

WATERWORKS

New York State Federation of Lake Associations, Inc.

October 2006



DAM!

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DeRuyter Reservoir Spillway: Photo by George C. Kelley

DEC REVISING DAM SAFETY REGULATIONS

The New York State Department of Environmental Conservation (DEC) is in the process of revising its Dam Safety regulations. The planned revisions are “meant to ensure that dam owners provide proper operation, maintenance, inspection, repair and emergency planning.” The draft regulations are on the DEC website at:

<ftp://ftp.dec.state.ny.us/dow/damsafety/> or by contacting the Dam Safety program staff at (518)402-8151. A summary can be found on pages 3-6.

NYSFOLA members attended public informational meetings this summer and found that the draft regulations have many implications for dam “owners” — especially smaller lake associations.

The NYSFOLA Board of Directors prepared written comments (see pages 7-8) and sent them to DEC, key legislators, and other parties of interest. We encourage our members to do the same.

NYSFOLA's mission. is to protect the water resources of New York State by assisting local organizations and individuals through public dialogue. education, information exchange and collaborative efforts.

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WATERWORKS

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All letters to the editor represent the viewpoints of the author and may or may not reflect the opinion of the NYSFOLA membership or Board of Directors.

From the President...by Donald Cook

Fall is upon us. The maple trees are turning red. The red squirrels are dropping spruce cones all over the yard. The Boy Scouts are taking in the docks and hoists, and Sweetwater is finally applying the Alum. The Honeoye Lake community has been working long and hard to reach this point. We all hope that the algal blooms which have been heavy the past three weeks will diminish in the years to come.

The proposed revisions to dam safety regulations have become the number one priority for NYSFOLA. We salute DEC for trying to improve the safety of our dams, but we are concerned that they have lost sight of a few important things.

We are greatly concerned about the financial responsibility that would be placed on many lake associations. Some will have to foot the bill for all inspections, repairs, and replacement projects. Our state government needs to realize that lake communities do not have the financial resources that many people perceive we have.

Secondly, many of our lake associations are finding that their liability insurance is being dropped by their providers. New York State must find a way to help lake associations find affordable insurance for their dams, especially if they are going to require financial assurance.

We encourage all NYSFOLA lakes with dams to review the proposed regulations. You may want to write or call your state representatives to voice your concerns. It is also important for you to contact your local town and county governments to emphasize the economic value of your lake, especially with respect to property values. What would happen if your dam had to be removed?

DEC will be holding formal public hearings on the revised regulations. We will keep you advised and hope to have a large NYSFOLA presence!

Don Cook, President



The Proposed Dam Safety Revisions Summarized

- from NYS DEC Informational Session Handouts

Dam Hazard Class	O&M Plan	Report Flow in Auxiliary Spillway	Annual Certification	Property Transaction (Records Transfer?)	Owner Inspection Frequency	Owner Engineers Assessment (Frequency)	Emergency Action Plan	Financial Assurance
Class A Low Hazard Below Permitting threshold	N/A	N/A	N/A	Not Required	Hazard Verification Only (10 yrs)	N/A	N/A	N/A
Class A Low Hazard Above Permitting Threshold	YES Owner Retains	N/A	N/A	Required	Hazard Verification Only (10 yrs)	N/A	N/A	N/A
Class B Intermediate Hazard	YES Owner Retains	Required	Required	Required	Inspection (4 yrs)	YES (10 yrs)	Required Submit to NYS DEC	N/A
Class C High Hazard	YES Owner Retains	Required	Required	Required	Inspection (2 yrs)	YES (10 yrs)	Required Submit to NYS DEC	Submit to NYS DEC Maintain for life of dam

673.4 Permitting Dam Projects.

Regulations pertaining to permitting dam projects are set forth in Part 608 of this title, Use and Protection of Waters. Dams meeting the following height and capacity thresholds are required to obtain a permit for construction, reconstruction, repair, breach, or removal:

- a height equal to or greater than 15 feet, or
- a maximum impoundment capacity equal to or greater than three million gallons.

- (c) Exempt from dam safety permitting requirements are:
- (1) any dam with a height equal to or less than six feet, regardless of capacity;
 - (2) any dam with an impoundment capacity less than or equal to one million gallons, regardless of height; and
 - (3) ordinary maintenance activities for a dam or its appurtenant works.

