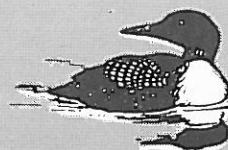




The Adirondack Council SPECIAL REPORT



to keep supporters informed of our activities

November 1982

STATE OF THE PARK - 1982

A Review of This Year's Actions and Trends in the Adirondack Park

INTRODUCTION

This report initiates a new phase in the work of The Adirondack Council, a citizen group dedicated to protecting the natural open space character of the Park. This is the first annual review of the state of the Adirondack Park. The Council intends the report to measure the effectiveness of current efforts of the state government to protect the Park and its resources, and to identify the need for new programs or directions. It is our hope that these reports will act as a barometer measuring the quality of the Park and warning of changing conditions in time to act.

This review covers six critical aspects of the Park: The Forest Preserve; Private Land Use; State Agency Projects; Air and Water Quality; Forests, Waters and Wildlife; and Overall Park Quality. Taken together these indicators reflect the open space and natural resource base that is the essence of the Adirondack Park.

For each of these six indicators of the state of the Park, the report cites specific state actions - or inactions - of the past year that have significantly affected the Adirondack Park and that are, in the judgment of The Adirondack Council, to the credit or discredit of the state agency involved. Three administrative agencies have the most frequent and significant impact on the Park. These agencies are:

- (1) Adirondack Park Agency, which governs the use of the 3,600,000 acres of private land in the Park, develops general policy for the forest preserve and serves as a forum for developing state policy concerning the Adirondack Park;
- (2) Department of Environmental Conservation, which is charged by law with the care, custody and control of the 2,400,000 acres of Adirondack forest preserve; and,
- (3) Department of Transportation, which has responsibility for over 1,100 miles of state highways within the Park.

Other agencies that occasionally undertake actions significantly affecting the Park will also be cited as will the state legislature.

THE PARK

In size, diversity and ownership pattern, the Adirondack Park is unique in the United States. It is our largest park by far outside of Alaska, encompassing one-fifth of the total land area of New York State. The park is larger than seven of our states. It includes forests and farmlands, towns and villages, mountains and valleys, 2,800 lakes and ponds, and 30,000 miles

of rivers and streams. It is home to 125,000 permanent and 90,000 seasonal residents. Some 40% of the Park is state owned forest preserve, the rest is private land.

Yet for all this the Adirondack Park cannot be described solely in numbers or physical and biological terms. It is a symbol of New Yorkers' belief that the human race can live in harmony with nature. It represents faith in the future. It represents foresight and vision.

There is nothing like the Adirondack Park anywhere else in the world.

THE YEAR IN REVIEW

Concern over the Park stems not only from the danger of a single major threat but comes from the cumulative effect of many smaller threats that, taken over time, will erode the physical and metaphysical nature of the Park. The past year has seen several such actions.

THE FOREST PRESERVE

Constitutionally protected as "forever wild", New York's Adirondack Forest Preserve is not only a symbol of faith in the future but a tangible proof that society is capable of controlling its appetite for the consumptive use of all our natural resources.

The forever wild provision of the state constitution prohibits the sale of forest preserve and the cutting of timber on it. The quantity of forest preserve that this generation passes on to future generations, and the condition of that preserve, depend on the following kind of decisions, all of them made within the past year.

To their credit:

- The *Department of Environmental Conservation* and the *Adirondack Park Agency* vigorously opposed Constitutional amendments for deer habitat management, forest management and fuelwood consumption that would have undermined the forever wild principle by allowing the destruction of trees on the forest preserve. The *State Assembly* refused to report out these three Senate approved proposed Constitutional amendments.
- The *Department of Environmental Conservation* denied a mineral exploration permit request from a private company to core drill for wollastonite in the Jay Mountain primitive area. To have approved this proposal on forest preserve would have made a mockery of the preservation concept.

- The *Department of Environmental Conservation* has strengthened its successful wilderness ranger program designed to educate forest preserve users on wilderness values and promote minimum-impact wilderness use.

