



# Eagle Lake Properties Owners Incorporated Newsletter

May 1994

To those of us who stuck it out north of the Mason-Dixon line, it was some kind of winter. If I never see another one like it again, it'll be too soon. Here in Rhinebeck, we had something like 15 or 16 snow storms and it was bitter cold through most of January and February. To those who went south - you lucky people.

### Highlights of the Annual Meeting

Dianne Tiedemann announced that our Association was now incorporated and as a result of this incorporation it was necessary for the 3 temporary Directors (Bill Allen, Peter Beuchner and Bill Kral) to hold a meeting of the corporation prior to the Association's Annual Meeting. Dianne acted on my behalf at this meeting by means of a proxy. The following business was transacted at this meeting:

- > The current slate of officers were elected.
- > The new by-laws of the Association was adopted to supersede the Corporation's By-Laws that were filed with the State Department Division of Corporations.

### Officers Elected for the Year 1993-1994

President . . . . . William Allen  
 Vice-President . . . . . Robert Delano  
 Secretary . . . . . Dianne Tiedemann  
 Treasurer . . . . . Peter Buechner

### Treasurer's Report

Beginning Balance (as of 7/4/92)	\$2281.01
1992-93 Expenses	- \$1115.49
1992-93 Income	
Dues	\$695.00
Picnic	\$93.00
Interest	\$129.49
Milfoil Donations	\$60.00
Total Income	+ \$977.49
<b>Ending Balance (as of 7/3/93)</b>	<b>\$2143.01</b>

### Contributions

The membership approved the following contributions:

Ticonderoga Emergency Squad	\$50.00
Moses Ludington Hospital Auxiliary	\$50.00
Chilson Fire Department	\$50.00
Chilson Fire Depart. (Use of Community Hall)	\$25.00

### Committee Reports

#### Water Level

*Robert J. Stevens, Chr.*

As of 7/3/93 the dam has been free of beaver activity and the water level is +1 and holding steady.

Water level in early June was at -3 at which time one plank was inserted in the dam.

Bob stated that weather conditions impact the lake's water level more than anything else.

Other comments concerning water level were:

- > Zero "0" on the gauge is equal to the top of the pin at Luthy's Boat House.
- > The E.L.P.O.I. has been asked to maintain the water level within  $\pm 4$  and to maintain the dam in accordance with the New York State Permit Agreement between the State and the Eagle Lake Association.
- > Bob J. Stevens believes the water level should favor the plus side during the summer to accommodate possible draught.

### Fish Stocking

*John Di Pofi, Chr.*

1992 State Stocking  
 3980 Browns 9.0 inches  
 1993 Essex County (Spring)  
 2500 Browns  
 300 Browns (2 years)

Note: Rainbows were not stocked by the County because too few were being reported caught.

### Membership

*Lloyd Burroughs, Chr.*

Lloyd reported that letters were sent to property owners who had not sent in their dues by the end of the season. This special mailing resulted in 16 new and renewed memberships. A very worthwhile effort.

A new and updated map displaying the names and location of the property owners' residences along the lake shore was distributed at the Annual Meeting. Copies are available from Jim Davis.

### By-Laws

*Bill Donnelly, Chr.*

Bill thanked Dianne Tiedemann for helping his committee put down in writing the many changes that were suggested and voted on at the August '92 meeting.

Bill highlighted the changes as follows:

- > The bylaws would allow members in good standing to issue a proxy to a family member to vote on behalf of the member in good standing.

- The newly formed Executive Committee's composition, duties, and powers were also defined in the new by-laws.
- A new membership classification was also designated, that of a Social Member. A Social Member will be required to pay dues but will not have voting rights or be able to hold office or chair a committee.
- Other changes merely updated the old by-laws such as correcting the name of the bank, and the date and location of the Annual Meeting.

### **Weed and Pollution Control**

*Clarence Watters, Chr.*

Clarence reported on the following activities:

The expanded water quality testing program that was started in the Fall of 1992 reveals the lake to be of excellent water quality. This testing is to continue throughout 1993 to establish a data base. The cost of the chemical analysis at the Fresh Water Institute was \$137.25.

