

# Lake George Park Commission

## Stormwater Regulations Update

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### Presentation to the Adirondack Park Agency

February 11 ,2021



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*Photo courtesy of Carl Heilman*

# Stormwater Runoff and Water Quality

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- ▶ Pollutants in stormwater runoff are the single largest impact to Lake George water quality and clarity
- ▶ These pollutants (phosphorus, nitrogen, sediment, chlorides) are the primary pollutants degrading Lake George

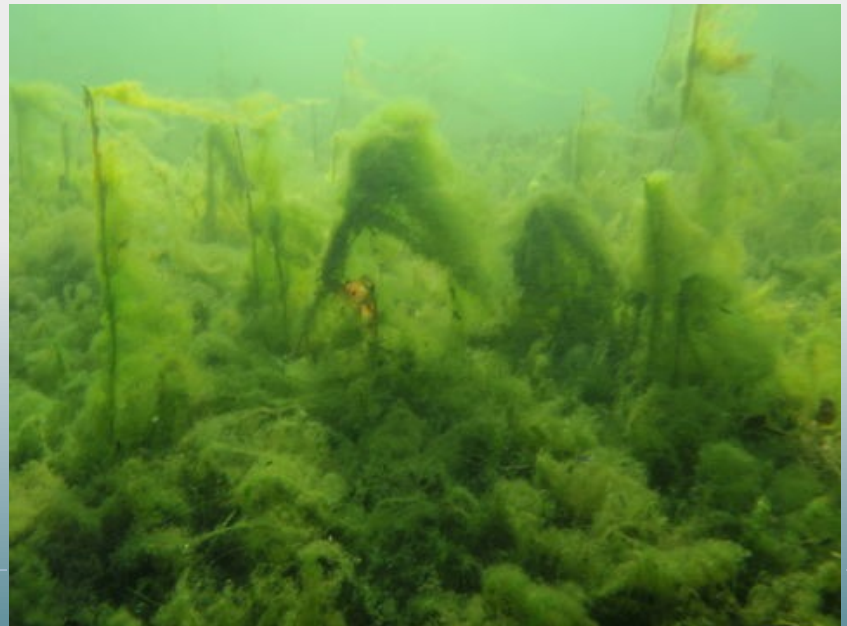


# Benthic Algae Increases

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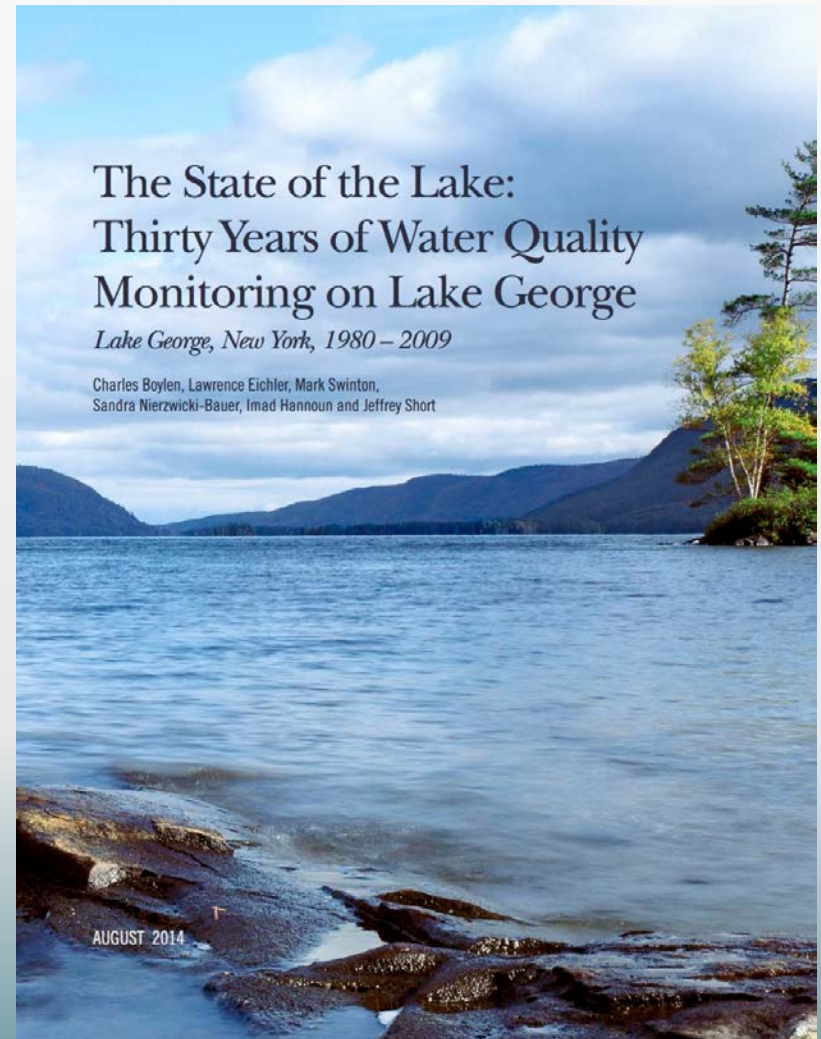
Correlation between increased  
benthic algae and developed areas



