

Otsego County Water Quality Coordinating Committee Meeting Minutes
967 Co. Hwy. 33, Cooperstown, NY 13326
(607) 547-8337, ext. 4

Wednesday, May 27, 2009

Present:

Holly Waterfield, Biological Field Station
Jill Eichler, Canadarago Lake Improvement Association/OCCA
Dr. Ted Peters, Cooperstown Village Water Committee
Bruce Shultis, Goodyear Lake Association
Vince Stayter, Goodyear Lake Association
Erik Miller, Otsego County Conservation Association
Darla Youngs, Otsego County Conservation Association
Liz Fury, Otsego County Planning Department
Carl Good, Otsego Lake Association
Win McIntyre, Otsego Lake Watershed Supervisory Committee
Joe Homburger, Otsego Land Trust
Tom Shypski, Village of Richfield Springs
Robert Boyle, guest

The meeting was called to order at 1:05 p.m. by facilitator Holly Waterfield at the Upland Interpretive Center. Vince Stayter introduced guest Robert Boyle to the group, and introductions were made around the table.

I. Review of Minutes

The March 25, 2009 meeting minutes were reviewed. **Erik Miller moved to accept the minutes, with a second by Joe Homburger, and the March 25, 2009 meeting minutes were approved with no changes and without further discussion.**

The April 29, 2009 meeting minutes were reviewed. **Ted Peters moved to accept the minutes, with a second by Tom Shypski, and the April 29, 2009 meeting minutes were approved with no changes and without further discussion.**

II. Treasurer's Report

Treasurer Blanche Hurlbutt was not in attendance – next report to be given in June.

III. Old Business

Carl Good inquired of Otsego County Planning Department representative Liz Fury as to where to send donations toward the county's medical waste collection day. His question was held, to be addressed later as per the order of the agenda items.

IV. New Business

1. Formation of Bylaws Committee to review the current document

Holly asked group members how they would like to approach the formation of the Bylaws Review Committee and discussion of said bylaws. She also asked to clarify the intention of the committee. It was reiterated that the "Membership" section of the bylaws is in need of updating, and talk ensued as to whether we should send an invitation to other like-minded groups to join, such as Trout Unlimited and the Department of Transportation. It was also suggested that we might encourage the DEC and

Department of Health to attend meetings more frequently. Ted mentioned that the WQCC did talk to the Crumhorn League at one time about joining, but they did not attend any meetings. Vince said the only negative would be the possible unwieldiness of a larger group. Tom asked how the WQCC got started. Win McIntyre said Otsego County Soil and Water ran and organized the WQCC meetings for years and that there are WQCC organizations throughout the state. Darla pointed out that Blanche Hurlbutt and Scott Fickbohm are the WQCC institutional memory. Erik said that presently the strongest role of the WQCC is as a networking organization. It was questioned whether the formation of a separate Otsego County Water Quality Management Agency – as allowed under New York State County Law, Article 5, sec. 14A – would afford us any monetary advantage, and the answer was thought to be no.

Further discussion of the bylaws and the composition of the WQCC continued, including: What constitutes a quorum; Freshening up the WQCC with outreach to overarching groups that can carry our message to a broader audience; Operation of the Bylaw Review Committee via e-mail to the extent possible, rather than meeting in person; There is a sportsmen's federation in the county that might be a potential new member; Whether there is any criterion in the bylaws that stipulates groups' interest in the WQCC and whether or not they can join.

It was decided that Holly would update the membership list in the bylaws to reflect current WQCC member groups, Darla would research other WQCC bylaws statewide and Tom would check with Herkimer County regarding the bylaws of its WQCC. Darla and Tom are to report back to the full group next month.

2. Update from Scott Fickbohm regarding grant writer RFP responses

3. Plans for the forum on snow removal: lead agency, funding, date, selection/invitation of presenters; invitation of participants, etc.

As Scott Fickbohm was not in attendance, Holly tabled these two items until the next meeting. Soil and Water would take the lead on the snow removal forum, she said. Erik recollected that OCCA had partnered with Soil and Water in the past on similar events. Holly said that even though we were holding off on major discussion of the snow removal forum for now, members should be ready with ideas regarding presenters and resources at the next meeting.