***Dam Owner* means any person or local public corporation who owns, erects, reconstructs, repairs, maintains, operates, or uses a dam.**

673.5 Hazard classification.

- (a) The department may assign a hazard classification to dams according to the potential impacts of a dam failure. The factors used to assess a hazard classification are:
- (1) the height of the dam and the maximum impoundment capacity;
 - (2) the potential for loss of human life;
 - (3) the physical characteristics of the dam site and the location of developed areas, occupied buildings or other land improvement in the area which would be affected by a failure of the dam;
 - (4) the economic loss which could result from failure of the dam;
 - (5) the environmental damage which could result from a failure of the dam; and
 - (6) other site-specific characteristics which the department determines are necessary to consider.

(b) The hazard classifications are as follows:

(1) **Class A** dams are located in areas where failure will damage nothing more than isolated buildings, undeveloped lands, or town or county roads and/or will cause no substantial economic loss or substantial environmental damage. Class A dams are considered to be Low Hazard dams. **(4438)**

(2) **Class B** dams are located in areas where failure may damage isolated homes, main highways, minor railroads, interrupt the use of relatively important public utilities and/or will cause substantial economic loss or substantial environmental damage. Class B dams are considered to be Intermediate Hazard dams. **(757)**

(3) **Class C** dams are located in areas where failure may cause loss of human life, substantial damage to homes, industrial or commercial buildings, important public utilities, main highways or railroads and/or will cause extensive economic loss. Class C dams are considered to be High Hazard dams. **(384)**

(4) **Class D** dams are either breached or failed dams, or dams which were planned but never constructed. Class D dams are considered to be defunct dams posing negligible or no hazard. The department may retain any pertinent records.

673.6 Annual Certification

Class B and C dam owners shall submit an annual certification, in a form prescribed by the department, to the department by January 31 of each year. Class B and C dam owners shall certify ownership; that Operation and Maintenance Plans are current and being implemented; and that Emergency Action Plans are current. Any pages updating the Emergency Action Plan shall be included with the annual certification statement. The reports must be signed by a responsible corporate officer. A responsible corporate officer means: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making function for the corporation.

673.7 Inspection Process.

Role of the Dam Owner.

- (1) All dam owners shall, at all times, be responsible for the safety of the dam and all appurtenant works including operation, maintenance, and periodic inspection.
- (2) All Class B and Class C dam owners shall retain, at the dam owner's sole expense, an engineer to perform periodic dam safety inspections and engineering assessments.
 - (i) Dam safety inspections are required at the following minimum frequency: Class C dams, every 2 years, Class B dams, every 4 years.
 - (ii) Engineering assessments are required at a minimum frequency of 10 years. Within three years of the effective date of these regulations, the owners of Class C dams shall submit the first engineering assessment to the department. Within five years of the effective date of these regulations, the owners of Class B dams shall submit the first engineering assessment to the department.
 - (iii) In those years when an engineering assessment is performed, a dam safety inspection will not be required.
- (3) The engineer conducting a dam safety inspection shall prepare a written report which includes but is not limited to:
 - (i) A review of all documents, studies, plans, hazard classifications, photos, or any other information related to the dam and its appurtenant works. This shall include a review of the Operation and Maintenance Plan, previous inspection reports, and the Emergency Action Plan.
 - (ii) A visual inspection of the dam including the embankment, spillway, outlet, and appurtenant structures at the time of inspection. Specific attention shall be placed on addressing conditions reported in previous reports as well as any work required by the department. The report should include dated photographs of specific observations and problem areas.
 - (iii) An evaluation of any instrumentation data.
 - (iv) Recommendations for any identified deficiencies, including additional investigations such as underwater inspections.
 - (v) A schedule for any corrective actions required to address identified deficiencies and to assure the safety of the dam. The department may comment on or approve the schedule.
- (4) The engineer conducting the engineering assessment shall prepare a written report which shall include but is not limited to the minimum activities required in 673.7(a)(3)(i) through (v) as well as the following:
 - (i) An evaluation and conclusion as to whether the dam meets current dam safety criteria with respect to spillway capacity and structural stability. Any calculations or computer modeling of the hydrologic, hydraulic, stability and/or structural analysis shall be included with the report.
 - (ii) A determination if a change in the hazard classification is warranted or if the Emergency Action Plan requires modification due to either changes to the dam or land use changes in the inundation area.

