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STATE OF NEW YORK

**Hudson River – Black River
Regulating District**

Due Process Procedures for
Access Permit Holders
at
Great Sacandaga Lake



Great Sacandaga Lake

Adopted by Board Resolution
10-04-01

January 2010

The Board of the Hudson River - Black River Regulating District has adopted a uniform due process procedure for aggrieved access permit holders at Great Sacandaga Lake who seek to appeal a determination made by the Management of the Regulating District regarding its administration of rules, regulations, and policies.

These due process procedures apply solely to aggrieved access permit holders at Great Sacandaga Lake.

1. District's initial determination.

Hudson River Area Administrator makes initial determination and notifies access permit holder in writing.

2. First right of appeal to District Chief Engineer.

The access permit holder shall contact the Chief Engineer in writing and explain reasons for appeal. Chief Engineer upholds, reverses or revises the initial

determination in a written response delivered to the access permit holder.

3. Second right of appeal to District Executive Director.

Executive Director shall conduct a resolution conference with access permit holder(s) and/or their designee. The District shall keep a hearing record. Executive Director shall render a written opinion shortly thereafter. If the determination is not satisfactory to the access permit holder(s), then the final appeal is to the District Board.

4. Final appeal to District Board.

Aggrieved access permit holders shall have the right to appeal to the Board at one of the public meetings agreed upon by the parties. The Board shall allocate a portion of the meeting to hear such grievances. No later than ten (10) days before the hearing, the aggrieved access permit holder(s) shall

provide to the Executive Director nine (9) copies of any written materials and/or photos he or she plans to present to the Board. The Executive Director shall, no later than ten (10) days before the hearing, present to the Board and the access permit holder copies of the information the District plans to submit to the Board. At such hearing the Executive Director or his/her designee, who shall represent the Board, and the aggrieved access permit holder(s) and/or their designee shall each be afforded five (5) minutes to present evidence. The District shall keep a hearing record. Board shall make a final determination within a reasonable time by majority vote of the Board. The Board shall notify the appellant of its decision in writing shortly thereafter.