

Waterworks

New York State Federation of Lake Associations, Inc

October 2011

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Water, Water Everywhere...



Saratoga Lake takes a hit from Hurricane Irene.

Photos by Tonya Trombley & submitted by Sharon Urbans, Saratoga Lake Association.

The term “tropical” rarely comes to mind when describing New York’s weather, but the final weeks of summer 2011 proved that tropical storms can and do impact our lakes, rivers and streams. With Hurricane Irene and Tropical Storm Lee came several inches of rain. Learn how you can volunteer to collect precipitation data and help the National Weather Service make us a “Weather Ready Nation” (see pages 9-10).



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.



P.O. Box 84

LaFayette, NY 13084-0084

Phone: (800)796-3652

e-mail: fola@nysfola.org

www.nysfola.org

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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...Stormy Weather



This time of year I contemplate removing my boat from the lake so that I can exchange my water skis for snow skis. Weather conditions affect boat removal at our lake especially when the lake levels are very low. A few years ago, our lake level was so low, people around the lake who had their boats on an elevated lift had their boats sitting high and dry. Some boats were imprisoned until spring. This extremely wet year my boat floated off its lift, and it went fishing without me!

I recently attended a talk by a Cornell University professor who spoke about predicted changes in our weather patterns. It is expected that New York will be setting records for new wet weather highs and extreme dry weather. Our recent historic rainfall has many of the cities, towns and villages in New York looking like waterfront property. My heart goes out to the many people who have experienced the devastation of back to back tropical storms (Irene & Lee).

The lake I live on, Eatonbrook Reservoir, exists because of a large dam that the NYSDEC classifies as a high hazzard dam due to its height and because it holds back billions of gallons of water. Recent conversations with fellow lake homeowners have quickly focused on whether or not the dam will be able to hold back all of this water. Schoharie County's Gilboa dam had

water levels nearly two feet higher than the previous record, causing wide evacuations of downstream areas. Fortunately Irene's downpour stopped when it did.

Storms of this enormity substantiate how crucial the NYSDEC's dam safety program is, and how important it is for NYSFOLA and statewide lake associations to work hand and hand with NYSDEC dam safety officials, to ensure safety requirements are met. We will be talking about these storm events for some time to come. We hope to have an update at the next conference from the NYSDEC's dam safety division on the damage that has occurred as a result of these storms and what useful information was discovered.

Lakes without dams will also be impacted by these events. Intense wet weather events are very good at transferring nutrients from soils and human activities within our watersheds directly into our lakes, which are esentially huge settling basins for nutrients. Nutrients that flow in during heavy precipitaion events have a profound impact on the water quality of our lakes. The Citizens Statewide Lake Assessment Program (CSLAP) results have helped to illustrated the interaction between years with high precipitation and our lakes' water quality. This past spring's high level of precipitation may have resulted in the numerous algal blooms that have been detected by CSLAP. Thanks to funding from the U.S. EPA, CSLAP samples are being screened for the presence of potential algal toxins. This is a program we hope to continue if funding allows. If your lake association would like to get involved in CSLAP, please contact NYSFOLA and get involved in this fabulous low cost program. Well, I say low cost at this time, however that is another type of a stormy event, because the CSLAP program acquires the majority of its financial support from the NYSDEC, and with looming government cost reductions we may be looking for creative ways to keep this beneficial program operational into the future.

NYSFOLA works hard to facilitate the sharing of knowledge and ideas among our lake associations, the scientific community,

and government agencies. NYSFOLA's regional and annual spring conferences promote an avenue to discuss issues we all face, including new regulations, old and new technologies, failure and successes pertaining to lake management. By sharing information, NYSFOLA becomes a stonger organization and a reliable voice that local and state governments value. We are always on the lookout for your input. The NYSFOLA conference is the perfect place for you to share your lake issues, research projects, rulemaking issues, and a large number of subjects related to our lakes. Take a few minutes and think about a presentation that you might give or hear at the annual NYSFOLA conference to be held next May in Hamilton NY, and contact me JimCNWT@gmail.com with your topic, or topics you

would like to see offered. I look forward to seeing, and or hearing your presentation at the spring 2012 NYSFOLA conference, but do not bring stormy weather with you!



NYS DEC Issues Dam Classification Guidance

The New York State Department of Environmental Conservation (NYSDEC) recently released Draft Technical Operating Guidelines (TOGs) for dam hazard classification. As many NYSFOLA members know, a dam is classified based on the estimated outcome if a failure were to occur. The classification of a dam can be changed when circumstances are warranted.

According to NYSDEC:

“This document has been developed to provide department staff with guidance on how to ensure compliance with statutory and regulatory requirements, including case law interpretations, and to provide consistent treatment of similar situations. This document may also be used by the public to gain technical guidance and insight regarding how the department staff may analyze an issue and factors in their consideration of particular facts and circumstances. This guidance document is not a fixed rule under the State Administrative Procedures Act section (102)(2)(a)(1). Furthermore, nothing set forth herein prevents staff from varying this guidance as the specific facts and circumstances may dictate, provided staff's actions comply with applicable statutory and regulatory requirements. This document does not create any enforceable rights for the benefit of any party.”

The draft TOGs can be found at: http://www.dec.ny.gov/docs/water_pdf/togs315.pdf.



Melody Lake Dam in Cortland County is a Class C High Hazard Dam.

Photo courtesy of Bob & Carol Rosati.

