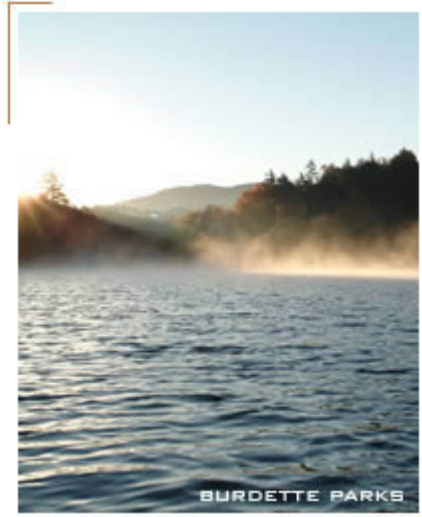


Challenges

Revised 6-3-06

Protecting the Water Quality of Upper Saranac Lake is the overriding concern and cornerstone of all present and future Upper Saranac Lake Foundation activity. Eurasian Milfoil, Smart Growth and Water Quality are the three core priorities that enable progress toward our overall Water Quality objectives.

While the USLF is currently expending significant resources managing the Eurasian Milfoil Removal Project, there remains much cause for concern on Water Quality and Smart Growth. Escalating taxes, new construction and increased use puts additional pressure on Water Quality. The USLF and the USLA have a strong partnership and mutual interest in the Environmental Quality and well-being of Upper Saranac Lake.



Smart Growth

Background:

Land use codes and appeal processes are vastly different between the two townships governing Upper Saranac Lake and its watershed. Attempts have been made to work with existing Town Boards with limited success. Santa Clara is more stable, consistent and strict with regard to zoning and lake front development. Harrietstown looks to lake shore property as a tax base to be tapped and is extremely liberal on zoning issues with almost all appeals approved.

The notion of Common Jurisdiction was presented to both Towns several years ago. The thought was you could separate the part of Harrietstown that comprises the southern part of the lake and annex it to the Town of Santa Clara. At the time, both Towns rejected the proposal, one for the obvious loss of tax revenue and the other for the increased costs of maintaining roads and services.

The USLF has supported the USLA financially on several land use and water quality issues over the last 10 years – notably litigation against the New York State Fish Hatchery.

Once marginal properties have now become valuable, for creative and expensive development, without any safeguards for nutrient run-off or scenic impacts. Pre-existing non-jurisdictional rulings grandfather abuse of the land in terms of filling and grading and disregard the significance of wetlands. Code Enforcement Officers and State Agencies rarely follow-up and inspect routine or even controversial projects after approval. There is little, to no, on site supervision of activities potentially detrimental to the environment or water quality.

APA land use rules and regulations need serious overhaul, as they do not adequately protect shoreline development. Large tracts are still well protected by regulation but non-jurisdictional rulings regarding lake shore are the rule, rather than the exception.

Historic Results:

Litigation against the NYS Fish Hatchery was successful in reducing phosphates but not successful on the absolute merits of the legal case. Land Use reform in Santa Clara is moving slowly, and there is, for the most part, a cooperative approach. Septic legislation in Santa Clara has stalled due to strong resistance and a misinformation campaign from local and lake residents. Harrietstown Zoning Board of Appeals and Planning Board tend to follow a 'property rights' mindset and do not view current regulations as deficient. Litigation has improved awareness but has not enabled real change.

Current Need:

1. USLF and USLA must create a win-win scenario with Town Governments to develop creative solutions vs. continuous confrontation on the truly important environmental priorities.
2. A compelling case needs to be made to Town Government and the APA to revise Land Use Codes for shoreline development.
3. Septic System regulations must be developed that require periodic inspection for both Santa Clara and Harrietstown.
4. Visibility needs to be created for the science of nutrient budgeting and develop a means of reducing impacts on water bodies.
5. USL needs a nutrient budget that is recognized by state and local agencies with causes and measurement systems.
6. USLF can not be perceived as the lightning rod for development issues and must focus on only those with significant impact. It will fund specific actions on request of the USLA.

