

After Delay, Park Commission Resumes Action on Stream Buffers

Proposed Rules Likely to be Amended

By Anthony F. Hall

The Lake George Park Commission has postponed a crucial vote on proposed regulations limiting development along the lake's tributaries until later this month, pushing a final vote on the new rules into the fall.

The Commission was scheduled to vote on the Environmental Impact Statement for the proposed regulations at its April meeting.

More than 200 people attended the Commission's two public hearings in March on the draft regulations and hundreds more submitted written comments.

"It took several weeks to digest and respond to public comments," said Commission chairman Bruce Young, explaining why the Commission chose to delay a necessary step in the process of adopting new regulations.

Of the 300 or more comments received by the Commission, approximately half expressed support for the proposed regulations, Young said. The other half opposed them.

"I gave staff time to answer every comment," said Young. "I want to make sure we get it right."

Mark Schachner, an attorney representing the Town of Lake George, stated, "The Town is

pleased that the Commission is taking the time to reflect upon the comments it received. We hope the revised statement addresses our concerns."

In comments submitted to the Commission, Schachner argued that the Commission failed to address alternatives to its proposed action, which is required by New York State law.

"A meaningful analysis should have included discussion of actual alternative strategies to address the perceived problem," Schachner said.

The Commission is not required to weigh alternatives to stream buffers, as Schachner argued it should, because the New York State legislature authorized the Commission to protect stream corridors, Mike White said.

The Commission is expected to consider accepting the revised environmental impact statement at its May 27 meeting, said Mike White, the Commission's executive director.

Once the environmental impact statement is adopted, the Commission will begin another series of public hearings, as required by the New York State Administrative Procedures Act.

"As the lead agency, we have the authority to extend the deadline for adopting an environmental impact statement," said White. "We've

See STREAMS Page 10

STREAMS

from page 3

done quite a lot of work on the statement, it's coming along, but it's not there yet. We're not quite ready for the commission to consider adopting the statement."

The Commission will revise the proposed regulations before approving the Environmental Impact Statement.

"A significant issue that emerged during the planning phase was how wide vegetative buffers along streams should be," said Bruce Young. "We tried and failed to reach a consensus."

As originally proposed, the regulations called for restricting tree cutting and development within 100 feet of a stream.

"There's a possibility that buffer widths as originally proposed will be revised," said Mike White.

Whatever the width of buffers, the Commission believes "There is a general accord that buffers offer clear benefits for water quality," said Bruce Young.