

**WATERSHED PLANNING ACROSS POLITICAL BOUNDARIES:
A WORKSHOP ON INTERMUNICIPAL COLLABORATION**

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Abstracts

“Taking a Sustainable Watershed Management Approach for the Hudson River Estuary: Going Beyond Traditional Engineering Strategies”

Scott Cuppett, Watershed Coordinator

NYSDEC Hudson River Estuary Program and NYS Water Resources Institute at Cornell University

Historically, our approach to stormwater management was to treat water as a waste to shunt from the landscape and into streams and rivers as quickly and effectively as possible. Over time we have learned that taking this approach degrades streams, rivers, lakes and estuaries, while losing important recharge potential to our groundwater. We are left with a legacy of past mistakes, while also learning that even our current approaches to minimize impacts from land disturbance through stormwater treatment can lead to cumulative impacts to our waters.

The Hudson River Estuary tributaries and their watersheds will be characterized using available data, while placing the Hudson Valley in a global, national, and regional water context. The Estuary Program is working at the community and watershed level to promote sustainable principles that conserve water resources holistically including: development practices that recharge groundwater and stream flow, cumulative impacts at the watershed scale that impact stream water quality and habitat, proactively mitigating potential impacts from climate change (flooding, drought, and sea level rise), maintaining stream quality, and restoring degraded stream corridors. Examples of community-led watershed protection partners that are promoting these important watershed principles in the Hudson Valley will be described.

“Watershed-friendly planning and zoning”

Kelly M. Dobbins, Senior Planner

Orange County Planning Department

This presentation will explain how communities can work together to solve watershed problems and protect shared water resources. Entitled "Watershed-friendly Planning and Zoning," Ms. Dobbins will introduce the following actions as being the primary goals of watershed planning: water resource protection, flood damage minimization, and stormwater management that controls erosion/sedimentation. She will then discuss the various means by which these watershed goals can be achieved, highlighting specific objectives and using illustrative graphics. Citing NYS General Municipal Law Section 119-u as the enabling legislation, Ms. Dobbins will explain that municipalities can create shared overlay districts, plans, regulations, and boards. Lastly, she will encourage the use of guidance documents, land conservation tools, local laws/ordinances, or any combination thereof to accomplish watershed goals, pointing out that County entities can often serve as facilitators to intermunicipal cooperation.

“SEQRA and Watershed Planning: Improving the Process to Improve the Results”

*George Rodenhausen, Rapport, Meyers, Whitbeck, Shaw & Rodenhausen LLP
Co-Chair, Water Quality Committee, New York State Bar Association*

New York's State Environmental Quality Review Act (SEQRA) requires all state and local governmental agencies to consider environmental impacts and social and economic factors during discretionary decision-making. While environmental reviews frequently focus primarily on the proposed project site, there are broader levels of impact that must be considered to fully evaluate potential impacts. In particular, watershed and biodiversity conservation necessitate a wider view of the ecological landscape to ensure that local decisions don't impact the function of natural systems that support clean air and water, wildlife habitat, and quality of life in Hudson Valley communities. Existing resources, including maps, studies, plans, and the Environmental Assessment Form (EAF), provide the tools needed by review boards to ask the right questions during impact assessment. George Rodenhausen will provide an overview of SEQRA and planning board authority followed by a review of other legal principles developed specifically for watershed conservation.

“An Introduction to Intermunicipal Organization”

*Katy Dunlap, Director
Hudson River Watershed Alliance*

In New York State, there are numerous models of intermunicipal cooperation focusing on a variety of topics such as watershed planning, transportation and highway management, stormwater management, shared social services, wastewater management and planning functions. This brief presentation will provide an introduction of general types of intermunicipal watershed organizations, including strictly municipal councils, hybrid versions that include nonmunicipal representatives, and loose knit coalitions. Several factors relating to the effectiveness of each type of council including organizational structure and function, sources of funding and technical support, and types of activities conducted by councils, will be described.

“Cayuga Lake Watershed Intermunicipal Organization”

*Darby Kiley, CLWIO Coordinator
Planner, Town of Ithaca*

Cayuga Lake is the longest of the Finger Lakes in central New York. The watershed is more than 860 square miles, with more than 120,000 residents living in 48 municipalities in seven counties. In 1998 with help from New York State Department of State funding, the Cayuga Lake Watershed Intermunicipal Organization (IO) was created in order to develop two important documents: the *Preliminary Watershed Characterization*, finalized in 2000, and the *Cayuga Lake Watershed Restoration and Protection Plan* (RPP), finalized in 2001, which documents strategies and recommendations for the management of the watershed. The IO works in close collaboration with a citizen-based watershed group, the Cayuga Lake Watershed Network, in order to advance the goals of the RPP.

