

Waterworks

New York State Federation of Lake Associations, Inc.

March 2015

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Masthead Photo:

*Song Lake on a
Winter's Day—by
Tarki Heath*



NYSFOLA Comments on DEC DRAFT AIS Plan

Last October, the New York State Department of Environmental Conservation (DEC) released its Draft Aquatic Invasive Species (AIS) strategy to prevent the introduction and spread of AIS in New York State for public comment. Comments were accepted through December 15th.

DEC's October press release quoted Commission Joe Martens as saying, "Prevention of aquatic invasive species is critical to the long-term vitality of waterways across New York State. This strategic plan details proposals to further our efforts to help ensure AIS-free waters remain free and additional AIS are not introduced to other waters. We welcome the public's ideas and feedback on the draft strategy." This action-based Strategic Plan updates DEC's "Nonindigenous Aquatic Species Management

Plan," which was written in 1993. The draft plan includes more than 50 actions designed to address prevention, detection, and response to AIS. Proposed actions identified in the strategy include:

- Expand the boat launch steward program statewide;

- Develop an AIS response framework to guide decision making when AIS are detected, and communicate the reasoning for the response selected;
- Implement an AIS public awareness campaign and evaluate its effectiveness in reaching target audiences;

- Expand the use of AIS disposal stations at waterway access sites;
- Establish regional "first responder" AIS teams to incorporate local expertise in planning and implementing appropriate AIS responses; and
- Identify and evaluate risks associated with pathways for AIS introduction and movement within New York.

On behalf of our membership, NYSFOLA submitted comments which both lauded DEC's efforts and expressed concern that an ever increasing burden is being placed on lake associations with regard to AIS management and control. The comments can be found on our website www.nysfola.org under the "Lake News" section (click on "Read All".)



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.

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 - George C. Kelley

GREETINGS!

Spring has finally sprung, but it has been a long, cold, and snowy winter for most of us. Even the large lakes have frozen over, and “ice out” may be many weeks away despite the desire to get docks in the water and boat engines running.

Spring is a busy time at NYSFOLA. We are well underway with conference planning and registration. I hope you will take advantage of this wonderful opportunity to learn more about your lake and the many things you can do to protect and improve its water quality. We have many new items on the agenda this year, as well as a few “favorites” for first time attendees. **Let's see if we can get 50% of our member lake associations to Hamilton this year.**

You can register by mail or online at www.nysfola.org, but please register early! It takes some of the last-minute pressure off at the office, and it helps facilitate lodging both at White Eagle and the nearby Wendt University Inn.

Spring also means that it's time to get ready for CSLAP. Despite the snow on the ground, filters, labels, bottles, baggies, gloves, and boxes must be prepared. Training for new volunteers must be arranged, and we certainly hope that the ice goes out on Lake Mo-raine in time for that! If you plan to attend the training session, please notify Nancy Mueller so that she can plan for the number of boats, sets of equipment, and supplies.

We have several NYSFOLA Committees hard at work - taking care of business related to CSLAP, Long Range Planning, Scholarships, and the upcoming North American Lake Management International Symposium in Saratoga Springs. There is much work to be

done! Would you like to help us? We are looking for a couple of active Board members - especially someone from the Adirondack Region.

What are the issues facing your lake? Do you contact NYSFOLA when you need assistance? Here are just some of the things that NYSFOLA has done recently to help our member lake associations.

- Assisted with dam safety regulatory requirements
- Helped with lake management plan development and implementation
- Provided consultant contact information
- Provided aquatic plant identification as well as
- By-laws assistance
- Insurance questions
- Permitting questions

NYSFOLA has a large networking capacity both statewide and at the national level, and even if we don't know the answer to your question immediately, we can almost always find out who does!

And speaking of networking, we also want you to mark your calendars for November 17th-20th when the largest gathering of lake management professionals and enthusiasts will take place in Saratoga Springs, NY for the 35th North American Lake Management Society International Symposium. This is the first time the event has been held in New York, and NYSFOLA is proud to be serving as the Host Committee. It won't come back east for several years, so take advantage of this wonderful opportunity.

So, while you're “thinking Spring,” think Fall, too!!