The Steve LaMere proposal, for limnological and water analysis and establishing a computer base, has been put on hold. Jim Davis is investigating a do-it-yourself plan to obtain similar results at a lower cost.

The milfoil warning buoys placed at 3 locations last year were observed to have a useful effect. The warning signs and anchoring method are being improved. Jim Davis is in charge of the project.

A proposed ordinance requiring Septic Testing of all private waste disposal systems is being drafted. The proposed ordinance will be submitted to the full Weed and Pollution Control Committee for their review prior to being submitted to the Ticonderago Town Board. Present plans are to have it approved by the Ticonderago Board in time for its implementation in 1994.

Bob C. Stevens submitted an outline to the Committee for the development of a Lake Management Plan for Eagle Lake. From this outline the Committee will need to develop the detailed plan.

Clarence defines the most important issues facing our Association as:

- The selection of the most cost effective method of control and hopefully eradication of milfoil.
- The control of transient boats from entering the lake without required washdown of boats and trailers.
- The need to aggressively pursue funding for our Milfoil Control Program.

At the end of his report, Clarence announced that

he will be resigning as chairman of the Weed and Pollution Control Committee. Clarence thanked all of his committee members for their help and support.


### **Education**

*Wendy Davis, Chr.*

Wendy reported on the following items:

Ticonderoga residents need to test their "911" connections. If it doesn't work, call 585-3456 and report that your 911 is not working.

Crown Point residents do not have 911 yet. You need to call Fire and Ambulance in Crown Point, 597-3700.

Recycling-Ticonderoga residents, pickup leaflet at Town Clerk's Office and note two changes. They do not accept "glossies", magazines, or catalogs. All garbage must be put in clear plastic bags. They only accept certain plastic bottle with the marking ; other markings not acceptable. Check leaflet carefully.

The test results from the data collected by the helicopter on Eagle Lake last Fall ('92) as part of the E.P.A. Environmental Monitoring Assessment Program was pooled with this area's data and must be extracted to get our individual lakes data. Results will be obtained at a later date.

Lyme disease is now transmitted by your common dog ticks, not just deer ticks anymore.

There's conflicting information from the Lake Champlain Basin organization as to whether or not Zebra Mussels are present in Lake Champlain. On the Vermont side there will be wash stations, educational bulletins at all their marinas for Zebra Mussels.

There were no volunteers for a Zebra Mussel watch group for Eagle Lake. It will be up to us as individuals to be on the lookout.

There was a sample of Zebra Mussel on display at the information table.

When Zebra Mussel first attach to an object they will feel like fine gritty sand paper not slime.

C.O.L.A.M. will be hosting a "9 State Milfoil Conference" this September 20th and 21st. It will be located at Lake George. Representatives from the Federal E.P.A., A.P.A., Army Corps of Engineers and Scientist will be in attendance. Members of our Association are urged to attend.

Wendy attended the New York State Federation of Lakes Association, June 11th Conference. F.O.L.A. is devoting more time on aquatic weeds now than

before, but they are reluctant to talk about herbicides. Hand Harvesting permits are being issued by DEC on a frequent basis with little red tape. The Finger Lakes region is receiving most of the Federal and State money because they prefer to machine harvest.

Karen Roy, a limnologist for the A.P.A., floated Eagle Lake at Wendy's invitation. Karen was shown the severity of the milfoil problem. Karen was very impressed with our stewardship of our lake. She was shown the water quality test results and was very impressed. Karen also took water clarity readings and found that Eagle Lake is one of the clearest lakes she has tested.

Frank LaPansee, of the Federal E.P.A., is expected to tour our lake within the next two weeks to see the milfoil infestation first hand. He is expected to tour two other lakes in the area that are also infested with milfoil.

Wendy requested allocation of \$50.00 to this Committee to cover mailing expenses.

Wendy expressed a desire to step down as Chairperson of the Education Committee, but if no one will step forward and take it, she will continue to serve rather than see the position remain vacant.

#### ***Other Business.***

Jim Davis reported that the Chilson Fire Department is requesting each member of our Association to provide them with a rough floor plan of their residence. The plans should include door locations, bedrooms and any unusual fire hazards such as gas and oil tanks. This information would be of great value in coping with a fire. Please submit your plans to Jim Davis. A copy of the form is attached for your use.