The recent storm events have served to reinforce the need to ensure the integrity of New York's dams. Property and lives are at stake when failure occurs. If you have any questions about the New York Dam Safety Program, please visit the NYSDEC website at: <http://www.dec.ny.gov/lands/4991.html> where you will find additional information and several useful documents, or contact the Dam Safety Section at:

NYS DEC Division of Water

Bureau of Flood Protection and Dam Safety

625 Broadway

Albany, NY 12233-3504 Phone: (518)402-8185



Cayuga Lake Hydrilla Alert: Help Wanted!

-From Scott Kishbaugh, Chief, NYS DEC Lake Monitoring & Assessment Section

This summer, hydrilla (*Hydrilla verticillatum*) was found in the Cayuga Inlet in the City of Ithaca. This is a very highly invasive aquatic plant that was first found in New York State in 2008, but it had not been seen previously in any other waterbody north of Orange County and Long Island. A Task Force has been established, comprised of local stakeholders, government agencies, academic researchers, and other interested parties, to develop an early detection/rapid response plan. This will include delineating the infestation, evaluating management alternatives, and implementing an action plan, in an attempt to eradicate this infestation. Survey work by Bob Johnson from Cornell University indicates that the infestation may be limited to the inlet. Thus far, it has been found in dense patches and individual rooted fragments, mostly south of the Allen H. Treman Marine State Park.

However, volunteer stewards and Task Force members have reported that boat traffic coming out of the Inlet, via several marinas and launches, has been observed transporting hydrilla on props and trailers. This finding has elevated the discussion about controlling boat traffic within this area and the need for long-term stewardship activities to intercept plants. It also provides a stark reminder that this highly invasive plant may be threatening other nearby lakes, particularly those with active boat launches.

The Task Force will be working with the agencies responsible for some of these launches to provide inspections, stewards and surveillance. However, additional assistance, particularly "eyes on the ground" familiar with aquatic plant communities in these lakes, will help to determine if hy-

drilla has been transported into any susceptible lakes. Any assistance you might be willing to provide would be greatly appreciated, particularly in providing surveillance of public and private launches at your lake (or even other nearby sites).

...this highly invasive plant may be threatening other nearby lakes, particularly those with active boat launches.

On the following page, you will find a 'Hydrilla Tip Sheet' to help distinguish the difference between hydrilla, Brazilian elodea (*Egeria densa*), and common waterweed (*Elodea*), a native plant that is found in most lakes in the area. The key distinctions are the number of leaflets in the whorl of leaves (more than 3), a serrated (toothed) leaf edge that should be visible to the naked eye, and especially a tuber (shaped like a very small potato) attached to the root. If you see any plant that looks like hydrilla, especially around any boat launching sites or stream inlets, please send me a digital photograph or live specimen on the plant. Digital photos should be close enough to detect any serrated leaf edges, leaflet whorls, and any tuber formation. Any live specimen should be no more than one or two plants sent in a baggie with a moist (not dripping wet) paper towel. The plant should not be wrapped in the towel (which is used to provide moisture in the bag)- and sent in an envelope to the address listed below. Make sure you include the name of the lake, the location where it was found, and contact information (your address, phone and e-mail).



Many thanks for your assistance, and please contact me if you have questions or need any additional information :

Scott A. Kishbaugh, P.E.
Environmental Engineer III, Chief
Lake Monitoring and Assessment Section
Bureau of Water Assessment and Mgt.
NYSDEC Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3502
(phone) 518-402-8286
(fax) 518-402-9029
(email) sakishba@gw.dec.state.ny.us

Key Differences Between Hydrilla, Brazilian Elodea, and Common Waterweed

Hydrilla (*Hydrilla verticillata*)

Leaf edge:	Serrated.
Serration:	Hook-like
Visible?	Naked eye
Whorls:	4-7 leaflets
Width:	Narrow
Length:	up to 5/8"
Spacing:	1/8"-2"
Turions?	YES-1/4" diameter
Location:	Leaf axils in early fall
Rhizomes:	Whitish
Status in NYS:	exotic, invasive



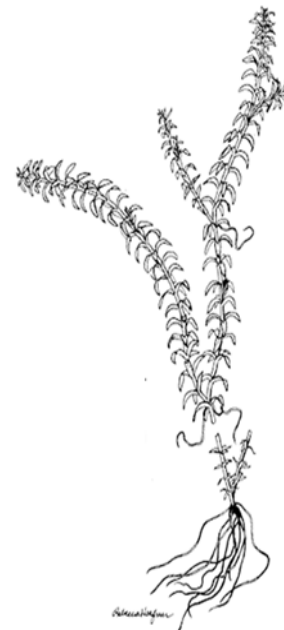
Brazilian elodea (*Egaria densa*)

Leaf edge:	Very finely serrated
Serration:	Saw-like
Visible?	Only with hand lens
Whorls:	4-5 leaflets
Width:	Broad
Length:	up to 1.5"
Spacing:	<1/2"
Turions?	NO
Tubers?	NO
Rhizomes:	Not apparent
Status in NYS:	exotic, invasive



Common waterweed (*Elodea* sp.)

Leaf edge:	Smooth
Serration:	None
Whorls:	3-5 leaflets (usually 3)
Width:	1/2"-1"
Length:	Highly variable
Spacing:	Usually 1/2"-2"
Turions?	NO
Tubers?	NO
Rhizomes:	not apparent
Status in NYS:	native



Line drawing credit:

Crow, G.E. and C. B. Hellquist.
2000. *Aquatic and wetland plants of northeastern America*. 2 volumes.
Madison, WI: University of Wisconsin Press. Used with permission.

Hydrilla photo (top right) by Scott A. Kishbaugh.

