

Waterworks

New York State Federation of Lake Associations, Inc.

March 2016

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NALMS 2015: A Great Success!

The weather was spectacular, and Saratoga Springs was the perfect setting for the North American Lake Management Society International Symposium in November. The NYSFOLA Host Committee put together a wonderful program, and the reviews were great!

There are many people to thank for making this a successful conference, and we did so in our last edition. However, we want to give additional thanks to the Darrin Freshwater Institute, Fort Ticonderoga, The Lake Champlain Basin Program, The Lake George Association, The Fund for Lake George, the Town of Lake George, the Village of Lake George, and the Saratoga Lake Association for their financial support and contributions to the field trip and plenary session.

We would also like to thank the sponsors who contributed to the success of the program: Northeast Aquatic Research, Aquarius Systems, Aqua Technex, FlowCam, Freese and Nichols, HAB Aquatic Solutions, Phyco Tech, Princeton Hydro, Syngenta, Vertex Water Features, Allied Biological, Alpha Boats Unlimited, Aquatic Control Technology, the Finger Lakes Institute, Great Lakes Research Consortium, Upstate Freshwater Institute, Restorative Lake Sciences, Water Quality Solutions and WRS. Their contributions helped with many aspects of the conference including the Clean Lakes Classic, photo contest, student research, receptions and more!

And last but not least, we owe a special thanks to the volunteers who donated their time and talent.



NYSFOLA Board member Dean Long tells visitors about Lake George on a lovely November day.



NALMS guests "embraced the history" of NY lakes at Fort Ticonderoga.

Masthead photo—Song Lake by Tarki Heath



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

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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

A Voice for NY Lakes

Greetings!

First, I want to extend my thanks to all of the NYSFOLA members who attended the 2015 NALMS conference in Saratoga Springs. Your presence and assistance during the conference is gratefully acknowledged and appreciated. We hope that you were able to learn a lot and take advantage of the lovely Saratoga region.

I also want to pen a tribute to the tremendous contributions of our Manager Nancy Mueller who has become the "voice of NYSFOLA." Although we have many very dedicated Board members who contribute to our organization, Nancy is the one who keeps us up and running each and every day. She starts setting up the May conference in January working with the conference facility, putting together the agenda, making lodging and meal arrangements for the speakers and attendees, and keeping track of registrations. While this is going on, she is also collecting money and applications for membership and CSLAP, ordering equipment and supplies, keeping track of hundreds of volunteers, putting together "Waterworks", commenting on regulations, working with other organizations across the state, and answering the myriad of questions that come her way nearly every day. Did I mention that she is a part time employee? So, thank you Nancy for your dedication to New York's lake associations. I can write this from Florida knowing that NYSFOLA is in good hands!

While Nancy serves as the "voice of NYSFOLA," NYSFOLA, in turn, serves as the voice of lake associations. While I have been in the sunny south, I have stayed in touch with a particularly busy winter time NYSFOLA office. In January, we commented on the NYS Department of Environmental Conservation (DEC) Concentrated Animal Feeding Operations General

Permit. Many lakes across the state are in rural areas where manure is being spread at rates as high as 20,000 gallons per acre.

The nutrient loading can only be addressed through careful management, and there are far too many examples where runoff has contributed to water quality degradation. Several groups, particularly in the Finger Lakes region, endorsed the NYSFOLA comments while submitting their own, and we thank them for their support.



We also submitted comments on the Draft Part 576 Aquatic Invasive Species Spread Prevention regulations. The proposed regulations, released in

December, require that certain "reasonable precautions" be taken by boat operators prior to launching boats. We support the effort - although we were not in complete agreement on some of the regulatory language.

And, most recently, we made the voice of NY lake associations heard by opposing the Governor's proposed budget cuts to local law enforcement reimbursement for navigation law patrols on our waterways. Governor Cuomo proposed to reduce the reimbursement rate from 50 percent down to 25 percent. We argued that this would lead to boating safety issues and suggested that the reimbursement rate be increased back to previous levels. We are happy to report that at least one state senator has already proposed a budget amendment calling for a 100% reimbursement rate. We thank the Keuka Lake Association for bringing the matter to our attention.

It's not too late for you to have a voice in this last issue. If your lake association depends on local marine patrols to enforce the navigation law and keep people safe, contact your legislators before the state budget deadline! You can also be a voice for your lake.