Jim Davis also reported that the Village of Ticonderoga will be installing a second hydrant near the Chlorine Station at no charge to our Association or Fire Department.

The membership voted to hold the 1994 Annual Meeting at the Chilson Community building.

Ann Conklin and Jim Davis were elected to fill the two vacant position on the newly created Executive Committee. Both Ann and Jim will serve for 1 year.

A non-binding vote of the membership present was taken to determine whether the membership favored the use of Sonar to control milfoil in Eagle Lake. The vote was taken by ballot and the result was unanimously in favor of using Sonar. The vote 28 for - 0 against. The results will be forwarded to the Executive Committee which will help support the

committee in their effort to develop plans to combat the milfoil problem.

### ***Highlights of the Executive Committee Meeting held August 16, 1993***

#### ***Committee Updates***

##### ***Water Testing***

One more test is scheduled for September '93. Schedule for 1994 is tentatively for 1 in the Spring, July and another after Labor Day.

##### ***Dye Testing Ordinance***

See "Latest Update" for details.

##### ***C.O.L.A.M. Conference***

Wendy Davis reminded Committee members of the upcoming conference on milfoil to be held at Lake George on September 20 and 21, 1993. She urged as many members as possible to attend.

##### ***Education***

Wendy Davis also announced that all children between ages 10-18 must attend a Boater Safety Course to get a license in order to operate a boat. Classes are held by the Route 74 Association each year.

Wendy announced that Jerry Smith from Massachusetts is developing a Lake Management Plan for Brant Lake. Jerry would provide a Lake Survey and an outline of a plan we would need for Eagle Lake. The plan would include the types of treatment best suited for our lake. The cost of this plan and survey would be \$1500.00.

##### ***Executive Committee***

Allocated \$600.00 for use by the Weed and Pollution Control Committee to continue the water testing program and to purchase a Dissolved Oxygen Test Kit.

There was considerable discussion as to the need for liability insurance to cover officers and Executive Committee members. Bill Allen noted that the Lake George Association carries liability insurance even though they are incorporated. This will be investigated further.

#### ***Committee Chairpersons Assignments***

##### ***Weed and Pollution Control***

##### ***Jim Davis and Rolf Tiedemann, Co-Chairs***

Since Clarence Watters resigned from the chairmanship of this committee, Jim Davis and Rolf Tiedemann have agreed to Co-Chair this committee.

Jim Davis will be the Voting Member for this committee. Rolf can vote in Jim's absence with a proxy.

The Co-Chairs need to select 5 more committee members.

Jim Davis is to cast our Association's vote at C.O.L.A.M. meetings.

### **Membership**

*Lloyd Burroughs, Chr.*

Lloyd has agreed to continue as Chairperson.

Needs to pick at least 3 others.

### **Nominating Committee**

*Caroline Harris, Chr.*

Needs to pick 2 others to serve until next Annual Meeting at which time this committee will be elected.

### **Water Level**

*Bob J. Stevens, Chr.*

Needs to pick at least 2 more members.

### **Fish Stocking**

*John Di Pofi, Chr.*

Bill Allen to contact John Di Pofi to see if he wants to continue to serve.

### **Education**

*Wendy Davis, Chr.*

Wendy has agreed to continue as Chairperson.

Needs to pick at least 2 more members.

### **Other Business**

Since Jim Davis is now a chairperson of a standing committee, which entitles him to membership on the Executive Committee, he is no longer eligible to serve in another capacity on the Executive Committee, therefore a vacancy in the Executive Committee exists.

The new By-Laws provides for the President to nominate a past officer or committee chairperson to fill this vacancy. The President nominated Bill Knauss to fill the individual vacancy on the Executive Committee created by Jim Davis becoming a Committee Co-Chairperson. Bill Knauss was confirmed by the Committee members to fill the existing vacancy.

Dianne Tiedemann will draft changes to the new By-Laws and submit them to the Executive Meeting of 07/02/94 for review. The Executive Committee will then decide whether to submit them to the membership at the Annual Meeting for their consideration.

