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Lake George Park Commission tries new bid for milfoil herbicide

By Gwendolyn Craig

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The view from Prospect Mountain shows a hilly shoulder that borders Lake George. Photo by Carl Heilman II

Applications to state agencies underway, despite pending litigation

By Gwendolyn Craig

Ongoing litigation over herbicide use in Lake George isn't stopping the lake's regulatory body from attempting chemical treatment for Eurasian watermilfoil this summer.

The Lake George Park Commission is applying to the Adirondack Park Agency and state Department of Environmental Conservation to use ProcellaCOR EC on heavy infestations of the invasive species on the eastern shore in Blair's Bay in Hague and Sheep Meadow Bay near Huletts Landing. **It is the same permit the park commission applied for and was granted last year,** Executive Director David Wick confirmed for the Explorer. It is part of a proposed pilot to see if the herbicide could be used more widely in the lake. The park commission has officially applied to the DEC, and is working on an application for the APA.

Eurasian watermilfoil is an aquatic plant that grows quickly and thickly, outcompetes native plants and makes boating, swimming and fishing difficult. In 2022, the park commission's contractors removed nearly 64 tons. The park commission spent nearly \$220,000 on the removal, with the help of an additional \$140,000 from the Lake George Association. The herbicide pilot, including monitoring, will cost \$39,330 and is expected to last for at least three years.



Eurasian watermilfoil. Photo by Gwendolyn Craig

In a statement to the Explorer, Wick said “this management tool has proven to be groundbreakingly effective at controlling this aggressive invasive species in hundreds of waterbodies across the Northeast, and proven to have no impacts to human health or the aquatic environment. The Commission will continue to rely on State and Federal regulatory experts and approvals regarding these tools, and utilize them in an integrated manner with other strategies to best protect Lake George for the future.”

The proposed herbicide use drew criticism and concern from the Lake George Association, which later filed a lawsuit against the APA, DEC and park commission. Lake George Waterkeeper Chris Navitsky, the town of Hague and Helena G. Rice were also plaintiffs. Rice is a lakeside property owner, according to the LGA. Plaintiffs criticized APA for not holding an adjudicatory hearing, which is a public hearing before a judge. It is the only way the agency can deny a permit. Petitioners said “APA’s refusal to hold a hearing flies in the face of the abundant technical

information provided by the public which raised serious issues about potential adverse impacts based on detailed site-specific concerns about Lake George's hydrodynamics, fauna and flora."

"The LGA, Waterkeeper, and thousands of concerned citizens expressed great concern last year that the Park Commission was proposing the first-ever use of a chemical herbicide in the lake without a full understanding of the potential consequences to the lake's water quality and ecosystems and to the many people who use the lake as a drinking water sources," the lake association said in a statement Tuesday.

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In June, **[Judge Robert Muller of state Supreme Court in Warren County issued a preliminary injunction on the herbicide application.](#)** A hearing is scheduled for Feb. 17.

In a Jan. 24 notice, the park commission said "this project was not conducted in 2022 as planned," though did not mention the lawsuit. It suggests the herbicide will be applied on one day between May 17 and June 30 "pending permit approvals and the appropriate stage of target plant growth."

Eric Siy, president of the LGA, said he was surprised to see the new permit application notice, but planned to continue with the court process.

"It is a little confusing when you think of the fact that there is pending legal action, major public concern and opposition and yet there is this step forward to proceed as if none of that was really underway," Siy said.

The APA permit issued last summer expired, Wick said, so the park commission would be reapplying no matter the litigation outcome.

“My agency’s strong belief is that this topic has been so maligned and mangled in terms of the facts and the science of the case, and it’s difficult once there’s misinformation out there to correct the public record,” Wick said. “That is the challenge the commission has moving forward—people believing what we’re doing is not going to harm them or the environment.”

ProcellaCOR EC is a synthetic plant hormone relatively new to the market, registered with the U.S. Environmental Protection Agency in 2018 and approved for use in New York in 2019. EPA deemed it “practically non toxic” to fish, birds, mammals, amphibians and reptiles but “slightly toxic” to invertebrates. There are no state health department drinking water restrictions at the dosage levels the park commission proposed last year, according to a presentation on the herbicide by APA staff.



Consultants survey Minerva Lake before applying herbicide to combat Eurasian watermilfoil in June 2020. Photo by Gwendolyn Craig

When asked if he had confidence in the federal and state positions on the herbicide, Siy said they are insufficient to satisfy the association’s concerns for Lake George.

He was particularly focused on the park commission’s letter that bolded a statement noting the herbicide had no impact on public health after application. Unbolded in the letter were restrictions on irrigation, livestock watering and sampling schedules.

“That in and of itself underscores the cause for concern and need for further study,” Siy said. “Once you put it in, you can’t take it back out, right, so there is no rewinding the application.”

The herbicide was first tested in the Adirondack Park in [2020 in Essex County’s Minerva Lake. Surveys showed it was effective and knocked back invasive Eurasian watermilfoil.](#) It was also a cost-effective treatment for the Town of Minerva, which was spending about \$70,000 a year on divers pulling the milfoil from its roots and vacuuming it to a boat. The ProcellaCOR EC treatment cost about \$25,000 and is expected to last multiple years.

