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Governor Cuomo Faces Many Challenges in 2011

Council's Priorities Can Help Direct New Agenda

On January 1, Andrew Cuomo was sworn in as New York's 56th Governor. Cuomo was elected to the office after having served as Attorney General for the last four years. During his tenure as Attorney General, Cuomo had an outstanding environmental record, working to curb power plant emissions that cause acid rain and climate change. He also worked to force the U.S. Environmental Protection Agency to implement stronger smog requirements and went to court in an attempt to allow New York and other states to use California's stricter automobile emissions standards.



Governor Cuomo

The Adirondack Council has requested that the Governor focus on several key areas of the environment. First, we want Gov. Cuomo to reform the agencies that deal with the Adirondack Park, specifically the Adirondack Park Agency (APA) and Department of Environmental Conservation (DEC), and appoint one person to oversee the Park. We believe these agencies need to improve cooperative efforts and that the Adirondacks should be included in a single region for DEC and other state agencies.

We would also like to see additional staff and resources for APA and DEC. Due to a series of budget cuts, both agencies have lost close to 25 percent of their staff in the last two years and cannot meet their statutory requirements.



Lake Champlain and the Adirondacks from Vermont

Major Power Line Proposed for Eastern Adirondacks

Line to Run from Quebec to Long Island

The Adirondack Council is an active party in the hearing for the Champlain Hudson Power Express (CHPEX) power line project involving the construction, operation, and maintenance of a high voltage direct current cable from the Canadian border to Long Island via Lake Champlain and Hudson River waterways and/or railway routes. The Adirondack Council is involved in this project because we believe the 335-mile line will cause sedimentary and electromagnetic field disruption which may interfere with migratory aquatic and terrestrial species. Additionally, it has the potential to disrupt the habitats of rare and threatened species in the Adirondack Park. Some of the proposed alternative routes for the project would use Forest Preserve lands, which would require a Constitutional Amendment. We are currently involved in ongoing settlement discussions regarding efforts to mitigate the project's environmental impacts.

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unless otherwise noted.



Advocacy – The Soul of the Adirondack Council

The strategic vision of the Adirondack Council has a broad reach: clean air, pure water, core wilderness areas surrounded by working forests and farms, and augmented by vibrant local communities. To achieve this vision, we advocate for solutions that protect the Adirondack Park's environment while also sustaining robust communities and their economies.

Advocacy requires us to consider many different questions. What potential solutions exist to address critical threats or take advantage of opportunities in the Park? Do we have the best available technical and scientific information to propose a viable solution? Is action needed at the local, state or federal level? Is the response best achieved through executive agencies, legislative action or litigation? Who are the key decision-makers? What other organizations or individuals need to be involved in the process? What media messages are needed to inform the public and others who need to know? What is the sequence and timing for our efforts? How do we define success? What may be the consequence if we do not act?

Building support for an advocacy issue requires dialogue with both potential allies and opponents. Allies can provide important ideas and support which strengthen the case for our advocacy approach and desired outcomes. The positions of opponents require careful listening; very often concerns can be resolved by compromises to the advocacy approach without sacrificing the intended results. We believe that reasonable people can reach a shared understanding of the issues and achieve common ground solutions.

The most problematic situations for the Adirondack Council advocacy team involve opponents who choose not to work together in resolving environmental or economic development issues in the Park, whether it is land protection, motorized uses of the Forest Preserve, or large-scale developments. Typically, the opponent will attack the Council as an organization, or an individual staff or Board member, rather than address the specifics of the issue in question.

It is sometimes difficult not to take direct criticisms personally. But, when we have done our research on the priority issues facing the Park, and have consulted widely to identify the best possible solutions, we can be confident that our advocacy is moving in the right direction. As our members and supporters, we strive to share these issues and advocacy approaches with you in the hopes that you will also speak up, talk with other people, communicate with elected officials, and provide us with your best ideas and feedback. Together, we can show the world that the Adirondack Park is a place where people and nature can thrive together.

Many thanks for your support!

Brian L. Houseal, Executive Director

Go to our website – www.AdirondackCouncil.org – for more information.

