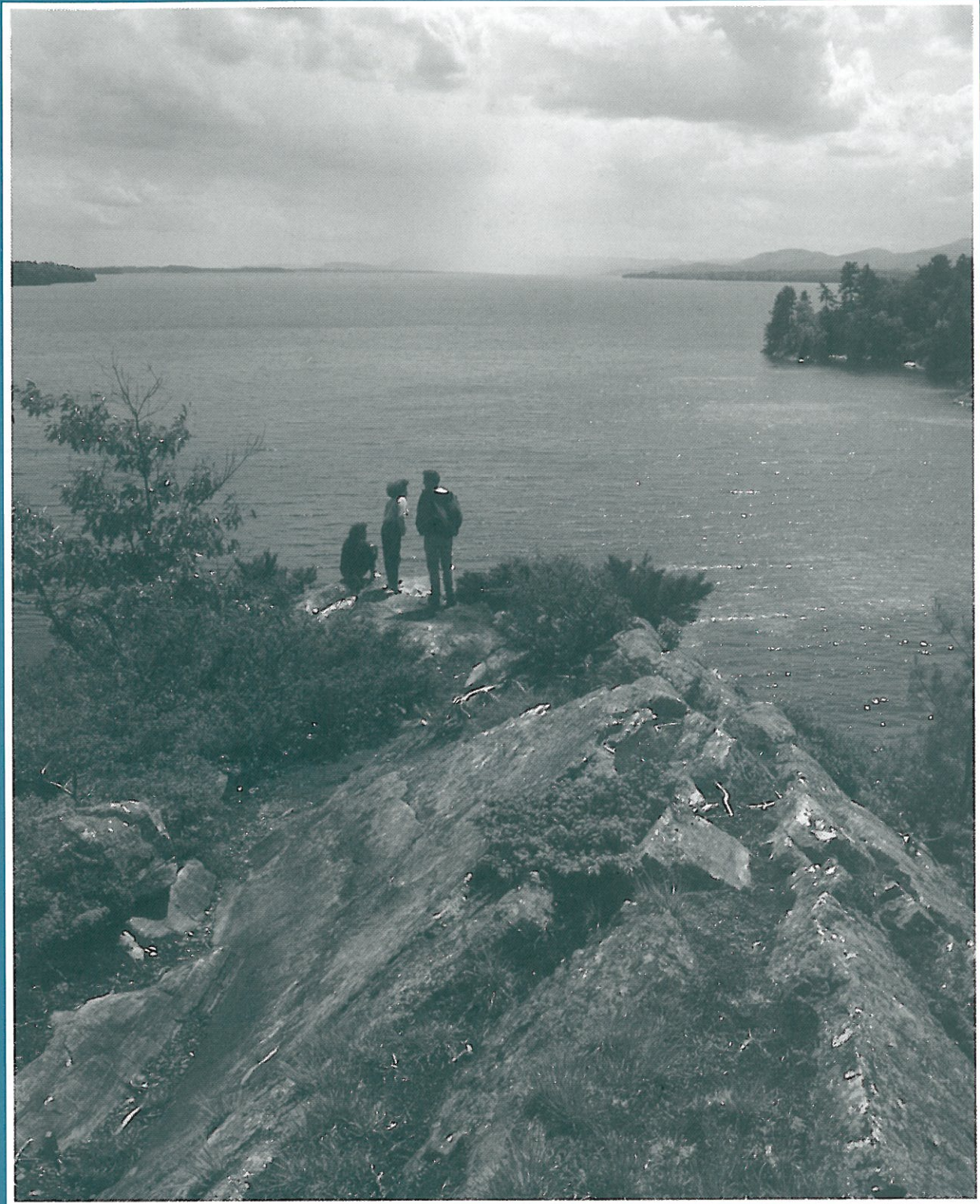


STATE OF THE PARK 1993



The Adirondack Council



Dear Members and Friends,

This State of the Park Report reviews significant actions and events affecting the Adirondacks over the past year and a half. While this includes the good, the bad and the ugly, the overall trend is very positive.

The Environmental Protection Act, recently signed into law by the Governor, provides funding for important acquisitions in the Adirondacks. Just as important, it represents a return to bipartisan support for Adirondack protection in Albany.

In response to Trust Fund proposals from the Governor and Assembly, and under Senate Majority Leader Ralph Marino's leadership, the Senate approved additional funding specifically for the Heurich Estate on Lake Champlain, the Morgan property on Lake George and the 14,000-acre Follensby Park, ultimately resulting in assurances that these properties would be preserved.

Adirondack Council staff, with the support of you, our vocal members, played a pivotal role in bringing about this agreement. The Council worked closely with our coalition groups (The Wilderness Society, Natural Resources Defense Council, National Parks and Conservation Association and the Association for the Protection of the Adirondacks) and the Nature Conservancy in this effort.

As you read this report, you'll also see that the process of protecting critical lands in the Park continues with donations, sales, easements and other agreements entered into by willing owners. Local communities are participating in planning for open space protection. Cooperative efforts by landowners, local governments, state policy makers and conservationists are succeeding.

The Adirondack Council remains at the cutting edge on a host of Adirondack issues. With your help, we will continue to work toward a future of protected open space and thriving communities in the Adirondacks.

A handwritten signature in black ink that reads "Jim Burke". The signature is written in a cursive, flowing style.

Executive Director

Historic Environmental Fund Agreement

At the absolute last moment of the 1993 NYS Legislative Session, after more than 10 days of around-the-clock negotiations, the NYS Legislature approved an Environmental Trust Fund.

The fund gets New York State back into the open space protection business by providing a steady source of revenue each year for a wide variety of environmental priorities, including land acquisition in the Adirondacks.

The struggle has been long and difficult. Roughly three years ago, the state ran out of money for open space protection projects. The failure of the 1990 Environmental Quality Bond Act (by less than 1 percent of those voting) only made matters worse. Politicians openly questioned whether New York needed money for the environment. New York dropped to dead last of all 50 states in environmental spending, as measured by the World Resources Institute's Environmental Almanac.

But the Adirondack Council and its members never gave up.

By January of 1991, the Assembly had proposed a pay-as-you-go environmental fund which set aside money each year for environmental priorities. In support of this idea, Council staff members traveled the entire state and met with dozens of television, newspaper and radio reporters and editors. At the same time, the Council's activists and general membership poured thousands of letters and phone calls into the offices of their state Senators and Assembly members. The Council's lobbying team met with legislative leaders and staff. Photographs and descriptions of every Adirondack parcel that could be lost without an environmental fund were distributed to every lawmaker in Albany.

The Council also worked on the federal level, successfully advocating the creation of the Forest Legacy Program in 1991 and then a doubling of its funding in 1992. The prospect for federal matching grants showed state legislators that all of the funds needed did not have to come from the state budget. The Council also made it clear that without a state

environmental fund in place, New York could not take advantage of these federal matching grant programs.

In March, Governor Mario Cuomo sent a budget proposal to the Legislature which included an environmental fund. But as the budget deadline drew near and negotiations became tougher, the environmental fund was cut out of the budget plan.

Over the following three months, the Council produced even more letters, phone calls, lobbying visits, news articles, radio and television programs and public support.

The Council also approached the Senate's top political advisors, offering to work with them on a

funding program for environmental projects. The Senate majority produced a well-funded program, renewing the Republican party's long-standing commitment to environmental protection — especially in the Adirondacks. By the closing weeks of the 1993 session, both houses of the Legislature were committed to negotiations on the fund.

By 10 a.m. on July 8, 1993, all of our efforts paid a rich reward, as the Senate and Assembly had approved a bill that provides roughly \$26 million in the first year and, by 1996,

will provide roughly \$94 million annually for environmental purposes. The bill also solved a long-standing problem regarding state ownership of conservation easements by requiring the state to pay its full share of taxes in all cases; provides 75 percent grants to small Adirondack towns for landfill closure; supports recycling projects, and historic preservation.