Dianne Tiedemann submitted a proposal to further lower the water level in the lake during the Winter months by removing the two permanent planks that

are presently anchored in the base of the dam. The reason for lowering the water further is to protect boat houses and docks from possible ice damage and to reduce shoreline erosion and nutrient loading caused by high water levels in the Spring due to snow melt.

It was noted that the D.E.C. would have to be contacted and give their approval since this would result in major structural changes to the dam. An assessment should be made to determine what the draw down impact would be and whether Spring run off would compensate for the draw down. The Water Level Committee will investigate this proposal and report back at the next Executive meeting.

The Membership Committee was granted permission to send out another mailing to delinquent members.

The next meeting of the Executive Committee will be held on July 2, 1994 at the Chilson Community Center.

### **Acknowledgments**

To Peter and Barbara Beuchner, Jim Davis and Rolf Tiedemann and others, for their help in setting up for our Annual Meeting and picnic. Also to the Beuchner's house guest in helping with the cooking and serving of food.

To Dianne Tiedemann for conducting the initial meeting of the 3 temporary Directors of our newly formed Corporation. Also for assisting Vice-President Bob Delano in conducting the Annual Meeting. Feedback indicated that Dianne handled both assignments in a real professional manner.

To Bill Kral for his effort in processing our Association's application to become incorporated. Bill's law firm handled the legal work associated with the application at no charge.

To Wendy Davis for her effort spent in bringing representatives from D.E.C., A.P.A., and Federal E.P.A., and Dr. Pullman to Eagle Lake to give them a first hand look of the magnitude of the milfoil problem on our lake. Her efforts are greatly appreciated.

To Clarence Watters for the time and energy he has expended while chairman of the Weed and Pollution Control Committee in establishing the expanded water testing program, obtaining the 3 buoys from the Coast Guard used to mark milfoil beds and initiating the idea for mandatory Dye Testing of septic systems.

**Members who passed on since the 1993  
Annual Meeting:**

Lois Geisel, Graham Davis, Dr. Alden and Fred Perrine.

We extend our condolences to their families. All were longtime residents of Eagle Lake and they will be surely missed.

**Latest Updates**

**Water Level**

*Robert J. Stevens, Chr.*

3 beavers were caught at the dam last Fall.

Water level as of 4/94 is high.

**Education**

*Wendy Davis, Chr.*

I'd like to report on the Coalition of Lakes Against Milfoil (C.O.L.A.M.) happenings. We have been very busy since the conference. It was a big success with 130 attendees and many professionals from all over the U.S. A lot of topics were discussed and the discussions led to political action for a Statewide Aquatic Plant Program. This program would deal with education, technical assistance, uniform permitting, and serve as a clearing house of information for the lake users, property owners, and lake associations.

With this information C.O.L.A.M. has put together a Legislative Bill to create a Statewide Aquatic Plant Program, sponsored by Senator Ronald Stafford and Assemblymen James King. This Bill will empower the D.E.C.'s Division of Water to do exactly this without creating more bureaucracy. The Bill Numbers are A10295 and S7286. Please contact your legislator and ask for their support in passing this bill. For your reference a copy of the bill has been included with this newsletter.

C.O.L.A.M. is very busy right now with public hearings and comments on the final steps to the use of Sonar. The Generic Environmental Impact Statement (G.E.I.S.) has been finished by Dow Elanco, makers of Sonar and accepted by the N.Y.S. D.E.C.. The document is complete and answers all question regarding the public health, fish and wildlife impacts, and environmental impacts. Your letters of support are needed! We need this process to come to an end so that Sonar can be used to combat Eurasian watermilfoil. Please write Charles Lockrow, Environmental Analyst, N.Y.S. D.E.C., 50 Wolf Rd., Room 54, Albany, NY 12233-1750, with your comments of support. Comments will be received between May 4 and June 6. A copy of the G.E.I.S. may be obtained from him as well.

C.O.L.A.M. has also been involved with the question of jurisdiction by the Adirondack Park Agency (A.P.A.). The A.P.A. is in the process of defining and asserting jurisdiction over deep water marshes. C.O.L.A.M. is trying to fight this jurisdiction on the grounds that the A.P.A. is a Land Use Regulatory Agency, not a lake manager. The A.P.A. doesn't have the available staffing and resources to regulate permits for control of milfoil and other exotics will destroy the "wetlands" that they are trying to protect if not acted upon immediately.

