Upper Saranac Foundation

It still is, and always will be, about Water Quality.

March 15, 2021

Andrew McGill
Santa Clara Town Supervisor
5359 State Route 30
Saranac Lake, NY 12983

Dear Mr. McGill and the Commercial Marina Special Committee,

The Upper Saranac Foundation (USF) supports the Town Board's recent hiring of the Chazen Company to assist in developing commercial marina regulations. We agree that a comprehensive and detailed land-use code regulation specific to commercial marinas will help guide responsible growth, will ensure public safety, and at the same time protect the Watershed's natural resources.

As you know, the USF has a long history of natural resource stewardship and advocacy for the protection of our Watershed. Clearly, we need to protect our Watershed for the benefit of all users, landowners, and visitors. Examples of our advocacy include:

- Maintaining the Bartlett Carry Dam to assure consistent water levels. Without USF stewardship of the dam water levels would be four to five feet lower.
- The USF also has actively monitored and managed Aquatic Invasive Species (AIS) in the Watershed. As a result, AIS have been kept at bay and the USF is now considered a National leader when it comes to AIS management. Over the years, the USF has invested over 3.5 million dollars on AIS control and spread prevention on Upper Saranac Lake (USL) and its tributaries including Fish Creek Ponds.
- By providing grant money, the USF also funds a water quality monitoring so that sound Watershed management decisions can be made. The result of all this research is that the Upper Saranac Lake is one of the most intensively studied lakes in the Adirondacks, if not the country.
- Each of the initiatives above are funded with donations.

Based on all our investment, our monitoring and our long-term knowledge of the Upper Saranac Lake and the Watershed, the USF feels strongly that Chazen and the Special Committee consider all aspects and threats when developing regulations that affect our Lake and its water quality. Aspects the USF feels strongly should be considered in this new comprehensive environmental review are: AIS spread prevention measures, stormwater pollution and erosion prevention plans, carrying capacity analysis, and onsite wastewater management planning.

- **Invasive Species:**
    - Aquatic invasive species (AIS) introductions pose a significant economic impact to the Town of Santa Clara related to property values, recreation, and tourism. In 2014, the Adirondack Park Invasive Plant Program commissioned a report by *Yellow Wood Associates, The* ***Actual and Potential Economic Impact of Invasive Species on the Adirondack Park****.* The potential direct economic impact from eight species if allowed to establish and spread, was estimated at $468-$893 million. Of this, $420-$840 million in property values effected the tax base and $46-$51 million represented an annual loss in direct visitor spending.
    - The USF has been managing AIS since 2004. The 17-year milfoil management effort has reduced the once prevalent Eurasian watermilfoil, to now a rare plant. Through the efforts of hand harvesting by divers, the annual poundage of AIS removed from Upper Saranac Lakes 1,200-acre littoral zone has been reduced from 18 tons in 2004 to under 150 lbs. in 2020.
    - The management of a commercial marina needs to include actions that address preventive strategies to thwart the spread of AIS and support goals and actions that are consistent with the ***Upper Saranac Lake AIS Prevention and Preparedness Plan*** to *"prevent the establishment of AIS in Upper Saranac Lake."*
    - Components of a comprehensive Land Use Code should contain AIS spread prevention measures that include: mandatory inspections, decontaminations, monitoring, and education and outreach.

- **<u>Stormwater Pollution and Erosion Prevention Planning</u>**:
    - Stormwater runoff can carry sediments, nutrients, and pollutants into receiving water bodies. Runoff degrades water quality, increasing occurrences of algal blooms and accelerates eutrophication. It can decrease water clarity and create suitable habitat that encourages AIS growth. Runoff can contain grease, oil, lead, pesticides, chlorides, nutrients, and fecal coliform bacteria. It is not uncommon for water access sites within the Lake Champlain Watershed to be closed following extreme weather events due to excessive runoff.
    - When incorporated into comprehensive land use plans, stormwater control measures can significantly reduce runoff and the number of harmful materials reaching surface water, substantially mitigating impacts from runoff which would otherwise occur. Implementation of green infrastructure practices to reduce stormwater runoff, erosion, nutrient infiltration, and sediment control measures should include limiting impervious surfaces, shoreline setbacks and minimizing disturbed areas. It is important to understanding the potential stormwater runoff volume for appropriately sizing of stormwater and erosion control measures.
    - These should include shoreline vegetative buffers, creation of stormwater bio-retention areas, and rain gardens, infiltration swales or trenches.

- **<u>Carrying Capacity Analysis</u>**:
    - The Upper Saranac Lake Watershed, attracts a large, diverse, and ever-increasing numbers of visitors looking to enjoy the natural resources the Watershed offers. There are a mix of seasonal and year-round homes, resorts, and primitive and intensive use

campgrounds. The demographics and diversity of use has not drastically changed in the last 50 years. What has changed is the intensity of use. The reason why the public is attracted to the area must be a consideration for carrying capacity.

