

## APPENDIX A: EVALUATION OF GOVERNMENTAL ROLES

*The following summary of local, state, and federal programs, agreements, jurisdictions, rules and regulations that govern and affect water resources in New York State shows the many entities involved. Every attempt has been made to compile a comprehensive list of the most relevant and useful information. The reader should not assume any order of significance among programs or agencies due to their placement herein.*

### I. Local and County Entities

#### a. Water Quality Coordinating Committee (WQCC)

The Water Quality Coordinating Committee (WQCC) represent municipalities, agencies and organizations that conduct planning, education, regulation or operations that affect water quality. The WQCC identifies water quality problems, prioritizes needed actions, seeks funding for projects, coordinates programming and recommends policy to protect and improve water resources in the County and its watersheds.

#### b. Soil and Water Conservation Districts (SWCD)

[www.agmkt.state.ny.us/soilwater/home.html](http://www.agmkt.state.ny.us/soilwater/home.html)

As stipulated in the New York State Soil and Water Conservation Districts Law, county soil and water conservation districts may be created through an act by the County Legislature or Board of Supervisors. SWCDs play a largely prescriptive role in the monitoring and assessment of both public and private water and soil quality, as well as in the design and implementation of any necessary mitigation plans. Cooperation between local and state agencies is encouraged under the SWCD law, although state and federal lands do not fall within the jurisdiction of either county or municipal governments, making cooperative agreements strictly voluntary. SWCDs play a pivotal role in watershed, recreation and conservation planning, management, stewardship and education and outreach activities across New York.

#### c. County Health Departments

County Health Departments manage and regulate county sanitary codes and are responsible for onsite sewage disposal systems. Counties without health departments may assume responsibility for upholding the New York State Sanitary Code by adopting their own sanitary codes, which may be more stringent than the State's. In a county with neither a health department nor a code, the local code enforcement officer administers the New York State Sanitary Code.

#### d. County Planning Departments

County Planning Departments are responsible for a variety of functions, many of which are at the discretion of the host county's governing body and/or the department's director. Typically

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County Planning Departments are well-equipped to provide municipalities with basic technical assistance regarding Geographic Information Systems and mapping, comprehensive planning, and zoning code review. Other responsibilities that are typically administered by County Planning Departments may include general environmental assessments, agricultural district mapping and management, water resources planning, flood plain mapping and management, hazard mitigation, transportation planning and management, and a variety of other pertinent subject areas.

## **e. Local Government Programs**

In New York State, local municipalities have significant land use powers that can be used to effectively address a wide variety of environmental issues. The comprehensive plan, zoning and a host of tools such as site plan review, subdivision regulation, erosion and sediment control ordinances and special use permits can be used separately or in combination to produce the desired environmental outcomes of a community in a specific area or throughout an entire jurisdiction. Often municipalities can hire an engineering or planning consultant to perform drainage studies or environmental impact assessments that inform local leaders and citizens how to apply land use planning authority wisely in regard to water quality and quantity.

## II. New York State Programs

### a. New York State Department of State (NYSDOS), Division of Coastal Resources

[www.dos.state.ny.us](http://www.dos.state.ny.us)

The Department of State’s Division of Coastal Resources works with communities throughout New York State to help them make the most of what their waterfronts have to offer. One specific program area covered by the Division includes the Local Waterfront Revitalization Program (LWRP). The LWRP is a locally prepared, comprehensive land and water use program for a community’s natural, public, working waterfront, and developed coastal area. The document provides a comprehensive structure within which critical coastal issues can be addressed.

There are 250 Significant Coastal Fish and Wildlife Habitat (SCFWH) sites designated statewide. The boundaries for each designated site are mapped in the Division of Coastal Resources Coastal Atlas. For each designated SCFWH site, a habitat map and narrative are created that provide site-specific information, including a description of the habitat, its fish and wildlife values, and an impact assessment.

### b. New York State Department of Environmental Conservation (NYSDEC)

[www.dec.state.ny.us](http://www.dec.state.ny.us)

The New York State Department of Environmental Conservation exists to “conserve, improve, and protect New York State’s natural resources and environment, and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state and their overall economic and social well being.” The DEC has evolved to include many divisions, each charged with a host of important duties and responsibilities.

