

THE DISTRICT DISPATCH

The Cuba Lake District Board of Commissioners Information Letter

JUNE 2006

The HEADLINES:

District Agenda for 2006:

The Board of Commissioners has a busy agenda planned for 2006. Included in agenda are:

Update of all leases and collection of delinquent lease fees by July 14, 2006.

Initiation of a meeting schedule with the Seneca Nation of Indians representatives as provided for in the Cooperative Management Agreement of March 17, 2005 between the State of New York and the Seneca Nation.

Further pursuit of the Mount Monroe sediment basin project.

Update of the District's Land Use Restrictions & Controls to provide for more comprehensive guidelines for use in project planning as well as providing for smoother handling of permit requirements.

Public meeting to discuss the sewer project.

Elections scheduled for August 26, 2006. The vote will include positions for one Commissioner and for the Treasurer. Referendums on the Land use restrictions and the sewer district will hopefully be ready for that vote.

Lake Management Projects including weed harvesting and general clean up.

06/09 is here:

The three-year lease period (03/06) has come to an end. By April end, leaseholders should have received new leases for signature, to cover years 2006 through 2009 (06/09).

Without a lease you chance forfeiting your right to be on the leasehold.

The Board of Commissioners have taken on the effort to insure all leases and lease fees are up to date or accounted for by July 14, 2006.

Lake Management Fund Budget has been approved by the State:

The District's requested 2006 budget has been approved by the State OGS to the extent of the balance of monies on deposit in the Cuba Lake Management Fund or for the requested \$167,000. The lease fees collected in 2005 and any residual from prior years provide the base source for this funding. Annual fees collectable at current lease fee levels totals \$161,433. Excluding year 06/07 there is a total of at least \$21,000 in delinquent payments.

Cuba Lake Manager:

Lake Manager, Dave Bosworth is available May through October. Feel free to contact him for Lake Management issues including plans involving projects covered by the Land Use Restrictions & Controls and obligations under your lease.

Contact information is

E-mail - cubalakedistrict@yahoo.com

Phone - (585) 968-0500

THE DISTRICT DISPATCH

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Mount Monroe Sediment Basin:

In April, the New York State Emergency Management Office (SEMO) in a letter to the Lake Manager, announced that, under the Hazard Mitigation Grant Program (HMGP), the Federal Emergency Management Agency (FEMA) has approved The District's application to construct a sediment basin in the Mt. Monroe Creek that runs through lot 323 on the North Shore.

Full approval has been received for Phase 1 which includes engineering design phase and the wetland delineation performed by the U.S. Army Corps of Engineers (USACE). Part 1 is scheduled for completion by August 31, 2006 at a cost of \$15,000 made up of a 75% federal share and a local matching share of 25%.

Part 2, project construction approval is contingent upon the results of Part 1 being completed within established time frames. Current projected cost is \$113,000 which upon approval would again be made up of a 75% federal share and a local matching share of 25%.

Expected completion of the approximate, 100 foot by 180 foot basin is October 2007.

This basin is considered to be a greater challenge than the Munger Hollow and Abbott's Creek basins due to the velocity of the water coming off of Mt. Monroe. It is anticipated that the basin will trap sediment and debris that has been a problem on an annual basis. (see recent photos).



Tires removed from Lake



Sediment removal – also done in 2006

Water Quality:

As a result of tests for mercury (actually methylmercury) levels in walleye, a recent "Walleye Health Advisory" for Rushford Lake recommended that Rushford Lake be added to the statewide health advisory. The advisory would limit the walleye consumption by adults to one meal per month. In conversation with a representative of the NYSDEC, Lake Manager, Dave Bosworth has been advised that yellow perch from Rushford Lake were also tested with results found below advisory limits. In terms of parts per billion (ppb), the level of caution in fish is 1000 ppb. At Rushford, the mean value in walleye was found to be 778 ppb and the range was 416 to 1322 ppb which prompted the precautionary advisory.

THE DISTRICT DISPATCH

The Cuba Lake District Board of Commissioners Information Letter

At Cuba lake, the mean value for walleye was 363 ppb and the range was 230 to 729 ppb. Fish tested were walleye, yellow perch, largemouth bass and smallmouth bass. All species were below the 1000 ppb point of caution. An interesting site that discusses "How Mercury in Fish is Regulated" is at http://www.realmercuryfacts.org/about_mercury/how_regulated.htm.

The 2006 – 2007 "Chemicals in Sportfish and Game" published by The New York State Department of Health can be found at <http://www.health.state.ny.us/nysdoh/fish/docs/fish.pdf>. The map on page 19 of the document (22 of the .pdf page listing) shows Rushford is the only lake listed in the advisory from the four New York counties running from West to East, along the Pennsylvania border,.