4. Funding request from County Planning for pharmaceutical waste collection day

In regard to this funding request, Holly said Scott had confirmed that a portion of the available WQCC funds could be contributed toward this event, if we so choose. Holly pointed out that several WQCC member organizations had already pledged funds and asked if we wanted to make an additional donation on behalf of the group. Vince Stayter asked how much had been raised, and Liz replied that so far the county has \$650 of the \$1,200 needed to add this component to the county's annual Household Hazardous Waste Day collection. The budget may decrease, Liz continued – they are working with DEC on the specifics. Liz said she will keep everyone informed as to the budget, and when and where to mail donations. A sponsor list is being formulated, she said.

In other new business, Ted spoke about the Walker development proposed in the Town of Otsego. The final hearing is next Tuesday, he said, and it sounds as though the project will go through. The Town Planning Board should have the power to preserve those hillsides and protect the lake from steep slope development, he said, and asked if the WQCC could promote this. Erik explained that the Planning Board has no such power and that decisions are pursuant to the Town Board and the Town's comprehensive plan. Erik said the portion of the comprehensive plan that could have prevented such steep slope development was never adopted and the document is gutless. The Town Board is the only body that has the power to prevent this, he said, and the Planning Board might have addressed some of the issues in

question through the SEQR process, but the developer has already gone through those steps. If the project is approved, it is important to make sure it is done so with detailed approval specifics, Erik continued. The Planning Board has to incorporate this into its approval process – code enforcement will not be possible if the approvals are vague, he said. Without specific conditions, code enforcement officers will have to find the problem and prove the problem before going after those responsible for the problem. Vince asked why SEQR was the last step in the process. Erik said it was not; rather the Planning Board is waiting for the last pieces of that process to be finalized.

Joe asked the group to consider Ted's question and whether we should be proactive as opposed to reactive. He then asked if the committee should formulate a position regarding development on steep slopes above a certain threshold, perhaps based on acreage and/or percentage of slope, with a statement or letter then sent to each town which would identify our concerns. Discussion followed, touching upon the broader environmental social good, avoidance, minimization and mitigation strategies, and the importance of our ridges and viewsheds.

Win said he thought writing such a letter was a good idea. The language in the Town of Otsego's draft Comprehensive Plan did at one time address these issues but that language was not retained in the current plan. Win said representatives of the Watershed Supervisory Committee spoke against steep slope development at the last public hearing regarding the Walker development. They have since been in conversation with the Village of Cooperstown attorney and the WSC has concluded that project's proposed stormwater management practice, dry retention basin, is a potential source of pollution. The WSC has jurisdiction here under public health law, Win continued, and has advised the Town of Otsego that if the project is approved the watershed inspector will be regularly inspecting the retention basin and reporting on its condition to the owners, the Town and the DEC. Win said the WSC will ask that there be an easement granted to the Town to clear out the retention basin if and when necessary, to be reimbursed by the owner(s). The inspection will be based on criteria from the DEC, Win said.

Vince emphasized that water resources are incredibly finite and that inspection and management are critical. Win said the heavily wooded slopes of the proposed project area are the best management practice, bar none, for stormwater protection.

Holly asking if those gathered wanted to write a position statement. Erik said he would craft two letters if desired – one to the Otsego Town Board and Planning Board specifically regarding the Walker development and one to all municipalities regarding steep slope development in general. Carl asked what the slope of the Walker property is and Erik said it varies. It was decided that we would not address aesthetic issues as a water quality group. Win said we would need to get the first letter out right away, before the next Planning Board meeting. Erik said he would take a stab at writing the first letter and that he would circulate the draft to the WQCC members for review. It would need to be e-mailed to the Planning Board chair by Friday, he said, and hard copies would be mailed or hand delivered to the Town.

V. Department Reports

1. Biological Field Station

Holly reported that the BFS is currently in a state of chaos brought on by the transition. They moved up to the Thayer facility on Friday, he said, the interns have started, and they are gearing up for the field season. Monitoring of the phosphorus removal units and work on Canadarago Lake continues, she said. BFS monitoring of Canadarago Lake and its tributaries will be more intensive this summer, Holly continued, and there is talk about the BFS continuing the monitoring along the Susquehanna River begun last year by Devin Castendyk. The BFS is looking forward to more faculty involvement from the

main campus, Holly said, and Greenwoods is branching out a little. Ted asked if the BFS was involved with the Village's zebra mussel studies. Holly said that was a separate SUNY department, but the BFS will perform some less quantitative studies on densities, size distribution, and population.

