

Introduction to the Watershed Management Plans for Black Creek and Oatka Creek Watersheds

Session 1: Welcome and Introduction 6:00-6:30

- Welcome
- Introductions to the Black Creek and Oatka Creek watersheds
- Watershed Management Plans
- Vision

Break: Join us for a light dinner 6:30 TO 6:45

- Session 2 will start promptly at 6:45
- Please feel free to return to your seat with your dinner as we resume the program

Session 2: Making the Watershed Plans Work For You 6:45-7:30

- Why watershed-wide planning is needed
- Findings and recommendations in both watersheds

- Resources available to assist local governments in meeting goals
- Questions?

Session 3: The take-away 7:30-8:00

- The need for municipally-run watershed-wide boards
- Memorandum of Understanding (MOU's)
- Plans for future outreach
- Questions?

Your Next Steps:

- 1. Discuss the MOU with your municipal board*
- 2. Request a follow-up with Black Creek Watershed Coalition and/or Oatka Creek Watershed Committee members.*

2 hours of Local Government Training Credit will be offered. Qualifying board members must sign in and out in order to receive credit.

Complete versions for all of the components of the Oatka Creek Watershed Management Plan and the Black Creek Watershed Management Plan available for review and download from the Genesee-Finger Lakes Regional Planning Council's website from their Publications webpage at: <http://www.gflrpc.org/publications.html> .

Information on the Black Creek Water Coalition (BCWC) can be found on their website <http://www.blackcreekwatershed.org/>. Information on the Oatka Creek Watershed Committee (OCWC) can be found on their website <http://oatka.org/> and Facebook page <https://www.facebook.com/OatkaCreekWatershedCommittee/>

A Municipal Workshop

Introduction to Black Creek and Oatka Creek Watershed Management Plans

**Town of Stafford Town Hall
6:00 PM Monday, October 30, 2017**

**Handout for Municipalities in
Black Creek Watershed**

**TOWN of CHILI
Monroe County**

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5. Black Creek Individual Municipality Information Summary from the Regulatory and Programmatic Environmental Report - includes narrative and table.
6. Black Creek Identification and Description of Management Practices, Approaches, and Strategies for Watershed Protection and the Restoration & Implementation Strategy and Schedule
7. Draft Template of Memorandum of Understanding for Black Creek Watershed Municipalities
8. Map Showing Municipalities in Black Creek Watershed

Complete versions for all of the components of the Black Creek Watershed Management Plan are available for review and download from the Genesee-Finger Lakes Regional Planning Council's website from their Publications webpage at:

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- Why watershed-wide planning is needed
- Findings and recommendations in both watersheds
- Examples of projects in the watersheds
- Your role in the protection of local land and water resources- You have the Power!
- Resources available to assist local governments in meeting goals
- Questions?

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Overview of the Black Creek and Oatka Creek Watershed Management Plans

INTRODUCTION

The Oatka and Black Creek Watershed Management Plans provide a long-term strategy for the protection and restoration of the creeks and their associated water bodies.

Both watersheds lie within the Lower Genesee River Basin – part of the larger Lake Ontario Drainage Basin, and are the second and third largest drainage areas of the entire Genesee River Basin. The Oatka Creek watershed constitutes approximately 9% and Black Creek watershed 8% of the drainage area in the Genesee River Basin.

The Management Plans were developed using funding provided from the NYS Environmental Protection Fund through a NYS Department of State (DOS) Local Waterfront Revitalization grant to the Town of Wheatland. The Genesee-Finger Lakes Regional Planning Council was Project Manager for the grant.

HISTORY OF WATERSHED PROTECTION

Since the early 1980's, when the Rochester Embayment Area was identified to be an Area of Concern¹, efforts have been underway to realize water quality improvements in the region. The Black and Oatka Watershed Management Plans give background both on regional watershed planning and restoration efforts and more specifically on the work in the Black and Oatka watersheds.

INTERMUNICIPAL COOPERATION

The Plans promote the formation of an Intermunicipal Organization for each watershed through agreement with a 'Memorandum of Understanding' (MOU). It is envisioned that these organizations will further the Plans' goals of preserving, restoring, and enhancing the health of Black and Oatka Creeks by leading efforts to implement the Watershed Management Plans.

WATERSHED PLAN COMPONENTS

Plans consist of five sections:

•Executive Summary:

Describes what is included in Plan and where to find it: Introduction & History of Watershed Protection, Process of preparing the Plan (i.e. describes the project, identifies the partners, types of community outreach & input, etc.). Describes and summarizes Plan chapters with their findings, conclusions and recommendations.

•Watershed Characterization:

This section describes watershed boundaries and conditions as they relate to natural resources and the built environment. Data on climate, geology, soils, hydrology, land use, population and planning history, development and water quality among others is included.

•**Regulatory and Programmatic Environment Report**

This section is an assessment of federal, state and local laws, programs and practices that affect water quality. Provides specific recommendations to each watershed municipality to address gaps and improve water quality.

•**Subwatershed Report**

This section provides a description of the Creeks' natural features such as hydrology, floodplains, and wetlands. The report evaluates subwatersheds according to impairments and/or threats to water quality and habitat, and identifies priority subwatersheds for focused, nonpoint source pollution management action.

•**Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation**

A planning matrix that includes recommendations that are presented in the Regulatory and Programmatic Environment Report section, showing specific steps and strategies needed to complete an action, the groups responsible for completing the actions, and the timeline by which the tasks must be completed.

Watersheds were evaluated and recommendations made in the following **Areas of Concern**:

- Coordination, Collaboration & Partnership Recommendations
- Agriculture
- Stormwater Management & Erosion Control
- Forestry and Silviculture Management
- On-Site Wastewater Management Systems (OWTS)
- Wastewater Treatment Plant Systems (WWTP)
- Hazardous Waste Management
- Roads and Highways
- Wetlands, Riparian Zones, and Floodplains
- Regulatory Management
- Nutrient and Contaminant Inputs to Surface Waters
- Natural Resource and Habitat Protection

FINDINGS

Threats:

Both Watersheds face threats from the same sources:

- Agriculture
- Climate Change
- Failing Onsite Wastewater Treatment Systems
- Habitat Fragmentation/Degradation
- Industrial & Municipal Discharges
- Nuisance and Invasive Species
- Spills and Contamination
- Stormwater Management
- Streambank Erosion
- Water Quality, Flow and Channel Maintenance

FINDINGS SPECIFIC TO BLACK CREEK WATERSHED:

Conditions:

The primary water quality issues in Black Creek are nutrients, invasive species and contaminants. Streambank erosion and agriculture were cited as the suspected sources of the excessive nutrients and sediments.

Two segments of Black Creek have been placed on the NYS compendium of impaired waters, based on elevated phosphorus concentrations that prevent attainment of the stream's designated use for water contact recreation and fishing.

Recommendations:

Generally, recommendations for municipalities, found in the section of the Watershed Management Plan (WMP), entitled the Regulatory and Programmatic Environment Report (R&PER), were related to adoption of developmental setbacks to provide stream or riparian buffer areas, update floodplain regulations, and update community comprehensive plans, subdivision regulations, and zoning ordinances.

In the planning matrix, found in the section of the WMP, entitled Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule, there are 74 specific action recommendations made for the Black Creek Watershed. These recommendations were rated in importance of priority from low to high. Ten are rated high priority. Overall, the five highest priority recommendations are:

- **Agriculture:** Expand agricultural and soil health initiatives that provide technical assistance and incentives to implement practices such as cover cropping, nutrient management, conservation tillage, conservation cropping system.
- **Nutrient Inputs and Contaminants to Surface Waters:** Develop nutrient and sediment reduction strategies for sub-watersheds and continue working with NYSDEC and TMDL project.
- **Stormwater Management:** Create green infrastructure standards and integrate into site plan review criteria.
- **Stormwater Management:** Restore severely eroded streambank segments using ecologically-based stream restoration.
- **Wastewater Treatment Plant Systems (WWTP):** Complete a characterization of WWTP effluent to assess levels of contaminants that are discharged.

FINDINGS SPECIFIC TO OATKA CREEK WATERSHED:

Conditions:

The primary water quality issues in Oatka Creek are nutrients, invasive species, and contaminants. Streambank erosion and agriculture were cited as the suspected sources of the excessive nutrients and sediments. Failing on-site wastewater disposal systems were cited as an additional source in one segment of Oatka Creek.

Much of Oatka Creek is classified as stressed. There are specific segments of Oatka Creek where the waters are considered to be at risk of failing to fully support their designated use (as evidenced in RIBS data). With the exception of phosphorus, water quality of Oatka Creek is generally in compliance with ambient water quality standards.

Recommendations:

Generally, recommendations for municipalities, found in the section of the Watershed Management Plan (WMP), entitled the Regulatory and Programmatic Environment Report (R&PER), were related to adoption of developmental setbacks to provide stream or riparian buffer areas, update floodplain regulations, and update community comprehensive plans, subdivision regulations, and zoning ordinances.

In the planning matrix, found in the section of the WMP, entitled Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule, there are 72 specific action recommendations made for the Oatka Creek Watershed. These recommendations were rated in importance of priority from low to high. Fourteen are rated high priority. Overall, the five highest priority recommendations are:

- **Agriculture:** Create and maintain riparian buffer zones for streams adjacent to agricultural land starting with the critical areas.
- **Forestry & Silviculture Management:** Encourage private landowners to apply sound forest management practices to woodlands: NYS Forestry Best Management Practices for Water Quality.
- **Regulatory Management:** Enforce floodplain development regulations.
- **Stormwater Management:** Restore severely eroded streambank segments using ecologically-based stream restoration.
- **Wastewater Treatment Plant Systems (WWTP):** Upgrade WWTP to tertiary treatment or consider closing and transferring sanitary flows.

¹ <http://www.dec.ny.gov/lands/92771.html>

Section 5.0 Recommendations for Local Laws, Plans, Programs, and Practices

5.1 Recommendations

Many of the gaps in local laws and practices across the watershed are similar. This section attempts to tailor recommendations to each specific municipality based on the Assessment, but also refers back to recommendations in section 4 that are applicable to multiple municipalities. These recommendations should be used as a starting point to help municipalities and counties focus in on what recommendations are their top priorities, and then determine what additional information is needed, and what steps need to be taken toward implementation.

The inclusion of some recommendations in this section that are standardized will hopefully facilitate the sharing of information between counties and municipalities; one of the strongest recommendations is to increase collaboration between groups. Water quality management is a regional issue and thus collaboration and standardization of strategies can be beneficial to all. Sharing of knowledge and expertise can also be financially beneficial; for example, two groups can share the cost of a joint training session, or neighboring municipalities can adopt the same model regulation. Collaboration and standardization can make initial efforts more efficient and allow groups to focus on implementation work. Shared practice allows for better design, better maintenance, and economic incentives that can deliver higher performance and lower cost.

5.1.2.1 Town of Chili

Chili is one of the three regulated MS4s in the Black Creek watershed and is the most urbanized community within the case study area, experiencing significant suburban expansion in recent years in the northern and northeastern sections of town. Chili local laws are generally strong in addressing priority water quality issues. Most of the major issues included in the previous review of local laws have been addressed through Chili's Zoning Code, Subdivision Review Standards, standalone stormwater laws, and have also been identified in the Comprehensive Plan. Chili also has stormwater management regulations and practices in place.

Past recommendations for Chili from the *Controlling Sediment in the Black and Oatka Creek* project have included the creation of local laws related to Phase II stormwater compliance, and since the last assessment, three laws have been created that address many water quality issues (Illicit Discharge Law, Construction Site Stormwater Pollution Prevention Law, and the Post Construction Stormwater Pollution Prevention Law). The town has done some work related to on-site wastewater treatment by reviewing septic plans during site plan review and encouraging properties to connect to municipal water and sewer where possible. Much of the focus for the town now should be on the enforcement of these laws, and other water quality related regulations in their zoning code. The following recommendations can further assist with the protection of the Black Creek watershed as well as the implementation of the six categories outlined in the *2030 Comprehensive Plan*.

Land Use Documents Reviewed:

- **Zoning.** From the Code of the Town of Chili. 2006-2010 Updates.
- **Site Plan Review.** From the Code of the Town of Chili. 2008.
- **Subdivision of Land.** From the Code of the Town of Chili. 2008.
- **Flood Damage Prevention.** From the Code of the Town of Chili. 2008.
- **Comprehensive Plan - 2030,** Adopted November 2, 2011.
- **Construction Site Stormwater Pollution Prevention and Sediment Control.** Local Law No. 3-2007
- **Illicit Discharge Connections.** Local Law No. 4-2007.
- **Post-Construction Stormwater Pollution Prevention.** Local Law No. 5-2007.

