

# **New York Citizens Advisory Committee (NYCAC) on Lake Champlain's Future**

**Monday, October 31<sup>st</sup>, 2022  
1:00 pm – 3:30 pm**

## **APPROVED MEETING SUMMARY**

**Committee Members Present:** Vic Putman (Chair), Jackie Bowen, James Dawson, Steve Kramer, Walt Lender, Tom Metz

**Committee Members Absent:** Ricky Laurin, Jane Gregware, Hannah Neilly, Bill Wellman, Fred Woodward, Charlotte Staats

**LCBP Staff:** Katie Darr, Lauren Jenness, Erin Vennie-Vollrath (NYS DEC)

**Presenters:** Dave Wick

**Public Guests:** Nancy Mueller, Joe Thouin, Jess Grant, Michele Fafette

Meeting summary by Katie Darr, Lake Champlain Basin Program (LCBP)

**1. Welcome and Introductions** – Vic Putman

**2. Public Comments**

No public comments were made.

**3. ACTION ITEM: Review and vote on Draft April 25<sup>th</sup> and June 27<sup>th</sup> NYCAC Meeting Summary**

No quorum, moved to the next meeting's agenda.

**4. Lake George Septic Regulation Overview – David Wick**

David Wick, Executive Director of the Lake George Park Commission, provided an overview of the Lake George Septic System Review Committee's findings and the proposed septic inspection regulation. His presentation is available [here](#). In 2021, the Park Commission formed an ad-hoc committee of five Lake George Park Commissioners and 14 regional experts to begin a review of septic systems and potential impacts to Lake George. The committee took three key actions (1) contracted with Chazen Companies to conduct a literature review about the impacts of onsite wastewater treatment systems on water quality, (2) researched other lakes who have implemented septic system inspection programs, and (3) conducted data analysis to understand the status of septic systems around Lake George. The literature review, research, and analyses are available at <https://lgpc.ny.gov/septic-system-program-resources>. Following their research and analysis, the committee unanimously supported implementation of a robust septic system inspection program for properties in proximity to Lake George and tributaries. In addition to the inspection program, the Commission has proposed new design standards. There will be a public hearing on Tuesday, November 22nd at 4pm at Fort William Henry. The [public comment period](#) is open until November 30th. If approved, the program will be implemented in Spring 2023.

How the inspection program will work: The program will inspect 1/5th of the 2,700 properties (540) each year for 5 years. Each year, a letter will go out to those 540 landowners to arrange septic pumpout and inform the Commission of their scheduled pumpout. Septic haulers will uncover the septic tank and

distribution box. The Lake George Park Commission Inspector will be on-site for the pumpout to conduct the inspection. Inspectors will send property owners a follow-up report identifying any issues and needs for repair.

Cost to property owners: \$50 annual fee for residential property, \$100 for commercial property, \$25 annual fee for properties with holding tanks, and a variable cost of \$200-400 for a septic tank pumpout fee every 5 years.

If issues are found: failed systems/components must be corrected within 6 months, substandard systems must be upgraded within 5 years, and permit review must be conducted by the current review authority.

- Walt asked about the feedback between the municipality and the park commission after a failing system has been turned into a municipality. Dave shared that the park commission has had and will continue to have conversations with all code enforcers. They are dividing the inspections geographically to avoid overwhelming one town. They will work with towns to determine how many inspections/failures per year they can handle. The park commission hopes to get an annual report from the town or other notification that provides a statement about how many failures were identified and how they were addressed.
  - Tom asked if this reporting would be annual or occur more often. Dave clarified that informally, they are in touch with the municipalities regularly. To avoid putting more of a burden on towns, reporting would take place annually.
- Jim noticed the South Lake is very densely populated and asked if it would be cost effective to install a collection system and sewage treatment plant. Dave replied that the Village of Lake George has a new wastewater treatment facility and has increased its capacity to handle new lines. The Supervisor of the Town of Lake George has been pushing to extend the sewer line up Route 9. This comes with challenges. There are conversations with towns occurring to talk about the feasibility of smaller community-based systems. For example, Rockhurst has 51 properties that sit on six inches of soil on bedrock. The town supervisor worked with the board to develop a plan to bring the properties onto a community sewer line. It seems like this is the direction communities want to go.
- Tom asked about the implementation of smaller, more efficient units to prevent existing systems from being overwhelmed by growing development. Dave clarified that prior to the new wastewater treatment plant, there was a moratorium on new development. In terms of small batch reactor type systems, the Silver Bay YMCA has done incredible work on storm and wastewater on a small footprint. He envisions ~10 years from now there will be a lot of momentum around these small footprint systems.
- Tom asked if treatment plants can be modified to remove pharmaceuticals and other emerging contaminants of concern from water. Dave noted he was not an expert in this. It poses a challenge because traditional methods are not equipped to deal with emerging contaminants. Walt added that the purpose of the inspection program at this point is to deal with nutrient loading, not emerging contaminants.
- Vic asked if an outhouse is considered a substandard system. Many of the NYSDEC boat launches along Lake Champlain are glorified outhouses without a standard septic tank and leach field system. Dave shared that one of the first questions the committee received was whether NYSDEC was going to be required to participate as most of the campsite toilets are pits. He will be speaking with Joe Zalewski about that to get a better sense of how many are concrete sealed.