Let's continue to make our voices heard!

Give a Gift to NY Lakes Raises Funds for NYSFOLA

Our “Give a Gift to NY Lakes” campaign has raised nearly \$4,000 in just a few months. We thank those who have contributed and hope that we can continue the success throughout 2016.

Lake Benefactor (\$500 and up)

Dr. Willard Harman - NYSFOLA BOD, SUNY Oneonta
Anonymous

Lake Steward (\$250 - \$499)

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Nancy & John Mueller - NYSFOLA
Wayne Poland - Mohegan Lake Improvement District
John & Suzanne Slater - NYSFOLA BOD, Lake Moraine Association
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Tully Lake Association
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Valerie Washington - Anawanda Lake Property Owners Association

Governor's Budget Calls For Cuts to Marine Patrol

NYSFOLA Asks for Restoration

Photo Courtesy of Sheriff Ron Spike, Yates County



Thank you to the Keuka Lake Association for bringing to our attention that the Governor's Executive Budget calls for a significant reduction in the reimbursement paid to local governments for enforcing provisions of the navigation law as follows:

Summary of Provisions and Statement in Support: The bill would amend Subdivision 3 of Section 79-b of the Navigation Law to reduce the authorized reimbursement rate paid to governmental entities that voluntarily enforce the provisions of the navigation law from 50 percent to 25 percent.

Budget Implications: Enactment of this bill is necessary to implement the 2016-2017 Executive Budget in order to achieve Financial Plan savings.

Effective Date: This bill takes effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016. The provisions of this act shall take effect immediately, provided, however, that the applicable effective date of each part of this act shall be as specifically set forth in the last section of such part.

NYSFOLA responded with a letter to members of the New York State Assembly and Senate urging them to not only restore the funding, but to bring it back to former levels. We have already had one response. Senator Patrick Gallivan, 59th District has requested a budget amendment calling for a 100% reimbursement rate.

The text of NYSFOLA's letter follows. Lake associations impacted by these budget cuts should make their voices heard!

As you may know, the New York State Federation of Lake Associations, Inc. (NYSFOLA) is a not-for-profit organization whose membership consists of over 200 statewide lake associations as well as individual, and corporate members. It has come to our attention that the Governor's Executive Budget calls for a significant reduction in the reimbursement paid to local governments for enforcing provisions of the navigation law.

On behalf of the members of NYSFOLA, we want to express our strong disapproval of this measure. At the same time that the Governor is promoting increased public access to lakes around the state, it would appear that he is also reducing public safety on them. Local marine patrols are critical to ensuring that recreational enjoyment of our lakes is safe for everyone. Local patrols need to be able to actively enforce the BWI and BUI laws as well as vessel and personal safety, speed limits, no-wake zones and the other provisions of the navigation law that make recreation safe and enjoyable.

If New York State is going to increase the number of people on our lakes, through the addition of new public access points, then there should be increased support for our local law enforcement, not a reduction. Indeed, we suggest that the funding be restored to its former 75% level.

Nearly every year, tragic accidents happen on lakes that could have been prevented. Let our law enforcement officials continue to remind people of that fact. Restore funding to reimburse our local governments.

On behalf of lake associations across the state, we thank you for your attention to this important matter.

CAFOs and Water Quality

Are Certified Nutrient Management Plans Working?

NYSFOLA served as a “Voice for NY Lakes” this winter by submitting comments to NYS DEC on the renewal of the CAFO (Confined Animal Feeding Operation) General Permit. Of particular concern, is the increased runoff of manure from fields. As CAFO farms grow larger and larger, the land area required for manure management is on the rise in rural areas. Although Best Management Practices are supposed to be adhered to, through the development of Certified Nutrient Management Plans, experience from around the state indicates that this is not always happening, and numerous violations have occurred.

Our comments were endorsed by several other organizations in the Finger Lakes area, and we hope that water quality protection becomes a higher priority of the CAFO program.

The text of our comments follows:

Dear Mr. Ashline,

The New York State Federation of Lake Associations, Inc. represents lake associations across the state as well as individual and corporate members. As a partner with NYS DEC in the Citizens Statewide Lake Assessment Program, we are increasingly concerned about Harmful Algal Blooms and feel that it is vital to reduce nutrient inputs to all waterbodies. We feel that CAFOs should be held to the highest water quality standards and that any and all exemptions for industrial sized farm operations should become a thing of the past.