The proposed application in Lake George last summer caused a rare split among APA commissioners: Chairman John Ernst, Zoë Smith, Mark Hall and Andrea Hogan voted against the proposal. Hall is the water superintendent for the Town of Fine in St. Lawrence County and had said he wouldn’t drink the water after the herbicide applications. Smith, director of the Adirondack Watershed Institute at Paul Smith’s College, said she wanted a greater ecosystem analysis.

Commissioners Dan Wilt, Art Lussi, Ken Lynch, Matt Tebo, Brad Austin and Joe Zalewski voted in favor. Tebo, Austin and Zalewski are state agency designees representing the Department of State, Economic Development and DEC, respectively. Lynch is also a former DEC executive deputy commissioner. They felt the herbicide was more beneficial than the Eurasian watermilfoil and would help the lake’s health and economy.



Gwendolyn Craig

Gwen is an award-winning journalist covering environmental policy for the Explorer since January 2020. She also takes photos and videos for the Explorer’s magazine and website. She is a current member of the Legislative Correspondents Association of New York. Gwen has worked at various news outlets since 2015. Prior to moving to upstate New York, she worked for a D.C. Metro-area public relations firm, producing digital content for clients including the World Health Organization, the Low Income Investment Fund and Rights and Resources Initiative. She has a master’s degree in journalism from the S.I. Newhouse School of Public Communications at Syracuse University. She has bachelor’s degrees in English and journalism, with a concentration in ecology and

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Comments



Nathan says

February 3, 2023 at 2:29 pm

sounds like lake george needs to vote for new people for park comission. they refuse to listen to public demand to not use herbicide, disregarding the very people they are supposed to represent. NO means NO!!, slightly toxic is toxic, like most chemicals the true detrimntal effects often takes decades to show. Lake George should not be forced if most people object!! remember to vote for new members

Reply



Pat Boomhower says

February 4, 2023 at 10:19 am

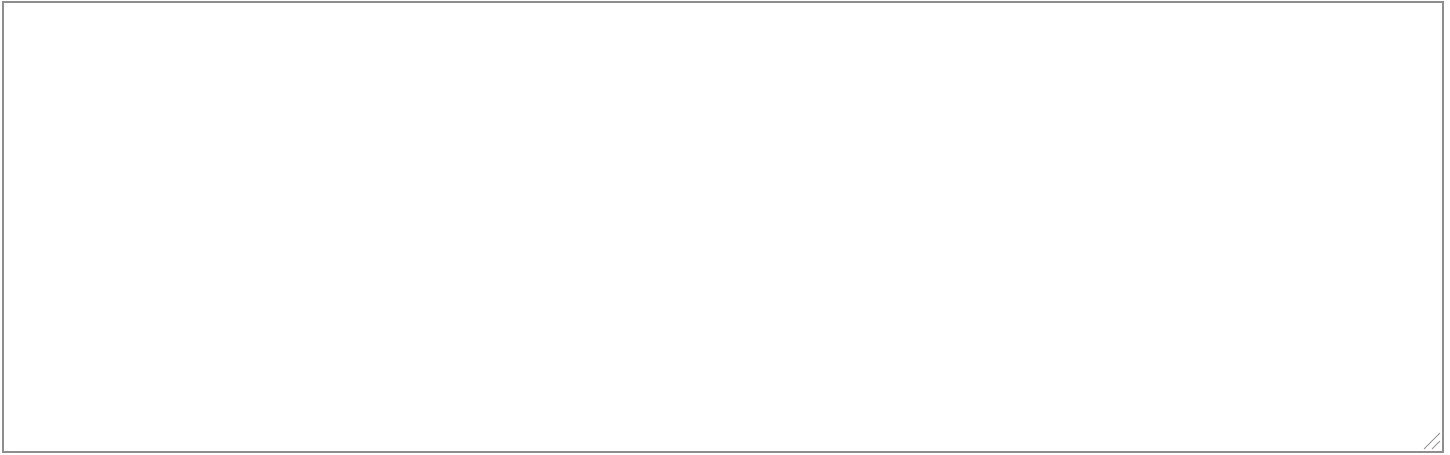
One statement alone in this whole article is key. "restrictions on irrigation, livestock watering" should be the single red flag against using this in the waters of Lake George.

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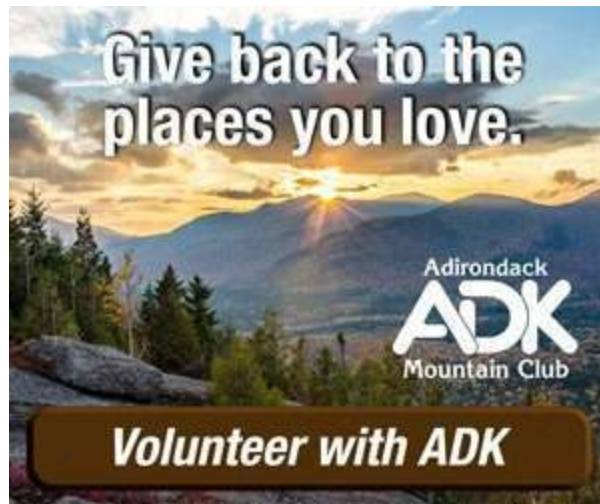
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