# Science Behind LG Stormwater

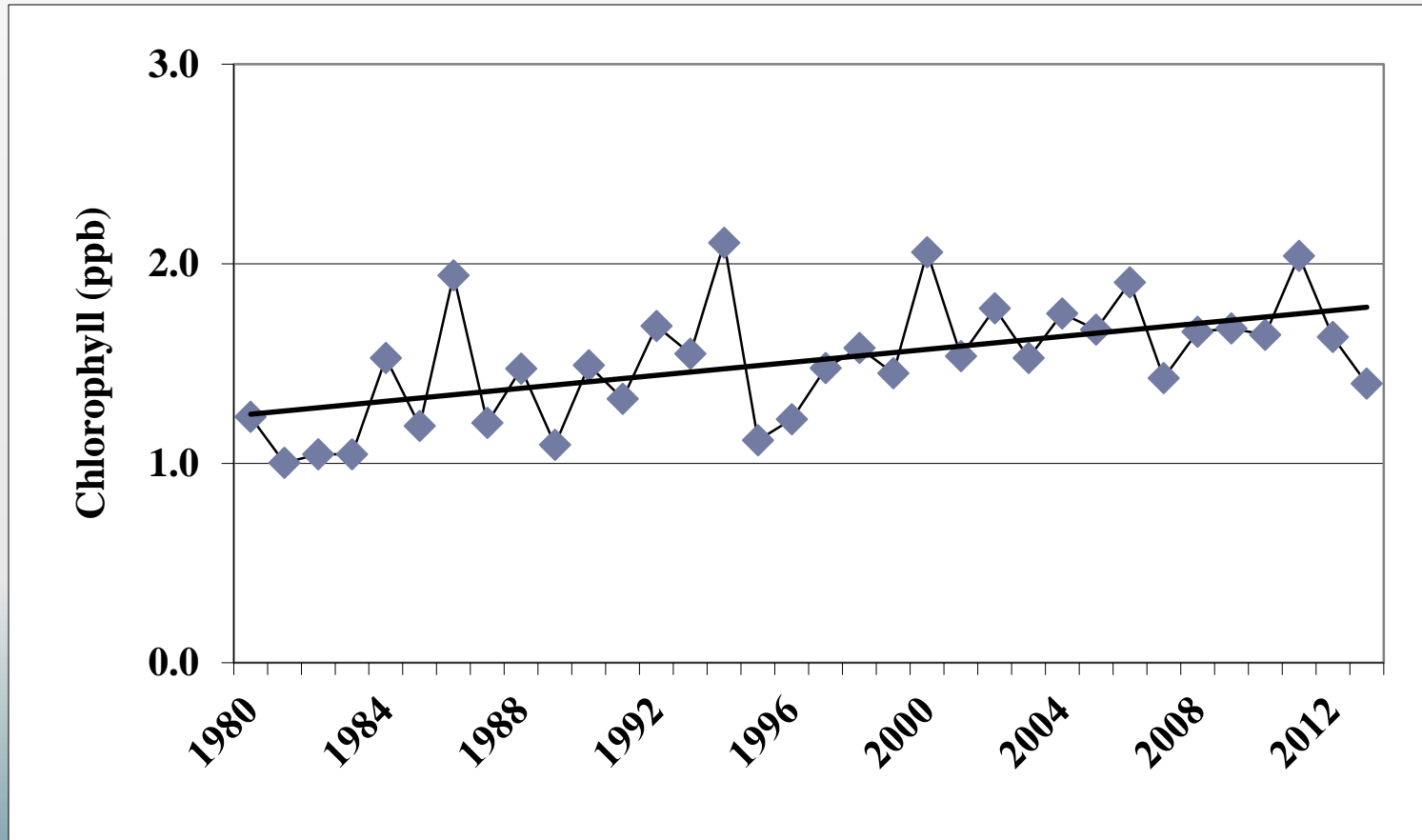
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- ▶ Studies documenting stormwater runoff pollution to Lake George
  - ▶ National Urban Runoff Program – Lake George Report (1983)
  - ▶ The Plan for the Future of the Lake George Park (1987)
  - ▶ Stearns and Wheeler Phosphorus Budget Report (2001)
  - ▶ State of the Lake Report – 30 Years of LG Monitoring (2014)
  - ▶ Many more...



