

Chapter 11: Management of Remedial Action Plan Implementation

11.1 Background

The Great Lakes Water Quality Agreement requires that RAPs include “an identification of the persons or agencies responsible for implementation of remedial measures” and “a process for evaluating remedial measure implementation and effectiveness”. The purpose of Chapter 11 is to:

- describe the roles of the agencies and organizations associated with the implementation of the Rochester Embayment RAP;
- describe the relationships among the various agencies and organizations associated with the RAP;
- outline the process that will be used to obtain commitments to implement and fund the selected remedial actions, studies, and monitoring programs as listed in Chapter 10 “Selected Remedial Measures, Studies, and Monitoring Methods”;
- outline RAP implementation funding strategies;
- outline the process that will be used to track implementation of the RAP;
- outline the process that will be used to propose and evaluate additional remedial actions, studies, and monitoring methods as required;
- describe the role of public participation in RAP implementation and the process by which public participation will be facilitated.

11.2 RAP implementation - institutional structure

The roles of the agencies and organizations involved in the implementation of the Rochester Embayment RAP, and the relationships among these entities, are outlined in charts 11-1.a. and 11-1.b.

Chart 11-1.a. outlines the roles of the binational, federal, state, and regional agencies and organizations involved in the implementation of the RAP. In the chart, there are no lines connecting these agencies and organizations because they do not report to one another. Generally, the role of the federal and state agencies is to (1) provide funding to implement remedial measures, studies, and monitoring actions and to (2) provide technical assistance to the various implementors at the local level. In contrast, the role of the binational and regional agencies generally involves coordinating and facilitating water quality programming at the level of the Great Lakes Basin or the region/watershed.

Chart 11-1.b. outlines the roles and relationships among the county-level organizations involved in the implementation of the RAP. Generally, the role of these county-level organizations is to oversee or implement the remedial measures, studies, and monitoring actions. Please note that not all of the rural counties have active WQCCs. In the absence of an active WQCC, the agency that provides coordination of water quality activities (Soil and Water Conservation District, County Health Department, or County Planning Department) may perform those functions assigned to the WQCC.