As small family farms are increasingly being transformed into large, industrial agricultural operations, our membership has become more concerned with impacts to water quality from CAFOs and related land application of manure. We offer the following comments on the Draft General Permits. We are largely focusing our comments on the Certified Nutrient Management Plans. We believe that the plans are severely lacking in content, and that DEC’s reluctance to allow greater public scrutiny, despite a ten year old federal court ruling to the contrary, reduces the CAFO General Permit process to nothing more than a paper chase. The plans do not fully protect water quality despite the legal obligation for them to do so.

Certified Nutrient Management Plans and Public Participation -We **strongly** object to the Certified Nutrient Management Plans being kept only at the CAFO facility and argue that it violates a federal court ruling.

A copy should and, we argue, **MUST** be kept at the Albany and/or Regional DEC offices. We cite the *Waterkeeper Alliance Inc vs EPA*, 2005 2nd Circuit Court decision that clearly ruled that the Certified Nutrient Management Plans be made available for public comment and review. By having the plans at the farm (only), DEC has been able to avoid FOIL requests for the plans by claiming that they “don’t have a copy.” (see Attachment 1). This is in clear violation of the *Waterkeeper* decision. The plans are an integral part of the permit. There continues to be a complete and total lack of transparency as to the authorship and content of the plans. Violations of water quality stand-



ards have occurred even when farmers were in “compliance” with their CNMPs indicating that the plans themselves have not protected water quality and need to be more fully scrutinized. As recently as October 2015, an Onondaga County farmer was found in violation of water quality standards despite being in compliance with his CNMP. The Consent Order includes modifications to the CNMP (see Attachment 2). The modifications are essentially Best Management Practices that should have already been in the plan! This same farmer had a previous violation for spreading manure too close to a private well. The plans are not site (field) specific enough to protect water quality or public health and need to be made available for public review in accordance with the *Waterkeeper* decision. We find it unacceptable DEC has not complied with this federal court ruling for the last 10 years – using the excuse that it could wait until the General Per-

(Continued on page 12)

33rd Annual Conference

“The Water is Great in New York State”

April 29 - May 1, 2016

White Eagle Conference Center - Hamilton, NY

Thursday April 28, 2016 (Early Arrivals)

- 6:30 pm to 7:30 pm Dinner at White Eagle Lodge for early arrival attendees.
- 7:30 pm - Teepee open for hospitality

Friday April 29, 2016

- 7:15 am to 8:30 am Breakfast at White Eagle Lodge
- 8:30 am Registration desk open at the Appley Center
- 8:45 am to 9:15 am Plenary Greeting, Welcome & Logistics - Exhibit Hall Opens
Chandelier Room, Appley Center

SESSION 1 (ROOM 6)

Watercraft Inspection Steward Program Workshop

9:30 am - 4:30 am



Clean 👍

Drain 👍

Dry 👍

Planning is underway for the second annual day-long workshop that will enhance the standardization of watercraft inspection across the state and benefit those involved in paid and/or volunteer based programs. Groups experienced in these programs will be presenting topics such as: How to Start a Watercraft Inspection Program, Current Program Models, Decontamination Alternatives, Sustainable Funding Solutions, Legislation as Related to Watercraft Inspection, Aquatic Invasive Species, Emerging Species of Concern in NYS, and more.

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

Planning partners include representatives of Buffalo Niagara Riverkeeper, Lake Champlain Basin Program, New York Sea Grant, the New York State Department of Environmental Conservation, New York State Parks, Partnerships for Regional Invasive Species Management (Adirondack Park Invasive Plant Program, Finger Lakes, Catskills, Regional Invasive Species Partnership, St. Lawrence Eastern Lake Ontario, and Western New York) as well as Paul Smith’s College.

This workshop is being sponsored by New York Sea Grant. For additional information please contact Brittney Rogers , NY Sea Grant brogers@cornell.edu or (315)331-8415.