Extracted from pages 59 and 60-61 of the Regulatory and Programmatic Environmental Report (R&PER), component of the Black Creek Watershed Management Plan prepared by the Genesee/Finger Lakes Regional Planning Council, 2014. Complete R&PER report for Black Creek, including more detailed information and references on recommendations, is available at http://www.gflrpc.org/uploads/5/0/4/0/50406319/final_black_creek_regulatory_and_programmatic_environment_reportinwmp2.pdf

Black Creek Regulatory and Programmatic Environment Report

Previously Reviewed:

- **Subdivision of Land.** From the Code of the Town of Chili. October 1999.
- **Chapter 115: Zoning.** From the Code of the Town of Chili. June 2000.

Recommendations for Future Action by Local Officials:

- **Create riparian buffers** - The lack of riparian buffers is the biggest gap in Chili's local laws related to water quality. Riparian buffers and similar protections can be very effective tools in protecting water quality, preventing erosion and sedimentation, reducing nonpoint source pollution, etc. The current zoning law specifically prevents excavation closer than 50 feet from a stream, but an actual buffer area with vegetation requirements and use restrictions should be created. Refer to Section 4.3.5.1 for recommendations and models.
- **Strengthen floodplain regulations** - Chili appears to have no restrictions on agriculture in the floodway. The town might want to look into regulating future farm practices such as the location of manure pits and barnyards, while grandfathering current agricultural uses. Review the list of optional flood regulation additions created by DEC in Appendix F to see some potential options; also see Section 4.3.5.2 for more details.
- **Strengthen onsite wastewater treatment regulations** - We recommended that the County strengthen its Sanitary Code to improve on-site wastewater treatment regulations especially regarding required inspections, connection to public water/sewer and setbacks (potentially from waterways, wetlands and floodplains). The Town of Chili may also consider these regulations to be included in local law. See Section 4.3.3.1 for further details.
- **Adopt clustered development regulations** - Chili's master plan recommends adopting cluster development regulations. Consider adopting the LEED for Neighborhood Development (LEEDND) Standard to assist with selection of suitable lands, street design, development of pedestrian linkages, green infrastructure and building design, and other performance standards as needed. See Section 4.2.4.

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Black Creek Watershed Assessment of Local Laws and Practices 2012

		Chili	
#	Best Management Practices (BMP)	Law, Regulation, Plan	Program/Practice
Section I: Development			
1-1	Identify retrofit opportunities for existing development - ex: retention/detention areas, stormwater ponds, construction of wastewater treatment systems to replace older septic systems		
1-2	Encourage homeowners to place compost piles away from waterbodies and roadways		Town of Chili - Distributes Coalition material as needed.
1-3	Encourage proper use and disposal of lawn and other household chemicals (res., com., indus., rec., uses etc.)		Practice: Town of Chili - Distributes Coalition material and Ecopark materials as needed.
1-4	Storm drain/curb stenciling/labeling	Illicit Discharge Law - Sec XXI - In lieu of enforcement proceedings, penalties and remedies authorized by this law, the Town of Sweden may impose alternative compensatory actions upon a violator, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.	
1-5	Encourage volunteer programs		
1-6	Encourage the use of indigenous plants		Town of Chili - conservation board encourages based on projects, trying to find plants with the highest chance of success.
1-7	Develop outreach programs targeted at water quality management. Target training for contractors, developers, inspectors and zoning and planning officials.	Master Plan 1-7 - state training requirements for zoning and planning boards	Practice: Town of Chili - Distributes Stormwater Coalition's outreach materials.
1-8	Encourage proper control of pet wastes	Illicit Discharge Law - Section VIII - Prohibition of illegal Discharges 1 No Person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water. Such activities include...improper management of animal waste...	
1-9	Enforcement details regarding stormwater regulations & requirements - responsibility, penalties, etc.	Illicit Discharge Law - Section XV, Construction Site Stormwater Pollution Prevention Law - Enforcement, Section XII: Enforcement & Penalties, Post Construction Stormwater Pollution Prevention Law - Section XV: Enforcement & Penalties	
1-10	Use of drainage districts	Master Plan - 2-41 Drainage Districts	
1-11	Minimize the amount of land disturbed (including cut and fill) and the duration of disturbance	Subdiv-439-25 C Erosion Control (1): Exposing the smallest practical area of land at any one time during development. Z.O. 500-61.H - Site filling and berming and tree removal - No person shall place soil, sand, rocks, gravel or any other fill material six inches in depth or greater above the existing grade level of the site as indicated in the most recent topographic survey of the site until a fill permit is issued. Fill permit the applicant must submit a map or plan, which shows both existing and proposed elevations, topography, drainage patterns, erosion control measures, trees or vegetation, floodplains, wetlands. If the project involves 400 or more cubic yards of fill, or 20,000 square feet of area, the map or plan must be prepared by a professional engineer. Subdiv-439-4.C - Streets shall be of such layout and alignment as to minimize environmental impacts.	
1-12	Preserve natural features and conform with the natural boundaries and alignment of waterbodies. Account for topography and soil type to minimize erosion. Limit grades of access roads.	Z.O. 500-15. E.1.b - [Special provisions-PRDD] Providing open space and recreational areas, while protecting the natural environment. Z.O. 500-22. D.1.d - PUD Districts. The preservation of trees, outstanding natural topography and geological features and prevention of soil erosion. See also Z.O. 500-22.D, 500-23.E.5 Also, T of C. S of L. 96-4.B - Natural and historic features shall be preserved. Subdiv-439-4.B - Natural and historic features shall be preserved. Subdiv-439-25 C.4 - Fitting the development plan to the topography and soil so as to minimize the erosion potential. Z.O. 500-23.E.6. All PNOD sites shall also be designed to prevent any erosion or sedimentation problems from occurring on adjacent properties.	
1-13	Retain and protect trees and other natural vegetation on and near disturbed sites. Require tree surveys and/or cutting plans.	Sudiv-439-24 C. The subdivider shall take adequate measures to preserve desirable existing trees in suitable locations within the subdivision. An overall tree planting plan shall be developed and approved by the Planning Board. Subdiv-439-4 B - General Review Standards: Preserve all existing features, such as trees.439-25 C. Erosion Control (5): Retention and protection of natural vegetation wherever possible. Also Z.O. 500-22. D.1.d - PUD Districts. The preservation of trees, outstanding natural topography and geological features and prevention of soil erosion. See also Z.O. 500-23.E.5.	

Black Creek Watershed Assessment of Local Laws and Practices 2012

		Chili	
#	Best Management Practices (BMP)	Law, Regulation, Plan	Program/Practice
1-14	Minimize the creation of impervious areas [encourage permeable surface]	Post Construction Stormwater Law - p.11 - All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater. These practices should seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practicable to provide treatment for both water quality and quantity. p.12 An attempt shall be made to maintain annual groundwater recharge rates, by promoting infiltration through the use of structural and non-structural methods. At minimum, an attempt shall be made for annual recharge from the post development site to mimic the annual recharge from pre-development site conditions.	
1-15	Maintain runoff rates, or control increased runoff caused by changed surface conditions to minimize flooding, erosion, sedimentation and pollutants entering waterbodies prior to, during and after construction	Post Construction Stormwater Law - p.8 Each application shall include a comprehensive and complete SWPPP that shall be prepared in accordance with Section IX of this law. p.1 As part of this requirement MS4s are required to develop and implement an ordinance or other regulatory mechanism to require erosion and sediment controls on construction projects, to conduct construction site inspections and to provide for enforcement measures. p.12. An attempt shall be made to maintain annual groundwater recharge rates, by promoting infiltration through the use of structural and non-structural methods. At minimum, an attempt shall be made for annual recharge from the post development site to mimic the annual recharge from pre-development site conditions. Subdiv-439-25.C.3 - Provision of adequate drainage facilities to accommodate effectively the increased runoff caused by changed soil and surface conditions during and after development. Z.O. 500-56.H.15. An adequate and comprehensive drainage system shall be provided to convey the stormwater runoff originating on and crossing the premises in accordance with the natural direction of runoff for the total watershed area. No excavation shall be allowed closer than 50 feet to a natural stream. Sediment control measures must be installed to keep all sediment damage on applicant's property.	
1-16	Stabilize disturbed soils; redistribute topsoil for seeding and planting; use temporary vegetation, silt barriers, and mulching - to protect exposed and critical areas during development. Complete a.s.a.p., include timeline.	Construction Site Stormwater Law - pg11 requires a description of the temporary and permanent structural and vegetative for soil stabilization, from initial land disturbance to project closeout. p.15 C. Closeout - The applicant must satisfy closeout requirements: ...Establish perennial vegetative cover 80%-100% of site; 5. certification by a NYS licensed/certified professional that the site has undergone final stabilization...6. any other measure deemed necessary by the T of Chili. Subdiv-439-25.C. - Provision of temporary vegetation and mulching to protect critical areas...Installation of permanent final vegetation and structures as soon as practicable during development to include three (3) inches of topsoil over areas that have been stripped or filled with subsoil. Z.O. 500-56.I.3. Restoration and vegetation requirements - Restoration shall be a continuous operation, subject to field review and approval at each annual inspection and at the end of the permit period by the Town Engineer and anyone else designated by the Town Board. Z.O. 500-56. H.8 - All topsoil shall be stripped and stockpiled and seeded for use in accordance with the restoration plan. Z.O. 500-56. I.4 - Subsoil and topsoil shall be re-spread over the excavation area. Z.O. 500-56.H.8 - Soil Stockpiles shall be treated to minimize the effects of erosion by wind or water upon streams.	
1-17	Use appropriate solid and hazardous waste generation and disposal practices including source controls and recycling	Illicit Discharge Law - Section VIII Discharge Prohibitions - No Person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drainage system, or water of the U.S., any refuse, rubbish, yard lawn waste, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition. Master Plan 2-43 There is a Waste Management-owned, non-active, licensed waste transfer station located on Avion Drive. Other recycling facilities include Terry Tree, Union Processing, Metalico and the Monroe, County Leaf Recycling.	
1-18	Ensure proper operation and maintenance of runoff management facilities	Subdiv-439.14 Application for final subdivision plat - the subdivider shall also file with the Planning Board formal offers of dedication to the Town associated storm drainage facilities, and permanent open spaces, as well as evidence of all necessary easements for stormwater discharge, sanitary sewer and water...Master Plan - 2-41 Drainage Districts. Post Construction Stormwater Management Law - Section XI - Maintenance of Stormwater Management Facilities - Maintenance Easements, Maintenance after Construction, Requirements of Maintenance Agreements, Annual inspections...	
1-19	Encourage cluster development/conservation subdivisions	Master Plan 4-3 and 6-3 - plan to amend subdivision regs to allow cluster developments	