CAPITAL MATTERS: ALBANY

Governor Nominates Next DEC Commissioner

Joe Martens Has Strong Environmental Background

On January 4, Governor Andrew Cuomo announced that he had nominated Joe Martens to be the next Commissioner of the Department of Environmental Conservation (DEC). Martens is currently the President of



the Open Space Institute, where he has worked since 1995. In that capacity, he has been involved in several of the major land conservation projects in the Park, including Tahawus/National Lead and Finch Pruyn. Mr. Martens also has experience in state government, working in the administration of Governor Mario Cuomo from 1990 to 1994.

Martens currently chairs both the Olympic Regional Development Authority (ORDA) and the Adirondack Lakes Survey Corporation (ALSC). His appointment to DEC must be confirmed by the State Senate. As of this writing, the Senate had not indicated when it may act on his confirmation, but Senator Betty Little, R-Queensbury, has indicated she is supportive of Martens and believes the Senate may act quickly.



Consider a New Year's Resolution

Contacting Your Elected Officials!

Governor Cuomo has repeatedly urged citizens to speak up and participate in our government. His calls support the Council's efforts to mobilize our members when messages to elected officials will make a difference for the future of the Adirondack Park. As a New Year's resolution, please consider making a commitment to act upon our alerts. We know your letters, calls and e-mails make a difference, and we only ask you to take action when we know it really matters. We don't provide pre-packaged messages for you, because we know they are not as effective. We hope the Action Alert information we provide helps you easily craft your personal response.

Time does not always allow us to use the mail for our alerts.

Please be sure we have your current e-mail so we can let you know when your comments are urgently needed.

Please send your e-mail to
foreverwild@adirondackcouncil.org
Thank you!



Above: Bucky the Beaver, an environmental advocate (and Adirondack Council intern), discusses the Environmental Protection Fund with new Attorney General Eric Schneiderman. Schneiderman was a member of the State Senate when this photo was taken last April.

In early January, Attorney General Schneiderman announced he would sue a Pennsylvania power plant over Clean Air Act violations. The Homer City plant, east of Pittsburgh, is the largest out-of-state source of sulfur dioxide (SO₂) within New York.

ACTION UPDATE

Thank You for Contacting Governor Cuomo on the EPF Your Involvement is Crucial

Thank you to all of our members who sent emails and faxes to Governor Cuomo about the importance of providing adequate funding for the Environmental Protection Fund (EPF). It was important that the new administration heard from New Yorkers about critical budget issues as they prepared the recently proposed 2011-12 Executive budget. We will need your help again as the process moves forward.

The Council is advocating for a restoration in the Environmental Protection Fund (EPF) to the 2009-10 level of \$222 million, with \$60 million for critical land protection. The 2010-11 budget for the EPF approved last May, reduced the fund to \$134 million with only \$17 million for open space.

Please be on the lookout for additional action alerts as the Legislature considers the budget in the coming months. They will be negotiating with the Governor and we will once again need your help letting legislators know the EPF is a top priority for you.

ADIRONDACK CLUB AND RESORT

ACR Timeline

August 2004 - Preserve Associates submits Adirondack Club and Resort (ACR) project application to the Adirondack Park Agency (APA) for Conceptual Review.

Summer 2004 - Adirondack Council advises applicant to condense development to area around Big Tupper Ski Center to protect wildlife habitat, scenic beauty and water quality.

April 2005 - APA permit application filed with few changes.

May 2005 - APA issues Notice of Incomplete Permit Application (NIPA), requests additional info from applicant.

February 2006 - Applicant responds to NIPA.

March 2006 - APA issues second NIPA.

October 2006 - Applicant responds to second NIPA.

December 2006 - APA deems application complete.

February 2007 - APA directs project to an adjudicatory hearing, with 10 issues of concern.

April 2007 - Pre-hearing conference convened; Adirondack Council advises applicant to enter mediation to resolve remaining issues.

August 2007 - Applicant requests and receives APA's permission to suspend hearing and enter into mediation.