2. Canadarago Lake Improvement Association

Jill Eichler said the CLIA had held a Board meeting recently and that its Watershed Advisory Council is forming and will meet in September to continue work on the Lake Management Plan. The WAC will include a representative from each municipality, she said. Erik advised that they include elected officials on the WAC.

3. Cooperstown Village Water Board

Ted reported that the Village is still working out how chlorine will be added to the intake pipes, as a zebra mussel control measure. The proposals, he said, were severe at roughly \$100,000. Ted said the Village thinks it can be done for less, with control at the water plant. In the meantime, the line will be pigged more frequently. There was discussion as to whether or not a treated screen might be used. Ted went on to say that the Village Board of Sewer Commissioners is waiting to hear back regarding its application for green stimulus funds to use the wetlands by the sewer plant to polish effluent. If the Village does not receive the grant, he said, they will hold off to see if removal of nitrogen is required.

4. Cornell Cooperative Extension

Not present to report.

5. Goodyear Lake Association

Vince said the recent GLA Directors' Meeting included a sit-down with Jill Eichler to discuss how to begin work on their Lake Management Plan. GLA representatives will meet with Erik and Jill a week from Thursday, he said, to determine what the next steps will be. Vince asked if it would be feasible to engage people in a grassroots effort to sample for zebra mussels, and Holly said this is similar to what the BFS is doing. Vince said the GLA had approved a \$100 donation to the county's pharmaceutical waste collection day.

6. Natural Resources Conservation Service (NRCS)

Not present to report.

7. New York Center for Agricultural Medicine and Health (NYCAMH)

Not present to report.

8. NYS Department of Environmental Conservation (DEC)

Not present to report.

9. NYS Department of Health (DOH)

Not present to report.

10. Otsego County Conservation Association

Erik said OCCA is gearing up for the first of two water chestnut handpulling sessions, scheduled for June 3-6 (informational flier circulated). OCCA has sent a mailing to GLA members, including a copy of its new "Handpulling Water Chestnut" brochure. The second session will be held August 5-8. Erik pointed out that this is the final year of the DEC grant for the program and it is all volunteer from here on. OCCA Board members recently participated in a day-long retreat to identify the components of a five-year strategic plan for OCCA, he said, building on the existing framework. The retreat, facilitated by Claire Higgins from NYCON (New York Council of Nonprofits), went very well. Water quality initiatives will

continue to figure prominently in future OCCA programming. Erik said OCCA donated \$6,000 this year toward the BFS walleye stocking program to control the alewife population in Otsego Lake, which impacts lake water quality. He announced that OCCA, along with Glimmerglass State Park, Friends of Glimmerglass State Park, Inc. and the Otsego Lake Association, will host a "Lake Appreciation Day" on Saturday, July 11 at Glimmerglass State Park. All are invited to enjoy a day with family and friends on the beaches of Otsego Lake. Exhibits, a youth trail cleanup, canoeing, a trail hike and a pot luck lunch are among the highlights of the event, and lake-focused organizations are invited to exhibit in the enclosed pavilion. Students in sixth through 12th grades and adult volunteers are needed for the trail clean-up program, he added. Those participating will be treated to a pot-luck lunch and all that Lake Appreciation Day has to offer – call the office for more information. Everyone is invited to set up an exhibit, he said. Holly informed the group about the North American Lake Management Society poster contest, which she thought might tie in nicely with the event. She will send information along to OCCA, she said. In other OCCA news: The first flight of the Annual Fund letters has been mailed. The Annual Fund subtitle is "Our environment. Our home. Our challenge." Erik said a new full-color flier has been created which outlines OCCA's programs (copies of flier circulated). OCCA was a co-sponsor of Otsego County's first Bike to Work Day, which was a success, he said, and the pickup truck conversion has been completed – the truck now runs on waste vegetable oil. The 2009 Nature Walk schedule has been released and is available on the website, Erik said.