As you can see our agenda is very busy. We need your help in writing letters of support to the appropriate persons. It's been a long 2 years but things are coming together.

Other Eagle Lake news, as you probably know we did get a new hydrant at the chlorination station for Gooseneck Pond located by the east side of the bridge.

Bill Allen would also like me to report on a float trip of the lake last September. We were able to have Dr. Doug Pullman of Michigan (thanks to several people who helped contribute to the cost) and Jim Sutherland of N.Y.S. D.E.C. (he has done most of the work on Lake George) accompany us on a tour of the milfoil beds on Eagle Lake. According to Dr. Pullman, at this stage of milfoil growth and its wide spread distribution in Eagle Lake, our only hope for control is a Sonar treatment. Jim Sutherland said it would be very costly to do any other means of control (harvester, benthic mats or hand harvest) and the effectiveness would be very limited. Dr. Pullman has recommended a whole lake treatment of about 50 gallons of Sonar at 12-20 ppb at a cost of \$75,000 plus any added expenses for N.Y.S. requirements for permits. This treatment would put milfoil back under control and an effective program would have to be implemented for control there on after. There is 100+ acres of milfoil on this 420 acre lake, a significant amount.

The lake association will need to make some hard decisions and start raising funds for an action. Funding must be in place before permits will ever be given to use any type of control. C.O.L.A.M. will continue to try to make it possible to control milfoil on Eagle Lake and other lakes in N.Y.S..

If you have any questions or comments I would be happy to try to answer them or find the answers. Please write Bill or me with these comments or questions, we need to know how you feel so we know how to continue.

On behalf on the Chilson Fire Department I'd like to thank all of you who donated to our Annual Dinner Dance. We raised \$4750.00, one quarter of our budget.

The Route 74 Association will be putting on a "Safe Boaters Course" in August of this year. More details will be provided at our Annual Meeting in July.

### **Weed and Pollution Control**

*Jim Davis and Rolf Tiedemann, Co-Chairs*

Weed and Pollution Control Committee members including; Bill Allen, Gordon Barnhart, Bill Blanchard, Joe Muehleck, Bob J. Stevens, Bob C. Stevens, Janie Stevens, and Clarence Watters met on September 1, 1993 to discuss with new Co-Chairs Jim Davis and Rolf Tiedemann the following topics:

1. Water testing.
2. Funding for weed control.
3. Point and non-point source pollution.
4. Septic testing.
5. Department of Environmental Conservation water quality regulations.
6. Adopt-A-Highway Program.
7. In-the-lake parking (ie. Cannon Express).

Updates on the above topics will be presented at the July 1994 meeting.

The RPI Fresh Water Institute Reports from 1993 indicate that our lake is still healthy and in good shape. Samples were taken on July 7th and again on September 14th. In general the reports indicated the following:

1. Available nutrients, (such as fertilizer run off) are very low.
2. Fecal coliform levels are low at all sample sites and are similar to those recorded for '92.
3. Chloride (generally from road salt run off) is moderate, though no heavier than '92. This indicator could mean that other contaminants from road run off (such as fuel and heavy metals) could also be entering the lake. This is a situation that will need to be monitored in the future.
4. Calcium levels were measured for the first time in '93 to see if the levels would support Zebra Mussels. The level was 9.6 mg/l. This number is considered low to moderate, and the potential for the Zebra Mussel is relatively low as they are said to need levels of 12 mg/l. This situation needless to say still warrants watching.

A complete copy of the 1993 Spring and Fall water test results will be available at the July Meeting.

Secchi disk readings, temperature depth profile readings and a dissolved oxygen measurement program were started in July of '93. We have at this point found that the lake is reasonably free of silts with sechi disk readings in most places being 11 plus meters. The temperature profile has located the depth, and temperature of, the thermocline. Dissolved oxygen tests are too few to date and too new to us to have a large meaning at this point.