Black Creek Watershed Assessment of Local Laws and Practices 2012

		Chili	
#	Best Management Practices (BMP)	Law, Regulation, Plan	Program/Practice
1-20	Implement Federal/State Stormwater (SPDES) Phase II requirements including MS4 (when applicable) and Construction Permits as well as Municipal and Industrial Discharge Permits	Construction Site Stormwater Management Law - This model ordinance has been prepared by the Stormwater Coalition of Monroe County (SWCMC) to meet the requirements of the State Pollutant Discharge Elimination System (SPDES) regulations and the Municipal Separate Storm Sewer Permit (MS4) General Permit. Under this permit, municipalities deemed MS4s must develop, implement and enforce a program to reduce pollutants in any stormwater runoff from construction activities that result in a land disturbance of greater than or equal to one acre. As part of this requirement MS4s are required to develop and implement an ordinance or other regulatory mechanism to require erosion and sediment controls on construction projects, to conduct construction site inspections and to provide for enforcement measures.	Practice: MS4 municipalities are required to implement the 6 min measures for their MS4 permits. All municipalities are required to issue Construction Permits for projects disturbing 1 or more acres of land. Town of Chili is currently mapping outfalls.
1-21	Discourage development in flood plain and/or development below base flood elevation	Z.O. 500-9. The "Floodway District" is delineated on the zoning map. Floodway District-The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Structures (temporary or permanent) shall not be permitted in the "Floodway". Z.O. 500-10 The "Floodplain Overlay District" is delineated on the zoning map. "Floodplain Overlay District - is the area likely to be flooded during a 100-year flood (delineated by FEMA). Specific requirements by area based on FEMA categorized zones within the floodplain. Most require new construction and substantial improvements to have some flood proofing and the lowest floor (including basement) elevated to or above two feet above the base flood elevation. Nonresidential structures can get exceptions if the building is flood proofed enough that it is water tight below a point of two feet above base flood elevation.	
Section 2: Forestry and Agriculture			
Forestry - if applicable			
2-01	Consider site restoration. Consider potential water quality impacts when selecting silviculture system (yarding system, site preparation, pesticides employment, etc.)		
2-02	Have specialists (geologist, soil scientist, geotechnical engineer, wildland hydrologist) review plans in high erosion hazard areas		
2-03	Consider Harvesting practices and preplan harvest areas - ex: operation season, skid trails/access on stable soils, avoiding-steep gradients/multiple stream crossings/poor drainage areas, etc.		
Agriculture			
2-04	Implement the Agricultural Environmental Management (AEM) program	Master Plan 4-19 - Encourage farmers to carry out an AEM.	
2-05	Ensure Concentrated Animal Feeding Operations (CAFO) regulations and permits are being followed and Comprehensive Nutrition Management Plans are being used. (combined with below) (ADD NEW ROUND OF FUNDING) (any other animal waste one for non cafes?)		
2-06	Implement barnyard runoff controls.		
2-07	Discourage grazing in environmentally sensitive areas (e.g. up to creek banks)		
2-08	Use of agricultural protection such as Agricultural Districts, agricultural preservation ordinances and practices, right to farm laws, and Agricultural and Farmland Protection Plans	Z.O. 500-11. A - The Rural Agricultural District is intended to conserve those areas which are suitable for farm and agricultural uses and protect them against encroachment of any incompatible use. Z.O. 500-27.A - The purpose of the AC Agricultural Conservation District is to protect viable agricultural land and soil. See Also: Monroe County Agricultural and Farmland Protection Plan. Z.O. 500-27- Agricultural Conservation District-The purpose of the AC Agricultural Conservation District is to encourage a proper environment to foster customary agricultural operations and rural residential land uses; to maintain an open rural character; to protect viable agricultural soils. The district regulations contain incentives to encourage landowners to maintain lands in permanent open space and/or agricultural use. The Town Board may approve an incentive that would increase the number of single-family lots that would be otherwise permitted. See also Master Plan	
Section 3: Waterways and Wetlands			

Black Creek Watershed Assessment of Local Laws and Practices 2012

		Chili	
#	Best Management Practices (BMP)	Law, Regulation, Plan	Program/Practice
Waterways			
3-01	Control in stream sedimentation, clear debris. Schedule inspections of sediment control measures for maintenance/repair.	Post Construction Law - P12 - The applicant shall employ the services of a qualified professional in erosion and sediment control who will inspect and document the effectiveness of all erosion and sediment control practices. The documentation will be kept in a site logbook. Inspection reports will be completed every 7 days and within 24 hours of any storm event producing 0.5 inches of precipitation or more. A monthly summary of reports will be copied to the site logbook and delivered to Town of Chili within 5 business days after the month's end. The Town at its discretion may require submission of the weekly inspection reports.	Practice: Town of Chili: occasionally if it is a major issue.
3-02	Establish riparian buffers		
3-03	Prevent animal wastes from entering waterbodies. Ex: animal control ordinances and/or practices that pertain to animal waste disposal	Illicit Discharge Law - Section VIII Discharge Prohibitions - Prohibition of illegal Discharges - No Person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water. Such activities include....improper management of animal waste...	Practice: Town of Chili: Post signs and supply bags to encourage pet waste disposal in public areas.
3-04	Protect stream banks - vegetative stabilization-maintain/add vegetation(before using structural measures); indirect nonstructural-ex: regulate nearby irrigation, rerouting overbank drainage; direct structural-ex: revetments and bulkheads; indirect structural-ex: deflecting channel flow dikes	Construction Law - pg11 requires a description of the temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control from initial land disturbance to project closeout, including responsibility for the maintenance/implementation and what practices will be employed to ensure that adequate vegetative cover is established and preserved. For temporary and permanent vegetative control measures, the seeding mixtures and rates, types of sod, method of seedbed preparation, depth of topsoil, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching shall be provided. Construction Law p4 Minimize increases in stormwater runoff...in order to reduce...stream bank erosion and maintain the integrity of stream channels; Post Construction Law p12-In order to protect stream channels from degradation, a specific channel protection criteria shall be provided as prescribed in the Town of Chili Design Criteria and/or the New York State Stormwater Management Design Manual.	Town of Chili: plant grass on some stream banks, and shoulders of roads. Chili in conjunction with SWCD: implemented 3 Black Creek Stabilization Projects. 1) Chili Ave- 250 linear feet 2) Stottle Road-200 linear feet 3) Humphrey Road 125 feet. All 3 projects consisted of Vegetated Rip Rap. Project Number 3 also consisted of toe deflector stones to redirect water to the center of the creek channel.
3-05	Use setbacks to minimize disturbance of land adjacent to stream banks and shorelines	Zoning 500-56 Excavation - No excavation shall be allowed closer than 50 feet to a natural stream.	
3-06	Prevent discharges to waterbodies in amounts that would adversely affect the taste, color or odor of the waters, or would impair the waters for their best usages	Illicit Discharge Law - Section VIII Discharge Prohibitions - Prohibition of illegal Discharges - No Person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.	
Wetlands and Riparian Area Management and Restoration			
3-07	Prioritize wetlands and riparian areas and their non-point source (nps) control potential		Practice: Town of Chili disseminate information regarding regulations/requirements to the town/developers/residents/farmers/homeowners as requested.
3-08	Identify wetlands and riparian areas with significant nps control potential especially when implementing nps management practices.		
3-09	Include considerations/regulations to protect wetlands, ex: permitting, licensing, wetlands certification and non-regulatory nps pollution activities. Prevent adverse impacts to wetland functions that affect nps pollution abatement from hydrologic changes, sedimentation, or contaminant, ex: pretreatment practices: vegetated systems, detention/retention basins	Z.O. 500-61.H.2 - Fill permit - the applicant must submit a map or plan, which shows both existing and proposed elevations, topography, drainage patterns, erosion control measures, trees or vegetation, floodplains, wetlands. If the project involves 400 or more cubic yards of fill, or 20,000 square feet of area, the map or plan must be prepared by a professional engineer. Approval by DEC/Army Corps if required. Post-Construction Law p11- All stormwater runoff generated from new development shall not discharge untreated stormwater directly into a jurisdictional wetland or local water body without adequate treatment. Where such discharges are proposed, the impact of the proposal on wetland functional values shall be assessed using a method acceptable to the Town of Chili.	
Section 4: Roads, Bridges, Public Rights of Way			

Black Creek Watershed Assessment of Local Laws and Practices 2012

#	Best Management Practices (BMP)	Chili	
		Law, Regulation, Plan	Program/Practice
4-01	Conduct road, bridge and related drainage/stormwater structures inspection/maintenance (de-icing material usage and storage, pot-hole repair, bridge washing, scraping and painting, cleaning catch basins, etc.) according to best management practices	Master Plan 4-23 b) Plan routine road maintenance activities for safety and environmental sensitivity. · Snow plowing and de-icing, roadside ditch maintenance, trimming or cutting of roadside vegetation. · Establish guidelines for use by the Town Highway Department. · Limit ditch maintenance and vegetative removal to that necessary to meet established guidelines (e.g., adequate sight distance and drainage). · Continue using and exploring alternatives to rock salt for de-icing roads. · Implement a "Sensible Salting/Sensible Driving" program in the town. · Encourage other agencies to follow similar policies in maintaining roads within the town.	
4-02	Conduct right-of-way activities (mowing, brush removal, pesticide and fertilizer use, etc.) - according to best management practices		
4-03	Develop and identify erosion/sediment control areas (examples include steep slopes, easily erodible soils, and nearby sensitive areas) and retrofit opportunities		
4-04	Incorporate alternatives to traditional de-icing practices, including adjusting mix rates, using non-salt and non-sand alternatives. Store in a enclosed areas with impervious floor.	Master Plan 4-23 · Continue using and exploring alternatives to rock salt for de-icing roads. Practice: According to G/FLRPC 2011 Salt Storage Survey - Mix of Salt and Ice Ban, enclosed storage on pavement floor.	
4-05	Target existing public holdings, such as parks, for removing unnecessary impervious surfaces		
4-06	Incorporate New York State Department of Transportation design and guidance documents, standard specifications, and procedural manuals (<i>Highway Design Manual, Environmental Procedures Manual, Maintenance Guidelines, etc.</i>) into local laws and operating procedures	Design Criteria and Construction Manual - references to NYSDOT standards and manuals	
4-07	Participate in Cornell Local Roads Program activities and training		
4-08	Target training programs at highway officials, contractors, construction workers, inspectors, zoning and planning officials		
4-09	Culvert maintenance: Culverts are routinely inspected, maintained and resized when necessary so that they will remain unobstructed, allowing for the free flow of water during storm events. Blockages resulting from sedimentation, debris, excessive vegetation and structural failure are issues to be aware of.	Master Plan 5-4 - Priority to maintain/inspect in Paul Rd area after future development - drainage channels and culverts that serving this area be regularly inspected and properly maintained because some existing housing has been developed in areas very sensitive to backups of surface water.	
Section 6: Onsite Wastewater Treatment Systems			
5-01	Conduct regular inspections of OWTS at minimum at property transfer or within 1 year prior to transfer		Practice: Town of Chili: Review septic plans during site plan review, but do not inspect or sign off on.
5-02	Institute setback guidelines		
5-04	Target outreach programs at homeowners, contractors and developers		

Black Creek Watershed Assessment of Local Laws and Practices 2012

		Chili	
#	Best Management Practices (BMP)	Law, Regulation, Plan	Program/Practice
5-05	Require all properties with access to municipal service to connect.		Practice: Town of Chili: tries to get properties to connect but have allowed some not to until existing septic begins to fail, or connection opportunity is very close (not necessarily 500'). Town requests easements in certain places to make connection easier for future development.

**IDENTIFICATION AND DESCRIPTION OF
MANAGEMENT PRACTICES,
APPROACHES AND STRATEGIES FOR
WATERSHED PROTECTION AND
RESTORATION & IMPLEMENTATION
STRATEGY AND SCHEDULE**

Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule

This planning matrix, known more formally as the *Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule*, represents the culmination of deep research into the current conditions of Black Creek, both in the lake itself and across its surrounding watershed. The matrix shows specific steps and strategies needed to complete an action, the groups responsible for completing the actions, and the timeline by which the tasks must be completed.

The matrix includes priority assignments, actions, objectives, steps, strategies, anticipated reductions and water quality improvements, benefits, related issues, lead organizations, potential funding sources, long- and short-term measures, approximate cost, and regulatory approvals in the following areas of concern for Black Creek:

- Coordination, collaboration, and partnership recommendations
- Agriculture
- Stormwater management and erosion control
- Forestry and silviculture management
- On-Site Wastewater Management Systems (OWTS)
- Wastewater Treatment Systems and Management
- Hazardous Waste Management
- Roads and Highways
- Wetlands, Riparian Zones, and Floodplains
- Reduce nutrient inputs and contaminants to surface waters
- Natural resource and habitat protection
- Regulatory management

The *Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule* was reviewed by the PAC on April 16, 2014 and subsequently revised prior to prioritization by the Black Creek Watershed Coalition on May 28, 2014. The PAC then reviewed the final draft of the Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule, Watershed Management Plan introduction, and draft Intermunicipal Organization Memorandum of Understanding (IO MoU) at the July 24, 2014 meeting. The draft Watershed Management Plan was then reviewed and revised based on input from the second Public Meeting on September 3, 2014 and approved at the September 25, 2014 PAC meeting.

Recommendations have been developed in order to address a number of areas of concern. The matrix in this section represents the culmination of years of deep research into the current conditions of Black Creek. The matrix includes recommendations that are presented in the *Regulatory and Programmatic Environment Report*, and shows specific steps and strategies needed to complete an action, the groups responsible for completing the actions, and the timeline by which the tasks must be completed.