-
- (iii) Identify probable failure modes, as well as a description of field observations of the initial and progressive signs of these failures.
 - (5) A Class C dam owner shall submit copies of the dam safety inspection report and the engineering assessment report to the department. A Class B dam owner shall retain copies of the dam safety inspection report and the engineering assessment report, which shall be made available upon request by the department.

673.6 Financial Assurance

Financial Assurance means a demonstration by a dam owner of alternatives or combinations of alternatives of liability insurance or annuities, self-insurance, trust funds, certificates of deposit, surety or performance bonds, letters of credit, or guarantees provided by corporate or other legal or financial affiliates of a dam owner acceptable to the department for the purpose of assuring that dam erection, reconstruction, repair, breach or removal can be done if necessary.

- (1) All Class C dam owners shall provide for and demonstrate financial assurance acceptable to the department, to assure that funds will be available to allow any necessary actions to be taken to protect life, property, or natural resources during the lifetime of the dam. The amount of financial assurance shall include:
 - (i) the cost of all labor and materials;
 - (ii) the cost of preliminary investigations and surveys;
 - (iii) the cost of construction plans;
 - (iv) the cost of environmental mitigation associated with any of the actions taken; and
 - (v) any other appropriate cost as determined by the department.
- (2) Within 12 months of the effective date of these regulations, all owners of existing Class C dams shall demonstrate financial assurance to the department's satisfaction.
- (3) The financial assurance demonstration shall be updated annually or as otherwise determined by the department.

Questions, Comments, Concerns?

Joanne Parker
NYS Department of Environmental Conservation
Division of Water
Dam Safety Program
625 Broadway—4th Floor
Albany, NY 12233-3507
jcparker@gw.dec.state.ny.us

Commissioner Denise M. Sheehan
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3507

You may also want to contact your own local and state representatives.

New York State Federation of Lake Associations, Inc.

P.O. Box 84
LaFayette, NY 13084
Phone/Fax 1-800-796-FOLA
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Commissioner Denise Sheehan
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Dear Commissioner Sheehan,

I am writing to you as President of the New York State Federation of Lake Associations, Inc. in regard to the proposed changes to Parts 608, 621 and 673 of the NYS Dam Safety Regulations. Our organization represents nearly 200 statewide lake associations and their affiliated lakeshore property owners. Many of our member lake associations have dams on their lakes, and we fully understand the havoc created by recent dam failures in the state. It is our organization's mission to *"protect the water resources of New York State by assisting local organizations and individuals through public dialogue, education, information exchange and collaborative efforts."* As such, we have a tremendous interest in helping to create safe dams and also to make the new dam safety regulations workable. NYSFOLA has a long history of collaborative efforts with the New York State Department of Environmental Conservation including the Citizens Statewide Lake Assessment Program (CSLAP) and the publication of "Diet for a Small Lake." Therefore, we hope to work closely with your Department as these regulation changes are promulgated.

First, it is important to recognize that lakes and their associated shoreline owners currently contribute in many ways to the economic and environmental health of New York communities. Typically, lakeshore properties provide 50- 90%, of the tax base to their associated towns and school districts. A recent inventory in Franklin County indicated that lakeshore properties represented only 5% of the land area, but they contributed more than 50% of the taxes. Additionally, recreational fishing and boating on the lakes results in income to surrounding communities through marina fees, restaurant activity, gas purchases, and other services. A study on Oneida Lake showed that such usage resulted an annual income of 6 million dollars to the surrounding counties

However, many of these contributions may be threatened by the proposed changes to the NYS Dam Safety Regulations. We believe the following issues must be reviewed and modified if the new regulations are to achieve their goals of improving dam safety while protecting the economic health of our state:

