



## **Protect the Adirondacks sues to force study of Saranac Lake water bodies**

**By The Times Union staff**

Protect the Adirondacks, Inc., [a grassroots environmental group](#), has filed a lawsuit against the state Department of Environmental Conservation seeking to compel the agency to conduct a study on the capacity pressures facing the numerous lakes and ponds the Saranac Lakes Wild Forest.

The petition, filed recently in state Supreme Court in Albany, contends the [“carrying capacity study”](#) is mandated by the Adirondack Park State Land Master Plan and would reveal the areas that may be threatened by overuse.

The 142 water bodies — 19,000 acres — in the 75,070-acre wild forest lands include Upper Saranac Lake, Middle Saranac Lake, Lower Saranac Lake, Weller Pond, Second Pond, Fish Creek Ponds, Square Pond, Little Square Pond, Copperas Pond, Floodwood Pond, Rollins Pond, Whey Pond and Follensby Clear Pond, according to the petition. The Saranac Lakes complex includes two private marinas, seven public boat launches and 14 public access sites.

[“A carrying capacity study examines](#) and evaluates the maximum amount of cumulative development or use that a water body can sustain without such development or use interfering with, degrading or causing adverse impacts to water quality; fish and wildlife species; fish and wildlife habitat; native plant populations; scenic beauty; aesthetic values, including noise and light pollution, and recreational use, including the quality of the recreational experience,” the petition states.

## Related reading

- [Environmental groups bolster carrying capacity claim against APA](#)
- [How many boats is too many?](#)
- [Marina lawsuit presses state to study 'overuse'](#)
- [Appellate judges hear argument on Lower Saranac Lake marina](#)
- [2022 Explored: Carrying Capacity](#)

The group argues in the nearly five years since the Saranac Lake Use Management Plan was adopted the state agency “has failed to undertake or complete the required carrying capacity study and has thus failed to perform the nondiscretionary duty.”

The court filings include a letter that the DEC sent in December to Christopher Amato, who is conservation director and counsel with Protect the Adirondacks, noting that [proposals in adopted use management plans](#) “may occur several years after the adoption of such plans.” The DEC also said in the letter that they are [undertaking a first-of-its-kind visitor use management plan for the broader Adirondack Park](#), and intend “to learn from this process before expanding such mechanism to other lands and waters under the jurisdiction of DEC.”

As part of that undertaking, wrote Fiona S. Watt, who is director of DEC’s Division of Lands and Forests, the agency “continues to evaluate options for conducting (visitor use management) or related carrying capacity studies for forest preserve waterbodies including those within the Saranac Lakes Wild Forest.”



Three paddlers take a break to enjoy a sunset on Upper Saranac Lake. Photo by Herb Terns

Watt's letter was in response to a letter that Amato sent to DEC in October calling for the agency to conduct the study and noting that the Adirondack Park Agency's recent approval of a major [expansion of a commercial marina on Lower Saranac Lake](#) is expected to result in increased boat traffic on that lake and connected water bodies.

"In addition, the APA is currently the proposed expansion of another commercial marina on Upper Saranac Lake," Amato wrote. "DEC has yet to evaluate the cumulative impacts on (Saranac Lake Wild Forest) water bodies of expansion of these two commercial marinas and the department's seven boat launches and 14 boating access sites."

The lawsuit that was filed last week was apparently a result of the DEC declining the environmental organization's demand that the agency issue a timetable for completion of the study.

The group's petition seeks a court order to compel the department to complete the study as well as enjoining DEC and the APA "from issuing a permit or approval for any proposed project that will result in the docking, mooring or use of additional

motorized watercraft in the Saranac Lakes complex pending completion of the carrying capacity study.”

It also asks the court to direct those agencies to consider the final study before issuing any permits or approvals that would result in additional use of motorized watercraft in the forest water bodies.

Last year, Protect the Adirondacks sued the Adirondack Park Agency and LS Marina seeking to overturn a variance the agency had issued approving [the marina's expansion](#) on Lower Saranac Lake in Franklin County. That case is pending in state Supreme Court in Warren County.

*Top photo: The marina site on Fish Creek Ponds photographed June 7, 2022. Photo by Zachary Matson*