To their discredit:

- The *State Senate* reported out three proposed Constitutional amendments that would have undermined the forever wild principle by allowing timber cutting for deer habitat "improvement" and forest management, and the gathering of fuelwood.
- The *Department of Environmental Conservation* has failed conspicuously to pursue an adequate forest preserve acquisition policy. In 1972 voters approved an Environmental Quality Bond Act that provided \$44 million to acquire additional lands for the Adirondack Forest Preserve. To date - 10 years later! - only \$16 million has been spent and only 67,000 acres acquired. The remaining \$28 million is worth only half as much today as when the voters authorized it a decade ago. The Department should be acquiring undeveloped lake and river shorelines, critical environmental areas and tracts key to the integrity of wilderness and primitive areas rather than emphasizing purchases that round out existing tracts of forest preserve merely to improve ease of administration.

PRIVATE LAND USE

Most Adirondack Park landowners have been, and continue to be, good stewards of their land. This should be evident in the beauty of the Park today. At the same time, there have been exceptions--garish commercial developments that detract from rather than complement the natural setting that characterizes the Park and land uses adversely affecting the natural environment.

The threat of uncontrolled development, brought to a head by completion of the Adirondack Northway, and proposals for huge second home developments by out-of-state corporations, resulted in the Adirondack Park Agency Act that regulates land use and development on much of the 3.6 million acres of private land in the Adirondacks.

Actions that affect land use are critical to the natural, open space character of the Park.

To its credit:

- The *Adirondack Park Agency* conducted a thorough review of the proposed North Creek Ski Corporation development - a \$45 million proposal that could take 7-10 years to complete and involves a ski center, lodges, single family dwellings, townhouses, condominiums, and a hotel - insuring that economic and environmental concerns were fully addressed. The Agency subsequently approved the project subject to stringent but sensible conditions.

To its discredit:

- The *Adirondack Park Agency*, in a reversal of a previous decision, has changed the classification of Sagamore Island in Lake George to hamlet thereby allowing unlimited development and threatening the water quality and natural attractiveness of the lake. In addition, the Agency has approved other map amendments in the past year that allow considerably more development than the original Land Use and Development Plan Map. No amendments have been approved in 1982 that increase the protection afforded open space.
- The *Adirondack Park Agency* has supported "density bonus" legislation that would pervert the basic purpose of the Adirondack Park Agency Act. Such legislation would provide for even greater development in the Park than the 1,500,000 potential population provided for in the existing legislation.

STATE AGENCY PROJECTS

Government development and actions in the Park can be as destructive of natural qualities as the most misguided private actions. New electric transmission line locations, highway reconstruction, administrative facilities, correctional facilities and a host of other actions not only create their own impacts, but they influence private actions.

To their credit:

- The *Department of Health*, in a major policy decision, has stopped funding indiscriminate aerial pesticide spraying programs in the Park. This decision will protect human health and be beneficial to many wildlife species.
- The *Department of Transportation* has continued to show increasing sensitivity to the Park's natural environment in its road reconstruction projects as well as in the development of trailheads and advance trailhead signing such as along Route 30 between Speculator and Indian Lake. In addition, the Department has been responsive to local landowner and environmental concerns in planning the reconstruction of Route 74 between Severance and Paradox.

To their discredit:

- The *Adirondack Park Agency*, although doing an excellent job in reviewing the Department of Correctional Services' Camp Gabriels prison proposal, has shown an increasing tendency to become a team player in state agency project review rather than taking strong, independent positions. Perhaps the most egregious example is the Agency's refusal to exert review jurisdiction over the Department of Transportation's proposal to remove the Remsen to Lake Placid railroad tracks and ties despite an earlier (1973) Agency decision that such action, when proposed by Penn Central, was clearly new land use and development subject to Agency jurisdiction.
- The *Department of Correctional Services*, by establishing the Camp Gabriels prison, has shown a blatant disregard for the purposes for which the Adirondack Park was created and that have been expressed by the legislature in the Adirondack Park Agency Act.
- The *Department of Transportation* seems determined to dismantle the state owned Remsen to Lake Placid rail line; a line that, in the future, could be an economic lifeline to the Park.

AIR AND WATER QUALITY

The fresh, pure air and the sparkling, clear waters of the Adirondacks have long been a lure to urban dwellers. Clean air and water are basic to the Park's economy and residents' quality of life.

These two resources are threatened not only by activities within the Park but by activities many miles distant. Inside the Park, vegetative disturbance, such as careless clearcutting of forests, can result in siltation, and poorly designed or overloaded septic or sewerage systems can pollute the waters. Outside the Park, sulfur emissions from industry, and nitrogen oxides from automobiles, react with moisture in the atmosphere to pose the most ominous threat of all to the Park—**acid rain**.