NYSFOLA Considers Expansion of the Dam Safety Committee

At the 2014 Annual Conference, it was suggested by both DEC and NYSFOLA, that we consider forming a group consisting of dam owners, dam engineers, government officials and any other interested parties. The purpose of this group would be to assist dam owners as they attempt to comply with the newly written and adopted DEC Dam Safety Regulations. After several months, we are finding out that it is not as easy as it sounds. Since there are more than 5000 dams in New York, trying to locate and contact the owners is next to impossible. Before we proceed, we need your help. If you or your association owns a dam, please provide us with some information:

- Name of your dam
- Location of dam (town and county)
- Hazard classification if known
- Status of your compliance (Annual Certification, Operation and Maintenance Plan, Emergency Action Plan, Safety Inspection, Engineering Assessment, etc.)
- A brief overview of any problems or concerns regarding understanding or complying with the current regulations.
- Contact information for you and/or someone in your organization responsible for dam safety.
- Thoughts and ideas about the benefit of a Dam Group.
- Any additional information you wish to share.



Send information via email to:

Bob Rosati, NYSFOLA Dam Committee
Chairperson

rcrosati@frontiernet.net

Bob knows first-hand about dam inspections. He is the leader of the annual Melody Lake Dam—Polar Bear Club. You can see his group of volunteers performing the annual inspection.



Goodnow Flow Decision: Court Upholds Implied-in-Fact Contract Theory to Recover Unpaid Dues

by David O. Wright, Esq., NYSFOLA General Counsel

The Supreme Court for Essex County recently rendered a major victory for a lake association, seeking to recover unpaid dues from homeowners, where there were no enforceable covenants requiring them to pay. In *Goodnow Flow Association, Inc. v. Graves*, Essex Co. Index No. 493-2013, Justice Thomas D. Buchanan granted summary judgment (a judgment entered on the papers, without a trial) to a lake association seeking to recover dues on the theory that the

Just to place this issue in context, let's examine the background to this problem. Where a lake association has been established with properly-drafted, and properly-recorded covenants in the real estate records, there's generally little difficulty getting reluctant property owners to pay their dues to help maintain the lake association. While, there are still issues concerning the fairness of the charges, amounts due and so forth, there is no real dispute that a property encumbered by valid covenants has to pay.

The problem is that in many lake communities, there are no written covenants. Some communities began with covenants, but they have since expired due to the passage of time. Others, such as one surrounding the Goodnow Flow, were established before legal practices had evolved to a point of utilizing documents to memorialize the lot owners' implicit agreement to share in community expenses. So, no covenants were executed even though all the lot owners were well aware of the benefits provided by the association when they were purchased. Either way, there is no current, written document binding lot owners to pay dues. What to do then? The New York courts devel-

oped a doctrine of "implied contract" as one legal basis for a homeowner association, even where there were no covenants, to collect dues from property owners benefitting from the association's activities. As Justice Buchanan explained:

"[In] *Seaview Associates v. Williams*, 69 NY2d 987 (1987), the Court of Appeals [New York's highest court] held that the owner of property within a community who has knowledge that a community homeowners' association provides facilities and services for the benefit of community residents



Goodnow Flow in Essex County - Photo courtesy of Drew Cullen, President, Goodnow Flow Association

"defendant, as owner of a lake-front lot ... benefits from services provided" by the lake association.

This has been a hot topic within NYSFOLA for the many years I have served as its (unpaid) General Counsel, and as a presenter at the Lake Law sessions at our annual conferences. I have also been asked to speak on this topic at NALMS conferences, within and outside New York. Clearly, it's a topic that's timely, and indeed, critical to the finances of hard-pressed volunteers attempting to manage our precious lake resources.

Background: The Problem

is obligated under an implied-in-fact contract to pay a proportionate share of the full cost of those facilities and services, even if the owner is not a member of the association.”

And, as I quote in my “Lake Law” publication:

“The resulting implied-in-fact contract includes the obligation to pay a proportionate share of the full cost of maintaining those facilities and services, not merely the reasonable value of those actually used by any particular resident.”

This rationale has been applied in the context of lake associations. See *Tides Property Owners Assn. v. Paolillo*, 56 A.D.2d 888 (2d Dept. 1977)(property owner can be required to pay dues for community beach); *Mohegan Colony Assn. v. Picone*, 61 A.D.2d 809 (2d Dept. 1978) (“Although the express covenants have expired, the defendants are liable in quasi-contract and implied contract if they have had the use and benefit of the common beach facilities”).