All six remaining Adirondack parcels listed in the NYS Open Space Conservation Plan were approved for funding, some of which could be purchased within a year. Another 68 parcels statewide were approved as well.

Both the Senate and Assembly made significant concessions in reaching the agreement during the final hours. The same is true of Governor Mario Cuomo, who pushed for the fund in each of the past three years.

Adirondack properties due to be protected by the environmental fund:

Heurich Estate: Roughly 2,200 acres and three miles of pristine shoreline on Lake Champlain.

Follensby Pond: A 14,500-acre forest at the western edge of the High Peaks Wilderness, site of Ralph Waldo Emerson's 1858 Philosophers Camp.

Morgan Estate: Part of the last remaining two miles of undeveloped shoreline on Lake George.

Whitney Estate: A 51,000-acre collection of forests, lakes and rivers; center of the Council's proposed Bob Marshall Great Wilderness.

Hudson River Gorge: Excellent recreational amenity providing public access to the Hudson.

Preston Ponds: Pristine ponds at the southern end of the High Peaks Wilderness.

Legislative Branch

"Men can measure the distance to the planets, track the erratic comet through unknown space and foretell its coming, but the doings of the New York State Legislature are past finding out."

— Seneca Ray Stoddard, 1874

Both Houses

The overwhelming accomplishment of the Legislature was a bi-partisan effort this year to create New York State's first dedicated environmental fund (see details on page 1). The Legislature also approved a significant funding increase for the Adirondack Park Agency (see page 4), as well as enriching school aid in rural areas. However, it left proposals to protect Adirondack shorelines and backcountry for another day.

An Edge for Rural Schools

In a landmark attempt to deal with the problems faced by rural school districts, the Legislature agreed to give rural schools (such as those in the Adirondacks) additional money to deal with the problems associated with serving few students in a huge geographic area. Called "sparsity aid," the state-aid-formula adjustment should help solve some of the transportation, curriculum and technological problems faced by rural schools.

Throwing in the Towel

After the contentious wrangle at budget time, both the Senate and Assembly seemed to forget all about the need to improve and update the land-use laws of the Park. With the environmental fund occupying most of their attention, there was no action taken on plans to better protect the Park's water quality by regulating the use of back country and shoreline areas of the Park's private lands.

The Senate

This year marked a turning point in the Senate's approach to Adirondack issues. Last year, Assembly Park protection bills were deemed "dead on arrival" in the Senate, and a bill to abolish the Adirondack Park Agency moved through committee. This year, the Senate played a leadership role in restoring funding to the APA budget and in proposing badly needed funding for Adirondack land protection efforts.

Finding Common Ground

The most significant event of the 1993 Legislative session was the Senate's agreement on creating an environmental fund. After a long dry spell, the Senate reclaimed its traditional standing as a leader on environmental protection in the Adirondack Park. In fact, the Senate insisted that funding be available for critical land acquisitions in the Park. The Senate's proposal was spearheaded by Senator Owen Johnson (R-Babylon).

Leaving the Park Out in the Rain

North Country Senators refused to sponsor a bill to help curb acid rain even though acid rain has seriously damaged the economy as well as the ecology of the Park, from sport fishing to the maple sugar industry. Assemblyman Chris Ortloff (R-Plattsburgh)

spoke strongly in favor of the bill from the floor of the Assembly during debate, and other North Country Assemblymembers joined him in voting for it.

Invading the Wilderness

Despite the clear need to protect the most sensitive public lands in the Adirondack Park from noise and destruction, and despite the existence of more than 1.3 million acres of Adirondack Wild Forest where motorized access is allowed, bills were again introduced in the Senate in 1992 and 1993 that would open Adirondack Wilderness areas to all types of motorized traffic. Wilderness in the Adirondack and Catskill Parks accounts for less than four percent of the state's land mass and has been set aside for non-motorized, non-mechanical uses. Apparently, some people feel the remaining 96 percent is not enough.

Lyons Falls Pulp & Paper

Senator William Sears (R-Forreestport) of the western Adirondacks and Tug Hill Plateau region (Lewis, northern Oswego and southern Jefferson counties) this session refused to consider providing Lyons Falls Pulp & Paper with a conservation easement on its 20,000-plus acres of land.

Conservation easements would have allowed the state to buy the development rights to the land, while allowing Lyons Falls and its timber lease-holders to continue to cut trees under a state management plan. Such a deal would have preserved the environmental quality of the land and 230 jobs at the same time. In addition, it would have preserved the City of Rome's watershed and the core area of the multi-million-dollar Tug Hill snowmobiling industry, both of which lie on Lyons Falls' land. Even if the struggling paper company failed, the lands and the snowmobiling industry would have been saved and other logging interests would have been free to buy the timber rights.

Support for the conservation easements came from the Chamber of Commerce, local labor unions, company officials and environmental representatives. At budget time, as negotiations bogged down, Senator Ronald Stafford (R-Plattsburgh) proposed a solution in the form of a statewide working capital loan fund for the timber industry. Lyons Falls Pulp & Paper, which is in Sears' district, was the first to receive one of these loans.

We are pleased that Lyons Falls Pulp and Paper's future is a little more secure with \$6 million in new loans, but the lack of a conservation easement on the Tug Hill lands places the fate of the land (including important migratory bird habitat), snowmobilers' tourism dollars, Rome's watershed and the 230 jobs in the hands of a Boston bank rather than the people of New York.

Ignoring a Milestone

In 1992, the Senate failed to recognize the Adirondack Park Centennial with a resolution honoring those who created the Park.

The Assembly

The Assembly has played two key roles over the past two years — initiating comprehensive legislation to protect the Adirondacks; and stopping bills aimed at harming environmental protection in the Adirondacks. Here are some examples:

Slowing the Cycle of Destruction

Seizing the opportunity to send a message to utility companies and the Public Service Commission during the first few months of the new federal acid rain program, Assembly Environmental Conservation Committee Chairman Richard Brodsky (D-Westchester) drafted a bill giving New York's environmental officials a clear mandate to ensure that the state's own power-producers would not contribute to the Adirondack Park's acid rain problem. The bill passed his committee unanimously, and was approved by a 4 to 1 margin by the full house -- gaining considerable support from North Country lawmakers. So far, the bill has no sponsor in the Senate.

Fending Off Extinction — Again

In both 1992 and 1993, the Adirondack Council worked with Assembly Majority Leader James Tallon (D-Binghamton) to save the vital research and education programs developed at the State University College of Environmental Science and Forestry, Syracuse. The "Adirondack Wildlife Program," was created to gather and interpret information on native Adirondack species and their abilities to survive in

today's environment. It also produces high school science courses designed to teach students about New York's natural heritage. Tallon, who was second-in-command to Weprin and a consistent supporter of the Adirondack Wildlife Program, recently resigned to take a private-sector job. The Council will continue to build support for the program.

Halting "Forever Logged"

In 1992, the Assembly again held off an attempt to strike down a central provision of the Forest Preserve's constitutional protection, by not allowing logging and the gathering of dead wood from the public lands of the Adirondack Park. Noting that the natural progression of trees growing old, dying and decaying provided needed food and shelter for a variety of species which cannot survive on timbered lands, the Assembly wisely chose to reject these bills.

Setting the Stage

In 1992, the Assembly passed the first comprehensive land use bill for the Adirondack Park in 20 years. While the Senate refused to vote on the measure, the Assembly's action kept the issue alive.

Executive Branch

Governor Mario M. Cuomo has been a supporter of Adirondack Park protection for the entire 11 years he has been the state's chief executive. His many visits to the Park, his dialogue with local officials, his speeches on behalf of protecting the Park, his proposals to revamp land-use laws and create funding for land purchases have created a record of distinction. Here are some recent examples:

Setting the Right Tone

The governor took a significant step toward creating an environmental trust fund in 1993 when he made it part of his budget proposal to the Legislature. While last-minute wrangling left the environmental fund out of the budget package, he set a strong tone which helped to advance negotiations later in the year.