# Chlorophyll increased lake-wide by 33% over 30 years

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Department of  
Environmental  
Conservation

Department  
of Health

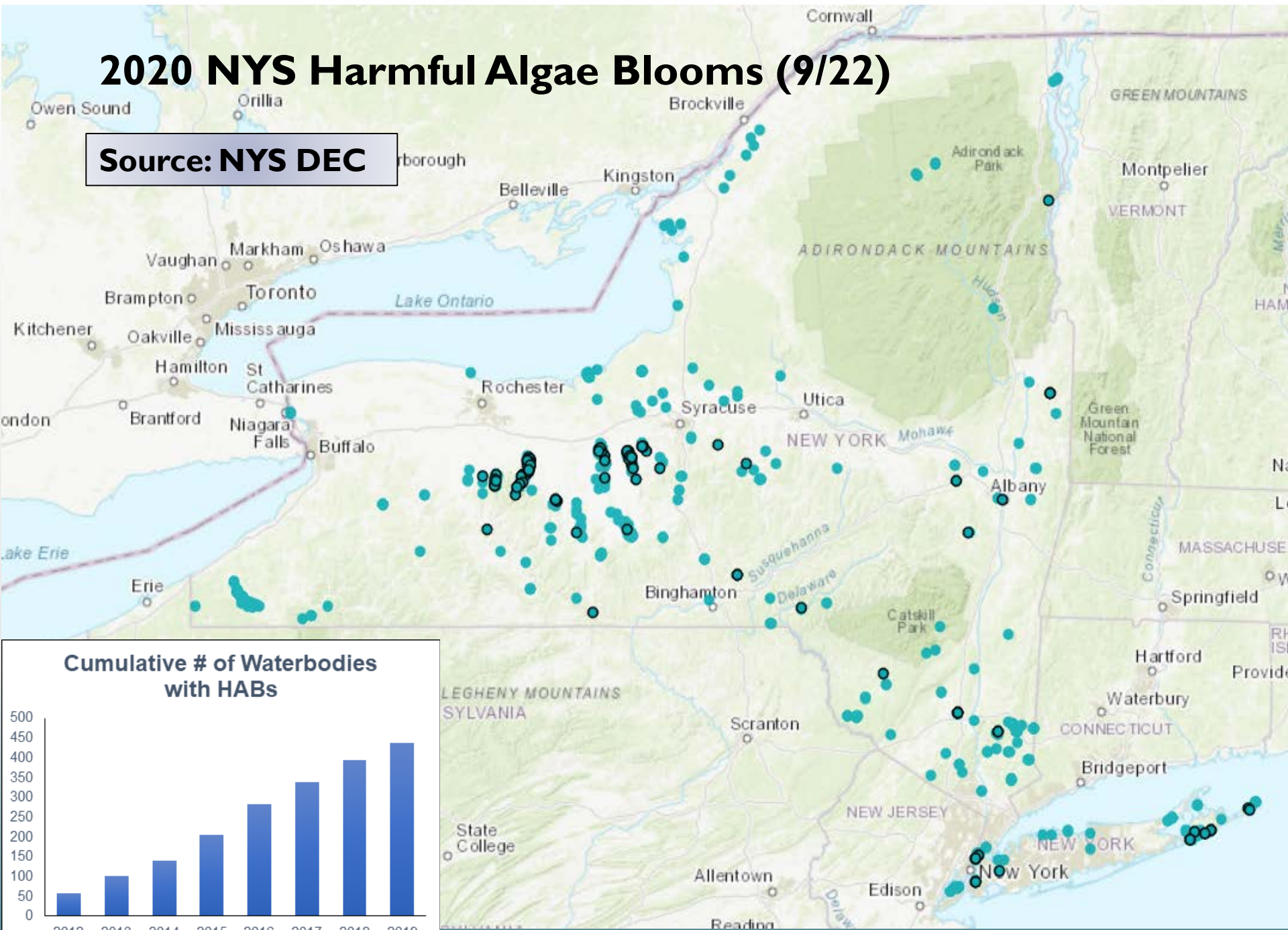
Agriculture  
and Markets

# HARMFUL ALGAL BLOOM ACTION PLAN LAKE GEORGE



# 2020 NYS Harmful Algae Blooms (9/22)

Source: NYS DEC



# Lake George's First HAB – Nov 7, 2020

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# LGPC: Two Regulatory Initiatives, One Goal

- ▶ For the first time in 20 years, the Commission conducted a full evaluation of its regulations
  - ▶ Current condition still leads to slow decline
  - ▶ How do we change?
- ▶ Stormwater Regulations:
    - ▶ Timber Harvesting
    - ▶ Retrofitting Properties
    - ▶ Setbacks for Better Projects
    - ▶ Fertilizer Restriction
  - ▶ Stream Corridors Regulations:
    - ▶ 35 foot stream buffers
    - ▶ Stream crossing standards

# Research and Public Input for Two Years

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## Meetings with Agencies and Municipalities:

