

New York Citizens Advisory Committee (NYCAC) on Lake Champlain Management

Monday, June 26th, 2023

1:00 pm – 3:00 pm

Silver Bay YMCA

APPROVED MEETING SUMMARY

Committee Members Present: Walt Lender (Chair), Jackie Bowen, James C. Dawson, Laura Klaiber, Steve Kramer, Tom Metz, Colin Powers, Vic Putman

Committee Members Absent: Ricky Laurin, Jane Gregware, Charlotte Staats, Fred Woodward

LCBP Staff: Mae Kate Campbell, Katie Darr, Erin Vennie-Vollrath (NYSDEC)

Presenters: Dave Wick (Lake George Park Commission), Erik Reardon (NYSDEC/LCBP)

Public Guests: Jeff Lape, Ahren Von Schnell (Cong. Stefanik's Office), Garrett Lemza (Cong. Stefanik's Office), Lauren Townley (NYSDEC), Helen Polanco (NYSDEC), Assemblyman Simpson, Dave Hatton, John Alexander (Sen. Stec's Office)

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

1. Welcome and Introductions – Walt Lender

Walt welcomed attendees.

2. Public Comments

No public comments were made.

3. ACTION ITEM: Review and vote on draft January 30th and April 24th meeting summaries – Walt Lender

- Motion to approve meeting summary by: Fred Woodward
- Seconded by: Vic Putman
- Discussion on the motion: None
- Vote: All in favor
- Abstentions: None

4. Lake George Septic Inspection Program Update – Dave Wick

Dave Wick, Lake George Park Commission, provided an update on the first two months of the septic inspection program. The [presentation](#) is available with the meeting materials. So far, they have conducted 48 inspections, 40% failed, 45% passed, and 15% were found to be substandard. Substandard systems must be upgraded within 5 years, failed systems have 6 months to make corrections, with waivers for challenges. If the trend continues, they expect to see 200 failures this year. There are 7 active engineers and 5-7 construction companies in the area that work on this, if the failure rate continues that will be a significant challenge. The Park Commission can adjust timelines for repair as needed in response to challenges, capacity issues, etc.

Discussion

- Tom asked if whole neighborhoods are being inspected at once or if just a few houses per block are being inspected to avoid having multiple systems in the area undergoing construction and corrections simultaneously. Dave shared they are working with towns and HOAs to figure out what works for them. Some prefer to have all of the inspections done in one year, others want to spread them out.
- Erin asked if there is talk of providing capacity or training to increase the number of engineers in the area. Dave noted that's a tricky issue given how long it takes to become an engineer. There have been ongoing discussions about who can be a septic inspector as it is currently limited to Park Commission employees. The Commission wants to get things done right, not fast. If the timeline needs to be adjusted to account for capacity, it is flexible.
- Lauren asked how inspection locations are prioritized. Dave shared there are 9 towns in Lake George. 1/5th of the 2,500 properties will be inspected each year for 5 years. To avoid overwhelming code enforcement officers of a particular town, they divide up which properties to target each year. For people who recently had systems installed or inspected, accommodations are being made. However, they have seen some new systems that have issues.
- Laura asked if the distribution box issues are included in the failures. Dave clarified that distribution box issues are generally considered substandard. Out of the 40% of failures, 10% or less might be direct failures in the distribution box.
- Tom asked if they also inspect the field. Dave clarified that they do not, if the field fails it backs up into the distribution box.
- Jeff noted there is an educational opportunity to convey to people that what goes down the drain goes into the lake. Dave commented that septic inspectors are ambassadors for the program and going through the inspection program helps educate people. Jeff asked if there was an opportunity to put together a flier to distribute. Katie Darr shared the Lake Champlain Lake George Regional Planning Commission recently completed a Septic Smart Campaign with funding from LCBP. The fliers are available on the Park Commission's website <https://lgpc.ny.gov/septic-systems>, one is directed to [homeowners](#) and the other is directed to [rental properties](#).
- Assemblyman Simpson asked if they have a sense of whether or not haulers notify owners if they see a situation where the system is backing up into the tank. Dave noted that when a system fails, the homeowner already kind of knows. Sometimes the hauler notifies the owner, sometimes not. The haulers don't want to get caught in the middle. They have a job to do and want to protect their business.
- Tom asked if there is a way to test what liquids are getting beyond the field. The system captures solids, but what happens to the pharmaceuticals and other contaminants that move downstream. Dave noted there is no easy way to assess that. At one time Soil and Water took that on a bacteria source tracking project, and found it's very difficult to distinguish the origin between waterfowls and humans.
- Vic asked if gray water systems are included in the inspections. Dave clarified that gray water systems have been illegal since the 1970s. If they find them, they give people a choice to replumb the house or join the gray water to the septic system.