New Life for the Park Agency

In his January 1993 State of the State message, Governor Cuomo promised that he would move forward with a three-step plan to revitalize the Adirondack Park Agency. After years of slashed budgets, inadequate staffing, overly complex permit application procedures and commissioners serving long after their terms had expired, this was welcome news. His first move was to champion a 12 percent budget increase, which allowed the hiring of new staff. Given the fact that nearly every other state agency was either funded at its 1992 level, or took a cut, the 12 percent boost to the APA was highly significant. Secondly, the governor ordered the creation of a special task force to recommend ways to improve the permitting process.

Lastly, the governor proposed a new slate of commissioners to the Park Agency, choosing two people from a list provided by local governments. Chairman John Collins, a fifth-generation Adirondack resident, was reappointed, as were out-of-Park representatives Peter Paine, Elizabeth Thorndike and Arthur Savage. Newly appointed were Richard LeFevbre of Caroga Lake, a special education teacher; Barbara Sweet of Newcomb, chair of the Essex County Industrial Development Agency; and John K. Ryder Sr. of Lake George, a director of the Adirondack Nature Conservancy. The Senate confirmed the three new Agency members, but the reappointed members continue to serve without confirmation.

The True Non-Partisan Party

In honor of the hard work and sacrifice of New Yorkers who created the Adirondack Park a century ago, the governor created the Adirondack Park Centennial Committee, chaired by Barbara McMartin, to host and oversee a year-long celebration in 1992. Despite the small appropriation approved by the Legislature for the celebration, the year was an enormous success. More than 100 well-attended events were held throughout the state.

Picking Up a Pen, and the Phone

The 1993 Legislative Session saw a major redrafting of the governor's plan to update the Park's 20-year-old land-use laws, deleting entire sections on which no agreement could be reached and moving forward with less controversial, yet beneficial, proposals. The bill was cut from more than 300 pages to less than 100, ending some of the confusion over the more technical aspects of the previous version. The bill still awaits action in the Legislature, but reinforces the governor's commitment to sound land-use policy in the Park.

Most importantly, the governor spent time working with the Senate to make reasonable changes to his legislation in an effort to gain approval for essential protection measures. He has promised to continue this effort in 1994, an election year for him and the Legislature.



Reprinted from the (Schenectady) Daily Gazette

Real Mandate Relief

Recognizing that his environmental fund proposal could be used for much more than just land acquisition, the governor proposed that the state finance the entire cost of landfill closure for small towns in the Adirondack Park. His fund included 75 percent grants to cover the cost of landfill closure, combined with long-term, zero-interest loans to cover the remaining 25 percent of the cost. In Keene, for example, the state will provide \$1.35 million in direct aid plus another \$450,000 in a zero-interest loan for a total of \$1.8 million to the 908-resident town.

Dumping the Double Standard

The governor took another positive step in 1992 when he ordered state agencies working in the Adirondack Park to comply with the same land use regulations governing private citizens.



On August 16, Gov. Cuomo came to the Heurich Estate in Essex to sign the new environmental fund into law. Adirondack Council Chairman Peter Borrelli addresses the gathering as, left to right, Senator Ronald Stafford, Governor Cuomo, Gary Heurich and DEC Commissioner Thomas Jorling look on.

Easing a Taxing Transition

The governor reversed his position in 1993 on a key element of state assistance payments to towns in the Adirondacks, giving local governments and taxpayers a reason to sigh with relief. The governor agreed to continue existing law, which mandates the gradual reduction of state payments to localities on Forest Preserve lands where the assessment has been decreased significantly by local revaluation. Rather than dropping immediately to the lower tax rate, the governor agreed to continue the practice of slowly decreasing state payments over a period of years, giving local governments a chance to adjust to the new payment level. Adirondack local governments supported this action.

Reviving a Time-Worn Asset

The Governor appointed a Citizens Advisory Committee in 1992 to study the potential for rehabilitating at least part of the Adirondack Railroad, which runs from Remsen to Forestport and through the Park to Lake Placid, and can serve as either a means of mechanical transportation or a recreational corridor, or both.

The overwhelming support showed by riders of the four-mile run from Thendara to Minnehaha indicates that the route has appeal for a wide variety of potential users. Nearly \$1 million was appropriated in the governor's budget to study and revitalize the rail corridor. By mid-August, 1993 ridership on the rail line exceeded 27,000.

Adirondack Park Agency

For the first time in years, the APA is making headway in solving public policy and public confidence problems that have plagued the Agency. With a new slate of commissioners and a revitalized staff, the Agency is making progress despite occasional lapses.

Fresh Perspectives



New Chairman John Collins set the stage this year by not only appointing a task force to recommend changes at the Park Agency, but also moving the monthly meetings out of Ray Brook and into other communities around the Park, where local residents could come to watch, learn and participate. In addition, fellow commissioner Elizabeth Thorndike earned the APA a measure of good will by creating and hosting a monthly Public Issues Forum, allowing more than 200 individuals and 50 organizations with concerns or questions about the APA to talk them over with commissioners and staff.

Reducing the Guesswork



The APA has taken strong steps in preventing the long-term gradual break-up of large landholdings in the Park by including master-plan conditions in permits for the use of vast landholdings of owners such as the Niagara Mohawk Power Corp., Finch, Pruyn & Co., the Adirondack Mountain Club and Whitney Industries. Without such plans, the APA is unable to determine the extent of development intended for certain lands over a period of years and the resulting cumulative environmental impact.

A Strong Defense



Along with the Adirondack Council, the APA has been a strong arbiter in the struggle to balance the need to protect the Park's natural resources with the military's need to keep its pilots well-trained. A variety of military aircraft, from helicopter to supersonic jets use the Park's mountainous terrain for daily training missions. The most recent talks were with the Air National Guard, but with the state of flux concerning military bases and training requirements, the topic is likely to arise again with all branches of the military.

It's Just a Log Cabin



The APA approved the construction of a 3,400-square-foot "log cabin" and adjoining 1,200-square-foot six-stall garage next to the pristine Boreas Ponds in the High Peaks region without placing conditions on the use of the waterbodies and adjoining lands to protect fragile shorelines, lakes and wildlife habitat. Finch-Pruyn plans to use the building for commercial purposes, inviting business clients to use it as a base camp for viewing the company's lands. Despite Finch-Pruyn's public announcement that it would use the structure to entertain customers, the APA reviewed the project as a "group camp" (analogous to a scout camp or church retreat) rather than a commercial use.

A Not-So-Scenic River



Just prior to the APA's approval of the Finch-Pruyn "log cabin," the APA allowed the timber company to build a permanent, steel-frame bridge over a section of the Upper Hudson River classified as "Scenic" under the Wild, Scenic and Recreational Rivers Act — without so much as a public hearing before the permit was granted.

Rare Species Slip Through Cracks



The APA was painfully slow to computerize its listing of ecologically vital locations throughout the Park, allowing Henry Lassiter to sell the Clintonville Pine Barrens to a developer who subdivided it and sold lots to home builders. Thanks to the diligence of the Adirondack Nature Conservancy, a large donation from an Adirondack Council member in Buffalo and the cooperation of the new and adjoining landowners, much of the core of the barren and some of the outlying areas have been bought back and placed in a preserve, where the extremely rare insect and plant species living there will have a chance to survive.



See article at right. Reprinted from Albany (N.Y.) Times-Union.

Dept. of Environmental Conservation

The Department of Environmental Conservation was active in a variety of Adirondack issues in 1992-93, but seemed most effective in dealing with national problems and in finding ways to protect land without an environmental fund. But while DEC made important contributions toward the fight against acid rain, for example, its performance was disappointing on a number of other Adirondack issues.

Clearing the Air

Commissioner Thomas Jorling showed strong leadership in his public opposition to shortcomings in the U.S. Environmental Protection Agency's new acid rain control program. DEC also initiated a lawsuit, with the Adirondack Council as a co-plaintiff, in a continuing effort to force changes in the program that would better protect the Adirondack Park. Both DEC and the Council are concerned that the new regulations will allow midwestern polluters to continue damaging the Park well beyond the year 2000.