Many associations were shocked by the decision in *Yankee Lake Preservation Assn., Inc. v. Stein*, 68 A.D.3d 1603 (3d Dept. 2009), in which an appellate court ruled squarely AGAINST a lake association attempting to use the *Seaview* implied contract rationale, and affirmed the lower court’s award of attorney fees against the association for frivolous litigation. In that case, however, the facts were somewhat unique. For example, some of the defendant homeowners had owned property on the lake long before the lake association even came into existence. It was therefore difficult to fashion an “implied contract” that, simply by staying in

their homes, they somehow agreed to pay due to a newly-created association. (Unfortunately, several alternative theories were not discussed by the court in that case, such as unjust enrichment or quasi-contract).

Thus, the *Goodnow Flow* decision comes as a relief -- we can reassure our member associations that the courts have not departed from the general rule of case law spanning more than forty years, and will find an implied contract where the lot owners were aware of the benefits provided by an association when they purchased, and that the *Yankee Lake* case was indeed decided on a unique set of facts. The defendant has filed a Notice of Appeal, so the issue may again be presented to the appellate court. NYSFOLA intends to seek to intervene and to advocate for the lake association, should the appeal be pursued.

The attorneys for the Goodnow Flow Association were Walsh & Walsh, LLP, 42 Long Alley, Saratoga Springs NY 12866. They can be reached at (518) 583-0171. Attorney Joseph M. Walsh handled this case. Their web site is www.spalaw.net. A general practice law firm, Walsh & Walsh has concentrations in real estate, banking, creditors’ rights, estate planning, business law, homeowners’ and condominium associations, civil litigation, matrimonial law, municipal finance, planning and zoning and probate.

David Wright has been, for more than 20 years, volunteer General Counsel to the NYS Federation of Lake Associations. A graduate of the UCLA Law School, he is engaged in general practice in Peekskill, New York. His email address is Ytdave@aol.com. His web site is www.DavidWrightLaw.us.

NYSFOLA BOD Thanks Rena Doing, Plymouth Reservoir Lot Owners Association

The NYSFOLA Board of Directors would like to thank long time member Rena Doing for her dedication to NYSFOLA. It is with regret that we recently received her letter of resignation from the Board of Directors. Rena has been both a long time Board member and CSLAP volunteer, and we wish her all the best with her future endeavors.

Would You Like to Serve on the Board of Directors?

The NYSFOLA Nominating Committee is looking for some new, hard working Board members, especially someone who could represent the Adirondack Region. Among other things, Directors are asked to attend ~3 meetings per year, serve on committees, participate in/or attend the annual conference, promote NYSFOLA to area lake associations, and communicate with lake associations about NYSFOLA activities. Won’t you consider serving?

Interested? Contact Nancy Mueller fola@nysfola.org.

2015 NYSFOLA 32nd Annual Conference

“Celebrating Citizen Science”

May 1-3, 2015 - White Eagle Conference Center - Hamilton, NY

Thursday - April 30 2015

6:30 pm to 7:30 pm Dinner at White Eagle Lodge for Early Arrival Attendees
7:30 pm to Tepee Open for Hospitality

Friday - May 1, 2015

7:30 am to 8:30 am Breakfast at White Eagle Lodge
9:00 am Registration Desk Open at the Appley Center
9:30 am to 9:45 am Welcome & Logistics, Chandelier Room, Appley Center
CONCURRENT SESSIONS BEGIN
SILENT AUCTION BEGINS AND CONTINUES THROUGH SATURDAY

SESSION 1

CSLAP - Citizen Science at its Best! How to Make it Better?

10:00 am to 10:15 am **CSLAP: Not Just an Acronym** - Scott A. Kishbaugh, NYS DEC
10:15 am to 10:45 am **Making Sense of CSLAP Reports** - Scott A. Kishbaugh, NYS DEC (and others)

10:45 - noon

GROUP 1

10:45 - noon

GROUP 2

The Lake Doctor is “IN” - Help Interpreting Your CSLAP Report

Sign up for a 15 minute session (or two) with Dr. Lake to answer questions you may have about your report. Several specialists will be on hand! No insurance required!