To their credit:

- The *Adirondack Park Agency* has staunchly opposed any net increase in sulfur dioxide emissions in testimony at the Joint Legislative hearing on coal conversion, in coal conversion proceedings, and in the State Energy Master Plan Proceedings.
- The *Attorney General* and *Department of Law* have been actively protecting air quality. In response to the failure

of the federal Environmental Protection Agency to address the problem of acid rain, the State's Attorney General has instituted ten lawsuits to demand protection for New York's residents and resources.

To their discredit:

- The *Department of Environmental Conservation* and the *Adirondack Park Agency* have failed to hold a coordinated Congressional briefing on Clean Air Act amendments. These briefings should emphasize acid rain and also consider the desirability of classifying the Adirondack Park as a class one air quality area, similar to national parks. As a consequence of this major failure, the State Congressional delegation has been in disarray on the acid rain issue and has missed an important opportunity to use its considerable strength to insist on strong acid rain provisions in the Clean Air Act.
- Neither the *Department of Environmental Conservation* nor the *Public Service Commission* has taken a firm position of recommending against any power plant coal conversion that results in increased sulfur dioxide emissions. In fact, the *Department of Environmental Conservation*, in its first major decision regarding coal conversion (Lovett), approved a conversion that will result in significantly increased sulfur dioxide emissions. In addition, the *State Energy Office* has displayed tunnel vision that essentially ignores the acid rain problem and has even advocated actions that would increase the problem.

FORESTS, WATERS & WILDLIFE

The diverse forests, waters and wildlife are the very essence of the Adirondacks. The mere word Adirondack conjures up images of vast expanses of forest rich in wildlife and broken only by rushing rivers and glistening lakes and ponds. Government laws, regulations, policies and actions can either protect or degrade this essence.

To their credit:

- The *Public Service Commission* required NYS Gas and Electric Company to underground its new electric line near Elizabethtown where it crosses the Bouquet River, a unit of the State Wild, Scenic and Recreational Rivers System.
- The *Department of Environmental Conservation* has begun to increase its emphasis on non-game wildlife, i.e., those species not normally hunted or trapped. One result of this program has been the successful reintroduction of the peregrine falcon to the Park.
- The *Adirondack Park Agency*, working with the forest products industry and environmentalists, has addressed a potential timber harvesting problem involving clear-cutting before it became a major threat to the Park.
- The *Adirondack Park Agency* has undertaken a detailed wetlands mapping project that should be of significant benefit to Adirondack landowners, planners and conservationists. Adirondack wetlands are the most biologically productive ecosystems in the Park and are also important water purifiers.
- The *Adirondack Park Agency* has studied the potential of Adirondack rivers to produce additional hydro-electric power and adopted a balanced position calling for small scale hydropower development at sites where dams already exist or on river segments not in the forest preserve or the State Wild, Scenic and Recreational Rivers System.

To their discredit:

- The *Department of Environmental Conservation* and the *Adirondack Park Agency* have opposed inclusion of the Adirondack rivers system in the National Wild and Scenic Rivers System, even with full control remaining

vested in the state, apparently for strictly provincial and "turf" protecting reasons. As a result, the state has not been able to eliminate the growing threat of hydro-power damming on the State's Wild, Scenic and Recreational Rivers under federal government permit. Furthermore, the *Department of Environmental Conservation* and the *Adirondack Park Agency* have not forcefully countered the threat of destructive hydro-electric power development on forest preserve lands by encouraging action by the State Congressional delegation to amend the Federal Power Act or by other substantive means.

- The *Adirondack Park Agency* and the *Department of Environmental Conservation*, after making sound studies and recommendations for Adirondack additions to the State Wild, Scenic and Recreational Rivers System, did not aggressively promote those very additions. As a result the 1982 *State Legislature* did not act on this important legislation.
- The *Adirondack Park Agency* did not promote legislation necessary to improve the presently inadequate shoreline restrictions in the Adirondack Park Agency Act in order to better insure protection of the Park's water quality and visual resources. The *State Legislature* failed to act on the proposed legislation before it to accomplish this end.

OVERALL PARK QUALITY

The Park ambiance that makes it such a special attraction to the millions who visit it annually includes not only the specific resource topics discussed above but also an overall atmosphere or quality that sets it apart from the rest of the northeast. This park ambiance and the economy of the region are inextricably linked. To foster the quality of the Park as a park is to foster the economy of the region.