Residents Mark Lands to Preserve

DEC took the lead in bringing the cornucopia of opinions within the Park into focus regarding land protection, allowing some old animosities to wither away and giving all sides a chance to participate in charting a brighter future for public lands in the Adirondacks by developing the state's Open Space Conservation Plan and soliciting input from regional committees. Regional committees not only worked to identify special places in need of protection around the Park, but also made the case for passage of an environmental fund to pay for the purchase of lands and conservation easements, by showing strong support for individual projects.

Self-Inflicted Black Eye

DEC decided to stop local Boy Scout troops from collecting deposit bottles and cans at state campgrounds so the state budget could be bolstered by the paltry sum left behind each year. Many of the returnable containers also go to not-for-profit organizations which employ the handicapped. Fortunately, the decision was rescinded shortly after it was issued, but not before the Governor and the Department received self-inflicted black eyes in the press.

Fast and Loose with Moose

DEC's handling of the proposed moose reintroduction program guaranteed its failure. First, DEC launched an ineffective public education campaign, which did little more than make many North Country residents fearful of the gentle creature. DEC did not support its (and others') studies showing that moose could and should return to their natural habitat in remote, roadless regions of the Adirondack Park. To

this day, much of the state does not know the program would have cost taxpayers nothing, and could have helped alleviate some of the overcrowding in neighboring areas, which has led to moose crossing busy highways in search of a new home here and becoming involved in traffic accidents. Secondly, DEC's own polls and public hearings showed support for the return of the moose, and most of the objections to the program from around the state came from those who opposed the simultaneous implementation of a moose hunting season, not the return of the moose. DEC finally settled on the capture and relocation of wandering moose into the Adirondacks. While this may help alleviate traffic dangers, a viable moose population in the Adirondacks is a long way off.

Something Fishy

DEC issued itself a permit to continue discharges into Upper Saranac Lake from its fish hatchery, despite credible evidence from concerned lakefront owners and limnologists that water quality is in peril. DEC has yet to negotiate a settlement of the matter with the local lake association, which filed suit in the spring of 1993.

Making a Bad Situation Worse

DEC pushed forward with boat launch proposals for large motorized craft on Brant Lake and Great Sacandaga Lake. This action goes against the wishes of many local residents who say they have already seen a huge increase in boat traffic in the past decade as a result of greater local development, as well as tighter regulations and fees imposed on the already-overcrowded Lake George. Neither of these lakes is prepared to deal with the transfer of traffic and pollution. Proposed precautions to prevent bilge dumping or introduction of milfoil, zebra mussels and other foreign plants and animals were inadequate.

Rangers Shouldn't Be Strangers

Early 1993 brought more staffing cuts to the state's Forest Ranger force. Several Adirondack Ranger positions remain vacant, despite public outcry over the loss of these essential public safety officers. With more than 10 million visitors to the Park each year, the services provided by the rangers, including trail and outdoor education, search and rescue and firefighting should not be taken for granted.

Protecting Adirondack Park

The lack of a state environmental fund in 1992 and 1993 required environmental organizations and state government to become far more creative in devising ways to protect important lands until state funds are available. Nevertheless, the Adirondack Forest Preserve was expanded and thousands of acres of private land were protected.

IP's Centennial Gift



In December of 1992, one of the Park's largest landowners performed an enormous public service by protecting forever 20,000 acres of its timberlands in the northwestern Adirondack Park. International Paper Company's Raquette River parcel has been considered a high priority for protection by the Adirondack Council for nearly a decade. IP Chairman John Georges took it upon himself to orchestrate a deal that deeded hundreds of acres of shoreline to the financially strapped State of New York for addition to the Forest Preserve. At the same time, IP gave the state all development rights on part of the remainder and signed an agreement with the Virginia-based Conservation Fund to manage the rest as wildlife habitat and a sustainable source of forest products.

Council Members Save Pine Barren



The Adirondack Chapter of The Nature Conservancy was able to pull its Clintonville Pine Barren protection project back from the brink of disaster last summer due to the generous donation made by Adirondack Council members from Buffalo. The pine barren is a unique assemblage of plants and wildlife containing at least one extremely rare insect species. Two species of rare plant also survive there. It is the only area of its kind left in the state. But much of the land was bought by Atlanta-based land speculator Henry Lassiter, who in turn sold it to a development company, which began cutting it into lots. With the donation, the Conservancy was able to buy the core of the 1,000-acre barren and has been working with local landowners to protect the outlying areas as well.



Gary Randorf

The magnificent Raquette River property, protected under an agreement in 1992 between International Paper Co. (owners), the Conservation Fund and the State of New York. More than 20,000 acres have been set aside.

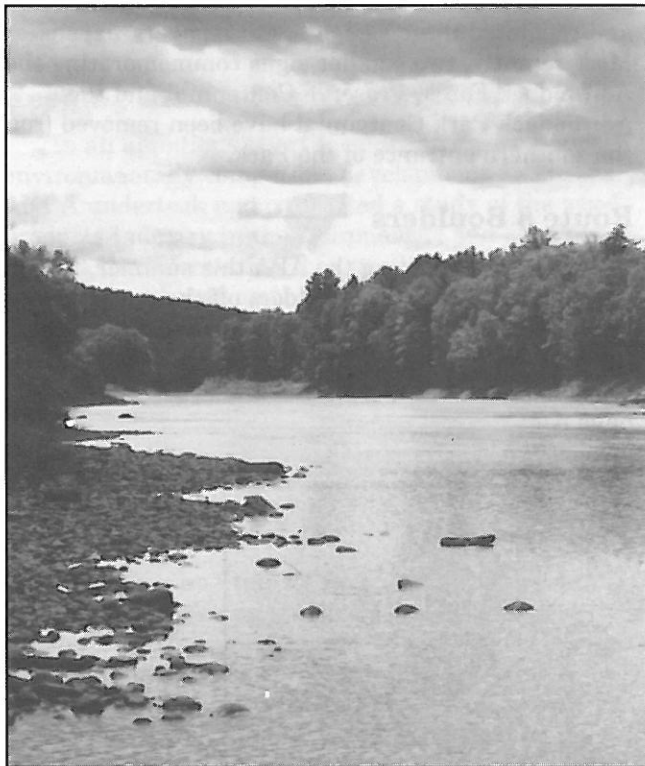
Lands on a Shoestring

Stepping In

Shortly after the approval of the environmental fund, Open Space Institute Vice President Peter Borrelli (who also serves as chair of the Adirondack Council's board) helped secure the financing to purchase the Heurich Estate on the shore of Lake Champlain and hold it until the Legislature makes an appropriation from the new environmental fund to add the property to the Forest Preserve. The 2,200-acre property contains the highest mountain on Lake Champlain, three miles of undeveloped shoreline, magnificent palisades, habitat for the endangered timber rattlesnake and 80 percent of the Champlain Valley's 193 species of birds.

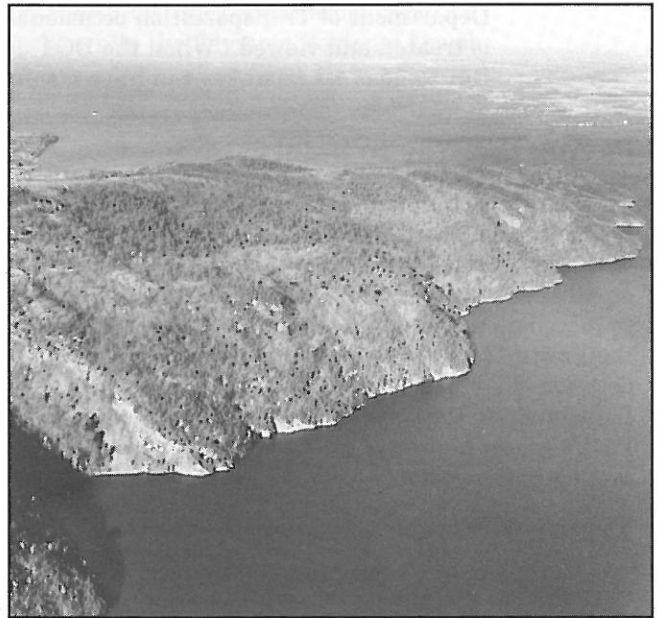
Another River Runs Through It

Earlier in 1992, the Niagara Mohawk Power Corp. completed an agreement with the state and the Adirondack Park Agency in which NiMo conveyed a substantial portion of its holdings and development rights along the Upper Hudson River, between Warrensburg and Lake Luzerne, to the state and to



The scenic Niagara Mohawk Power Corp. gift, near Stony Creek.

some of the communities along the river corridor. NiMo also completed a comprehensive land-use plan for the rest of its nearby holdings, some of which will be sold to adjoining land owners and given to governments for environmentally compatible development under the auspices of the comprehensive plan.