#### *1. Office of Administration, Division of Environmental Permits*

The Division of Environmental Permits manages a system of permits known as the Uniform Procedures Act (UPA) permits. These permits protect New York’s air, water, mineral, and biological resources. Administering these permits requires that the public is informed concerning:

- Permit applications
- Opportunities to provide information concerning a particular application
- Opportunities to review and comment on any environmental impact statements and other documents that may become part of the application
- Participation in any hearings concerning these applications
- State Environmental Quality Review Act (SEQRA)

The State Environmental Quality Review Act (SEQRA) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. Additional

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information on Environmental Impact Assessment in New York State is found at [www.dec.state.ny.us/website/dcs/seqr](http://www.dec.state.ny.us/website/dcs/seqr)

## ***2. New York State Freshwater Wetlands Act***

The NYSDEC has classified regulated freshwater wetlands (New York State Freshwater Wetlands Act, ECL 24-0403) according to their respective function, values and benefits. Wetlands may be Class I, II, III or IV. Class I wetlands are the most valuable and are subject to the most stringent standards. A wetland must be 12.4 acres or larger for protection under the Freshwater Wetlands Act. Smaller wetlands may be protected when the NYSDEC Commissioner determines they have unusual local importance in providing one or more of the wetland functions described in Article 24. The wetland buffer zone, an adjacent area that extends 100 feet from the wetland boundary, may also be regulated.

## ***3. Regulation of Dams***

The Dam Safety Unit of the NYSDEC is responsible for safety inspection of dams, technical review of proposed dam construction or modification, monitoring of remedial work for compliance with dam safety criteria, and emergency preparedness.

## ***4. Office of Natural Resources and Water Quality, Division of Fish, Wildlife and Marine Resources***

The Division of Fish, Wildlife and Marine Resources is comprised of the Bureaus of Fish and Wildlife Services, Fisheries, Habitat, Marine Resources, and Wildlife, as well as Division-level offices. Staff is located throughout the state in Regional Offices, Program Headquarters Offices and Field Stations.

## ***5. Comprehensive Wildlife Conservation Strategy***

In order to make the best use of the State Wildlife Grants program, Congress charged each state and territory with developing a statewide Comprehensive Wildlife Conservation Strategy. These strategies will provide an essential foundation for the future of wildlife conservation and a stimulus to engage the states, federal agencies and other conservation partners to strategically think about their individual and coordinated roles in prioritizing conservation efforts in each state and territory.

## ***6. Division of Lands and Forests***

The Division of Lands and Forests manages public lands in New York State and provides leadership in forestry and forest management. The Department of Environmental Conservation cares for about four million acres of state owned land or 13 percent of the land area of New York State. This includes the Adirondack and Catskill Forest Preserves, State Forests, Unique Areas and the State Nature and Historical Preserve. The Division of Lands and Forests is responsible for the management, protection and recreational use of these lands, the care of the people who use these lands and the acquisition of additional lands to conserve unique and significant resources.

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The Division of Lands and Forests is made up of four bureaus: Forest Preserve Management, Private Land Services, Real Property and State Land Management.

## ***7. New York State Open Space Conservation Plan***

New York's Open Space Conservation Plan serves as the blueprint for the State's land conservation efforts, which during the past several years has conserved more than 394,000 acres of land across the State with an investment of \$378 million in Environmental Protection Fund and Clean Water/Clean Air Bond Act funds.

The Open Space Plan contains: a comprehensive description of programs and policies that affect the conservation of the State's open space resources; a compilation of major conservation successes accomplished under the plan; a list of priority projects; conservation strategies for major resource areas; evaluation and criteria used to determine Environmental Protection Fund (EPF) and Clean Water/Clean Air Bond Act spending priorities; and recommendations by regional advisory committees and the Governor's Quality Communities Task Force to improve New York's open space conservation program.

## ***8. Division of Water, New York State Water Quality Standards***

The New York State water quality standards (6NYCRR parts 700-705) contain the classification system for New York State surface and groundwater. The standards and guidance values for surface water and groundwater quality and groundwater effluent limitations are employed in these regulations, including in the State Pollution Discharge Elimination System (SPDES). Details of this classification system can be found under Section 3.3.2.3.3. New York State Use and Protection of Waters.