5. Aquatic Invasive Species (AIS) Updates – Erik Reardon

Erik Reardon, NYSDEC/LCBP, provided an update on round goby and the Champlain Canal. His presentation is available with the meeting materials. Of the pathways for aquatic invasive species introduction and expansion, canals have received the least attention from management and spread

prevention efforts. Of those with known origin, 60% of aquatic invasive species in Lake Champlain came through the canal system. The northern limit of the round goby invasion front is lock 1. LCBP is working with USGS to assess if round goby is moving past lock 1 using electrofishing and eDNA methods. Some of the threats round goby pose include: prolific reproduction, ability to displace native species, voracious feeders that prey on bass and trout eggs, vector for viral hemorrhagic septicemia. Among some tournament bass anglers, there is a common misunderstanding about the introduction of goby being beneficial to bass. Accidental bait bucket introduction is possible and a big threat given their reproduction.

NYSDEC and NYS Canal Corp entered into a Rapid Response plan last summer. The plan would be triggered by a positive goby identification. If it is found past lock 5, there is an agreement to temporarily close locks 8 and 9 until a medium-term engineered solution could be implemented (sound barrier, bubble screen, electric barrier). The first two locks of the system now operate on a schedule instead of on demand. NYS Canal Corp has developed new double draining and double flushing protocols to prevent the spread of AIS through the canal system. Long-term, the US Army Corps of Engineers are developing an all taxa approach to preventing the spread of AIS from the Hudson River to the Champlain Canal. Phase 2 of the study is being negotiated by a workgroup including USACE, LCBP, NYSDEC, and Canal Corp. The workgroup is defining the scope of work and further digging into alternatives for engineered solutions, including further study of the hydraulics of the system to confirm sufficient water to support navigation and an economic assessment. The end of phase 2 will result in a final design for implementation, it will likely take several years. Other AIS threats that may travel through the canal include the invasive carp. Round goby is our opportunity to deal with this right now knowing there are even larger threats. Contact Erik (erik.reardon@dec.ny.gov) if you know of a group that would benefit from this presentation.

Discussion

- Colin asked about the Chambly Canal and whether Quebec shares New York's concern. Erik clarified that Lake Champlain is facing two round goby invasion fronts. Lock 1 and the Chambly Canal to the north. There are similar environmental conditions working in our favor, round goby need to navigate up elevation and upstream to navigate to the lake. Monitoring efforts are ongoing to figure out if they have spread beyond their last known location. The Rapid Response team includes members of environmental agencies in New York, Vermont, and Quebec, it is an international effort.
- Steve asked if a barrier is installed if the round goby would exhaust the system or overwhelm it. Erik could not speak to any specific tipping points. There is probably a critical population mass they reach, but they would in the meantime outcompete other species and limit the resources of the lake.
- Jackie asked if there is interplay between the spread of round goby and the Champlain Hudson Power Express project. Erik was not aware of any specific concerns relating the two issues.
- Katie asked for the key points the committee members should relay to their communities and constituents. Erik highlighted the following:(1) how to identify round goby and report potential sightings. If people think they find one, they should take a photo or (ideally) keep the sample and report to DEC and iMap invasives. (2) We don't want round goby to move beyond where they are, once round goby are in the lake, there's not much we can do and they have negative impacts on the environment and the economy.