Brazilian elodea photo (middle left) by Jan Andersen

Ask Dr. Lake...



Dear Dr. Lake,

Our lake association applied for an aquatic herbicide permit to remove aquatic plants including water lilies, watershield, and spatterdock. NYS DEC denied our permit because most of our lake has been designated as a regulated wetland. How can this be?

Moose-less Lake, NY

Dear Moose-less,

Here are some answers to your questions, but your regional DEC office is the best place for answers regarding aquatic herbicide use in your area. I am somewhat biased, but I also suggest that you purchase a copy of "Diet for a Small Lake" and read Chapter 6 where the issues associated with aquatic plant management, including herbicide use, are explained in greater detail.

As you know, herbicide use requires a permit from the New York State Department of Environmental Conservation (DEC) in compliance with Article 15 of the Environmental Conservation Law (ECL) and Part 326 of the New York Codes, Rules and Regulations (NYCRR). In addition, DEC regulates wetlands under the Freshwater Wetlands Act, Article 24 of the ECL, and if all or part of a lake contains a regulated wetland, additional permitting requirements must be met. In recent years, DEC has created an "enhanced review" process. A full description of this process and other requirements for an aquatic pesticide permit can be found on the DEC website at <http://www.dec.ny.gov/chemical/8530.html>. In addition, the Adirondack Park Agency (APA) requires a separate permit for herbicide application within the Adirondack Park.

One of the major factors that determines whether or not a permit will be issued is the type of plant (or plants) that will be targeted. In your case, it looks like they are all **native** species. Generally, treatment within an entire regulated wetland is not allowed except when **invasive** species will be specifically targeted. Permits may also be approved where whole lake treatment causes minor, incidental drift into a bordering wetland area but does not significantly impact the wetland. Overall, the use of aquatic herbicides

to create open water in shallow, eutrophic wetland ponds has not been found to meet permit issuance standards.

Remember that wetlands provide many important functions for maintaining water quality and wildlife habitat. They are critical parts of the landscape and deserve protection.

Are there many lakes in New York that are designated as wetlands?

Yes. The Freshwater Wetlands Act requires DEC and the APA (for areas inside the Adirondack Park) to map all those freshwater wetlands that are subject to jurisdiction of the law. In many cases, shallow lakes, that meet other criteria for the definition of a wetland, are designated in whole or in part as a wetland.

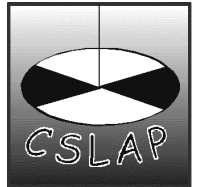


Photo by James Hood

Wetland maps are periodically updated, and many updates are now underway. According to DEC, ongoing work on mapping in Orange and Ulster counties is expected to add over 10,000 acres to the maps in those two counties alone. Other counties where amendments to the maps are underway include Erie, Monroe, Nassau, Niagara, Ontario, Saratoga and Seneca. The Freshwater Wetlands Statistics Chart http://www.dec.ny.gov/docs/wildlife_pdf/wetstats.pdf shows amendment dates and wetland acreage by county (outside the Adirondack Park).

You can learn more about wetlands mapping on the DEC website at <http://www.dec.ny.gov/lands/5124.html> where you can view regulated wetlands in your area using DEC's Environmental Resource Mapper. The APA maintains maps within the Adirondack Park. You can view those at <http://www.apa.state.ny.us/gis/index.html>. More precise wetlands maps are also available for viewing. Contact your regional DEC office or the APA.

CSLAPpenings



Dear CSLAP Volunteers,

It's been a great season! Despite a somewhat challenging start, we managed to get the Harmful Algal Bloom project up and running, and we have been able to document some significant blue green algae blooms on lakes across the state.

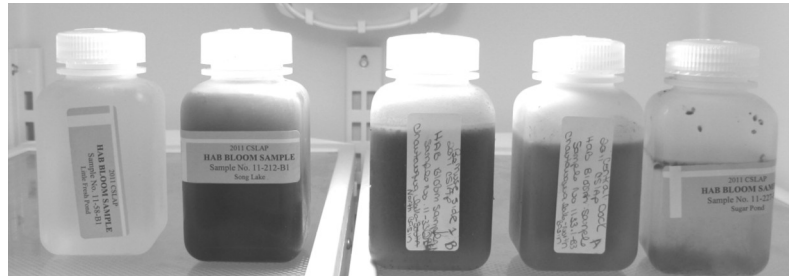
We apologize for the not-so-clear instructions you received at the beginning of the season. Since we received the funding for this program right before the beginning of the season, we were in a rush to make the sampling happen. All things considered, everything went pretty smoothly once the "kinks" were worked out. Thank you for your understanding.

Many of you have given us positive feedback on the new "scorecard" reporting format (right). Our goal is to get results out as soon as possible and to make the data more user friendly. As always, we welcome your suggestions.

We are already looking forward to the 2012 season. Most importantly, lakes that were rotated out last year will be welcomed back. They are: Beaver Lake (Broome Co.), Brantingham Lake, Butterfield Lake, Canada Lake, Chenango Lake, Lake Clear, Cossayuna Lake, Deer Lake, DeRuyter Lake, Duck Lake, East Caroga Lake, Echo Lake, Forest Lake (Warren Co.), Friends Lake, Galway Lake, Horseshoe Pond, Kasoag Lake, Lake Peekskill, Plymouth Reservoir, Silver Lake (St. Lawrence Co.), Somerset Lake, and Lake Warn.