Oct. 2007 - Applicant considered concerns expressed by the APA staff and more than 40 parties to case; applicant officially drops one highly visible subdivision and controversial shooting school, slightly modifies other project components.

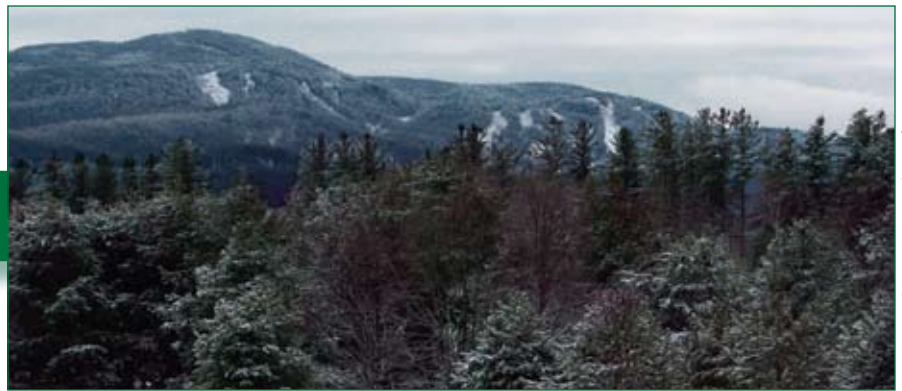
July 2009 - Applicant declines to pursue further mediation.

June 2010 - APA restarts hearing.

Oct. 2010 - Department of Environmental Conservation (DEC) issues its own NIPA for stormwater and wastewater permits.

Oct. 2010 - Issues conference held with Administrative Law Judge (ALJ), the applicant, and parties; parties request additional information from applicant.

January 2011 - Deadline for parties to submit names of expert witnesses to ALJ.



Big Tupper Ski Area/Proposed Site of ACR

After years in process and various delays, the Preserve Associates resubmitted their project application for the 651-unit Adirondack Club & Resort in Tupper Lake to the Adirondack Park Agency (APA) in June 2010. The APA's formal public hearing on the largest development project ever proposed for the Adirondack Park began in October 2010 and is likely to run into the summer months or later.

We appreciate your interest and encouragement in this lengthy and contentious review process. Your financial and moral support makes a big difference. The project has had a polarizing impact on local residents, with supporters and opponents expressing strong emotions in public meetings and media accounts. The

Read the Council's
position paper at
www.AdirondackCouncil.org

Adirondack Council is engaged in the delicate task of proposing possible improvements and challenging those parts of the project that are unlikely to win approval from the APA and other state regulators. The Council has taken a solutions-oriented approach over the six years of this review process.

The Council has remained diplomatic in its communications and negotiations with the developers. However, project supporters and the applicant have engaged in a series of mean-spirited attacks on the Council and others with concerns about the project. Valid criticism and good advice have been met with accusations that the Council wants to "kill the project."

In reality, the Adirondack Council wants to help the APA determine the conditions needed to turn the current proposal into a sustainable development that benefits Tupper Lake's community and economy, while also protecting its environment.

As a party to the hearing, the Adirondack Council is seeking to safeguard water quality, forest health, wildlife habitat and Tupper Lake's magnificent natural beauty and quality of life. However, as the Park Agency's review enters its final phase, it's clear that several permitting hurdles remain, regardless of how quickly the APA makes a decision.

As the APA's formal hearing began in October 2010, the Department of Environmental Conservation sent the applicant a Notice of Incomplete Permit Application for the storm water and waste water treatment permits needed for the project.

The Council had urged the applicant to request a consolidated hearing with the various agencies, but the Preserve Associates declined. A coordinated review would make it easier for the state to judge the overall environmental impact and apply the appropriate permit conditions.

On October 20, NYS Administrative Law Judge Daniel O'Connell started the hearing with a scoping and issues conference. At that meeting, the applicant and other parties, including the Adirondack Council, identified the issues on which they intend to file expert testimony.

The Council is hiring expert witnesses to strengthen the hearing record that the APA will use to make its decision on the permit for this precedent-setting project. At the conclusion of the hearing, APA staff will make a recommendation to the Board of Commissioners for approval, approval with conditions, or denial of a permit.