**It would be helpful to us if you let us know you plan to attend. We can have the doctors look at the reports ahead of time. Let Nancy know fola@nysfola.org.*

Digging Into the CSLAP Information

10:45 am to 11:15 am **What Did We Learn in 2014?**
Scott A. Kishbaugh, NYS DEC (and others)

11:15 am to 11:45 am **Harmful Algal Blooms: That “Blue Green Stuff”** - Dr. Gregory Boyer, SUNY ESF

11:45 - noon **New Information in the 2014 CSLAP Reports** - Scott A. Kishbaugh, NYS DEC and Janet Andersen, Three Lakes Council

LUNCH at Noon

1:00 pm - 3:00 pm

GROUP 1

Digging Deeper into CSLAP

The Lake Doctor is “IN” - Help Interpreting Your CSLAP Report

Sign up for a 15 minute session (or two) with Dr. Lake to answer questions you may have about your report. Several specialists will be on hand! No insurance required!

**It would be helpful to us if you let us know you plan to attend. We can have the doctors look at the reports ahead of time. Let Nancy know fola@nysfola.org.*

1:00 pm to 1:30 pm **Biomonitoring & CSLAP** - AJ Smith, NYS DEC

1:30 pm to 2:00 pm **Priority Waterbody List & CSLAP** - Sarah Rickard, NYS DEC

2:00 pm - 2:45 pm **Online Data Entry—Try It, You’ll Like It! Instant Feedback on Your Field Data!**** --Lou Feeney, Three Lakes Council

2:45 pm - 3:00 pm **CSLAP Wrap Up and Thanks to Our Volunteers** - Scott Kishbaugh, NYS DEC

** There will be time after the session to practice online data entry with assistance from Lou.

SESSION 2

Watercraft Inspection Steward Program Workshop

10:00 am—4 pm (break from noon to 1pm for lunch)

Planning is underway for a day-long workshop that will enhance the standardization of watercraft inspection across the state.

Who should attend?

People interested in starting a new program and those managing a water-based steward program that includes watercraft inspection will find value in the workshop. Information presented will assist in the standardization of the watercraft inspection process across the state and benefit those involved in paid and/or volunteer based programs.

The workshop will provide the information necessary to help groups with new/recently developed programs or those interested in developing one.

Planning partners include representatives of Buffalo Niagara Riverkeeper, Lake Champlain Basin Program, New York Sea Grant, NYS DEC, NYS Office of Parks, Historic Preservation & Recreation, Partnerships for Regional Invasive Species Management, as well as Paul Smith's College.

This workshop is being sponsored by New York Sea Grant and New York State Parks. For additional information, please contact:

Mary Austerman, NY Sea Grant mp357@cornell.edu (315)312-3042 or

Megan Phillips, NYS Parks Megan.Phillips@parks.ny.gov (518)402-5587

3:00 pm

Board of Directors Meeting -

3:00 pm - 5:00 pm Conference attendees are encouraged to use this time to “meet and greet” one another at the Appley Center. Talk about issues at your lake association, renew acquaintances, and meet new friends.

5:00 pm - 6:00 pm Cash Bar at the Tepee in “The Grove” area of the conference center.

6:00 pm to 7:00 pm Dinner at White Eagle Lodge

7:00 pm - Live Wine Auction & Tepee Open for Refreshments and Camaraderie

Lake Steward Award

Has someone gone above and beyond the call of duty for your lake association or other lake organization? Nominate them for a Lake Steward Award. Send a brief description of your nominee's accomplishments to Nancy Mueller foia@nysfoia.org or PO Box 84 LaFayette, NY 13084 by April 10th. Awards will be presented at the annual conference.

Saturday May 2, 2015

7:00 am to 8:00 am	Breakfast at White Eagle Lodge
8:00 am to 4:00 pm	Registration All Day at the Appley Center
8:30 am to 9:00 am	Welcome and Logistics, Chandelier Room, Appley Center
	CONCURRENT SESSIONS BEGIN

SESSION 1 **DIET for a Small Lake: In Introduction to Lake Ecology and Lake Management**

9:00 am to noon	Dr. Willard Harman and his staff from the SUNY Oneonta Biological Field Station and Dr. Peter Tobiessen, Union College explain the basics of lake ecology and how to address lake management issues. If you've never attended a NYSFOLA conference, this is a great place to start.
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SESSION 2 **The New 2015 Lake Law for Lake Associations**

9:00 am to noon	Join NYSFOLA General Counsel, David Wright, Esq. for a completely new edition of Lake Law. He will discuss recent case law of interest to lake associations and lake residents; explain new IRS forms for 501(c)3 not-for-profit corporations, and answer your questions!
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10:20 am to 10:35 am **(Break)**