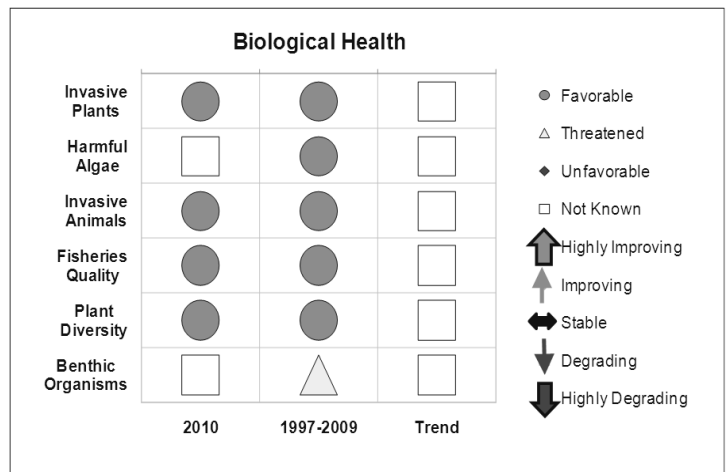
If you are a current participant, or you are slated to return in 2012, and you do not plan to sample in 2012, please let us know as soon as possible so that we can plan ahead. We do not anticipate a price change in 2012 unless something unforeseen happens with the state budget.

In the meantime, the lakes that will rotate OUT for one year in 2012 are TENTATIVELY as follows: Burden Lake, Effley Falls Reservoir, Forest Lake (Rensselaer County), Grass Lake, Indian Lake, Lincoln Pond, Lake Katonah, Madison Lake, Mirror Lake, Lake Oscaleta, Otter Lake, Paradox Lake, Peach Lake, Pleasant Lake (Fulton County), Lake Rippowam, Round Pond, Saratoga Lake, Sepasco Lake, Smith Pond, Spring Lake, Taconic Lake, Timber Lake, and Yankee Lake. Once we know for certain who is participating in 2012, we will adjust accordingly, but this is the proposed schedule based on current numbers.

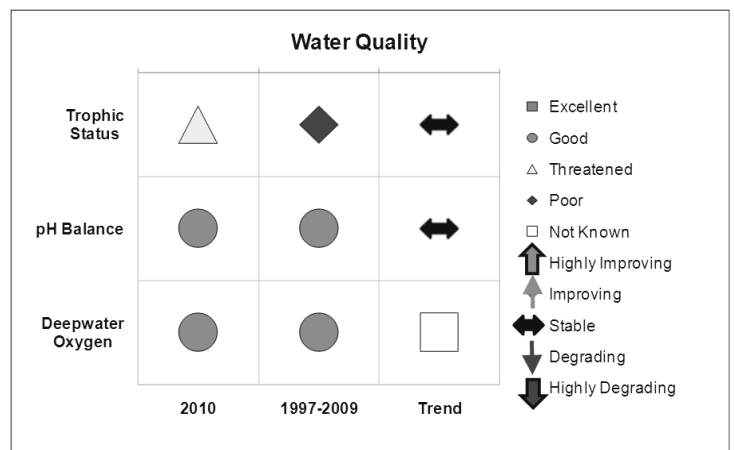


Harmful Algae Bloom Samples at on their way to SUNY ESF.

Photo by Mary Gail Perkins, Upstate Freshwater Institute



The new scorecard reporting format has received positive feedback. This example is from Teatown Lake in Westchester County.



Several new lakes will also join the program. Welcome aboard Bedford Lake and Laurel Lake as well as Guilford Lake and Efner Lake who are former CSLAP participants. Thank you to everyone who contributed to another great CSLAP season.

Ruling in Lake Placid Boathouse Case Overturns Municipal Regulation of Shoreline Development

By Mark Wilson, President, Shore Owners' Association of Lake Placid



A New York State Supreme Court case currently awaiting appeal in Albany is testing the authority of municipalities across the state to regulate a broad category of shoreline development.

The case of *Grimditch vs. the Town of North Elba* began in September 2010 with the initiation of two boathouse projects on the eastern shore of Lake Placid in Essex County. Neither project had a (required) building permit from the Town of North Elba. The town's code enforcement officer, Jim Morganson, immediately issued a stop work order to the William Grimditch family, owners of the two properties. When building contractors for the Grimditch family ignored the local order, the case went to court.

This case has effectively overturned local authority over shoreline construction throughout New York State.

-Mark Wilson, SLPOA

James Brooks, attorney for the Grimditch family, argued before Acting Supreme Court Judge Richard Meyers (his former legal partner and a close family friend) that any boathouse built entirely over navigable state waters and connected to the land only by a removable gangway, cannot be subject to local ordinance or zoning restrictions of any kind. According to Mr. Brooks' argument, the only controlling authority in such a case would be the New York State Department of Conservation's Navigation Code—a set of laws that largely ignores buildings of any kind.

An initial decision by the court to allow the construction of piers and deck (a threshold that allowed builders to avoid the deadline for the Adirondack Park Agency's new restrictions on boathouse construction), was followed by a

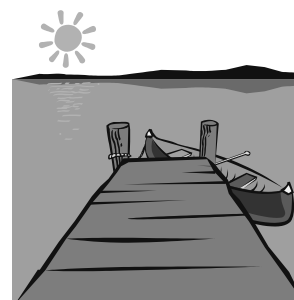


Photo Courtesy of Mark Wilson and AdirondackAlmanack.com

series of appeals, procedural rulings and reversals over the course of a year. During that time one of the two boathouses was built to completion.

In late August this year, Judge Meyer issued a summary judgment in the case, effectively overturning all local authority over shoreline construction throughout New York State. His ruling reversed New York's long-recognized last line of scenic and ecological protections at its diverse waterfronts.

