



**THE ADIRONDACK COUNCIL**  
*Defending the East's Last Great Wilderness*



MARCH 2004

Dear Members and Friends of the Adirondacks,

Over the past few months, our Board members and staff team have been refining a vision and strategy for the Council's actions over the coming years. As the leading environmental advocate for the Adirondacks, it is essential that we set long-term goals and create a plan of action to reach them. We envision an Adirondack Park with large core wilderness areas surrounded by ecologically managed forests and farms, augmented by vibrant local communities. We will use science-based advocacy to educate, encourage, support and guide society toward the achievement of that vision.

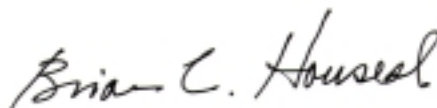
**Wilderness expansion and protection:** The Adirondack Council will continue to be a strong advocate for the Forever Wild clause of the New York State Constitution. We will continue our focus on the completion of the Adirondack Park Wilderness System, as described in our 2020 VISION series. In particular, we will collaborate with like-minded organizations to consolidate the 408,000 acre *Bob Marshall Great Wilderness* and establish a new 73,000 acre *Boreal Forest Wilderness*.

**Water quality improvement:** A principal reason for creating the Adirondack Park in 1892 was to protect its vast supplies of pure, fresh water. The Park's lakes fed the rivers and canals that were the commercial highways of the late 19<sup>th</sup> Century. Today, water supply and water quality are no less important. Nearly every resident and visitor to the Park has a favorite lake or brook, or is enchanted by the Park's seemingly endless variety of waterways and water bodies. But water quality is threatened by acid precipitation, septic and sewage pollution, road salt in local groundwater supplies, invasive aquatic species, and inappropriate shoreline and upland development. The Council will reach out to local, state and federal leaders to find solutions that are economically feasible and environmentally sound.

**Atmospheric pollution reduction:** The airborne pollution that causes acid rain is slowly killing the forests, waters, and the wildlife that depends on them. We also know that increasing emissions of carbon dioxide and methane that contribute to global climate change will have profound effects on the Park. The Council will continue its work with state and national organizations to advocate for legislation and regulations that reduce emissions of nitrogen oxides, sulfur dioxide, mercury, and carbon dioxide.

**Conservation finance increases:** Although the Council does not directly acquire conservation lands, we will be strong advocates for the state and federal funds that enable the state and not-for-profit organizations to work with willing sellers to protect biologically significant lands. We will also work to develop innovative conservation finance mechanisms that provide incentives for increased conservation on private lands.

This is a very ambitious agenda. Success will require the constant attention of our Board and staff and consistent support from members, such as you. We know you agree that these awe-inspiring Adirondack Mountains, forests and lakes require our best efforts to protect them from harm. We sincerely appreciate your support. We have already proven that, together, we can accomplish amazing things. With your continued support, we can give the next generation an Adirondack Park that is greener and healthier than the one we inherited.



Brian L. Houseal  
Executive Director

Cover: Main Range from *The Brothers*  
Photo by Gary Randorf

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## Our Mission

The mission of the Adirondack Council is to ensure the ecological integrity and wild character of the Adirondack Park. Founded in 1975, the Council is a privately funded, not-for-profit organization.

Newsletter design by Sheri Amsel

# New Air Quality Rules Would Halt Acid Rain

Congratulations!

With your help, the Adirondack Council's efforts in Washington, DC have had remarkable results. The US Environmental Protection Agency has proposed a new Interstate Air Quality Rule that would end the scourge of acid rain.

If the proposed regulations are approved, the new rules for power plant smokestacks will reduce acid rain damage in the Adirondack Park. They will also protect the health of all New Yorkers by removing the chemicals and tiny smoke particles that sicken and kill tens of thousands of Americans a year. The impact on smog would be a dramatic improvement as well.

EPA's proposal makes deeper cuts than the Acid Deposition Control Act proposed by the late Senator Daniel Patrick Moynihan, and sponsored by Senators Charles Schumer and Hillary Clinton. The plan is nearly identical to the legislation currently proposed by Adirondack Congressmen, John Sweeney and John McHugh.

The schedule of cuts is three years faster than the Clear Skies Act proposed by President Bush. The Adirondack Council testified before the Senate in April 2003, urging shorter timelines for pollution reductions.

## The new Interstate Air Quality rule announced in December by EPA would:

- Accomplish the cuts needed to stop acid rain damage in the Adirondacks by 2010;
- Accomplish the remainder of the cuts, which will accelerate the Park's recovery, by 2015;
- Cut sulfur dioxide pollution from electric power plants by nearly 70 percent;
- Cut nitrogen oxide pollution from electric power plants by nearly 70 percent;
- Establish permanent pollution caps, allowing no future increases in the caps.

The new Interstate Air Quality Rule was published in the

federal register at the end of January. The public has until March 30, 2004 to comment on the rules. At that point another brief waiting period is required. If all goes according to schedule, the new rules could go into effect as early as this fall.

Power companies from the 30 Eastern, Southern and Midwestern states that will be required to clean up their emissions will be lobbying hard to weaken the cuts and to slow down the timetable.

Relief can't come too soon for the Adirondack Park.

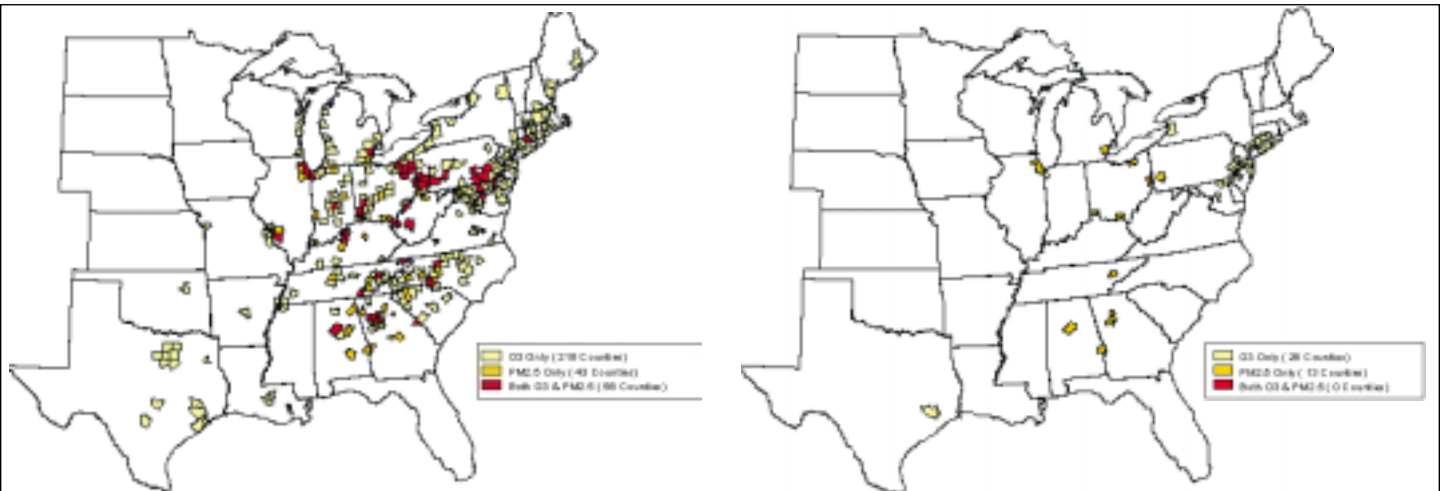
As a result of decades of acid rain, more than 500 of the Park's 2,800 lakes and ponds are too acidic to support their native life. Thousands of acres of high-elevation red spruce and fir forests have been devastated and acid-rain-caused mercury contamination has been documented in more than 20 Adirondack lakes, making the fish unfit to eat.

