



# STATE OF THE PARK 2013

# THE ADIRONDACK PARK

The Adirondack Park is the largest 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. The Adirondack Park is nearly three times the size of Yellowstone National Park.

More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture and open-space recreation. The Park is home for 132,000 permanent and 200,000 seasonal residents, and hosts 10-million visitors yearly.

Nearly half of the Park is publicly owned Forest Preserve, protected as “Forever Wild” by the NYS Constitution since 1894. One million acres of these public lands are protected as Wilderness, where non-mechanized recreation may be enjoyed. Most of the public land (more than 1.3 million acres) is Wild Forest, where motorized uses are permitted on designated waters, roads and trails.

Plants and wildlife abound in the Park. Old growth forests cover more than 100,000 acres of public land. The western and southern Adirondacks are gentle landscapes of hills, lakes, wetlands, ponds and streams. In the northeast are the High Peaks. Forty-three of them rise above 4,000 feet and 11 have alpine summits that rise above the timberline.

The Adirondacks include the headwaters of five major drainage basins. Lake Champlain and the Hudson, Black, St. Lawrence and Mohawk Rivers all draw water from the Adirondack Park. 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.

Through public education and advocacy for the protection of the Park’s ecological integrity and wild character, the Adirondack Council advises public and private policymakers on ways to safeguard this great expanse of open space.



Map data provided by the Adirondack Park Agency.

# STATE OF THE PARK 2013

## A Review of Elected and Appointed Government Officials' Actions Affecting the Adirondack Park

Written and Edited by Adirondack Council Staff

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## Contents

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Letter from the Executive Director.....	2
Governor.....	3
State Legislature.....	5
Courts.....	6
Attorney General.....	7
The Ecological Importance of Wilderness Management.....	8
Member Thank You.....	9
Local Governments.....	10
Department of Environmental Conservation.....	12
Adirondack Park Agency.....	14
Federal Government.....	15
Other Agencies.....	16
Award Winner.....	17
Tip of the Hat.....	17

The mission of the Adirondack Council is to ensure the ecological integrity and wild character of the Adirondack Park for current and future generations.

We envision an Adirondack Park with clean water and air and large wilderness areas, surrounded by working farms and forests and vibrant local communities.

Using science, we *educate* the public and policymakers; *advocate* for regulations, policies and funding to benefit the Park's environment and communities; *monitor* proposals, legislation and policies impacting the Park; and, when necessary *take legal action* to uphold constitutional protections and agency policies established to protect the Adirondack Park.



## State of the Park 2013

Dear Members and Supporters:

Recent events and this report highlight how much we have accomplished for the Adirondacks over the last 12 months, and how much remains to be done.

Gov. Andrew Cuomo renewed his commitment to the Adirondacks by having the state purchase key Forest Preserve parcels from the Nature Conservancy and others. He also brought national media attention to these new lands and waters by hosting a whitewater rafting race that included prominent state officials, NYC Mayor Michael Bloomberg and the Council.

We continue to work with other environmental groups, the Common Ground Alliance, local officials, and other partners to advance projects and policies that support sustainable communities and preserve the wild lands around them.

Adirondack local governments also made major strides in advancing environmental protection, as they prioritize environmental quality that has a direct impact on local economies and the quality of life for Park residents and our Park's 10-million annual visitors. New invasive species laws, mandatory boat inspection programs, renewable energy initiatives, and enforcement of local zoning laws, highlighted an outstanding year for local conservation initiatives.

The state Legislature passed laws designed to prevent mercury pollution, increase the use of locally-grown food and prevent the spread of invasive animals. They also approved two Adirondack Constitutional Amendments that will appear on the November ballot, after embracing the Adirondack Council's land exchange principles.

Attorney General Eric Schneiderman, as well as state and federal courts, won praise for their work combating air pollution. President Barack Obama won praise for his new climate change initiative, our Congressional delegation fought for more funding for invasive species, and Sen. Charles Schumer saved funding for stream water-level gauges vital for flood forecasting.

In the year ahead, we will continue to defend and expand Adirondack wilderness and advocate for a better Park that includes vibrant communities. We will also continue to fight for clean water, clean air, healthy forests and wildlife, and work to combat invasive species and climate change. It's your Park, and we will be your advocate for its protection.

