

# WATERWORKS

*New York State Federation of Lake Associations, Inc.*

April 2007



## **DEC Issues Revised Emergency Regulations to Help Stop the Spread of Viral Hemorrhagic Septicemia (VHS)**

*NYS Department of Environmental Conservation Press Release March 14, 2007*

### ***Inside...***

<i>Board of Directors</i>	<i>Page 2</i>
<i>From the President</i>	<i>Page 2</i>
<i>Viral Hemorrhagic Septicemia (cont'd)</i>	<i>Pages 3</i>
<i>NYSFOLA Conference Agenda</i>	<i>Pages 4-7</i>
<i>News from NALMS Category Change Region 2 Rep. Symposium</i>	<i>Pages 8-9</i>
<i>CSLAPpenings</i>	<i>Page 10</i>
<i>Water Chestnut in the Finger Lakes</i>	<i>Page 11</i>
<i>Wildlife &amp; H2O Quality</i>	<i>Page 11</i>
<i>Lakescaping Contest</i>	<i>Page 12</i>
<i>Nozzolio Secures \$625 Million for FLI</i>	<i>Page 12</i>
<i>Wetlands Permitting News</i>	<i>Page 13</i>
<i>Conference Registration Form</i>	<i>Page 14</i>
<i>2007 Membership Form</i>	<i>Page 15</i>
<i>Calendar of Events</i>	<i>Back Cover</i>

The New York State Department of Environmental Conservation (DEC) has announced the adoption of new emergency regulations to help prevent the spread of the Viral Hemorrhagic Septicemia (VHS) virus to additional waters in the State. The new emergency regulations, which were filed with the Department of State and took effect on Friday, March 9, 2007 replace previously enacted emergency regulations and reflect some changes incorporated as a result of public comments on the limits of the possession, sale, transfer, taking and release of certain baitfish and other live fish species to be placed in New York waters. VHS is a pathogen of fish and does not pose any threat to public health.

VHS was first confirmed in New York waters in May 2006 in Lake Ontario and the St. Lawrence River, and has now also been confirmed in several fish species in Great Lakes basin waters in New York State, Conesus Lake and in other states. Once a fish is infected with VHS, there is no known cure. Because of the often fatal virus's ability to spread, and potential impact to fisheries, recreation, and the economy, the World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

VHS can be spread from water body to water body through a variety of means, not all of them known at this point. One known pathway is through the movement of fish, including baitfish. DEC, in cooperation with the College of Veterinary Medicine at Cornell University, has sampled fish from waters across the state, and except for Conesus Lake, VHS has not been confirmed in fish from any water outside the Great Lakes basin.

The Amended Federal Order that was issued on November 14, 2006 to prevent the spread of VHS to other waters and to protect economically important sport fisheries and aquaculture remains in effect. Information of the Federal Order can be found on the APHIS website at [www.aphis.usda.gov/vs/aqua/](http://www.aphis.usda.gov/vs/aqua/).

The Amended Federal Order does not address the movement of fish within New York State. In-state movement of fish for use as bait or for stocking could spread VHS in New York and cause significant adverse impacts to the state's

*(Continued on page 3)*

*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.*

**New York State  
Federation of Lake Associations, Inc.  
Officers & Directors**

Donald Cook- **President** (585) 367-9293  
 Robert Rosati - **Past President** (607) 863-4425  
 Willard Harman - **Vice President** (607) 547-8778  
 Donald Keppel - **Treasurer** (716) 769-7231  
 Walter Dutcher - **Secretary** (585) 482-2040  
 John Slater - **President-Elect** (315) 824-1649

**Other Directors-**

Sharon Anderson (607) 532-4104  
 Jack Baldwin (716) 346-5882  
 Tracey Clothier (518) 668-9653  
 Rena Doing (607) 334-2648  
 Hood, James (518) 668-3558  
 Kelley, George (315) 852-6431  
 Nick Klupacs (845) 344-0526  
 Dean Long (518) 587-8100  
 Theresa Mayhew (518) 828-3346  
 Kathleen McLaughlin kemclaughlin@optonline.net  
 Rebecca Schneider (607) 255-2110  
 Jan Shields (518) 686-7417  
 Helen Sick (716) 728-5105  
 Lew Stone (518) 656-9078  
 Philip Utter (716) 741-3208  
 David Wright, Esq. (914) 528-3981

**Manager**

Nancy Mueller (800) 796-3652

**WATERWORKS**

Please send future articles, comments or editorials to:  
 Nancy Mueller, Manager  
 NYS Federation of Lake Associations, Inc.  
 P.O. Box 84  
 LaFayette, NY 13084  
 FAX/phone (800)796-FOLA  
 E-mail-fofa@nysfofa.org  
 Website - www.nysfofa.org

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

***From the President...by Donald Cook***

*It looks more and more like spring has sprung at Honeoye Lake. The patches of green grass are getting larger. There is more open water at our outlet in which the geese and ducks can frolic. The marina is taking orders for new engines and boats. Hopefully by the time you read this, the 12" of ice will be melted, and I will be out putting in my dock.*



*Nancy Mueller, Dean Long and other members of the NYSFOFA Board of Directors are hard at work putting the final touches on the 24th Annual Conference at White Eagle Conference Center. I am sure that there are many presentations that would be of great benefit to your lake and watershed.*

*Special thanks to Rebecca Schneider of Cornell University for volunteering to make two presentations at the conference. She will also unveil NYSFOFA's new "Lakeshore Planting Contest". Check it out. You could be the big winner.*