6. LCBP FY24 Research Priorities Discussion – Mae Kate Campbell

Each year, LCBP's Technical Advisory Committee issues RFPs for research projects related to the management of Lake Champlain and its basin. Any project applicable to Opportunities for Action is eligible for funding. The TAC works with the Steering Committee and other advisory committees to develop priorities for that request for research proposals. Projects that address those priorities receive bonus points during the review process. The TAC is looking to the advisory committees to ensure research reflects concerns and any issues that may be coming to light. For example, one of the priorities was related to round goby. This year, TAC is looking to gather committee concerns and priorities to inform more specific priorities to inform specific management issues, while still leaving the door open for other inventive research projects related to OFA. The TAC is on hiatus until September 6th and will discuss priorities at that meeting. In the meantime, please send any additional research priorities or concerns to Katie at kdarr@lcbp.org.

Discussion

- Walt asked if the project related to chemicals of emerging concern address human introduced chemicals, like caffeine and pharmaceuticals. Mae Kate clarified that project is fairly broad and is intended to develop a monitoring framework for several different emerging contaminants, including microplastics, pfas, and pesticides.
- Tom suggested projects that examine the efficacy of aquatic invasive species control/eradication and opportunities to expand such programs.
- Jim suggested eDNA work on microbes, viruses, and invertebrates, particularly insects, to see changes as a result of climate change.
- Colin suggested quantifying streambank phosphorus contributions to the basin from the various subwatersheds, noting he hasn't been able to find sampling data and only found modeling data from Missisquoi Bay.
- Ahren asked if there are any projects looking at developing or implementing nature-based solutions to reduce phosphorus. Mae Kate confirmed there is lots of funding available for green stormwater infrastructure.
- Vic noted the importance of monitoring gages on tributaries. We have lost some of the USGS gages and the ones we do have are limited in their capacity. There are other gages available that have the capacity to record dissolved oxygen, turbidity, flow, and video in real time data at the subwatersheds and tributaries. From a climate change and public safety perspective, it would be helpful to have a more integrative monitoring system in all of the watershed's tributaries. One gage at the mouth of the river does not provide a picture of what's happening. As our region is recognized as a biosphere region, it would be good to monitor temperature profiles and trends to see which areas might require intervention or where monitoring should be increased for public use and economic development. For example, lots of people monitor the temperature of trout streams to plan their vacations.
- Jackie noted the NYS Climate Scoping Plan includes the development of priority conservation and priority development areas. There might be potential for the Lake Champlain Basin to be a leader in that as we identify where people should be moving into from a land use/human use perspective.
- Walt noted the recent spongy moth infestations in the basin. Do those have implications on water quality, tree health, the effect of the forest floor, or runoff and sedimentation getting into lakes? Could be useful to know what these impacts are to determine if we need to make treatments available to people.
- Tom asked if the streamflow sampling stations could be upgraded to test for bacteria, metals, etc., to get more information about where to target efforts. Mae Kate confirmed that technology exists. Jim noted that sounds like a smart stream gage which can do continuous

monitoring. Steve suggested rather than spending money on equipment, invest in field personnel that can build the database and bring that information back to the public.

7. Updates

Member Updates

Jim shared that he recently attended the Missisquoi Bay Public Meeting. Nathalie Provost, Director General of the Québec Ministry of Environment provided a review of recent Québec provincial regulations to improve water quality in the Missisquoi Bay basin, monitoring data, and funding allocated for projects and programs. Claire Madden with the Vermont Department of Environmental Conservation presented an overview of the Vermont statewide approach to clean water, project tracking and success metrics, and detailed information on Vermont-based efforts in the Missisquoi Bay basin, including funding and nutrient reduction efforts. Jim also mentioned the SCALE Project which seeks to establish a new ecological baseline for Adirondack lakes and will help shape management and mitigation practices in the face of climate change. In 2022, AsRA received \$500,000 through the State Aid to Localities program to pursue the pilot of SCALE. In the first year, it will look at basic physical parameters (temperature, pH, turbidity). Jackie shared another \$1.5 million was dedicated to SCALE this year.