## ***9. NYSDEC Priority Waterbodies List***

The NYSDEC Priority Waterbodies List (PWL) is required by Section 303(d) of the Clean Waters Act and is a section of the 305(b) Water Quality Report made by NYSDEC to the United States Environmental Protection Agency (USEPA). The PWL identifies waters that have one or more uses that are not fully supported or are threatened by conditions or practices that could lead to declining water quality. The PWL is used as a base for water program management.

## ***10. New York State Use and Protection of Waters***

Article 15 of the New York State Environmental Conservation Law provides for the protection of rivers, lakes, streams and ponds of the State. As stated by the NYSDEC: Certain human activities can adversely affect, even destroy the delicate ecological balance of these important areas, impairing the uses of these waters. The policy of New York State, set forth in Title 5 of Article 15 of the Environmental Conservation Law (ECL), is to preserve and protect these lakes, rivers, streams and ponds. The New York State Protection of Waters Regulatory Program is the implementing structure behind the legislation. The classification system works as follows:

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All waters of the state are provided a class and standard designation based on existing or expected best usage of each water or waterway segment.

The classification AA or A is assigned to waters used as a source of drinking water. Classification B indicates a best usage for swimming and other contact recreation, but not for drinking water. Classification C is for waters supporting fisheries and suitable for non - contact activities. The lowest classification and standard is D.

Waters with classifications A, B, and C may also have a standard of (T), indicating that it may support a trout population, or (TS), indicating that it may support trout spawning. Special requirements apply to sustain these waters that support these valuable and sensitive fisheries resources. Small ponds and lakes with a surface area of 10 acres or less, located within the course of a stream, are considered to be part of a stream and are subject to regulation under the stream protection category of Protection of Waters.

To determine the classification and standard of a given watercourse, contact the Department of Environmental Conservation regional office responsible for the area in which the watercourse is located.

Certain waters of the state are protected on the basis of their classification. Streams and small water bodies located in the course of a stream that are designated as C(T) or higher (i.e., C(TS), B, or A) are collectively referred to as “protected streams,” and are subject to the stream protection provisions of the Protection of Waters regulations.

The Protection of Waters Regulatory Program regulates five different categories of activities:

- Disturbance of bed or banks of a protected stream or other watercourse.
- Construction, reconstruction or repair of dams and other impoundment structures.
- Construction, reconstruction or expansion of docking and mooring facilities.
- Excavation or placement of fill in navigable waters and their adjacent and contiguous wetlands.
- Water quality certification for placing fill or undertaking activities resulting in a discharge of waters of the United States.

## *11. Stormwater*

Beginning in the late 1980s, the U.S. government started the federal stormwater management program under the National Pollutant Discharge Elimination System (NPDES). The program’s goal is to limit pollution of the nation’s lakes, streams and rivers by runoff from construction sites and developed areas. It is administered by the US Environmental Protection Agency (EPA).

The New York State Department of Environmental Conservation (NYSDEC) has received delegation from the federal government to carry out the NPDES program, using a system of state permits called SPDES (State Pollutant Discharge Elimination System). The state has issued two non-industrial Stormwater Management General Permits under SPDES, one for construction site operators and one for regulated localities.

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State/federal regulations require operators of construction sites and operators of Municipal Separate Storm Sewer Systems (MS4s) to obtain coverage under the appropriate general permit (the size of the land disturbance or the population of the MS4 determine which entities must obtain permit coverage). The General Permits (GP) impose these obligations:

Under General Permit 02-01, Operators of Construction Sites must prepare formal written stormwater management plans, called Stormwater Pollution Prevention Plans (SWPPPs), before beginning construction, and must adhere to the provisions of these plans during and after construction.

Under General Permit 02-02, Operators of Municipal Separate Storm Sewer Systems (MS4s) must establish stormwater management programs that include elements specified in federal and state regulation. Certain parts of the local stormwater program must be embodied in a local law or other regulatory mechanism.