*Fish viruses seem to be constantly in the news. Since the Koi Herpes Virus came on the scene in Chautauqua Lake in July of 2005, I have been trying to promote the establishment of plans to deal with large fish kills. It took a coordinated effort by the Chautauqua Lake Association, county agencies, towns and DEC to deal with tens of thousands of dead carp. Work with various county and local agencies to develop a plan of action (clean up, fish analysis and disposal) in the event that one of these diseases reaches your lake. Don't wait until the virus hits.*

*The NYSFOFA website has changed. I highly recommend that you check out the new section called "The Water Column." It will be updated frequently with information on issues of importance to New Yorkers concerned about their watersheds/lakes. The NYSFOFA Board of Directors decided to remove the Forum section from the website. It was victim to ads, spam, spyware and unsolicited adult material from web users. If you have any ideas on how NYSFOFA can help NYS lake associations exchange ideas/information more effectively, contact Nancy Mueller at the office.*

*Finally, congratulations to NYSFOFA Board member Sharon Anderson. She was elected to the NALMS Board of Directors as the Region 2 Representative (New York, New Jersey and Puerto Rico). She will keep us abreast of the "big picture" of lake management throughout North America and all that NALMS has to offer us.*

**Donald Cook , President**

---

(Continued from page 1)

fish resources. Therefore, in order to protect New York's valuable fishery resource, DEC has adopted emergency regulations that, along with a revised proposed rule making, include the following provisions:

- **Limit the personal use of baitfish to the same water body from which they were collected.** The rule restricts the personal use of baitfish to the specific water body from which such baitfish were collected, with no motorized, overland transport allowed. This provision has changed from the originally proposed provision as there will be no limit on the number of baitfish that may be possessed. Also, baitfish can be taken from the water body's tributaries upstream to the first impassible barrier for use on such water body. (This rule does not pertain to the personal possession of baitfish collected in the Marine District for use in the Marine District.)
- **Limit the use of commercially collected and sold baitfish to the same water from which they were collected.** The rule restricts the use of baitfish collected for commercial sale, to the water body from which such baitfish were collected, with no motorized overland transport allowed, unless pursuant to a permit from DEC. (This rule does not pertain to the possession of baitfish collected in the Marine District for use in the Marine District.)
- **Require that baitfish offered for wholesale sale be certified disease free of fish pathogens and accompanied by a fish health inspection report.** Except under permit from DEC, any wholesale sale of baitfish, other than sale on the same water body from which the baitfish were collected, shall require a fish health inspection report certifying that the fish are free of certain serious diseases. Retail sale of baitfish, other than sale on the same water body from which the baitfish were collected, shall also require that the fish are free of specified diseases and that the purchaser shall retain a receipt of the transaction. This does not apply to the possession and sale of baitfish collected in the Marine District for use in the Marine District.
- **Allow baitfish packaged for commercial purposes and preserved by methods other than by freezing only to be sold and used wherever it is legal to use baitfish.**
- **Require that all live fish, destined for release into the waters of the state, or imported for release into the waters of the state, be inspected by certified professionals and be certified to be free of certain fish pathogens.** The rule making prohibits the release of any live fish into the waters of the state unless the fish have been determined to be free of the pathogens listed below, and documented by a fish health inspection report issued within the previous 12 months. For all species of freshwater fish, a fish health inspection report shall certify that the fish are free of VHS and Spring Viremia of Carp Virus, as well as certify the presence or absence of Furunculosis, Enteric Red Mouth, and Infectious Pancreatic Necrosis Virus (IPN). In addition, for salmon and trout (Salmonidae), a fish report shall certify that they are free of Whirling Disease and Infectious Hematopoietic Necrosis Virus (IHN), as well as certify the presence or absence of bacterial kidney disease. The fish health certificate reports must be on a standard form supplied by the DEC, must be issued by an independent qualified inspector, must conform with specific testing methods and procedures, and must be filed with DEC.

In addition to the above, there are existing regulations that continue to be in place that govern which waters anglers are allowed to use baitfish, as well as which waters where the commercial collection of baitfish is allowed.

With the adoption of the new emergency regulations, DEC simultaneously filed revisions to the pending proposal to adopt these regulations permanently. The provisions of the emergency regulations and the revised rule making are identical. The revisions are responsive to the public comments received on the proposed rule making which was filed on November 21, 2006. These changes are intended to further balance protection of the resource with concerns of commercial bait dealers and recreational anglers. Text of the regulations is available at <http://www.dec.state.ny.us/website/dfwmr/propregs/#10e> on the DEC website. Hard copies of the rule making can also be requested from DEC by writing to: Shaun Keeler, NYS DEC, 625 Broadway, Albany, NY 12233-4750; or by calling DEC at (518)402-8920.

There will be a public comment period on the revised proposed rulemaking which concludes on April 27, 2007. During this time, the public may submit comments by mailing comments to: Shaun Keeler, NYS DEC, 625 Broadway, Albany, NY 12233-4750 or by email to [fwfish@gw.dec.state.ny.us](mailto:fwfish@gw.dec.state.ny.us) with "Proposed Parts 10, 35, and 188 (VHS) Regulations" in the subject line of the e-mail.