### **Dye Test Ordinance**

The Town Attorney recommends that a special district be formed around Eagle Lake that would provide for the testing of septic systems.

The procedure for forming such a district requires the drawing of a map by a professional Engineer defining the boundaries of the district.

In addition to the map, the following information would be required:

- Total assessed value in proposed district.
- Total assessed value of Signers of Petition.
- Total assessed value of Resident owners.
- Total assessed value of Resident owners who signed petition.
- Resident owners who did not sign petition and their total assessed value.

Work is continuing on this project that will define the procedure and associated cost.

Hope to see you all this summer and especially at our Annual Meeting in July.

***Bill Allen***  
***President***



# Eagle Lake Properties Owners Incorporated

May 23, 1994

All property owners, families, and their guests are invited to attend the Annual Picnic & Meeting of the Eagle Lake Property Owners' Association. This years picnic and meeting will be held at the Chilson Community Center, opposite the fire house on the Putt's Pond road.

DATE; Saturday July 2, 1994. RAIN OR SHINE  
TIME: Picnic 1:00 PM  
MEETING: 2:30 PM  
PLACE: Chilson Community Center  
PRICE: Picnic \$3.00 per person

This year's menu will be hot dogs and hamburgers. Everyone is requested to bring a salad or a covered dish to supplement the hot dogs and hamburgers. Also, please bring your own beverages and utensils. All condiments will again be at your disposal.

Mrs. Carol Harris, historical committee, would like to receive histories of all the camps and families on Eagle Lake. Please bring this to her at the annual meeting.

Members of the Executive Committee are reminded that there will be a meeting of the Executive Committee at the Community Center at 7:00 PM on Friday evening, July 1st.

Thank you,

*Peter Buechner*

Peter L. Buechner  
Treasurer

*OK 4276  
13.00 - Lyn  
dinner 10  
meat 3  
Aunt Doris paying  
for Bob*

Please Return To Jim Davis @ HC-01 Box 112-A Eagle Lake Ticonderoga, NY 12883  
9416

NAME \_\_\_\_\_

LOCATION \_\_\_\_\_

TYPE OF STRUCTURE AND COLOR \_\_\_\_\_

NUMBER OF OCCUPANTS: ADULTS \_\_\_\_\_ CHILDREN \_\_\_\_\_

LOCATION OF NEAREST WATER SOURCE AND NUMBER OF FEET FROM STRUCTURE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLAN OF ATTACK IN THE EVENT OF A STRUCTURE FIRE:

SUMMER: \_\_\_\_\_

WINTER: \_\_\_\_\_

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BASIC LAYOUT OF STRUCTURE:

CAUTIONS: \_\_\_\_\_

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NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION

submitted in accordance with Assembly Rule III, Section 1 (e)

- (x) Memo on original draft of bill
- ( ) Memo on amended bill

**BILL NUMBER:** Assembly 10295 Senate 7286

**SPONSORS:** Member(s) of Assembly: KING

**Senators:** STAFFORD

**TITLE OF BILL:** AN ACT to amend the environmental conservation law, in relation to creating the statewide aquatic plant management program.

**PURPOSE OR GENERAL IDEA OF BILL:** To provide a statewide aquatic plant management program.

**SUMMARY OF SPECIFIC PROVISIONS:** Adds a new Article 56 to the Environmental Conservation Law as follows:

- §56-0101-Legislative Intent
- §56-0103-Grants various powers and duties to the Division of Water
- §56-0105-Establishes a statewide aquatic plant management program
- §56-0109-Provides for assistance to localities and community groups
- §56-0111-Calls for the cooperation of state agencies
- §56-0113-Allows the Department to formulate recommended guidelines to be followed by localities

**JUSTIFICATION:** The presence of invasive and exotic aquatic plant species, like eurasian watermilfoil, purple loosestrife, curly leaf pondweed, water chestnut, cobomba, and hydrilla are harmful to the natural ecosystems of lake, ponds and rivers has severely impaired public enjoyment of water-based recreation and has negatively impacted many tourism-based economies. To promote the preservation of the state's invaluable water resources and natural aquatic ecosystems, there is a need to create a statewide aquatic plant management program.

