

DRAFT-12/18/02

Date:

To: Groups Interested in Using the Keuka Lake Outlet
Friends of the Outlet
Art Miller, US Kayaking Association
Glen Miller, Yates County Emergency Services
Marcus Whitman School
Penn Yan School
Dundee Central School
Dr. John Halfman, Hobart and William Smith Colleges
Dr. Tim Sellers, Keuka College
Finger Lakes Council-BSA
Trout Unlimited
Yates County Sportsman Federation

From: Ed Balsley, KLOC Gate Manager

RE: Special Event Water Release and Reduced Flow Policy

At their January meeting, the Keuka Lake Outlet Compact (KLOC) adopted a "Special Event Water Release and Reduced Flow Policy". The purpose of the policy is to improve scheduling and communication of special events on the outlet, minimize risk, and help avoid conflicts of uses while maintaining the primary goal of flood protection and public safety.

When evaluating a request to open or close the outlet gates for a special event, the KLOC Gate Manager will consider the cost, amount of potential water discharge, and impact on current or expected water level. Events scheduled during normal Village employee working hours would not incur a charge. Scheduled releases or changes to gates settings will be considered if the current lake level is within the lake level guide window (i.e. between the recommended minimum and maximum levels). During high water levels, i.e., above the maximum recommended level, and where gates setting and water discharges are being used to control flooding potential on Keuka Lake according to the Reservoir Regulation Manual, requests to reduce water releases for a Special Event will not be allowed.

The KLOC in their discussions recognized that many groups have an interest in Special Event water releases or reduced flow in the Keuka Lake Outlet and these Special Events have a positive impact on the local economy. In the past, some of these events were conducted without public notification or requirements for insurance. According to John Anderson, Chairman of the KLOC, "this is a needed policy to help the KLOC reduce risk and ensure lake levels are properly maintained."

Groups interested in requesting a special event release or reduced flow will be required to fill out and submit a request to the KLOC Gate Manager at least two weeks prior to the event. The advanced notice will time for scheduling and public notification in the local media and on the Keuka Lake Association's website. Approved events will be posted on the bottom of the "Keuka Lake Level Guide" that is published in several local papers. Events will also be posted on the Keuka Lake Association's website, www.keukalakeassoc.org, on the lake level page.

According to Ed Balsley, KLOC Gate Manager, "this policy will afford better communication between the KLOC, interested parties, and the public who may be using the Keuka Outlet during special events."

DRAFT-12/18/02

**PRESS RELEASE
For Immediate Publication**

**Keuka Lake Outlet Compact
Adopts a Special Event Water Release and Reduced Flow Policy**

At their January meeting, the Keuka Lake Outlet Compact (KLOC) adopted a "Special Event Water Release and Reduced Flow Policy". The purpose of the policy is to improve scheduling and communication of special events on the outlet, minimize risk, and help avoid conflicts of uses while maintaining the primary goal of flood protection and public safety.

When evaluating a request to open or close the outlet gates for a special event, the KLOC Gate Manager will consider the cost, amount of potential water discharge, and impact on current or expected water level. Events scheduled during normal Village employee working hours would not incur a charge. Scheduled releases or changes to gates settings will be considered if the current lake level is within the lake level guide window (i.e. between the recommended minimum and maximum levels). During high water levels, i.e., above the maximum recommended level, and where gates setting and water discharges are being used to control flooding potential on Keuka Lake according to the Reservoir Regulation Manual, requests to reduce water releases for a Special Event will not be allowed.

The KLOC in their discussions recognized that many groups have an interest in Special Event water releases or reduced flow in the Keuka Lake Outlet and these Special Events have a positive impact on the local economy. In the past, some of these events were conducted without public notification or requirements for insurance. According to John Anderson, Chairman of the KLOC, "this is a needed policy to help the KLOC reduce risk and ensure lake levels are properly maintained."

Groups interested in requesting a special event release or reduced flow will be required to fill out and submit a request to the KLOC Gate Manager at least two weeks prior to the event. The advanced notice will time for scheduling and public notification in the local media and on the Keuka Lake Association's website. Approved events will be posted on the bottom of the "Keuka Lake Level Guide" that is published in several local papers. Events will also be posted on the Keuka Lake Association's website, www.keukalakeassoc.org, on the lake level page.

According to Ed Balsley, KLOC Gate Manager, "this policy will afford better communication between the KLOC, interested parties, and the public who may be using the Keuka Outlet during special events." The public should be aware, however, that unscheduled water releases by the Gate Manager for normal flood/water level control will cause the outlet water levels to rise rapidly and without warning. Recreationists need to be aware of this situation and respond accordingly.

Groups interested in obtaining a request form may contact the KLOC Manager's office at: KLOC Gate Manager, 5 Maiden Lane, Penn Yan, NY 14527 or Fax: 315-536-5866 or email: mubed@adelphia.net. Forms may also be obtained from the Keuka Lake Association's website, www.keukalakeassoc.org, on the lake level page.

The Special Event Water Release and Reduced Flow Policy

-- Some Questions and Answers --

Question: *Will the gates be opened or used outside of the lake level management curve?*

Answer: No.

The gates will only be used within the guidelines of the lake level management curve. By doing so, the KLOC will help to protect lake property from flooding and maximize summer recreation activities. The KLOC has historically opened/closed the gates for brief periods (4 hours) for downstream activities such as fish stocking, water safety training, or rafting/kayaking providing that water levels were within the lake level guideline and no additional costs were incurred.

Question: *How does the policy actually reduce liability risk to the KLOC and the municipalities?*

Answer: **By establishing several practices and procedures that reduce risk.**

First, Special Event releases and requests for reduced flow have been occurring for many years, but until this policy was proposed, no organized set of procedures for scheduling and notifying the public of such events was in place. The Special Event Water Release and Reduced Flow Policy establishes procedures for requesting and scheduling such events, providing relevant information to the public so that it has knowledge of what is likely to happen on certain days, and posting relevant warning notices regarding changes in creek water level that occur due to these events -- or to unscheduled releases used just for flood control. While under New York State's recreational use statute -- the General Obligations Law -- the KLOC and Village owe no duty or obligation to keep their creekside property safe for entry or use by persons for fishing, canoeing, boating or other listed recreational activities, or to give warning of any hazardous condition or use of or structure or activity on such premises to persons entering for such purposes, the procedures and practices established in the policy address the KLOC's overall obligation to exercise reasonable care, and they take the additional prudent step of providing that the public be alerted to conditions ("possible dangers") that they might not otherwise expect ("discover"), such as a Special Event release or that a