Chart 11-1.a. RAP Implementation - Institutional Structure

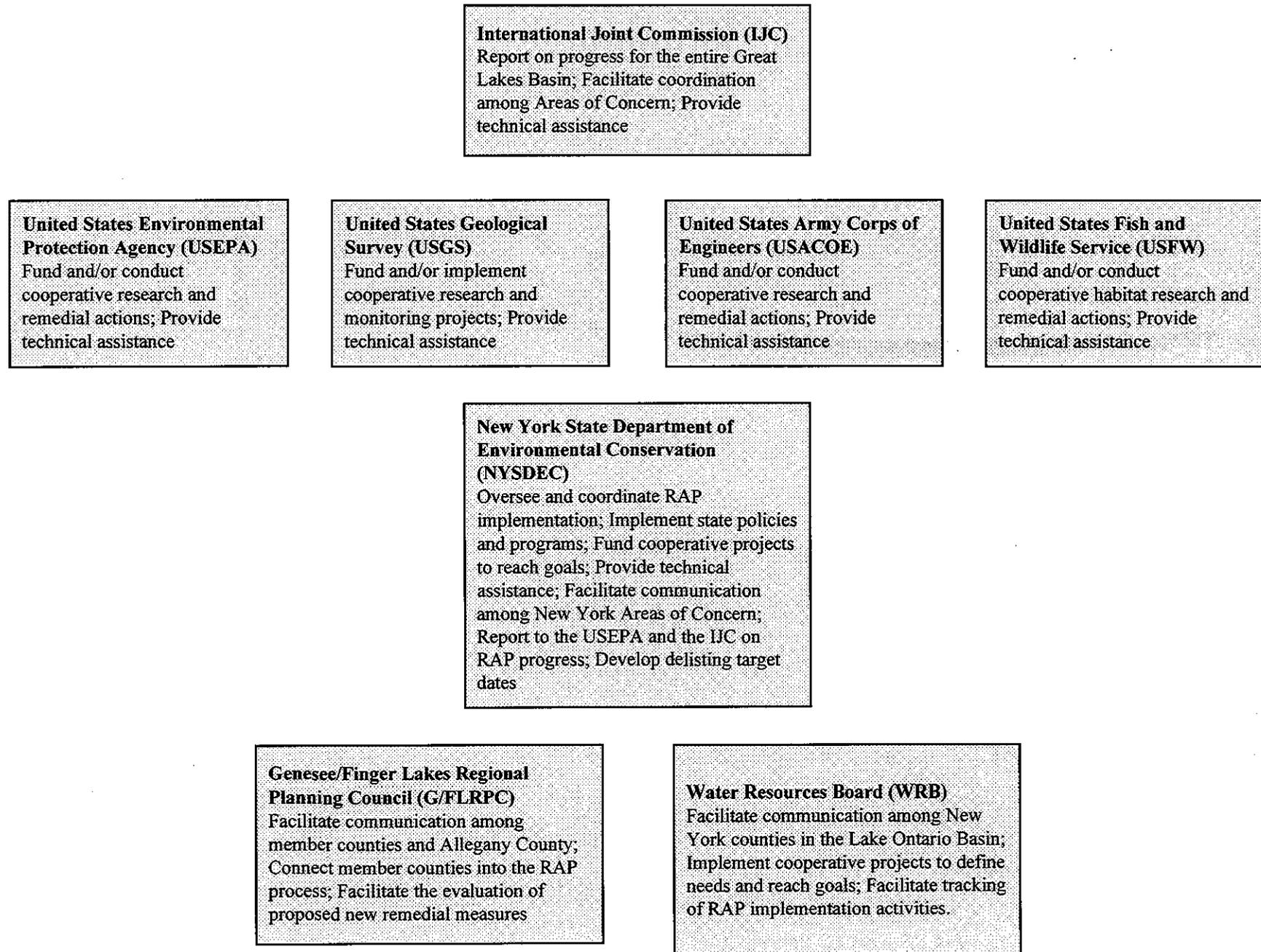
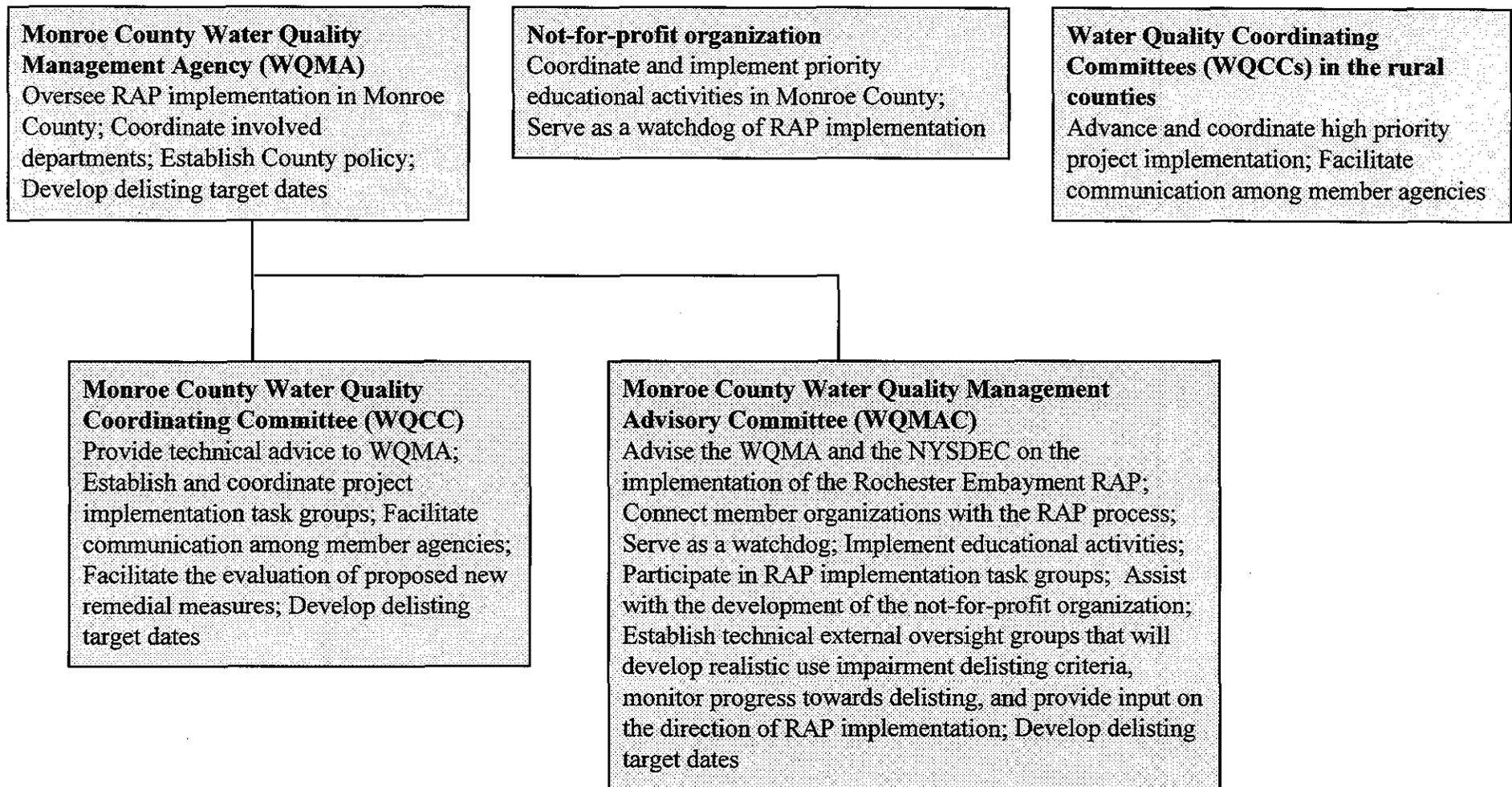


Chart 11-1.b. RAP Implementation - Institutional Structure



11.3 Process for Obtaining Funding and Commitments to Action

The steps that will be taken to obtain project funding and commitments to implement the selected remedial measures, studies, and monitoring actions are outlined in Charts 11-2.a. (Monroe County) and 11-2.b. (rural counties). Generally, this process involves incorporating the selected RAP actions into existing water quality programs, creating task groups to facilitate implementation, communicating with possible implementors, securing funding, and obtaining commitments.