Attorneys for the Town of North Elba, with support from the Shore Owners' Association of Lake Placid, have appealed the court's ruling. The appeal is scheduled to be heard this coming January in Albany.



In a parallel, but unrelated boathouse case from the Village of Lake Placid, Chief United States District Court Judge Norman Morde denied a federal claim by Attorney James Brooks that orders by the local planning board to reduce the length of a planned boat dock on Mirror Lake amounted to a violation of his client's constitutional right under the fourteenth amendment to equal protection under the law.

The Perfect Match: A Look at a Partnership between Lake Associations and CoCoRaHS

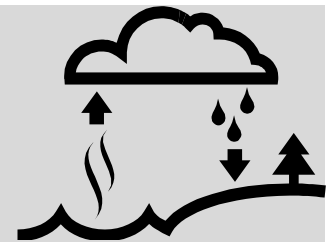
*Submitted by James Brewster, Hydrometeorologist &
Central NY CoCoRaHS Coordinator
NOAA -National Weather Service, Binghamton, NY*



After being asked to present information on “The Community Collaborative Rain, Hail and Snow Network”, affectionately known as *CoCoRaHS*, at this past spring’s NYS-FOLA conference, I gained a sincere appreciation for how much lake association members care about environmental quality, and the condition of their lakes. You truly work hard to be good stewards of your local environment. In his July message, your President James Cunningham stated the goals of NYSFOLA, and noted the effort to “increase understanding of the direct role lakes have in the protection of public health, the economy and the environment.” In many ways, lake associations are truly grass roots efforts in environmental caretaking, education and good community stewardship. So is CoCoRaHS.

Now, what is this funny sounding program all about? The answer is fairly straightforward. CoCoRaHS is a unique, non-profit, network of volunteers encompassing all ages and backgrounds working together to measure and map precipitation (rain, hail and snow) all across the United States. Through the use of low-cost measurement tools, training and education, and an interactive website, the program aims to provide the highest quality data for natural resource education and research applications across all of the environmental disciplines. And...above all, it’s also educational and FUN!

*Community Collaborative
Rain, Hail & Snow Network
Because Every Drop Counts!*



The CoCoRaHS project has four simple, but key goals.

1. To provide accurate high-quality precipitation data to observers, decision makers and other end-users on a timely basis.
2. To act as an umbrella for one-stop precipitation information nationwide. Our ambition is to increase the density of precipitation data available throughout the country by encouraging volunteer weather observing, as well as by collaborating with existing precipitation networks.
3. To increase community awareness about our weather by inspiring and encouraging citizens to participate in meteorological science and have fun doing so.
4. To provide enrichment activities in water and weather resources for teachers, educators and the community at large; thus, building a collective awareness of our climate and develop citizen’s skills in scientific data collection.

As you may imagine, increasing the density of precipitation measurement and recording will foster a better understanding of the nature and climate around us. A secondary benefit is to enhance the forecast and warning services of the National Weather Service. The more rainfall information gathered and incorporated into the atmospheric and river models, the better the ability they will have at detecting and predicting the next flood. I'm sure many of you will agree that folks around the State of New York can appreciate the need for a better understanding of rainfall runoff and flooding!

The network originated with the Colorado Climate Center at Colorado State University in 1998, thanks in part to the Fort Collins flood a year prior. In the years since, CoCoRaHS has expanded rapidly with over 10,000 observers registered in all 50 States!

Because of your enhanced appreciation of the environment, we think that people affiliated with lake associations, like you, would be the "perfect match" to join the CoCoRaHS community and help make us all a better *Weather Ready* nation. Many of you may already be collecting rainfall data, and a transition into reporting it via the CoCoRaHS network would be easy!