The matrix includes priority assignments, actions, objectives, steps, strategies, anticipated reductions and water quality improvements, benefits, related issues, lead organizations, potential funding sources, long- and short-term measures, approximate cost, and regulatory approvals in the following areas of concern for Black Creek:

Black Creek Watershed Management Plan

Coordination, Collaboration & Partnership Recommendations – This set of recommendations addresses the need for improved collaboration amongst watershed municipalities, citizens and stakeholders; addresses the need for continuous water resource related monitoring activities; and identifies specific educational opportunities. The strongest recommendations are to present information on achievements in watershed planning to municipal boards and to develop an intermunicipal organization. Shared practice allows for better design, better maintenance, and economic incentives that can deliver higher performance and lower cost.

Agriculture – Farming can have a negative effect on water quality through erosion of crop land, sedimentation, and runoff contaminated with fertilizers or animal wastes. This section includes some of the highest prioritized actions of all the recommendations in the watershed, including the recommended expansion of agricultural and soil health initiatives that provide technical assistance and incentives to implement practices, such as cover cropping, nutrient management, conservation tillage, conservation cropping systems.

Stormwater Management & Erosion Control – Stormwater runoff contains pollutants such as nutrients, pathogens, sediment, toxic contaminants, and oil and grease, resulting in water quality problems. This section’s highest recommendation is to restore very severe streambank segments, focusing on restoring these critical processes that form, connect, and sustain habitats. Protecting these stream banks is vital to controlling sediment loading and maintaining the rock structures and vegetation helps prevent erosion. This is an important consideration given the nature of the upper part of the Black Creek Watershed: largely agricultural with steep slopes with a significant number of Section 303(d) Impaired/TMDL Waters, Priority Waterbodies List (PWL) and Section 303(d) Listing sections. Thus the other highest priorities in this category are the restoration of severely eroded streambank segments, the creation of green infrastructure standards, and the integration of Stormwater Management & Erosion Control Laws into zoning, subdivision, and site plan review controls.

Forestry and silviculture management – Sustainable forestry balances preserving the integrity of our forests with economic development and maintaining our diverse wildlife population while minimizing damage to the agriculture and rural communities. An array of tools is available from the New York State Cooperative Forest Management Program.

On-Site Wastewater Management Systems (OWTS) – The number one source of nonpoint source pollution in New York State is on-site wastewater treatment systems. The highest recommendation in this category is the adoption of a uniform sanitary law throughout the Black Creek Watershed. There are a number of successful collaborative septic inspection programs already existing in the region that are good sources for shared information and case studies.

Wastewater Treatment Plant Systems (WWTPS) – One of the highest overall recommendations for the Black Creek watershed is to complete a characterization of WWTP effluent to assess levels of contaminants that are discharged based on consideration for the potential effects of increased population growth and associated increased point source loading. Note: the Bergen WWTP was updated to membrane filtration. The current NYSDEC discharge permit was renewed in August 2014 based on a phosphorus reduction goal of 1.0 mg/l by 2016 and a May-October seasonal average of 0.2 mg/l by 2024.

Hazardous Waste Management – The highest-ranked priority in the Black Creek is the implementation of a watershed-wide hazardous waste pick-up or drop-off. This action educates the public and provides an opportunity to safely dispose of hazardous products, which keeps dangerous wastes out of landfills, lowering the environmental risks associated with improper disposal.

Black Creek Watershed Management Plan

Roads and Highways – The highest-ranked priority in this section is the promotion of sensible de-icing strategies and best management practices for winter maintenance, including a salt management plan, development of an anti-icing strategy, and precision application techniques.

Wetlands, Riparian Zones, and Floodplains – Floodplains act as a check valve for streams; they allow water to be slowed down, to dissipate energy after a rainstorm or snow melt. FEMA’s 2014 draft Discovery report indicates an average annualized loss of \$5.7B concentrated around Oatka Creek, Black Creek, the Genesee River, and Spring Creek, making this a critical recommendation area both environmentally and economically. The highest recommendation under this heading is for all municipalities to review disturbances within 100 ft. of all natural wetlands and to prohibit discharge of stormwater to wetlands without prior treatment.

Regulatory management – The highest recommendation is to adopt stream buffer setbacks to reduce the amount of harmful runoff and sedimentation caused by land use activities, achieved through an environmental protection overlay district (EPOD) or setbacks from waterbodies within the zoning code. Another highly prioritized action is the recommendation for municipal and county agency training on the specifics of federal and state regulations and programs, and funding as it relates to nonpoint source pollution and water quality.

Nutrient and contaminant inputs to surface waters – Continuing the emphasis on nutrient loading and sediment reduction strategies, this section covers recommendations ranging from the highest prioritized action, the development of nutrient and sediment reduction strategies for Black Creek subwatersheds and continued cooperation with NYSDEC’s TMDL project.

Natural Resource and Habitat Protection – The highest ranked priority is leadership and support for further research and monitoring to improve early detection and management of invasive species. The Finger Lakes PRISM (Partnership for Regional Invasive Species Management) is a cooperative partnership in central New York focused on reducing the introduction, spread, and impact of invasive species through coordinated education, detection, prevention and control measures.

Priority	Action	Objectives	Steps, Feasibility, Risks (including construction)	Strategy	Governmental/Non-Governmental	Stakeholders	Benefits	Related Issues	Partners/Partnerships	Funding Sources	Timeline/Duration	Estimated Costs	Responsible Agency/Entity
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Coordination, Collaboration & Partnership Recommendations

High	Short presentation to municipal boards on watershed plan	coordination, collaboration, partnership	prepare presentation highlighting achievements thus far, future opportunities and areas for improvement	Get on the agenda to discuss in all Black Creek municipalities	N/A	potentially high	educating a broad range of people to help carry out best practices	water quality, education	G/FLRPC, WQCC, BCWC, SCMC, FLOWPA, SWCD	Environmental Protection Fund	100% within one year	\$9,500	N/A
High	Development of an Intermunicipal Organization (IO)	coordination, collaboration, partnership	final MOU, municipal presentations, municipal approval	Intermunicipal Organization (IO) Memorandum of Understanding (see Appendix)	N/A	potentially high	facilitate partnership across political boundaries to promote the ecological vitality of the Black Creek Watershed	water quality, education	BCWC, G/FLRPC, Monroe, Genesee, Orleans, and Wyoming Counties and municipal governments that geographically fall within the Black Creek Watershed	Local Government Efficiency Program	all municipalities signed on to MOU	\$2,500	all municipalities signed on to MOU
Medium	Initiate a process to further engage the County WQCCs and the Stormwater Coalition, including brief a presentation about the county water quality strategies and current projects of the committee; b) identification of common goals and efforts; and c) application for joint funding to conduct work across the watershed.	coordination, collaboration, partnership	coordination with BCWC, WQCC, SCMC	Get on the agenda to discuss at BCWC, WQCC, SCMC meetings	N/A	advance county water quality strategies	advance county water quality strategies	water quality, education, agriculture	WQCC, BCWC, SWCD, SCMC, FLOWPA	Local Government Efficiency Program	100% within one year	\$2,500	N/A
Low	Provide opportunities for citizens to volunteer for specific projects	coordination, collaboration, partnership	coordination with BCWC, WQCC, SCMC	Get on the agenda to discuss at BCWC, WQCC, SCMC meetings	project-dependent	project-dependent	project-dependent	water quality	BCWC, FLOWPA, SWCD, SCMC	N/A	Increase number of volunteers by 10% within 1 year	\$2,500	N/A
Low	Identify stakeholders with respect to specific priority issues, such as local roads management, and facilitate funding applications to support joint projects	coordination, collaboration, partnership	coordination with BCWC, WQCC, SCMC	Develop benchmarks and criteria for measuring progress	project-dependent	project-dependent	project-dependent	water quality	G/FLRPC, BCWC, FLOWPA, SCMC	Local Government Efficiency Program	Identify 3 significant joint projects and seek funding within one year	\$1,500	N/A
Low	Apply for funding to implement local 2009 New York State Open Space Conservation Plan Priority Projects (or 2014 plan, currently in draft form; this or any subsequent draft)	protect priority projects	Bergen Swamp, Genesee River Corridor, The Genesee Valley Greenway (GVG), Ecological Corridors, Exceptional Forest Communities, Grassland Preservation and Restoration (specifically in the Town of Middlebury in Wyoming County)	a combination of State and local acquisition, land use regulation, smart development decisions, land owner incentives and other conservation tools used in various combinations, will be needed to succeed in conserving these open space resources for the long term	project-dependent	potentially high	project-dependent	open space, water quality, recreation	NYSDEC, G/FLRPC, BCWC, FLOWPA, SCMC, Bergen Swamp Preservation Society, Genesee Land Trust, Nature Conservancy	CFA, NYS Environmental Protection Fund Title 9 funding to local governments	one priority project per year	\$20,000-\$2M	possible
Low	Increase participation in volunteer monitoring program such as NYSDEC's WAVE program	strengthen local capacity for successful management and protection of watershed by empowering volunteers	Training to be held in Wayne and Wyoming Counties in 2014	recruit participants with chemical, physical, and biological sciences background	N/A	potentially high	enable citizen scientists to collect biological data for assessment of water quality on wadeable streams	water quality	NYSDEC WAVE program, CCE, BCWC, WQCC, SWCD, SCMC	NYSDEC, CFA	Increase number of volunteers by 10% within 1 year	N/A	N/A

Agriculture

Highest (*Top 5 overall)	Expand agricultural and soil health initiatives that provide technical assistance and incentives to implement practices such as cover cropping, nutrient management, conservation tillage, conservation cropping systems	improve profitability and competitiveness of farms while protecting the environment	research existing institutional offerings and body of research	utilize research done by Monroe, Genesee, Orleans, and Wyoming Counties SWCDs and Cornell nutrient management, soil science, etc.	potentially high	potentially high	improve soil health to increase infiltration/water retention capacity; reduce stormwater runoff	agriculture, stormwater, drinking water, tourism, water quality, nutrient loading, pathogens, sustainability	NRCS, SWCDs, NYSDAM, CCE, Cornell Nutrient Management Spear Program	cost-sharing for this program may be available through the Conservation Reserve Program, GLRI	one priority project per year	\$50,000	N/A
High	Encourage all farms in AEM program to implement agricultural BMPs throughout the watershed	implement agricultural best management practices	Tier 1, 2, 3 and 3A, 4, 5 AEM plans	complete farm planning on all AEM farms	based on plan adoption	potentially high	improve profitability and competitiveness of farms while protecting the environment	agriculture, development, sustainability	SWCD, CCE, USDA, NRCS, landowners, academic institutions	NYSDAM, NRCS, SWCD	% of farms in AEM program tiers 3-5	determined by tier	determined by tier

