

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: INVASIVE SPECIES SUB-COMMITTEE

DATE: JANUARY 28, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS DICKINSON
CONOVER
MONROE
BENTLEY
MASON
FRASIER
LOEB

OTHERS PRESENT:

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISOR STRAINER
SUPERVISOR TAYLOR
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD
REPRESENTING WARREN COUNTY CONSERVATION COUNCIL:
JOHN CURRIE
VITO LAPENNA
RICK HAAG
CLARENCE MARCOTTE
DAVE WICK, EXECUTIVE DIRECTOR, LAKE GEORGE PARK COMMISSION
ERIC SIY, EXECUTIVE DIRECTOR, THE FUND FOR LAKE GEORGE
WALT LENDER, EXECUTIVE DIRECTOR, LAKE GEORGE ASSOCIATION
ROGER PHINNEY, EXECUTIVE DIRECTOR, EASTERN NEW YORK MARINE
TRADES ASSOCIATION
ZANDY GABRIELS, RESIDENT OF THE TOWN OF BOLTON
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Dickinson called the Invasive Species Sub-Committee meeting to order at 10:48 a.m.

Motion was made by Mr. Mason, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the agenda were distributed to the Committee members; *a copy of which is on file with the minutes.*

Mr. Dickinson said he had requested representatives from the Warren County Conservation Council to attend the meeting today. He noted that John Currie, of the Warren County Conservation Council, had given a presentation at a recent Board meeting. He extended an invitation to the representatives from various organizations in the gallery to add their email addresses to the agenda email list in order to be notified of any future Invasive Species Sub-Committee meetings. He stated he hoped the various groups would be able to assist the County in educating the public about the threat and prevention of invasive species. He apprised that Mr. Conover had found two videos on YouTube which would be played for the Committee. He noted the first video pertained to Quagga and Zebra Mussels and added there were currently no effective eradication methods for Quagga Mussels. He stated the second video pertained to the aquatic invasive plant species called Hydrilla. Amanda Allen, Deputy Clerk of the Board, played the two YouTube videos for the Committee members.

Chairman Geraghty entered the meeting at 11:12 a.m.

Mr. Dickinson stated the concerns of the County were addressed in the two YouTube videos and he said the County hoped to prevent further invasive species from entering the water bodies.

Mr. Dickinson pointed out there was a resolution adopted by the Village of Lake George included in the agenda packet. He noted a similar resolution had been adopted by the Intercounty Legislative Committee of the Adirondacks at their meeting on January 17, 2013.

Pertaining to the pending item concerning the possibility of adding a line item to the County budget for Invasive Species Control, Martin Auffredou, County Attorney, suggested the item remain on the list pending further discussions with the County Administrator.

Regarding the pending item concerning the possibility of a local law requiring mandatory boat inspections and decontaminations, Mr. Auffredou opined that a local law would be most effective if it was adopted by Essex, Warren and Washington Counties. He said it was his understanding there had been discussions pertaining to seeking the participation of Essex and Washington Counties. He commented there were several bodies of water in Warren County which currently contained invasive species and if the County wished to proceed with a local law, there was the necessary authority to do so. He informed of a provision in the General Municipal Law which gave the County the authority. He commented that public health, safety and welfare issues existed due to protection of the quality of drinking water and property values.

Mr. Auffredou stated the most critical component to proceeding with a local law would be the SEQRA (State Environmental Quality Review Act) Review which would be required with this type of local law. He recommended the County consider seeking the services of a professional consultant to assist in the preparation.

Mr. Dickinson said the Committee needed to contact professional organizations to determine their willingness to assist in the process. Mr. Auffredou suggested Committee approval to allow the Chairman of the Committee and/or their designees to contact consultants to determine the possibility of their assistance and the cost involved. Following a brief discussion, it was the consensus of the Committee to authorize the Chairman of the Invasive Species Sub-Committee, with the assistance of Mr. Auffredou, to contact professional consultants to assist in the process of developing a local law. Mr. Dickinson commented that a special Committee meeting would be scheduled to discuss the results, if necessary.

Mr. Dickinson advised the members of the Committee had all been very active over the last month in consulting with various organizations. He asked if there were any questions or comments from the public or the members of the various organizations.