# “ Water Over the Dam”

NYSFOLA Annual Conference and Membership Meeting  
 May 4 - 6, 2007 White Eagle Conference Center– Hamilton, NY

## Friday May 4, 2007

8:00-9:30 AM Breakfast - White Eagle Lodge  
 9:30-10:00AM Registration at the Appley Center  
 10:00-10:15AM Welcome  
 10:15-12:00 Sessions Begin at the Appley Center



### RESEARCH AND PLANNING IN THEAKE CHAMPLAIN / LAKE GEORGE BASIN

10:15-11:00AM	TITLE TBA Larry Eichler, Darrin Freshwater Institute
11:00-11:15AM	BREAK
11:15AM-12:00PM	TITLE TBA Adirondack Lake Survey Corporation
12:00-1:00PM	LUNCH
1:00-1:45PM	Boating Capacity Lake George
1:45-2:30PM	<b>Lake Champlain Watershed Issues and Management:</b> Nicole Barringer, Communications Coordinator Lake Champlain Basin Program
2:30-2:45PM	BREAK
2:45-3:30PM	Discussion Session

### UPDATE ON STATEWIDE INVASIVE SPECIES ACTIVITIES: WHERE DOES NYSFOLA FIT IN?

10:15-11:00AM	<b>NYS INVASIVE SPECIES TASK FORCE UPDATE; PRISMs</b> <i>(Partnerships for Regional Invasive Species Management) A statewide strategy to fight invasive species on a regional level</i> Leslie Surprenant (NYS DEC Division of Fish, Wildlife & Marine Resources) and Meg Wilkinson (NYS Invasive Plant Council)
11:00-11:15AM	BREAK
11:15AM-2:00PM	(PRISMs Continued)
12:00-1:00PM	LUNCH
1:00-1:45PM	<b>Which PRISM is My Lake In? How Do I Get Involved?</b> Troy Weldy, The Nature Conservancy and Ed Frantz (Adk Park Invasive Plant Program, DOT)
1:45-2:30PM	<b>The Invasive Species Committee: COLAM + NYSFOLA = ????</b> James Hood and Bill Harman, NYSFOLA Board of Directors
2:30-2:45PM	BREAK
2:45-3:30PM	Discussion Session

3:00PM **NYSFOLA Board of Directors Meeting** - Appley Center  
 5:00-6:00PM **Cocktails** - White Eagle Lodge  
 6:00-7:00PM **Dinner** - White Eagle Lodge  
 7:00-8:00PM **Special Guest Speaker: Dr. Ken Wagner, President NALMS**  
 8:00-9:00PM **Open Discussion:** What’s happening at your lake, and what can NYSFOLA do to help?  
 9:00-10:30PM **Tepee Open for Refreshments & Continued Discussion**

---

## Saturday May 5, 2007

7:00-8:00AM Breakfast, White Eagle Lodge  
8:15:AM Registration at the Appley Center  
8:45AM Welcome-NYSFOLA President Donald Cook, Announcements  
9:00AM-4:30PM Concurrent Sessions, Commercial Exhibits, Silent Auction

### Session A1: Invasive Species Control:

9:00-9:35AM *“The Use of Soft Management Measures to Reduce Phosphorus Loading into Lakes”* Dr. Fred Lubnow, Director of Aquatic Programs, Princeton Hydro LLC  
9:45-10:20AM TITLE/SPEAKER TBA  
10:20-10:40AM BREAK  
10:40-11:15AM TITLE/SPEAKER TBA  
11:15AM-12:00PM *“Controlling Water Chestnut in Sodus Bay, Lake Ontario”*  
Eric A. Paul, Biologist, NYS DEC Aquatic Toxicant Research Unit, Rome, NY  
Bob Fahy, Upstate Applications

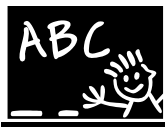
### Session A2: Water Over the Dam: Flooding and Dam Safety Issues

9:00-9:35AM *“Proposed Revisions to the NYS Dam Safety Regulations”*  
Alon Dominitz, PE, NYS Dept. of Environmental Conservation  
9:45-10:20AM *“Dam Repair: A Case Study from Goodnow Flow”*  
Dean Long, NYSFOLA Board of Directors, The L.A. Group  
10:20-10:40 BREAK  
10:40-11:15AM *“The Real Costs of Floods - An Ounce of Prevention”*  
Dr. Rebecca Schneider, Associate Professor, Cornell University  
11:25AM-12:00PM *Creating Special Districts* - Rick Hoffman, NY Department of State



### Session A3: Limnology 101: A Beginner’s Guide to the Science of Lakes

9:00AM-12:00PM A perennial favorite presented by our friends from the SUNY Oneonta Biological Field Station



This session is designed for “first time” NYSFOLA Conference attendees or those just learning the basics of lake ecology. Feel free to ask questions!

### Session A4: Movie Time! An Inconvenient Truth: A Global

#### Warning -

9:00 - (film is about 96 minutes long)

Former Vice President Al Gore presents his Academy Award winning view of the future of our planet.