SESSION 2 (ROOM 3)**CSLAP: The Volunteers are Great in New York State!**

9:30 am to 10:30 am

CSLAP and Other Observation on Water Quality in NYS - Scott A. Kishbaugh, NYS DEC

10:30 am to 11:00 am

Where's My Cooler? I Need Filters! Please Send Chocolate: CSLAP from the Laboratory Side - Nancy Mueller, NYSFOLA and Gina Kehoe, Upstate Freshwater Institute

11:00 am to 11:30 am

CSLAP Goes Digital! Entering Your Field Data Online for Instant Feedback - Lou Feeney, Three Lakes Council

11:30 am to noon

Aquatic Plant Surveillance for CSLAP Lakes - Janet Andersen, Three Lakes Council, NYS-FOLA BOD**SESSION 3 (ROOM 5)****The Lake Doctor is IN - Interpreting Your CSLAP Report**

9:30 am to noon

Sign up for a 15 minute session (or two) with a Lake Doctor to answer questions you have about your CSLAP data. Several specialists will be on hand.

SESSION 4 (ROOM 4)**NYS Citizen Preparedness Corps Training**

9:30 am to noon

With severe weather events becoming more frequent and more extreme, it is more important than ever that New Yorkers are prepared for disasters. The NY Citizen Preparedness Training Program teaches residents to have the tools and resources to prepare for any type of disaster, respond accordingly and recover as quickly as possible to pre-disaster conditions. The training course will provide an introduction to responding to natural or man-made disaster. Participants will be advised on how to properly prepare for any disaster, including developing a family emergency plan and stocking up on emergency supplies.

A key component to the training is the distribution of free NYS Disaster Preparedness Kits to workshop participants.

**Noon - 1 pm****Lunch in the Chandelier Room****SESSION 5 (ROOM 6)****Watercraft Inspection Steward Program Workshop (Continued)**

1:00 pm - 4:30 pm

Continuation of morning program

SESSION 6 (ROOM 5)**The Lake Doctor is IN - Interpreting Your CSLAP Report**

1:00 pm - 3:45 pm

Sign up for a 15 minute session (or two) with a Lake Doctor to answer questions you have about your CSLAP data. Several specialists will be on hand.

SESSION 7 (ROOM 3)**NY Water Quality - Is the Water Great in NYS?**

1:00 pm - 1:30 pm

Which Acronym Collects Which Data on Lakes in NYS? CSLAP, ALAP, LCI and more! - Scott A. Kishbaugh, NYS DEC

1:30 pm to 2:00 pm

Emerging Contaminants in Our Lakes - Matthew Finegan, Ithaca College

2:00 pm to 2:15 pm

BREAK

2:15 pm to 2:45 pm

Clean Water TMDLs for NY Lakes - Karen Stainbrook, NYS DEC

2:45 pm to 3:15 pm

NYS DOH Harmful Algal Bloom Illness (HAB) Data - Mary Figgatt, NYS Dept. of Health

3:35 pm to 3:45 pm

HABs Ecology - Why Do Blooms Happen? - Rebecca Gorney, NYS DEC

SESSION 8 (Room 4)

iMAPInvasives - There's an App for That!

1:00 pm to 1:30 pm	Introduction to iMAPInvasives and Training on How to View and Report Data - Bring your laptop or smartphone if you have one. A limited number will be provided. - RIT Capstone Project students and Meg Wilkinson, NY Natural Heritage Program
1:30 pm to 2:00 pm	continued
2:00 pm to 2:15 pm	BREAK
2:15 pm to 2:45 pm	Practice Mapping Invasive Species With Your Smartphone - (To be held outside, weather permitting. Bring your tablet or smartphone.) - Meg Wilkinson, NY Natural Heritage Program and RIT Capstone students.
2:45 pm to 3:15 pm	continued
3:15 pm to 3:45 pm	Water Chestnut Chasers - Learn how to ID this plant & report observations to iMAP. Get tips for conducting a successful hand-pull event in your region and participate in an Invasive Species Awareness Week event. - Meg Wilkinson, NY Natural Heritage Program

3:00 pm - Kastens Room

NYSFOLA Board of Directors Meeting

6:00 pm to 7:00 pm

Dinner at White Eagle Lodge in "The Grove" on Lake Moraine

7:00 pm to

Tepee Open for Refreshments and Conversation

7:30 pm to 9:30 pm

Special Paint-a-Lake Event

Game Room, Tepee



NYSFOLA is hosting a Paint-a-Lake workshop! Sign up for step by step instruction in painting the NALMS logo. This workshop will be taught by Maxine Verteramo, SUNY Oneonta Lake Management M.S. student and Water Resource Services, Inc. consultant. Sign up on the NYSFOLA website or at the registration desk. A cash bar and snacks will be available.