Vito LaPenna, representing the Warren County Conservation Council, stated he would speak as a citizen of Warren County. He asked if the intention of the local law would be to exempt private marinas and boat launches from the mandatory inspections and boat washes. Dave Wick, Executive Director of the Lake George Park Commission (LGPC), responded he had given a presentation to the public and the Lake George Park Commissioners on November 13, 2012 which had outlined a possible proposal for Lake George. He said the proposal had included the inspection of all trailered boats prior to launch in Lake George and private marinas and boat launches would not be exempt from the proposed program. Mr. LaPenna pointed out the LGPC proposal was specifically for Lake George and not for all water bodies in Warren County. He questioned the lack of a proposal requiring every private marina and boat launch in Warren County to have a wash station. He apprised the newspaper had reported only five wash stations had been proposed. He opined every marina, boat launch or other access should be required to have a wash station. Mr. Dickinson responded the resolution adopted by Warren County was for water bodies throughout the County and he pointed out there was no official program currently in place, as a significant amount of work would be

required to get to that point. He said the hope was that if there were wash stations available, boaters would utilize them prior to launching. Mr. LaPenna asked why the resolution had been for trailered boats and not for canoes, row boats or any boat containing an anchor. Mr. Auffredou explained there were many items to be explored and the County Board would need to determine which forms of water crafts would be included and which, if any, would be excluded. He stated the proposed local law was still in the early stages, as there was no draft of the proposal available.

Mr. LaPenna presented the example of the Whitewater Derby in the Town of North Creek which was held on the Hudson River, the majority of which was in Warren County. He said there had been thousands of canoes and rafts, none of which would be required to be inspected or washed. He pointed out the YouTube videos had indicated these types of water crafts could transfer invasive species. Mr. Dickinson advised there was no local law in place and no determination as to which water crafts would be included or excluded. He pointed out the current Steward Program included questioning the owners as to where the water crafts were last used and the length of time they had been dry. Mr. LaPenna suggested the mandate that water crafts be cleaned upon leaving the water bodies and he commented he cleaned his personal boats with a 10% bleach solution and emptied his bait wells. Mr. Dickinson reiterated there was currently no proposal in place and he noted Lake George currently had five different invasive species present. Mr. LaPenna commented personal water crafts, such as jet skis, retained water in the jet pumps which made boat washes ineffective. He stated he had seen a significant decrease in the amount of Milfoil in Warren County water bodies in the last four years.

John Currie, representing the Warren County Conservation Council, reminded the Committee of the presentation he made at the December 21, 2012 Board meeting. He explained the proposal had pertained to an education, self inspection, self certification and enforcement program in Warren County. He added the program would be the responsibility of every boater in Warren County and eventually implemented State-wide. He commented after seeing the YouTube videos he was even more convinced that the education, self inspection, self certification and enforcement program would have a more significant impact than the boat washing stations. He opined training boaters to decontaminate their own boats would be a much more effective measure and would not require a SEQRA Review.

Mr. Currie mentioned he had obtained a copy of the manual for the boat washing program in the State of Colorado which stated it took in excess of one hour to effectively decontaminate a boat. He suggested the County request the consultant to look at possible wastewater issues and the cost of disposing of wastewater from boat washes.

Mr. Currie stated training boaters to inspect their boats for invasive species and to decontaminate their boats using a bleach and water solution to kill microscopic species, was a program which could be implemented as soon as the water bodies thawed in the Spring. He requested the amendment of the existing resolution to include the education, self inspection, self certification and enforcement program. Mr. Dickinson thanked Mr. Currie for his comments.

Roger Phinney, Executive Director of the Eastern New York Marine Trades Association, explained his organization was comprised of boat dealers from the Lake George, Albany, Sacandaga and Saratoga areas. He said the association had been working with Mr. Wick and Walt Lender, Executive Director of the Lake George Association (LGA), on an educational outreach project. He advised they had compiled information and created a webpage which allowed local businesses to include a link on their websites to allow visitors to access invasive species educational information. He said they had requested boat dealers and tourism related businesses to include the link on their websites, as well.

He apprised he had spoken to representatives of the New York State Department of Environmental Conservation (NYS DEC) about adding the link to their websites for camping, fishing, etc. Mr. Lender pointed out the link had been added to the websites for each of the NYS DEC Lake George area campsites. Mr. Phinney reported the Empire State Marine Trades Association had a proposed bill before the New York State Legislature pertaining to a stewardship program.

Mr. Phinney expressed he had strong opinions pertaining to canoes, row boats and kayaks. He pointed out the 2012 LGA Lake Steward Program had inspected 6,972 boats of which 189 boats had contained an invasive species. From the 189 boats, he continued, 272 samples had been removed of which 112 had been invasive species. He added 91 of the boats which contained invasive species were inbound boats. He remarked canoes, row boats and kayaks reportedly made up approximately 5% of the boating population and a decision had been made to concentrate efforts on the motorized boats which represented a larger percentage of the population. He disagreed and explained the 2012 boat count for Lake George, which had taken place over a three day period, had indicated the presence of 10,398 vessels: 4,870 inboard motor boats; 1,464 outboard motor boats; and 2,788 canoes, kayaks or row boats. He stated if the County was going to exert the necessary efforts to institute wash stations, inspections, etc., then it made sense to include this large percentage of the boating population.