- ▶ APA
- ▶ DEC
- ▶ Village of LG
- ▶ Town of LG
- ▶ Bolton
- ▶ Ticonderoga
- ▶ Queensbury
- ▶ Hague
- ▶ Fort Ann
- ▶ Putnam

## Stakeholders:

- ▶ Development/Engineering
- ▶ Foresters
- ▶ Business Owners
- ▶ Conservation Agencies/Groups



# #1: Timber Harvesting



- ▶ Existing regulations not well known (or followed)
- ▶ Two page “Notice of Intent” to Log in the Lake George Park, highlighting erosion control activities
- ▶ Less violations, more compliance, less problems...

# Logging “Notice of Intent” and Plan Form



**Lake George  
Park Commission**

75 Fort George Rd, PO Box 749, Lake George NY 12845 | 518.668.9347 fax 518.668-5001 | info@lgpc.state.ny www.lgpc.state.ny.us

## LOGGING IN THE LAKE GEORGE PARK NOTICE OF INTENT / SOIL CONSERVATION PLAN FORM

Certain Silviculture Activities are exempt from Stormwater Management and Stream Corridor regulations. To qualify for exemption, submit this completed form and a site plan to the Lake George Park Commission\* 15 days prior to undertaking land disturbance in furtherance of silvicultural activity.