We appreciate your generous support of these efforts. With your help we can protect wilderness, turn back threats such as clear-cutting and ensure that Adirondack successes are realized.

Best Regards,

William C. Janeway  
Executive Director

**On the Cover:** Former Finch-Pruyn/Nature Conservancy lands recently added to the Forest Preserve include a 14.7 mile stretch of shoreline along the rapids of the Hudson River Gorge. Photo © Carl Heilman II/Wild Visions, Inc.

# THE GOVERNOR

## Greenbacks for Green Fund

Gov. Andrew M. Cuomo's budget contained the first increase in the Environmental Protection Fund (EPF) in six years. He worked with the Legislature to gain an EPF increase of \$19 million to a total of \$153 million, with the open space protection account receiving \$82 million (an increase of \$12 million over last year), with \$20 million of that dedicated to purchasing park and preserve lands, plus funds for Adirondack Smart Growth. Invasive species control received \$1.2 million more than last year.



Cuomo

## Cuomo Keeps His Promise

Governor Cuomo kept his promise when the state purchased from the Nature Conservancy (TNC) the 17,320-acre Essex Chain of Lakes tract in the Town of Minerva, Essex County for \$12.3 million. This area contains 11 pristine lakes and ponds and 14 miles of the wild Upper Hudson River. This is the first phase of a purchase of the total of 69,000 acres of the former Finch-Pruyn lands.



OK Slip Falls

Also this spring, the Governor completed the second phase when he purchased OK Slip Falls, the Indian River tract and the Casey Brook tract in North Hudson from TNC for \$6.3 million. The 2,780-acre OK Slip Falls tract includes 2 miles of shoreline along the Hudson Gorge, and one of the tallest waterfalls in the Park. The 925-acre Indian River tract opened a 12-mile canoe route between Newcomb and Indian Lake.

## Council Criteria Used for Land Swaps

In June, Governor Cuomo embraced the Adirondack Council's formal criteria for judging proposed Constitutional Amendments that authorize land swaps involving the Adirondack Forest Preserve. The Council's criteria for judging proposed swaps include real benefits to the Forest Preserve and the community; lands going into the Preserve must be more ecologically valuable than those removed; and, the Amendment should not set a precedent that would affect future proposed swaps.

## Amendments Help Towns

Governor Cuomo proposed two Constitutional Amendments to solve community needs, and that met the Council's criteria for approving land swaps involving the Forest Preserve. With the Council's support, the Amendments passed both houses for the second time in two years. They will be on the statewide ballot in November.

**Proposition 4 - Township 40:** This Amendment would clear up a century-old ownership dispute between the state and 200 landowners in the Town of Long Lake, both of whom believe they own the lands in question. The swap would allow the private owners, all of whom have deeds, to remain on the property with clear title in exchange for purchasing nearby lands of equal or greater value that would be added to the Forest Preserve.

**Proposition 5 - NYCO/Jay Mountain Wilderness:** This Amendment would authorize a swap that would expand the Jay Mountain Wilderness and Taylor Pond Wild Forest by at least 1,507 acres. NYCO Minerals of Willsboro would be allowed to expand its mine in Lewis, Essex County, on to 200 acres of adjoining Forest Preserve in exchange. The new lands contain better wildlife habitat and recreational amenities than the lands NYCO would use. After mining and restoring the lands, NYCO will be required to return it to Forest Preserve.

## Adirondack Challenge

Governor Cuomo invited the national media, state leaders and NYC Mayor Michael Bloomberg to the Adirondack hamlet of Indian Lake for a whitewater rafting race on lands the state had just purchased from the Nature Conservancy. The race brought much-needed attention to the recreation opportunities now available in the central Adirondack towns of Indian Lake, Newcomb, Minerva, North Hudson, and Long Lake. Those communities are the new gateways to the Essex Chain of Lakes, OK Slip Falls and the Indian River tracts.



Bloomberg

## Helping Out Volunteers

Governor Cuomo provided \$825,000 to the \$2.8-million effort to build a new Keene Volunteer Fire House, after the old one was destroyed by flooding during Tropical Storm Irene in 2011. He joined a group of officials, well-wishers and the Council in late June to celebrate the opening. In September, the Governor announced \$1.5 million in a Community Development Block Grant that would be used for the construction of a new fire house for Upper Jay, also destroyed by Irene. This grant will cover about half of the estimated \$2.8 million total cost.