- 1) The proposed regulations include ambiguous language. We are particularly concerned with the proposed definition of "dam owner." What is meant by "substantial" economic loss or environmental damage under the Class B hazard classification. What is meant by "extensive" economic loss under the Class C hazard classification? Are there thresholds for these definitions?
- 2) Many lake associations are not incorporated. They are administered by volunteers. The Annual Certification section requires submittal by an "officer of the corporation." Other sections require record keeping requirements beyond the capability of most volunteer organizations.
- 3) The proposed amendments call for dam inspections to be done by a professional engineer that is knowledgeable of dam design, construction, maintenance, and removal. Our members have already voiced concern about the lack of availability of such engineers with this expertise throughout New York. The new and onerous qualifications and liability issues required for dam engineers will almost certainly impact their availability and raise the cost of their services beyond the financial abilities of most lake associations.
- 4) The amendments call for "financial assurance" in the event of dam failure and for dam maintenance and re-

pairs. The Department should be advised that many of our member lake associations have been finding it extremely difficult to find insurance coverage, particularly since the events of 9/11. The insurance companies are not willing to cover the costs of catastrophic loss associated with dam failures. Those that are willing do so at increasingly prohibitive rates.

We believe that, for the most part, dam owners realize that with the luxury of having lake property, comes the responsibility of dam safety. While these proposed amendments may force non-compliant dam owners to start adequately maintaining their dams, the financial burden will also force many current responsible dam owners into non-compliance. Instead of increasing dam safety, the opposite may occur.

The proposed regulations pose serious environmental and economic consequences. In the worst-case scenario, dams will be removed. Certainly, many lakeshore property owners will choose to sell their properties rather than taking on the burden of dam liability. This could result in a serious drop in property values and its associated tax base for lake communities. We believe that a broader dialogue and alternative solutions are needed to address the issue of dam safety. At the very least, local governments and school districts should be consulted and involved in the revision process.

We feel that the cost of both the financial assurance and periodic inspections by a PE would go farther if spent directly on dam maintenance. We also believe that the responsibility and expertise of dam safety should remain within the Department of Environmental Conservation and adequate funding should be provided.

We look forward to working with you and your staff on this important issue.

Sincerely,

Donald Cook

Donald Cook, President

On behalf of our membership, the NYSFOLA Board of Directors prepared these written comments for submittal to the NYS Department of Environmental Conservation and key members of the NYS Legislature. Copies were also distributed to other parties of interest. These concerns address the “big picture” issues with the proposed Dam Safety Regulation revisions. Your own lake association may have other concerns, and we urge you to submit them. Please send a copy to the NYSFOLA office so that we can keep track of the needs of individual lake associations.



CSLAPpenings

THANK YOU 2006 CSLAP VOLUNTEERS!