To its credit:

- The *Department of Transportation* has helped create a park atmosphere and enhance the tourist's perception of being in a park by replacing their standard roadside information signs with park-like yellow on brown signs and by using Cor-ten guide rails.

To their discredit:

- The *Department of Transportation* has proposed doubling, and in some cases quadrupling, the number of off-premise advertising signs in the Park. The result would defeat the purposes of the existing Park sign regulation and make the Park little different from other commercialized areas of the state. In addition, the Department has proposed sign plazas in a quantity and in locations not only beyond reason for a Park but without even a *quid pro quo* regarding existing commercial signs.
- The *Adirondack Park Agency* did not exercise vigorous leadership in pressing for conservation easement legislation. Such legislation, which nearly passed in 1982, is necessary to protect open space while leaving land in private ownership and protecting the tax base of local governments.

CONTINUING LACK OF ACTION

Some much needed action, if the Park is to reach its full potential, has been ignored by state administrative agencies for several years and 1982 was no exception. The most critical of these are cited below and progress on them will be evaluated in future State of the Park reports.

To their discredit:

- The *State Board of Equalization and Assessment* has not conscientiously investigated the need for a special prop-

erty tax system in the Adirondack Park that would recognize the statewide interest in preserving the Park. The Board has conspicuously failed to correlate taxation with the Adirondack Park Land Use and Development Plan Map, encourage conservation easements, provide equitable taxation for open space forest management lands or for such critical environmental areas as wetlands.

- The *Adirondack Park Agency* has failed to follow up on the excellent recommendations made by its Citizens' Advisory Task Force on Open Space in 1980. Open space and its preservation is what the Adirondack Park, and presumably the Adirondack Park Agency, are all about.
- Neither the *Adirondack Park Agency* nor the *Department of Environmental Conservation* has stressed park management expertise within its organization or developed a park management program.
- Neither the *Adirondack Park Agency*, the *Department of Environmental Conservation*, nor any other state agency has provided information about the Park and its wealth of recreational and educational resources through the use of visitor information centers, visitor interpretive centers, limited range radio transmissions, publications or other methods. In addition, the *Department of Transportation* has not undertaken the much needed and relatively inexpensive program of identifying, with road signs, the Park's natural landmarks as seen by the motorist. While being unobtrusive, such signs would enhance the visitor's appreciation and understanding of the Park.
- The *Adirondack Park Agency*, the *Department of Environmental Conservation* and the *Department of Transportation* have failed to protect the 40 designated scenic vistas along the Park's highway system or provide parking facilities at most of them.
- The *Adirondack Park Agency* has not aggressively or systematically enforced its enabling legislation thereby being unfair to the landowner who strives to obey the

law. Furthermore, it has not developed a process to track the use of allowable development intensities.

- The *Public Service Commission*, although doing a good job of considering the aesthetic resources of the Park when reviewing new electric transmission line location, has done nothing in the way of seeking legislation, and little in exercising leadership or persuasion, to reduce the visual blight of the many existing utility distribution lines in the Park.

THE FUTURE OUTLOOK FOR THE PARK

If some present trends continue, the picture is not bright. But there is still time to alter these destructive trends and preserve what remains of the most spectacular open space reserve in the Eastern United States. We need only the will to do so. The future of the Adirondack Park is in the hands of the people of New York. A new administration and a new legislature will soon take the reins of state government. Whom they appoint to key posts, what policies they adopt and what laws they enact will at least partially reflect the intensity of interest and desires of the electorate. Such cannot be predicted at this time.

The people of New York can draw from the deep reservoir of pride they take in their Adirondack Park and the vision of their ancestors. The achievements of the past century have been great. With the continued support and vigilance of the citizens, the future of the Adirondack Park will be secure; it will provide proof that people and the natural environment can not only co-exist but can live and grow in harmony.

This report was prepared for the Wild Wings Foundation by George D. Davis. It was reviewed, edited and distributed by The Adirondack Council. Additional copies are available from The Adirondack Council, Box D-2, Elizabethtown, New York, 12932.



The Adirondack Council

Box D-2, Elizabethtown, NY 12932

A coalition of the National Audubon Society; The Wilderness Society; The Natural Resources Defense Council; The Association for the Protection of the Adirondacks; and other concerned organizations and individuals.

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