Conceptual Approach:

A broad multi-pronged approach is paramount. (Demonstrate leadership by developing "smart solutions" to smart development problems). Litigation and advocacy should be back up strategies, when all else fails. USLA must not position itself as the 'smart development authority' but use its influence and leverage to effect the greater good.

Strategies:

1. Develop a self-reporting septic system model. USLA through the Zone Chairs, would embark on a campaign asking each property owner to voluntarily check their system to a prescribed standard and publicize results. USLF would fund test kits.
2. With USLF funding, conduct a legal review of current regulations and show Town officials how changes can be made, without creating undue local hardships. USLA Government Affairs and Environmental Committees would need to play a larger more active role.
3. USLF will insure close monitoring of public and for-profit facilities, with support from USLA Executive Committee members.
4. USLF could fund the search for best practices on Smart Development code and

regulations. Define what codes are necessary and help local officials understand why that is important to maintaining and protecting the wealthy tax base that funds a high percentage of most town budgets.

5. Through the USLA Government Affairs Committee, study and make recommendations on the best means of creating jurisdictional authority for Upper Saranac Lake e.g. Water District or Watershed Authority.
6. Contest only egregious, inappropriate development with Town Boards, State Agencies etc. Litigation is a last resort only when there is a defined and expected outcome, with a reasonable chance of success. Current efforts have had little, positive impact.
7. Hire a consultant to develop TMDL's (Total Maximum Daily Limits for identified pollutants) and nutrient budgets for USL.
8. Pursue the concept of hiring a Water Keeper similar to Lake George. This approach would be affiliated with the internationally known Water keeper Alliance. Estimated first year cost would be \$50,000.

Water Quality Monitoring, Testing and Analysis

Background:

Since the mid 80's, the Upper Saranac Lake Association has been maintaining records on water quality and water chemistry. At first, volunteers took samples, and then later a Certified Lake Manager and professional consultant was employed to do the actual testing and maintain the historical data base. Septic systems were tested on a voluntary basis with dye methods in the late 80's, followed by education efforts primarily in USLA Newsletters, summer meetings and by visits from Zone Chairs. Currently there is no mandatory septic testing or ongoing inspection of existing systems required by Town or State regulations. New systems require permits but follow-up inspection upon installation rarely takes place.

Historic Results:

Upper Saranac Lake has a higher than normal phosphorus level, causing the lake to be 'on the edge' relative to potential algae blooms. Major blooms occurred in 1990 and again in 2003 despite data that would have said the lake was beginning to show improvements in water quality (Transparency and Total Phosphorous) since 2000 and preceding the most recent bloom in August of 2003. The 2005 'State of the Lake' report by Michael Martin is available in the archives section of this website.

Current Need:

1. A nutrient budget needs to be constructed based on historic data and what is required to alter phosphorus levels and build up in the sediment.
2. Storm water abatement regulations need to be developed and enforced.
3. Tighter septic system regulations need to be developed by both Harrietstown and Santa Clara to inspect older systems and the installation and maintenance of new systems.
4. Greater awareness by entire lake community of factors and activities that negatively impact water quality.

Conceptual Approach:

Establish the improvement/preservation of water quality as our overall objective. Everything we do on, around, or in the lake, has the potential to detract from achieving that objective. All of the other strategic areas are subordinate but complementary to an effective Water Quality Strategy.

Strategies:

1. Continue to lobby Town Government for changes to existing laws. Utilize USLA Government Affairs Committee acting in partnership with other advocacy organizations to effect change only against targeted priorities. e.g. Jets Skis would not be a priority therefore not something that would be supported with other organizations.
2. Seek additional input on the 2003 Water Quality Report and historic data with other known Adirondack research organizations for confirmation and guidance on measures and strategy conclusions. e.g. Darrin Freshwater Institute and the Fresh Water Institute at Syracuse.
3. Engage consultant to develop TMDL's (Total Maximum Daily Loads) recommendations for Upper Saranac Lake.
4. Join CSLAP/NYSFOLA and include Upper Saranac Lake in statewide water quality comparisons
5. Involve volunteers in water quality sampling during the summer of 2006.
6. Develop a Septic Self Monitoring Program and concentrate first on SPDES permitted discharges.