The Cayuga Lake Watershed Intermunicipal Organization is a municipal-based organization. Member municipalities pay an annual membership fee. The group currently does not have any staff, but annually elects an Administrative Center – a municipality that provides general coordination and manages the finances. The majority of annual funding is allocated to support the Cayuga Lake Floating Classroom,

which provides hands-on lake monitoring experience for school-age children and the general public. Other on-the-ground projects are funded through grants awarded by the New York State Department of State. Since 2004, the IO has received close to \$600,000 in State funding. Even with the possibility of grant-funded projects and the collaboration across municipal boundaries, the IO continually struggles with accessing financial commitments from municipalities and municipal representation at its meetings.

“Watershed Protection through Local Leadership in the Schoharie Basin”

Michelle Yost, Greene County Soil and Water Conservation District, Watershed Assistance Program

David Burns, New York City Department of Environmental Protection

An effective watershed management approach recognizes local communities, officials and decision-makers are integral to water quality protection. Now that Stream Management Plans have been completed for all major tributaries in the Schoharie Basin, implementing the plans’ recommendations through local participation and decision-making is the task before the Schoharie Watershed Advisory Committee (SWAC) and the agency advisors supporting them.

Guided by the precept that long-term watershed protection relies upon the landowners and decision-makers who live within the watershed, the SWAC was formed in 2008 as an outgrowth of smaller project advisory committees that were formed to represent the interests of local officials, residents, businesses, and agencies during each stream management plan’s development. Charged with taking stream management plans to the next level of implementation, the SWAC consists of appointed representatives from each Schoharie Basin municipality, representatives from three subcommittees (Highway Superintendents, Education & Outreach, and Recreation and Habitat), and a Greene County Legislator. Technical and advisory support is provided by local, state and federal regulatory and non-profit agencies.

The goal of the Stream Management Implementation Program (SMIP) is to foster a holistic, science-based, cooperative approach to watershed management with the SWAC being the conduit to building local awareness and capacity. By capitalizing on the knowledge and diversity each committee member brings to the process, the SWAC and technical advisors continue to learn from and support one another as the SMIP unfolds. Two million dollars has been allocated by NYCDEP specifically for the SMIP, with additional funding provided to the GCSWCD for technical expertise to ensure an integrated, comprehensive watershed program approach. SMIP funding categories include: creative stormwater practices and critical area seeding, landowner stream assistance, planning/assessment, highway/infrastructure improvement, education on watershed protection, and recreation and stream habitat improvements. An application process launched in March 2009 is an exciting step for the watershed committee. The local communities are taking their responsibilities seriously as evidenced by most adopting the relevant stream management plan, signing Memorandums of Understanding with the GCSWCD or Schoharie SWCD and appointing representatives to the SWAC. Whereas, the learning curve is never-ending, the Schoharie Watershed Advisory Committee is firmly established and prepared to meet its obligations. Basin activities by the SWAC, GCSWCD, SCSWCD and NYCDEP are tracked through annual action plans, materials which are available at www.catskillstreams.org/SWAC.html.

“Developing Sustainable Funding Mechanisms & Strategies”

Katy Dunlap, Hudson River Watershed Alliance

Kenneth Smith, Local and Regional Programs, NYS Department of State

Lessons can be learned from how existing intermunicipal watershed councils in New York and other states are funding watershed protection and management. Through research, it has become apparent that intermunicipal efforts must strive for a diverse array of funding sources, and cannot merely rely upon grant funding to support their efforts. Municipal dues structures can be designed to fairly allocate the burden borne by each municipality to the rights held by each municipality, and to the potential benefits they can expect from participation. This presentation will also include other options for funding intermunicipal watershed coordination, such as forming a 501(c)(3) nonprofit corporation and forming a stormwater utility.

Watershed planning allows communities to make informed decisions to protect and restore water and related resources. The Department of State, in partnership with the Department of Environmental Conservation, has prepared a watershed planning guidebook and video to meet the growing demand for assistance in local watershed planning. The guidebook builds on a shared approach to watershed management plans as a means to reduce nonpoint source pollution and protect and restore water and related resources. It presents a flexible step-wise approach to watershed planning designed to encourage local governments and groups to form networks and strengthen partnerships with agencies and educational institutions. It also highlights local and regional successes in a series of case studies.

Part of the approach involves developing and strengthening cooperative efforts to ensure broad representation in the identification of goals and strategies and in the setting of priorities. Watershed planning and priority setting positions local governments and community organizations working together to make the best use of limited funding sources, including by sharing expertise and equipment. This is essential whether moving forward with pooled local resources or when competing for increasingly scarce state and federal assistance grants. Through the Environmental Protection Fund Local Waterfront Revitalization Program, DOS provides assistance to eligible communities in watershed planning and implementation, including in the establishment of intermunicipal agreements. These agreements have proven successful on moving communities through both planning and implementation phases.

The first part of this presentation will focus on non-grant funding mechanisms and the second part will focus on grants provided by NYS.