12:00PM LUNCH  
ANNUAL NYSFOLA MEMBERSHIP MEETING



---

## **Session B1: Emerging Water Quality and Lake Ecology Issues**

- 1:30-2:15PM      ***“Viral Hemorrhagic Septicemia in New York Lakes”***  
Paul R. Bowser, PhD, Professor of Aquatic Animal Medicine  
Cornell University College of Veterinary Medicine
- 2:15-2:50PM      Title/Speaker TBA
- 2:50-3:10PM      BREAK
- 3:10-3:45PM      ***“Lakescaping Tips for Shoreline Erosion Control, Lake Health...and Awards!”***  
Rebecca Schneider, Associate Professor, Cornell University &  
Theresa Mayhew, Cornell Coop. Extension of Columbia County
- 3:45-4:30PM      ***“The Road Management Dilemma: Traffic Safety vs. Water Quality”***  
Panel Discussion



## **Session B2: Land Conservation as a Lake Management Tool**

- 1:30-2:15PM      ***“Conservation Easements and the Role of Land Conservation in Supporting Watershed Protection”*** Andy Zepp, Executive Director, Finger Lakes Land Trust
- 2:15-2:50PM      Title TBA/ John Jablonski, Executive Director, Chautauqua Watershed Conservancy
- 2:50-3:10PM      BREAK
- 3:10-3:45PM      Title/Speaker TBA
- 3:45-4:30PM      Title/Speaker TBA

## **Session B3: Wetlands Issues**

Titles and speakers TBA

## **Session B4: On-Site Wastewater Issues**

- 1:30-2:15PM      ***“New York State On-site Training Network”*** Candace Balmer, RCAP Solutions, Inc.
- 2:25-2:50PM      Title TBA, Norman Schreib
- 2:50-3:10PM      BREAK
- 3:10-3:45PM      ***“Otsego Lake Septic System Inspection Program”*** Win McIntyre, Otsego County  
Conservation Association
- 3:45-4:30PM      Talk/Title TBA

## **Session B5: CSLAP Training for New Volunteers**

We will gather in the Cleveland Building. Dress for the weather!

- 4:30-5:00PM      **BREAK**
- 5:00 PM          **Wine and Cheese Party**
- 6:15PM          **Silent Auction Winners Announced**
- 6:30PM          **Banquet** - Lake Steward Awards, Media Award, Newsletter Award,  
Lake Tear of the Clouds Award

**Keynote Speaker:** Richard Konsella, P.E., Retired Bureau Chief, NYS DEC Flood Protection and Dam Safety, ***“A History of Floods and Flood Protection in New York State”***

- 8:30PM-10:30PM      **Tepee Open for Refreshments**

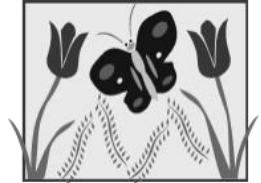
---

## **SUNDAY MAY 6, 2007**

7:30-8:30PM **BREAKFAST**-White Eagle Lodge

9:00AM-12:00PM **SESSION C1: CREATING A RAIN GARDEN**

Rain gardens are landscaped depressions that capture rain water and allow it to soak into the ground. These special and attractive stormwater detention basins collect and absorb runoff from a roof, sidewalk, patio, parking lot, driveway or other impervious surface. A rain garden holds a few inches of water after a storm for a maximum of two days, too short a time to breed mosquitoes! The rain soaks into the ground where it can replenish drinking water wells and streams. Compared to the same area planted with grass, a rain garden allows 30% more water to soak into the ground. Rain gardens also add beauty to yards, provide habitat for butterflies and birds, reduce flooding, and protect streams and lakes from pollutants. Rain gardens are being used successfully in other areas of the country. For example, Kansas City, Missouri has a goal of 10,000 rain gardens.



Participants in the workshop will receive a free copy of: *Smart Steps to Clean Water* which provides many choices for residents to protect water quality.

9:00AM ~10:45AM **SESSION C2: "AN INCONVENIENT TRUTH"**

In case you missed it on Saturday, we will again show former Vice President Al Gore's Academy Award winning documentary on global warming again this morning.

9:00 AM - 12:00 PM **SESSION C3: "IF IT CAN BE DONE, IT'S PROBABLY BEEN DONE ON LAKE MORAINE"**

Have you ever wondered which lakes have special tax districts or which have tried mechanical harvesting, biological controls, or aquatic herbicides to combat nuisance aquatic vegetation? Have you wondered about that pretty lake near your White Eagle Conference Center Cabin? Our hosts from the Lake Moraine Association have used all of these lake management techniques! Find out how they keep their lake association funded and active and how they have combined strategies to preserve this lake. They will share their experiences with you and answer your questions.

**Directions  
are  
available at**



**tions  
are  
available**



**to the  
Center  
available on**

---

## NALMS: Membership Category Change Approved Affiliate vs. Chapter



At the annual North American Lake Management Society membership/business meeting in Indianapolis last November, the membership voted to eliminate the Chapter membership category

and to establish an Affiliate membership category effective January 1, 2007. The purpose reflected NALMS' desire to attract additional members and to redefine the relationship between NALMS and its Chapters.

The NYSFOLA Board of Directors presented comments and questions to NALMS through our Chapter Representative, Donald Keppel and Region 2 Representative Matthew Albright. Overall, we concurred with the decision by NALMS, and NYSFOLA has become a NALMS Affiliate. There are only minor changes to our previous relationship with NALMS, but other organizations in New York State can now become Affiliates as well.

The shift from Chapters to Affiliates represents a new beginning for what NALMS hopes will be a mutually rewarding relationship. We agree.

For more information about the change, log onto: <http://www.nalms.org/News/AffiliateCategoryCreated.aspx>  
For other information about NALMS, go to <http://www.nalms.org>

## Is Your Lake Association Interested in NALMS Affiliate Status?

- Affiliates shall demonstrate a willingness to partner with NALMS on activities that promote environmentally sound lake and reservoir management.
- Affiliates shall make all NALMS communications available to their membership either directly or indirectly (can supply member contact info or agree to disseminate information).
- Affiliates may be established by petition to the Board in accordance with rules, policies, and procedures adopted by the Board. However, existing Chapters would be considered eligible to become Affiliates without further review.
- Annual cost of Affiliate membership is \$250.
- Specific benefits of the Affiliate category include one copy of Lakeline & Journal, E-newsletter, membership on the Affiliate Council, message group, link to NALMS website, promotion of events, fixed discount booth at the Symposium, and access (where applicable) to D&O insurance.\*
- May have multiple Affiliates within any given state, province, or region.

\* *To the best of our knowledge, no one in New York has successfully obtained D&O insurance under NALMS "umbrella" policy.*



## NYSFOLA Board Member Elected to NALMS Region 2 Post

Congratulations to Sharon Anderson, NYSFOLA Board Member, and Cayuga Lake Watershed Network Steward, on her recent election to the NALMS Board of Directors. Sharon will serve as the Region 2 Representative (New York, New Jersey and Puerto Rico) replacing Matthew Albright, SUNY Oneonta Biological Field Station, whose term recently expired.

We thank Matt for his hard work representing NYSFOLA during the last two years, especially during the change from "Chapter" to "Affiliate" status. We know Sharon returned from the NALMS meeting in Indianapolis with lots of information to share with us (see page 9) and is excited about her new level of NALMS participation.



---

## New Information Abounds at National Symposium

By Sharon Anderson, NYSFOLA Board Member and  
NALMS Region 2 Representative

During the first weekend of May, the White Eagle Conference Center is buzzing with excitement as people learn about lakes, share the joys and tribulations of their lakes, and make and renew acquaintances. The camaraderie and new ideas found at the New York State Federation of Lake Associations (NYSFOLA) annual conference is something I look forward to each year. I also look forward to the annual symposium of the North American Lake Management Society (NALMS).

Imagine the NYSFOLA conference multiplied. Hundreds of lake association members and professionals mingle for three information-packed days at each NALMS symposium. Topics in 2007 ranged from managing shoreline development, to innovative approaches to reduce phosphorous, to hi-tech methods of tracking algal blooms.

This article features some of the workshops Don Keppel, NYSFOLA Treasurer, and I attended. I hope to feature other sessions in future issues of "Waterworks".

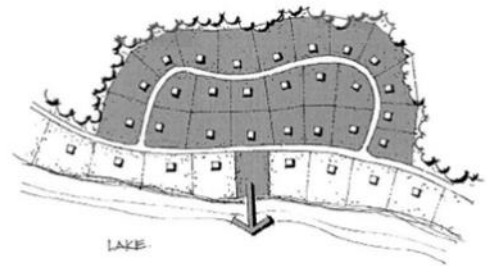
### Controlling Keyhole Development

Prices for lakeshore property continue to rise, and development pressure continues to grow. This encourages entrepreneurs to use clever methods for giving more people access to a lake. With increasing frequency, one small lakeside home is demolished, and the vacant lot is used as an access point for many "backlot" residences. This type of "keyhole" development allows lake access to numerous users from a lot designed for a single household.

Also referred to as funneling, keyhole development can increase the pressure on a lake to the breaking point. While a keyhole lot may bring a windfall to the developer, it can intensify conflicts among lake users and increase shoreline erosion, pollution and safety issues. Keyholing may extend use of lakes and waterfront properties beyond the capacity that the environment can sustain over time without degradation. It is difficult to determine exactly how much a lake can withstand of the repeated churning up of sediments brought about by watercraft or how much disturbance wildlife can withstand from increased human activity. Many ecologists say the limit, or carrying capacity, may only be determined when the ecosystem is near collapse. Solutions are difficult and usually result in a heated, politically-charged debate.

Lake associations in Michigan and Indiana have successfully worked with local government to pass zoning ordinances and other legislation that limits key holing. A county in Indiana passed an ordinance that requires compliance with certain criteria when a person wants to use a lakefront property as an access point for off-lake development. For access to be granted to the first lake user, 100 feet of lake front property is required; for a second, an additional 50 feet of adjoining lakefront must be owned; for each additional user, another 20 feet of adjoining lakefront is required. Another successful protection is the use of licenses for piers used by a group of people. A "Group Pier" license is needed when a pier is to provide docking space for 5 or more units, an association, subdivision, campground, mobile home park, etc.

A Michigan study found that an ordinance has the best chance of surviving legal challenges when zoning regulations were tailored to address conditions specific to a particular lake. Some Indiana communities found that sewer lines opened up previously undevelopable lots and provided the right conditions for dense backlot development that made key holing lucrative. As lakefront property values escalate, key holing is likely to become a more common occurrence in New York State. Is your lake association ready?



*Keyhole development refers to using one lakeshore lot to give lake access to many backlot property owners.*

*Image credit: Clean Lake Program Indiana Department of Environmental Management*



# CSLAPpenings

## Greetings Volunteers!

Thank you all for the prompt submittal of your 2007 applications. We will get the season off and running as soon as the conference is over.

### 2007 CSLAP Participants

**Anawanda Lake**, Sullivan Co., **Augur Lake**, Essex Co., **Babcock Lake**, Rensselaer Co., **Ballston Lake**, Saratoga Co., **Black Lake**, St. Lawrence Co., **Blue Heron Lake**, Westchester Co., **Lake Bonaparte**, Lewis Co., **Brantingham Lake**, Lewis Co., **Butterfield Lake**, Jefferson Co., **Canada Lake**, Fulton Co., **Cayuga Lake**, Cayuga, Seneca Tompkins Co., **Cazenovia Lake**, Madison Co., **Chenango Lake**, Chenango Co., **Chautauqua Lake**, Chautauqua Co., **Lake Clear**, Franklin Co., **Lake Como**, Cayuga Co., **Cossayuna Lake**, Washington Co., **Cuba Lake**, Allegany Co., **Deer Lake**, Broome Co., **DeRuyter Lake**, Madison Co., **Duane Lake**, Schenectady Co., **Duck Lake**, Cayuga Co., **Eagle Lake**, Essex Co., **East Caroga Lake**, Fulton Co., **Echo Lake**, Chenango Co., **Findley Lake**, Chautauqua Co., **Forest Lake**, Rensselaer Co., **Forest Lake**, Warren Co., **Friends Lake**, Warren Co., **Fulton Second Lake**, Herkimer/Hamilton Co., **Galway Lake**, Saratoga Co., **Geneganslet Lake**, Chenango Co., **Lake George**, Warren Co., **Glen Lake**, Warren Co., **Goodnow Flow**, Essex Co., **Gorton Lake**, Madison Co., **Grass Lake**, Jefferson-St. Lawrence Co., **Guilford Lake**, Chenango Co., **Highland Lake**, Orange Co., **Horseshoe Pond/Deer River Flow**, Franklin Co., **Hunt Lake**, Saratoga Co., **Indian Lake**, Westchester Co., **Jenny Lake**, Saratoga Co., **Kasoag Lake**, Oswego Co., **Katonah Lake**, Westchester Co., **Lake Lincolndale**, Westchester Co., **Little Fresh Pond**, Suffolk Co., **Loon Lake**, Steuben Co., **Lorton Lake**, Oswego Co., **Madison Lake**, Madison Co., **Mariaville Lake**, Schenectady Co., **Melody Lake**, Cortland Co., **Millsite Lake**, Jefferson Co., **Mirror Lake**,

Essex Co., **Mohegan Lake**, Westchester Co., **Monhagen Lake**, Orange Co., **Lake Moraine**, Madison Co., **Oquaga Lake**, Broome Co., **Lake Oscaleta**, Westchester Co., **Paradox Lake**, Essex Co., **Peach Lake**, Putnam/Westchester Co., **Lake Peekskill**, Putnam Co., **Lake Placid**, Essex Co., **Pleasant Lake**, Fulton Co., **Plum Brook Lake**, Westchester Co., **Plymouth Reservoir**, Chenango Co., **Queechy Lake**, Columbia Co., **Lake Rippowam**, Westchester Co., **Robinson Pond**, Columbia Co., **Lake Salubria**, Steuben Co., **Saratoga Lake**, Saratoga Co., **Sepasco Lake**, Dutchess Co., **Shawangunk Lake**, Orange Co., **Shenorock Lake**, Westchester Co., **Silver Lake**, St. Lawrence Co., **Silver Lake**, Wyoming Co., **Somerset Lake**, Delaware Co., **Song Lake**, Cortland Co., **Smith Pond**, Steuben Co., **Stissing Lake**, Dutchess Co., **Teatown Lake**, Westchester Co., **Timber Lake**, Westchester Co., **Truesdale Lake**, Westchester Co., **Tuscarora Lake**, Madison Co., **Ulster Heights Lake**, Ulster Co., **Upper Saranac Lake**, Franklin Co., **Lake Waccabuc**, Westchester Co., **Lake Warn**, Chenango Co., **Wallace Pond**, Westchester Co., **Weiden Lake**, Sullivan Co., **West Caroga Lake**, Fulton Co., **Yankee Lake**, Sullivan Co.

## Water Chestnut in the Finger Lakes Region!



Water chestnut (*Trapa natans*) is on the move. This invasive aquatic plant, used as a ornamental for garden ponds, has been present in New York since it was discovered in Collins Lake near Albany in 1874. It remained a nuisance in eastern NY, primarily in the Lake Champlain area, but in the last decade, it has spread to other parts of the state.

Since 1999, the plant has been observed throughout the Seneca-Oswego River basin. It has been reported in Oneida Lake and other lakes in Central New York. Its discovery on the northeast shore of Otisco Lake marks the first time the plant has been found in one of the Finger Lakes.

Following the discovery of the plant, a volunteer-led effort was conducted to hand-pull the plant from the lake. Significant quantities of the plant were removed. Hand-pulling can effectively remove water chestnut if the plants are removed before the seed (a spiky nutlet) forms.

A partnership called "Weeds Watch Out (W2O) has developed to help identify and stop the spread of invasive aquatic plants in the Finger Lakes. For more information log onto:

<http://co.cayuga.ny.us/wqma/weedswatchout/index.html>.

## Studies Say Wildlife Waste is Major Problem

Scientists in Virginia and Maryland have determined that wildlife waste plays a more significant role in bacterial water pollution than originally thought.



In the Washington D.C. area, violations of the bacteria standards have put more than two dozen streams on the federal "impaired waters" list. Virginia Tech researchers discovered that more than half of the bacteria in the Potomac and Anacostia Rivers came from wildlife. In Maryland, wildlife were more of a problem than humans and livestock combined in the Magothy River. In Northern Virginia streams, geese were responsible for 24 percent of bacteria as opposed to 20 percent attributable to human sources. In the Willis River in central Virginia, scientists have determined that there needs to be an 83 percent reduction in the amount of waste from wildlife!

This leaves scientists and the United States Environmental Protection Agency (EPA) officials struggling with a fundamental question, "How clean should we expect nature to be?" Now some states and EPA are considering holding some streams to different standards than others. In such cases, the states would plan to reduce bacteria from human sources and reassess water quality data to see how much bacteria is from wildlife.



Source: *Washington Post*, September 29, 2006 (<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/28/AR2006092801994.html>.)

**New! NYSFOLA  
Lakescaping Competition**

**“Lakescaping for Healthier Lakes”**

This summer, NYSFOLA is starting a new program to help encourage good lakeshore landscaping practices. Contestants will submit a planting design in early summer, and winners will receive a \$500.00 cash award to help pay for costs of implementing their plan. Winning designs will focus on erosion control and promoting native plantings.

Application details will be available at the Annual Conference in May and on the web [www.nysfola.org](http://www.nysfola.org) after the conference.

## Senator Nozzolio Secures \$625,000 for Finger Lakes Institute in State Budget

*Press Release - Office of NYS Senator Michael Nozzolio, 54th Senate District March 30, 2007*

**Geneva** - Continuing his aggressive efforts to protect and preserve the Finger Lakes, State Senator Michael F. Nozzolio today announced that the 2007-2008 State Budget contains \$625,000 for the Finger Lakes Institute at Hobart and William Smith Colleges. This announced funding will bring the total amount of State aid that Senator Nozzolio has helped secure for the Institute to \$1.975 million.

“Preserving and protecting the quality of the Finger Lakes and promoting their appeal are the key to revitalizing our communities and creating new opportunities for the future,” said Senator Nozzolio. “It was a pleasure to work to secure funding in this year’s State budget for the Finger Lakes Institute at Hobart and William Smith Colleges.”

In 2002, Senator Nozzolio secured \$1 million in State assistance for the creation of the Finger Lakes Institute, a research and education center located on the campus of Hobart and William Smith Colleges. Over the years, he has secured additional funding to support the Institute’s mission of preserving, protecting and promoting the Finger Lakes.

The Institute helps coordinate the efforts of local governments, lakeshore property owners, organizations, grass-roots watershed protection groups, and other regional environmental research centers in protecting the ecology of the Finger Lakes and overseeing development along the lakes. Senator Nozzolio has also been a strong supporter of establishing links between the Finger Lakes Institute and other regional environmental research centers, such as the Center of Excellence in Environmental Systems at Syracuse University.

## Corps of Engineers Revises and Renews Nationwide Wetland Permits

*U. S. Army Corps of Engineers News Release : March 9, 2007*

**WASHINGTON, DC**— The U.S. Army Corps of Engineers has revised and renewed the nationwide permits for regulating work in wetlands and other waters of the United States under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899.

The new nationwide permits were published in the Federal Register on March 12 and took effect on March 19, 2007.

“We have simplified the language of the new nationwide permits to provide clarity and certainty,” John Paul Woodley Jr., Assistant Secretary of the Army (Civil Works), said. “While we improve a regulatory efficiency, we will also sustain essential levels of environmental protection.”

The nationwide permits authorize activities that are similar in nature and cause only minimal adverse environmental impacts individually or cumulatively. Activities range from work associated with aids to navigation and utility lines to Coast Guard approved bridges and cleanup of hazardous and toxic wastes.

“We went through the rulemaking process,” Mr. Woodley said, “and we benefited from the comments of the many stakeholders and other agencies during the public review.”

The current set of permits expired on March 18, 2007, and these permits are to replace them.

Here are some highlights:

- The Corps reissued all the existing permits and added six new ones. The Corps also added a new general condition and eliminated one other.
- The Corps retained the acreage limits from the current nationwide permits.
- The Corps added protections for ephemeral streams, including a 300-linear foot limit.
- The new nationwide permits cover activities such as repairs of uplands, time-sensitive pipeline repairs, repairs to ditches and canals to control erosion, commercial aquaculture operations, reclamation of surface coal mining areas and underground coal mining.

Additional information about the Corps’ regulatory programs can be found at <http://www.usace.army.mil/cw/cecwo/reg/> Information about the nationwide permits can be found at <http://www.usace.army.mil/cw/cecwo/reg/citizen.htm>

## Adirondack Aquatic Vegetation Control Projects Under APA Permit Review

The Augur Lake Property Owners Association, in Essex County, continues to battle Eurasian water milfoil, and has proposed to release 500 sterile triploid grass carp into the lake in order to combat the invasive plant species. This is an addition to fish previously stocked by the lake association. Issues with the ownership and structural stability of the lake’s outlet dam and lack of a suitable fish barrier have precluded the issuance of a permit thus far. In the past, the Augur Lake Property Owners Association has conducted mechanical harvesting on the lake. They are active NYS-FOLA members and participants in the Citizens Statewide Lake Assessment Program. The carp project is still under review by the Adirondack Park Agency which must issue a permit under its wetlands regulations.

Similarly, the Town of Lake Luzerne has proposed to use benthic barriers to control Eurasian water milfoil in Lake Luzerne. If the permit is granted, the benthic barriers will be placed in areas with the largest milfoil infestations. This would continue annually from June through September for up to five years, as needed. In addition, hand harvesting of Eurasian water milfoil at selected sites will be completed during the months of July and August each year. This activity also requires a permit from the Adirondack Park Agency under its wetlands regulations.