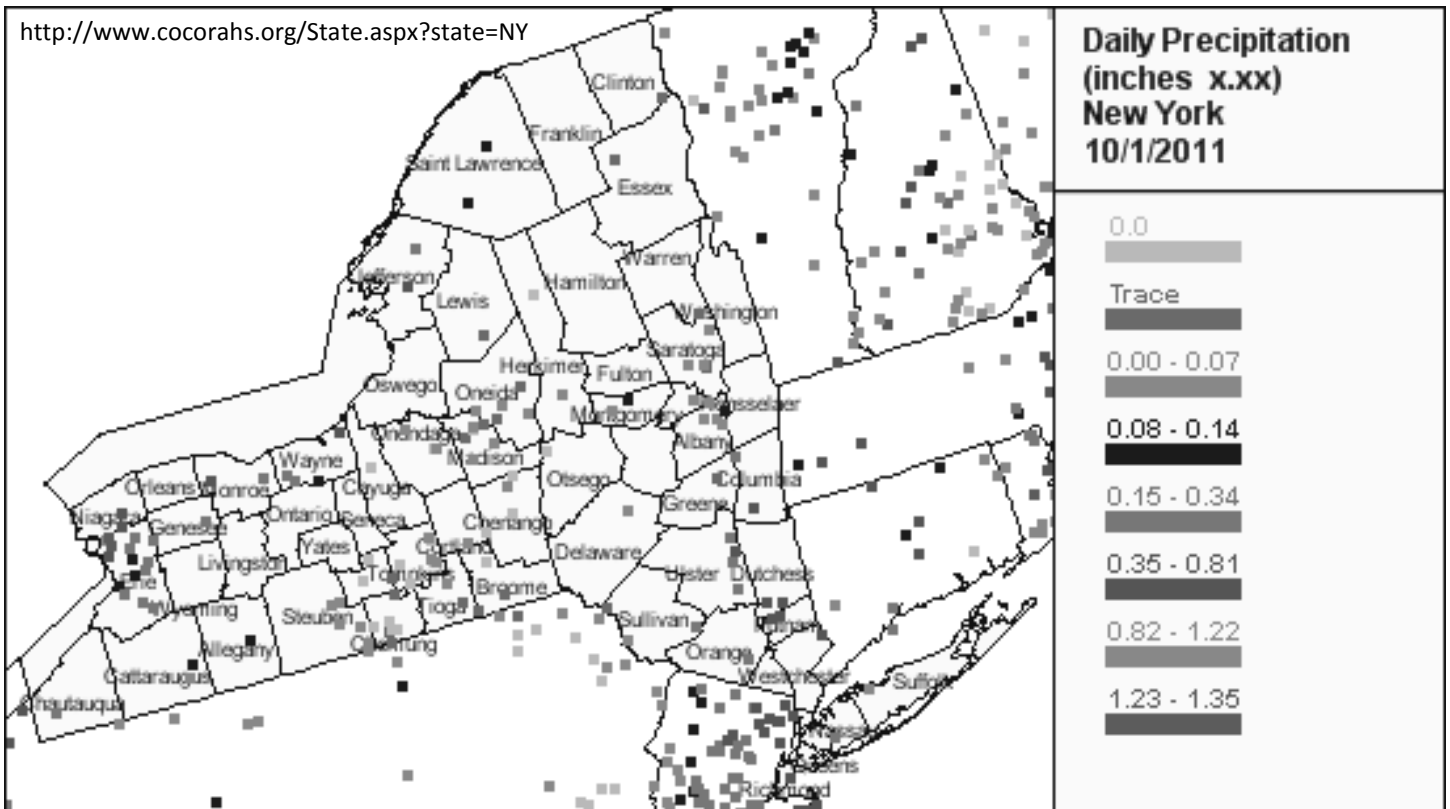


For more information, or to join CoCoRaHS, please visit the following website: <http://www.cocorahs.org>.

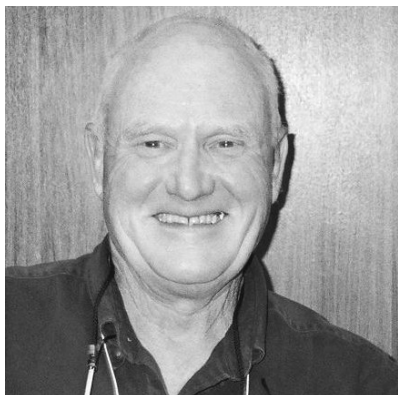
To see CoCoRaHS active already active in your area, here is a list of links with currently available data:

Interactive map of NY: <http://cocorahs.org/Maps/ViewMap.aspx>

Table of daily rainfall data for central NY: <http://www.crh.noaa.gov/product.php?site=NWS&issuedby=BGM&product=LCO&format=txt&version=1&glossary=0&highlight=off>



Susquehanna River Basin Commission Honors Bill Harman



ONEONTA, N.Y. -- NYS-FOLA Vice President and Distinguished Service Professor Bill Harman of the SUNY Oneonta Biology Department is the recipient of the Maurice K. Goddard Award for Excellence by a Water Management Professional by the Susquehanna River Basin Committee

(SRBC). Deputy Secretary for Water Management Kelly Hefner of the Pennsylvania Department of Environmental Protection presented the honor to Harman yesterday at the SRBC's quarterly meeting, held in Cooperstown.

The Goddard Award is named for Maurice K. Goddard, the former director of the Penn State University School of Forestry and first secretary of the Pennsylvania Department of Environmental

Resources, an agency he helped create.

The SRBC chose Dr. Harman to receive the award for his dedication to studying and preserving the unique ecology of Otsego Lake. Data he has collected over more than 40 years has enabled the lake to be used as an ecological reference site and has served as the basis for the Otsego Lake Watershed Management Plan. Dr. Harman joined the SUNY Oneonta faculty in 1968 after earning his doctorate in New York limnology from Cornell University. Since 1988 he has served as director of the college's Biological Field Station in Cooperstown. In 2007 the college named him Rufus J. Thayer chair of Otsego Lake research.

The SRBC is the governing agency established by agreement between the federal government and the states of New York, Pennsylvania and Maryland to protect and wisely manage the water resources of the Susquehanna River Basin. The Susquehanna River starts in Cooperstown and flows 444 miles to Havre de Grace, Maryland, where the river meets the Chesapeake Bay.

NYS DEC Begins 90-Day "Fracking" Comment Period

NYS DEC Press Release-September 7, 2011

The New York State Department of Environmental Conservation opened a more than 90-day public comment period on its revised draft Supplemental Generic Environmental Impact Statement, DEC Commissioner Joe Martens announced today. In addition, the agency will issue its proposed regulations governing high-volume hydraulic fracturing in early October.

"Throughout this process, DEC's number one priority is to protect the state's drinking water and environment in concert with exploring options to safely and efficiently extract the state's natural gas. This will enable New York's economy to benefit from this resource and the job opportunities that development is expected to bring," Martens said. "We look forward to receiving comments from the public that will help inform the final conditions for high-volume hydraulic fracturing in New York state. The proposed environ-

mental mitigation measures and the regulations that codify those measures go hand in hand. It makes sense to move forward with them together and hold simultaneous public comment periods and hearings."

The public comment period for the revised draft SGEIS begins today and concludes Dec. 12. The public comment period for the regulations will begin in early October and will run concurrently with the SGEIS public comment period. DEC plans to hold four public hearings during the comment period for the SGEIS and regulations in November. The hearings will be held in counties within the Marcellus Shale region, as well as New York City. Exact dates and locations will be released in early October.

Under the public comment schedule, the public will have more than 150 days to

review the proposed environmental mitigation measures in the draft SGEIS, which were released

July 1, and more than 90 days to review the SGEIS sections and mitigation measures addressing socioeconomic, community character, visual, noise and transportation impacts. Once the comment period is complete, DEC will review the comments on the draft SGEIS and proposed regulations and prepare responses to be released with the final SGEIS. No permits for high-volume hydraulic fracturing will be issued until the SGEIS is finalized and DEC issues the required Findings Statement.



Comments can be submitted to DEC's website or by mail to:

Attn: dSGEIS Comments
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Comments should focus on changes in the 2011 revised draft SGEIS. Comments previously submitted on the 2009 draft will be considered in the final SGEIS and do not need to be resubmitted.

The draft socio-economic analysis of the impacts associated with high-volume hydraulic fracturing activities found that when the well construction rate is at its maximum level, total direct employment could reach 6,198 full-time equivalent (FTE) workers under a low-development scenario and 24,795 FTE workers under the average-development scenario. These jobs are estimated to bring \$419.6 million to \$1.7 billion in earnings for the workers.

Construction jobs account for 4,408 to 17,634 FTE positions. These employment figures correspond to the annual construction of 413 horizontal and vertical wells

under the low-development scenario and 1,652 horizontal and vertical wells under the average-development scenario. At the peak of development, operational jobs are expected to range from 1,790 FTE workers under the low-development scenario to 7,161 FTE workers under the average-development scenario.

The proposed drilling also could generate additional indirect employment in other sectors of the economy. Indirect employment is expected to range from 7,293 FTE workers under the low-development scenario to an additional 29,174 FTE workers under the average-development scenario with an additional \$202.3 million and \$809.2 million in earnings.

The revised draft SGEIS proposes new mitigation measures to address impacts to communities and local governments. A significant mitigation measure is to limit simultaneous construction of well pads and wells in proximity to each other. DEC will consider this measure in consultation with local governments to lessen cumulative impacts. This approach would help mitigate impacts on local community character, as well as cumulative noise, visual and traffic impacts.

Additional proposed mitigation measures include:

Traffic: require drillers to produce detailed transportation plans outlining the proposed number of trucks, truck routes and times of day of truck operations, and assessing the conditions of those roads;

Noise: site-specific measures could include setbacks, site layout design that takes advantage of topography, noise barriers and special permit conditions; and

Visual: site-specific measures could include screening, relocation, camouflage or disguise, using non-reflective materials and controlling off-site migration of lighting.

To learn more about the revised draft SGEIS's proposed mitigation measures, visit the DEC website where you will find:

- The full draft SGEIS ;
- DEC Fact Sheet on Socio-economic Impacts ;
- DEC Fact Sheet on Traffic, Cumulative, Visual & Noise

Asian Clams Continue to Spread

Since we last reported on efforts to eradicate Asian clams (*Corbicula fluminea*) in Lake George, more infestation sites have been discovered in that lake, and the invasive bivalve has also been found in two of the Finger Lakes.



Since the initial discovery of Asian clams in Lake George last year, lake wide surveys were initiated, and the total number of sites is now at four. The good news is that surveys now underway in the northern part of the lake, have not yielded any additional infestations. Survey work continues and requires scuba divers who collect and sieve sand on the bottom of the lake to

look for clams.

Hurricane Irene and Tropical Storm Lee dealt a setback to the eradication efforts. Benthic barriers used to smother the clams, and the rebar holding them down, became dislodged and had to be removed so that they would not pose a hazard to navigation on the lake. Volunteers, assisted by crews from the Lake Champlain Maritime Museum in Vermont, spent a week removing the mats.

You can follow Lake George's progress on line at <http://www.stoptheasianclam.info/>.

In the Finger Lakes, Asian clams were discovered in the north end of Owasco Lake late last fall, and were confirmed in

Otisco Lake this year, according to the Onondaga County Health Department.

According to a recent study, tens of thousands of clams in Owasco Lake now inhabit a shallow water area approximately 123 acres in size. Cayuga County will lower the lake level one foot lower than normal this winter in an attempt to freeze the clams. It is anticipated that 90% of the clams could be killed by freezing if winter temperatures allow for thick ice formation on the lake. This method will be much cheaper than the benthic barrier method being used by Lake George.

We encourage everyone to be on the look out for this invasive species.

Warren County Passes Invasive Species Transport Law with Help from LGA

—Lake George Association Press Release



Lake George, NY - Sept 16, 2011- The Warren County Board of Supervisors voted almost unanimously to pass an invasive species transport law today after a public hearing about the law.

"The LGA has been working for weeks with the supervisors to help draft this law, which is based on a law that is still pending at the state level," said Lake George Association Executive Director Walt Lender. "This groundbreaking law will help us tremendously in our efforts to fight invasive species on the Lake. The LGA plans to be instrumental in teaching people about the law, and in helping area business owners explain the law to visitors next summer," he said.

The law will make the introduction and transport of aquatic invasive species into Warren County waterbodies illegal. It is the first county law of its kind to pass in New York State. "Several towns have passed similar laws, including Lake Pleasant and the village of Lake Placid, but county and statewide efforts are really needed, otherwise controlling the spread of invasive species is too piecemeal," said Emily DeBolt, LGA director of education. "With this law in place more people will pay closer attention to the issue of invasives on Lake George, and we hope the leadership and initiative that the supervisors have shown in passing this groundbreaking law will soon be duplicated in other counties and at the state level," Lender said.

