



NEWS RELEASE

January 17, 2010

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FUND for Lake George Opposes Proposed APA Boathouse Regulations

FUND does not see a perceptible water quality benefit to new rules, which would have the effect of eliminating dominant form of boathouse used on Lake George

FUND encourages APA and Lake George Park Commission to develop Agreement to reconcile conflicting boathouse and dock authority

Lake George – The FUND for Lake George has submitted public comments (attached to the press release and posted at www.fundforlakegeorge.org) that oppose new draft boathouse regulations proposed by the Adirondack Park Agency (APA). The APA has held a series of public hearings on the draft regulations in recent weeks. The principal reason for the FUND’s opposition stems from its failure to see a perceptible water quality benefit from the new regulations for the water quality of Lake George. The new APA regulations would have the effect of prohibiting, and requiring a variance process, for the common open sided dock with a roof deck that is widely used throughout Lake George.

“First and foremost we see no water quality benefit to this regulation” said Peter Bauer Executive Director of the FUND for Lake George. “If this regulation passed, we believe it may actually be counterproductive around Lake George. Decks on roofed docks will be transferred to the shoreline, which will frustrate efforts to encourage robust shoreline vegetated buffers, smaller lawn and impervious areas, decreases in the use of seawalls, and improved stormwater management. A deck over a roofed dock now enables the opportunity for a landowner to improve land use practices that protect water quality. The elimination of the roof deck dock or creation of a variance process, for this type of boathouse/dock creates an impediment to improving shoreline water quality protection practices.”

“There are many things that the State of New York could do to protect water quality of Lake George, which is the most important economic asset of this area” said Peter Bauer. “If, for instance, the Lake George Park Commission adopted stream buffer regulations, which are

currently in draft form, we envision a perceptible positive water quality impact in 20 years. Similarly, if the LGPC enacted long delayed septic system regulations, or shoreline buffer regulations, or upland tree cutting regulations, which it has been somehow unable to do since 1988, we envision a perceptible positive water quality impact in 20 years. If the LGPC revised and strengthened its current stormwater regulations we envision a perceptible positive water quality impact in 20 years. If the APA Act was strengthened by the Legislature for stronger measures to create shoreline buffers and stormwater controls, among others issues, there would likely be a perceptible positive water quality impact in 20 years. If, the other eight local governments around Lake George all adopted the same Waterfront Residential Zoning District within 500 feet of the lake that the Town of Queensbury recently adopted, we envision a perceptible positive water quality impact in 20 years. Unfortunately, we do not envision a perceptible positive water quality impact in 20 years on Lake George from enactment of the APA's draft new boathouse regulations.”

The FUND for Lake George is sympathetic to the efforts by the APA to close a longstanding loophole that has been widely exploited across the Adirondacks for residential uses of boathouses, especially the second floor storage room area. The FUND sees the water quality hazards with residential uses of boathouses, but believes that the open-sided, roof-deck dock widely used on Lake George eliminates the opportunity for residential uses as they are open and transparent.

“These rules also create regulatory conflicts with the Lake George Park Commission. We encourage the APA and the LGPC to enter into a binding administrative agreement or Memorandum of Understanding or formal policy where authority is streamlined for boathouses and docks on Lake George. These proposed APA rules would have the effect of requiring an individual to secure a permit from the local town, LGPC and APA for a boathouse or roofed dock, each of which has its own standards. I'm not sure that many of us will be enthused about the type of structure that survives that process” said Peter Bauer.

The FUND for Lake George

The FUND for Lake George is a not-for-profit, privately funded organization dedicated to the protection of Lake George. Formed in 1980, the Fund takes a science-based approach to the protection of Lake George water quality and the overall health of the Lake George watershed. The Fund pursues this mission through grants to fund long-term scientific research on the lake, launching new initiatives, advocacy for new protections, and partnerships with other organizations and local governments. The FUND is the sponsor of the Lake George Water-keeper, among other programs on Lake George. The FUND for Lake George is managed by a Board of Trustees and maintains an office in Lake George. See www.fundforlakegeorge.org.