Gary Randorf

The Heurich Estate shoreline, Essex.

Canal Lands

In 1992, an Adirondack Council investigation into alleged abuses of public land by the Department of Transportation uncovered some frightening facts about DOT's treatment of Adirondack lands it manages. Since many Adirondack lakes had been set aside more than 150 years ago to protect the water supply for the state's barge canal system, DOT not only gained control of the canals, but also the lakes. Rather than managing them as precious assets, DOT allowed some people to build houses on public lands around the lakes and lost track of some lakes altogether.

In April 1993, after this evidence was made public, the state Legislature approved nearly \$1 million to survey all of the canal-related lands inside the Adirondacks. Any lands not needed for the canal system will be offered to the Department of Environmental Conservation for management as Forest Preserve. Sen. John B. Sheffer II (R-Amherst) was instrumental in negotiating this agreement.

One Step Closer

DEC showed it can be creative in devising ways to expand public lands by combining small amounts of money from a variety of sources in the state's 1993-94 budget to acquire Canoe Carry West, a 300-acre parcel on the southern shoreline of Forked Lake. Formerly part of the 51,000-acre Whitney Estate, the acquisition will not only allow public hiking and camping on a formerly private stretch of this magnificent lakeshore, but also brings the Council's vision of a Bob Marshall Great Wilderness one small step closer to reality.

John Sheehan

Department of Transportation

While it is rarely an active participant in Adirondack Park policy matters, the Department of Transportation occasionally plays a key role in determining how the Park is treated and viewed. When the DOT does its job well, its presence is hardly noticed. But some of its mistakes can have a significant impact

Paving the Way to Safety

The Department of Transportation continues to honor the agreement it reached nearly a decade ago with the Adirondack Council to pave wide shoulders on all new highway construction and repaving projects so bicyclists can safely ride on public roads throughout the Park. The latest addition to the road upgrades is between the villages of Saranac Lake and Tupper Lake, making the Park more "bike friendly." The Park's scenic highways are becoming a mecca for cycling enthusiasts.

Trying to Fit In

That same road reconstruction project brought DOT further distinction when it agreed to plant roughly 4,500 trees along the road's edges, altered its blasting methods to eliminate landscape scars and made no attempt to expand the right-of-way to neighboring Forest Preserve, where some old-growth forest still remains.

Forever Wild for Just a Few?

DOT made the 1992 Adirondack Park Centennial especially memorable with its inability to reveal information on the status of thousands of acres of lakes and forests it controls in the western portion of the Park. The lands had been turned over to DOT when it was created from the former NYS Department of Public Works, which maintained the canal system since it was constructed (c. 1820 to 1840). That refusal led to an Adirondack Council investigation into temporary permits DOT issued to landowners whose properties abut the lakes and lands set aside for the

canal system. The Council's probe revealed that, for decades, DOT has allowed private individuals to build vacation homes on state lands for the annual cost of as little as \$15. Only brush-cutting and path maintenance should have been condoned under the state's temporary permit program.

Further investigation showed DOT had lost track of at least three of the lakes it was supposed to be nurturing on behalf of the taxpayers, and claimed to have no idea where public property began and private lands ended.

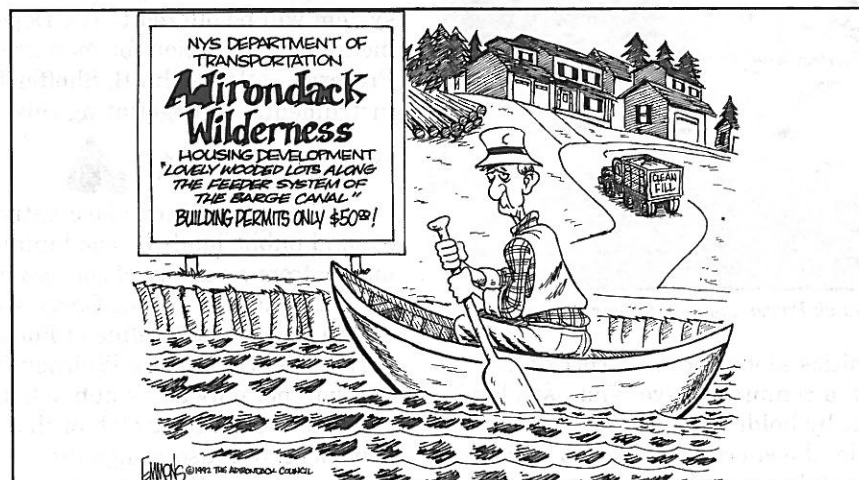
Caution: Wet Paint

For the past two years, many of the 10 million visitors to the Park have been welcomed by vandalized and paint-splattered Park-entrance signs. Most often, the vandalized signs were on the Adirondack Northway (I-87), which carries the heaviest traffic load in and out of the Park.

To its credit, the DOT has repeatedly repaired and repainted these signs . . . at taxpayers' expense. Most recently, two smaller signs commemorating the Adirondack Forest Preserve Centennial and the Adirondack Park Centennial have been removed from the southern entrance of the Park.

Route 8 Boulders

Without consulting the APA this summer, DOT pushed a set of massive boulders off the roadside and into the Sacandaga River along Route 8, replacing them at the roadside with a steel guide rail. Whatever happened to the governor's executive order (see page 4)?



What the Adirondack Council didn't want to see: strip development on canal lands.

Independents

There are two independent entities in the Adirondack Park which, use taxpayer money to accomplish their goals. The Adirondack North Country Association (ANCA) promotes economic development in the Adirondacks while the Olympic Regional Development Authority (ORDA) is responsible for the Olympic venues and two ski centers in the Park.

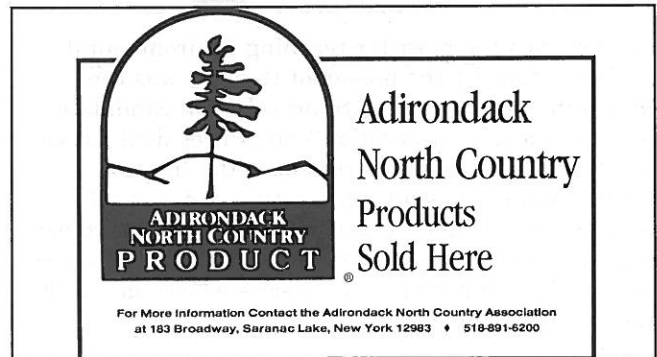
Adirondack North Country Association

A Keepsake for the Economy

Acting on a tip from the Adirondack Council, ANCA took steps in the fall of 1992 to ensure that Adirondack businesses benefitted from the construction of new Adirondack Great Camp-style rest areas on the NYS Thruway. While each of the Thruway Authority's new rest area buildings contains a shop with Adirondack-style crafts for sale, an Adirondack Council staff member noticed that all of those crafts were made in other states. Armed with this information, ANCA complained to an Albany newspaper. That resulted in a meeting with buyers for the rest-area shops, and ANCA invited the Thruway Authority and the Marriot Corporation, which runs the concessions, to its Annual Buyers Day in Saratoga Springs. Several Adirondack businesses are now offering their products in the new buildings.