Augur Lake: Bob FitzRandolph, Eric & Paul Knott **Anawanda Lake:** Karl Stahl **Babcock Lake:** Jan Shields, James Van Hoesen **Ballston Lake:** Peter Herman **Beaver Lake:** Lawrence & Susan Paul **Black Lake:** Harriett Bartlett, Jim Jackson, Chris Klink **Blue Heron Lake:** David Hutchinson, Christopher London **Brantingham Lake:** Edward Cousin, John McGough **Burden Lake:** Kevin Tighe, Jerry Halen **Butterfield Lake:** Corey Brown, Shirley Carpenter, Liz Keesline, Tom Wingerath **Canada Lake:** John & Merryn Byrnes **Cayuga Lake:** Glen Bundy, Dave Conley, Bill Hecht, Tom Vawter **Cazenovia Lake:** Rich & Marilyn Husted **Chautauqua Lake:** Douglas & Jane Conroe **Chenango Lake:** Brian Brennan & Phil Jones **Lake Clear:** Bob Callaghan **Lake Como:** Ken Woodman **Cossayuna Lake:** Dan & Marie Rokjer **Cuba Lake:** Dave Bosworth, Larry Kus, Jim Mostacato **Deer Lake:** Gary Williams **DeRuyter Reservoir:** Jim Adsit & Linda Lanty **Duane Lake:** Ken Pearsall **Duck Lake:** James Guenther **Eagle Lake:** Paul & Mary Lloyd Burroughs **East Caroga Lake:** Gail Girvin **Echo Lake:** Charles & Sherry Brown **Effley Falls Reservoir:** John & Kathy Bast **Findley Lake:** Mark Matrozza **Forest Lake (Rensselaer Co.):** Peter, Nancy & Dylan Jones, David Brusco **Forest Lake (Warren Co.):** Rosalba O'Boyle **Friends Lake:** Kennard & Kenneth Raisner **Fulton 2nd Lake:** Dave & Sher Pierson **Galway Lake:** Adrien Gaudreau, Herbert Hopper, Bruce Kniskern **Genevanslet Lake:** Elliott LaRose, Thomas Federowicz, Ken Poyneer, Jean Raymond, Deborah Waziak **Lake George:** Catherine Aiken, Peter Gaddy, Anne Green, Cathy & Jack LaBombard, Joanne & Mark Mueller, Roger & Susan Wilson, D.A. & Richard Gasser **Lake Gerry:** Vince Granata, Donna Huttleston, Peter Letkiewicz, Chic Reeves **Glen Lake:** Mike Dansbury, Paul Derby, Bill Miller **Goodnow Flow:** Bill & Andrea James **Gorton Lake:** Roy Langworthy **Guilford Lake:** Peg Connolly, Don, Ellen & Eric Bosworth, Tim Russell **Grass Lake:** Alyssa Cogliandro, Gerald Cole, Karne Edwards, Jarret & Zack McDonald, Megan McGee, Jim & John Ninos, Dan, Dave & Gail Rizzo, Melissa Rose **Horseshoe Pond/Deer River Flow:** Alana, Mark, Nancy, Katrina & Theresa Beddoe, Ethan & Brian Lobenstine, Jim & Kurt Reh **Hunt Lake:** Bob Cady **Indian Lake:** Erika, Lauren, & Peter Cross, Cameron Marin **Jenny Lake:** John Barbie, Rexford Moon, Kay Murnane Robin Stocks **Kasoag Lake:** Myra Grabowski, George Henry **Katonah Lake:** Diane Doesserich, Trevor Hill, Sebastian Mineo, Thomas Vietor, Michael Weschler **Little Fresh Pond:** Michael Bateau, John & Trish Barona, Bob Biederman, Bruce Nadell, Walter Potapchuk **Little Long Pond:** Ricky Grigoris, Dana & Dave Harvey, Kevin Heine, John & Mark Mahoney, Dane Riva, Brendan Sheil, Jennifer Street **Loon Lake:** Mary & Roderic Lindsey, Helen Sick **Lorton Lake:** Margaret Farrington, William Hughes, Don Imeson, Steve Pofahl, Barbara Sherman **Madison Lake:** Dawn Campbell, David Holtie, Scott & Laura Housewright, Amy Perry, Dave Sauter, Brenda & Mark Tornatore, Tony & Karen Waterman **Mariaville Lake:** Ellis & Michael Blood **Melody Lake:** Bob Rosati, Stephen Smith **Millsite Lake:** Jan Douglass **Mirror Lake:** Mark Wison **Mohegan Lake:** Randall Duggan, John Komlos **Lake Moraine:** Earl Ewing, Jim Loveless, Gary Rider, Otis Smith **Oquaga Lake:** Andrew, Emma, Kathleen & Mark Millspaugh **Lake Oscaleta:** Leslie Daley, Dick and K. Karl, Paul Lewis, Barbara, Posner, Shannon Robinette **Otter Lake:** Scott Lincoln **Paradox Lake:** Jim Sr. & Jim Jr. Belott, Bob & Jane Claus, Maralyn Deiso, Jane & Jeff Jenks, Frank Rose, Helen Wildman **Peach Lake:** David Bruen, Scott Cerosky, Lorraine Janus, Donna Romeo **Lake Peekskill:** Sam Davis, Ted Muniak, Dawn Powell **Petonia Lake:** Jim & Valerie Kozak, Ed Murray **Lake Placid:** K. Hunkins,