Maximum 20 participants. Cost \$35

Saturday April 30, 2016

7:00 am to 8:00 am

Breakfast at White Eagle Lodge

8:00 am to 4:00 pm

Registration at the Appley Center

8:30 am to 9:00 am

Welcome and Logistics, Appley Center Chandelier Room

CONCURRENT SESSIONS BEGIN

SILENT AUCTION CONTINUES - Don't miss out!

EXHIBIT HALL OPEN - Please support our exhibitors and see what they have to offer.

SESSION 1 (Room 3) Diet for a Small Lake: An Introduction to Lake Ecology & Management

9:00 am to noon



Dr. Bill Harman and his staff from the SUNY Oneonta Biological Field Station and Dr. Peter Tobiansen, Union College explain the basics of lake ecology and how to address lake management issues. If you need a copy of the “textbooks,” we will have copies of “Diet for a Small Lake” and “The Secret Life of a Lake” available for purchase at the registration desk.

SESSION 2 (Room 4) Energizing Your Lake Association

9:00 am to 9:40 am

Making the Most of Your Money: Lake Goals and Strategies to Get the Most Bang for Your Buck - Edward Kwietniewski, SUNY Oneonta

9:40 am to 10:20 am

Putting Together a Great Newsletter - Terri Mayhew, NYSFOLA BOD, Cornell Cooperative Extension in Columbia County

10:20 am to 10:35 am

BREAK

10:35 am to 11:15 am

Social Media and Your Lake Association - Part I - Matt Dombrowski, Canadarago Lake Assn

11:15 am to noon

Social Media and Your Lake Association - Part II - Matt Dombrowski

SESSION 3 (Room 5) Aquatic Invasive Species

9:00 am to 9:40 am

New York State’s Updated Aquatic Invasive Species Management Plan - Catherine A. McGlynn, NYS DEC

9:40 am to 10:20 am

The Importance of Ongoing Monitoring in an AIS Management Program - Hilary Kenyon, Northeast Aquatic Research

10:20 am to 10:35 am

BREAK

10:35 am to 11:15 am

Point Intercept Rake Toss Relative Abundance Method (PIRTRAM) for Evaluation and identification of Aquatic Plant Communities: How it’s Done - Paul Lord, SUNY Oneonta

11:15 am to noon

PIRTRAM Part II - Try it on Lake Moraine! (weather conditions permitting) - Paul Lord, SUNY Oneonta

SESSION 4 (Room 6) Too Many Nutrients, Too Much Algae

9:00 am to 9:40 am

What Have we Learned About HABs in NY? - Scott A. Kishbaugh, NYS DEC

9:40 am to 10:20 am

Lake Erie and Toledo - Can it Happen Here? - Gregory Boyer, SUNY ESF

10:20 am to 10:35 am

BREAK

10:35 am to 11:15 am

New for 2016: The DEC HABs Response Plan - Rebecca Gorney, NYS DEC

11:15 am to noon

EPA National Lakes Assessment - Amina Pollard, U.S. EPA

Noon to 1:45 pm Lunch and NYSFOLA Annual Membership Meeting - Chandelier Room

*What our friends on facebook are saying: “I always learn so much when I attend the conference .”
“Great conference. Very professionally done and a lot of fun, too.”*