- Vic asked if the Chazen literature review included data on the impacts of failing septic on lake water quality. Dave confirmed the report includes that information and is available [here](#).
- Katie asked if Lake George is a unique case or if a septic inspection program could be transferable to other parts of the Lake Champlain Basin. Dave shared that there is a lot of potential and authority to develop similar programs at a municipal level. The 13 existing programs the committee reviewed were co-municipal agreements that were written into local laws. The committee resources webpage has the contact information for the other programs.
- Vic asked about the [Critical Environmental Area \(CEA\) designation](#) of Lake George and how that impacts environmental reviews on projects within the Lake George Basin. Dave shared that each of the towns around Lake George has their own CEAs, 500' around lake shoreline and wetlands. CEAs require another level of review and standards. Towns can go above and beyond that for their local land use.

## 5. Updates

### ***LCBP Updates- Katie Darr***

LCBP has welcomed 3 new team members. Kerry Crowningshield started as the Office Manager and is training with Kathy Jarvis before her retirement in January. Corrie Miller is the new Aquatic Organism Passage Restoration Specialist. She will be working with LCBP partners and stakeholders to restore connectivity in aquatic systems by planning and implementing aquatic organism passage projects and enhancing education and engagement. Dianne Flynn is the new grant specialist.

The LCBP Steering Committee in collaboration with EPA is working on developing an LCBP-focused definition of disadvantaged communities. LCBP is required to direct 40% of our Infrastructure funding to projects with outcomes that benefit disadvantaged communities in the Lake Champlain Basin. One of the incentives to meet this goal is that the non-federal match requirement will be waived for the Bipartisan Infrastructure Law funding. This definition must be submitted to EPA by the end of December this year. The draft definition will go out for public comment on November 17th. The public comment period will close on December 13th.

### ***AIS/Round Goby Updates- Meg Modley***

October 17th was the last day of the Boat Launch Steward season. The data is in the middle of a quality assurance and control process, it will be presented soon. Recruitment for next season will start soon, the NYCAC can play a role in advertising for those positions. The Adirondack Watershed Institute has placed signage at the launches to try to get more local applicants; LCBP might do the same. Meg has been in touch with Ricky about a decontamination station for Chazy Landing. NYS Canal Corp gifted a mechanical harvester to NYSDEC to harvest water chestnut in the town of Dresden; that harvester is not in great condition and will likely need to be replaced. To be responsive to partners' AIS management needs, LCBP is looking to bring in some of the Bipartisan Infrastructure Law dollars to AIS grants for equipment like decontamination stations or mechanical harvesters.