The term MS4 includes both municipal and non-municipal systems of underground pipes, and also systems of streets and roads with drainage, catch basins, curbs, gutters, ditches, man-made channels, or storm drains. An MS4 may be a municipal system, or one serving a large complex such as a military base, college campus, hospital or prison (i.e. an “institutional MS4”).

## *Phase I Stormwater Program*

In 1990, EPA published rules establishing Phase I of the federal stormwater program. Phase I required operators of Municipal Separate Storm Sewer Systems (MS4s) in large urbanized areas (populations of 100,000 or greater) to implement storm water management programs that would control polluted discharges. It also required operators of construction projects disturbing five acres or more of land to prepare SWPPPs. In New York State, the Phase I MS4 regulations were applied only to New York City, since large Upstate cities generally have combined sewer systems, rather than separate storm sewer systems.

## *Phase II Stormwater Program*

The federal Storm Water Phase II rule expands the applicability of the stormwater program to smaller MS4s. The Phase II rule automatically applies to all MS4s located in “urbanized areas” as defined by the Bureau of the Census, plus additional MS4s designated by the state. The rule includes special requirements for stormwater management programs in areas where the receiving waters are already polluted.

Under Phase II, all operators of construction sites disturbing one acre or more of land must prepare SWPPPs, regardless of whether the construction sites are located within the jurisdiction of a regulated MS4. The rule requires regulated MS4s to establish stormwater management programs whose components match a federal standard. The municipality must integrate review of the required stormwater plans into local land use regulation.

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DEC has established a list of MS4s in the state that are regulated under Phase II. (See NYSDEC's publication, Guidelines for Completing the Notice of Intent Based on SPDES General Permit (GP-02-02) for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems.)

Municipalities that have stormwater transport systems meeting the definition of MS4s, but that are not located within urbanized areas or specially designated by DEC, are not subject to regulation of GP-02-02 at this time. All landowners, however – including municipalities – are subject to the provisions of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01), which applies to all construction activities that involve the disturbance of one acre or more of land.

## ***New York State Implementation of Phase II***

In New York State, the Phase II Stormwater Program is being implemented through two General Permits under SPDES, issued in January, 2003: the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01), and the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems, or MS4s (GP-02-02).

GP-02-02 requires operators of regulated MS4s to establish stormwater management programs that reduce the discharge of pollutants to the maximum extent practicable to protect water quality. Stormwater discharges from regulated MS4s must satisfy any applicable water quality requirements of the New York State Environmental Conservation Law and the federal Clean Water Act.

The federal rule requires stormwater management programs in regulated MS4s to include six Minimum Control Measures established by EPA (or to demonstrate that the program provides at least equivalent protection). In New York State, stormwater management programs in all regulated MS4s must be fully developed and implemented by January 2008.

## ***12. Concentrated Animal Feeding Operations***

State Pollution Discharge Elimination System (SPDES) permits are also required for Concentrated Animal Feeding Operations (CAFOs). A CAFO can be described as an agricultural operation that confines a large number livestock into a barn or feed lot for a period of time. The 2004 General CAFO regulations define the animal number thresholds that constitute medium and large scale CAFOs, specific effluent management guidelines for those operations, as well as record keeping requirements. The Agricultural Environmental Management (AEM) program has been used to effectively bring farms into compliance with CAFO regulations.

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### c. NYS Department of Agriculture and Markets

[www.agmkt.state.ny.us](http://www.agmkt.state.ny.us)

Article 25AA of the Agriculture and Markets Law authorizes the creation of local agricultural districts pursuant to landowner initiative, preliminary county review, state certification, and county adoption. As of April 2002, 341 agricultural districts existed statewide, containing approximately 21,500 farms and 8.6 million acres (about 30 percent of the State's total land area).

The purpose of agricultural districting is to encourage the continued use of farmland for agricultural production. The program is based on a combination of landowner incentives and protections, all of which are designed to forestall the conversion of farmland to non-agricultural uses. Included in these benefits are preferential real property tax treatment (agricultural assessment and special benefit assessment), and protections against overly restrictive local laws, government funded acquisition or construction projects, and private nuisance suits involving agricultural practices.