SESSION 3 **Invasive Plants - Monitoring and Management**

9:00 am to 9:40 am	Mandatory Boat Inspections on Lake George - David Wick, Lake George Park Commission
9:40 am to 10:20 am	Schroon Lake Milfoil Scout Program - Gretchen Marcell, Program Coordinator, ESSLA
10:20 am to 10:35 am	BREAK
10:35 to 11:15 am	Hand Harvesting Water Chestnut on Kirk Lake - Joe Montuori, Kirk Lake Watershed Assn.
11:15 am to noon	Hydrilla in Harvey Lake, PA - Fred Lubnow, Princeton Hydro, LLC

SESSION 4 **Harmful Algal Bloom Monitoring in New York**

9:00 am to 9:40 am	An Introduction to Harmful Algal Blooms - Dr. Gregory Boyer, SUNY ESF
9:40 am to 10:20 am	What We've Learned About HABS in NYS - Scott Kishbaugh, NYS DEC
10:20 am to 10:35 am	BREAK
10:35 to 11:15 am	HABS Surveillance Models - The Honeoye Example - Scott Kishbaugh, NYS DEC (and TBA)
11:15 am to noon	HABS Monitoring - Test Kits? Or Lab Data? The Pros and Cons of Each - Dr. Gregory Boyer

Noon - 1:45 pm **Lunch and NYSFOLA Annual Membership Meeting - Chandelier Room, Appley Center**

AFTERNOON CONCURRENT SESSIONS BEGIN

SESSION 1 **CSLAP Training on Lake Moraine and in the Cleveland Building**

2:00 pm to ~4:30 pm	CSLAP training for new volunteers or for those needing a refresher. Dress for the weather! We will be in the lab and on the lake. Scott Kishbaugh, NYS DEC, Nancy Mueller, NYSFOLA and others will take you step-by-step through the process of sampling, preparing samples for shipping, data recording and/or online entry, and more!
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Saturday May 2, 2015 (Continued)

SESSION 2

Lake Management Plans for NYSFOLA Lakes - A University Partnership

- 2:00pm to 2:20 pm **Three Lakes, One Management Plan** - Maxine Verteramo, SUNY Oneonta
- 2:20 pm to 2:40 pm **Truesdale Lake & its Fight with Eutrophication** - Christian Jenne, SUNY Oneonta
- 2:40 pm to 3:00 pm **Sixberry Lake: A Case Study in Protecting an Oligotrophic Lake from Anthropogenic Eutrophication** - Kathleen Marean, SUNY Oneonta
- 3:00 pm to 3:15 pm BREAK
- 3:15 pm to 3:35 pm **Invaders at the Doorstep! Preventing the Establishment & Spread of Invasive Species in Brant Lake** - Alejandro (AJ) Reyes, SUNY Oneonta
- 3:35 pm to 3:55 pm **Millsite Lake: Coping with an Invasion** - Luke Gervase, SUNY Oneonta
- 3:55 pm to 4:15 pm **Rushford Lake A Unique Case of Extreme Drawdown** - Edward Kwietniewski, SUNY Oneonta
- 4:15 pm to 4:30 pm Q&A and Wrap Up

SESSION 3

A Potpourri of Lake Related Issues

- 2:00 pm to 2:30 pm **Winter Road Maintenance and Water Quality Impacts** - Dan Kelting, Adirondack Watershed Institute, Paul Smiths College
- 2:30 pm to 3:00 pm **Historical Chloride Concentrations in the Finger Lakes: Salt Mines and Road De-Icing Salts** - Dr. John Halfman, Hobart & William Smith Colleges
- 3:00 pm to 3:15 pm BREAK
- 3:15 pm to 3:45 pm **The Effect of Aeration on Lake Ecology** - Patrick Goodwin, Research Biologist, Vertex Water Features
- 3:45 pm to 4:15 pm **Proactive Management of Harmful Algal Blooms Using In-Lake Phosphorus Inactivation Technologies** - Marc Bellaud, President, Aquatic Control Technology, Inc.
- 4:15 pm to 4:30 pm Q&A and Wrap Up

