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TOMPKINS COUNTY WATER RESOURCES COUNCIL

**May 21, 2012
Meeting Minutes**

Voting Members Present (12): Barry Goodrich, Roxy Johnston, Joan Jurkowich, Dan Karig, Darby Kiley, Lynn Leopold, Jim McGarry, Frank Proto, Elaine Quaroni, Marjory Rinaldo-Lee, Craig Schutt, Mary Shelley

Voting Members Excused (2): Sharon Anderson, Liz Cameron

Voting Members Absent (5): Fay Benson, Ed Bugliosi, Bill George, Rick Manning, Gregg McConnell

Non-Voting Members Present (2): John Andersson, Dooley Kiefer

Guests Present (3): Steve Flash, Angel Hinickle, Irene Weiser (Caroline Watersheds Committee)

Staff Present: Kathy Wilsea

SPDES Permit Annual Report Public Hearing – The Public Hearing was called to order by WRC Chairman Frank Proto at 4:24 PM. Angel Hinickle was present to respond to questions and comments. There were no persons who had comments on the draft annual reports. The Public Hearing was closed at 4:26 PM.

Chairman Frank Proto called the WRC meeting to order at 4:26 PM.

Summary of SPDES Permit Annual Reports – Soil & Water Conservation District employee Angel Hinickle, a Resource Conservation Specialist, reviewed the Stormwater Coalition partnership and the need for partners to file annual reports with DEC. She felt a highlight of the reporting period was the number of people reached through education outreach efforts: 1,500 students, 600 adults and over 800 persons at Coalition public events. Lynn Leopold, who serves on the Coalition, said this was the first time a reports were done under this agreement with SWCD, and thanked Angel for all her work.

Barry Goodrich moved to accept the report as presented, which was seconded by Darby Kiley and accepted by unanimous show of hands.

Agenda Review and Approval of Minutes – The Nominating Committee will present their recommendation for appointment during committee reports. Agenda items will be taken out of order so we can accommodate Assistant County Attorney Steve Flash whenever he arrives. Draft minutes of the April meeting were moved by Joan Jurkowich, seconded by Lynn Leopold and accepted without change (Johnston abstained). Final minutes are available on the WRC website: <http://www.tompkins-co.org/planning/committees/WRC/WRCagendaminutes.htm>

Report from Hydrilla Task Force – Roxy Johnston reported the Endothal permit is in hand, and application can take place May 28 or later. The plants are emerging, and Bob Johnson reported shoots were ¼” last week. We still need access to funding from senators. Craig Schutt reported Angel Hinickle sent over 200 letters of notification to landowners, and DEC received one comment. Roxy pointed out we will need to do

another permit/notice round for the second herbicide. The info table at the Farmers Market begins this weekend. More contact info will be posted at launch sites. NYS will now allow pelletized herbicide as an emergency action in dense, shallow areas. NYS is also examining long-term rule changes. Frank said it is more than rumor now that Johnson's Boat Yard is being sold, and he voiced concern about boaters scurrying to find new storage. Boats need to be washed and other sites need to be notified. Roxy said State Parks and Cooperative Extension are doing most of that notification. Mary asked if Hydrilla will survive the winter if it dries out. Roxy said tubers can survive with a very small amount of moisture. Bob Johnson will be conducting some tests on survival conditions in our climate.

Proposed Local law on Aquatic Invasives – Steve Flash, author of this proposed law, was present for discussion. Roxy brought comments from members of the Task Force. The Task Force recommends deferring to NYS Environmental Conservation Law 17-9 for definition of invasive species. There was lots of discussion on including specifics in the law or referring to a separate list, and who would maintain such a separate list since one does not currently exist. Roxy said climate change is already affecting the growing season, and some plants that have been under control will become invasive, although they are native to our area. John Andersson pointed out the only place with definition is IV-d, so cleaning the boats can be effective.

The Task Force asked that jet skis be added in section III-g. The exemptions in V-a-b-c and –e seem to create loopholes. The Task Force wanted dollar values and number of days in jail removed from section VI so changes can be made over time. They would prefer enforcement to be in same manner as traffic offenses.

Jim McGarry outlined the comments made last week by the EMC's Environmental Review Committee, noting some are similar to comments from the Task Force. EMC would like explicit language re aquarium trade plants and animals, and Jim noted some diseases survive in water after the host plant or animal is dead. It is probably reasonable to point to some standard list of species, but he noted the County only has a terrestrial plant list of invasive species. EMC also felt strongly to include ephemeral drains. Dredging can allow other species to root in bared surfaces. There is also need for highway crews to dispose of ditch tailings properly. Regarding use of plants to camouflage hunter's boats, it should explicitly state the plants must be obtained in that waterbody.