The Agricultural Environmental Management (AEM) Program helps farmers meet economic challenges and address environmental concerns while complying with regulatory requirements. AEM is a state-wide, voluntary, incentive-based program designed to help farmers better understand how their on-farm activities impact the environment. The program is designed to guide farmers through the regulatory framework, provide funding for on-farm improvements and encourage farmers to adopt methods that can effectively address issues such as nonpoint source water quality concerns and other pertinent agriculture environmental issues. In 2005, all counties in NYS are now required to develop a five-year strategic plan to guide AEM activities in priority areas of concern. Plans are required to emphasize the watershed approach to environmental management.

### d. New York State Canal Corporation

[www.canals.state.ny.us](http://www.canals.state.ny.us)

The system of canals in New York are regulated and maintained by the New York State Canal Corporation, currently a subsidiary of the New York State Thruway Authority, although likely to become an independent state entity in the near future.

The New York State Canal Recreationway Commission was created by the New York State Legislature in 1992 under Article XIII-A, Section 138-a of the Canal Law, to advise the Canal Corporation on canal-related activities.

Upon its formation, the Commission was instructed to develop a conceptual framework for fostering the development of the Canal System into a recreationway system. As a result, the Canal Recreationway Plan was prepared and was adopted by the Commission in August 1995. In September 1995 the Canal Corporation Board adopted the Recreationway Plan with the stipulation that a detailed schedule of costs, funding and phasing be prepared for the Plan's proposals prior to implementation.

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The New York State Canal Revitalization Program was completed in September 1996. The \$32.3 million, five-year program presented a realistic approach to Canal System development. It focused on four major elements: Canal Harbors, Canal Service Port and Lock Projects, the Canalway Trail, and a Canal System Marketing Plan.

In addition to maintaining and periodically revising the Canal Recreationway Plan, the primary responsibility of the Commission is to make recommendations concerning the future of the Canal System.

## III. Federal Programs

### a. US Environmental Protection Agency (EPA)

[www.epa.gov](http://www.epa.gov)

The mission of the EPA is to protect human health and the environment. Developing and enforcing environmental regulations, providing financial assistance, performing environmental research, sponsoring and promoting partnerships and programs, and monitoring hazardous materials and reporting related information to the public are several of the many varied duties of the EPA. While the EPA is the primary federal body behind such regulations as the Endangered Species Act, the Clean Air Act and the Clean Water Act, enforcement of most, if not all, of these regulations is generally delegated to the New York State Department of Environmental Conservation (DEC). The EPA in turn provides considerable sources of funding to be used by the responsible state agencies for enforcement and implementation of policies outlined in the federal laws and regulations.

### ***Selected Major Federal Environmental Laws and Regulations***

#### ***1. National Environmental Policy Act of 1969 (NEPA); 42 U.S.C. 4321-4347.***

NEPA is the basic national charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy. In New York, the State Environmental Quality Review Act (SEQRA) is the substantive component of NEPA.

#### ***2. Clean Water Act; Water Pollution Prevention and Control, U.S.C. Title 33 Section 1251.***

The Clean Water Act requires states to classify waters according to their best uses and to adopt water quality standards that support those uses. Section 404 of the Clean Water Act requires that anyone interested in depositing dredged or fill material into waters of the United States, including wetlands, must receive authorization for such activities. The U.S. Army Corps of Engineers (USACE) has been assigned responsibility for administering the Section 404 permitting process. As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. In most states, including New York, the NPDES permit program is administered by the state environmental agency. Thus, the New York State Department of Environmental Conservation administers the State Pollutant Discharge Elimination System (SPDES). Since its introduction in 1972, the NPDES permit program is responsible for significant improvements in the nation's water quality.

