Act (SEQRA).

Procedures for obtaining a permit to stock triploid grass carp

Anyone interested in using triploid grass carp for aquatic plant control should complete the permit application and return it to the Regional Fisheries Manager covering the Region in which the stocking will occur. Regional Division of Fish and Wildlife staff will review the application and verify that it meets the stocking criteria. Approved permits will authorize the purchase and stocking of up to 15 triploid grass carp per pond acre. Triploid grass carp must be purchased from approved suppliers possessing a valid permit to import and sell triploid grass carp in New York State. If a permit is not approved, the applicant will receive a letter describing the reason(s) for permit denial.

Triploid grass carp stocking recommendations

Triploid grass carp are extremely potent plant consumers, capable of eradicating all plants from a pond for a period exceeding 10 years if overstocked. Total devegetation can result in severe algal blooms, foul smells, declining water quality, and negative impacts to fish and wildlife. To minimize or prevent these adverse impacts, plant populations should be maintained at 20-30% of the ponds surface area. To prevent overstocking, an incremental stocking approach is recommended whereby grass carp stocking densities may be increased over time to achieve the desired results. Initial recommended stocking rates for ponds with low, medium, and high average plant densities are 5, 10, and 15 fish/surface acre, respectively. For best results, fish should be stocked in the late spring before the pond becomes clogged with vegetation.

A booklet entitled "A PONDOWNERS GUIDE TO THE USE OF TRIPLOID GRASS CARP", applications for permits to stock triploid grass carp, and the list of suppliers approved to import and sell triploid grass carp in New York state are available from the Regional Bureau of Fisheries offices.

If lake communities are interested in the use of triploid grass carp in waters which do not meet the basic criteria for their use, they should consult directly with the Regional Fisheries Manager for their area.

Listed below is a summary of articles that have appeared in "Waterworks" since the winter of 1985. To request a copy of any of these articles, please fill out the order form found at the end of this index and send it to the Federation office.

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**WATERWORKS ARTICLE
REQUEST FORM**

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_____	_____	_____
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Federation of Lake Associations.*

Send this request form and payment to the
Federation of Lake Associations, Inc., 2175 Ten Eyck
Avenue, Cazenovia, New York 13035

**Hats Off to the Lake Volunteers
Working With the
Citizens' Statewide Lake
Assessment Program (CSLAP)!**

Once again, we have had a successful sampling season due to the conscientious efforts of several hundred CSLAP volunteers throughout the state. Thanks to you, New York's monitoring program received an Environmental Achievement Award from the National Environmental Awards Council.

Planning for the 1992 sampling season has involved reviewing ways to improve our program, while exploring alternative funding opportunities in light of the uncertainty of State financing. If it appears that full State support is *not* anticipated, CSLAP lake associations that have been with the Program for less than five years may be asked to pay for the water chemistry analyses. If this is necessary, we hope to continue supplying the equipment, on-site training, consulting services, and interpretive summaries at no additional cost to the lake associations.

All CSLAP lake associations will be notified as soon as we have any additional information to pass along. Again, many thanks, from FOLA and DEC, for your support.

Anne Saltman and Scott Kishbaugh
CSLAP Coordinators

Conservation Easements: An Option for Lake Communities

Finger Lakes Land Trust Protects Land with Conservation Easements

A conservation easement is a voluntary legal agreement between a landowner and a qualified conservation organization, in which the landowner places restrictions on the use of his or her property in order to protect the natural values of the land. The easement becomes a permanent part of the title, recorded with the County Clerk, so the land will be protected in perpetuity. Future owners must comply with the terms of the easement. The conservation easement is a primary land protection tool of the more than nine hundred Land Trusts nationwide, including the Finger Lakes Land Trust.

In recognizing the increasing pressures of land development, the Finger Lakes Land Trust was established in 1989 to provide a unique service to the communities of the Finger Lakes region by helping landowners preserve the special qualities and beauty of their land. By working to protect the region's forests, farms, open spaces, wetlands and water resources, the Land Trust can help provide many benefits for the public, including clean air and water, plant and animal diversity, scenic views, and opportunities to learn about and enjoy the natural world. So far, the Finger Lakes Land Trust has protected 2,500 acres in five counties.

The conservation easement can include any restrictions agreed to by the Land Trust and the landowner. Development may be prohibited, or limited to less sensitive portions of the property. The easement may restrict clearcutting of timber, dredging or channeling of a stream, and so on. The landowner retains all other rights over the property including the right to sell, lease, transfer, or mortgage, and the landowner can use the land in any way that is consistent with the easement. In most cases, the easement does not give the public the right to enter the property.