Medium	Ensure appropriate point source permits for nutrients are implemented and enforced for CAFOs within watershed	implement agricultural best management practices	research current point source permits for nutrients	decrease nutrient loadings	potentially high	project-dependent	lower nutrient loadings	agriculture, stormwater, drinking water, water quality, sediment	NYSDEC, SWCD	Environmental Protection Fund	CAFO farms keep up to date with annual DEC and EPA CAFO compliance reporting requirements	unknown	N/A
Medium	Identify or develop and distribute public information materials that discuss agricultural issues of concern to the entire watershed community	Develop educational materials for agricultural producers and the community at large	research available materials and customize to suit Black Creek including info from Lake Ontario Basin TMDL Project Water Quality Restoration Strategy: Lower Black Creek, CEI research	illustrate the factors affecting farm size, regulatory and voluntary measures to control agricultural pollution, and the relationships between agriculture and other amenities such as open space	N/A	potentially high	educating a broad range of people to help carry out best practices	agriculture, tourism, comprehensive planning, education	BCWC, agricultural boards, SWCD, counties, American Farmland Trust	NYSBAM, NRCS, SWCD	3 articles submitted to various media per year	\$2,000	N/A
Low	Promote the preservation of high quality and unique agricultural areas by guiding non-agricultural development into other areas of the watershed	Assist Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	actively identify and protect prime soils, encourage cluster development and transfer/purchase of development rights (TDR/PDR), update subdivision standards	Create land use policies and zoning regulations that support the economic viability of agriculture	potentially high	potentially high	NYSBAM PDR program will not only protect water quality but also protect farmland	agriculture, development, sustainability	WQCC, SWCD, municipalities, County Farmland Protection Boards, G/ELRPC, City of Rochester	NYSBAM, NRCS, SWCD	acres of farmland recovered	N/A	municipalities, NYSDAM
Low	Document and disseminate successful strategies for nutrient management, manure handling, and erosion control	develop educational materials for agricultural producers and the community at large	research available materials and customize to suit Black Creek	Consider publishing reports in trade journals for the dairy industry.	N/A	potentially high	educating a broad range of people to help carry out best practices	agriculture, stormwater, drinking water, water quality, nutrient loading, pathogens, sediment, education, sustainability	BCWC, SWCD, CCE, USDA NRCS, landowners, academic institutions, Nutrient Management Spear Program	NYSBAM, USDA NRCS, SWCD	Distribute information to farms participating in AEM type programs within 2 years	\$1,500	N/A
Low	Encourage all farms in the Black Creek watershed to develop a Comprehensive Nutrient Management Plan (CNMP) that meets the provisions of NRCS/New York State Standard 590	A Comprehensive Nutrient Management Plan includes specific recommendations tailored to individual producers and the conditions of soil type, drainage, cropping practices, and livestock density.	Encourage farms that need the plan to do it - look for funding to do this	Practices are selected based on site-specific conditions of soil type, topography, drainage, based on plan adoption cropping practices, and livestock density.		potentially high	balance nutrients entering and leaving farms	agriculture, stormwater, drinking water, water quality, nutrient loading, pathogens, education, sustainability	SWCD, CCE, USDA, NRCS, landowners, certified planners, private consultants, Cornell Nutrient Management Spear Program	NYS Agricultural Nonpoint Source Abatement & Control Grant Program	% of farms in AEM program tier 2	\$20/acre without soil testing	N/A
Low	Promote nutritional management as a tool to optimize feed efficiency and ultimately reduce nutrient content of animal waste	implement agricultural best management practices	reduction of P in dairy rations to levels recommended by the National Research Council, fitting P ratio into management plan	proactive agricultural and environmental management		potentially high	balance nutrients entering and leaving farms	agriculture, stormwater, drinking water, water quality, nutrient loading, pathogens, education, sustainability	SWCD, CCE, USDA, NRCS, landowners, Cornell Nutrient Management Spear Program	Nutrient management (590) cost sharing may be available through USDA NRCS Environmental Quality Incentives Program (EQIP) or Ag Nonpoint Source programs	% of farms in AEM program tiers 3-5	\$35,000	N/A
Low	Plant cover crops in regions with high leaching potential where nutrients need to be controlled.	implement agricultural best management practices	select cover crop types and varieties adapted to the region	Cover crops recycle nutrients that might otherwise be lost to leaching during the winter and spring.		potentially high	water erosion control, wind erosion control, improved soil tilth, improved crop yield	agriculture, stormwater, drinking water, water quality, nutrient loading, pathogens, education, sustainability	SWCD, CCE, USDA, NRCS, landowners	Nutrient management (590) cost sharing may be available through USDA NRCS Environmental Quality Incentives Program (EQIP) or NYS Ag Nonpoint Source programs	Identify 3 significant joint projects and seek funding within one year	\$40-\$70-per-acre range	N/A

Low	Promote the creation and maintenance of riparian buffer zones for all streams adjacent to agricultural land starting with the critical areas	Assist Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	reduce heavy use of pastured/barnyard areas	reduction of open row cropland, addition of successional riparian areas	potentially high	potentially high	water erosion control, wind erosion control, improved soil till, improved water quality and stream health	agriculture, stormwater, drinking water, water quality, sediment	USDA, NRCS, SWCD, CCE, landowners	cost-sharing for this program may be available through the Conservation Reserve Program	x% of defined critical areas within 10 years	\$1,000,000	municipalities
Low	Implement vegetated filter strips (edge of field solutions) where appropriate	define and protect critical areas	help farms enter AEM program to take advantage of this technology	slow runoff from fields, trapping and filtering sediment, nutrients, pesticides and other potential pollutants before they reach surface waters	based on plan adoption	project-dependent	lower nutrient loadings	agriculture, stormwater, drinking water, water quality, sediment	USDA, NRCS, SWCD, CCE, landowners	cost-sharing for this program may be available through the Conservation Reserve Program	x% of defined critical areas within 10 years	\$100,000	N/A
Low	Consider the feasibility of technologies that reduce the mass of animal waste material to be handled, particularly collaborative anaerobic digesters	capture livestock waste and convert to energy for heat and/or electricity; on-farm digestion would be preferred and the nutrients should stay in the same watershed that they are generated in as much as possible	feasibility studies	Utilize NYSERDA PON 2828 \$2 million in New York State Renewable Portfolio Standard (RPS) funding available through 2015 to support the installation and operation of Anaerobic Digester Gas (ADG)-to-Electricity Systems	project-dependent	project-dependent	potentially high	agriculture, stormwater, drinking water, tourism, water quality, nutrient loading, pathogens, sustainability	NYSERDA, NYSDAM, SWCD, WQCC, CCE, Cornell Manure Management, landowners	NYSERDA PON 2828 \$2 million in New York State Renewable Portfolio Standard (RPS) funding is available through 2015 to support the installation and operation of Anaerobic Digester Gas (ADG)-to-Electricity Systems	number of farms using waste for power by 2020	engineering and project development \$300,000	N/A
Low	Promote the installation of exclusion fencing to keep livestock from critical areas, including streams and other water bodies	implement agricultural best management practices	identify critical areas	AEM program	based on plan adoption	potentially high	improved water quality and stream health	agriculture, stormwater, drinking water, water quality, sediment	NRCS, SWCD, landowners	cost-sharing for this program may be available through the Conservation Reserve Program, GLRI	100% of critical areas protected by 2020	3-5 strand HT is the minimum allowed by NRCS standards for critical area fencing for all livestock other than dairy cows; rates run \$1.80-\$2.50 for foot depending on post spacing.	N/A

Stormwater Management & Erosion Control

Highest (*Top 5 overall)	Create green infrastructure standards and integrate into site plan review criteria	Assist Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	adoption of a Stormwater Management & Erosion Control Local Law and the enforcement of performance standards	Low Impact Development, such as Bioswales (roadside ditches) and bioretention areas (sunken gardens), French drains (retention trenches) and brick and cobblestone streets (perVIOUS pavers); identify existing ponds/basins and retrofit them to enhance their performance and bring them to current standards	reduce impervious cover	potentially high	better site planning, better design standards, conservation of natural areas and sensitive lands, buffering water resources	development, comprehensive planning, site planning, design standards	counties, municipalities, G/FLRPC, SWCD, SCMC, WQCC, CCE, academic institutions	USEPA, NYSDEC	% pervious surfaces	combine with other tasks that revise local codes for efficiency. In combination with other local codes. \$25,000	municipal
Highest (*Top 5 overall)	Restore very severe streambank segments using ecologically-based stream restoration	focus on restoring processes that form, connect, and sustain habitats	develop inventory and assessment protocol, prioritize remediation efforts, identify potential solutions including stream corridor/watershed management techniques and/or in-stream restoration techniques, train volunteer assessors	by highest Erosion Potential Index Number	reduced erosion, sedimentation	potentially very high	Ecologically-based stream restoration uses a mosaic of in-stream, riparian and watershed management and restoration techniques to reduce or eliminate stress on streams and improve ecosystem functions.	agriculture, stormwater, drinking water, water quality, sediment	SWCD, CCE, Great Lakes Commission, landowners, municipalities	GLRI	3 miles/year for 10 years	\$50-\$100/foot; \$100,000 total	N/A

High	adoption of a Stormwater Management & Erosion Control Local Law and the enforcement of performance standards	Integrate into all zoning, subdivision, and/or site plan review controls: Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	Provide municipalities with draft language for zoning laws.	funded through stormwater management fees calculated using a formula based on the square footage of impervious surface per lot	reduction of the total water quality volume by application of green infrastructure techniques and stormwater best management practices	reduction of erosion and sedimentation	reduction of large, impermeable parking lots and buildings to contribute more since they generate a disproportionate amount of runoff	development, stormwater, drinking water, water quality, comprehensive planning	GFLRPC, county planning, municipalities	GLRI	20% in 5 years of municipalities that presently do not have controls	\$50,000	municipal
Medium	Update and apply for funding (e.g. Great Lake funding) for <i>Identification and Analysis of the Riparian Corridor in the Oatka & Black Creek Watersheds</i>	Maintain consistent and regular testing for comparison and monitoring	coordination with BCWC, WQCC, SCMC	Review and update existing streambank erosion assessments. Monitor and remediate (streambank stabilization) existing prioritized sites. (Black Creek at Kenny Road; Pettenski 2012 - see Site C, p. 158)	N/A	necessary data	data to evaluate the health of the watersheds	coordination, collaboration, partnership	counties, municipalities, G/FLRPC, SWCD, BCWC, SCMC, WQCC, CCE, academic institutions	LWRP, Cleaner Greener Phase II	secure funding by 2016	\$20,000	N/A
Low	Require new developments to maintain the volume of runoff at predevelopment levels by using structural controls and pollution prevention strategies	Assist Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	Provide municipalities with draft language.	Integrate into all zoning, subdivision, and/or site plan review controls	reduction of the total water quality volume by application of green infrastructure techniques and stormwater best management practices	reduction of sedimentation and runoff	Minimizing erosion to protect habitat and reduce stress on natural water systems by preserving steep slopes in a natural, vegetated state.	development, stormwater, drinking water, water quality, comprehensive planning	GFLRPC, county planning, municipalities	stormwater management fees calculated using a formula based on the square footage of impervious surface per lot	20% in 5 years of ones that presently do not have controls	combine with other tasks that revise local codes for efficiency. In combination with other local codes. \$15,000	municipal
Low	Revise land use laws to limit development on slopes greater than 10%	limiting disturbance to consolidated areas of disturbance on the areas of least slope and to minimize changes in grade, cleared area, and volume of cut or fill on the site	Provide municipalities with draft language for zoning laws.	Apply to existing natural or constructed slopes. Portions of project sites with slopes up to 20 feet in elevation, measured from toe (a distinct break between a 40% slope and lesser slopes) to top, that are more than 30 feet in any direction from another slope greater than 15% are exempt from the requirements, although more restrictive local regulations may apply	reduced runoff	Improved water quality	better site planning, better design standards, conservation of natural areas and sensitive lands, buffering water resources	development, site planning, design standards	GFLRPC, county planning, municipalities	LWRP, Cleaner Greener Phase II	On-going - Long Term	combine with other codes for efficiency. In combination with other local codes. \$15,000	Each municipality to adopt amendments to zoning law.
Low	Conduct additional research into identification of effective impervious cover within the three urbanized areas	Villages of Warsaw, LeRoy and Scottsville	Identify the specific locations where impervious surfaces are contiguous and directly tied to adjacent waterbodies	These particular areas could be targeted for stormwater retrofit and mitigation projects in order to eliminate or reduce the negative impacts that they have on local aquatic health.	reduce impervious cover	Improved water quality	better site planning, better design standards, conservation of natural areas and sensitive lands, buffering water resources	development, comprehensive planning, site planning, design standards	GFLRPC, county planning, municipalities	LWRP, Cleaner Greener Phase II	Identify 3 significant joint projects and seek funding within one year	\$10,000	N/A
Low	Provide education and training of local officials on erosion controls and stormwater management	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	coordination with BCWC, WQCC, SCMC	begin with towns with most severely degraded streambank segments	N/A	high	reduced erosion, sedimentation	stormwater, drinking water, water quality, education	NYSDOS, NYSDEC, counties, municipalities, G/FLRPC, SWCD, SCMC, WQCC, CCE, academic institutions	LWRP, Cleaner Greener Phase II	number of trainings held annually	\$2,500	N/A