Dave Bosworth reported that the NYS CSLAP report has been issued for the year 2005. The report summarizes data for determination of water quality at the deep point of the lake. The complete report can be read at:

<http://www.ourcubalake.com/Quality%20Data/2005%20CSLAP%20Report%20Cuba%20Lake-23.pdf>

Land Use Restrictions and Controls:

The Commissioners have initiated a project to review and update the Land Use Restrictions and Controls (Restrictions). The current Restrictions, adopted by vote in August 1999, can be found at <http://www.cubalake.org/pages/815227/index.htm> or by contacting the District through the Lake Manager or the District Secretary.

The goal of this project is to provide the most comprehensive set of restrictions possible by reducing ambiguities; and, making sure the rules are consistent with our community's needs and therefore making them more enforceable. The commissioners making up the committee are Jerry Collins, Jeff Bradley and Dave Shemeld. Resources to the committee include the Dave Bosworth, Jack Hart and a consultant, Carol Horowitz, Allegheny Planning Services, who was involved in the original draft of the current document.

If you wish to share your thoughts with the committee, please address your note to any of the commissioners on the committee and mail to PO Box 201, Cuba, NY 14727; or, e-mail to commissioners@cubalake.org to the attention of "Land Use Committee". While any of the commissioners are willing to listen to your thoughts on the subject, you must submit those thoughts in writing to receive the attention of the committee. We look forward to receipt of your comments.

Public Access:

The DEC has restated their intent to upgrade the public access with entry off of the West Shore Road adjacent to the Rawson Creek inlet. Included in the DEC's project will be:

- Signs designating the Public Access Area
- Provide parking area for up to 25 car/trailer spots
- Provide a concrete ramp into the water, and
- An aluminum floating dock.

THE DISTRICT DISPATCH

The Cuba Lake District Board of Commissioners Information Letter

Boater's Guide, some reminders:

Navigation Law Updates (2006):

Personal Watercraft - Minimum Age of Operation

On July 28, 2005 Governor Pataki signed a law amending Section 49, Subdivision 1-a of the Navigation Law raising the minimum age of operators of personal watercraft (PWC) to fourteen (14). This new law took effect January 1, 2006.

In order to minimize the impact on riders currently under the age of fourteen (14) certain allowances have been made to phase in this new law.

Until January 1, 2009, those **operators age ten (10) through thirteen (13) that have a boating safety certificate may continue to operate a PWC if they are accompanied by someone over 18 years of age holding a safety certificate of their own**; and, within 500 feet on another personal watercraft or vessel; and, within sight of the personal watercraft.

This law affects only the operation of PWC's. Anyone over the age of ten (10) that holds a boating safety certificate can still operate a motor boat alone.

The above information was extracted from <http://nysparks.state.ny.us/boating/navigation.asp>, should you have any question on how the law impacts your personal situation, contact the Allegany County Sheriff's office for clarification of the law.

A Boating Safety Certificate is a certificate issued by the Commissioner, the United States Power Squadron, United States Coast Guard Auxiliary, or in the case of a non-resident his/her home state or country, as a result of completing a [boating safety course](#).

In New York, you must attend a classroom course and hold a safety certificate if:

- You operate a personal watercraft, *regardless of your age*, in New York State.
- You wish to operate a motorboat and you are at least 10 years old and less than 18 years old.
- If you are less than 10 years old you may operate a motorboat (non-PWC) only if someone over 18 or someone between the ages of 10 and 18 who holds a safety certificate, is on board with you.

Currently scheduled courses posted on http://nysparks.state.ny.us/boating/cls_boat.asp?sortBy=2 include:

Rushford Town Hall, Rushford, Allegany Saturday, July 08, 2006 Michael LaFever, (585)437-2017 This class is for adults and children	Cuba Lake Yacht Club sponsored by the CLCOA Register at the CLYC on the first day of the 2 day course. Course - July 10, Mon. & July 11, Tues. - 9:00 AM - 1:00 PM Final Exam - July 12, Wed.- 9:00 AM - 11:00 AM Conducted by Doug Cashing,
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A safety certificate issued to a resident of another state or country is acceptable provided the certificate is carried while operating in New York State. Please note the certificate must be issued by the state or country of residence, and should be NASBLA (National Association of State Boating Law Administrators) approved.

Commissioners: E-mail -
commissioners@cubalake.org

Lynnford J. Sweet, Chairman
(585) 968-1735

Erick J. Laine, Deputy Chairman
(585) 968-1279 or (716) 372-7952

Jerry Collins, (585) 968-0112
Jeff Bradley, (585) 968-3949
Dave Shemeld, (716) 968-3928

Web site – www.cubalake.org

Lake Manager: E-mail –
cubalakedistrict@yahoo.com

Dave Bosworth, (585) 968-0500;

Mail Address: Cuba Lake District, PO Box 201, Cuba, NY 14727

Location: Cuba Lake District Office, Suite 8, The Old Mill, 31 Water St. Cuba, NY

Other officials:

Jack Hart, Counsel (716)373-1600
Andrew Lindquist, Treasurer (585) 968-3269
Pamela Konieczka, Secretary (716) 372-4775

Meetings – District office; 2nd Thursday of each month; beginning at 7:00 PM
(Exceptions are published in local newspapers.)