The Land Trust's Obligations

The Land Trust can help landowners design land protection plans that meet the owners' desires. While the landowner is responsible for upholding the restrictions of a conservation easement, the Land Trust is responsible for enforcement, and must monitor each property at least once a year. The Land Trust, as holder of the easement, has a limited right of access for inspection and, in unusual circumstances, additional rights may be specified.

Benefits to the Landowner

**** Income taxes:** The donation of an easement to a tax-exempt non-profit land trust is a charitable contribution. The difference in the fair market value of the property before and after the restrictions, determines the value of the gift. All or part of this charitable gift can be deducted from income for federal and state income tax purposes, as long as certain IRS conditions are met.

**** Estate taxes:** If a landowner dies, the estate taxes on the property will be lower, if - as is usually the case - the fair market value of the property is lower. Sometimes this can make the difference between an heir being able to keep the land and having to sell it to pay the estate taxes.

**** Property taxes:** If the assessed value of the property is reduced because of the restrictions, the property taxes will be lower. This is determined by the local tax assessor. The property may be protected from substantial tax increases resulting from subsequent neighboring development.

**** Peace of mind:** Because each conservation easement is written in accordance with the landowner's wishes for future use of the land, the greatest reward for most landowners is the knowledge that their land's special features will be protected for future generations to enjoy.

Community Benefits

Preserving undeveloped land helps to retain the rural character of our communities and is vital to our economic and environmental well being. Permanently protected land aids communities in planning for future service needs. Conservation easements provide these public benefits at a fraction of the cost of outright purchases of land by a community. While zoning and public land ownership can accomplish some land use goals, the gift of a conservation easement directly enables the private landowner to make a contribution to the community that will last forever.

Additional information on land trusts and conservation easements is available from the Finger Lakes Land Trust, P.O. Box 4745, Ithaca, NY 14852 (607) 838-3590 or the Land Trust Alliance, 900 17th Street NW, Suite 410, Washington, D.C. 20006-2501, (202)785-1410.

by Bob Beck, Executive Director, Finger Lakes Land Trust

Two useful publications are now available from the Lake Champlain Committee (LCC). **"Land Use and Phosphorus Pollution in the Lake Champlain Basin"**, written by Ann Billings and produced by the LCC, is intended to shed light on the difficult problems of protecting water quality in Lake Champlain. **"A Clean Lake For Tomorrow: Action Plan"** outlines concrete steps that can be taken over the next several years to clean up phosphorus pollution of Lake Champlain. The suggestions outlined in this plan represent the consensus of people with many different backgrounds and interests. Although these publications were developed for Lake Champlain, much of the information can be applied to other lakes. For more information, write to the Lake Champlain Committee, 14 South Williams Street, Burlington, Vermont 05401-3400.

The National Small Flows Clearinghouse's 1991 - 1992 Guide to Products and Services is now available. This 20 page guide contains detailed information about all of the products and services currently offered by the Clearinghouse. For additional information call: (800)624-8301.

Environmental Protection Agency's Wetlands Protection Hotline - EPA's Wetlands Protection Hotline is a toll free telephone service that is responsive to public interest, questions and requests for information about the values and functions of wetlands and options for their protection. The Hotline also provides information on the availability of wetlands related documents and accepts requests for certain wetlands publications. The Wetlands Protection Hotline operates Monday through Friday, excluding federal holidays, from 9:00 am to 5:30 pm. Callers may reach the Hotline by dialing (800)832-7828.

Environmental Protection Agency Publications Available - 1. National Directory of Citizen Volunteer Environmental Monitoring Programs, 2. America's Wetlands, 3. Wetlands Hotline Factsheet, 4. Guidance on Best Management Practices for Nonpoint Sources, 5. Wetlands and 401 Certification. These publications and many more can be ordered by sending a request to the U.S. Environmental Protection Agency, Office of Water, Office of Wetlands, Oceans and Watersheds, 401 M Street, SW, Washington, DC 20460, ATTN: Paula Monroe, Policy and Communications Staff (WH-556F)

Environmental Financing Information Network (EFIN) - The U.S. Environmental Protection Agency (EPA) opened the Environmental Financing Information Network (EFIN) to the public on October 1, 1991. EFIN provides information on financing alternatives for State and local environmental programs and projects. The information principally consists of abstracts of existing publications and knowledgeable contacts. EFIN services include an on-line data base, hotline, electronic bulletin board and EPA publications distribution. Intended users are State and local officials and those assisting them. EFIN services are accessed through several electronic information systems that are currently meeting State and local officials' information needs. These systems are LOCAL EXCHANGE (LEX) operated by Public Technology, Inc. (202)626-2400, LEGISNET by the National Conference of State Legislatures (303)830-2200 and the Wastewater Treatment Information Exchange by the National Small Flows Clearinghouse (800)544-1936.

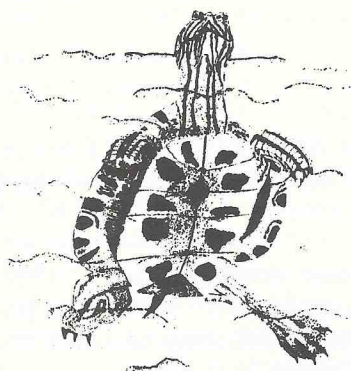
Organizing Lake Users: A Practical Guide - Prepared by the Terrene Institute in cooperation with Tennessee Valley Authority and the U.S. Environmental Protection Agency. This publication is now available and includes information about organizing a lake association to protect your lake, building membership, making your lake association work, managing your lake, networking, bylaws information, helpful resources and a Clean Lakes Program Guide. To order this publication, write to: Terrene Institute, 1000 Connecticut Avenue, NW Suite 802, Washington, DC 20036 (202)833-8317 FAX(202)466-8554.

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Many thanks to Cazenovia College students, Michael Lyons (mountain scene), Bill Dickson (ducks) and Kim Zoda (turtle) who contributed artwork to this issue of Waterworks.



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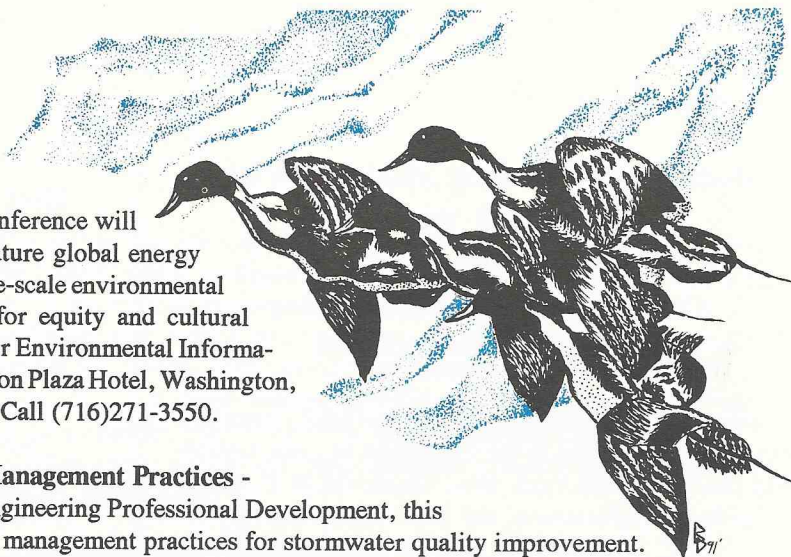
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Global Climate Change - This conference will explore alternatives for meeting future global energy demand, in the face of possible large-scale environmental impacts and increasing concerns for equity and cultural integrity. A project of the Center for Environmental Information, Inc.; to be held at the Washington Plaza Hotel, Washington, D.C. on December 5 & 6, 1991. Call (716)271-3550.

Designing Stormwater Quality Management Practices -

Sponsored by the Department of Engineering Professional Development, this course will focus on how to design management practices for stormwater quality improvement. To be held December 9 - 12, 1991, at the Inn Towner-Best Western Hotel in Madison, Wisconsin. Call (800)462-0876.

Controlling Sediment From Construction Sites - Sponsored by the Department of Engineering Professional Development, this course will focus on how to control sediment losses from construction sites. Learn about effective design and installation of "best management practices." To be held January 21 - 23, 1992 at The Wisconsin Center; Madison, Wisconsin. Call (800)462-0876.

Southeastern Lake Management Conference - To be held March 19 - 21, 1992 in Marietta, Georgia. For more information contact NALMS: (904)462-2554; One Progress Blvd., Box 27, Alachua, Florida 32615.

57th North American Wildlife and Natural Resources Conference - March 27 - April 1, 1992 in Charlotte, North Carolina. Contact L.L. Williamson, Wildlife Management Institute, 1101 14th St. NW, Washington D.C.

Third National Citizens' Volunteer Water Monitoring Conference - March 29 - April 2, 1992 at Annapolis Marriott Waterfront Hotel, Annapolis, Maryland. Who should attend: Government personnel interested in working with volunteers, volunteers currently involved in monitoring, educators, private companies, environmental organizations and interested citizens. Contact: Izaak Walton League of America, 1401 Wilson Blvd., Level B, Arlington, VA 22209 (703)528-1818

Federation of Lake Associations Annual Conference - June 12 - 14, 1992 at the Rensselaer Polytechnical Institute in Troy, N.Y. Set aside those dates now, as it promises to be an excellent conference!

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