Forestry & Silviculture Management

Medium	Encourage private landowners to apply sound forest management practices to woodlands: NYS Forestry Best Management Practices for Water Quality	preserving the integrity of our forests balanced with economic development and maintaining our diverse wildlife population while minimizing damage to the agriculture and rural communities	apply forestry best management practices	sustainable forestry management, plan for conservation easements, protecting water quality and the forest and soil resources	project-dependent	project-dependent	Protecting water quality, forest and soil resources are among the most important aspects of a successful and environmentally sustainable timber harvest.	stormwater, drinking water, water quality, sediment, education, sustainability	NYSDEC, CCE, Cornell Agroforestry Research Center, GFLRPC, municipalities, landowners	federal Stewardship Incentives, Forestry Incentives, Tree Assistance and Conservation Reserve Programs	Ongoing as appropriate for the program	N/A	N/A
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Low	Coordinate with the New York State Cooperative Forest Management Program administered by the NYSDEC	preserving the integrity of our forests balanced with economic development and maintaining our diverse wildlife population while minimizing damage to the agriculture and rural communities	plantation establishment and care, the marking of timber, marketing assistance and silvicultural treatment of immature stands	sustainable forestry management, plan for conservation easements, protecting water quality and the forest and soil resources	project-dependent	project-dependent	increasing contact between landowners and professional foresters promotes wise stewardship of forest land	stormwater, drinking water, water quality, sediment, education, sustainability	NYSDEC, CCE, Cornell Agroforestry Research Center, GFLRPC, municipalities, landowners	federal Stewardship Incentives, Forestry Incentives, Tree Assistance and Conservation Reserve Programs	Ongoing as appropriate for the program	\$3,000	N/A
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On-Site Wastewater Management Systems (OWTS)

Medium	Adopt uniform sanitary law throughout the Black Creek Watershed based on the Ontario County model or the model Local Law for On-Site Individual Wastewater Treatment	Assist Village of Churchville, Town of Riga, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	Residences within 200 feet of streams should be considered in a critical environmental zone and subject to more frequent inspection. Substandard systems in this zone should be required to install holding tanks until systems can be brought into compliance.	Examine pros and cons of existing uniform sanitary laws in the region and in other collaborative septic programs	potentially very high	potentially very high	Reduce effluent disposal	OWTS, water quality, drinking water, education, pathogens	NYSDOH, SWCD, WQCC, county health department, county planning department	LWRP, Cleaner Greener Phase II	all towns signed onto uniform agreement by 2020	\$15,000 in staff cost	municipalities
Medium	Secure a funding stream to bring substandard septic systems into compliance	Identification and assessment of on-site waste water systems	research funding opportunities	Classify substandard OWTS. Substandard OWTS are defined as systems that are piped directly to surface waters, in close proximity to the surface or groundwater, or discharging directly to the surface	10% of phosphorus in Black Creek	potentially very high	Reduce nutrient and pathogen runoff into groundwater and surface waters	OWTS, water quality, drinking water, education, pathogens	NYSDOH, SWCD, WQCC, county health department, county planning department	Clean Water State Revolving Fund (CWSRF)	x number of systems improved by 2016	unknown	N/A
Low	Revise land use laws to require infiltration rates (perc. tests) for new development in areas without public sewer service.	elevate quality of future OWTS	Requires identification of karst areas in SECF and site plan review process using already available bedrock geology maps	consider that there are soils with not enough perc, soils that have too much perc	potentially high	Water quality restoration	Carefully directing development in soils with high runoff potential	Site planning, design standards, open space	NYSDOH, SWCD, WQCC, county health department, county planning department	LWRP, Cleaner Greener Phase II	Medium Term	\$25,000	Each municipality to adopt amendments to zoning law.
Low	Hold educational/ training sessions targeted towards OWTS installers, owners, and municipal officials	elevate quality of future OWTS	identify experts in OWTS and organize sessions	Contractors and others associated with septic system design and construction, municipal officials (elected, planning, zoning), homeowners	N/A	potentially high	Onsite systems are effective when properly designed, installed and maintained.	OWTS, water quality, drinking water, nutrient loading, pathogens, education	G/FRLRPC, CCE, SWCD, WQCC, counties, municipalities,	OTN	50 homeowners and 30 professionals trained within 4 years	\$7,500	N/A
Low	Host technology transfer workshops for those responsible for evaluating alternative and innovative OWTS technologies	elevate quality of future OWTS	coordination with PAC, BCWC, WQCC, SCMC	Target audience is local code enforcement officers, design professionals, and representatives of State and County Health Departments	Reduce nutrient and pathogen runoff into groundwater and surface waters	potentially very high	Onsite systems are effective when properly designed, installed and maintained.	OWTS, water quality, drinking water, education, pathogens	NYSDOH, SWCD, WQCC, county health department, county planning department, CCE	unknown	Workshop offered watershed-wide annually through 2016	\$12,000	N/A
Low	Implement and promote programs to encourage homeowners to adopt best practices for septic system maintenance	educating a broad range of people to help carry out best practices	identify experts in OWTS and organize sessions	Contractors and others associated with septic system design and construction, municipal officials (elected, planning, zoning), homeowners	N/A	high	Reduce nutrient and pathogen runoff into groundwater and surface waters	OWTS, water quality, drinking water, nutrient loading, pathogens, education	NYSDOH, SWCD, WQCC, county health department, county planning department	unknown	50 homeowners and 30 professionals trained within 4 years	\$5,000	N/A

Waste Water Treatment Plant Systems (WWTPS)

Highest (*Top 5 overall)	Complete a characterization of WWTP effluent to assess levels of contaminants that are discharged	Assessment/Research	Quantify contaminant levels discharged from WWTPs	stakeholder discussions to consider the potential for the effects of increased population growth and associated increased point source loading	N/A	N/A	project-dependent	water quality, drinking water, nutrient loading, pathogens, education, sustainability, infrastructure	NYSDOH, NYSDEC	Clean Water State Revolving Fund (CWSRF)	complete characterization	\$50,000	N/A
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Medium	Educate the general public on the role, process, accomplishments, needs, and future strategy of sewer districts and wastewater treatment facilities.	educating a broad range of people to help carry out best practices	identify experts in WWTPs, such as Ithaca WWTP operator Dan Ramer	stakeholder discussions to consider the potential for the effects of increased population growth and associated increased point source loading	N/A	N/A	educating a broad range of people to help carry out best practices	OWTS, water quality, drinking water, nutrient loading, pathogens, education, sustainability, infrastructure	NYSDEC, CCE, SWCD, WQCC, educational institutions, wastewater treatment facilities, county health departments, county planning departments, municipalities	LWRP, Cleaner Greener Phase II	Target high priority communities beginning in year 1. Offer assistance and materials as appropriate.	\$10,000	N/A
Medium	Continue to monitor Bergen WWTP for compliance with NYSDEC permit requirements	Bergen WWTP is the largest point source in the watershed and was found to be a significant contributor of nutrients	evaluate existing wastewater infrastructure issues	Five-Year Capital Improvement Plan (CIP)	Based on August 2014 NYSDEC permit, reduce phosphorus to 1.0 mg/l by 2016 and to a seasonal May-Oct avg of 0.2 mg/l by 2024	potentially high	Reduce nutrient and pathogen runoff into groundwater and surface waters	water quality, comprehensive planning	G/FLRPC, WQCC, BCWC, SCMC, FLOWPA, SWCD	Clean Water State Revolving Fund (CWSRF)	upgrades complete by 2024	\$60,000	NYSDEC, municipalities, counties
Medium	Ensure appropriate point source permits for nutrients are implemented and enforced for WWTPs	implement best management practices	research current point source permits for nutrients	decrease nutrient loadings	potentially high	project-dependent	lower nutrient loadings	stormwater, drinking water, water quality, sediment	NYSDEC, SWCD	Environmental Protection Fund	WWTP 100% in compliance by 2016, updated permits as called for	unknown	N/A
Low	eliminate combined sewer overflows (CSOs)	CSOs are a major or contributing cause to precluded, impaired, stressed or threatened best usage in many receiving waters	identify regional experts in CSOs, such as Onondaga County's Sawdust Rain program	comprehensive stormwater management plan	high	CSOs may contribute significantly to receiving water degradation	project-dependent	water quality, drinking water, nutrient loading, pathogens, education, sustainability, infrastructure	G/FLRPC, WQCC, BCWC, SCMC, FLOWPA, SWCD	Clean Water State Revolving Fund (CWSRF)	upgrades complete by 2020	unknown	NYSDEC, municipalities, counties

Hazardous Waste Management

High	Implement watershed-wide pickup of hazardous wastes and obsolete/canceled use pesticides using the "Clean Sweep" model	reduce hazardous wastes in watershed	schedule pickups and publicize	coordination with BCWC, WQCC, SCMC	potentially high	potentially high	By providing the public with an opportunity to safely dispose of such hazardous products, we keep these products out of landfills and lower the environmental risks associated with such improper disposal.	agriculture, stormwater, drinking water, water quality, fertilizers, pesticides, organic compounds	NYSDEC, DOH, SWCD, CCE, landowners	NYSDEC administers state assistance programs for household hazardous waste (HHW) programs. Funding is provided on a 50% reimbursement rate for eligible costs.	implement targeted programs after the criteria in cooperative agreements are satisfied	\$120,000	municipal and county approval
Medium	Conduct a study to determine the location of inactive or unpermitted landfills, dumps and hazardous material storage, as well as mined lands and petroleum bulk storage facilities	Determine dates of operation, the type of materials disposed at each and the vulnerability of water resources	develop inventory and assessment protocol, prioritize remediation efforts, identify potential solutions	Expand on list of Black Creek DEC Hazardous Waste Sites in Characterization Table 3.26	unknown	project-dependent	project-dependent	drinking water, water quality, pathogens, fertilizers, pesticides, organic compounds	USEPA, USGS, NYSDEC, SWCD, WQCC, GLOW Region Solid Waste Management Committee	NYSDEC	100% of counties and municipalities surveyed	\$40,000	N/A
Medium	Distribute hazardous spills information throughout the watershed to various community groups, fire departments, chamber of commerce, citizens, municipalities with names and numbers of the agencies and staff in charge and who has appropriate jurisdiction in emergency situations	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	identify experts in hazardous waste management and organize sessions	organize sessions	N/A	N/A	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	drinking water, water quality, organic compounds, education	NYSDEC, county planning department, county health department, SWCD, WQCC, emergency management organizations (EMOs)	unknown	number of trainings held annually	\$2,500	N/A
Medium	Identify or develop public educational materials to describe landfill issues, such as the difference between old and new types of landfills, threats to public health and water quality, and the need to ensure that sites are closed properly	educating a broad range of people to help carry out best practices	research available materials and customize to suit Black Creek	utilize and distribute research, organize training sessions	N/A	N/A	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	drinking water, water quality, pathogens, fertilizers, pesticides, organic compounds, education	USEPA, USGS, NYSDEC, counties	unknown	Identify resources and share locations on web site and with collaborating agencies (6 months).	\$3,000	N/A

Low	All wells to be tested with any transfer of property regardless of mortgage/sale requirements	Reduce number of contaminated wells	provide draft language (Schuyler County model) and have counties provide support/funding for this testing	reduction in contaminants	see reductions	Improved water quality	Reduce potential for groundwater contamination	drinking water, water quality, organic compounds, education	WQCC, SWCD	County funded	Medium Term	TBD	County Legislation.
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Roads and Highways

Medium	Use sensible de-icing material application procedure (e.g. intersections, posting of signs, driver education)	Develop guidelines and implement sensible deicing procedures	educate on best management practices for winter maintenance, including a salt management plan, development of an anti-icing strategy, and precision application techniques	Focus on hydrologically-connected roads – roads that are designed to contribute surface flow directly to a drainage channel – which have the greatest potential to deliver road-derived contaminants to streams	potentially high	potentially high	To produce a high level of service at a modest cost, at pavement temperatures above 25°F, Road Salt (NaCl) is probably the most cost effective choice, but at lower temperatures other chloride based deicers may be more cost effective.	stormwater, drinking water, water quality, education	NYS DOT, counties, municipalities, highway departments	604(b), WQIP	long-term reduction of salt-only road de-icing, shift to more holistic approach	depends on materials used	highway departments
Medium	Educate municipal and county highway departments on ditch and culvert design and stream bank stabilization methods.	Education of DOT's, Highway superintendents	Provide education to those working on ditch, culverts and streams	reduced runoff, sedimentation	project-dependent	Improved water quality	reduced erosion, sedimentation	design standards	SWCD, NYSDOT, County DOT, Highway Superintendents	604(b), WQIP	Medium Term	\$5,000/year	N/A
Low	Conduct a follow-up salt survey study to determine the location of salt storage and application practices in the Black Creek Watershed	reduce the threat to the chemical and physical characteristics of the lake, and reduce pollution of groundwater	develop (or assess previous) survey, identify municipal and private salt storage facilities, gather responses	reduce impact of salt application, mixing, or storing on Black Creek	potentially high	potentially high	reduction of threat to the chemical and physical characteristics of the lake, and reduce pollution of groundwater	water quality	G/FLRPC, NYSDOT, counties, municipalities	LWRP, Cleaner Greener Phase II	long-term reduction of salt-only road de-icing, shift to more holistic approach	\$15,000	N/A
Low	Increase training for highway officials in erosion control, hydroseeding, and road deicing	Education of DOT's, Highway superintendents, and Soil and Water conservation	Provide education to those working on ditch, culverts and streams	reduced runoff, sedimentation	project-dependent	project-dependent	reduced erosion, sedimentation	education	G/FLRPC, NYSDOT, counties, municipalities	604(b), WQIP	Medium Term	\$5,000/year	N/A
Low	Install recreational access to stream at bridge crossings with new construction or repair	increase pedestrian connectivity to recreational areas	coordinate with NYSDOT to determine construction schedule and advocate for recreational access	Increase the connectivity of parks, trails, and natural areas to form a well-established network of interconnected green space	N/A	unknown	recreation, connectivity, green matrix, network	development, comprehensive planning, site planning, design standards	NYS DOT, counties, municipalities, tourism boards, PAC, NYS Parks and Trails	LWRP, Cleaner Greener Phase II, NYSDOT Scenic Byways	N/A	unknown	NYSDOT, municipalities
Low	Require special vegetative measures such as hydroseeding and mulching of roadside swales based on purchasing and sharing of hydroseeder and training and education of municipal, county, and state highway departments	repair cut, bare, and collapsing banks, exposed roots, and blow-out holes in ditch bottoms and gully erosion	assessment of most severe sites	initial hydroseeding should occur on the very severe sites, based on a roadbank inventory	estimated soil erosion rates of 100 to 200 tons per bankside mile	potentially high	reduced erosion, sedimentation	development, stormwater, drinking water, water quality, sediment, comprehensive planning	NYS DOT, counties, municipalities	604(b), WQIP	20% of very severe ditches/year	\$150,000	N/A