## Your Voice Can Make a Difference

If you have not yet responded to the Adirondack Council's Action Alert on the proposed Interstate Air Quality Rule, please take action before the end of March, by sending a supportive letter or email to the US Environmental Protection Agency.

Send letters to USEPA, EPA Docket Center, Air and Radiation Docket and Information, 1200 Pennsylvania Avenue, Washington, DC, 20460. Send emails to [A-and-R-Docket@epa.gov](mailto:A-and-R-Docket@epa.gov) or get instructions online at [www.epa.gov/docket](http://www.epa.gov/docket) (The docket ID number for the Interstate Air Quality Rule is OAR-2003-0053).

For a copy of the Adirondack Council's Action Alert on the proposed Interstate Air Quality Rule, go to our website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org), or call us toll-free at 1-877-873-2240.



The US Environmental Protection Agency's newly proposed Interstate Air Quality Rule would eliminate chronic acid rain damage in the Adirondacks by 2011. But what would it do for clean air in the other 29 easternmost states if it becomes final this fall? The first map (left) illustrates that 261 eastern counties are currently out of compliance with federal health standards for sulfur- and nitrogen-based air pollution (the same smokestack chemicals that cause acid rain). In terms of human health, ground-level ozone (O<sub>3</sub>, or smog) and fine particles of smoke (2.5 microns or less) are the greatest risks. EPA estimates these pollutants cause premature death in more than 20,000 Americans per year. Of the 261 out of compliance, a total of 56 counties were breathing too much of both pollutants. The second map (right) shows that by 2015, the number of counties afflicted by both pollutants would drop to zero. The number of counties that are out of compliance with just one of those chemicals would drop by 90 percent. Charts provided by EPA.

# Proposed Boreal Wilderness: A Natural Carbon Sink, Helps To Prevent Climate Change

In the Adirondack Council's 1990 publication *2020 VISION: Volume III, Completing the Adirondack Wilderness System*, the Adirondack Council proposed the creation of a 73,300 acre wilderness area on the eastern side of the Raquette River in the northwestern quadrant of the Adirondack Park. It would be called the Boreal Wilderness.

Our motivation for protecting the area was simple. It contains unique wildlife and special habitat not found in other areas of the Park. What we didn't know back then is how important boreal forest is in the battle to ward-off the effects of "greenhouse" gases and global climate change.

The February 2004 edition of *National Geographic Magazine* calls boreal forests "the world's largest soil reservoir of organic carbon." In short, acre for acre, the proposed Boreal Wilderness is one of the most effective weapons in the Adirondack Park for fighting global warming. The proposed Boreal Wilderness contains one-fifth of all low-elevation boreal forest in New York State.

In all, New York State has approximately 350,000 acres of low elevation boreal biome. Ninety-nine percent of this biome is in the Adirondack Park. The endangered spruce grouse is a known resident, as are carnivorous plants such as the insect-eating pitcher plant and the sundew.

Because their needles are arranged on the branch in a dense, circular pattern (like a bottle brush), spruce and fir trees are excellent atmospheric precipitators and can absorb large amounts of carbon dioxide and other gases from the air. Dark, cool, wet conditions on the forest floor create a slow rate of decay, so carbon stays locked up in the soil for a long time. Forest fires, which release stored carbon back into the air, are rare here.

Carbon dioxide (CO<sub>2</sub>) and methane (CH<sub>4</sub>) are released by the burning and decomposition of nearly everything. Together they make up the largest percentage of greenhouse gases responsible, in part, for global warming. The more carbon such forests remove from the atmosphere and sequester in the trees and soil, the better our chances become of avoiding catastrophic changes in climate.

Over the years, the Council has worked for the protection of this area, hoping that it would one day be possible to assemble a single Wilderness from isolated parcels of state land. We have made significant progress, via acquisitions of Forest Preserve and private land conservation easements.

Through it all, our guiding principle has been the need to strictly limit human impacts, particularly impacts from motorized recreation. Public highways, snowmobile trails and other thoroughfares could easily harm the fragile boreal ecosystem. Motorized use of the land, if allowed to continue, could prevent a future "Wilderness" classification by state officials.



*The proposed Boreal Wilderness — 73,000 acres*

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## What About Mercury?

At the same time that the US Environmental Protection Agency proposed the new Interstate Air Quality Rule to curb sulfur- and nitrogen-based air pollution, EPA also proposed a new reduction program for mercury emissions from power plants.

The new program would require a 70-percent reduction in mercury emissions by 2018. It would achieve the reductions with a cap-and-trade program that allows power plants that cannot clean up their emissions by the deadline to buy credits from other companies that have reduced their emissions beyond what the law requires. It is the same mechanism used to reduce sulfur dioxide under the successful 1990 Clean Air Act Amendments.

However, many health experts are concerned that mercury emissions are more toxic to people than other major smogstack pollutants. Allowing mercury credits to be bought and sold might allow one or more companies to avoid clean-up. This would place the residents around the plant at risk. They argue that EPA

should have required a "maximum achievable control technology" standard that requires the installation of every possible control device and pollution-reduction method at every plant that emits mercury. The mercury rule has been criticized for its failure to require deeper cuts on a faster timeline.

Power company officials said there is insufficient technology available to them to make deeper mercury cuts promptly.

The Adirondack Council's position on the new mercury rule is best expressed through our endorsement of the Acid Rain Control Act (HR203, sponsored by Adirondack Congressmen John Sweeney and John McHugh). The bill calls for EPA to establish a national mercury reduction program by Dec. 15, 2004. The bill specifically bans the trading of mercury pollution credits.

For a copy of the Adirondack Council's position on the proposed mercury rule, go to our website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org).

# Snowmobile Planning for the Park

The board and staff of the Adirondack Council extend our thanks to all of the Council members who sent letters and attended hearings to comment on the state's new snowmobiling plan for the Adirondack Park.

For the past three years, the Adirondack Council has been working with the NYS Department of Environmental Conservation officials, the Office of Parks, snowmobilers, and other environmentalists to reshape the region's snowmobile trail system. The Adirondack Council believes that a well-designed, well-managed system connecting the Park's far-flung hamlets can boost the winter economy. Even better, a well-designed plan should ease current environmental damage by moving trails closer to road corridors and out of the Forest Preserve. Inappropriately located snowmobile trails provide neither.