S. Riggins, M. Thill, Mark Wilson **Pleasant Lake:** Georgia Rampe, Michael Smithem
 Bob Vaniglia **Plum Brook Lake:** Werner Hengst,
 Edward Liss **Plymouth Reservoir:** Ray & Rena
 Doing **Queechy Lake:** David Patzwahl **Lake
 Rippowam:** Janet Anderson, Lou Feeney, Liz
 Fryer, Stephanie Harding, Paul Lews, Bobbie &
 Lew Terman **Round Pond:** Regina Andrews, Bar-
 bara Brooks, Francille Egbert, Christine & Zoe
 Rafto **Lake Salubria:** Charles & Rachael Brown
Upper Saranac Lake: Dean Butts, Jim Crane,
 Gene & Michelle BrownGarcia, Rick & Sue
 Mincher, Dave Perry, Curt Stiles **Saratoga
 Lake:** Ed Dweck **Schroon Lake:** Rebecca Arm-
 stron, Cookie Barker, Wesley Beers, J. Hamil-
 ton, Elliott Hibbard, Jeremy Tyrell, Anthony
 Vanderwalker **Sepasco Lake:** Carl Parris, Bryan
 Poczatek **Shenorock Lake:** Kathleen Cordero,
 Dennis DiSanto, Susan Moravek **Silver Lake
 (St. Lawrence Co.):** Roger Johnson **Silver
 Lake (Wyoming Co.):** Bain Johnson, Lori Kis-
 sel, Dave Reckahn, Bill Soules **Smith Pond:**
 Lori, Louis & Theresa Brentson, Paul Lord,
 Georgia Roberts, Colleen & Kevin Tuttle **Som-
 erset Lake:** Wil Kamp, Cheryl Stockton **Ta-
 conic Lake:** Paul Thomas, Brian Tollison
Teatown Lake: Lisa Baugh, Phyllis Bock,
 Beth Rhines, Erin Smithies **Timber Lake
 (Westchester Co.):** Michael Brown, George
 Levites, Eric Stand **Tuscarora Lake:** Paul
 Graff, Louis Neuburger, Dick Steinback
Truesdale Lake: Debbie Fink, Gary Struve
Lake Waccabuc: Janet Anderson, Bob Cory,
 Tyler Danz, Lou Feeney, Bonnie Klein, John
 Lemke, Betsy & Jack Sinnott, Jerry Therrien
Wallace Pond (aka Westchester Lake): Sue
 McDonnell **Lake Warn:** Elaine M. & James F.
 Hill **Weiden Lake:** Tim Wood **Yankee Lake:**



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Also, a very special thanks to **Jennifer Aicher** and the labora-
 tory staff at **Upstate Freshwater Institute** in Syracuse for
 making this the most problem-free CSLAP season in YEARS!
 We truly appreciate all the effort put into processing those
 samples, coolers and UPS labels!

2007 CSLAP APPLICATION FORM

CSLAP is a joint venture between the NYS Department of Environmental Conservation (NYSDEC) and the NYS Federation of Lake Associations, Inc. Please return this completed form with your participation fee to: NYSFOLA P.O. Box 84 LaFayette, NY 13084-0084

APPLICATIONS MUST BE RECEIVED BY MARCH 15, 2007

Date _____ Lake Name _____

County _____

CSLAP Contact Person (SUPPLIES WILL BE SENT TO THIS PERSON/ADDRESS IN THE SPRING OF 2007)

Name _____ E-Mail _____

Address _____ (We cannot ship to a P.O. Box address)***

City _____ State _____ Zip _____

Phone _____

Problem/issues facing your lake and/or lake association:

Lake Size/Depth:

Invasive species control methods used in past (circle one)

Mechanical Harvesting Herbicide (please specify) Grass Carp Benthic Barriers Other (specify)

Names, phone numbers and e-mail addresses of volunteers who will collect the samples:

- 1.
- 2.
- 3.
- 4.

A minimum of 4 volunteers (2 primary and 2 secondary) should be identified before the sampling season begins. Please arrange for any new volunteers to attend the initial training session at the NYSFOLA annual conference. Membership in NYSFOLA is a requirement of the program. It is requested that a lake association make a five (5) year commitment in order to make the data meaningful.

2007 CSLAP PARTICIPATION FEE(S)***

1 SITE: \$200.00 2 SITES: \$450.00 3 SITES: \$800.00

4 SITES: \$1250.00 5 + SITES: \$500 PER ADDITIONAL SITE PLUS INVOICE COST OF ALL EQUIPMENT

***If your lake needs to ship via the US Postal Service rather than using United Parcel Service (UPS), please subtract \$60 from the participation fee per site. We do not have a prepaid account. The \$60 discount is to cover shipping costs which must be paid by the lake association. We will supply UPS labels for all other lakes.

2007 CSLAP CHECKLIST

- _____ CSLAP Application Form
- _____ CSLAP Participation Fee
- _____ 2007 NYSFOLA Membership Form
- _____ 2007 NYSFOLA Dues

Ask Dr. Lake



Dear Dr. Lake,
I have a gaggle of honking, pooping geese that keep coming back to my lake. They're beautiful birds but what a mess they make! We can't seem to get rid of them. I have some ideas of my own, but I guess I should ask for your suggestions first. Any ideas?

Patty D'Fwah Grah

Lake Goosestep, NY

Dear Patty,

Although you're crying foul about waterfowl, you might as well be talking about insects because you have stepped into a hornets' nest. These beautiful creatures have exerted squatters' rights on many lakes and ponds in New York State. They have pitted the interests of birders and naturalists against lakefront owners and swimmers who are frustrated with navigating through fields of little green landmines and are concerned about potential connections between "goose poose" and high bacterial counts.



Canada geese (*Branta canadensis*) were almost nonexistent in the wild in New York State until after the 1960s. Some experts claim that New York State can only support a population of about 75,000 Canada geese, the approximate number of geese estimated in an early 1990s survey of New York State. By

the mid-1990s, the official census indicated populations closer to 150,000 and close to 120,000 in the Montezuma Wildlife Refuge. Today, at least 25,000 resident nesting pairs and 200,000 migratory Canada geese leave their calling cards on or near many NYS lakes. A single lake in the Capital District saw goose populations rise from less than five in the late 1980s to 200-300 today.

Management of waterfowl problems has spawned as many home remedies, anecdotes, and cries of

"I'll try anything" as any other lake issue. NYS-FOLA President Don Cook even tried a spray made from the seeds of Concord grapes "sure to keep lakefront lawns goose-free." Guess what did not work? However, there are a few important points that need to be considered before undertaking a Canada goose control program:

1. Resident and migratory Canada geese are protected by federal and state laws. Aggressive control methods, such as those murderous acts contemplated by you, require permits.
2. Canada geese can live for more than 20 years and breed annually after the age of 3. They mate for life and can produce 2-3 surviving goslings in each brood.
3. The goose eggs hatch in April or May, and shortly thereafter, the adults will rear their young on plush lawns bordering the lake.
4. The geese will also congregate near water during their molting stage and open water periods in the winter.

Does ANYTHING work to control them?

What works best is discouraging them from visiting and enjoying your lake by partaking in crusty bread provided by otherwise well-meaning lake residents and unsuspecting visitors. Feeding the birds allows them to get comfortable around people and may keep them from migrating to warmer climates with better winter food supplies. However, while "Don't Feed the Birds" signs are always useful, it may be too late for Lake Goosestep.

The next most effective method, or least contro-

versial, is to modify their habitat (and yours). This can be achieved by discouraging grazing and easy pathways for goslings to migrate from water to land. Get rid of the lush, green lawn! Many native shrubs such as ivy and junipers are not palatable and can be planted along shorelines and walkways. Suspending wires, fencing, or other physical barriers at least 6-30" above the ground will provide roadblocks for many geese. Some lake communities install temporary fencing along swimming beaches and adjacent to large manicured lawns. This can be removed during recreational hours. The same objectives can also be achieved by dense shrubbery along the shoreline.

The next level of control involves actions to offend goosey senses. The simplest, though most erratic, usually involves visually odious devices, such as Mylar tape that reflects sunlight. It may also produce a humming noise in the wind that no doubt sounds like heavy metal to the ears of a proper par-

Dr. Lake's Rx:

"Lakescaping for Wildlife and Water Quality" Available from the NYS-FOLA office for \$19.95. Send your check to:
NYSFOLA
P.O. Box 84
LaFayette, NY 13084



not become acclimated to the barking. Alas, your neighbors might not either!