A statewide program which focuses on prevention, control, and management of invasive and exotic aquatic plants will enhance preservation and wise use of the state's lakes, ponds and rivers. The goals of this program will be as follows:

1. To assist in the collection and distribution of information and educational materials on aquatic plant management problems threatening state waterways.
2. To provide a user-friendly permitting program which facilitates initiation of aquatic plant management programs.
3. To provide statewide technical assistance for local and regional aquatic plant management programs.
4. To provide appropriate recommendations to help localities to protect and preserve the valuable water resources throughout the state

STATE OF NEW YORK

S. 7286

A. 10295

SENATE - ASSEMBLY

March 28, 1994

IN SENATE -- Introduced by Sen. STAFFORD -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

IN ASSEMBLY -- Introduced by M. of A. KING -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to creating the statewide aquatic plant management program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The environmental conservation law is amended by adding a  
2 new article 56 to read as follows:

3 ARTICLE 56

4 STATEWIDE AQUATIC

5 PLANT MANAGEMENT PROGRAM

6 SECTION 56-0101. LEGISLATIVE INTENT.

7 56-0103. POWERS AND DUTIES OF THE DIVISION OF WATER.

8 56-0105. STATEWIDE AQUATIC PLANT MANAGEMENT PROGRAM.

9 56-0107. STATEWIDE PERMITTING PROGRAM.

10 56-0109. ASSISTANCE TO LOCALITIES AND COMMUNITY GROUPS.

11 56-0111. COOPERATION OF STATE AGENCIES.

12 56-0113. RECOMMENDED GUIDELINES.

13 S 56-0101. LEGISLATIVE INTENT.

14 THE PRESENCE OF INVASIVE AND/OR EXOTIC AQUATIC PLANT SPECIES WHICH IM-  
15 PAIR, THREATEN OR DIMINISH NATURAL ECOSYSTEMS OF LAKES, PONDS, AND RIV-  
16 ERS, PUBLIC ENJOYMENT OF WATER-BASED RECREATION, AND TOURISM-BASED  
17 ECONOMIES, HAS CREATED A NEED FOR A STATEWIDE AQUATIC PLANT  
MANAGEMENT

18 PROGRAM TO PROMOTE THE PRESERVATION OF THE STATE'S INVALUABLE WATER  
19 RESOURCES AND NATURAL AQUATIC ECOSYSTEMS.

20 A STATEWIDE PROGRAM WHICH FOCUSES ON PREVENTION, CONTROL, AND  
MANAGE-

21 MENT OF INVASIVE AND/OR EXOTIC AQUATIC PLANT SPECIES WILL ENHANCE  
22 PRESERVATION AND WISE USE OF THE STATE'S LAKES, PONDS, AND RIVERS.

1 AQUATIC PLANT SPECIES SUCH AS EURASIAN WATERMILFOIL, PURPLE LOOSES-  
2 TRIFE, CURLY LEAF PONDWEED, WATER CHESTNUT, COBOMBA, AND HYDRILLA ARE  
3 EXAMPLES OF INVASIVE AND/OR EXOTIC SPECIES WHICH CAUSE IMPAIRMENT OF  
4 WATER RESOURCES AND AQUATIC ECOSYSTEMS.

5 S 56-0103. POWERS AND DUTIES OF THE DIVISION OF WATER.

6 THE DIVISION OF WATER WITHIN THE DEPARTMENT, IN ORDER TO ASSIST LAKES,  
7 PONDS AND RIVERS WITH AN IDENTIFIED INVASIVE AND/OR EXOTIC PLANT MANAGE-  
8 MENT PROBLEM SHALL HAVE THE POWER:

9 1. TO ASSIST IN THE COLLECTION AND DISTRIBUTION OF INFORMATION AND  
10 EDUCATIONAL MATERIALS ON AQUATIC PLANT MANAGEMENT PROBLEMS  
THREATENING