Chart 11-2.a. Process for securing funding and obtaining commitments to implement selected remedial measures, studies, and monitoring actions in *Monroe County*

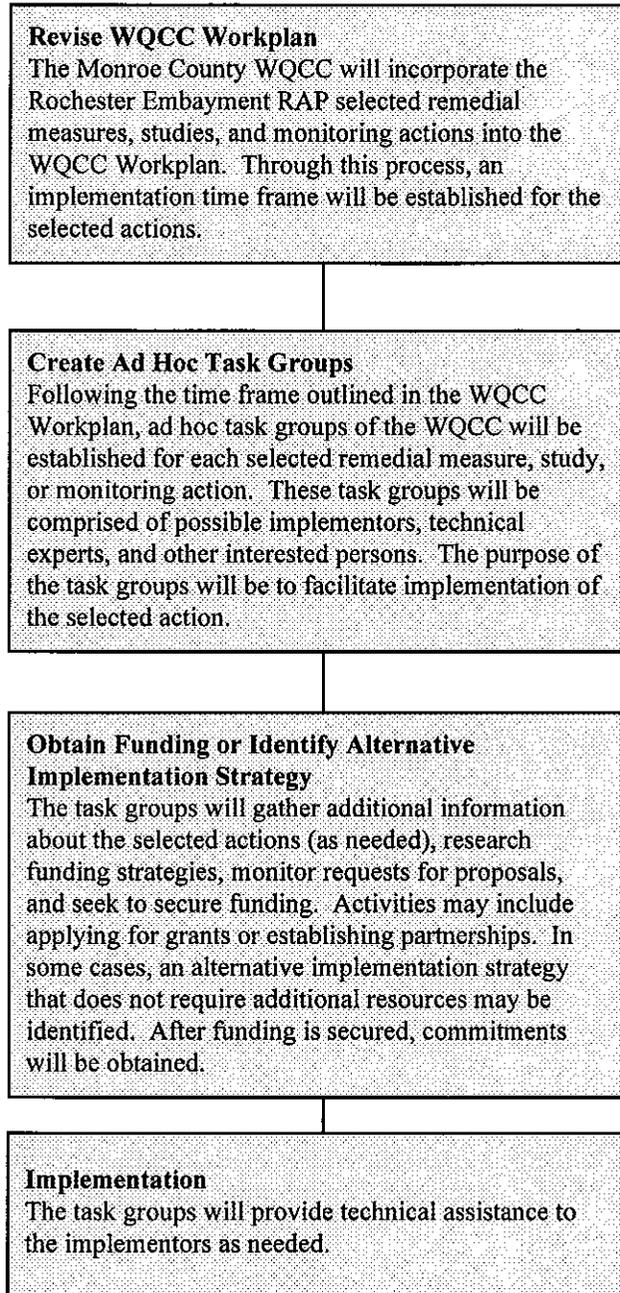
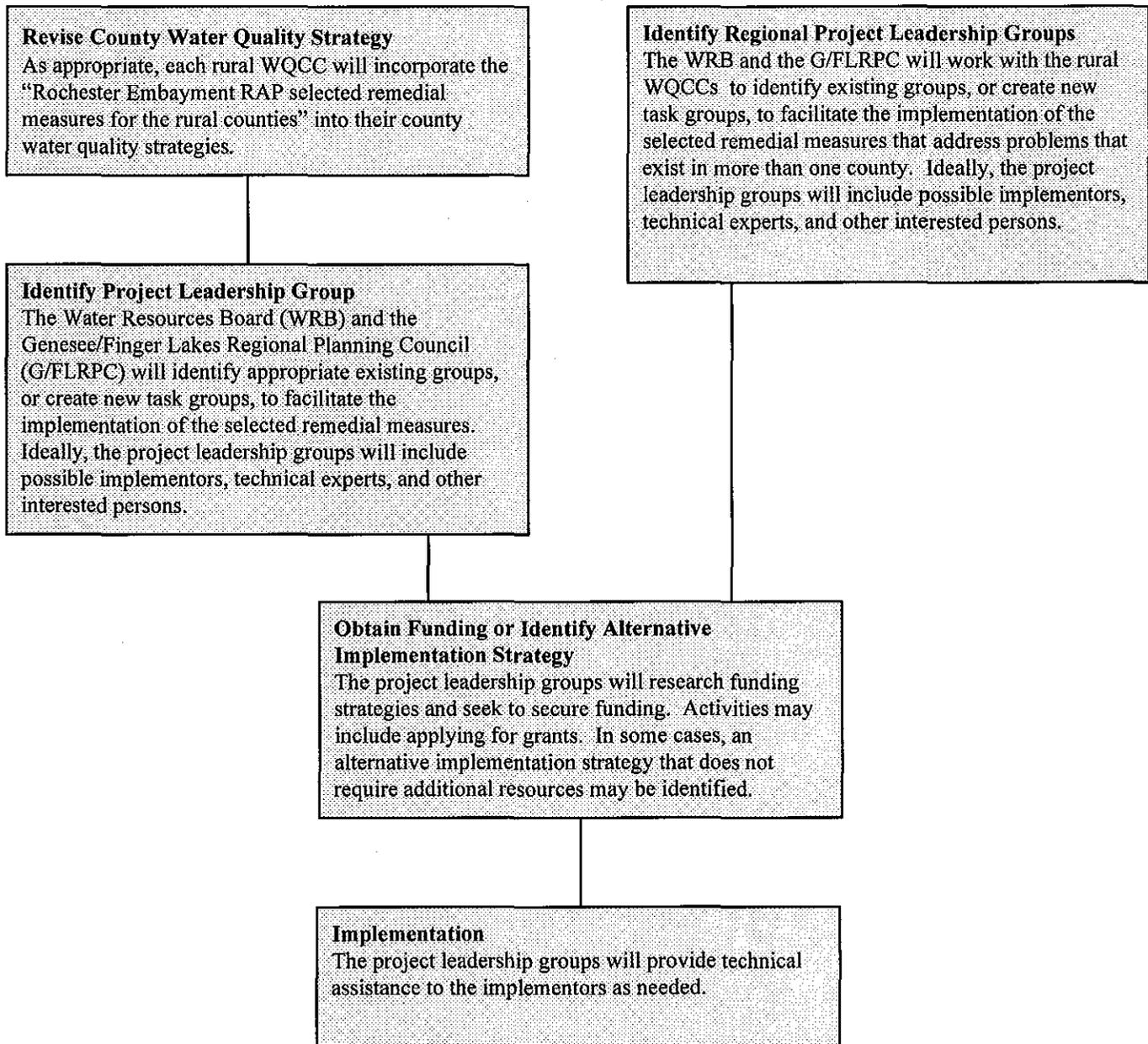


Chart 11-2.b. Proposed process for securing funding and obtaining commitments to implement selected remedial measures, studies, and monitoring actions in the rural counties



11.4 Funding strategy

11.4.1 Monroe County

The **general**¹ Rochester Embayment RAP funding strategy for Monroe County consists of the following five sub-strategies:

- Participate in the Finger Lakes - Lake Ontario Watershed Protection Alliance (FL-LOWPA)
- Create partnerships
- Pursue grants
- Establish a not-for-profit organization
- Investigate the use of special districts as part of the development of intergovernmental agreements (IGAs)

11.4.1.1 FL-LOWPA

The Monroe County WQCC, through Monroe County's membership in the FL-LOWPA, will seek funding to implement the selected remedial measures, studies, and monitoring actions. Implementation of the Rochester Embayment, Eighteen Mile Creek, and Oswego River RAPs is a major focus of the FL-LOWPA.

11.4.1.2 Partnerships

The Monroe County WQCC will facilitate the creation of formal and informal partnerships to implement the selected remedial measures, studies, and monitoring actions. A partnership is a voluntary, consensus-based coalition of organizations, agencies, and individuals convened in order to advance a specific project. For additional information regarding the partnerships concept, see Chapter 8 "Evaluation/Overview of Financing Mechanisms".

11.4.1.3 Grants

The Monroe County WQCC and its member agencies will seek grants from federal and state agencies and private foundations to fund the selected remedial measures, studies, and monitoring actions. For additional information regarding possible federal and state grant sources, see Chapter 8 "Evaluation/Overview of Financing Mechanisms" Part C "Accessing Funds from Existing Sources".

¹ Ad hoc task groups of the Monroe County WQCC will be established in order to facilitate implementation of the selected remedial measures, studies, and monitoring actions. Each of these task groups will develop a specific funding strategy for the action they are seeking to implement. For additional information regarding these task groups, see section 3 "Process for Obtaining Funding and Commitments to Action".

11.4.1.4 Not-for-profit organization

The Monroe County WQCC, with assistance from the WQMAC, will establish a not-for-profit organization that will conduct its own fund raising to advance the selected actions that involve public education and stewardship building. For additional information regarding not-for-profit organizations, see the Chapter 7 section entitled “Develop Public Education Structure” and Chapter 8 “Evaluation/Overview of Financing Mechanisms”.

11.4.1.5 Special districts

Monroe County and the municipalities will continue to explore the possibility of creating special districts as part of the ongoing process of establishing water quality intergovernmental agreements. The purpose of these special districts would be to finance stormwater management activities. If Monroe County and the municipalities ultimately decide to create special districts, these districts could provide a significant revenue source for RAP stormwater management implementation activities. For additional information regarding special districts, see Chapter 8 “Evaluation/Overview of Financing Mechanisms” Part A.2. “Special District Task Group” and Part B.1. “Special districts”.

11.4.2 Rural counties

The Rochester Embayment RAP funding strategy for the rural counties in the watershed consists of the following sub-strategies:

- Participation in the FL-LOWPA
- Pursuit of grants
- Implementation of joint projects through the G/FLRPC and/or the WRB

11.4.2.1 FL-LOWPA

The WQCCs in the rural counties (or, in the absence of an active WQCC, the agency that coordinates water quality programming), through their counties’ membership in the FL-LOWPA, will seek funding to implement the selected remedial measures, studies, and monitoring actions. Implementation of the Rochester Embayment, Eighteen Mile Creek, and Oswego River RAPs is a major focus of the FL-LOWPA.

11.4.2.2 Grants

The WQCCs in the rural counties and their member agencies will seek grants from federal and state sources and private foundations to fund the selected remedial measures, studies, and monitoring actions. For additional information regarding possible federal and state grant sources, see Chapter 8 “Evaluation/Overview of Financing Mechanisms” Part C “Accessing Funds from Existing Sources”.

11.4.2.3 Joint projects

The WQCCs in the rural counties, with assistance from the G/FLRPC and/or the WRB, will jointly advance implementation of selected remedial measures. The participation of a number of counties in the cooperative implementation of a single project will make it more affordable. Several possible joint projects were identified as part of the process of ranking new remedial measures in the rural counties. For additional information regarding the rural ranking process, see Chapter 10 “Selected Remedial Measures, Studies, and Monitoring Methods”. Additional possible joint projects may be identified through the G/FLRPC’s proposed Regional Water Quality Strategy process.

11.5 Mechanism to Track RAP Implementation

11.5.1 Background

As the Rochester Embayment RAP moves into the implementation phase, there will be a need to track implementation of the selected remedial measures, studies, and monitoring actions. The purpose of this tracking will be to (1) ensure that the selected actions are, in fact, being implemented, (2) communicate information regarding implementation to stakeholders, and (3) monitor progress in achieving RAP goals/objectives and the delisting of use impairments. This tracking will be achieved through both existing and new processes including the Monroe County Water Quality Management Advisory Committee (WQMAC) and a number of Water Resources Board programs. The advantage of using existing processes to track RAP implementation is that it will minimize the amount of staff time that will be required and will avoid any duplication of effort. Some of these processes will need to be slightly modified in order to facilitate the tracking of RAP implementation.

11.5.2 The Water Resources Board of the Finger Lakes Association, Inc. - Background Information

The Water Resources Board (WRB) is an alliance of 24 counties in the Lake Ontario Basin and is the governing body of the Finger Lakes - Lake Ontario Watershed Protection Alliance (FL-LOWPA).

11.5.2.1 Mission Statement

The WRB's mission is as follows:

Section 1 - The Water Resources Board is an alliance of counties which actively promotes basin-wide cooperation to maintain and improve water quality in the Finger Lakes - Lake Ontario region of New York State by:

- Exchanging information on progress toward water quality goals and the effectiveness of management practices;
- Convening an annual public conference to:
 - Promote consensus-based watershed visions and five-year implementation schedules;
 - Track water quality improvement and renew implementation schedules;
 - Create and foster partnerships among all levels of public and private interests to

carry out action plans.

Section 2 - The WRB will contract on behalf of its members with the New York Department of Environmental Conservation for grants; and in addition, will contract with other state, federal, or private agencies.

11.5.2.2 WRB Administration

The WRB is comprised of one county-appointed voting representative, and an alternate, from each of the 24 member counties. The Board elects four officers for two year terms: Chair, Vice-Chair, Secretary, and Treasurer. The full Board meets three times each year. In addition, the representatives within each region (western, central, and eastern) meet three times each year. The WRB also has an Executive Committee consisting of the four elected officers and three elected regional representatives.

A majority vote of those members present at Full Board and Executive Committee meetings is sufficient for the adoption of any resolution or the conducting of any business.

11.5.2.3 WRB Finances

The WRB operates on the basis of grants received and in-kind contributions from member counties. The WRB establishes a budget for the purposes of financing the general administrative expenses of the Board. The budget is established by a majority vote of the full Board.

Beginning in the 1996 fiscal year, each member county will receive an equal share of funds allocated by the New York State Legislature (\$1.2 million in fiscal year 1996).

11.5.2.4 The FL-LOWPA Program

FL-LOWPA is an alliance of 24 New York State counties in the Lake Ontario Basin. The FL-LOWPA program is designed to facilitate the development and implementation of coordinated and dynamic whole-watershed management programs; exchange information on the status of surface water quality in the region; and address local water priorities.

The FL-LOWPA evolved from the former Finger Lakes Aquatic Vegetation Control Program (AVCP). Originally, the AVCP was primarily an aquatic weed harvesting program. However, over the years, it evolved into a comprehensive, watershed-based pollution prevention program. Since 1984, the AVCP was funded through the New York State (NYS) Legislature as a member item. However, with the lack of funding during the 1994 fiscal year, it became clear that in order to ensure program continuity, the AVCP could no longer rely on an annual member item.

Therefore, a long-term effort was initiated to develop a more stable funding base. In 1995, a proposal to institutionalize the program through the formation of a FL-LOWPA was adopted.

The Alliance expands the geographic scope of the program to include the entire Lake Ontario Basin within New York State. All of the New York State counties in the Lake Ontario Basin were invited to join the 18 counties of the WRB. As of the summer of 1996, six (out of seven) of the counties in the Basin that were not already members of the WRB have elected to join the alliance. The Institutionalization of the program will take place in three phases.

Year 1: Transitional funding at the \$1 million level would be sought for the 18 member counties

Year 2: An increase in funding to the \$1.5 million level would be sought in order to allow expansion of the program to include the seven counties in the Lake Ontario Basin but not currently members of the WRB.

Long term vision: Create a 25-county Finger Lakes - Lake Ontario Watershed Protection Alliance using state enabling legislation.

11.5.3 Tracking Process

A number of new and existing processes will be used to track implementation of the RAP. These include a delisting target date task group, technical external oversight committees, workshops, newsletters, reports, and conferences. In some cases, these processes will need to be expanded or modified in some other way in order to effectively track RAP implementation.

11.5.3.1 Delisting Target Date Task Group

A "Delisting Target Date Task Group" will be established in order to develop the following goals.

- A separate delisting target date for each of the groupings of use impairments (toxics, eutrophication, drinking water, and habitat) in the Rochester Embayment
- A delisting target date for when the Rochester Embayment will be delisted as an Area of Concern (AOC)

These goals will help to give the public an idea of the timeframe involved in remediating our water quality problems and will help track the progress of RAP implementation.

The Task Group could be comprised of the Chairs (or his/her designee) and/or representatives from the following committees and agencies.

- Monroe County Water Quality Management Advisory Committee (WQMAC)
- Monroe County Water Quality Coordinating Committee (WQCC)
- Monroe County Water Quality Management Agency (WQMA)
- New York State Department of Environmental Conservation (NYSDEC)

Responsibility for coordinating the Task Group would rotate among the involved committees and agencies.

Initially, the Task Group will conduct the following research.

- Research the delisting process/evaluate experiences in other Areas of Concern
- Gauge IJC attitudes regarding delisting
- Determine the implications of delisting.

By December of 1997, the Task Group will develop preliminary delisting target dates. These dates will be provided to the Oversight Committees (as described below), in order to aid their work. The Task Group's final product, to be completed by May of 1998, will be a refined delisting target date which will be presented to the WQMAC and the WQCC for review. The WQMAC and the WQCC will make a recommendation regarding the target date to the WQMA and the NYSDEC. The Task Group would reconvene every five years in order to refine the target date based upon experience and input from the Oversight Committees.

11.5.3.2 Technical Oversight Committees

Technical Oversight Committees will be established in order to perform the following functions.

- Develop realistic and achievable delisting criteria
- Monitor progress towards delisting the use impairments
- Provide input on the direction of RAP implementation
- Keep the RAP process current

An Oversight Committee will be established for each of the groupings of use impairments (toxics, eutrophication, drinking water, and habitat) by September 1997. Each of the Committees will be modeled on the Priority Pollutant Task Group and include representatives from the WQMAC, WQCC, and academia. The Committees could function as subcommittees of the WQMAC. That is, the Oversight Committees could be appointed by the WQMAC and report to the WQMAC. The Committees could be chaired as follows.