Keeping the Profits Here at Home

In an ambitious effort to spur the development of environmentally compatible development for the Park, ANCA undertook and completed a study of the wood products industry in the Adirondacks and gave policy-makers the information they needed to promote development based on the renewable resources of the Park's private timberlands. By adding value to raw wood before it leaves the Adirondacks, local residents



will reap a far greater financial benefit than they do by shipping whole logs to other regions for processing into finished products. Several such projects are getting started around the Park right now.

Mountain Bikes

ANCA's work to improve recreational cycling opportunities in the Park paid dividends, when it obtained a grant to help improve the sport throughout the Park. ANCA also developed a temporary map and list of mountain bike trails in Wild Forest areas throughout the Park, showing more than 1,000 miles of biking trails in the Adirondack Forest Preserve. The mountain bike trail system in the Adirondacks is now one of the most extensive in the Northeast.

Olympic Regional Development Authority

Gore Mountain

Recently, the State Comptroller advised ORDA to sell this money-losing ski area. Instead, ORDA decided to pipe water from the nearby Upper Hudson River up the mountain to expand snowmaking capabilities. ORDA's timetable was thrown off when DEC officials pointed out the need for an environmental impact statement. Stay tuned.

Paving the High Peaks Wilderness

In 1992, the authority sought permission to pave a biathlon trail on the "forever wild" Forest Preserve to create an off-season practice track. Not only would the plan require extensive paving and wall-building, it

also calls for high-intensity lighting. ORDA refused to consider a variety of non-Forest Preserve sites and claimed the situation was an emergency which required immediate action. The plans were put on hold after the Council and other groups brought Forest Preserve concerns to the attention of the public.

Changes?

At press time, long-time head of ORDA, Ned Harkness, announced his resignation. While ORDA searches for a replacement, Lake George hotel owner and dissenting member of the Governor's Commission on the Adirondacks in the Twenty First Century, Bob Flacke, has been named temporary director.

Washington & Courts

Executive Branch

The election of President Clinton and Vice President Gore to the highest offices in the land was generally cheered by the environmental community and brought the promise of new vitality in federal environmental programs. So far, the results are mixed.

Superior Interior Choice

Perhaps the most far-reaching environmental decision made by the president thus far was the appointment of former U.S. presidential candidate and League of Conservation Voters President Bruce Babbitt to head the Department of the Interior. Babbitt's enthusiasm for protecting endangered species and for guiding federal policy toward protecting whole ecosystems replaces the old and ineffective policy of attempting to save species whose habitat has already been decimated.

Another Great Choice

Another excellent Clinton Administration appointment was that of George T. Frampton, Jr. as Assistant Secretary of the Interior responsible for the National Park Service and the U.S. Fish and Wildlife Service. Frampton's last job was as President of the Wilderness Society, one of the Adirondack Council's member organizations.

A Fund Forgotten

One major disappointment from the early stages of the Clinton Administration came with his budget proposal, calling for even less money for state grants to preserve ecosystems and water quality than

President Bush had. At present, less than \$25 million of the Land and Water Conservation Fund has been set-aside for grants to all 50 states, leaving an average of less than \$500,000 per state -- all from a fund generating \$900 million-plus annually. The rest is expected to be used for deficit reduction. We are hopeful Congress will increase the state grant amount before the new fiscal year begins in October.

Acid Rain

While he inherited the program from the Bush Administration, President Clinton has done little so far to deal with the shortcomings in the new federal acid rain program. As a result, the Adirondack Council was forced to file suit, along with New York State, against the Environmental Protection Agency on March 11 in the U.S. Court of Appeals, in an effort to establish pollution limits for plants upwind of the Adirondack Park. Joined by a member organization (the Natural Resources Defense Council) the Adirondack Council filed a second suit the same day to correct technical problems which will allow some companies to continue polluting indefinitely and will allow inaccurate smokestack monitoring to continue. Both actions are still pending, although the Council is attempting to work out a solution with the Clinton team.



See article at right. Reprinted from Daily Gazette, Schenectady, N.Y.

Congress

Land-use within the Adirondack Park is controlled by state and local governments. Nevertheless, the decisions made by Congress can have a major impact here.

Building a Legacy for the Future

Perhaps the best land protection idea to come out of Congress in the past two years was the creation in 1992 of the Forest Legacy Program. The fund was championed in New York by Rep. Sherwood Boehlert (R-Utica) and can be used to protect lands that are important to the economic and environmental quality of communities throughout New York, Vermont, New Hampshire, Maine and the State of Washington. It is a federal cost-sharing program which funds the purchase of conservation easements from willing sellers. Congress approved \$5 million for the program in 1992 and doubled the amount in 1993. Several parcels in New York State are now eligible for funding, including a river-access project in Hamilton County, in the heart of the Adirondack Park.

Research Dollars

Representative Gerald Solomon (R-Glens Falls) played a role in furthering acid rain research in late 1992, by tacking a \$6 million appropriation on to the federal acid rain program for Rensselaer Polytechnic Institute's Freshwater Institute at Lake George. RPI intends to study the effects of acid rain and the new controls on the Adirondack Park's ecosystems. The Council will continue to monitor the results.

Not in My Backyard

Despite strong support from other upstate Congressmen and the sponsorship of fellow New York Republican Rep. Sherwood Boehlert, Congressman Solomon did all he could in 1992 to kill the Forest Legacy Program and the land-protection money it carried with it. In the end, Boehlert agreed to give local governments a say in whether Forest Legacy protection funds can be used within their municipalities. In spite of Solomon's vehement criticism of any use of the funds in his district, local governments have voiced strong support for Forest Legacy. Solomon continues to attack the program.

No Money, No Study, No Help

One of the factors complicating the Environmental Protection Agency's ability to put forth a workable acid rain program is the lack of adequate funding to fulfill its many mandates. By November of this year, EPA was supposed to report back to Congress on whether there should be special limits placed on Midwest smokestacks to help curtail acid rain in the Adirondacks. But with EPA facing a 22 percent budget shortfall for its mandated responsibilities, officials are predicting at least a one-year delay.

State and Federal Courts

Three major cases decided in the past two years were carefully watched by those with an interest in Adirondack politics. One came to nothing, another bolstered the Adirondack Park Agency's authority and the third was almost too silly to mention:

Much Ado About Nothing

The U.S. Supreme Court's decision in the recent *Lucas v. South Carolina* decision was good news in New York. Citing a famous New York land-use regulation case in its decision, the court held that zoning laws which do not remove all economic value from land are valid. This has been the law in New York State for some time.

Digging Out the Right Decision

The NYS Court of Appeals deserves praise for its recent decision affirming the Adirondack Park Agency's role as overseer of industrial activities within the Adirondack Park. In a case in which a Long Lake mining company sought to have APA's

jurisdiction over mining within the Park nullified, the high court noted that APA has a legally legitimate role in regulating how, when and where the mining and reclamation of land in the Park is handled.

Dismissed!

State Supreme Court Justice Edward Spain rightfully dismissed a \$50 million lawsuit in July which charged the Adirondack Council with exerting influence over the state political process for the benefit of the Adirondack Park environment. Spain recognized that this is the Council's expressed mission and said the plaintiff had no grounds for bringing the suit. The plaintiffs are now wasting taxpayer dollars with another appeal.

Local Governments

Over the past two years, the Adirondack Council's relationship with local government leaders has grown stronger, allowing for progress on a number of issues. Here is a rundown of some of the more important developments of 1992 and 1993:

Local Leaders Support Fund



Hamilton County Supervisors Richard Purdue and John Hosley traveled to Albany to urge that any environmental fund include monies to purchase lands and conservation easements in the Adirondack Park, including the Whitney Estate, Hudson River Gorge, Follensby Pond, the Morgan Estate and the Heurich Estate. Their efforts helped prove to the Legislature that many local residents in the Park recognized the need for land-protection as both an environmental and economic development tool.