Mr. Dickinson stated it was the County's intent to develop a multi-faceted program for the prevention, control and eradication of invasive species. He said two thirds of the boats on Lake George belonged to local homeowners who left the boats in Lake George. He opined the concern was transient boaters who had a tendency to go from lake to lake. He commented self inspection would not be appropriate for everyone as there were some people who would never be qualified to complete self inspections. Mr. Phinney noted the LGA study had mentioned the possibility of decreased property values due to the existence of invasive species in the lakes.

Mr. Monroe informed he needed to leave in order to attend an Adirondack Park Agency meeting. He stated the one thing the County could do immediately was to develop an educational program for all the lakes in Warren County and regionally. He added they needed to designate an entity to assist with the development and he suggested the Warren County Soil & Water Conservation District. Mr. Auffredou asked if the County should be seeking a cooperative agreement with the LGPC and Mr. Dickinson suggested contacting several of the local environmental organizations to determine their interest in an educational program.

Mr. Monroe exited the Committee meeting at 11:57 a.m.

Zandy Gabriels, Resident of the Town of Bolton, informed he had been involved in invasive species control since 1985 with Milfoil, as well as efforts towards the eradication of Zebra Mussels and Asian Clams. He stated he had contacted representatives from the NYS DEC to determine their willingness to email educational materials to people who had registered for campsites. He said he had been informed it was unlawful for the NYS DEC to email educational materials to subscribers on the State email list. He suggested the Committee review this law to determine if there was a possibility of amending it to allow the emailing of educational materials.

Mr. Gabriels said he appreciated the Committee's willingness to add a line item to the County budget for Invasive Species Control and he felt it would set a good precedent for the State. He opined the State's Environmental Protection Fund seemed to be geared towards land acquisition. He apprised a different source of State funding needed to be identified for invasive species control in all water bodies in New York State.

Mr. Gabriels stated he agreed with the previous statements made pertaining to canoes, row boats and kayaks. He noted the LGPC's draft proposal had exempted these water crafts from the plan. Referring to the YouTube video on Hydrilla, Mr. Gabriels commented the size of the area affected had not been mentioned in the video. He stated Milfoil in Lake George existed in 180 sites with 18 beds but there was no information as to the actual size of the affected areas. He said the LGPC had been involved in maintenance efforts for the last 20 years to control Milfoil and had done an excellent job. He added extra funds had been earmarked towards these efforts. He alluded to the need for better science on the invasive species, particularly Milfoil.

Mr. Gabriels advised it was unclear if the Committee's intent for adding a line item to the County budget for Invasive Species Control would be for preventive maintenance, boat washes, educational outreach or control of the existing invasive species. He said the press had reported the standard of control for Asian Clams was 90% to which he disagreed and commented the standard of control was 99.99% under each and every mat. Of the twelve mats that had been placed, he continued, there had been 100% control on eight of the mats and the four remaining mats had only achieved 20% control.

Eric Siy, Executive Director of The Fund for Lake George, commented they were trying to learn from their own experiences, as well as the experiences of other locations. He mentioned other States that had implemented mandatory inspections and decontaminations. He assumed there had been a lot of interaction with the fishing and boating communities in trying to control the invasive species and in recognizing the nature of the threat and the required response to that threat. Mr. Siy pointed out The Fund for Lake George had developed a publication entitled *Clean Boats Only* which had attempted to compile all of the known information on invasive species. He questioned the nature of the relationship between the municipalities, which had implemented mandatory inspections and decontamination, and the fishing and boating communities in the other states. He opined the best progress would come from working closely with the fishing and boating communities.

Mr. LaPenna pointed out that New York State had earmarked in excess of \$700,000 towards invasive species control out of the Fishing Conservation Fund. He explained this fund was the result of Federal taxes on sporting equipment sales. Mr. Bentley said the \$700,000 had been for the entire State and commented Warren County and the Town of Horicon had expended more than \$700,000 in the last couple years for the water bodies in Warren County. He added over \$250,000 had been spent on Brant Lake alone and over \$500,000 had been expended towards the eradication of the Asian Clam in Lake George.

Mr. Dickinson thanked everyone for taking the time to attend the meeting.

As there was no further business to come before the Invasive Species Sub-Committee, on motion made by Mr. Conover and seconded by Mrs. Frasier, Mr. Dickinson adjourned the meeting at 12:10 p.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist