



Cayuga Lake Phosphorus Total Maximum Daily Load Technical Advisory Committee (TAC)

Charter

New York State Department of Environmental Conservation

Cayuga Lake Total Maximum Daily Load Technical Advisory Committee

1. **Team Name:**

Cayuga Lake Phosphorus Total Maximum Daily Load Technical Advisory Committee (TAC)

2. **Sponsor:**

The Division of Water of the New York State Department of Environmental Conservation (NYSDEC)

3. **Objectives and Scope of Activities:**

The TAC is identified as a scientific/technical advisory committee. The objective of the TAC is to provide independent advice to NYSDEC on the scientific and technical aspects associated with the development of a Total Maximum Daily Load Analysis (TMDL) for phosphorus in Cayuga Lake. It should be understood that throughout this document, any reference to the development of a TMDL also covers the preparation of any equivalent alternative to a TMDL, such as a nine element [watershed management plan](#). Any such alternative to a TMDL must result in the implementation of a set of management actions that result in the South Lake segment of Cayuga Lake being removed from the NY 303(d) List of Impaired Waters, specifically for the pollutant phosphorus.

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The major objectives are to review and provide NYSDEC advice and recommendations on:

- a. The adequacy and scientific basis of any laboratory work, field efforts, mathematical models, statistical analysis of data, written documents and public presentations developed by the Modeling and Monitoring Project participants, which include staff from Cornell University and the Upstate Freshwater Institute, who are charged with developing the lake and watershed model. The participants are subsequently referred to in this document as the project team.
- b. Selection of additional individuals needed to conduct external peer review of any elements listed in item a, above.
- c. The suggestion of additional scientific and technical studies needed in order to complete the TMDL in a timely fashion.

4. Description of Committee Duties:

The duties of the TAC are solely to provide advice and recommendations to NYSDEC.

5. Official(s) to Whom the Committee Reports:

The TAC will report its advice and recommendations via its Chairperson, to Jeffrey Myers, the Director of the Bureau of Water Assessment and Management in the Division of Water of NYSDEC.

6. Milestones/Deliverables:

Milestones (2013-16) (dates represent targets and may be adjusted if necessary and as agreed):

- 9/11/2013 Initial TAC Organizational Meeting - **Completed**
- 9//2013 Charter Review by TAC and comments on Charter to NYSDEC - **Completed**
- 10/15/2013 Establish the Model Evaluation Group (MEG) by USEPA - **Completed**
- 10/15/2013 Adoption of Charter - **Completed**

- 1/15/2014 Presentation to the TAC by the project team of the results from the first year's field work - **Completed**
- 2/15/2014 Provide comments on the 2013 project team presentation - **Completed**
- 5/15/2014 Presentation to the TAC by the project team on the status of the Lake and watershed simulation modeling efforts - **Completed**
- 6/15/2014 Provide comments on 2014 project team modeling presentation - **Completed**
- 11/5/2014 Presentation to the TAC by the project team of the results from any additional field work conducted after 2013 - **Completed**

- 1/15/2015 Provide comments on the 2014 project team presentation - **Completed**

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- 10/15/2015 Presentation to the TAC by the project team on the status of the Lake and watershed simulation modeling efforts.
- 11/15/2015 Provide comments on the 2015 project team presentation.
- 10/15/2016 Presentations to the TAC by NYSDEC and the project team on scenario modeling
- 11/15/2016 Provide comments on the 2016 NYSDEC and project team presentations.
- 7/01/2017 Draft TMDL is made available to the TAC for internal review.
- 9/01/2017 Revised draft TMDL document is made available for public comment and review
- 1/01/2018 Final TMDL document is submitted to USEPA for approval.
- 2/01/2018 TMDL is approved by USEPA.

Deliverables:

Technical Advisory Committee Deliverables

- Provide input into TMDL development process
- Provide in-kind staff contributions
- Advise on who should be kept informed of technical issues associated with the TMDL development process
- Review and provide comments on the Draft TMDL and Implementation Plan
- Review and provide comments on the Final TMDL and Implementation Plan

Administrative Deliverables (NYSDEC)

- Track and email updates to TAC members on specific issues regarding the TMDL
- Schedule TAC meetings and prepare meeting agendas
- Email TAC meeting notices and circulate supporting documents
- Arrange either audio or video conferencing for TAC meetings as needed.
- Prepare the TAC meeting summaries
- Provide general guidance to the TAC
- Revise TAC milestones and deliverables

Administrative Deliverables (USEPA)

- Establish the MEG via a contract. See item 12, below.
- Consult with the TAC to procure outside experts for specialized model peer review
- Serve as liaison between the MEG and the TAC
- Manage expenditures of the MEG

7. Agency Responsible for Providing the Necessary Support:

NYSDEC will be responsible for administrative support. Within NYSDEC, this support will be provided by the Division of Water

8. Estimated Annual Operating Costs and Work Years:

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The estimated annual operating cost of the TAC is \$11,000 which includes 0.1 person-years of in-kind support. NYSDEC will make every effort to use telephone and video conferencing to limit the amount of traveling required by TAC members to participate in meetings.

9. Designated Federal Officer:

USEPA will assign a full-time employee from its Region 2 Office in New York City, NY as the Designated Federal Officer (DFO) for the TAC. The DFO (or a designee) will participate at all meetings. The DFO will be provided with a draft of the meeting agenda in advance for review and comment. The DFO will ensure that all appropriate staff of USEPA are advised in a timely manner of any issues associated with the TMDL development that may need immediate attention by USEPA or NYSDEC.

10. Estimated Number and Frequency of Meetings:

Meetings of the TAC will be held as needed and as approved by the TAC Chairperson; two to four meetings a year are anticipated. NYSDEC may pay travel and per diem expenses for non-federal and non-NY State TAC members when determined necessary and appropriate by the TAC Chairperson.

TAC meetings will be closed to the public unless the Commissioner of NYSDEC determines that a meeting or a portion of a meeting must be open to the public in accordance with federal and NY State laws and regulations. Interested persons may request to participate in TAC meetings, appear before the TAC, or file comments with the TAC.

10. Duration and Termination:

The TAC will be needed on a continuing basis until the TMDL is approved by USEPA. This charter will be in effect for two years from the effective date. After this two-year period, the charter may be renewed until the TMDL is approved by USEPA.

11. Member Composition:

The TAC will be composed of 6 members. The number of TAC members may be adjusted as necessary, to ensure that emerging issues are adequately addressed during TMDL development and planning for TMDL implementation. Members will be independent experts in the fields of science, engineering, economics, and social sciences and will provide a range of expertise required to assess the scientific and technical aspects of issues associated with TMDL development.

The Chairperson of the TAC will be designated by NYSDEC, as will a substitute designee should the Chair not be available. NYSDEC will also provide a Secretary to the TAC, who will be responsible for taking and circulating meeting summaries. Cornell University will provide a liaison, who will sit in on

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TAC meetings. The Cornell liaison may, from time to time, invite other members from the project team to participate in TAC meetings. The TAC membership (updated as of March 2015) is as follows:

Members:

- Steve Gladding (NYSDEC, Albany) - Chairperson
- Rosella O'Connor (USEPA, New York City)
- William Coon (USGS, Ithaca)
- Richard Yager (USGS alternate)
- John Halfman (Hobart and William Smith College)
- Roxanna Johnston (Tompkins County Water Resources Council/Monitoring Partnership)
- Amanda Barber (Cortland County Soil and Water Conservation District)

Other Participants:

- Susan Van Patten (NYSDEC, Albany) – TAC outreach and coordination
- Steve Beyers (Cornell University) – project team liaison
- Jeffrey Myers (NYSDEC, Albany) – Overall NY State Cayuga Lake project manager

12. Subgroups:

NYSDEC, in consultation with the TAC, may form committees, panels, or workgroups for any purpose consistent with this charter. Such committees, panels or workgroups may not work independently of the chartered committee and must report their recommendations and advice to the TAC Chairperson for full deliberation and discussion. Committees, panels, and workgroups have no authority to make decisions on behalf of the TAC and may not report directly to NYSDEC.

USEPA has established a Model Evaluation Group (MEG) to provide the TAC with additional model review capabilities. The MEG is not an entity separate from the TAC, but rather a vehicle by which individuals with the technical expertise necessary can be secured to review specific issues that may arise from time to time during the development of the watershed and lake simulation models. The USEPA representative on the TAC will communicate directly with the TAC Chairperson in order to produce efficient integration of the MEG and the TAC.

13. Recordkeeping:

The records of the TAC shall be maintained by NYSDEC as appropriate.

Originally Issued: October 1, 2013

Updated: September 24, 2014

Updated: March 30, 2015