Seneca County

Watershed Regulations

Seneca County
Department of Health

SENECA COUNTY WATERSHED REGULATIONS

The following rules and regulations created in accordance with the provisions of Section 347 of the Public Health Law shall apply to the watersheds of Seneca County.

I. Definition of Terms:

A.) Watercourse – Shall mean every spring, pond, stream, roadside ditch, or channel of any kind, the waters of which flow or may flow into Seneca Lake, Cayuga Lake, Cayuga-Seneca Canal and Seneca River.

B.) Watershed – Any area of land that drains into a body of water such as a lake, river, reservoir, estuary, sea or ocean. The watershed includes both the streams and rivers that convey the water and the land from which the water runs off. Watersheds are separated from adjacent watersheds by high points such as ridges, hills and mountains.

C.) Distances – Shall be the shortest horizontal linear distance from the nearest point of a structure or object to the high water mark of Seneca Lake, Cayuga Lake, the Cayuga-Seneca Canal and the Seneca River to the edge, margin or top of a precipitous bank forming the ordinary high water mark of a watercourse.

D.) High Water Mark – Shall be defined by New York State Canal Authority.

E.) Sewage – Per ECL 17-0105."Sewage" means the water carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration and surface water which may be present. The admixture of sewage as defined above with industrial wastes or other wastes shall be considered sewage.

F.) Human Excreta – Shall mean feces, urine or other human excreta commonly associated with the use of privies.

G.) Receptacle – Shall mean a disposal pit, privy pit, cesspool, leaching cesspool (dry well), lagoon or other structure or container for the storage or disposal of sewage, other than a "Sewage treatment systems" as defined.

H.) Lake – Shall mean Seneca Lake, Cayuga Lake, Seneca-Cayuga Canal and the Seneca River.

I.) Sewage Treatment System – Shall mean a system designed to discharge sewage effluent (without admixture industrial wastes or other chemical wastes as defined in PHL) from a private dwelling or habitable structure designed to house less than 3 families and produce flows of less than 1,000 gpd.

J.) Commissioner – Shall mean Director of Public Health for Seneca County.

K.) Department – Shall mean Seneca County Department of Environmental Health.

L.) Board – Shall mean the Seneca County Board of Health.

II. Disposal of Human Excreta:

A.) No Human Excreta – Shall be deposited, thrown, placed or allowed to escape into the Lake or any watercourse.

B.) No Human Excreta – Treated or untreated, shall be placed or spread upon the surface of the ground at any point in the watershed of Seneca County.

C.) No Human Excreta – Either raw or partially decomposed which may be dipped, pumped or shoveled from a receptacle shall be buried in the soil of the watersheds in Seneca County unless it is to be deposited in an approved sewage treatment system meeting the separation distances described in Part 5-B and 5-D of the New York State Sanitary Code.

III. Placement of Receptacles:

A.) No New Receptacle of Any Kind – Shall be constructed or placed within 100' of the Lake or Watercourse.

B.) Any Replacement Receptacle – to be constructed or placed on an existing property which cannot meet the required separation distances from the Lake or Watercourse shall be located the maximum possible distance away in an impervious and water tight receptacle. Any such receptacle will be equipped with a complete and durable cover.

C.) Any Unapproved Receptacles – Placed within a 100' distance after the adoption of this code shall be filled with soil or sand to within 6 inches of the top.

D.) Whenever the Commissioner – Determines that sewage from a receptacle may escape to the ground surface or through the soil in an improperly treated condition into the Lake or a Watercourse. The receptacle shall be removed after a determination of non-compliance by the Department.

E.) All Receptacles Referred To – Herein shall be constructed or installed only with the approval of the permit issuing agency.

F.) No Sewage – Shall be discharged or deposited into any receptacle installed, constructed or maintained in violation of this section.

G.) Enhanced Treatment Units (ETU) –

(a)ETU's must be designed and operated per the requirements of Appendix 75-A of the NYS Sanitary Code.