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### **3. Concentrated Animal Feeding Operations (CAFO).**

To be considered a CAFO, a facility must first be defined as an Animal Feeding Operation (AFO). Animal Feeding Operations (AFOs) are agricultural operations where animals are kept and raised in confined situations. AFOs generally congregate animals, feed, manure, dead animals, and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures. Animal waste and wastewater can enter water bodies from spills or breaks of waste storage structures (due to accidents or excessive rain), and non-agricultural application of manure to crop land. AFOs that meet the regulatory definition of a concentrated animal feeding operation (CAFO) have the potential of being regulated under the NPDES permitting program. An animal feeding operation (AFO) is a lot or facility (other than an aquatic animal production facility) where the following conditions are met:

- Animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and
- Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.
- An operation must meet the definition of an AFO before it can be defined or designated as a concentrated animal feeding operation (CAFO). Previous EPA regulations based the definition of CAFOs on the number of "animal units" confined. EPA no longer uses the term "animal unit," but instead refers to the actual number of animals at the operation to define a CAFO.

### **3. *Clean Water Act; Water Pollution Prevention and Control, U.S.C Title 33 Section 1251.***

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### **4. *The Endangered Species Act (ESA); 7 U.S.C. 136; 16 U.S.C. 460 et seq. (1973).***

The Endangered Species Act provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The U.S. Fish and Wildlife Service of the Department of the Interior maintains the list of 632 endangered species (326 are plants) and 190 threatened species (78 are plants).

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### **5. The Safe Drinking Water Act (SDWA).**

#### **b. Natural Resource Conservation Service (NRCS), U.S. Department of Agriculture**

[www.nrcs.usda.gov](http://www.nrcs.usda.gov)

The Natural Resource Conservation Service (NRCS) is a U.S. Department of Agriculture (USDA) agency that assists land owners with conserving soil, water and other natural resources. Services include Agricultural Conservation Plans, the Conservation Reserve Program, the Wetlands Reserve Program, preparation of Comprehensive Nutrient Management Plans, assistance to managing Confined Animal Feeding Operations (CAFOs) and technical assistance to farmers on water quality and erosion control issues.

The Resource Conservation and Development (RC&D) program is a national program that helps communities improve their economies through the wise use of natural resources. Currently there are 368 RC&D Areas designated for USDA assistance by the Secretary of Agriculture. The purpose of the RC&D program is to improve the capability of state, tribal and local units of government and local nonprofit organizations in rural areas to plan, develop and carry out programs for resource conservation and development. The NRCS provides administrative support for the RC&D program including office space and staff.

#### **c. Army Corps of Engineers (ACE), U.S. Department of Defense**

[www.usace.army.mil](http://www.usace.army.mil)

The US Army Corps of Engineers (USACE) is responsible for flood control, navigation, shore protection, environmental restoration, hazardous, toxic and radiological waste site management, and water resource management and regulation. Flood control includes dam construction and maintenance and control of lake levels. Navigation includes dredging of navigable waterways.

#### **d. Fish and Wildlife Service (FWS), U.S. Department of the Interior**

[www.fws.gov](http://www.fws.gov)

The U.S. Fish and Wildlife Service (USFWS) mission is to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people. The USFWS helps protect a healthy environment for people, fish and wildlife and helps Americans conserve and enjoy the outdoors and our living treasures. The USFWS major responsibilities are for migratory birds, endangered species, certain marine mammals and freshwater and anadromous fish. The USFWS takes jurisdiction over listing for terrestrial and native freshwater species. Under the Endangered Species Act the USFWS determines critical habitat for the maintenance and recovery of endangered species and requires that the impacts of human activities on species and habitat be assessed.

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### e. National Parks Service (NPS), U.S. Department of the Interior

[www.nps.gov](http://www.nps.gov)

The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

Sites administered by the National Park Service in the Great Lakes region of New York State include the Fort Stanwix National Monument in Rome, Theodore Roosevelt Inaugural National Historic Site in Buffalo, Women’s Rights National Historic Park in Seneca Falls, and the Erie Canal Heritage Corridor.

The Erie Canalway National Heritage Corridor was established on December 21, 2000 (P.L. 106-554, Title VIII, Sec. 801). According to the National Park Service, “National Heritage Areas are places designated by the US Congress where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography.” The Corridor covers 524 miles in Upstate New York and includes four navigable waterways: the Erie, Champlain, Oswego and Cayuga-Seneca Canals.