Until a comprehensive plan is completed and enacted, unregulated snowmobiling will continue to degrade the Park's unique wild character. As we plan for the future, it would be illogical to make wholesale changes that attract a few more snowmobilers but drive away the innumerable visitors who come to the Park in search of silence and solitude.

Most Adirondackers have heard about the tussle over snowmobiles in Yellowstone National Park. The Park Service and federal courts agreed — after years of study — that snowmobiles are polluting the air, upsetting wildlife and allowing trespassers and poachers to evade law enforcement.

But the Adirondack Park is not Yellowstone. There is much more private land here, and the Adirondack Park is much larger than Yellowstone. In short, we have more room for snowmobiles.

The state has struggled with the problem of what to do with snowmobiles since they first arrived in the Adirondacks in the 1960s. Originally, they were allowed to go anywhere on the Forest Preserve where the riders could fit between the trees. Eventually, they were restricted to specific trails on Forest Preserve lands.

In the intervening years, the state Department of Environmental Conservation (DEC) has lost control of the trail system. New trails have emerged haphazardly in every corner of the Park. Often, they are in the worst possible location in terms of environmental risk. Many trails run straight through the middle of massive, unbroken forests. Many cross lakes, rivers and ponds to connect one trail segment to another. Unsafe conditions abound.

There are also risks to wildlife, including noise, air pollution and artificial lights. Before any decisions are made on the locations of new trails, DEC must gauge the impact on the Park's wildlife

habitat and plant life.

In fact, DEC has failed to provide a map or an inventory of what was created legally and what was not.

DEC's continued reliance on snowmobile clubs and other private entities to "manage" the trails for the department is part of this problem. The Adirondack Council has recorded and reported widespread damage in areas of the Forest Preserve where the workers used bulldozers and explosives as their "grooming" tools. DEC must guarantee better oversight and give the public the opportunity to comment on work plans.

Fixing the shortcomings in DEC's draft snowmobile plan is our only hope of making snowmobiling compatible with the Forest Preserve. With an appropriate plan, both the environment and the economy will be better off.

The next step in the process of creating the new plan is in the hands of the Adirondack Park Agency. The APA must determine whether the plan meets the requirements of the State Land Master Plan, which governs the management of the Forest Preserve.

The Council supports an amendment to the master plan that would allow trails wider than eight feet on the edges of the Forest Preserve — near road corridors — to connect communities that are now isolated from one another. The Council will not support widening trails on the interior of the Forest Preserve, nor the use of motor vehicles to maintain interior trails.

The Adirondack Council will work for a snowmobile plan that improves safe travel across the Park's least sensitive open spaces, but will not accept a plan that diminishes the Park's health or its wildness.



Cartoon by Mark Wilson, [www.empirewire.com](http://www.empirewire.com).

"If there is a unifying theme to the master plan, it is that protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded."

**The Adirondack Park State Land Master Plan**

# Environmental Fund Threatened by Budget Shortfalls

In December, the Adirondack Council joined forces with a broad coalition of other environmental organizations to call on the Governor and Legislature to increase spending on the state's most pressing environmental priorities.

Over the past three years, Governor George Pataki and Legislative leaders have raided the unspent balance from the Environmental Protection Fund, diverting the money to the General Fund in an effort to balance the state budget. That has left a \$400-million gap between the state's commitments and the money spent to meet them. In fact, more money has been raided from the EPF in the past three years than has actually been spent on the environment.

The coalition urged the Legislature and Governor to appropriate a total of \$250 million for the EPF this year, to cover projects that went unfunded in past years, plus the projects waiting for new funds. However, under this plan, only \$125 million would have been drawn from the accounts that normally fund the EPF. The remainder would come from the Environmental Facilities Corporation bonding that was promised last year, and the year before, to make up for the Governor's and Legislature's decisions to remove the unspent cash from the EPF.

In January, citing a potentially substantial state budget deficit, Governor Pataki released a budget proposal that contained an EPF of \$125 million. He did not commit to the bonding plan outlined last year. He proposed a total of \$38.5 million statewide for open space protection, with \$8.5 million of that dedicated to farmland protection.

However, the Governor also added \$25 million in new spending to the obligations of the EPF, which included day-to-day expenses. The EPF was created to handle only capital environmental projects. Those projects would include purchasing land, establishing recycling centers, closing landfills or installing new sanitary facilities at parks.

## Adirondack priorities for which the Adirondack Council will seek EPF funding include:

**Tahawus tract:** A 6,500-acre tract of land offered to the state for inclusion in the High Peaks Wilderness. The land has been protected by the Open Space Institute, a not-for-profit land

conservancy, but cannot become part of the public Forest Preserve's High Peaks Wilderness until the state acquires it.

**Domtar/Sable Highlands:** Several parcels in the northeastern Adirondack Park totaling 105,000 acres. The timber company owner wants the Nature Conservancy and the state to purchase the development rights on the company's entire holdings, and is offering some parcels for sale to the state. Those parcels surround water bodies and existing Forest Preserve and would improve public access to both. Domtar has been waiting for the state to take action since 1992, when it first proposed the easement deal – a year before the EPF was created. Ironically, the need to protect Domtar holdings was a key reason for the creation of the EPF.

**Moose River:** The merger between Niagara Mohawk Power Corp. and National Grid in 2001 resulted in the offer of 3,600 acres of undeveloped riverfront (including five miles of shoreline) along the main branch of the Moose River in Lyonsdale, Lewis County. The state has appraised the land and is nearly ready to make an offer to the company, which agreed to sell at fair market value. The lands are adjacent to the public Forest Preserve's Black River Wild Forest.

**Clean water/Pollution prevention:** The Park's small towns and sparse populations cannot generate the tax revenue needed to install and improve drinking water and wastewater treatment facilities, fix runoff problems and address other non-point-source water pollution problems. These same small municipalities provide clean drinking water, sewage treatment and other services for 9 million visitors yearly. The Council will advocate for state grants and low-interest loans to Park communities.

## The Environmental Protection Fund

The State Legislature created New York's Environmental Protection Fund in 1993, intending to appropriate at least \$125 million each year to deal with pressing environmental needs, such as open space, clean water, solid waste disposal, recycling facilities and other big-ticket items. A portion of the state's real estate transfer tax and other smaller taxes/fees are automatically deposited into the EPF each year in the sum of \$125 million.



# Park Agency Act 30<sup>th</sup> Anniversary Prompts Discussion of Reforms

In 1973, the New York State Legislature passed the Adirondack Park Agency Act, creating the most innovative land-use regulatory agency in history — the Adirondack Park Agency.

But over the past three decades, our scientific understanding of the problems associated with development has far outstripped the APA's regulatory ability to control those problems. As time has passed, the APA has become less and less effective in preventing the damage caused by haphazard development, fragmentation of forests and wildlife habitat, and degradation of water quality.

The APA was the prototype for a regional land-use agency. Never before had a state government taken the responsibility for setting up a special set of land use laws for a multi-county region. The New Jersey Pinelands Commission, the California Coastal Commission and several other similar agencies have been created in the APA's image.