Wetlands, Riparian Zones, and Floodplains

Low	All municipalities that have land use control ordinances should require review of disturbances within 100 ft of all natural wetlands and all municipalities should prohibit discharge of stormwater to wetlands without prior treatment	Assist Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	preservation of wetlands as natural habitat for many species of plants and animals and for critical flood and stormwater control functions	evaluate through GIS and EAF Mapper by parcel, integrate into all zoning, subdivision, and/or site plan review controls	absorb the forces of flood and tidal erosion to prevent loss of upland soil	potentially high	Protection of the areas surrounding wetlands improves the functions of the wetland	agriculture, development, stormwater, drinking water, water quality, organic compounds, fertilizers, pesticides	municipalities, landowners	N/A	all municipalities with wetlands adjacent to riparian corridors	N/A	municipalities
Low	Inventory all wetlands in watershed to establish priorities. Restore degraded wetlands (based on watershed-wide analysis of potential benefit to water quality, habitat, and hydrology)	Inventory all wetlands in watershed to establish priorities	prioritize wetlands for restoration	develop inventory and assessment protocol, prioritize remediation efforts, train volunteer assessors	absorb the forces of flood and tidal erosion to prevent loss of upland soil	potentially high	Protection of the areas surrounding wetlands improves the functions of the wetland	agriculture, development, stormwater, drinking water, water quality, organic compounds, fertilizers, pesticides, heavy metals, nutrient loading, pathogens, sediment, comprehensive planning	NYS DEC, USEPA, SWCD, NRCS	Environmental Protection Fund	20 acres/year at \$5,000/acre	\$50,000	N/A

Regulatory Management

High	Adopt stream buffer / riparian setback regulations.	Assist Town of Chili, Village of Scottsville, Town of Wheatland, Town of Bergen, Town of Bethany, Town of Byron, Town of LeRoy, Village of LeRoy, Town of Pavilion, Town of Stafford, Town of Caledonia, Village of Caledonia, Town of Covington, Town of Gainesville, Town of Orangeville, Town of Perry, Town of Middlebury, Town of Warsaw, Village of Warsaw, Village of Wyoming	Provide municipalities with draft language for zoning laws.	Reduce the amount of harmful runoff and sedimentation caused by land use activities.	potentially high	Improved water quality	reduced erosion, sedimentation	Site Planning, design standards and Ag planning	G/FLRPC, County planning offices, municipal planning boards, Agricultural Protection Boards	LWRP, 604(b), WQIP, GLRI	Medium Term	combine with other tasks that revise local codes for efficiency. In combination with other local codes. \$15,000	Each municipality to adopt amendments to zoning law.
Medium	Each municipality and county agency should educate themselves about specifics of federal and state regulations and programs, and funding as they relate to nonpoint source pollution and water quality.	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	coordination with PAC, BCWC, WQCC, SCMC	Representative of each municipality attend 2-3 workshops per year	potentially high depending on funding acquired	project-dependent	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	agriculture, development, stormwater, drinking water, water quality, OWTS, wastewater treatment, water quality standards, education	, BCWC, FLOWPA, county, municipalities	unknown	Representative of each municipality attend 2-3 workshops per year	\$300 per municipality per year	N/A
Medium	Enforce floodplain development regulations, particularly all Special Flood Hazard Areas (Zone A or AE) as if they were floodways.	Reduce loss caused by floods.	Flood/Hazard mitigation strategy and code enforcement	Reduction of loss due to flood as well as erosion and sedimentation due to flooding	see reductions	Improved water quality and diminished losses	Improved water quality and diminished losses	agriculture, development, stormwater, drinking water, water quality, organic compounds, fertilizers, pesticides, heavy metals, nutrient loading, pathogens, sediment, comprehensive planning	County Emergency Management Councils, County Planning	EPA, 604(b), WQIP	Medium Term	TBD	Adoption and enforcement of strategy by each municipality and/or each county.
Medium	open space conservation	Site planning, design standards	Site plan standards, decrease minimum lot sizes, increase density, cluster subdivisions, buffering water courses	Develop site plan standards including minimum lot size, increased density, cluster subdivision, and water course setback standards and options	Stormwater runoff, sediment, nutrients, reduce habitat fragmentation and degradation	potentially high	conservation of open space and farmland, water quality restoration	development, open space, local laws, design standards	County planning, regional planning, municipalities, PAC, Genesee Land Trust	LWRP	Developed land, farmland, residential density, infrastructure, water quality	\$200,000	local law updates
Medium	All municipal elected officials, enforcement officers, highway superintendents, boards, and related professional staff should attend training on Stormwater Phase II state and federal regulations	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	coordination with PAC, BCWC, WQCC, SCMC	Representative of each municipality attend 4 workshops per year	N/A	project-dependent	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	agriculture, development, stormwater, runoff, drinking water, water quality, sediment, erosion	county, municipalities	unknown	Four workshops a year	\$6,000	N/A
Medium	Counties and municipalities should consider agricultural protection and preservation while addressing associated land conservation and water quality concerns through various county, state and federal programs	review existing regional programs, collaborative, and case studies for guidance	PAC should help to develop methods to assist in implementation of plans	conservation easements, watershed analysis, scenic preservation, rural design guidelines, tax districts	potentially high	potentially high	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	agriculture, development, tourism, comprehensive planning, sustainability, economic development	counties, municipalities	NYS DAM	Updated farmland and agricultural protection plans	\$25,000	N/A
Low	Municipalities consider adoption of aquifer protection laws.	Protect the drinking water from harmful contaminants.	Provide municipalities with draft language for land use law.	Protected water	Less water quality issues	Improved water quality	improved water quality	water quality, comprehensive planning	G/FLRPC, County planning offices, municipal planning boards	LWRP, Cleaner Greener Phase II	Medium Term	Combine with other recommended land use law updates.	Each municipality to adopt an aquifer protection law.
Low	Municipalities should encourage alternative agricultural uses of land within comprehensive planning and zoning structure	Update comprehensive plans and zoning to reflect this	review existing regional programs, collaborative, and case studies for guidance	cluster subdivisions, LEED-ND	N/A	potentially high	public engagement with plan development process and solidification of watershed management and related topics such as water quality, stormwater management, and erosion and sediment control as municipal priorities	agriculture, development, tourism, comprehensive planning, sustainability, economic development	counties, municipalities	NYSERDA Cleaner Greener Communities program	updated comprehensive plans and zoning	\$5,000-\$100,000	municipalities, counties, NYS DAM

Low	All municipalities that do not presently deal sufficiently with flood plain development within local law should adopt ordinances prohibiting development in 100-year floodplain, restrict location of barnyards and manure pits, and require elevation certificate required for all new development in Zone X	Assist Town of Chili, Village of Churchville, Town of Ogden, Town of Riga, Town of Sweden, Town of Wheatland, Town of Batavia, Town of Bergen, Village of Bergen, Town of Bethany, Town of Byron, Town of Elba, Town of Stafford, Town of Clarendon, Town of Middlebury	draft language, request review by NYS/DAM if there is concern about conflict with existing Right to Farm law	reduce loss caused by floods and prevent animal waste from entering water bodies	potentially high	Improved water quality and diminished losses	Improved water quality and diminished losses	agriculture, development, stormwater, drinking water, water quality, organic compounds, fertilizers, pesticides, heavy metals, nutrient loading, pathogens, sediment, comprehensive planning	municipalities, landowners	EPA, 604(b), WQIP	20% within 5 years	combine with other tasks that revise local codes for efficiency. In combination with other local codes. \$15,000	Adoption and enforcement of strategy by each municipality and/or each county.
Low	Draft (or revise) a comprehensive plan emphasizing the protection of local water resources and recognizing the importance of watershed planning efforts within the Black Creek watershed and other neighboring watersheds within the municipality	Assist Town of Bergen, Village of Bergen, Town of Byron, Town of Elba, Town of Middlebury	charrettes, gather widespread public input, draft initial comprehensive plan as strategic document that sets out the broad goals and vision of the community	adoption of a comprehensive plan	N/A	potentially high	public engagement with plan development process and solidification of watershed management and related topics such as water quality, stormwater management, and erosion and sediment control as municipal priorities	water quality, comprehensive planning	G/FLRPC, counties, municipalities	NYSDERDA Cleaner Greener Communities program	updated comprehensive plans and zoning	\$5,000-\$100,000	municipalities

Nutrient inputs and contaminants to surface waters

Highest (*Top 5 overall)	Develop nutrient and sediment reduction strategies for sub-watersheds and continue working with NYSDEC and TMDL project	Monitoring/Planning	coordination with PAC, BCWC, WQCC, SCMC	regular monitoring of phosphorus and suspended solids	Stormwater runoff, sediment, nutrients	potentially high	Reduced nutrient and sediment loadings	water quality, sediment	NYSDEC, SWCD, PAC, BCWC, WQCC, SCMC	GLRI	% reduction	\$75,000	N/A
Medium	Provide outreach and education to community, schools, and other institutions on green chemistry, green engineering, and other pollution prevention practices	Education/Outreach	Pollution prevention practices are implemented by target groups	distribute widely through Black Creek watershed	N/A	potentially high	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	water quality, collaboration, education	NYSDEC, NYSPP, SWCD, WQCC	EPF	web hits, events attended, # participants	\$2,500	N/A
Low	Ensure information about no P fertilizers is distributed and known	educating a broad range of people to help carry out best practices	research available materials and customize to suit Black Creek	distribute widely through Black Creek watershed	N/A	potentially high	strengthen local capacity for successful management and protection of watersheds by empowering decisionmakers	water quality, nutrient loading, education	CCE, Planning, SWCDs	EPF	web hits, events attended, # participants	\$2,500	N/A
Low	Encourage municipal and agricultural landowners to implement flood mitigation actions to reduce peak flows in high risk streams	Education/Outreach	establish peak flow reduction target	Develop benchmarks and criteria for measuring progress	potentially high	potentially high	Reduce stormwater runoff, sedimentation, and flood risk	water quality, nutrient loading, education	CCE, Planning, SWCDs	EPF	peak flow reduction	\$5,000	municipal
Low	Identify areas of contaminated sediments and groundwater, and quantify discharge to Black Creek	Monitoring/Planning	Remediation of contaminated areas	Develop benchmarks and criteria for measuring progress	Stormwater runoff, sediment, nutrients	advance county water quality strategies	Reduced nutrient and sediment loadings	water quality, sediment	NYSDEC, research institutions	unknown	development of database	\$150,000	N/A
Low	Assess concentrations and significance of contaminants such as pesticides, trace metals, and persistent organic pollutants in fish, wildlife, and vulnerable fish-consuming populations	Monitoring/Planning	Better understanding of legacy and emerging contaminant exposure levels, and the sub-watershed and temporal trends of contaminants	recruit participants with chemical, physical, and biological sciences background	N/A	potentially high	improved water quality and stream health	water quality, collaboration	NYSDEC, NYSDOH, NYSDERDA, academic institutions	EPF	development of database	unknown	N/A
Low	Significantly reduce toxic chemical use from industrial and commercial sources by providing tax incentives, loans and grants to organizations, as well as direct technical assistance through NYS programs	Action - Project	identify programs from NYS that may be used as incentives	Reduce use of toxic chemicals	Less chemicals released to air, water, soil of watershed	lower toxic chemical burden in organisms in watershed	less potential harmful impacts from chemicals	drinking water, fish, wildlife, human health	NYSPP, NYS MEPs, All	unknown	reduced chemical discharges into air, water, soil	unknown	N/A
Low	Ensure safe disposal of e-waste and household hazardous waste through community education and collection programs, and the promotion of product stewardship initiatives	educating a broad range of people to help carry out best practices	Promote proper waste disposal	organize annual (or more frequent) events	reduction of pollutants entering Black Creek	advance county water quality strategies	improved water quality and stream health	water quality, collaboration, education	NYSDEC, BCWC, WQCC, SWCD, FOLLOWPA, G/FLRPC, SCMC, academic institutions, Monroe County Environmental Services, GLOW	EPF	# of participants	N/A	unknown