The most controversial control measures have involved destroying the eggs or the geese themselves. Several lake communities have undertaken egg addling projects — usually by puncturing, shaking or oiling the eggs to prevent hatching. This has been effective but only when utilized for many years throughout a large geographic area surrounding the lake. The capture and/or killing of geese, like disrupting eggs or nests, requires state and federal permits. It is a recipe for a volatile brew of spicy emotions and half-baked truths. Permits are only issued when other measures have been deemed ineffective, and for most lake communities, these draconian measures should truly constitute the last resort.



ent goose. Noisemakers and pyrotechnics work best before geese are established in an area. These can take the form of starting pistols, sirens and explosive devices. Be forewarned, however, many of these require special permits.

Finally, Don Cook's experience aside, some geese apparently avoid lawns treated with methyl anthranilate (a grape flavoring) much as some children avoid brussel sprouts. While only one such product (ReJeXiT) can be used with permit in NYS, other grape juice substitutes are no doubt used in other places, probably with limited success.

Perhaps the most effective deterrents have been the



Chemical Attractants Draw Weevil to Eurasian Watermilfoil

University of Minnesota News Release

Scientists at the University of Minnesota have discovered, for the first time, at least two chemical insect attractants released by an aquatic plant. Professors Ray Newman and Florence Gleason, and their graduate student, Michelle Marko, identified the chemicals as glycerol and uracil. These compounds are produced by Eurasian watermilfoil an invasive plant, and lure a native species of weevil (*Euhychiopsis lecontei*) to eat, mate, and lay their eggs on the plants.

Both glycerol and uracil are produced by other plants but are released at higher concentrations by Eurasian watermilfoil. This is bad news for the milfoil because the weevils are a natural biocontrol measure for this exotic plant that has plagued North American waters since the late 1940s. Eurasian watermilfoil can form dense mats of vegetation and crowd out native aquatic plants, clog boat propellers, and make water recreation difficult.

“If you look at terrestrial systems,” said Newman, a professor with the Department of Fisheries, Wildlife, and Conservation Biology, “there are many insects that specialize by feeding on certain plants - cabbages, for instance, and the attractants are well known. This is the first time a chemical attractant for an insect has been found on an aquatic plant.”

The researchers gathered milfoil from lakes across Minnesota and then grew the plants in lab tanks for several days before extracting chemicals the milfoil released into the water. They tested the extracts on the weevils to determine their preference.

To pinpoint the attractants, the researchers used techniques as complicated as mass spectrometry and nuclear magnetic resonance spectroscopy and as simple as a salad spinner.

Glycerol is a sweet-tasting thick liquid used in many products humans eat, such as candy, cakes, food color-

ing, and flavorings like vanilla. Uracil is a more complicated chemical with derivatives that are important to cell metabolism, particularly carbohydrate metabolism.

A third “mystery” attractant was also apparent. “There’s a third compound we’re aware of, but can’t identify,” said Newman. “Results are clear that glycerol and uracil are attractive to the insects, but there seems to be at least one more.”

The weevil’s attraction to these compounds increases as concentrations increase. “Although other aquatic plants also release glycerol and uracil, the higher concentrations released from Eurasian watermilfoil as it grows make it more obvious to the weevils,” said Gleason, a professor with the Department of Plant Biology.

Weevils used in the experiment were collected from the same lakes as the milfoil used by the researchers. The tiny weevils were placed in a “Y-tube” that had attractant materials on one side of the top of the Y and control materials placed on the other side. Weevils usually made their preference for the attractant materials clear within five minutes. The research team’s results were published in the December 2005 issue of the *Journal of Chemical Ecology*.

“These findings would be useful for sampling or collecting adult weevils,” said Newman. “The attractants could be used to lure weevils living in a lake into a trap so that they could be released elsewhere or used for research purposes, or the attractants could be used to get an idea of how many weevils live in an area.”

“This is the first time a chemical attractant for an insect has been found on an aquatic plant.”

*Professor Ray Newman,
Minnesota Sea Grant*

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Baltimore, Maryland November 6-9, 2006 www.awra.org/meetings/*

*NALMS 2006 International Symposium - Crowne Plaza and Historic Union Station
Indianapolis, IN November 8-10, 2006 www.nalms.org/*

*Third National Water Resources Policy Dialogue - Arlington, Virginia
January 22-23, 2007 www.awra.org/meetings/*

*NYSFOLA Annual Membership Meeting and Conference
White Eagle Conference Center Hamilton, NY
May 4-6, 2006*