11. Otsego County Planning Department

Liz circulated information to the group about a company called Environmental Remediation Consultants, Inc., which cleans up contaminated soil and groundwaters using naturally occurring bacteria combined with inorganic co-treatments. The website address for ERC is www.whoda-thunk.org. Ted said he thought a local man, Bill Parsons, was doing something similar. It is his understanding that Parsons pumps oxidants and bacteria underground to clean soil of contaminants. Vince mentioned that the GLA had been contacted in regard to dredging the lake for a sampling of the silt. Often silt has a value, he said, and the "muck" from the lake could be tested to determine whether it is a waste product or has resale value.

12. Otsego County Soil & Water Conservation District (SWCD)

Not present to report.

13. Otsego Lake Association

Carl said the OLA is in the final phase of the Lake Front Park garden and boardwalk project – 85-95% of the work will be completed soon, he said, with the plantings in place and most of the boardwalk down. Plantings are scheduled for June 4, Carl added, and any help would be much appreciated. On June 20, he continued, the OLA will hold its Annual Membership Meeting at the Town of Springfield Community Center. Zebra mussels are the topic, he said. Speakers will include Tom Horvath of SUNY-Oneonta, a local diver and a local plumber.

14. Otsego Lake Watershed Supervisory Committee (WSC)

Win reported that the WSC kicked off its septic inspection program in May, the fifth year of a five-year cycle. He said the program is transitioning to the Village and Village employees are working with Win on inspections this summer. A number of upgrades have been completed thus far, Win said, and letters have been mailed to those in failure. Things are progressing with the demo systems, he said. The Thayer system will be completed by hooking in the boathouse. There is the potential for a fourth demo system in the Town of Otsego, he added.

In regard to gas drilling, Win said the WSC had taken its case to the DoH and had received a response to the recommendation that watershed rules and regulations be amended. He said things are up in the air

regarding public health law versus environmental conservation law when it comes to the protection of drinking water. The DoH district director in Oneonta has said the national need for energy versus the public health threat is a “gray area.” Win said the state is working on a template for statewide watershed rules and regulations. Win said the WSC had copied DEC on the letter to DoH. The DEC’s draft SGEIS is due out in early summer, Win said, at which time there will be a 30-day comment period. Liz said the county had been receiving calls from town officials regarding what precautions might be taken. The county is advising towns to discuss road protection plans with an attorney. Win returned to the topic of the DoH, saying it is their job to protect public water drinking supplies. There are probably 150-200 surface water drinking supplies in the Marcellus shale area waiting for protection from the DoH, he said, but the DoH has abdicated its authority to the DEC. He advised all present to review the draft SGEIS when it is released and to mount a campaign. Ted said what bothers him most is that the injection of unknown toxins is allowed. Win said he would send the document to everyone as soon as it is released. Tom recounted several of his experiences with the DEC and DoH regarding water quality issues in Richfield Springs. Win said he remains optimistic.

15. Otsego Land Trust

Joe said the OLT is pursuing a cooperative agreement with the DEC regarding access to property the Land Trust owns on the Susquehanna River. They expect to break ground next spring, he said. The OLT will participate in the Fourth of July parade in Springfield Center. OLT is sponsoring a walk on Sunday, July 12, he added.

16. Otsego 2000

Not present to report.

17. Other

Vince mentioned that the recent release of water from the Cooperstown dam had moved large logs downstream, which caused damage in the Goodyear Lake area. He asked Ted if the Village could give GLA folks a heads up when water is released in the future.

Vince then gave guest Robert Boyle the floor, calling him a “walking resource.” Boyle is the founder of Riverkeeper, an environmental nonprofit group based in the Hudson River area, and a long-time outdoors columnist for “Sports Illustrated,” Vince said. Boyle told the group of his great interest in aquatic insects, particularly the stonefly. Boyle said there is some concern regarding the decrease in stone fly populations, as stoneflies are important to water quality. He spoke of Dr. Ed DeWalt of Illinois who is looking for specimens of the adult winter stonefly. DeWalt is seeking public participation in his study, Boyle said, but a permit is required to collect stonefly specimens. “Audubon” magazine will be running an article in an upcoming issue, with further details.

The meeting was adjourned at 2:32 p.m. The next meeting will be held on Wednesday, June 24 at the BFS Upland Interpretive Center on Lake Road.