- The Toxics Committee could be co-chaired by the Industrial Management Council and an environmental group such as the National Wildlife Federation
- The Eutrophication Committee could be chaired by the Director of the Monroe County Environmental Health Laboratory
- The Drinking Water Committee could be chaired by the Director of the Environmental Health Division of the Monroe County Health Department
- The Habitat Committee could be chaired by a local academic with expertise in habitat issues

By November 1997, the Oversight Committees will develop preliminary realistic and achievable use impairment delisting criteria and key result measures. These criteria will be submitted to the Delisting Target Date Task Group for use in developing the preliminary delisting target date. By March of 1998, the Oversight Committees will develop complete delisting criteria and key result measures. These criteria will be used by the Delisting Target Date Task Group to develop the refined target date. The Oversight Committees will then submit the proposed delisting criteria to the WQMAC and the WQCC for review. After reviewing the criteria, the WQMAC and the WQCC will submit them to the WQMA and the NYSDEC for review and/or adoption.

Once the delisting criteria have been adopted, the Oversight Committees will, on an annual basis, review monitoring data and issue a report (during Water Week) to the WQMAC, WQCC, WQMA, and the NYSDEC regarding progress towards delisting. In addition, the Oversight Committees will report on progress by means of the proposed Six Year Progress Report (the first such Report is proposed to be completed in 2003) and at the Water Resources Board's annual fall conference.

Because many of the Oversight Groups' members would be from outside of Monroe County government, they could provide an objective evaluation of the progress that is being made towards delisting and provide recommendations regarding the direction of RAP implementation. Also, because the Committees would serve as a formal link with the academic community, they would keep the RAP process current and serve as "peer reviewers" of RAP implementation activities.

11.5.3.3 Annual WRB/NYSDEC Spring Workshop

The annual WRB Spring Workshop is a one-day mini-conference for Board members and their colleagues. The workshop provides a forum for participants to share information regarding water quality topics. The workshop is sponsored by one of the three WRB regions (Western, Central, Eastern) and is shifted to a new region each year.

Every third year, when the Spring Workshop is sponsored by the WRB Western region (Allegany, Genesee, Monroe, Niagara, Orleans, Steuben, and Wyoming counties), Rochester Embayment RAP implementation activities will be the topic for some of the sessions. Possible topics for these sessions include the following.

- An overview of progress regarding the implementation of the selected remedial measures, studies, and monitoring activities.
- Information regarding specific local implementation activities.
- Information regarding implementation of stewardship building remedial measures. A Monroe County Water Quality Management Advisory Committee (WQMAC) representative could make this presentation.

In addition, posters will be developed for each of the RAP implementation activities and displayed at the Workshop. The posters will provide attendees with an introduction to the different implementation activities. Also, a written summary of the conference will be developed and distributed in order to educate the community regarding RAP implementation.

11.5.3.4 Occasional Newsletter

- On an occasional basis, the Monroe County Health Department will publish a colorful, several page "Rochester Embayment RAP Implementation" newsletter. The newsletter

will be similar in style to the water quality newsletter jointly published by the Monroe County Health Department with the United States Geological Survey. Possible topics that could be covered by the newsletter include the following.

- remedial measures, studies, and/or monitoring activities that have been initiated
- study and/or monitoring results summarized in the form of graphs
- progress towards achieving goals/objectives and/or delisting use impairments
- actions that citizens can take to improve water quality

The newsletter will be distributed in the community at various community events, public meetings, etc.

11.5.3.5 Six-Year RAP Progress Report

The Monroe County Health Department will develop a “Six-Year RAP Progress Report” in coordination with the United States Geological Survey (USGS) Water-Data Report.

Currently, Monroe County has a cooperative agreement with the USGS.

- The Monroe County Environmental Health Laboratory (EHL) collects water quality and flow data for surface waters within Monroe County, meeting USGS standards for data collection and analysis.
- USGS stores the data on the USGS database and incorporates Monroe County data in its annual USGS Water-Data Report. Every five years USGS publishes an interpretative report that also includes the Monroe County data. The interpretation is jointly conducted by the USGS and Monroe County.

It is the goal of the EHL to publish the interpretative report every three years in accordance with the following schedule:

| |
|--------------------------|
| 1989-1993 data by 1997 |
| 1994-1996 data by 1998 |
| 1997-1999 data by 2000 |
| 2000-2002 data by 2003 |
| 2003 - 2005 data by 2006 |
| etc. |

Therefore, the first Six-Year RAP Progress Report would be published in 2003 in order to coordinate with the three-year USGS interpretative report. The development of the RAP Progress Report will require the active involvement of NYSDEC staff, the Monroe County WQCC, the WQMAC (including the technical external oversight committees), and representatives of the rural counties. The report would contain the following types of information:

- Descriptions of the remedial measures that have been implemented in each of the counties within the Rochester Embayment Watershed
- Descriptions of studies that have been implemented (including an interpretation of the results)
- Descriptions of new monitoring programs that have been implemented including a summary of the data that was generated and an interpretation of the data
- Summary of USGS interpretive reports
- Description of progress in achieving RAP goals and objectives
- Description of progress in delisting use impairments for the Rochester Embayment Area of Concern (with input provided by the WQMAC and the technical external oversight committees)
- Implementation status of the selected remedial measures, studies, and monitoring actions
- Descriptions of new remedial measures that have been analyzed and/or adopted as part of the RAP process
- Outline of progress in implementing the Monroe County RAP funding strategy and the rural counties RAP funding strategy
- Descriptions of WQMAC public outreach and educational activities
- Recommendations from the WQMAC/oversight committees regarding the direction of RAP implementation

A colorful, "user-friendly", 20-page summary of the Six-Year RAP Progress Report will also be developed. The format of the summary may be similar to the water quality newsletter jointly published by the Monroe County Health Department in cooperation with the USGS. The RAP

Progress Report and summary will be distributed in the community at various events, public meetings, etc.