SESSION 5	CSLAP Training on Lake Moraine
2:00 pm to 4:30 pm	CSLAP training for new 2016 volunteers or for those needing a refresher. Pre-registration is requested. We will be in the lab and on the lake. Dress for the weather. We will meet after lunch in the Cleveland Building in “The Grove” area of the conference center and take turns heading to the boats on Lake Moraine, courtesy of our friends from the Lake Moraine Association.
SESSION 6 (Room 3)	Lake Management Plans (and more) for NYSFOLA Lakes
2:00 pm to 2:30 pm	DeRuyter Reservoir, Madison County, NY: A Case Study on Invasive Plant Management Strategies and a Look into the Future - Leah Gorman, SUNY Oneonta
2:30 pm to 3:00 pm	Emerald Green Lake’s Management Plan —Maxine Veteramo, SUNY Oneonta
3:00 pm to 3:15 pm	BREAK
3:15 pm to 3:45 pm	Aquatic Plant Community Restoration - Luke Gervase, SUNY Oneonta
3:45 pm to 4:15 pm	Truesdale Lake: 50 Years of In-Lake Treatments. Will a Year of No Treatments Help Control Algae Growth? - Christian Jenne, SUNY Oneonta
4:15 pm to 4:45 pm	TBA - AJ Reyes
SESSION 7 (Room 6)	Lake Law 2016
2:00 pm to 4:30 pm	David Wright, Esq. will present on lake-related legal issues including such topics as collection of dues, forming a 501(c)(3), liability and insurance matters, and recent legal cases. Of particular interest is the recent Goodnow Flow appellate decision. As always, there will be lots of time for questions on any subject. Come for some of the time, or stay for all.
SESSION 8 (Room 5)	A Potpourri of Lake Management Topics
2:00 pm to 2:30 pm	Local Septic Tank Inspection Programs - Eric Murdock, Onsite Engineering
2:30 pm to 3:00 pm	Lake Health, Manure Spreading, and Recent CAFO Changes – Challenges and Solutions - Rebecca Schneider, NYSFOLA BOD, Cornell University
3:00 pm to 3:15 pm	BREAK
3:15 pm to 3:45 pm	TBA - Michael Martin, Princeton Hydro, LLC
3:45 pm to 4:15 pm	Enhancing Your Fishing Experience! - Lance Dellavechia
4:15 pm to 4:30 pm	Wrap up & discussion
SESSION 9 (Kastens Room)	What’s in a Drop of Water? Phytoplankton ID Workshop
2:00 pm to 4:30 pm	NYS DEC Research Scientist and HABs Coordinator Rebecca Gorney will show you what your lake looks like under the microscope! Learn to identify common phytoplankton and zooplankton while learning about their important role in lake ecology.
5:00 pm to 6:00 pm	NYSFOLA Wine & Cheese Party, Silent Auction Ends
6:00 pm to 8:30 pm	NYSFOLA Awards Banquet
8:30 pm -	Tepee open for refreshments and conversation. The Wine is Great in New York State Live Wine Auction - Join us in the Tepee game room for a lively auction of NYS wines from the Cayuga and Seneca Wine Trails. All proceeds benefit NYSFOLA.

Sunday May 1, 2016

7:00 am to 8:00 am

Breakfast at White Eagle Lodge

8:30 am

Sessions at the Appley Center

SESSION 1 (Room 3)

A Voice for New York Lakes: Long Range Planning for NYSFOLA

8:30 am to 10:00am

What does NYSFOLA do for your lake? What else should we be doing? How do we get it done? Help us look ahead to become a louder "voice for New York lakes."

SESSION 2

(We're still working on this one!)

Stay tuned to the NYSFOLA web site and facebook page for conference updates!

Lake Steward Award

Has someone gone "above and beyond the call of duty" for you lake association? Nominate them for a 2016 NYSFOLA Lake Steward Award. Send a description of their contributions to Nancy Mueller at foia@nysfola.org or by mail to: NYSFOLA PO Box 84 LaFayette, NY 13084. Awards will be presented at the conference during the banquet.



The annual NYSFOLA Silent Auction is a fun part of the conference and raises money for our scholarship program and other activities. Please consider bringing an item in new condition to put on the auction block.

(Continued from page 5)

mit was up for renewal. (Text of the court ruling was cited here in the original comments but edited in this article for lack of space.)

Agency Review of Certified Nutrient Management Plans – NYSFOLA feels strongly that more thorough



review of the NMPs is needed in order to meet the requirements of the *Waterkeeper*... ruling. DEC still does not appear to have an adequate CNMP review system in place due to lack of staffing and higher priorities. DEC’s reliance on Certified Nutrient Management Planners to write the plans, and assist with their implementation, has not worked to date and will not work in the future. Again, we reiterate the fact that violations of water quality standards have occurred even when farmers have been “in compliance” with their plans. The plans are not adequate, lack field specific detail, and need more thorough review. DEC must find a way to increase the review capacity. It is clearly not happening. DEC cites reliance on the “Phosphorus Index” and other methodology supposedly used in the plans, but there is little review as to how it is actually implemented on a case by case basis. (Text of the court ruling was again cited here and edited for this article due to lack of space.)