On June 17th, 2002, the National Park Service, in partnership with the State of New York, formalized the 27-member Erie Canalway National Heritage Corridor Commission. The purpose of this commission is to work with federal, state, and local authorities in creating and implementing a Canalway Plan for the corridor that fosters the integration of canal-related historical, cultural, recreational, scenic, economic and community development initiatives. In June 2005, the Draft Preservation and Management Plan and Environmental Assessment for the corridor was completed and made available for public review. This document and other information relative to the Canalway can be found at: [www.eriecanalway.org](http://www.eriecanalway.org).

### f. United States Geologic Survey (USGS)

[www.usgs.gov](http://www.usgs.gov)

The USGS offers an immense array of services and data related to hydrologic research and development, wildlife and fisheries management, invasive species, geographic information systems, mapping, costal management and watershed planning. Services include stream flow, flood and high flow, drought, groundwater, earthquake, mineral, and water resources information.

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## IV. International Programs

### a. International Joint Commission (IJC)

[www.ijc.org](http://www.ijc.org)

The IJC is an independent, bi-national organization established by the Boundary Waters Treaty of 1909. Its purpose is to help prevent and resolve disputes relating to the use and quality of boundary waters and to advise Canada and the United States on related questions. Specific duties of the IJC include (but are not limited to):

- Reviewing the operation and effectiveness of the Great Lakes Water Quality Agreement
- Assessment and evaluation of the criteria used for regulating water levels on Lake Ontario and the St. Lawrence River
- Maintaining the general process in which the Remedial Action Plans and Lakewide Management Plans should proceed in order to restore the Beneficial Use Impairments of the Great Lakes
- Support the establishment of ecosystem-focused watershed boards, in accordance with a 1998 request from the U.S. and Canadian governments. Core elements of the concept include recognizing local expertise and initiatives and coordinating among numerous organizations within the watershed

### b. Great Lakes Commission (GLC)

[www.glc.org](http://www.glc.org)

The Great Lakes Commission is a bi-national agency that promotes the orderly, integrated and comprehensive development, use and conservation of the water and related natural resources of the Great Lakes basin and St. Lawrence River. Its members include the eight Great Lakes states (New York, Pennsylvania, Ohio, Indiana, Michigan, Illinois, Wisconsin, and Minnesota) with associate member status for the Canadian provinces of Ontario and Québec. Each jurisdiction appoints a delegation of three to five members comprised of senior agency officials, legislators and/or appointees of the State governor or Provincial premier.

The Commission was established by joint legislative action of the Great Lakes states in 1955 (the Great Lakes Basin Compact) and granted Congressional consent in 1968. A Declaration of Partnership established associate membership for the provinces in 1999.

The GLC researches, compiles and reports a wide variety of information relative to the health and condition of the Great Lakes. Communicating relevant Great Lakes issues to members of congress, coordinating regional monitoring and restoration strategies and strengthening partnerships among federal, state and local agencies represent a small number of the roles and responsibilities addressed by the GLC.

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### c. Lakewide Management Plans (LaMP) for the Great Lakes

In conjunction with other international and state agencies, the EPA has developed the Lakewide Management Plan (LaMP) as a framework for integrating the myriad restoration and monitoring practices that have been taking place throughout the Great Lakes for decades. Each of the five Great Lakes has its own LaMP.

In 1987, the governments of Canada and the United States made a commitment, as part of the Great Lakes Water Quality Agreement (GLWQA) (see also, International Joint Commission listed previously in this section), to develop a Lakewide Management Plan (LaMP) for each of the five Great Lakes. According to the 1987 Agreement, LaMPs shall embody a systematic and comprehensive ecosystem approach to restoring and protecting beneficial uses in...open lake waters, including consultation with the public.

Agencies in charge of developing and implementing LaMP strategies include the United States Environmental Protection Agency (Region II), Environment Canada, the New York State Department of Environmental Conservation and the Ontario Ministry of the Environment (collectively referred to as “the Four Parties”).

### **V. Other Organizations**

#### **a. Cornell Cooperative Extension (CCE)**

[www.cce.cornell.edu](http://www.cce.cornell.edu)

Cornell Cooperative Extension (CCE) has programs to conserve and ensure the quality of water supplies, promote environmental stewardship and community, agricultural and residential environmental enhancement, prepare youth to make informed environmental choices and enhance science education through the environment. CCE can be an important collaborator with water quality research, education and outreach activities in the watershed.