FROM THE FIELD

Council Hires New Conservation Director

Tupper Lake native to guide conservation program

Allison Buckley was hired as the Council's new Conservation Director and began work on December 1, 2010 alongside John Davis who held the position since 2005. Allison grew up and graduated from high school in Tupper Lake. She graduated from SUNY Plattsburgh with a BS degree in Environmental Science with coursework in forest ecology, soil science, water quality monitoring and environmental engineering. She holds a MA degree in Environmental Law and Policy from the Vermont Law School where she graduated cum laude. Her coursework included land use regulation, community planning, conservation law and watershed management. Allison has worked with the Upper Valley Land Trust, Hanover, NH; White River Partnership, Royalton, VT; and the Land Use Institute, Vermont Law School, among other positions. Allison is an avid skier, rock and ice climber, hiker and runner.



Public Resources from DEC

Online environmental and recreation maps

The Department of Environmental Conservation has an expanding collection of maps available to the public, providing interesting and useful information via Google Maps and Google Earth for people who love the Adirondack Park. There are maps to locate accessible campsites for visitors with disabilities, horseback and mountain biking trails, and dozens of other maps related to outdoor activities and topics of environmental concern. www.dec.ny.gov/pubs/42978.html

Report an environmental problem

If you witness what you think is an environmental problem, whether it is a violation or a natural happening, the DEC wants to hear from you. DEC has established three different ways for you to report violations to assist them in enforcing environmental laws:

- If you see a violation, you can call DEC at their 24-hour TIPP line at 1.800.TIPPDEC or 1.800.847.7332.
- You can report a violation online at <http://www.dec.ny.gov/regulations/67751.html>.
- You can also call the Environmental Conservation Officer (ECO) in your area if you see a violation or a natural event. To locate your ECO, contact DEC's Division of Law Enforcement Dispatch at 1.877.457.5680.

Please be as descriptive and as detailed as possible when contacting DEC.



In Search of Connections

John Davis launches exploration

An inspiration to many as an environmentalist who "walks the talk," John Davis, the Council's outgoing Conservation Director, is respected for his commitment to wild lands protection efforts and admired for his dedication to human-powered transportation. He has explored much of the Adirondacks on foot, and hardly missed a commute via bicycle during his five years based in the Council's Elizabethtown office. Yes, winter too!



Now, we look forward to following John and sharing his adventure with you, as he begins *TrekEast* in February from the Everglades to the northern reaches of Maine via foot, bicycle and kayak. Visiting with conservation colleagues along the way, John will learn firsthand of the conservation connections that still can be realized in the eastern United States. A skilled writer, we can look forward to keen observations, thoughtful reflections, and inspired propositions for protecting conservation lands.

Davis joined the Adirondack Council's staff in November of 2005. We will miss John and thank him for his dedication and hard work at the Council.

ADIRONDACK COUNCIL is a member of



Thank you to Adirondack Council members who contribute through their Earth Share workplace giving campaigns. We appreciate your interest in protecting the Adirondack Park. Contact Earth Share today to talk about bringing Earth Share to *your* workplace! info@earthshare.org

IN AND ABOUT THE PARK



Historic Easement Agreement

89,000 acres / 27 towns

On December 30, 2010, outgoing Governor David Paterson announced New York State's purchase of a conservation easement on 89,000 acres of former Finch Pruyn Co. lands. The Nature Conservancy purchased the property in 2007 as part of the larger 161,000 acre acquisition, and sold 92,000 acres of timberland to a Danish pension fund (ATP) last year. The \$30 million purchase of a conservation easement on the ATP lands will help secure jobs in the timber industry, provide public access for a variety of outdoor recreation activities, and protect sensitive Adirondack habitat. All twenty-seven towns that contain easement lands approved the purchase. Towns have the power to veto land acquisition and conservation easements purchased with Environmental Protection Fund (EPF) monies. The easement purchase demonstrates the importance of continued advocacy by the Council and our members to ensure that dedicated funds for the EPF are available for critical opportunities like this historic land protection agreement. Congratulations to the Nature Conservancy, the Adirondack Chapter of TNC, Open Space Institute, and New York State for finalizing the easement. For a map and more information on the purchase, as well as updates on the EPF, visit our website, www.AdirondackCouncil.org.