But like a car that has gone too long without a tune-up, the APA often sputters and stalls at critical moments. Today, every other major regional land use authority in America has greater regulatory power and enforcement authority than the APA.

In October 2003, the Government Law Center of Albany Law School and the New York State Bar Association Environmental and Municipal Law Sections held a conference to examine the successes and short-comings of the APA Act. The idea was to propose improvements that would once again make the APA one of the most innovative and effective park-protection agencies in the world.

Representatives from state and local government, practicing attorneys, non-government organizations and concerned citizens attended the two-day conference. They discussed the history of the Act, recounted experiences from the early days of its use, and critiqued its effectiveness.

The Adirondack Council's Bernard Melewski presented a comprehensive plan for overhauling the Agency. Here's a summary of his recommendations:

**Zoning classifications** should be based on use, not density. The Act attempts to protect the most sensitive areas of the Park by limiting the number of buildings per square mile. But building density alone can't protect the Park's ecological integrity. Certain activities, such as intensive commercial and industrial development, ought to be prohibited in the Park's most pristine and sensitive regions.

**Develop regulations** that better protect the quality of Adirondack waters. When the Adirondack Park Land Use Development Plan was developed, the private lands around water bodies were bartered away. Local legislative leaders recognized



*One of the main goals of the NYS Bar Association's Conference on the Adirondack Park Agency Act last fall was to protect the Park's magnificent lakes and rivers from pollution. The conference was held at the Lake Placid Hilton, overlooking Mirror Lake (above). Photo by Gary Randorf.*

that shoreline lots were the most attractive and insisted that the proposed regulations be relaxed. This encouraged development in places where it was certain to result in water pollution.

**Setbacks** and lot sizes are inadequate. The current minimum lot sizes and setbacks for shoreline homes allow runoff and leaking septic systems to cause environmental damage, while shoreline development degrades the Park's natural beauty. Minimum setbacks should be increased to move homes away from shorelines. Lot sizes should also be increased to reduce the concentration of homes on water bodies.

**Shoreline vegetative** cutting restrictions aren't effective. The Act's standards for shoreline tree-cutting are hard to track and even harder to enforce. Currently, landowners can cut up to 30 percent of the mature trees on a shoreline. This requires APA to set a specific cutting limit for every applicant's property and to monitor the cutting. With fewer than five enforcement staff, APA is unable to enforce this regulation.

**Establish more** effective regulations for development on steep slopes, which increases erosion and sedimentation during construction, wastewater runoff from septic systems and visual impacts to the viewshed. The Act must be clarified to discourage development on slopes to protect water quality and the Park's scenic beauty.

**Develop more effective tools** for assessing cumulative impacts. One of the classic problems the APA faces is a developer who comes back repeatedly for subdivisions on the same land, or to add new phases to an existing development project. What is the cumulative impact of all of those phases? What is the impact when you add in the activities of neighboring landowners in the same watershed, or the same scenic area? How much development can the land handle before the water is polluted or the scenery degraded? Many land-use agencies are employing scientific methods for assessing cumulative impacts. The Legislature must amend the APA Act to give the agency this authority.

**The APA** must address the Act's requirement to protect aesthetic and scenic resources in the Park. The Park's wild character is enjoyed by millions of people each year. APA staff members have developed simple methods for assessing the visual

## Why the APA Act was Created ...

"The basic purpose of this article is to insure the optimum overall conservation, protection, preservation, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic ecological and natural resources of the Adirondack Park."

— Adirondack Park Agency Act

...continued on page 9

## Pataki Tackles ATVs, Lost Property Taxes

In the budget plan he released in January, Governor George Pataki has proposed an interesting solution to two Adirondack problems that have plagued the Park economy and environment.

Both are problems that the Adirondack Council has been seeking the state's help on for years. One is the environmental harm done by illegal all-terrain vehicle traffic. The other is the economic hardship caused by lost property tax revenue. These two might not immediately seem to have much in common, but the shared element is timber land.

Since 1926, the state has offered property tax abatements to any owner of 50 or more acres who agrees to keep the land undeveloped for 10 years. It is known as the Forestland Tax Abatement Program (sections 480 and 480a of the Real Property Tax Law). To keep the abatement, the landowners must re-enroll each year, committing to another 10-year period. Most of the land enrolled belongs to timber companies.

However, the state doesn't reimburse local governments for the revenue they lose when the abatements are granted. Other local taxpayers must make up the difference or local governments must cut services to balance their budgets.

Meanwhile, timber companies are free to make additional income from the land by leasing it to hunting clubs. Many club members use all-terrain vehicles (ATVs) to get back and forth to their cabins.

At the same time, there is a great deal of illegal ATV use on the Adirondack Forest Preserve, where ATVs are banned from the trails. Past Adirondack Council newsletters have documented the problem.

This year, the Governor is proposing an increase in the registration fee for ATVs from \$10 to \$45. The Governor is proposing to use \$850,000 generated by the fee increase to create a new ATV trail maintenance program, which could be

used only on private lands. A portion of the \$850,000 would also go to enforcement and education aimed at limiting trespass.

Some of the remaining money would be used to reimburse local governments for their lost tax revenues. Any community that loses one percent or more of its annual assessed value to timberland tax breaks would be eligible.

The Adirondack Council supports the Governor's plan, but will ask him to limit the reimbursements to Forest Preserve counties only, to limit the total cost to the state. The Council will push for inclusion of uncut private forests in the program, plus the regulation of cabin construction and road-building on enrolled timber lands to protect lakes, ponds and rivers from pollution.



*All-terrain vehicles are banned from Adirondack Forest Preserve trails, but are allowed on some public roads in the Forest Preserve. However, a recent court ruling indicated that ATVs may not legally ride the same roads that cars and trucks use. Private lands appear to be the best place for a trail system. File photo.*

## President Earmarks Funds for Tahawus

The Adirondack Council issued a joint statement with the Open Space Institute and the Adirondack Nature Conservancy in February to applaud the Bush Administration's proposal to provide a record \$100 million for the United States Forest Service (USFS) Federal Forest Legacy program in the proposed FY'05 budget.

If passed, the plan would allocate \$2.5 million in federal funding for the Tahawus Tract, in the heart of the Adirondacks.

The Congressionally authorized Forest Legacy program enables the Federal Government to work with states and private landowners to enhance the management of America's forest resources. A partnership between the Forest Service, state governments and private landowners, the program protects ecologically important forest habitat through land acquisition or the use of conservation easements. The idea is to protect working forests while meeting important conservation goals.

The Tahawus tract, has long been a priority acquisition for the Adirondack Council. Adjacent to the High Peaks Wilderness, the tract includes Mount Adams, a popular hiking destination, and the 450-acre Henderson Lake, a source of the Hudson River.

In August, the Open Space Institute acquired the property with the intent of selling the bulk of it to the state. The Council

will urge the state to purchase the northern two-thirds of the parcel (6,500 acres), and seek a Wilderness classification for it. The rest should be protected permanently through a conservation easement that allows sustainable timber harvesting but prevents fragmentation and development.