## Grants for Green Planning

In June, the Governor announced he would give out the first \$30 million in grants for community sustainability and planning. The Governor said he wants to promote projects that meet the dual purpose of stimulating job growth and making communities greener and more efficient. The grants will be awarded this fall.

## It's Cuomo's APA

Governor Cuomo nominated two new commissioners to the Adirondack Park Agency and reappointed others to new, full terms of office. He nominated Hudson attorney Karen Feldman to replace Cecil Wray of Manhattan, who retired after 14 years on the APA board. The Governor also nominated Dan Wilt of Arietta, a member of the town's zoning board of appeals and owner of Wilt Industries of Lake Pleasant. Wilt replaces Frank Mezzano of Lake Pleasant who served for 15 years. Feldman and Wilt were confirmed by the Senate in June.



Feldman



Wilt

Chairwoman Lani Ulrich of Old Forge, and members Arthur Lussi of Lake Placid and Bill Thomas of North Creek were also reappointed.

## Cash for Jobs and Environment

Once again, Governor Cuomo's Regional Economic Development Councils' program awarded the North Country region a top grant, providing \$90.2 million for 82 projects. Projects include rural broadband internet access development, the Raquette River Blueway interpretive program; waterfront revitalization in Tupper Lake; drinking water and sewage treatment projects; and, tourism development.

## Statements Not Hot Air

Following the storm and flood damage caused by Tropical Storm Sandy, Governor Cuomo and NYC Mayor Michael Bloomberg made public statements about the need to curb greenhouse gas emissions in an effort to slow global climate change. Cuomo this spring approved a 45 percent reduction in the state's carbon cap on emissions from electric power plants, from 64 million tons per year to 35 million, with additional annual reductions, as part of the Regional Greenhouse Gas Initiative.

## Selling Upstate to Downstate

In July, Governor Cuomo announced he would spend \$60 million this year on advertising the vacation and recreation opportunities of the Adirondack and Catskill Parks and the rest of upstate New York to downstate residents and tourists.

## No Casino a Safe Bet

Governor Cuomo's negotiations for exclusive regional franchises at Native American casinos effectively eliminated the Adirondack Park from contention for a new, non-Native gambling house. Saratoga and Washington are Adirondack counties still in contention. County officials want a new casino to be built in the City of Saratoga Springs. There are no casinos inside the Adirondack Park.

## Connecting to the World

The Governor's Connect NY Broadband Grant Program invested \$25 million in fiber-optic cable installations in and around the Adirondack Park in the past year. In Tupper Lake and Long Lake, 27 miles of internet, telephone and television cable were installed connecting 514 homes and 56 businesses. Another grant connected 460 homes and business in Schroon and North Hudson. The network is also connecting most of the Park's major health care facilities, giving providers better ways to communicate.

## No New Term for Booth

Although he reappointed the other Adirondack Park Agency commissioners who weren't retiring to new terms of office, Governor Cuomo didn't reappoint Richard Booth of Ithaca. Booth has been an outspoken environmental advocate on the board, often seeking more information and urging fellow board members to make careful decisions. Booth is an expert in environmental law and a faculty member at Cornell University.



Booth

## A Little Birdy Told Us

Apparently someone told the Adirondack Park Agency to modify a completed permit that would allow the replacement of a ski-patrol building on Little Whiteface Mountain in Bicknell's Thrush habitat, without public comment. The building would also house equipment for the Essex County emergency radio network. The permit, to which all involved parties agreed, also required a biological study to see if the use of power tools and other construction equipment would disturb the rare songbird during breeding season. Months after the permit was issued, some who had agreed to its conditions argued that the study would delay implementation of the emergency network. State officials agreed, and paid for and conducted the study so construction could begin without delay.

## Too Lactose Tolerant

Governor Cuomo's efforts to assist the yogurt industry went too far when he proposed to weaken the rules for the control of waste from concentrated animal feeding operations (CAFOs) for dairy farms statewide. The existing rules applied only to herds of 200 cows or more, but this spring, the Governor changed the regulations to apply to only herds of 300 cows or more. This drew a lawsuit from Citizens Campaign for the Environment, Riverkeeper and Sierra Club Atlantic Chapter in July. There are several CAFOs in the Adirondack Park.