Pictured above: Beyond the shoulder of Snowy Mountain near Indian Lake, the Little Great Range is part of the new conservation easement purchased by New York State on the ATP forest lands. The state will develop a recreation management plan for the new 89,000-acre easement which is expected to include public hiking access to the Little Great Range. Photo © Carl Heilman II/Wild Visions Inc.

New and Expanded Wilderness

Moose River Plains plan adds mountain bike network

The Moose River Plains Wild Forest is a highly accessible outdoor recreation area in the central Adirondacks near the gateway towns of Indian Lake, Inlet and Raquette Lake. In the updated plan for the area, the Department of Environmental Conservation (DEC) proposed a number of changes to improve the many campsites in the area, open over thirty miles of old roads to mountain biking, and expand the West Canada Lake Wilderness Area. The Adirondack Park Agency (APA) approved the plan, with one change. To avoid a precedent by allowing a Wild Forest corridor to remain in place through the new Wilderness to accommodate mountain biking (not permitted in Wilderness Areas), the commissioners decided instead to create a separate new Little Moose Mountain Wilderness Area on one side of the Wild Forest bike trail and add lands on the other side to the existing West Canada Lake Wilderness. Although the Council continues to support consolidation of management areas, the separate designations are consistent with the State Land Master Plan. The new classifications were approved by Governor Paterson in his final days in office.

Council Challenges New Snowmobile Document

Jessup River Plan First to Incorporate New Guidance

In late November, the Adirondack Council filed a lawsuit against the APA and DEC for approving the Jessup River Unit Management Plan that was based on an APA guidance document that violated the State Land Master Plan (SLMP). Both DEC and APA agreed to abide by a new set of plans for snowmobile trails that allows for wider trails, the use of mechanical groomers on the Forest Preserve and allows non-state workers, or "administrative personnel" to use motorized equipment to construct new trails on state land. It also allows for trails to be located up to two miles from any road or motorized water body, essentially any place within Wild Forest areas. The Council believes that DEC should have sought to amend the SLMP to clarify that these activities would be permitted and that APA failed to correctly decide that the snowmobile guidance did not conform to the SLMP. A return date for the case has been set for April.

This action is crucially important. State law and the spirit of an Adirondack wild forest require that these snowmobile guidelines be overturned.

Tom Woodman, publisher of the Adirondack Explorer, regarding the Adirondack Council's suit to stop the Jessup River snowmobile plan.

Land Classification Announcement

Governor Paterson's year-end approval of land classifications establishes historic designations for the Hurricane and St. Regis firetowers and expands the High Peaks Wilderness. For more information, see the Adirondack Park Agency announcement at <http://tiny.cc/k7dyq>.

SUPPORT THE ADIRONDACK COUNCIL

Thank You for Your Support

Every contribution makes a difference

With every contribution and purchase of a gift, a carbon certificate, or a raffle ticket, you help the Adirondack Council raise the funds we need to put conservation staff in the field, produce effective media coverage about Park issues, and advocate with policy makers every day. Every single financial contribution makes a difference. Your gift, together with thousands of others, provides the funding and the inspiration that makes the Council such a strong and effective advocate for the Adirondacks.

Thank you!

Adirondack Legacy Society

Estate gifts protect the Park for future generations

By naming the Adirondack Council in your will or as a beneficiary of life insurance or unused retirement assets, your generosity will create a lasting legacy for Adirondack Park protection. An estate gift of any amount is greatly appreciated. All estate gifts are pooled in our Forever Wild Fund and used only for special projects with approval from the Council's Board of Directors. Your financial or legal advisor can guide you through the various options in order to make arrangements that consider your individual circumstances, your family needs and your charitable goals. For more information, contact Diane Fish, Director of Fund Development, 877.873.2240 Ext. 106.