*Looking northeast across the upper Hudson River at Tahawus, at the south side of the High Peaks Wilderness. This vista would become Forest Preserve under the state's plan to protect the property. The Council will lobby Congress to approve, or increase, the President's \$2.5 million grant proposal. Photo by Jaime Ethier.*



# Help the Adirondack Park Invasive Plant Program

Non-native, invasive aquatic and terrestrial plants are expanding throughout New York and are a critical threat to the biodiversity, processes, and services of natural ecosystems. In an effort to tackle such a large, unwieldy threat, the Council is teaming up with other groups and state agencies to work out a comprehensive solution.

Eurasian watermilfoil, Japanese knotweed, purple loosestrife, garlic mustard, water chestnut and other invasive plants are present in the Adirondack Park. Fortunately the opportunity exists to prevent further introduction and spread of these exotic invaders.

The Adirondack Council has joined efforts with the Adirondack Park Invasive Plant Program (APIPP), a partnership program that links invasive plant inventory, management, and education efforts throughout the Adirondack region. Other participants include the Adirondack Nature Conservancy, Adirondack Park Agency, Department of Environmental Conservation, Department of Transportation and Adirondack Mountain Club.

Partner staff and resident volunteers are an essential component of this cooperative program. APIPP coordinates free training in plant identification and inventory methods for volunteers interested in assisting with invasive plant surveys.

Information collected is used to determine the distribution of invasive plants throughout the Adirondack Park and to develop management strategies. Plant distribution maps, fact sheets, photographs, and additional resources are available

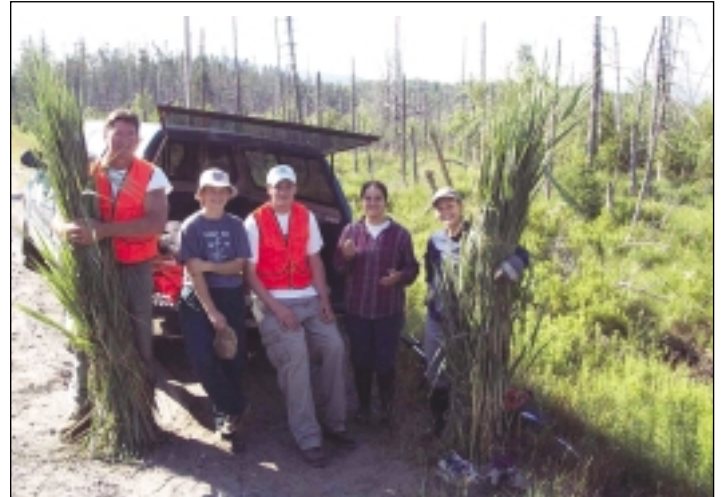
*purple loosestrife*



on the Adirondack Park Invasive Plant Program website, [www.adkinvasives.com](http://www.adkinvasives.com).

Early detection of invasive plants allows the best opportunity for control, and public awareness about where they are will help prevent their spread. Whether boating, paddling, hiking, or driving, you can learn to recognize non-native, invasive plants.

Training sessions are held throughout the Park, and those dates will be announced later this spring. If you are interested, in assisting inventory, educational, or invasive plant removal efforts, please contact Hilary Oles, Program Coordinator, 518-576-2082 x 131.



*An APIPP volunteer crew pulling and carting away exotic plants in the summer of 2003. Photo provided by APIPP.*

## APA Anniversary Story ...continued from page 4

impact of new development. The Legislature must amend the APA Act before APA can apply these standards.

**Provide the APA** with the tools to enforce the statute and its regulations. The APA should have the ability to enforce the APA Act by administrative order similar to the Department of Environmental Conservation. The APA is responsible for the oversight of development of nearly 3 million acres. The agency needs the personnel and the administrative ability to enforce the land use regulations for which they are responsible.

**Enhance enforcement powers.** The APA is the only regional land-use authority in America lacking the authority to issue tickets for obvious violations. It also lacks the authority to order landowners to cease constructing buildings or roads that are illegal. Instead, the APA must first attempt to negotiate an after-the-fact permit when it encounters any form of violation, almost anywhere in the Park. Violators who refuse to negotiate can — and do — stall APA action for years. The agency must rely on the NYS Attorney General to prosecute the most blatant offenses. Some cases drag on for 10 years or more. The Legislature must grant the APA authority to issue a summons and direct

remediation of obvious violations and a means of adjudicating minor disputes.

The Adirondack Council is urging Gov. George Pataki and the Legislature to enact legislation that would carry out these recommendations before the 2004 legislative session ends.



# Wintering Grounds of Adirondack Loons to be Studied

Where do the Adirondack Park's loons go when the lakes freeze each winter? South is the easy answer. But how far do they go? Do they return to the same wintering areas each year? What dangers face them when they reach their destinations?

These are all good questions, but so far, we have few answers. A new state program should help to change all that.

In January, the state made national news with its new loon migration program. By banding Adirondack loons with a special tracking device, the state and its private-organization partners will be able to watch the loons' migrations on a computer monitor. Satellite telemetry will plot the location of the loons at all times, recording the entire trip.

NYS Department of Environmental Conservation Commissioner Erin M. Crotty said her office would work with the Adirondack Cooperative Loon Program (ACLP), a research and education collaborative studying the migratory species.

In 2002, the Adirondack Council joined forces with the ACLP, Audubon New York and Audubon International to win a statewide ban on the sale of small lead sinkers – one-half ounce or less – because they are deadly to the loons and other waterfowl that mistake them for the pebbles they need to aid their digestion. That ban takes effect on May 7 of this year.

The Adirondack Cooperative Loon Program ([www.aclp.org](http://www.aclp.org)) is a partnership of the DEC, Wildlife Conservation Society,

staging areas, and wintering grounds important to North American loon populations.

In August 2003, DEC, ACLP and USGS scientists equipped two Adirondack loons with satellite transmitters to record the birds' southerly migrations, which, until now, have been largely unknown. Scientists hope to outfit additional birds in the future. Information obtained from these transmitters regarding their seasonal migratory patterns and habitat selection will be valuable for the development of statewide, regional, and national loon conservation strategies. The study will also indicate whether New York loons migrate through the Great Lakes, where they could be exposed to Type E botulism, which has killed thousands of Common loons on Lake Erie and Lake Ontario over the last four years.



Cartoon by Mark Wilson, [empirewire.com](http://empirewire.com)

Natural History Museum of the Adirondacks, BioDiversity Research Institute of Falmouth, ME, and Audubon Society of New York State. This loon migration research project is a joint effort between ACLP, the U.S. Geological Survey (USGS), and the U.S. Fish and Wildlife Service.

Common loons are long-lived birds and are excellent indicators of the health of the environment. Recent research by ACLP has improved our knowledge about Common loon population trends and factors, such as mercury pollution, that impact the Adirondack loon population. This study will complement research conducted by the U.S. Geological Survey in the Midwest and Northeast to better determine migration routes,

"The Common loon is an enduring and revered symbol of the Adirondack Wilderness. Loons only make their homes on undeveloped shorelines and are very apprehensive around people and noise. While that trait has helped them to survive as a species, we know far too little about them and their migratory habits. This program will go a long way in clearing up some of the mysteries surrounding this fascinating creature and we applaud Governor George Pataki, Commissioner Crotty and their conservation partners for this exciting, new initiative."