Lake Champlain Basin Program

There will be a new State of the Lake report in 2024, LCBP is gearing up to start planning for that. We will include this on future CAC agendas. The CVNHP Summit will be held on September 17th and 18th at the Basin Harbor Club in Vergennes, Vermont. The agenda will feature presentations and discussions related to the Champlain-Adirondack Biosphere Network and the anniversary of the American Revolution.

Congresswoman Stefanik

Congresswoman Stefanik co-sponsored and introduced the [Spotted Lantern Fly Research and Development Act](#) which amends the Food, Agriculture, Conservation, and Trade Act of 1990 to include Spotted lanternfly control --Research and extension grants may be made under this section for the purposes of developing and disseminating research-based tools and treatments to combat the Spotted Lanternfly (*Lycorma delicatula*).

NYSDEC

Erin thanked those who submitted comments on the Lake Champlain Watershed Implementation Plan, the goal is for the plan to come out this summer. Walt noted the Lake Champlain Lake George Regional Planning Board is also updating their plan. Lauren noted NYSDEC will try to coordinate priority projects with their updated plan as well.

NYS currently has a new round of consolidated funding RFPs open including MS4 mapping and non-agricultural nonpoint source planning. Those funds are usually open to municipalities, keep that in mind as you interface with representatives.

Governor Hochul is holding a series of [Bond Act listening sessions](#). There will be an in-person session July 14, 1 to 3 p.m. at North Country Community College, Sparks Athletic Complex Alumni Gymnasium.

Erin shared the Adirondack Lakes Alliance Symposium will be held on August 11th at Paul Smith's College.

Champlain Hudson Power Express

Tom shared the CHPE is underway, Wilcox Dock has a work area set up. Jackie requested an update from Nicole Balk at a future meeting. Vic shared that CHPE is in the first of a 5-year cycle for funding. There is \$15million available. Lake Champlain is competing with New York City and the Hudson River for a share. The Lake Champlain group submitted its proposal on time, one of the projects included research on sauger to understand when and where they spawn and the stressors they encounter to figure out if they will be impacted by the power line.

Bouquet River Association (BRASS)

Vic shared BRASS is looking into a presentation about low-tech, process-based restoration to help restore river function. The Nature Conservancy of Vermont and DEC have folks knowledgeable in this, aiming for a September presentation.

Senator Stec

Legislation sponsored by Senator Stec to address and better combat aquatic invasive species statewide passed. Senate bill S5836 enables town boards to further address and combat invasive aquatic invertebrate species, as they are currently only able to address invasive plants under state law. The bill is awaiting the governor's signature.

Miner Institute

Miner Institute received LCBP funding to install ¼ acre plots with tile drainage and surface runoff monitoring. A lot of research Miner has done has been field scale which is a great model but requires a lot of time. With these plots, should be able to ask and answer questions on shorter timescales. They will first study no-till and cover crop usage in corn crops.

Adirondack Council

Over the course of the next week, the Council will be making an announcement. Forever Wild Day will take place at Crown Point on July 15.

8. NYCAC Collaboration – Walt Lender, Katie Darr

Debrief of the Joint NYCAC/CWICNY Meeting

On May 18th, the NYCAC had a joint meeting with the Champlain Watershed Improvement Coalition of New York (CWICNY). The intent of the meeting was to review the missions of both organizations and identify some possibilities for future collaboration and ensure communication between the two groups, given the shared goals of the two organizations. CWICNY expressed interest in sending a representative to NYCAC members. Their capacity to engage with questions related to joint collaborations or projects will be expanded once they bring a coordinator on.

Joint CAC Meeting

Katie is working with the three CAC chairs to plan a joint meeting for the Fall, likely held at the Valcour Boathouse, with an agenda focused on the oil trains.

9. Meeting Wrap-up Discussion

The committee reviewed their progress on the [2023 NYCAC goals](#).

The next meeting is scheduled for **September 25th from 1:00 - 3:00 pm** and may feature a presentation about aquatic organism passage by Corrie Miller, LCBP's aquatic organism passage restoration specialist.