"Our lake stewards and staff have spent hours actively fighting the Asian clam this summer -- erecting signage,

producing and distributing brochures, securing mats with sandbags, and most recently, surveying the lake for additional sites. It makes little sense for the LGA, and for other organizations, to spend tens of thousands of dollars removing invasives from Lake George when people can legally re-introduce them," he continued. "The LGA is particularly grateful to the Warren County Board of Supervisors and its legislative committee chaired by Supervisor Bentley. They clearly see how important this action is for the Lake," Lender said.

For decades, the LGA has been educating people about invasive species and the threats they pose to Lake George, both environmentally and economically. LGA Lake Stewards inspect boats at area launches, removing specimens of invasives prior to launch, and educating boaters. "Since starting the Lake Steward program in 2008, we have seen over 16,000 boats and have removed 270 specimens of invasive species," said Emily DeBolt, LGA director of education. "The vast majority of boaters want to do the right thing, and certainly don't intend the Lake any harm. Laws like this will help us tremendously in communicating the seriousness of the threat," she said.

One of the reasons a law like this is so important is because Lake George is surrounded by water bodies that have invasive species, and LGA's lake steward data shows how frequently boaters come to Lake George from these infested waters. The Great Lakes have 184 invasive species. The St. Lawrence River has 87. Lake Champlain has 49. The Hudson River has 91. Lake George has only the four: the

Asian clam, Eurasian watermilfoil, Zebra-mussel, and curly-leaf pondweed. Comparatively, nearby waterbodies have many more, posing a serious threat to Lake George. The Great Lakes have 184 invasive species. The St. Lawrence River has 87. Lake Champlain has 49. The Hudson River has 91. This is one reason why the LGA advocated for the new Warren Coun-

Statewide Law Needed?

NYSFOLA MEMBERS NEED TO ACT!

Last year, two legislative bills were drafted by the NYS Invasive Species Council. One targeted aquatic invasive species transported by boats and trailers, and the other sought authority for DEC to develop regulatory lists for non-native species. They essentially went nowhere.

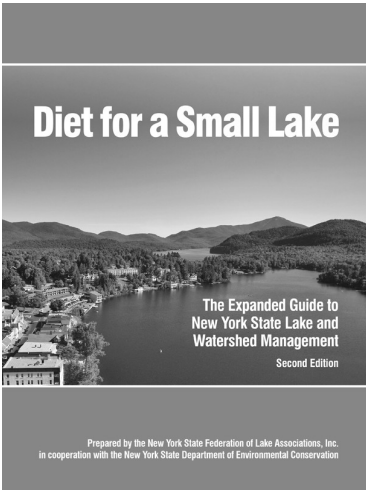
Warren County has created some momentum in reviving the statewide transportation law. Several competing bills are now being drafted including one by Assembly Environmental Conservation Committee Chairman Robert Sweeney. [Everyone should call their state representatives to move these bills forward!](#)

Even if your lake has not yet experienced the impact of invasive species, this legislation will help slow the spread ! Make your voice heard!

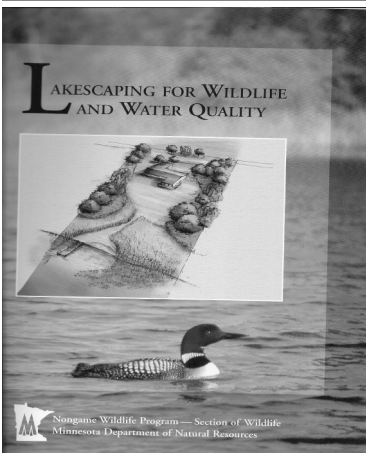
<http://assembly.state.ny.us/>

<http://www.nysenate.gov/>

Available from the NYSFOLA Office



Diet for a Small Lake: The Expanded Guide to New York State lake and Watershed Management– This book is a second edition collaboration between the New York State Federation of Lake Associations, Inc. and the New York State Department of Environmental Conservation. It serves as a manual for New York lake associations to understand the complexity of watershed management and lake ecology. It also encourages lakefront property owners to take responsibility for managing their lakes, rather than assuming that government agencies will do so. It guides readers through the basics of aquatic plant management and leads them through the process of developing a comprehensive watershed management plan. The book also addresses applicable federal, state and local laws with emphasis on New York State regulations including those that apply to the Adirondack Park



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Lakescaping for Wildlife and Water Quality: This book as a “must have” for those who want to be lake friendly waterfront property owners. The book includes chapters about lake ecosystems, designing lakeshore landscaping and selecting the right plants to do the job. The book has a bit of an upper-Midwestern bias, but it is very applicable to New York State lakes. Cost: \$20.00 plus applicable sales tax and shipping from the NYSFOLA office.

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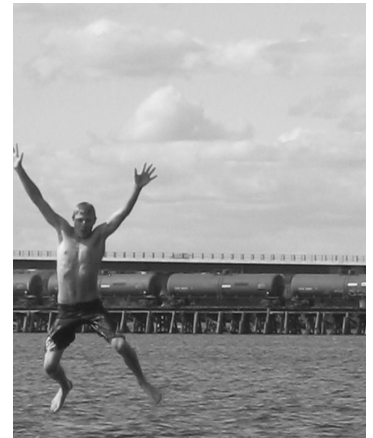
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