— Brian L. Houseal, Executive Director  
as quoted in January 2004  
by the Associated Press.



## A Symbol of Wilderness

The loon has been a part of the Adirondack Council's logo since the Council was founded in 1975. It is widely held to be the ultimate symbol of the Adirondack Wilderness. Loons are wary of people and nest only on undeveloped shorelines. In short, loons cannot coexist with the internal combustion engine. Each July, the Council presents a hand-carved loon to the person chosen as the organization's Conservationist of the Year.

## County Seizing Another Tower Site

Saratoga County officials are in the process of seizing a second mountain peak on the Great Sacandaga Lake for a proposed emergency radio tower system for which they are seeking an Adirondack Park Agency permit.

The county has already completed an eminent domain action against John Bergeron of Schenectady to take the top of West Mountain in the Town of Hadley for one of the three towers it is proposing. West Mountain is at the far northeastern end of the lake. Bergeron did not want to sell his land and objected to the construction on an otherwise undeveloped summit.

Fraker Mountain in Edinburg is the scene of the county's most recent seizure attempt. The County announced plans in the fall of 2003 to take the top of Fraker, which is located on the north shore of the lake at the crest of an undeveloped ridge. Currently, there is no visible ridgeline or mountaintop development on the 29-mile-long lake.

The County had slated an eminent domain hearing for early March, as this newsletter was going into production. A third tower would be located on Horse Hill Road in the Town of Day. An agreement was reached with the landowner of that site in 2003.

The County's plan was unveiled in 2002 and included three towers 150 feet high for use by emergency personnel. The towers were also expected to include commercial cell phone relay equipment. That was not part of the emergency services project, but proposed as a piggy-back rider to help defray the cost to taxpayers.

The Council has pointed out that the State Police were moving entirely to satellite-based digital dispatching of emergency calls. Cooperation between state and county agencies might save the county millions of dollars and protect the lake's natural character.

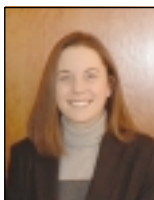
In 2002, the Adirondack Park Agency adopted a communications tower policy that discourages any new structures that stand out from surrounding landscape. At 150 feet, the towers would be the same height as the Statue of Liberty and would be visible for miles in every direction because of required warning lights.

So far, the APA considers the county's proposal to be incomplete without proof that – among other considerations – it has access to the proposed construction sites. County officials announced in February that they were considering revising their APA application to reduce the tower size and remove some or all of the commercial equipment.

## Jessica Ottney Joins Council Staff

Rochester-area native Jessica Ottney joined the Adirondack Council's staff in January as Legislative Associate, joining the Council's government relations team.

Jessica has spent her career working as an environmental advocate, first as manager of a door-to-door education and fundraising campaign for Citizens Campaign for the Environment's Buffalo office. She later moved to CCE's headquarters in Farmingdale as Program Coordinator. She is a 2000 graduate of the University of Buffalo, where she earned bachelors degrees in English and political science.



Jessica Ottney

## Retired APA Chair to Head River Regulating Board

During his five-year stint as Chairman of the Adirondack Park Agency, Richard H. "Dick" Lefebvre managed to improve the APA's performance while also calming its nearly constant quarrels with local government. Lefebvre's easy-going personality and no-nonsense management style were hailed by the Pataki Administration. He retired in 2002. He was first appointed to the APA by Gov. Mario Cuomo in 1993. He was appointed chairman under Gov. George Pataki in 1998.

Fortunately for the Adirondack Park, his retirement was a short one. In January, he accepted another job as head of a state-run regulatory office when he took over as Executive Director of the Hudson River-Black River Regulating District. The district's job is to control water levels in the reservoirs that feed the two major rivers, ensuring that there is sufficient flow in the summer and preventing flooding in the spring and fall.

More controversial is the regulating district's role as manager of the shoreline permit system for the 29-mile-long Great Sacandaga Lake, the largest reservoir used to control the level of the Hudson. More than 4,500 businesses and families are upland owners and have district-issued permits to use the shoreline. For nearly a decade, the regulating district's employees have been under pressure from lake residents and local officials to trim its budget and maintain more consistent water levels in the lake.

Lefebvre has already promised to conduct the district's business more openly and has ordered an independent audit of the district's assets and finances.

## Transition For Bernard Melewski

After fourteen years of successful efforts as a staff member of the Adirondack Council, serving in various roles including Legislative Director, Counsel, Deputy Director and Acting Executive Director, Bernard Melewski is leaving the Council as a full-time staff person. Our organization will continue to benefit from his experience and expertise. Bernard will serve as a consultant to the Council providing services as an independent lobbyist and legal advisor.



Board members Liza Cowan and Curt Welling and staff member Julie Ball (right) take a break during a recent strategic planning session.

## Thank you! Campaign raises \$125,000 for Intensified Acid Rain Efforts

In July 2003 the Adirondack Council initiated an intensified Acid Rain fundraising campaign in order to seize an opportunity to achieve victory in the twenty-year fight to end acid rain's devastating effects on the ecology of the Adirondack Park. Many thanks to everyone who contributed to this extraordinary effort and helped the Council raise \$125,000 during a short four-month period. The strength of support made possible the Council's increased advocacy and public outreach during a critical time, and helped lead to the best news on acid rain in a decade – the announcement of new regulations to significantly reduce power plant emissions that cause acid rain. We will continue our steady effort to see that the regulations are finalized so the Adirondacks can begin to recover their ecological health.

...thank you..thank you..thank you..thank you..thank you...

## The Clarence Petty Internship Program

For many years, the Council has hosted college interns in our main office in Elizabethtown in the Adirondack Park and in our government and communications office in the State Capitol of Albany. The Council's CLARENCE PETTY INTERNSHIP PROGRAM offers a challenging internship experience to qualified candidates.

A native of the Adirondacks and now 98 years old, Clarence Petty has spent a lifetime working to ensure good stewardship of the state's public lands and sound decision-making about private land use in the Adirondack Park. The program is named in his honor.

The Adirondack Council is committed to offering interns an experience that will prepare them for work in an environmental not-for-profit, government agency, or conservation fieldwork by working with a nationally recognized not-for-profit in their field of interest, learning about the complex conservation issues of the Adirondack Park. CLARENCE PETTY INTERNS have continued with study in public policy, pursued environmental law degrees or launched careers in natural resource management. In return the Adirondack Council has benefited from the enthusiasm and interest of people new to the field as the Adirondacks reap the benefit of a new generation of educated stewards.

The CLARENCE PETTY INTERNSHIP PROGRAM was named in 2002 with a generous \$10,000 grant. An additional \$11,000 in contributions for the program has been received during 2003. The Council's goal is to raise \$100,000 for the CLARENCE PETTY INTERNSHIP PROGRAM to continue supporting young professionals in the environmental field. For more information about becoming a CLARENCE PETTY INTERN, or to make a contribution, please contact the Council toll-free at 877-873-2240.