11 TO STATE WATERWAYS, INCLUDING LAKES, PONDS AND RIVERS, AND ON  
MANAGEMENT  
12 TECHNIQUES AND PROGRAMS THAT HAVE BEEN TRIED AND/OR PROVEN TO  
CONTROL  
13 INVASIVE AND EXOTIC AQUATIC SPECIES.  
14 2. TO FACILITATE A USER-FRIENDLY PERMITTING PROGRAM WITHIN THE DEPART-  
15 MENT WHICH FACILITATES INITIATION OF AQUATIC PLANT MANAGEMENT PROGRAMS  
16 AND PROJECTS.  
17 3. TO MAKE RECOMMENDATIONS WITH RESPECT TO STATEWIDE FINANCING AND  
18 TECHNICAL ASSISTANCE FOR LOCAL AND/OR REGIONAL AQUATIC PLANT  
MANAGEMENT  
19 PROGRAMS AND PROJECTS.  
20 4. TO MAKE RECOMMENDATIONS FOR APPROPRIATE LAWS, RULES, REGULATIONS,  
21 AND ENFORCEMENT PERSONNEL TO PROTECT AND PRESERVE THE VALUABLE  
WATER  
22 RESOURCES THROUGHOUT THE STATE.  
23 S 56-0105. STATEWIDE AQUATIC PLANT MANAGEMENT PROGRAM.  
24 THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT UNDER THE JURISDICTION  
25 OF THE DIVISION OF WATER A CLEARINGHOUSE TO PROVIDE INFORMATION AND EDU-  
26 CATION TO INTERESTED COMMUNITIES, ORGANIZATIONS AND CITIZENS. SUCH  
27 CLEARINGHOUSE SHALL PROVIDE INFORMATION INCLUDING THE FOLLOWING:  
28 1. ANNUAL STATUS REPORTS ON THE STATE OF NEW YORK'S LAKES, RIVERS AND  
29 PONDS.  
30 2. DATA BANK ON THE PRESENCE AND EXTENT OF INVASIVE AND/OR EXOTIC  
31 AQUATIC PLANT SPECIES IN ALL NEW YORK LAKES, PONDS, AND RIVERS.  
32 3. LISTING OF ALL LAKES, PONDS, AND RIVERS CONTAINING INVASIVE AND/OR  
33 EXOTIC AQUATIC PLANT SPECIES FROM REPORTS IN THE STATE REGISTER AND  
34 OTHER PUBLIC MEDIA.  
35 4. INFORMATION ON TESTED AND PROVEN AQUATIC PLANT MANAGEMENT TECH-  
36 Niques, SUCH AS:  
37 A. LISTS OF PROFESSIONAL AQUATIC PLANT MANAGERS;  
38 B. UP-TO-DATE REFERENCE SOURCES AND MATERIALS;  
39 C. LISTS AND REPORTS ON AQUATIC PLANT MANAGEMENT PROJECTS AND EFFORTS;  
40 AND  
41 D. INCLUSION OF INFORMATION ON INVASIVE AND/OR EXOTIC AQUATIC PLANT  
42 SPECIES IN STATE PUBLICATIONS.  
43 S 56-0107. STATEWIDE PERMITTING PROGRAM.  
44 1. THE DEPARTMENT SHALL INSURE UNIFORMITY IN ITS PERMITTING PROGRAM  
45 BY:  
46 A. BEING ACCOUNTABLE FOR STATEWIDE IMPLEMENTATION OF THE STATEWIDE  
47 AQUATIC PLANT MANAGEMENT PROGRAM;  
48 B. PROVIDING WRITTEN POLICIES AND PROCEDURES TO ENCOURAGE AND ASSIST  
49 IMPLEMENTATION OF AQUATIC PLANT MANAGEMENT PROGRAMS AND PROJECTS  
INITI-  
50 ATED BY LOCAL COMMUNITIES OR MUNICIPALITIES;  
51 C. PROMULGATING UNIFORM DEFINITIONS AND INTERPRETATIONS THROUGHOUT THE  
52 STATE OF THE NATIONAL WETLANDS ACT, WITH PARTICULAR ATTENTION TO DETAIL  
53 PERTAINING TO DEFINITIONS OF WETLANDS; AND  
54 D. PROVIDING FOR THE UNIFORM AND CONSISTENT IMPLEMENTATION STATEWIDE  
55 OF APPLICATION PROCEDURES TO APPROVE IMPLEMENTATION OF AQUATIC PLANT