A Brighter Future



In 1992, the Town of Newcomb created its first land-use plan which gained the approval of the Adirondack Park Agency. The plan allows the town to lift some of the burden of small-scale project review off the shoulders of the APA and still allows the APA to oversee projects of Park-wide significance. The new land-use plan should help create both economic and environmental benefits for the community.

Adirondack Voice



The newly created Adirondack Association of Towns and Villages took the first steps toward producing a positive local agenda for lawmakers in Albany this year. By combining their efforts, officials from Park municipalities have the opportunity to collectively discuss ideas about economic develop-

ment, education, housing, health care, transportation, technological development and environmental protection. By funneling the soundest of those ideas directly to the state Legislature, local governments can finally set the tone for state community development programs within the Adirondack Park. The Adirondack Council stands ready to assist with this effort.

Education Innovation



Newcomb town and school officials distinguished themselves again in 1992 by proposing to use the excellent, but mostly empty, local school facility to attract exceptional students from around the country who wish to learn more about forest ecology and environmental management, while also using the nearby state Forest Preserve and Huntington Forest research facilities. The program deserves a much closer look and some state/federal resources to make it work.

A Clear Message from Afar



In June 1993, New York City Councilman Andrew Eristoff (R-Manhattan) successfully sponsored a resolution calling on state government and the New York Congressional delegation to pass laws and secure funding to protect the natural character of the Adirondack Park. This resolution, which passed unanimously, was the first action on the Adirondacks by the city council in 100 years.



Gary Randorf

Upper and Lower Preston Ponds, adjacent to the High Peaks Wilderness, are on the state's acquisition list.

DANGER: CORROSIVE. Causes irreversible eye and skin damage. May be fatal if swallowed, inhaled or absorbed through the skin. This pesticide is toxic to fish, aquatic invertebrates, and wildlife. Do not apply directly to water . . . Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas . . . This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds.

—excerpt from warning label on DIBROM 14, a pesticide used in some Park towns to control black flies.

Courage

The Altamont (Tupper Lake) planning board deserves praise for creating a local land-use plan that would give the town the ability to handle small-scale development on its own. After lengthy negotiations, officials at the APA stood ready to accept the plan, since it protected important resources, while improving the town's ability to attract environmentally safe development. Currently, only 12 towns of the 94 in the Adirondack Park have Agency approved local land-use plans. When the APA was created 20 years ago, the Legislature expected towns to take over review of small-scale projects and leave parkwide issues to the underfunded Agency.

Stamping Out Progress

Regrettably, the Altamont Town Board refused to endorse the local land-use plan developed over a period of 10 years by its own planning board. Rather than gaining control of small-scale development within its borders, it opted to allow the APA to continue to review nearly every construction and subdivision project proposed.

Bulldozing Water Quality

Keene Valley Supervisor Robert Purdy won the ire of neighboring communities and the state Department of Environmental Conservation in 1992, when he personally drove an earth-mover into a local stream without a permit or a plan to prevent environmental damage. This brought complaints from residents in towns more than 30 miles away over the clouding and siltation caused in the Ausable River. He pleaded guilty in Keene Town Justice Court in January and received a conditional discharge and an \$85 court fee. The penalty for the infraction could have been up to \$25,000.

Thinking Before They Act

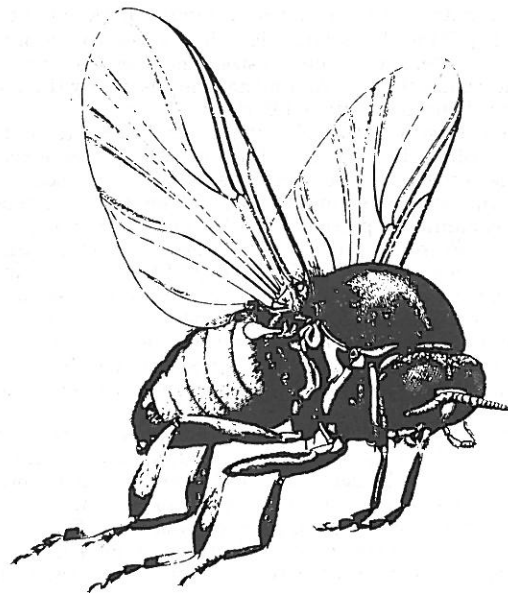
The Town of Brighton (Franklin County) took the sensible approach this June to the question of what to do about pesky black fly infestations. While black fly bites are annoying, they carry no human diseases and are prevalent in the Adirondacks only for parts of May into early July. Rather than rushing to spray pesticides from an airplane as one other town did (see below), the town board is asking its residents what they think about alternative control measures and has scheduled public meetings to solicit a wide range of suggestions.

Choosing Poison Over Long Sleeves

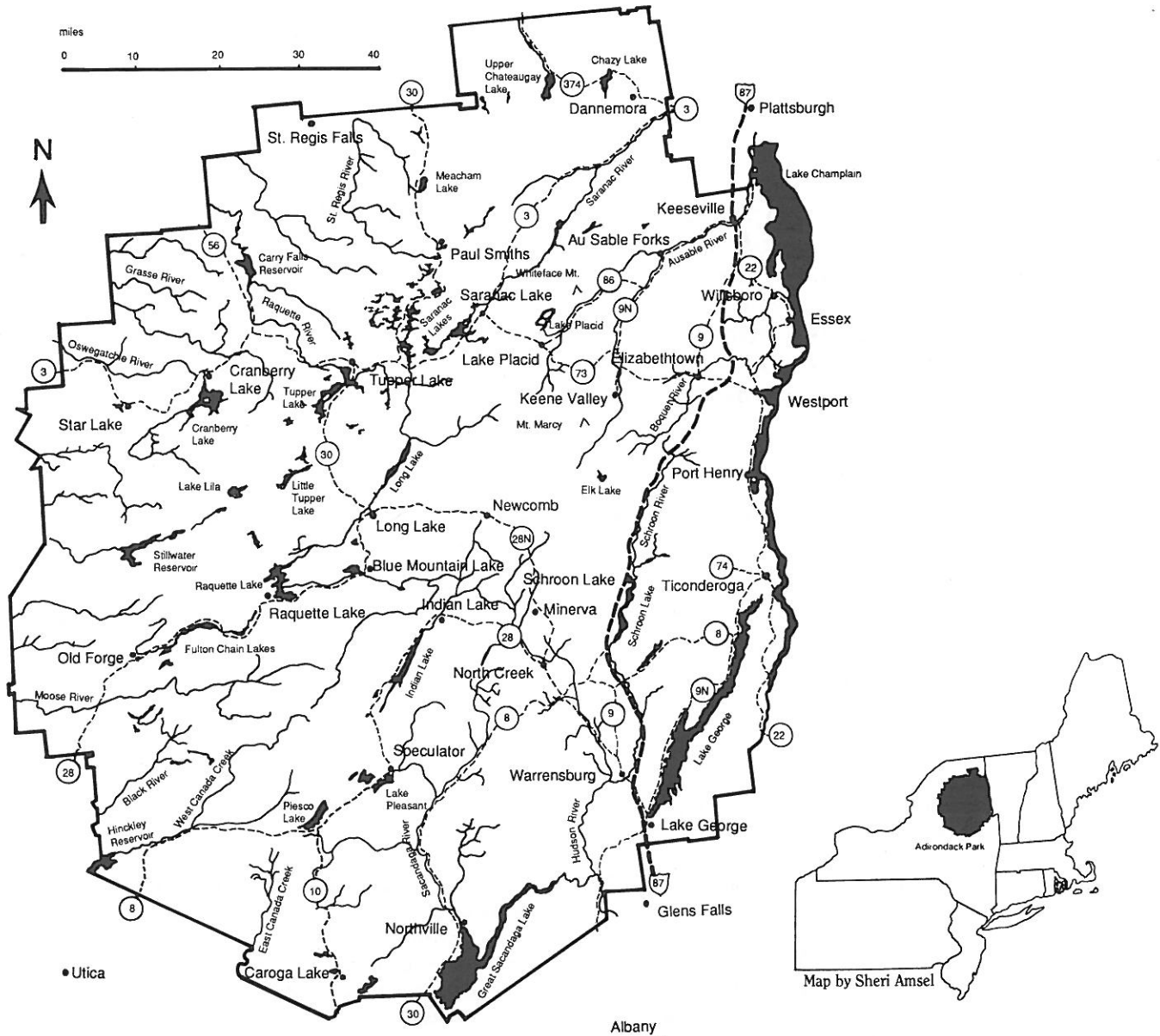
The Town of North Elba (Lake Placid) took a step backward this spring by agreeing to renew aerial pesticide spraying in hopes of eliminating black flies. North Elba officials overreacted to complaints and may have endangered the health of local citizens by allowing a known neurotoxin to be sprayed from an airplane over the town's most popular recreation areas and schools. Worse yet, according to the Adirondack Park Agency, the Duflo Spray Chemical Co. did not live up to the conditions of a 1985 settlement requiring notification and route-planning.