The Aquatic Invasive Species Rapid Response Taskforce continues to meet every two weeks. NYSDEC has created round goby watchcards and baitfish signage. They will launch an educational campaign in the Spring of next year at popular fishing sites throughout the Hudson, Lake Champlain, and inland lakes. Round goby tracking through iMapInvasives is live in Vermont and New York and they are exploring if it will work in Quebec. The taskforce has expanded their partnership in Quebec, they are now working with Parks Canada who owns the Chambly Canal. Sampling for round goby has continued and eDNA collections are still being analyzed. Seining, the physical collection of fish, has not found any round goby. NYSDEC has expanded their electrofishing sampling. The rapid response plan for round goby has thresholds that outline what actions should be taken if round goby is identified at different locations in

the canal. The canal shut down to recreational traffic on October 12th. The lower lock has gates in it and the goal is to keep those gates in and take them out later in the season. Lock C6 will undergo repairs this winter. The task force is putting together plans for early detection monitoring, sampling, trawling, and electrofishing. No round gobies have been found north of lock C1 or south of the St. Ours dam on the Richelieu River. Quebec has detected tubenose goby in the St. Lawrence seaway. Round goby is the current species of concern and has elevated concerns about aquatic invasive species. Carp, snakehead, and hydrilla pose serious threats to Lake Champlain.

- Tom asked if there was any movement from Canal Corps to implement the AIS barrier. Meg clarified that the barrier is the long-term all taxa solution and will take years to complete and implement. The [Phase 1 study](#) was completed earlier this year. The preferred alternative is the implementation of a physical berm across the channel, a boat lift and cleaning station was identified as the second most effective alternative. The phase 2 study will be upwards of \$4.5 million, they are in the process of raising local match for the study. The Champlain Hudson Express funds would be great but that likely won't be available as soon as is needed for the study.

## **6. CAC Coordination** – Vic Putman, Katie Darr

Katie provided an overview of the September 19th Joint CAC meeting. 3 members from the NYCAC, 3 members from the VTCAC, and 1 member from the Quebec CAC were in attendance. They discussed possible strategic joint initiatives for the three CACs to focus on in the upcoming year including the canal barrier study and implementation, concern about the rail transportation of oil along Lake Champlain, and the role of the CACs related to the Champlain-Adirondack Biosphere Network.

The committee discussed the Quebec CAC's and Vermont CAC's resolutions related to governmental reporting on phosphorus reduction progress in Missisquoi Bay. At the joint meeting, Fred noted that although this is a Quebec and Vermont issue, it is helpful for New York to know about it as well considering it feeds into our shared waters. Members present at the joint meeting and this meeting were supportive of the NYCAC signing onto or submitting a letter reinforcing the importance of sharing progress on this issue with the public as solutions generated for Missisquoi Bay could be applied elsewhere.

Tom asked if the bylaws allow the committee to vote remotely. There is nothing in the bylaws that prohibits remote voting. Vic affirmed that this has been established in past practice through the pandemic.

## **7. NYCAC Outreach**

The committee discussed the drafted outreach materials to (1) improve visibility and awareness of the committee and (2) improve committee engagement with elected officials and decision makers. Tom suggested putting out materials that could be picked up by local news outlets. Members were supportive of using the [NYCAC's Facebook page](#) to help spread the word about programs like the [NYS Septic System Replacement Fund](#).

**Rack Card-** The rack card would replace the old NYCAC brochure. The goal is to communicate what the NYCAC is, the CAC's priority issues, who makes up the NYCAC, how the committee works, and how others can get involved. Members were generally supportive of the priority issues, noting a disconnect between the quality-of-life priority and the supporting text. Jim added that the heritage aspect does not rise to a high priority level for the committee but is important and should be mentioned somewhere. Lauren suggested using the LCBP thriving communities goal.

**Focus 2023 Document-** This outreach document would be targeting elected officials and decision-makers including the Lake Champlain Steering Committee. The format follows the NYCAC Focus 2020 document and includes additional content from meeting summaries and some items from the Vermont CAC's action plan. The goal for this document is to highlight key issues of concern and provide some recommendations for action or investment. Members were generally supportive of the content in the focus document. Walt suggested adding contact information and how to get involved with the committee. Vic noted that the Vermont CAC's action plan is a little more direct and forceful. Members agreed that the NYCAC does not need to cross into advocacy at this point.

Members discussed outreach and meeting attendance. To encourage more public participation, Katie will work with the committee to set 3-4 agendas with topics of public interest further in advance and advertise them more broadly.

### **8. Meeting Wrap-up Discussion**

Due to scheduling conflicts with the upcoming November and December holidays, the next meeting will take place on **December 5th from 1:00 - 3:30 pm via Zoom**. This will be the last meeting of 2022. Possible topics include: an overview of the LCBP disadvantaged communities definition, road salt reduction presentation.