### 1. PROPERTY OWNER

NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE

### 2. FORESTER (IF APPLICABLE)

NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE

### 3. LOGGER

NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE

### 4. PROJECT LOCATION\* (If logging in Town of Queensbury, Lake George or Bolton, contact that town directly)

<input type="checkbox"/> TICONDEROGA	<input type="checkbox"/> DRESDEN	SECTION	BLOCK	LOT
<input type="checkbox"/> HAGUE	<input type="checkbox"/> FORT ANN	<input type="checkbox"/> PUTNAM		
STREET ADDRESS				
PROPERTY IS PRESENTLY: <input type="checkbox"/> UNDEVELOPED <input type="checkbox"/> PARTIALLY DEVELOPED <input type="checkbox"/> DEVELOPED & OCCUPIED				

### 5. FOREST MANAGEMENT OBJECTIVE


### 6. BEST MANAGEMENT PRACTICES TO BE UTILIZED ONSITE TO PROTECT WATER QUALITY\*\*


### 7. SCHEDULE FOR ROAD BUILDING AND HARVESTING OPERATIONS\*\*\*


### 8. POST-HARVEST PLAN FOR SITE STABILIZATION\*\*


### 9. SITE PLAN\*\*

Include with this form an accurate, scaled plot plan (ie. 1"= 20') that shows (1) the site topography and water bodies, and (2) proposed roads, trails, landings, and stream crossings

### 10. STREAM CROSSINGS

Will the activity require driving equipment through a Stream, or construction of a Stream crossing?

- A "Stream" means a AA-special perennial stream designated or mapped by the Department
- Streams can be found on DEC's Environmental Resource Mapper: <https://gisservices.dec.ny.gov/gis/erm/>
- Construction of a crossing includes disturbance to the bed or banks of a stream, placement of culverts, bridge abatements, head walls, etc.

Answer:  YES  NO

If you answered YES - a stream corridor permit is required before beginning, see [www.lgpc.ny.gov](http://www.lgpc.ny.gov)

### 11. LAND DISTURBANCE IN A STREAM CORRIDOR

Within 35 feet of the high water mark of a Stream, a contiguous clear-cut opening may be created. The opening cannot exceed 30% of the stream length on a site or a maximum of 75 linear feet, whichever is less. Will the harvesting activity exceed this vegetation removal standard within 35' of a Stream?

Answer:  YES  NO

If you answered YES - a stream corridor permit is required before beginning, see [www.lgpc.ny.gov](http://www.lgpc.ny.gov)

### 12. LAND DISTURBANCE IN A STREAM CORRIDOR

Will the harvesting involve a wood road, log landing, skid trail or impervious area within 35 feet of the high water mark of a Stream?

Answer:  YES  NO

If you answered YES - a stream corridor permit is required before beginning, see [www.lgpc.ny.gov](http://www.lgpc.ny.gov)

### 13. FORESTRY BEST MANAGEMENT PRACTICES\*\*

Will the harvesting operation, wood roads, log landing, skid trails, equipment use and material handling be in accordance with the New York State Forestry Best Management Practices for Water Quality?

Answer:  YES  NO

If you answered NO - stormwater and stream permits are required before beginning, see [www.lgpc.ny.gov](http://www.lgpc.ny.gov)

I certify that the above information is true to the best of my knowledge.