SESSION 4

Dam Safety

- 2:00 pm to 2:30 pm **How are We Doing? Compliance (& Non-Compliance) with NY's Dam Safety Regulations** - Alon Dominitz, P.E., Chief, Dam Safety Section, NYS DEC
- 2:30 pm to 3:00 pm **Dam Safety Compliance - What is Required and How to Hire an Engineer for Assistance** - Glenn Johnson, P.E., P.M.P., Bergmann Associates
- 3:00 pm to 3:15 pm BREAK
- 3:15 pm to 3:45 pm **Regulatory Requirements for Dam Safety Engineering in NY: Successful Case Studies** - Alan Estivalet, P.E., Dam & Water Resources Group Leader, WSP Group
- 3:45 pm to 4:00 pm **Melody Lake Engineering Assessment Results** - Bob Rosati, NYSFOLA BOD, Melody Lake Assn.
- 4:00 pm to 4:30 pm **Open Forum - Q&A - Wrap Up**

SESSION 5

Sustainability and Your Lake Association

- 2:00 pm to 2:30 pm **New York's Lakes - Sustainable Management to Buffer Impacts of Climate Change** - Dr. Rebecca Schneider, NYSFOLA BOD, Cornell University School of Natural Resources
- 2:30 pm to 3:00 pm TBA
- 3:00 pm to 3:15 pm BREAK
- 3:15 pm to 3:45 pm **Saving Our Lakes, One Home at a Time** - Nicole Cadwell, Executive Director, Better Farm
- 3:45 pm to 4:15 pm (continued)
- 4:15 pm to 4:30 pm **Open Forum - Q&A - Wrap Up**

5:00 pm - 6:00 pm

Annual Wine & Cheese Party

6:00 pm - NYSFOLA Award Banquet

Time at the Tepee

8:30 am - 9:15 am	Long Range Planning : For NYSFOLA and Your Lake Associations - NYSFOLA BOD Members
9:15 am - 10:15 am	Social Media Tools for Lake Associations - Get Your Message Out! - Nancy Mueller, NYSFOLA
10:15 am - 11:30 am	Open Forum for Lake Associations

Live and Silent Wine Auctions



The Live Wine Auction that has been held for the last several years at the end of Saturday evening's banquet is being moved to a different night and venue for this year's conference. While it's a fun activity and good fundraiser for the organization, having it at the end of Saturday's banquet makes for a really long day. It will now take place at the Tepee following dinner on Friday evening (check the conference agenda for the exact time) for those who choose to participate. There's just one caveat that White Eagle has requested – if you are the high bidder do not consume any of your winnings while at the Tepee! This is perfectly understandable, and we thank White Eagle for their flexibility in accommodating our needs. Thanks, also, to Bob Rosati, our wine sommelier in training, for organizing and serving as auctioneer for this “spirited” event! We also thank the Seneca Wine Trail and Swedish Hill Winery for their support of NYSFOLA.

Annual Silent Auction

The regular Silent Auction will be held as usual on the main floor (north end) of the Appley Center. Items can be dropped off any time on Friday and Saturday. The auction runs until 5:45 pm Saturday. NOTE: this new end time will allow auction organizers and item winners more time to tally and collect their winnings before the banquet starts. We are now able to take credit cards to pay for your purchases for both auctions in addition to personal checks and good old hard cash!

It's always interesting to see what types of items people bring. Popular donations include: bird feeders; books; plants; fishing gear; housewares; garden supplies, unique works of art; wind chimes; wine; individual lake-related merchandise; gift certificates; jewelry; food stuffs; and more! Let your imagination run wild – but not too wild! Please - No “GARAGE SALE” items! Remember to fill out a bid sheet for each item you donate and to include an approximate value of the item. The Silent Auction Captains are readying their sneakers, pens and calculators in preparation for this annual occurrence. Come prepared to do some shopping for Mother's Day, Father's Day, graduations or for just hanging out at the lake! Proceeds collected from both auctions will be used to assist with project such as the Hydrilla Hunt, scholarships, and NALMS 2015. Thanks, in advance, for your support! - *By Theresa C. Mayhew, NYSFOLA BOD*

New Invasive Plant Species Regulations Now in Effect

New statewide regulations went to effect this month that will ban the sale, purchase and transportation of a long list of invasive plants that have been wreaking havoc around the state.



Hydrilla is banned!

The list of 69 banned plants includes some home and commercial landscaping favorites such as Japanese barberry, autumn olive, privet, multiflora rose, yellow iris, and several types of bamboo, spurge and honeysuckle. The list also includes many terrestrial nuisance invasive species such as , garlic mustard, kudzu, Japanese knotweed, giant hogweed, mile-a-minute vine, and Japanese stiltgrass.

Many aquatic invasive species, long the nemesis of NYSFOLA members, are also on the list including Common water hyacinth, Brazilian waterweed, Eurasian watermilfoil and Water thyme (aka hydrilla).