Joan moved that WRC recommends that Tompkins County Legislature adopt this law in this format or a similar format. Seconded by Roxy and passed by unanimous show of hands.

Frank asked Steve about possible closure of Johnson Boat Yard. Steve said there was notice in today's Ithaca Journal that the project went to the City's Planning & Development Board. Johnson is now saying their future is not clear. Steve has heard rumors of efforts to get a permit north of the City to have a marina near Portland Point. Marjory Rinaldo-Lee said such permit application information should be available to the public, and Kathy Wilsea will provide Steve with contact information for DEC. Steve will distribute a revised draft local law by emailing it to Kathy for forwarding.

Committee Reports – Aquifer: Dan Karig reported they are working on fact sheets re arsenic and methane in drinking water. It is difficult to find arsenic info. Cayuga Lake Monitoring Partnership: Roxy said Cornell and DEC continue to work out a path for permits and testing. Education: Elaine Quaroni said they are concentrating on working with the Task Force. Executive: Frank reported the cover letter for the sample local law on wetlands has been edited and signed. The sample law will be a topic at TCCOG on Thursday. Frank said we need to remember we are not a political group and do not have land use authority. The sample law will also be emailed to municipal clerks for forwarding as they feel appropriate. Grants: Craig Schutt said the Task Force is waiting for grant contracts for Hydrilla treatment. DEC is not discussing State money, which is separate from the large \$800,000 grant that is funded but not released. There is no info yet at FLOWPA on the Great Lakes funding that will flow through Fish & Wildlife to FLOWPA. State Parks has come up with \$60,000. Office of Invasive Species has come up with

\$26,000 to \$29,000, and more may be available. Some of these will become contingency funds for the possibility of monitoring and treating in Cayuga Lake. If Hydrilla is getting established, we need to do a good job this year. If new locations are found, we need to send down a diver. The herbicide funding covers one treatment each of two herbicides. If we have an extended fall season, spot treatments would become necessary. Or we may be faced with the alternative of closing the Inlet again to prevent boaters from breaking up plants. More outreach is being done this year, too. The Network is educating in Seneca and Cayuga counties, but has no funding for big campaigns. Floating Classroom could do some lake monitoring, but also lacks funding. Flow documentation is needed to establish appropriate herbicide quantities. The Cayuga Inlet gage is currently near Robert Treman State Park in Enfield, and USGS could move it near the fish ladder, which would provide better data (more info in Streams committee report). Our best understanding is funds can be mixed and matched to meet our needs. Angel Hinickle and Lynn Bogan (State Parks) are working on a 2013 grant, and that application is due soon. Nominating/Membership: Craig reported they interviewed Scott Carpenter for appointment to a vacant at-large seat through the end of 2013. Craig and Barry Goodrich have worked with him and recommend him for appointment. Dooley preferred to have Scott serve as an associate member. There was discussion on which seats will be up for appointment at the end of the year. Marjory moved to offer Scott associate membership, which was seconded by Jim and passed by vote of 7 yes, 5 no. Associate membership will be offered and Scott's application will go into the fall recruiting round. Streams: Dan Karig reported they are learning about abandoned stream gages. The Cayuga Inlet gage factors into Hydrilla treatment. USGS wants to move it to the fish ladder, but cost would be about \$8,000. Roxy said it needs repair anyway, so a move would gather more data. Craig said some grant money is available, but there is only a short time to use it. If not completed by the end of the month, the move would cost 30% more. Darby suggested contacting the Town of Lansing about the Salmon Creek gage, too. Water Quality Strategy Update: Joan reported Bill George will be setting up another committee meeting. Wetlands: Darby reported she helped train the Trumansburg Envirathon Team, which is advancing to their next round. May is Wetlands Month, and Darby will be visiting TCCOG on Thursday about the sample local law.

Chair's Report – Frank said the WRC annual report was completed and published, and will go to PDEQ next month. Old publications from the Planning Department are available to members on the table. He pointed out we need better attendance and a prompt start time. He asked Kathy to share the attendance spread sheet, and include which seat is held by each members.

Adjournment -- The meeting was adjourned at 6:15 PM.

Respectfully submitted,
Kathy Wilsea, Secretary, Tompkins County Planning Department.

Adopted by the Council on June 18, 2012.