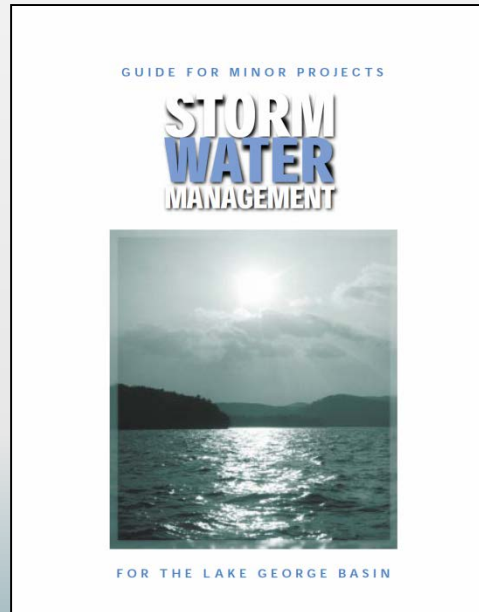
Signature of Owner or Logger

Print Name

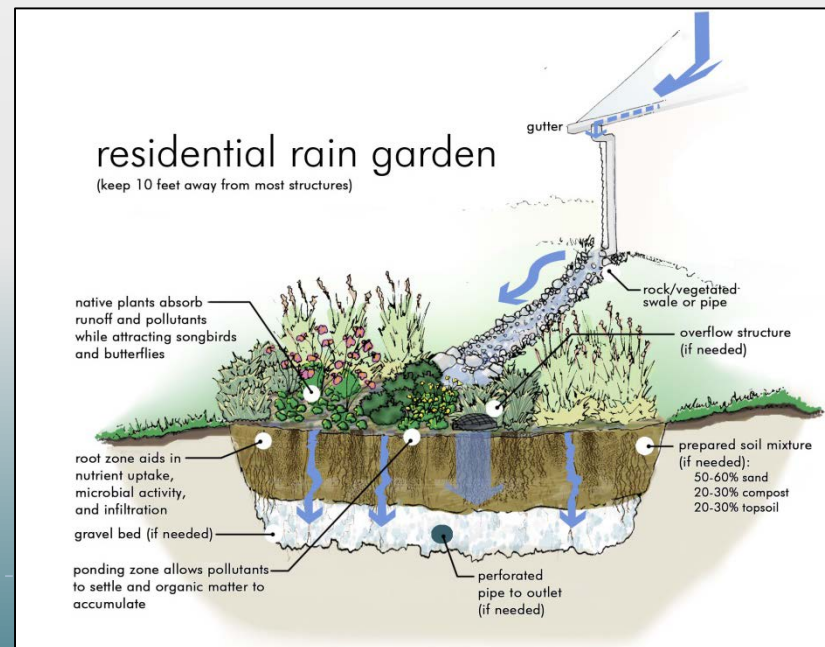
Date

# #2: Retrofitting: Making it Better

- ▶ Disturbing more than 5,000 square feet? Address stormwater runoff from the property.



- ▶ Rain gardens
- ▶ Swales
- ▶ Infiltrators
- ▶ Low cost, great impact



# Retrofitting: the Long Game

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- ▶ This, over time, will help address existing runoff issues from private properties, but only when they improve their property



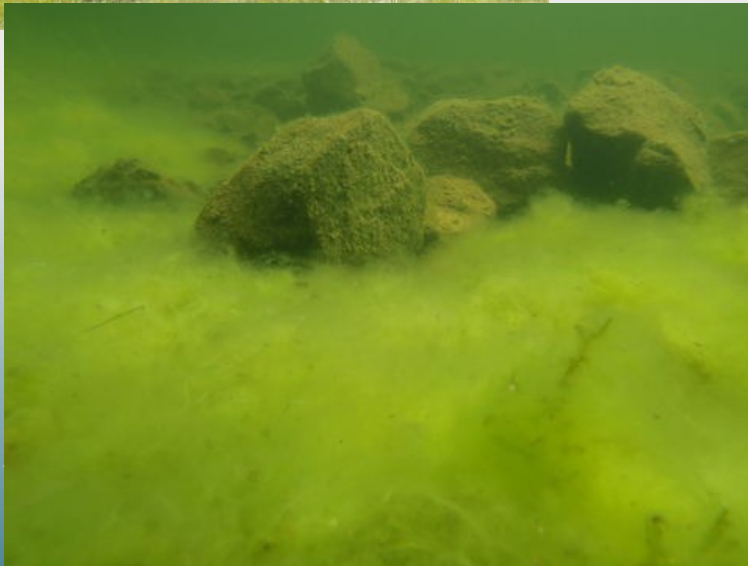
# #3: Fertilizer Restrictions

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- ▶ No fertilizer applications within 50 feet of a waterbody or wetland
- ▶ Will help reduce phosphorus and nitrogen inputs from lawns



# Fertilizer Restriction



- ▶ This law already exists in Queensbury (2011) and Lake George (2014)
- ▶ Town codes staff believe that people understand the issue and they get generally good compliance
- ▶ Outreach to general public and to commercial lawn care industry



# Strong Public Support

Thanks to a significant outreach and a highly collaborative effort, every municipality surrounding Lake George supports these upgraded stormwater regulations.