(b) ETU's may be designed for new residential construction utilizing a 33% reduction in total absorption trench length only if a signed Contract with an appropriate maintenance provider is submitted with an engineered plan. Such Contract will guarantee that the units will be serviced and maintained per the manufacturers recommendations. Records of the service/maintenance visits must be submitted to the department .

IV. Placement, Construction & Inspection of Sewage Treatment Systems For Residential Use:

A.) No Part of A Sewage Treatment System – Shall be designed to allow the outward percolation of sewage to the ground surface in the Watersheds of Seneca County.

B.) It Will Be The Duty – Of the land owner to obtain the services of a New York State licensed engineer to develop and submit a plan for any new or

replacement sewage treatment system to the department. All plans shall conform to the requirements of Appendix 75-A of the New York State Sanitary Code.

C.) No New Or Replacement Sewage Treatment Systems – Shall be installed until a properly developed plan is approved by the Department.

D.) The Plan – Shall be reviewed by the Department and approved following the regulations of Appendix 75-A of the New York State Sanitary Code.

E.) No Part Of a Sewage Treatment System – Shall be enclosed or buried from view until the installation has been inspection by the design professional.

F.) It Is The Responsibility – Of the land owner to provide the Department with the design professional's approval of installation.

V. Garbage:

A.) No Garbage – (household wastes), dead animals or vegetative material prone to rotting shall be placed in the Lake or and Watercourse or within 100' of the Lake or any Watercourse.

VI. Manure Piles And Lagoons:

A.) No Manure Piles – Shall be maintained or allowed to remain within 100' of the Lake or any Watercourse. No lagoon shall be constructed within 100' of the Lake or any Watercourse.

VII. Land Spreading Of Animal Manure:

A.) Agriculture & Markets Law – Regulate the land spreading operation of animal manure. All Agriculture & Markets Laws and/or best practices pertaining to spreading, incorporation into soil and buffer strips shall be followed.

VIII. Exemptions:

A.) The Commissioner – May grant an exception to the provisions of these regulations provided that full compliance is impractical and that such an exemption conforms to the spirit of the regulations.

IX. Enforcement:

A.) Whenever It Shall Appear – To the commissioner that there has been a violation of the regulation, the commissioner shall issue and serve the violator with a formal written notice which will list the provisions in violation and a date for a formal enforcement hearing. This enforcement action may be scheduled no later than 30 days after the written notice.

B.) Any Violations – Of these provisions, failure to perform a duty imposed by these regulations or failure to perform an order of the commissioner shall be subject to a penalty not to exceed $2000.00. An additional penalty may be imposed by the Commission not to exceed $100.00 per day for each day a violation continues after a formal legal hearing.

C.) The Commissioner – May bring an action in any court of competent jurisdiction for the recovery of any penalty which is unpaid.

Certificate of Adoption

We the undersigned, constituting the Seneca County Board of Health, hereby certify that on March 25th, 2015 the foregoing Watershed Regulations were reviewed and established as the Watershed Regulations of Seneca County Department of Health for purposes of reprinting:

Dr. Jonathon Egan DC, MPH	**Chairperson**
Dr. Andrew Reese, MD	**Vice Chairperson**
Dr. Timothy Ryan, MD	
Martha Bond	
Dr. Grace Frier, MD	
Connie Richardson	
Ron McGreevy	**Supervisor, Committee Chair**

Dianne Traver, Secretary to the Board

I, Dianne Traver, secretary of the Seneca County Board of Health, do hereby certify that I have compared the foregoing with the original Watershed Regulations adopted on the 25th day of March, 2015, and that the same is true and complete copy thereof, published by authority and order and under the direction of the said Seneca County Board of Health.

In witness whereof, I have hereunto set my hand this 25th day of March, 2015.

Dianne M. Traver

Secretary
Seneca County Department of Health