

To the Chautauqua County Legislature
Wednesday, May 28, 2025
Second Privilege of the Floor - Wetlands

FINALE

Good evening.

Hello. I am Jim Wehrfritz from the Town of Ellery, President of the Chautauqua Lake Property Owners Association, the CLPOA.

Well, here we are, in May 2025, with over three thousand acres of our Chautauqua Lake, I stress “Lake”, and hundreds of acres along its shorelines up one hundred feet onto private property and under homes, restricted as wetlands. And much more to come across the entire County.

In the end, it was left to two all-volunteer Chautauqua Lake non-profits and its donors, one municipality, a trade organization, and a local business group, to fund and file suits against an uncaring and misguided state government which ignored all our and your pleas. You deferred on joining our litigation. We hope you will not similarly ignore the opportunity to support us as an amicus party. Your well-staffed and taxpayer-funded County law department can prepare the amicus brief.

You have been well aware of this issue and its impact. It is over two and a half years since the Legislature passed the August 2022 Amendment to the Freshwater Wetlands Act, almost two years since we first raised concerns about the Amendment, and over a year since the newly formed Chautauqua Lake Property Owners Association, the CLPOA, held the first of twelve “Wetlands” Public Meetings to help make all aware of the issue. The Jamestown Post-Journal has covered the issue extensively.

This is an issue about which the County Executive, despite his “Open Door Policy”, has refused to meet with us for over a year. Instead, he relied on

discussion with and assurances from the DEC Region 9 Director, no friend of Chautauqua Lake. Or he took faith in the low probability and late-breaking lake-exempting legislation introduced by our Senator and Assemblymen. Or he relied on advice from Lake organizations supportive of the regulations or with groups focused on their own special interests.

It's apparent he didn't get the full story until September 2024 when the County Executive changed his tune and joined eight of nine lakeside municipalities and several Lake organizations publicly opposing the regulations. This Legislature, a month later, passed the first of two resolutions, what the Post Journal called "too little too late".

So, here we are, the ninth time we have spoken to you in as many months and, once again as is your custom, from the back of the room. We appreciate that most of you have shown us the courtesy of turning around and listening to what we had to say. Very few others have spoken to you on this very important topic. What we have to say would have helped the County Executive and others here fill in the blanks in their understanding of the wetlands issue and its impact.

To date, this Legislature, its chairperson, and the Executive have watched without effective action as the DEC has abused us and caused us to dedicate thousands of volunteer hours and tens of thousands of donated dollars to researching the regulations, informing your constituents, and taking action. Legislators representing our five Lakeside districts and the other fourteen with districts as far as thirty-five miles away, but benefiting nonetheless, have watched while the County's Chautauqua Lake "cash cow" is diminished.

The wetlands Amendment and regulations violate the United States as well as the New York State Constitutions. The time for real action is now. Do not ignore the opportunity to support our lawsuits as an amicus party.

Act now and help us stop this abuse before there's a flurry of individual lawsuits against the State and others consider federal action.

One last point. The lack of effective Lake management is not the fault of Lake organizations' diverse opinions as some of you and other elected representatives have suggested. It is not property owners' desire for a "swimming pool quality Lake", untrue and an insult to the lakeside property owners who pay a highly disproportionate amount of taxes in this County. It is a lack of County leadership, the same malady which has prevented improvement in Chautauqua Lake conditions for decades.

Thank you for the chance to speak.