Clarence Petty

## Save this Date...

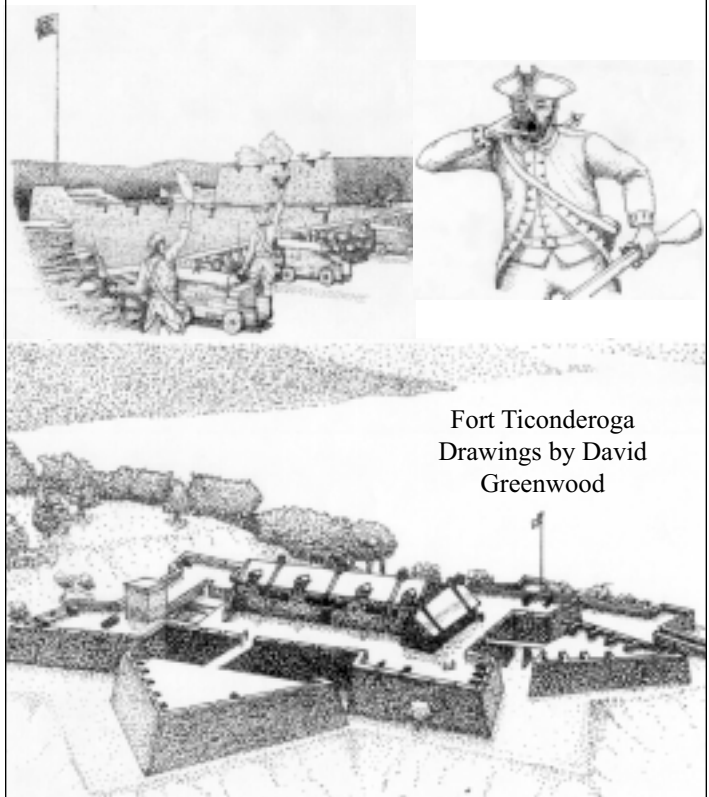
It's not too early to mark your calendar and make plans to attend the Adirondack Council's —

### ANNUAL MEMBERSHIP MEETING AND DINNER

Saturday, July 10<sup>th</sup>, 2004  
Fort Ticonderoga – Ticonderoga, NY

We hope you will take advantage of this opportunity to explore some of our nation's history, as well as to meet others who care about the Adirondacks.

For more information, please contact Elaine at the Council's Elizabethtown office by mail or by phone toll-free at 1-877-873-2240 or via email at [eburke@adirondackcouncil.org](mailto:eburke@adirondackcouncil.org)



Fort Ticonderoga  
Drawings by David  
Greenwood

## In Memory of Anne...

On January 19, 2004 the staff of the Adirondack Council lost a dear friend and former co-worker. Anne Trachtenberg Hughes died as a result of injuries sustained in a single-car accident. Anne was 49 years old.

In 1989 after many years of working in publishing and public relations in New York City, Anne moved to the Adirondacks, and began work in the development department of the Adirondack Council. After seven years with the Council, Anne took what we like to call an “extended vacation” to work with Paul Smith’s College and the Adirondack Nature Conservancy. Refreshed and all the more wiser in Adirondack fund raising, Anne returned to the Adirondack Council in September 1999 as the Director of Development and Membership to head the Campaign for the Forever Wild Fund.

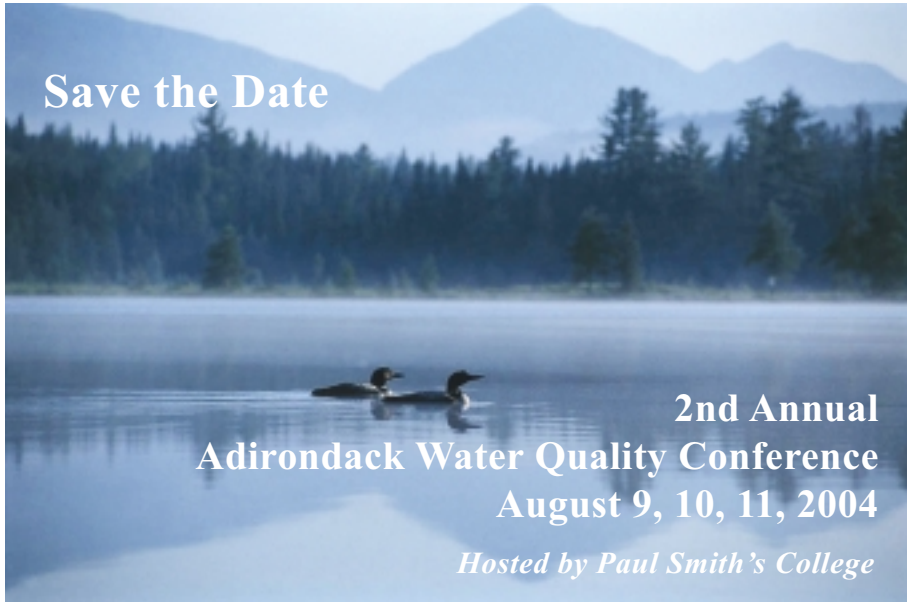
In addition to over one million dollars annually for the operating budget, under Anne’s direction Adirondack Council Board and staff raised over four million dollars towards the Forever Wild Fund. In testament to her generous spirit - Anne was also active in volunteer work, as a Past President of the Arts Council for the Northern Adirondacks, President of the North Country Society for the Prevention of Cruelty to Animals, and as

a board member of the North Country Hospice. Anne also served as Treasurer on the Board of Earth Share New York.

After leaving the Council in May, Anne worked as Managing Editor for Ausable Press, Inc. She also consulted for the Association for the Protection of the Adirondacks, the Wildlife Conservation Society and Open Space Institute. She had recently accepted the position of Director of Development at the Uihlein Mercy Center in Lake Placid.

We are thankful to Anne for teaching us about the importance of relationships in our work. But mostly we are grateful for the millions of memories which make us who we are today as individuals. May Anne’s forever-wild-spirit live on in these mountains and waters that she was so dedicated to protecting and that she loved so dearly.





The second annual Adirondack Water Quality Conference will gather representatives from state and municipal government, Lake and River Associations, non-governmental organizations, and the scientific community to focus their energy and resources on the preservation and restoration of Adirondack Water Quality. The primary focus will be limited to two issues: Aquatic Invasive Species, including wetland species and macrophytes, and the Impacts of Nutrients. Emphasis will be on what works and the development of new solutions. Organizing support by The Adirondack Watershed Institute and The Adirondack Council. For more information please contact: Dan Keltind, Adirondack Watershed Institute E-mail: [keltind@paulsmiths.edu](mailto:keltind@paulsmiths.edu) Phone: 518-327-6213

Photo © Carl Heilman II

## Promoting Adirondack Conservation with Forever Wild Partners

Working with lodges, arts organizations, summer camps and other businesses in the Adirondack Park, the Adirondack Council has established the Forever Wild Partnership building relationships with organizations to promote appreciation, understanding and stewardship of the Adirondack Park.