# Public Stormwater Improvements

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- ▶ NYS DOS and NYS DEC grants to communities total more than \$10 million to Lake George projects and issues in the past decade. More than any other lake in NYS.
- ▶ Much of this funding has been directed to address stormwater runoff issues from highways, local roads and public properties, to protect Lake George



# Parallel Regulatory Effort: Stream Corridors

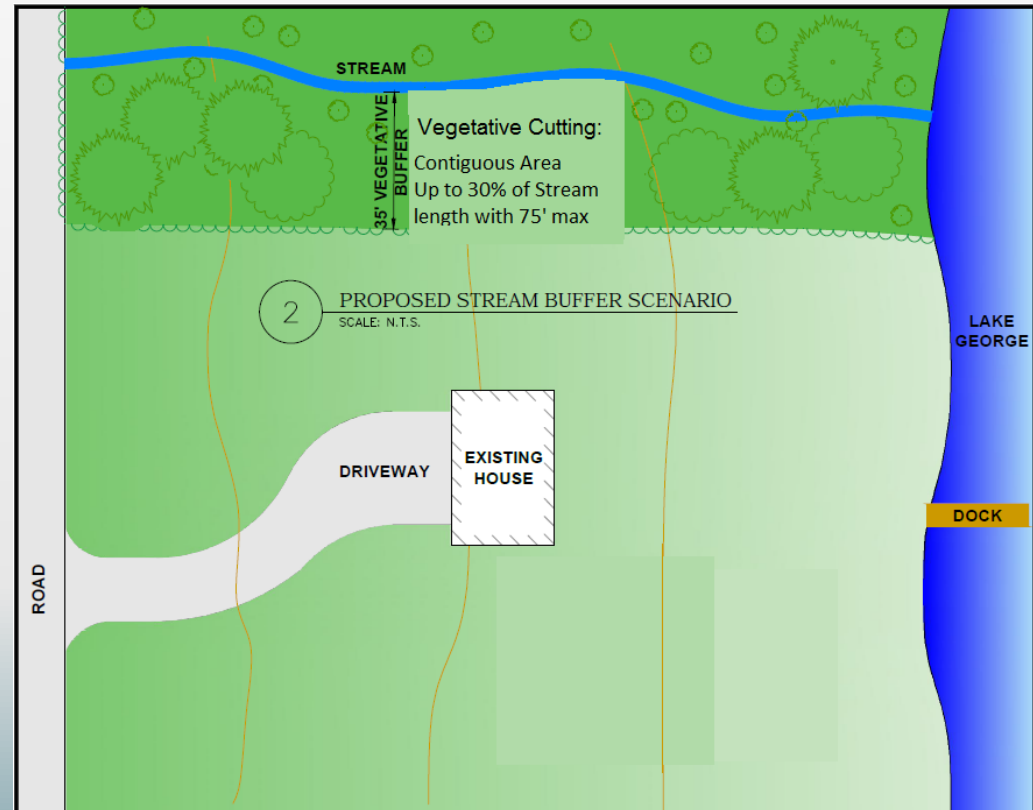


- ▶ Streams are the main pathway for water, and pollutants (sediment, nutrients) to get to Lake George. 57% of LG water comes from its tributary streams.
- ▶ Currently, there are few streamside vegetation cutting and development restrictions in the Lake George Park