Local newspapers reported that areas Duflo apparently sprayed were again infested only a few hours later. Just how many non-black fly species were killed is unclear, but the spray is known to kill bees and fish. News accounts also detailed complaints from those who said they saw the pesticide plane spray the Chubb River (a violation of federal law) and who had themselves been sprayed while working outside.

The Adirondack Council has been involved in efforts to curb black fly spraying. Today, only a few towns still spray pesticides on their citizens and their lands to control insects.



The Adirondack Park



The Adirondack Park is the largest public park in the contiguous United States. It contains six million acres, covers one-fifth of New York State, and is equal in size to neighboring Vermont. Few people realize that the Adirondack Park is nearly three times the size of Yellowstone National Park.

Some 58 percent of the Adirondack Park is private land, devoted principally to forestry, agriculture and open-space recreation. The Park is home for 130,000 permanent and 210,000 seasonal residents, and hosts an estimated nine million visitors annually.

The remaining 42 percent of the Adirondack Park is publicly-owned Forest Preserve, protected as "forever wild" by the State constitution since 1895. One million acres of these public lands, representing one-sixth of the entire Park, are designated as Wilderness, where a wide range of non-motorized recreation may be enjoyed in an incomparable, natural setting. The majority of public land — more than 1.3 million acres — is classified as Wild Forest, where motorized uses are permitted on designated waters, road and trails.

Plants and wildlife abound in the Adirondack Park, many of them found nowhere else in New York State. Uncut ancient forests cover tens of thousands of acres of public land. Ironically, much of the Park is more wild and natural today than a century ago, when irresponsible logging practices and forest fires ravaged much of the yet-unprotected Adirondack region. Someday, all native wildlife, including those extirpated in the last century,

such as the wolf, cougar, lynx and moose, may live and breed here.

The western and southern Adirondacks are a gentle landscape of hills, lakes, ponds and streams. In the northeast are the High Peaks, 43 of them above 4,000 feet, 11 with alpine summits that rise above timberline.

The Adirondacks include the headwaters of five major drainage basins: Lake Champlain and the Hudson, Black, St. Lawrence and Mohawk rivers. Within the Park are more than 2,800 lakes and ponds and more than 1,500 miles of rivers fed by an estimated 30,000 miles of brooks and streams.

Embodied in this and other Adirondack Council studies is a vision of an Adirondack Park that will serve as a global model for integrated land use and conservation. In the next century and beyond, the Adirondack Park must continue to offer vast areas of undisturbed open space, a sanctuary for native plant and animal species, and a natural haven for human beings in need of spiritual and physical refreshment. It must also provide for sustainable, resource-based local economies and for the protection of community character and countryside values.

This publication is but one step in the Park protection process. Through continuing public education and advocacy for the protection of the Adirondack Park's natural character, the Adirondack Council hopes to advise public and private policymakers on ways to safeguard this last remaining great expanse of open space.

The Adirondack Council

Founded in 1975, the Adirondack Council is an active not-for-profit organization dedicated to protecting the natural and open-space character of the Adirondack Park through public education, interaction with government agencies, and lawmakers, and legal action when necessary.

The Council receives moral and financial sustenance from its 18,000 individual members and from private foundations.

Individual memberships begin at \$25. Membership benefits include regular newsletters, special reports, and action alerts.

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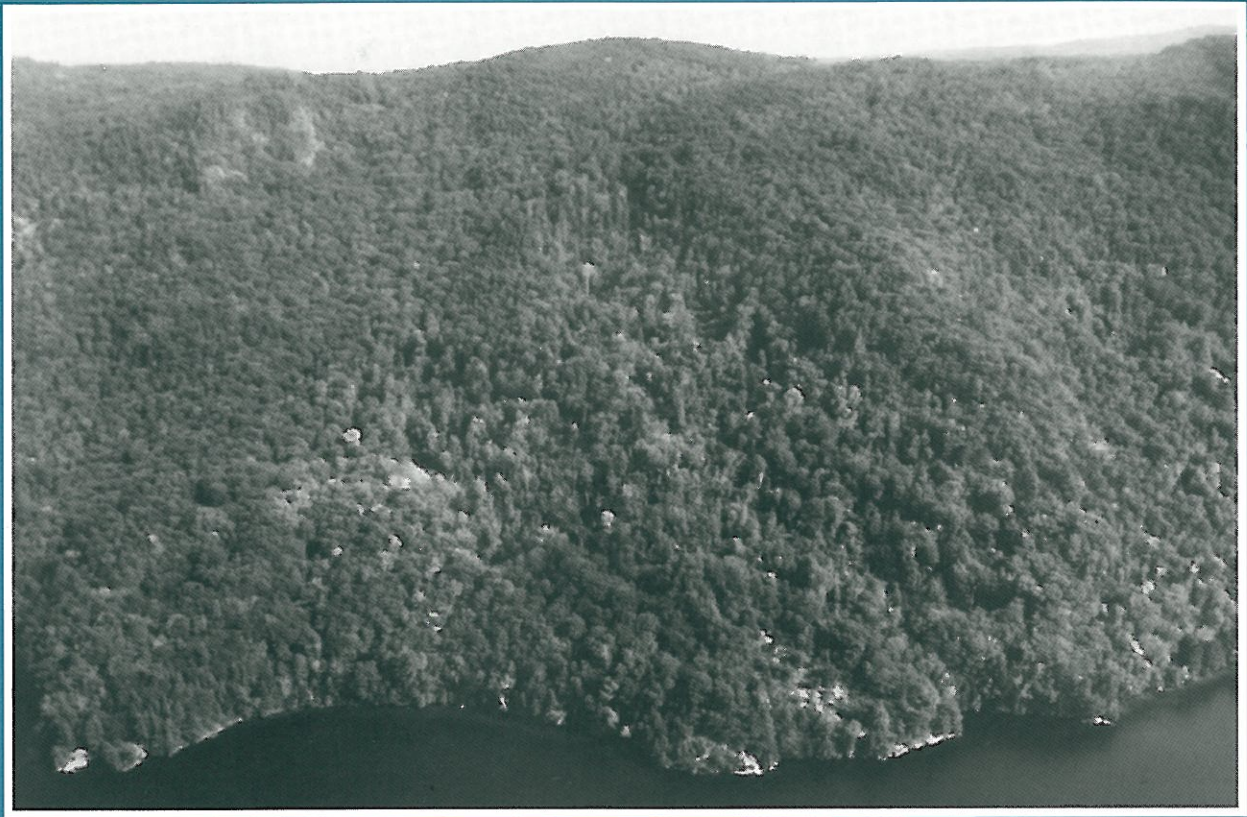
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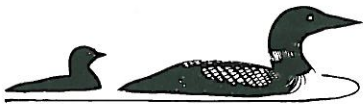
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The Morgan Estate on Lake George once faced an uncertain future, but is now due to become Forest Preserve thanks to the new environmental fund. See details inside.



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