Along with invasive plants, there will also be a ban on other invasive species, including 15 fish, 17 aquatic invertebrates (snails and clams), 13 terrestrial invertebrates (insects such as the Asian longhorn beetle and hemlock wooly adelgid), five vertebrates, and seven species of algae, fungi and bacteria.

Many other species, including the *Euonymus alatus*, also known as burning bush, and Norway maple will be "regulated," meaning that they can't knowingly be introduced on or near public lands or natural areas.

A full list of plants can be found on the NY Invasive Species Clearinghouse website <http://www.nyis.info/index.php?action=israt>.

Do you want to learn more? Attend this workshop:

New York State's New Invasive Plant Species Regulations: Impacts and How to Adapt

April 2, 2015
Westchester County Center
198 Central Avenue
White Plains, NY

Registration & Breakfast 8:00 am to 8:45 am
Program 8:45 am to 12:30 pm

"New York's Prohibited and Regulated Species: What You Need to Know" - Leslie Suprenant, NYS DEC and Christopher Logue, NYS Dept. of Agriculture & Markets

"Native Plant Alternatives to Invasive Species" - Carolyn Summers, RLA, author of *Designing Gardens with Flora of the American East*

Genetic Integrity of Native Plants: Provenance is Forever - Thomas Knezick, Production Analyst, Pinelands Nursery & Supply, Columbus, NJ

Governor Cuomo Announces Agreement to Prevent Spread of AIS in Adirondacks

(Governor's Office Press Release)

Governor Andrew M. Cuomo recently announced an unprecedented agreement among 53 New York State agencies, municipal governments, property owners, lake associations, conservation groups, sporting groups and businesses to prevent the introduction and spread of aquatic invasive species in the Adirondack region. The agreement will help preserve clean water, increase recreation opportunities and promote tourism in Upstate New York.

"In addition to being one of our State's greatest natural treasures, the Adirondacks are a major economic asset for communities across Upstate New York, and today we are taking an important stand to protect the region from the threat of aquatic invasive species," Governor Cuomo said. "Preventing the spread of these invasive species is crucial to safeguarding the Adirondack waters both today and for the future, and that will ensure that visitors can continue to experience the Park's natural beauty. Working alongside our dozens of partners, we will help protect the region for years to come." — NYSFOLA agrees and hope that he will make this Adirondack model a statewide initiative.

CSLAPpenings



It's a busy time of year for CSLAP as we prepare the boxes, bottles, labels and supplies for the upcoming season. Thank you all very much for getting the applications and waiver forms in early this year. It helps us prepare for the season ahead.

2014 Reports: Scott is writing them, and many are completed. He hopes to have them all finished by the conference. Remember, that he has ~120 of them to do in "his spare time." You will find some new additions to the report including a "Frequently Asked Questions" section and information about aquatic plants. You can have all of your questions answer at the conference! We hope to see many of you there.

Online Data Entry: Last year's pilot was quite successful, and we are going to move in this direction. When the field data is entered online, it eliminates errors (because you can't type in erroneous values very easily), and saves Nancy weeks of time entering field data. This year, we have added a feature that will provide you with instant feedback comparing field data entered after each sampling round with historic data. Many of you have asked for more timely feedback on the data, and this is the best way we can do this. We thank Lou Feeny from the Three Lakes Council for setting this up for us. He has spent a great deal of time on this. If you want to learn more, please email Nancy ASAP so she can forward the list to Lou. He can provide you with logon information. You can also learn more at the conference.

2015 Training: Will be held on the afternoon of May 2nd as part of the NYSFOLA annual conference at White Eagle Conference Center in Hamilton. Please let us know ASAP how many people from your lake will attend.

New in 2015: We are adding chloride back to the program as one of the parameters. This means that you will probably have to collect two collapsible containers worth of surface water in order to have enough water. We will be sending out extras. Otherwise, things are pretty much the same as last year.

New Sampling Cut-Off Date - We would like everyone to get samples to the lab by September 30th this year. We recognize that the winter weather might mean a late start for some of you, but we would like to try. We will be shipping supplies in early-mid May so that you can get started as soon as possible.

Extra Forms and Waivers - Are on the NYSFOLA website. The ones on the DEC website are not up-to-date, so please go to www.nysfola.org under the CSLAP tab. We will also be posting all of the 2014 reports if you need extra copies.