Natural Resource and Habitat Protection

Medium	Establish a permanent leadership structure to coordinate invasive species efforts	Early detection of species may prevent full invasion	Target highly probable areas	join the New York State Invasive Species Task Force, BCWC leadership receive training on Invasive Species Identification and Reporting for http://www.nyimainvasives.org/ N/A	N/A	Prevent ecosystem function disruption - e.g., disruption of native species	water quality, sustainability	Invasive Species Taskforce NYSDEC, Partnerships for Regional Invasive Species Management (PRISM), BCWC, EPA, 604(b), WQIP WQCC, SWCD, FLOWPA, G/FLRPC, Invasive Species Research Institute (ISRI)	reduction in new invasives per year	\$5,000	N/A
Medium	Prepare and implement a comprehensive invasive species management plan	Early detection of species may prevent full invasion	Target highly probable areas	join the New York State Invasive Species Task Force, BCWC leadership receive training on Invasive Species Identification and Reporting for http://www.nyimainvasives.org/ N/A	potentially high	Prevent ecosystem function disruption - e.g., disruption of native species	water quality, sustainability	Invasive Species Taskforce NYSDEC, Partnerships for Regional Invasive Species Management (PRISM), BCWC, EPA, 604(b), WQIP WQCC, SWCD, FLOWPA, G/FLRPC, Invasive Species Research Institute (ISRI)	reduction in new invasives per year	\$50,000	N/A

Appendix
BLACK CREEK WATERSHED MANAGEMENT PLAN
MEMORANDUM OF UNDERSTANDING
FOR BLACK CREEK WATERSHED MUNICIPALITIES

This Memorandum of Understanding is among the four counties (Genesee, Orleans, Monroe and Wyoming) and municipal governments with jurisdictions that geographically fall within the Black Creek Watershed in the Finger Lakes Region of New York.

I. INTRODUCTION & BACKGROUND:

The Black Creek Watershed Management Plan was funded by a Local Waterfront Revitalization Grant (LWRP) through New York State Department of State. The work of the Black Creek Watershed Management Plan was overseen by a Project Advisory Committee and coordinated with the Black Creek Watershed Coalition. With the culmination of the Black Creek Watershed Management Plan, it is in the best interest of the water quality of Black Creek to form an intermunicipal organization of the four counties and municipal governments within the Black Creek Watershed to implement the recommendations of the Black Creek Watershed Management Plan.

II. RECITALS:

1. Each of the parties of this MOU is a local government or County having jurisdiction over a portion of the watershed of Black Creek.
2. The geographic boundaries of the Intermunicipal Organization shall be the entire Black Creek Watershed.
3. The parties desire to recognize that an intermunicipal organization can best facilitate partnership across political boundaries to promote the ecological vitality of the Black Creek Watershed.
4. It is to the parties' mutual advantage and benefit to develop and implement cooperative restoration and protection efforts throughout the watershed, and to promote a regional alliance among local governments and county programs.
5. The parties hereto plan to continue exploring joint local, state, federal and other funding opportunities; and to obtain public support for programs that implement the mission and goals of the Black Creek Watershed Management Plan.
6. The parties hereto recognize the value of using common resources effectively.
7. The parties hereto desire to be proactive in addressing watershed-based issues which affect areas beyond traditional political boundaries.
8. The parties hereto wish to communicate and coordinate on local, state and federal policies and programs that affect water quality in Black Creek.
9. The parties agree to share information and coordinate efforts to comply with regulatory requirements.
10. The parties hereto find that promoting stewardship of the Black Creek Watershed resources is in the public interest and for the common benefit of all within the Black Creek Watershed. The parties hereto desire to educate the communities in the Black Creek Watershed about the importance of watershed stewardship.

III. GENERAL PROVISIONS:

1. Definitions. As used in this MOU, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise.
 - a) "MOU" shall mean this memorandum of understanding.
 - b) "Member" or "members" shall mean the representatives from the local governments and four counties encompassed in the Black Creek Watershed.
 - c) "Watershed" shall mean the entire Black Creek Watershed. A map depicting the boundaries of the watershed is appended hereto.
2. Purpose. This MOU is to affirm each member's commitment to the mission, goals and objectives of the Black Creek Watershed Management Plan.
3. Establishment of the Intermunicipal Organization. There is hereby established the Black Creek Intermunicipal Organization. The geographic boundaries of the organization will be the Black Creek Watershed.

4. Vision. Watershed stakeholders, municipalities and government agencies will work together through implementation of the Black Creek Watershed Management Plan to maintain the common goal of clean water and sustainable watershed management for the future of the Black Creek Watershed. Sustainable watershed management must include local involvement in planning and the management of natural resources and be the shared responsibility of all stakeholders and watershed residents.
5. Organization Membership.
 - a) Each of the four counties and municipal governments shall appoint one member to participate in regular meetings and report actions to their local government.
 - b) One representative from the regional planning board (Genesee/Finger Lakes Regional Planning Council), one representative from each county Soil and Water Conservation District and one representative from the Black Creek Watershed Committee may be ex officio members of the organization.
 - c) Membership: The total membership of the organization shall be constituted by the members appointed by the parties to this agreement. If a party to this agreement fails to appoint a member, then the count of total membership shall not include such member.
6. Voting: Each party to this MOU shall have one member and one vote.
7. Quorum. A majority of the members of the organization shall constitute a quorum for the purposes of transacting business.
8. Officers:
 - a) On an annual basis, the organization shall elect by popular vote a chairperson, vice chairperson, and Treasurer, and Secretary.
 - b) The Chairperson shall call and preside over meetings.
 - c) The Vice Chairperson shall serve in the absence of the Chairperson
 - d) The Treasurer shall maintain books tracking all organization funds, if any, and make reports on organization finances at each meeting.
 - e) The Secretary shall take and distribute minutes of meetings and be responsible for the organization's correspondence.
9. Meeting Organization: All meetings shall be conducted according to Robert's Rules of Order, most current edition.
10. An annual plan of work, based on projects and initiatives in accordance with the Black Creek Watershed Management Plan, shall be approved by a quorum vote of organization members.

IV. AGREEMENT:

Intermunicipal Organization members agree to:

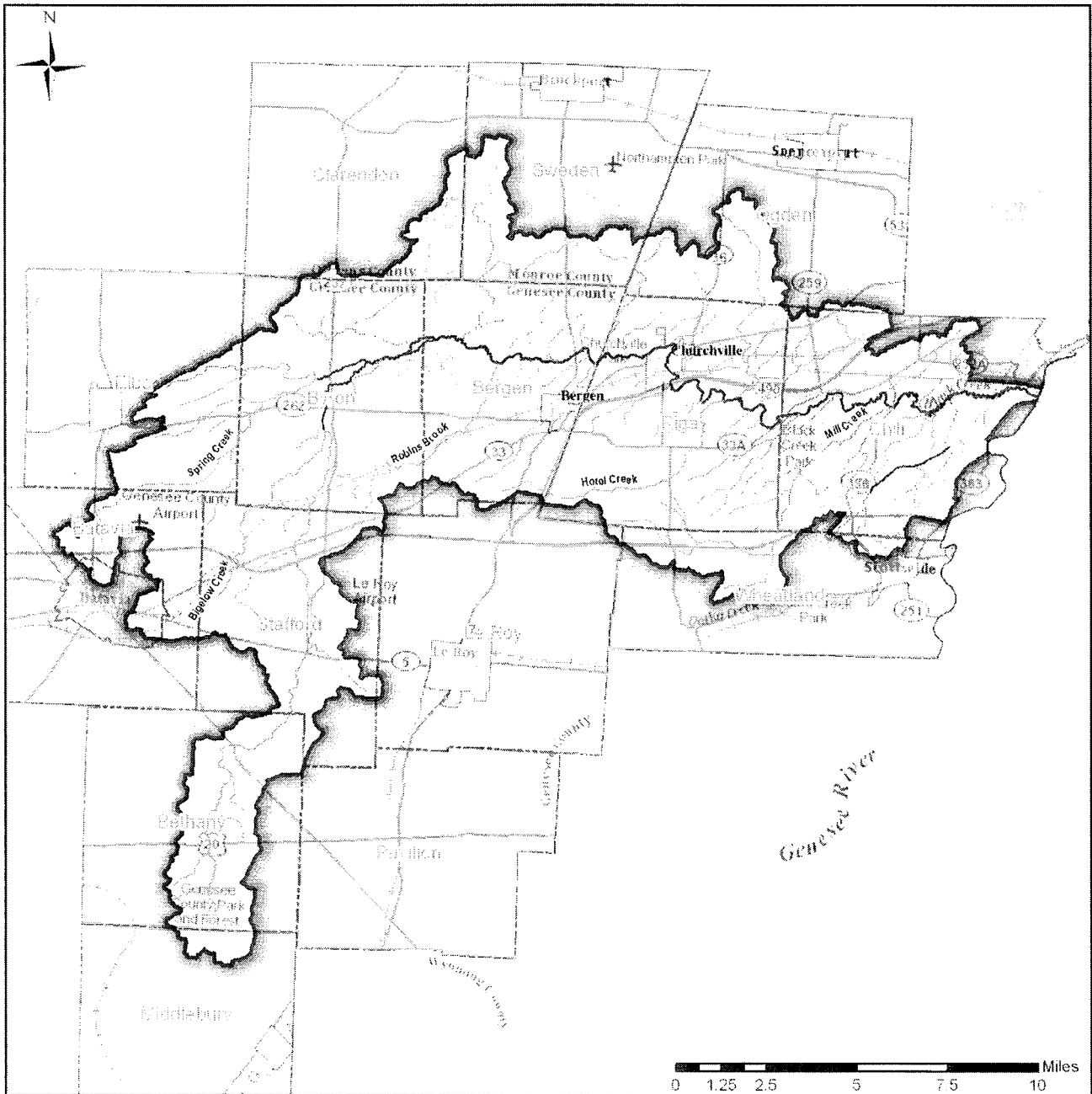
1. Work together to protect the water quality of Black Creek, which in turn protects the quality of life for residents and the economic viability of the region.
2. Participate in regular Intermunicipal Organization meetings.
3. Work to implement recommendations of the Black Creek Watershed Management Plan's goals and objectives.
4. Participate in and provide watershed stakeholders with meaningful training opportunities.
5. Seek funding opportunities to meet the goals and objectives of the Black Creek Watershed Management Plan.
6. Strive to update the Black Creek Watershed Management Plan at least every 10 years.

V. EFFECTIVE DATE:

This MOU shall become effective on the date of signature below. This MOU is ongoing unless it is terminated by a member upon written notice to the remaining membership of this Intermunicipal Organization. This MOU may be amended at any time by mutual accord.

Signed:
Dates
Witness:

Adapted from the Seneca Lake Watershed MoU



Municipalities of the Black Creek Watershed

(See Section 2.2, Municipalities in *Black Creek Watershed Management Plan: Characterization Report*, 2012.
<http://gflrpc.org/Publications/BlackOatka/Characterization/BlackCreekWatershed/Final/BlackCreekCharacterization050212.pdf>)