Protection of Groundwater and Artificial Drainage Flows – We concur that sensitive areas should be identified and manure application restrictions developed. This has not been done. Again, we point to the fact that the CNMPs have been inadequate. WHAT re-

strictions would DEC implement? The “standard” 100’ setbacks from private wells and surface water are woefully outdated and inadequate. Contamination of private wells has already occurred based on these setbacks which have been around since the early 1900s and need to be redeveloped based on modern hydrological research.

Numeric Nutrient Criteria Development – We strongly feel that as Numeric Nutrient Criteria are developed for New York State, CAFOs should be held to the numeric standard. This should be implemented as soon as the numeric criteria are developed and should not wait until the next CAFO General Permit renewal.

Review by the New York State Department of Health – We believe that the NYS DOH should play a more integral role in the CAFO permitting process. Large scale land application of “manure” that may contain pathogens, animal pharmaceuticals, and pesticides is a public health concern. As CAFO operators buy up more and more land in areas surrounding the actual CAFO “facility”, in order to have enough acreage to get rid of animal waste, the problem is becoming more widespread. This is a concern in rural areas where air quality, surface water and private wells have been impacted. We reiterate that the 100 ft setback to private wells and surface water is outdated and inadequate. It needs to be reviewed using modern hydrological techniques. We suggest that the NYS DOH conduct a study to determine health impacts of large scale manure spreading. This should include air quality (notably ammonia) and water quality exposure pathways. As such, we are forwarding a copy of these comments to NYS DOH Commissioner Howard Zucker.

We thank you for the opportunity to comment on this matter. It is our strongest recommendation that DEC make the Certified Nutrient Management Plans available for review in accordance with the *Waterkeeper* decision.

Want to Know More About This Issue?
Dr. Rebecca Schneider will be presenting a talk at the annual conference entitled: **Lake Health, Manure Spreading, and Recent CAFO Changes – Challenges and Solutions** on the afternoon of Saturday April 30th.
We hope that you will join us.

CSLAPpenings



Photo courtesy of Joe Montuori,
Kirk Lake Watershed Association

As we are preparing for the 2016 season, Scott Kishbaugh is writing the 2015 reports, and has about 2/3 of them completed. The goal, as always, is to have them all completed by the time of the annual conference.

QUESTIONS ABOUT YOUR CSLAP REPORT?

This year, we will be repeating the successful “Ask Dr. Lake” session at the conference. Take the opportunity to bring your report with you to the conference and get answers to your questions in one-on-one sessions with our “lake doctors.”

ONLINE FIELD DATA ENTRY

Thanks to Lou Feeney from the Three Lakes Council, the online field data pilot has been a great success. You benefit by getting some instant feedback that compares current

field data to prior years. Nancy benefits by having a lot less data to type into the system. Lou will be explaining the program at the conference, and if you would like to enter your data this year, please contact him at his NEW EMAIL ADDRESS: CSLAPdata@cslapdata.org.

2016 PROTOCOL AND FORMS

The protocol this year will look the same as last year, but we encourage you all to read it once more. There have been a few changes to the Harmful Algal Bloom forms, but they will still look familiar.

PLEASE! SEND SAMPLES IN A TIMELY MANNER

We really want to stress that samples should be sent to the lab as soon as they are frozen. Some of the parameters have a relatively short “holding time.” If you let them pile up in your freezer, it makes it difficult for the lab to get them analyzed in a timely manner. We had a few cases last year where samples were not sent in until after the holding time had expired.

DON'T FORGET ABOUT THE VIDEO

If you think you need a protocol “tune up” before the season starts, you can always watch the CSLAP training video. <http://www.dec.ny.gov/chemical/81849.html>

Many thanks to our dedicated CSLAP volunteers. We are looking forward to another wonderful season on the lakes. See you at the conference?



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.

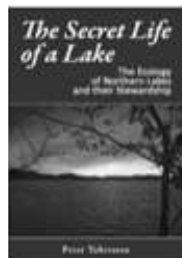
Spiral Bound Paperback: \$20.00



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

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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Medium Association (75-149 members)	\$ 100.00
Large Association (150 or more members)	\$175.00
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WATERWORKS

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Ice on Song Lake, Cortland County - Photo by Tarki Heath, NYSFOLA BOD