As always, if you have any questions, please feel free to contact us. - Nancy Mueller & Scott Kishbaugh



Photo Courtesy of Joe Montuori, Kirk Lake Watershed Association



Preparations Underway for NALMS 2015

NYSFOLA members are working with staff from the North American Lake Management Association to plan the 35th NALMS International Symposium, “*North*

American Lakes: Embracing their History, Ensuring their Future” - November 17 - 20, 2015 in Saratoga Springs, NY.

Plenary speakers are being lined up, and a field trip to Lake George (and vicinity) are in the works. The Call for Abstracts is now available at www.nalms.org, and we are working hard to attract sponsors and exhibitors to this event.

This is the first time that the NALMS Symposium has been held in New York, and it will be several years before it makes its way back to the east. (Next year, it will be held in Banff, Alberta, Canada.) We encourage you to join us at



the Saratoga City Center for three days of workshops, talks, networking, and fun! There will be plenty of talks geared towards those of you who are not lake management professionals. We hope that you will join us.

DEC Watershed Plans on the Web

DEC has created a new Watershed Plans webpage <http://www.dec.ny.gov/chemical/99985.html> that will provide links to each of the 47 watershed plans that exist in New York. This page includes a map showing the areas of the state that currently have watershed plans.

A watershed plan forms the framework that guides water management decisions and provides a point of reference to measure future progress. It also:

- Characterizes the natural resources, habitats and environment of the watershed
- Identifies water quality and aquatic habitat impairments
- Recommends actions to protect the watersheds from further degradation
- Develops a strategy to restore the watersheds



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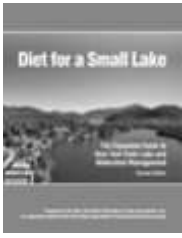
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Available from NYSFOLA



Diet for a Small Lake: The Expanded Guide to New York State Lake & Watershed Management

A “must have” publication for anyone who cares about New York State lakes. This publication offers an introduction to lake ecology, descriptions of lake restoration and watershed management techniques and relevant New York State laws and regulations plus guidance for preparing a watershed management plan.

New Price! Get them while they last! \$15.00

Hardcover: \$25.00



Lakescaping for Wildlife and Water Quality

This book is a great resource for those who want to be lake friendly property owners. The book includes chapters about lake ecosystems, designing lakeshore landscaping and selecting the right plants. The book has a bit of an upper-midwestern slant, but it is very applicable to New York lakes.

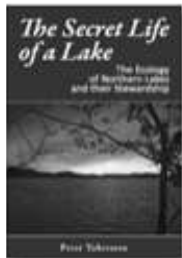
Spiral Bound Paperback: \$20.00



Life on the Edge: Owning Waterfront Property

Published by the Wisconsin Lakes Partnership, this lakefront friendly living guide is useful for New Yorkers, too. In it's 7th edition, *Life on the Edge... Owning Waterfront Property* is considered one of the nations best guides for potential and new water front property owners. This refreshingly practical and easily understood publication will pay back sizable dividends in matching expectations to the realities of water front living.

Paperback: \$10.00



The Secret Life of a Lake: The Ecology of Northern Lakes and their Stewardship

We are very pleased to offer this new publication written by NYSFOLA member and CSLAP volunteer Peter Tobiasen from the Lake Pleasant-Sacandaga Association. Peter has taught aquatic biology for many years at

Union College. By letting readers in on a lake's “secret life,” the author hopes to give them a deeper understanding of these complex and dynamic ecosystems, and perhaps even motivate some to become more active in a lake's preservation. Paperback: \$19.00



Through the Looking Glass: A Field Guide to Aquatic Plants - NEW EDITION!!

A Wisconsin Lake Partnership publication containing wonderful line drawings and descriptions of the most common freshwater plants. Paperback: \$30.00

You can now order online at www.nysfola.org!

Shipping and Handling: Books will ship via U.S. Postal Service Media Rate.

1 copy \$5.50
2 copies \$6.50
3 copies \$7.50
4 copies \$8.50



Please make check payable to NYSFOLA and mail to:

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P.O. Box 84
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THE SECRET LIFE OF A LAKE	\$19.00		
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Small Association (10-74 members)	\$ 50.00
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Large Association (150 or more members)	\$175.00
Foundation (Affiliated with NYSFOLA member lake association)	\$100.00

Individual Memberships:

Individual Membership (not a member of a NYSFOLA member lake association)	\$ 25.00
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