11.5.3.6 Water Resources Board Annual Conference

Since 1992, the WRB has sponsored an annual conference. The conference functions as a **public** forum to develop consensus visions and cooperative watershed management strategies. The focus of the conference is cycled according to the following schedule.

| Year | Conference Focus |
|------|---|
| 1995 | Keuka and Canandaigua Lakes |
| 1996 | Lake Ontario / Embayments / Genesee and Oswego Rivers |
| 1997 | Cayuga and Seneca Lakes |
| 1998 | Honeoye, Canadice, Hemlock, Conesus, and Silver Lakes |
| 1999 | Otisco, Skaneateles, and Owasco Lakes |
| 2000 | Repeat cycle |

When the focus of the conference is Lake Ontario and the Genesee River (2001, 2006, etc.), RAP implementation will be a primary component of the conference. Possible conference session topics include the following.

- An overview of the implementation status of the selected RAP remedial measures, studies, and monitoring actions
- Remedial measures that have been initiated
- WQMAC activities
- Possible new remedial measures that have been proposed
- Studies and results
- Monitoring programs and an interpretation of the data
- Progress towards achieving RAP goals/objectives
- Progress towards the delisting of Use Impairments in the Rochester Embayment Area of Concern

Tables 11-1.a. and 11-1.b. provide a schedule of the activities related to tracking the implementation of the Rochester Embayment RAP. The primary purpose of the tables is to provide the reader with a **very tentative** schedule of when the different RAP tracking activities may occur and how they may relate to one another.

Table 11-1.a. Tentative Schedule of Activities - The Establishment of a Delisting Target Date, the Development of Realistic Delisting Criteria, and the Oversight/Tracking of RAP Implementation - Short-Term Tasks

| Activity | Implementor | Date | | | | | | | | |
|---|--|--------|---------|---------|---------|--------|--------|--------|--------|--------|
| | | 9 - 97 | 10 - 97 | 11 - 97 | 12 - 97 | 1 - 98 | 2 - 98 | 3 - 98 | 4 - 98 | 5 - 98 |
| Establish a Delisting Target Date Task Group | Monroe County Health Dept Bureau of Water Quality Planning | X | | | | | | | | |
| Establish Four Oversight Committees | Monroe County Health Dept Bureau of Water Quality Planning | X | | | | | | | | |
| Conduct a joint meeting of the Four Oversight Committees | Monroe County Health Dept Bureau of Water Quality Planning | X | | | | | | | | |
| The Oversight Committees will establish preliminary delisting criteria | Members of the Oversight Committees with staff support from the Monroe County Health Dept Bureau of Water Quality Planning | | | X | | | | | | |
| Conduct a joint meeting of the Oversight Committees with the Delisting Target Date Task Group | Monroe County Health Dept Bureau of Water Quality Planning | | | X | | | | | | |

| Activity | Implementor | Date | | | | | | | | |
|--|--|--------|---------|---------|---------|--------|--------|--------|--------|--------|
| | | 9 - 97 | 10 - 97 | 11 - 97 | 12 - 97 | 1 - 98 | 2 - 98 | 3 - 98 | 4 - 98 | 5 - 98 |
| The Delisting Target Date Task Group will establish preliminary delisting target dates | Members of the Task Group with staff support from the Monroe County Health Dept Bureau of Water Quality Planning | | | | X | | | | | |
| Issue a RAP Implementation Newsletter | Monroe County Health Dept Bureau of Water Quality Planning | | | | X | | | | | |
| The Oversight Committees will finish establishing realistic and achievable use impairment delisting criteria and key result measures | Members of the Oversight Committees with staff support from the Monroe County Health Dept Bureau of Water Quality Planning | | | | | | | X | | |
| The Delisting Target Date Task Group will develop refined delisting target dates | Members of the Task Group with staff support from the Monroe County Health Dept Bureau of Water Quality Planning | | | | | | | | | X |

Table 11-1.b. Tentative Schedule of Activities - The Establishment of a Delisting Target Date, the Development of Realistic Delisting Criteria, and the Oversight/Tracking of RAP Implementation - Long-Term Tasks

| Activity | Implementor | Date | | | | | | |
|--|--|------|------|------|------|------|------|------|
| | | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| Oversight Committees will review monitoring data and issue a report | Members of the Oversight Committees with staff support from the Monroe County Health Department Bureau of Water Quality Planning and the Environmental Health Laboratory | X | X | X | X | X | X | X |
| Report on RAP implementation at the Water Resources Board's annual spring workshop | Monroe County Health Dept Bureau of Water Quality Planning | X | | | X | | | X |
| Issue a RAP implementation newsletter | Monroe County Health Dept Bureau of Water Quality Planning | X | X | X | X | X | X | X |
| Report on RAP implementation at the Water Resources Board's annual conference | Monroe County Health Dept Bureau of Water Quality Planning | | | X | | | | |

| Activity | Implementor | Date | | | | | | |
|--|--|------|------|------|------|------|------|------|
| | | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| Reconvene the Delisting Target Date Task Group in order to refine the target dates | Monroe County Health Dept Bureau of Water Quality Planning | | | | X | | | |
| Publish a Six Year RAP Implementation Progress Report | Monroe County Health Dept with assistance from the members of the Oversight Committees, the WQMAC and the NYSDEC | | | | | X | | |

11.6 Process for Evaluation of New Proposed Remedial Measures

11.6.1 Monroe County

11.6.1.1 Introduction

The Monroe County WQMAC anticipates that many possible new remedial measures, studies and monitoring activities will be proposed during the Stage II RAP review process and during the implementation phase of the RAP (Stage III). The value of each new proposal deserves the same consideration for potential implementation as the proposals presented in Chapters 4 (studies), 7 (remedial measures) and 9 (monitoring) of the Stage II RAP.

