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State Legislators Bow to Lobbyists' Demands to Weaken Lake Protection

By Anthony F. Hall

A bill that would have limited the sale of phosphorus-based fertilizers has been gutted by lobbyists' pressures on legislators, the Lake George Mirror has learned.

Among other things, the new version of the bill would prohibit municipalities from enacting stronger regulations without the authorization of the Department of Environmental Conservation.

"This was a compromise; the industry did not want local governments passing more restrictive laws once a statewide law was enacted," said a source within the DEC.

"The agriculture community is freaking out about the bill as it stands now," the source added.

Dan Macentee, a spokesman for Betty Little, Lake George's representative in the State Senate, confirmed that additional amendments were being drafted to address the concerns of the New York State Farm Bureau.

Those amendments are likely to weaken the bill even further, a Senate source said.

"The bill's sponsor, Senator Antoine Thompson, is amenable to amending even his own bills," said the Senate source.

A spokesman for the New York Farm Bureau did not return calls seeking comment before press time.

The current version of the bill restricts the use of fertilizers containing phosphorus within twenty feet of a water body, rather than prohibiting the sale of fertilizers with phosphorus throughout the state, as last year's version of the bill did.

Prohibiting the use of fertilizers with phosphorus is a crucial step in protecting Lake George's water quality, said Peter Bauer, executive director of the Fund for Lake George.

"Legislation to control phosphorus pollution from household cleaning products and lawn fertilizers is critical to help manage and reduce water pollution. Lake George is enormously important to the local economy. Lake George's high property values, robust tourism season, sport fishing and boating industries, all require clean water," said Bauer.

If the current version of the bill is enacted, New York State's regulation of phosphorus would be far weaker than a town-wide ban proposed by Lake George Supervisor Frank McCoy, said Bauer.

The Town of Lake George will consider the proposal as early as June 14, when it is scheduled to

conduct a public hearing on the proposed ban.

If the ordinance is adopted, Lake George will not only be the first town within the watershed to limit phosphorus, but the first community within the Adirondack Park to take that step.

"Phosphorus is a major contributor to pollution in Lake George," said McCoy. "If we take preventive measures, we can have a positive impact on the water quality of Lake George."

McCoy said he did not anticipate much opposition to the proposal from town residents.

"I have a sense that everyone wants to do the right thing," said McCoy. "Banning fertilizers with phosphorus is to everyone's benefit; by protecting the lake, we protect our property values."

McCoy said that the ban would be adopted through voluntary compliance rather than enforcement.

"We won't have a phosphorus police; we'll rely on education and peer pressure," he said. "If we have 50% compliance, we'll be better off than we were."

Lake George Town officials have posted a survey on the Town's website, town.lakegeorge.ny.us, to solicit comments about the proposal.

The survey will be found on the left side of the site under the heading "Give us your opinion," along with a conceptual description of the proposal.

Opinions submitted through the website will be presented at the public hearing, said McCoy.