- New 2004 Forever Wild Partners include:  
 Adirondack Lakes Center for the Arts ~ Blue Mountain Lake  
 Adirondack Theatre Festival ~ Glens Falls  
 The Bark Eater Inn ~ Keene  
 Brant Lake Camp ~ Brant Lake  
 Camp Treetops ~ Lake Placid  
 Minnowbrook Conference Center ~ Blue Mountain Lake



“During our years as Wawbeek hosts, we often find ourselves wondering what lasting memories our guests take home. Though of course they vary, we hope in the mix there are those of fresh air, restoration of the soul and a rekindling of relationships. As part of our Forever Wild partnership with the Adirondack Council, we present guests who express more than a passing interest in their Adirondack surroundings with the Council screen saver featuring photographs by the renowned Adirondack photographer, Gary Randorf, and tidbits of information about the Adirondack Park, giving guests a broader sense of where they are when they’re visiting in and living on, however, briefly, this magnificent Adirondack landscape. Conversations with guests as a result of this offering were surprisingly gratifying, the gesture and message making a good pair. Interest is by and large keen among our guests to learn more about the Adirondacks and the Park. A typical dialogue is never short!”

*Nancy and Norm Howard, The Wawbeek on Upper Saranac Lake.*

**You can now renew your membership on our secure website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org).**

**Thank you to all members who responded to our telephone fundraising campaign!**

Our annual calling campaign helps us raise significant funds needed to meet special challenges and opportunities in Adirondack Park protection each year. Calling also gives us the opportunity to hear your concerns about current issues and opportunities in the Park. Thank you for taking the time to talk with our callers and for fulfilling your pledge to the Council. In turn, we pledge to do our absolute best on behalf of this great Adirondack Park.

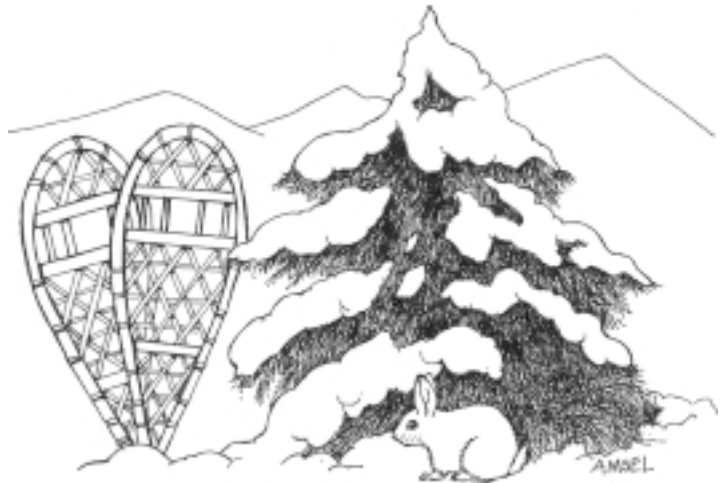
## Please Consider A Gift Membership

Our strength in advocacy to protect the Adirondack Park comes from our large informed membership across New York State and the U.S. Please consider a gift membership for your friends and family who appreciate the Adirondacks.

Memberships begin at \$35 and recipients receive a packet of recent publications along with a card announcing your gift. Throughout the year, they will receive publications such as newsletters and “action alerts,” an annual “State of the Park” report, and special reports about important issues facing the Adirondack Park.

Support from members makes it possible for the Adirondack Council to work effectively on numerous fronts and issues to ensure that the Adirondacks - unspoiled and beautiful, peaceful and wild - will be here for the enjoyment of future generations.

Gift memberships may be purchased by calling the Adirondack Council office toll-free at 1-877-873-2240 or through our website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org).



### Get Involved! Join the Adirondack Council Activist's Network

The Adirondack Park needs people like you who are willing to speak out for the protection of its land, waters, and wildlife. Becoming an Adirondack Council activist is one of the most effective ways you can get involved.

When you become an activist you'll receive Action Alerts in the mail, via e-mail or if you prefer a phone call on hot topics informing you on how you can help. Policymakers in the Park, Albany and Washington have told us that letters or phone calls do make a difference.

To become an activist, check the form below and return it to us in the enclosed, postage-paid envelope. Or you can call or e-mail us today. It's as easy as that! Please join today.

---

## Help Us Update Your Membership Information

Tear off this page (your name and address are on the opposite side) and return in the envelope provided.

My e-mail address is \_\_\_\_\_

- Please send me more information on becoming an Adirondack Council activist.
- Please put me on your activist list and notify me by  email  regular mail
- Please do not rent or exchange my name with any other organization.
- I do not wish to be called during future telephone campaigns.
- My name and/or address are not correct/not as I prefer as they appear on the mailing label on the back cover of this newsletter.  
I have made the corrections next to the label.

Signature \_\_\_\_\_ Date \_\_\_\_\_

*Thanks for your assistance in updating our records!*

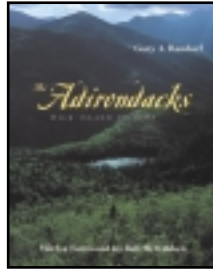
# GIVE A GIFT THAT HELPS PROTECT THE ADIRONDACK PARK!

## The Adirondacks....Wild Island of Hope

By Gary Randorf

224 pages, 100 color photographs.

One hundred full-color photographs combined with a unique blend of Randorf's favorite "random scoots," conservation ethic, his take on the past 30 years of Park history, side trips into natural history, the paths we've taken to get here, and the paths we've yet to choose. **\$23**



## The Adirondacks: Wild Island of Hope Screen Saver

Twenty-six views of mountain peaks, flora and fauna, and pristine Adirondack waters take you from your desktop into the depths of the Adirondack Park. All photos are from Gary Randorf's book, "The Adirondacks: Wild Island of Hope." *Requires Microsoft Windows: 98, NT, 2000, ME, XP.* **\$12**



## "Forever Wild" Adirondack Council Cap and Tote Bag

**Both Cap & Tote Bag** are made of 100% cotton. The tan & sage cap is proudly made in the USA. **\$15.**

Tote measures 15.5" tall x 19" wide with comfortable 22" cotton web carrying handles. **\$12.**



## Singing Loon Toy

This symbol of wilderness sings a beautiful loon song with just a gentle squeeze. For children of all ages.

Five inches tall. **\$12**



## Clean Air Certificate

For each gift of \$50 the Adirondack Council will permanently retire one ton of acid-rain-causing pollution reducing the total amount of acid rain that can fall in the Adirondack Park. The recipient will receive a clean air certificate in their name. **\$50**



**\*\*FREE SCREEN SAVER WITH EVERY \$50 PURCHASE!**

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2. Make your purchase on our secure website at **[www.adirondackcouncil.org](http://www.adirondackcouncil.org)**.
3. Download an order form from our website or call our toll-free number and we will mail one to you!

*Proceeds benefit Adirondack Park conservation.*

**Thanks for your help keeping the Adirondack Park Forever Wild...for everyone!**



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