- So how much is too much? While carrying capacity is a subjective figure, there are many in the Watershed who would suggest the carrying capacity of the Watershed has already been exceeded. Increasing watercraft size, noise, speeds, and wakes, are magnifying watercraft presence in the environment.

- Data collected from Adirondack Watershed Institute, Watershed Stewards stationed at the Back Bay boat launch on Upper Saranac Lake indicated from 2016 to 2020 there was a 112% increase in the number of watercraft being launching on August weekends.
- A 2020 survey conducted by the Adirondack Watershed Institute, as part of the Upper Saranac Watershed Management Plan, contained several Watershed users' comments on recreational use. There were concerns over increased use of larger, faster, and louder motorboats. Increased use of "jet skis" and "wake boats" were also mentioned. Additional Comments were made on the size of wakes produced by the larger boats and wake boats and how these waves were impacting the shoreline as well as docks.
- Not only does a commercial land use code need to evaluate and assess influences within the facility, but it also needs to focus on impacts involving the surrounding waterbodies that are accessible from the marina. A comprehensive analysis to assess the impact of actual, and projected marina use should include impacts on the ecosystem, navigational hazards, and the waterbodies' social carrying capacity.
- Such an analysis is needed to determine the waterbodies' capacity to withstand various watercraft uses and boater traffic in relation to impacts from boat size, noise, speeds, wakes, and wave action. A carrying capacity for a marina must be based on the character of the waterbody. This will support justification for marinas' limitations or expansion. Operation within these limits will ensure the continued natural character, and integrity of the resources, and that the impacts of any additional use is conditioned within the capacity of the physical, biological, and social resources to withstand such use.

Onsite Wastewater Management:

- We know that improperly designed or maintained onsite wastewater treatment systems can unknowingly leak untreated sewage and pollutants into the ground and surface water. Water quality can be challenged with systems not being maintained, upgraded, improperly sized, or poor and inadequate soils depths. Pollutants found in wastewater include fertilizing nutrients and disease-causing pathogenic organisms. If these pollutants seep underground into the lake, aquatic plant growth and algal blooms are likely consequences.
- NYSDEC Water Quality Standards classifies Upper Saranac Lake as a Class AA lake, meaning that the best intended use for the lake is for potable water use – drinking, and contact recreation – swimming. A 2017 USF shore owner survey indicated that over 22% of the respondents draw household water from the lake, 10% using the lake for drinking water. It is for this reason, and USF's mission that we have invested considerable effort providing shore owner assistance and educational outreach to encourage proper

wastewater management. The USF also works closely with the NYSDEC to monitor large wastewater facilities and enforce State Pollutant Discharge Elimination Permits (SPEDES) in the Watershed.

- Marinas that would discharge more than 1,000 gallons per day, would need to obtain a SPEDES permit from the NYSDEC. Commercial marinas which produce somewhat less than 1,000 gallons per day would have to be regulated and monitored by the Town of Santa Clara. Land use code standards for commercial properties need to be adopted to protect the region's water resources. A goal of commercial land use codes should be to assure meticulously designed, constructed, and maintained onsite wastewater treatment systems to preserve the highest quality of water possible.
- Regulations would have to include bringing all non-conforming pre-existing systems up to current standards prior to public operation. The code needs to include the prohibitions of any discharge of harmful pollutants such as cleaners, detergents, paints, petroleum, oils, etc. associated with boat maintenance, or other, into the groundwater or onsite wastewater systems through floor drains or other means of disposal.

Again, the USF is supportive of the Town of Santa Clara's decision to develop a comprehensive plan to address future development on the Lake. Interestingly, while developing the Upper Saranac Watershed Management Plan, survey information indicated that 89% of responders either "Support" or "Strongly Support" land use ordinances on issues such as shoreline use and buffers. In addition, 86% "Support" or "Strongly Support" an adoption and enforcement of model storm water and wastewater ordinances.

During the development of these new guidelines the USF would like to designate Guy Middleton as the Foundation's key contact during the process. As you know, Guy is the USF Lake Manager and has an extensive understanding of the Upper Saranac Lake and the Watershed. Guy's contact information is:

Guy Middleton
Lake Manager, Upper Saranac Foundation
lakemanager@usfoundation.net
518-796-1052

Over the years, the USF has had great success partnering with the Town of Santa Clara for the betterment of the Watershed. Now, as new marina regulations and guidelines are discussed, developed, and ultimately implemented, the USF hopes again to work collaboratively and in partnership with the Town of Santa Clara.

As USF Board President, the USF would be pleased to offer any further assistance in achieving goals to protect and preserve our valuable resources for future generations.

Thank you for your consideration.
Sincerely,

Tom Swayne
President, Upper Saranac Foundation
PO Box 564
Saranac Lake, NY 12983