11.6.1.2 Process

A review process will be conducted every three years for possible new remedial measures, studies, and monitoring activities. The first review period should begin in 1997. It would include remedial measures, studies and monitoring activities proposed during the review of the Stage II RAP. After the 1997 review period, there would be review periods every three years.

The process for review will be as follows:

The person responsible for the proposal should submit the proposal in writing with as much detail included as possible (see Stage II RAP Chapter 7 sections for information needed). The proposal should be submitted to:

- The WQMAC, c/o Monroe County Department of Health Water Quality Planning staff (for proposals that affect Monroe County).
- The Genesee/Finger Lakes Regional Planning Council or the Finger Lakes/Lake Ontario Watershed Protection Alliance (for proposals that affect rural counties).

If a proposal is presented verbally at a public meeting, the name of the person responsible and a telephone number should be recorded, so that a written proposal or more information can be requested.

The proposal will be held in a file until the next review period. During the holding time, additional information can be added, if needed. The proposal can also be sent during this time to appropriate reviewers for their comments, and can be revised accordingly. The author of the proposal must be involved in the revision process. During the holding time, it may be desirable to periodically distribute a list of proposals to WQMAC, the Monroe County WQCC, WRB, G/FLRPC, and the NYSDEC.

The proposal could be evaluated during the next review period either by an ad hoc committee of the WQCC or by a task group comprised of:

- At least 2 WQMAC members.
- At least 1 WQCC member.

- At least one Monroe County official.
- At least one NYSDEC official.
- At least one town official, if an action to be implemented by towns is proposed.
- A representative of any other proposed implementor.

The review process will be somewhat similar to the 1996 ranking process for Chapter 7 actions, but there will also be some differences:

- The proposal will be given a score according to the final criteria adopted during the 1996 ranking. However, the scoring process will be more important than the actual score. The process will lead the task group to consider the criteria of cost, benefit, feasibility and popularity for each proposal.
- When several proposals are being considered simultaneously, each will be considered on its own merits. An actual ranked list will have less importance than in the 1996 ranking process because there may not be a great number or diversity of proposals. In some review periods, all proposals may be recommended; in other review periods, none may be recommended.
- In making recommendations, the task group may want to use the range of scores for "recommended" actions in the 1996 ranking process as a guideline for additional actions to be recommended.
- The final product of the task group will be a list of "recommended" actions and a list of "not recommended" actions. Items on the "not recommended" list should be filed; they may become more appropriate during some future year.
- The process of developing the lists will be documented.

The "recommended" list and "not recommended" list will be presented to the full WQMAC and the full WQCC for their review and changes. The WQMAC and the WQCC will then present their "recommended" lists to the Monroe County Water Quality Management Agency (WQMA) and NYSDEC, in a manner similar to the 1996 process.

11.6.2 Rural counties

Municipal and county agencies tend to work through their county WQCCs. Proposals could be brought to the county WQCC for inclusion in the county Water Quality Strategy. In this way, new actions would be considered as funding becomes available.

If a particular action concerns more than one county, it may be brought to the G/FLRPC, either through the Planning Coordination Committee (PCC) or as part of the proposed Regional Water Quality Strategy process. In either case, it would then become part of the coordination component of the G/FLRPC Water Quality Program. G/FLRPC would then take the lead responsibility for updating the action or developing the proposal.

11.7 Public Participation during RAP Implementation

11.7.1 Monroe County

Throughout the Rochester Embayment RAP development process, it has been recognized that public participation is essential. During the development of the Stage II RAP, a number of strategies were used to facilitate public participation including the WQMAC, review teams, ranking committees, and public meetings. These strategies are described in Chapter 1 “Introduction” and Chapter 10 “Selected Remedial Measures, Studies, and Monitoring Methods”.

As the Rochester Embayment RAP moves into the implementation phase, public participation will be essential in order to build support for the funding of remedial measure implementation. In addition, as discussed in the Chapter 7 section “Develop Public Education Structure”, many causes of nonpoint source water pollution are associated with citizen actions. Therefore, there is a tremendous need to educate and involve the public in programs to improve water quality.

The primary strategy to facilitate public participation during the implementation phase of the RAP program will be the WQMAC (see Chart 11-1.b.). For example, the WQMAC will be involved in the process of evaluating new remedial measures as described in section 6. WQMAC members may also participate in the ad hoc WQCC implementation task groups. In addition, a number of possible WQMAC educational and public participation strategies are listed in the above mentioned Chapter 7 section.

Public participation in RAP implementation may also be facilitated through a local water quality not-for-profit organization. If such an organization is established, its primary purpose will be to coordinate and implement water quality educational activities in the Rochester Embayment Watershed (see Chapter 7 section “Develop Public Education Structure”). As part of this process, it could educate the public about the Rochester Embayment RAP and encourage citizens to become involved in the process.

11.7.2 Rural counties

The WQCCs in the rural counties in the Rochester Embayment Watershed, the G/FLRPC, and the NYSDEC regional offices will be responsible for coordinating public participation associated with their RAP implementation activities.

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