#### **b. Finger Lakes/Lake Ontario Watershed Protection Alliance (FL/LOWPA)**

[www.fllowpa.org](http://www.fllowpa.org)

The Finger Lakes-Lake Ontario Watershed Protection Alliance is an alliance of 25 counties in the Lake Ontario Watershed. Its mission is to protect and enhance water resources by promoting the sharing of information and resources related to the management of watersheds, to foster dynamic and collaborative watershed management programs and partnerships and to emphasize an ecosystem-based approach to water quality improvement and protection.

#### **c. Regional Planning Councils**

[www.nysarc.com](http://www.nysarc.com)

[www.dos.state.ny.us/lists/rgcoplan.html](http://www.dos.state.ny.us/lists/rgcoplan.html)

A Regional Council is a public organization created to foster coordination among neighboring counties and to provide a regional approach to those concerns crossing local boundaries. It serves a grouping of counties whose residents are joined as a unit economically, socially and geographically. The local governments representing these counties have joined together voluntarily to address common economic and social concerns through the efforts of Regional Councils.

Programmatically, Regional Councils are multipurpose organizations with legal status. In New York State, Regional Planning Councils are voluntary associations and do not have the power to regulate or tax and are responsible to the representatives of the counties that make up their regions. The governing bodies of Regional Councils are primarily composed of local government officials and/or appointed representatives of local and county government.

Nationwide, there are more than 670 of these Regional Councils, representing almost all 50 states. In New York, there are nine Regional Councils that cover 43 of the 55 counties of Upstate New York:

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- Capital District Regional Planning Commission
- Central New York Regional Planning & Development Board
- Genesee/Finger Lakes Regional Planning Council
- Herkimer-Oneida Comprehensive Planning Program
- Hudson Valley Regional Council
- Lake Champlain-Lake George Regional Planning & Development Board
- Southern Tier Central Regional Planning & Development Board
- Southern Tier East Regional Planning & Development Board
- Southern Tier West Regional Planning & Development Board

These councils are a vehicle for local governments to share their resources. Through communication, planning, policy making, coordination, advocacy, and technical assistance, Regional Councils serve the local governments and citizens in their region by dealing with issues and needs that cross city, town, county, and in some instances, state boundaries. Working with State and Federal agencies, Regional Councils also often serve as a liaison between upper level governments and local governments.

### **d. New York Sea Grant**

[www.seagrantsunysb.edu](http://www.seagrantsunysb.edu)

The New York Sea Grant (NYSG) is charged with formulating and funding scientific research and in disseminating science-based information for coastal decision-making and education, as well as a key collaborative force for wise management, economic development and conservation of New York's coastal assets. NYSG is funded by the National Sea Grant College Program (part of NOAA and the US Dept. of Commerce) and New York State. Within New York, NYSG is a joint program of Cornell University and the State University of New York. A Board of Governors establishes NYSG policy and oversees its operations and budget. NYSG uses stakeholder advisory groups to obtain input and feedback on programmatic value and priorities.

The program's main administrative offices are at Stony Brook University; extension administration is located at Cornell University campus in Ithaca. Research proposals are solicited from campuses throughout New York State and beyond. The proposals are rigorously reviewed to select high quality research that addresses the region's most pressing coastal issues and opportunities. Extension professionals are all specialists in one or more technical fields related to coastal resources and are located near their audiences at offices across the state.

### **e. Land Trusts**

[www.lta.org](http://www.lta.org)

The nation's 1,500-plus nonprofit land trusts, including 81 in New York State, are non-profit organizations that operate independently of government, and work with communities to help them protect America's land resources.

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Land trusts have been extraordinarily successful, having protected more than 9.3 million acres of land, according to the National Land Trust Census.

Community-based land trusts are experts at helping interested landowners find ways to protect their land in the face of ever-growing development pressure.

They may protect land through donation and purchase, by working with landowners who wish to donate or sell conservation easements (permanent deed restrictions that prevent harmful land uses), or by acquiring land outright to maintain working farms, forests, wilderness, or for other conservation reasons.