**24th Annual NYSFOLA Conference and Membership Meeting**  
**White Eagle Conference Center Hamilton, NY**  
**May 4-6, 2007**

REGISTRATIONS MUST BE MADE DIRECTLY WITH THE NYSFOLA OFFICE

We are unable to provide rooms or meals for those persons registering after **April 24th** or at the door, as accurate head counts must be made in advance to White Eagle Conference Center. Thank you!

**FULL CONFERENCE PACKAGE (Thursday evening - Sunday noon)**

3 Nights lodging (Thursday, Friday and Saturday), 8 meals (Thursday dinner - Sunday breakfast)  
 Conference Registration Included

( ) Single Occupancy - \$345.00      ( ) Double Occupancy - \$550.00      \$ \_\_\_\_\_

**2 DAY CONFERENCE PACKAGE (Friday evening - Sunday Noon)**

2 Nights Lodging (Friday and Saturday), 5 meals (Friday dinner through Sunday breakfast)  
 NOTE: This package does not include Friday lunch which can be added below:

( ) Single Occupancy - \$219.00      ( ) Double Occupancy - \$368.00      \$ \_\_\_\_\_

**1 DAY CONFERENCE PACKAGE**

Friday ( ) or Saturday ( ) morning & afternoon sessions with lunch      \$40.00      \$ \_\_\_\_\_

Friday ( ) Saturday ( ) or Sunday ( ) sessions without lunch      \$25.00      \$ \_\_\_\_\_

*This price is for pre-registration only. The price at the door will be \$30.00.*

**Student :** ( ) Friday or ( ) Saturday sessions with lunch      \$20.00      \$ \_\_\_\_\_

**Flexible Lodging/Conference Plans \*\*Includes Conference Registration\*\***

**Thursday ( ) Friday ( ) or Saturday ( ) Night Lodging**

( ) Single \$90.00 per night      ( ) Double \$140.00 per night      \$ \_\_\_\_\_

**Thursday ( ) or Friday ( ) Dinner**      \$20.00 each      \$ \_\_\_\_\_

**Saturday Banquet ( )**      \$25.00 each      \$ \_\_\_\_\_

**Friday ( ) or Saturday ( ) Breakfast**      \$10.00 each      \$ \_\_\_\_\_

**Friday ( ) or Saturday ( ) Lunch**      \$15.00 each      \$ \_\_\_\_\_

( ) Attending the 2007 CSLAP Training

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Please make checks payable to NYSFOLA. Remit to: NYSFOLA P.O. Box 84 LaFayette, NY 13084-0084

**Now Accepting  
2007 Membership Dues  
*Are Your Dues Current?***

*Your mailing label is the key to your membership standing. The digit next to your name indicates the last year your dues were paid. Your membership fees are based on the calendar year, and we appreciate that some associations cannot submit fees until mid-summer. This is not a problem.*

*If the digit is a "6", you need to submit your 2007 dues as soon as possible. If the digit is a "7" or an "8", you are a member in good standing of NYSFOLA. THANK YOU!*

*If you have any questions about your membership, please do not hesitate to contact the office at 1-800-796-FOLA. Thank you for your continued support of NYSFOLA.*

**2007 Membership Form  
NYS Federation of Lake Associations, Inc.**

**Lake, Watershed and other Associations:**

Small Association, 10-74 members _____	\$35.00
Medium Association, 75-149 members _____	\$75.00
Large Association, 150 or more members _____	\$150.00
Park Districts (Town, County, etc.) _____	\$200.00
Individual Membership (not a member of a lake association) _____	\$20.00
Individual member of a NYSFOLA Lake Association <b>in good standing</b> _____	\$10.00
<i>(get your own copy of WATERWORKS instead of reading it at your meeting!)</i>	
Corporate Membership _____	\$200.00
Student _____	\$10.00

Name of Lake Association or Individual \_\_\_\_\_

Contact Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone \_\_\_\_\_

E-mail \_\_\_\_\_

Lake Location (county) \_\_\_\_\_

*(especially important if your lake is one of many named Loon, Mud, Round, etc.)*

Fee \$ \_\_\_\_\_ Any additional donation? \$ \_\_\_\_\_ (thank you)

**Send payment to: New York State Federation of Lake Associations, Inc. (NYSFOLA)  
P.O. Box 84  
LaFayette, NY 13084**

## WATERWORKS

NYS Federation of Lake Associations, Inc.  
P.O. Box 84  
2574 Webb Road  
LaFayette, NY 13084

NONPROFIT ORGANIZATION  
U.S. POSTAGE  
**PAID**  
LAFAYETTE, NY  
PERMIT NO. 2

---

### *Calendar of Events*

#### ***“Our lakes are being invaded by exotic fleas! Can we stop them?”***

*Meghan Brown, PhD., Assistant Professor of Biology, Hobart & William Smith College  
April 19, 7:00 PM, Finger Lakes Institute, Geneva, NY  
Registration requested: (315)781-4382 or fli@hws.edu*

#### ***“Enhancing the States’ Lake Management Programs: Interpreting Lake Quality Data for Diverse Audiences***

*April 24-27, 2007  
Holiday Inn Chicago Mart Plaza - Chicago, IL  
<http://www.nalms.org/Conferences/Chicago/Default.aspx>*

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