Clarence Petty Intern

Meet Lauren Jorgensen



Clarence Petty intern Lauren Jorgensen recently completed her master's degree in Biodiversity, Conservation, and Policy from the University at Albany. She also holds a degree from Clark University and studied marsh bird populations with the Hudson River Estuary Program. She is interested in learning about the impacts of development on wildlife populations,

environmental policies, and preservation of the Adirondacks. She also hopes to learn about bridging the gap between biological research and implementing environmental policy. The Council's internship program seeks to carry on the legacy of Adirondack conservation activist Clarence Petty (1904 – 2009).

Please consider a contribution to support the Clarence Petty Internship program by designating a gift to the annual fund in Clarence's honor or donating to the Council's Clarence Petty Internship Fund at the Adirondack Community Trust (ACT). For more information, contact Diane Fish at 877.873.2240 Ext. 106. or dfish@adirondackcouncil.org.



CARBON ZERO

HELP REDUCE YOUR CARBON FOOTPRINT!

For a \$125 contribution to the Adirondack Council, we will permanently retire 21 tons of carbon dioxide from the Regional Greenhouse Gas Initiative (RGGI), the nation's first multi-state effort to reduce carbon emissions.

The national average for carbon emissions per person in the United States is just over 20 tons. The new Carbon-Zero Certificates allow donors to entirely negate a year's worth of carbon emissions, for anyone in the United States. The new Carbon-Zero Certificate is part of the Council's Cool Park/Healthy Planet program, which began in December 2008 and has removed over 6,000 tons of carbon emissions through the RGGI program.

LOON PINS AND PULLS

Loon with chick pins and zipper pulls are cast in fine pewter, a jeweler's alloy which provides an antiqued look.



Our hand-painted common loon pin is 1 3/4" long x 1/2" high. **\$25.00** The Adirondack Council laser engraved hardwood box is a

perfect way to present your loon pin or pull. Box measures 2" wide, 3" long and 1" deep. **\$4.00**

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Proceeds from sales benefit Adirondack Park conservation.

Additional items are available on our website.



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Come join us at the Irondequoit Inn in Piseco, NY on July 9, 2011 for the Adirondack Council's annual Forever Wild Day. Help us celebrate the Adirondack Park Invasive Plant Program (APIPP) as the Adirondack Council's Conservationist of the the year.

Check out our website this spring for details about activities and lodging.

NYLCV Honors the Council

At Annual Capital Eco-Breakfast

The Adirondack Council was honored at the New York League of Conservation Voters (NYLCV) annual Eco-breakfast held in Albany at the Fort Orange Club on December 13. The Preservation League of New York State was also honored. New York State Comptroller Thomas DiNapoli delivered the keynote address. The NYLCV was established in 1989 as the nonpartisan political arm of New York's environmental community. NYLCV works to protect and improve the environment for all New Yorkers by educating elected officials and advancing the election of candidates who make environmental protection a priority.

The Adirondack Council has worked with NYLCV on issues critical to New York's environment, such as advocating for smart growth legislation and funding for state agencies and the Environmental Protection Fund.

"For many years the New York League has been very proud to work alongside Adirondack Council as we work alongside many other groups with similar interests, particularly in terms of protecting the Environmental Protection Fund, ensuring adequate staffing for the agencies that monitor the Park, and also working with them to try to block any threats to the character and the functioning of the Adirondack Park. We're very happy to honor them today here for the long partnership we've had with them, but more importantly for their great work in terms of protecting the Adirondack Park and for doing such a good job."

Excerpt from introductory remarks made by Jim Melius, M.D., NYLCV Capital District Chapter Chair, at their Annual Eco-Breakfast in Albany.



Rob Davies (left), Director of the Division of Lands and Forests at the NYS Department of Environmental Conservation, joined Adirondack Council supporters at the home of John and Margot (right) Ernst in January. Aaron Woolf (center) and other Adirondack enthusiasts enjoyed hearing from Rob about DEC's open space priorities and efforts to partner with Adirondack communities to steward the state's resources. Rob also reiterated DEC's interest, shared by the Adirondack Council, in helping communities benefit from the invaluable asset of the Adirondack Forest Preserve and the many conservation easements available for public outdoor recreation.