# 35-Foot Stream Buffer Provisions

## ▶ Proposal:

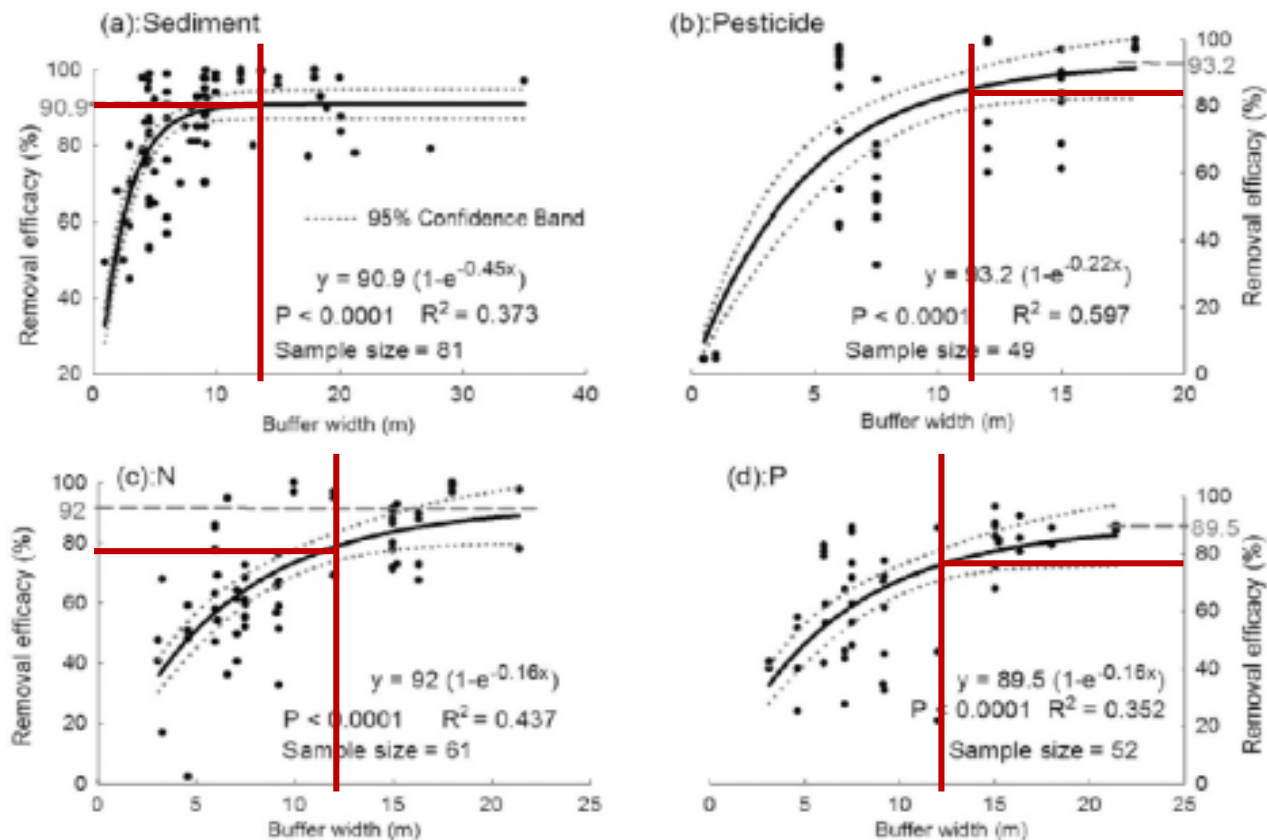
- ▶ Within 6 feet of shore, no vegetation may be removed, except that a contiguous clear-cut opening may be created. The opening shall not exceed 30% of the stream length on a site or a maximum of 75 linear feet, whichever is less
- ▶ Between 6 feet and 35 feet from the high-water mark of a stream no woody vegetation greater than one inch in diameter may be removed, except that a contiguous clear-cut opening may be created as noted above
- ▶ Applies to all DEC regulated streams in the LG Park



# Stream Buffer Proposal – Science

- ▶ On the modest side of recommended buffer widths based on literature, but still has great benefit to streams and water quality

35  
foot  
buffer



# Implementation: What's Next?

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- ▶ February 23 LGPC monthly meeting: vote on both sets of proposed regulations
- ▶ If approved, submit formally to DOS for regulations to go into effect on April 1, 2021
- ▶ Finalize work with Bolton, Lake George and the Village to amend their local stormwater laws and codes



# Existing LGPC Office Building



# New 'Modular' LGPC Building (and Lake George Battlefield Park Interpretive Center)!





# Thank You!

**Dave Wick, Executive Director**

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*Photo courtesy of Carl Heilman*