

Job Impact Statement

The regulations apply permit requirements and standards to future land development within the Lake George Park for projects involving disturbances to land within 35 feet of either side of protected streams. Accordingly, the rules could not be construed as affecting the existing level of business activity or jobs at existing facilities located in or near the Lake George Park except in so much as avoiding a decline in the natural qualities of the Lake is generally compatible with sustaining the current level of tourism and recreation-based business.

Any land use regulation has at least the potential to reduce the density or amount of allowable growth and thereby have a potential effect on the demand for that portion of construction services devoted to private development. Regulations that are so restrictive as to reduce private development activity below the current level, given equal market conditions, could be viewed as affecting existing job opportunities. Regulations that are restrictive to the degree of moderating any increase in the growth of development could be viewed as also limiting job growth in the private development portion of the construction employment sector. Accordingly, this job impact statement is centered on construction employment. In this inquiry, it is appropriate to consider the impact on the private development component of the construction industry since the regulations will not limit the opportunity to undertake publicly funded projects.

The potential impact on construction-related jobs arises from the potential that the regulations would result in the denial of construction projects that may otherwise occur because a particular project could not be designed in accordance with the standards and would not otherwise qualify for a waiver or a variance. It is important to note that the regulations do not establish land-use or density requirements. The number of principle buildings which would be allowed on a particular piece of property and the type and coverage of development allowable are separately established under the two-tiered land-use regulation program of the Adirondack Park Act and implemented in local land-use programs.

The amount of land located with designated stream corridors of 35 feet (each side of the high-water mark) has been estimated to comprise approximately 0.8% of the land area of the Lake George Basin (land within the Lake George Park with surface-water flows to the lake and its tributaries). If one assumes that future development activities are equally distributed, then the regulations have the potential to displace a total of 0.8% of the future development opportunities. Even if all future development opportunities on all of this affected land is lost and further assuming that this loss has a corresponding reduction in construction jobs for all future years, then the potential effect on jobs is 0.8%

However, it is not reasonable to predict that 0.8% of future development opportunities will be lost. Rather, a significant portion of the future development that might otherwise occur on the 0.8% of affected land will simply be re-directed to areas on the same parcel outside the stream corridor. Under such cases, a reduction in construction related job opportunities would not occur in the individual case.

In those individual cases where the maximum allowed density cannot be achieved without utilizing a portion of the stream corridor, a variance can be sought. In those cases where the allowable density cannot be achieved without construction in the stream corridor and a variance is denied, developers may direct the project to a separate parcel of property that will accommodate that density. After all, the demand for new homes, businesses facilities, and new tourist attractions is limited by external factors such as surplus income and unavoidable cost of construction, and competition from other areas. Such factors mean that there is not an unlimited demand at Lake George for homes, second homes, vacation accommodations, etc. at prevailing prices.

Local regulation of such activities must also be taken into account when evaluating potential impacts on jobs as well. Currently, several of the municipalities within the Lake George Park maintain strong restrictions on development and vegetative clearing in close proximity of streams (Towns of Queensbury, Lake George and Bolton). These three towns comprise the majority of development within the watershed due to general landscape features and topography. When accounting for these existing additional restrictions the impact on jobs from this initiative becomes even less.

Given the opportunity to re-direct development away from stream corridors and also given the waiver and variance provisions of the regulations, and further given the very small percentage of land within the stream corridors, the regulations can be estimated as having an insignificant effect on construction related jobs. Any such effect has to be evaluated within the context of job loss that would be associated with a decline in the water quality of Lake George resulting from such development within 35 feet of a DEC regulated stream.

The Lake George Park Commission has determined based upon the summary of information described above that it is apparent from the nature and purpose of this rule that it will not have a substantial adverse impact on jobs or employment opportunities.