## Where is the Bold Vision?

While he talked about the need for government reform during his first year in office, Governor Cuomo has yet to advance any major reforms to better manage the natural resources of the Adirondack Park and promote sustainable development. The Adirondack Park Agency's rules and regulations for private land use and development are more than 40 years old and are in need of an overhaul. The State Land Master Plan for management of Forest Preserve is almost as old. Perhaps next year?

# STATE LEGISLATURE

## Both Houses

### Green Bond Act Proposed

In August, Assemblyman Bob Sweeney, D-Lindenhurst, and Sen. Mark Grisanti, R-Buffalo, introduced a bill that would create a \$5-billion environmental bond act to help fund some major environmental initiatives. If passed, the proposal would go on the November 2014 statewide ballot for voter approval. The bond act would provide money for open space and farmland protection, habitat restoration, flood prevention, and climate change adaptation. It would also fund the repair, replacement and upgrade of the state's municipal wastewater infrastructure and drinking water supply system, and the restoration of contaminated areas in urban communities.



Sweeney

### Buy It Here, Eat It Here

The Legislature passed a bill that would require state agencies to establish a food purchasing, tracking and reporting system to provide baseline data about how much money the state is spending on food and from where it is purchased. The bill's intent is to encourage state institutions to buy more food from New York farms. It was sponsored by Sen. Patty Ritchie, R-Oswegatchie, and Assemblywoman Crystal D. Peoples-Stokes, D-Buffalo.

### No Longer Boared to Tears

Both houses passed a bill that would ban by 2015 the transportation or possession of invasive Eurasian boars. Their recent escapes from captivity have led to widespread damage of public and private lands, resulting in significant environmental and economic impacts. This bill was sponsored by Sen. Elizabeth Little, R-Queensbury, and Assemblywoman Deborah Glick, D-Manhattan.

### A Hike in the EPF

The Legislature passed a state budget that included a \$19-million increase in the Environmental Protection Fund (EPF), bringing it to \$153 million. It was the first time the EPF increased since 2007. The EPF contains \$20 million for new park land and preserves and \$4.6 million for invasive species controls.

### Amendments Benefit Forest Preserve

In June, the Legislature granted second passage of two proposed Constitutional Amendments that would result in net benefits to the Adirondack Forest Preserve. Both will be on the November 5 statewide ballot. The Township 40 Amendment was sponsored by Senator Little and Assemblyman Sweeney. The NYCO/Jay Mountain Wilderness Amendment was sponsored by Senator Little and Assemblyman Sweeney, as well as Assemblyman Dan Stec, R-Queensbury. The Amendments and proposed land swaps now go to the voters for a decision.



Little

### A Drop in Mercury

Both houses passed a bill that would expand the state's mercury thermostat recycling program. Tons of mercury leak from heating/air conditioning units in landfills each year, contaminating water, wildlife and food supplies. This would not happen if used thermostats were collected and recycled properly. Mercury is toxic to brain and nerve cells and causes birth defects. This bill was sponsored by Assemblyman Sweeney and Senator Grisanti.



Grisanti

### Bad Climate for Change

Despite general agreement on the need to take action in both houses, the Senate and Assembly failed to come to an agreement on legislation to require aggressive action to curb climate change and boost energy efficiency. Each house proposed its own ideas and nothing was accomplished.

### Waiting for a Better Solution

Neither house passed any transformational legislation that would protect the Adirondack Park's environment or economy from invasive species. Some invasives are already in the Park. More are knocking at the door. Everyone agrees there is a need for action, and almost every year, some progress is made at the state level. However, the problem is still expanding. Several local governments have taken action, but a statewide solution is needed. The Adirondacks need leadership in the way we educate people about, prevent, field rapid response to, and control invasive species, instead of incremental changes. A grander state response is needed, and it's needed now.

## Senate

### Quieter = Less Expensive

Senator Joseph Griffo, R-Rome, convinced his house to pass a bill that would allow towns to designate roads with less than 400 vehicle trips a day as "low volume roads." This will allow for reduced maintenance and associated costs on such roads, without compromising safety. These roads are common in the Park and current mandatory maintenance standards are expensive.



Griffo

## Bigger ATVs = More Damage

Sen. Patty Ritchie, led the Senate's efforts to approve a larger class of all-terrain vehicles (ATVs) to go where smaller ATVs are currently allowed. These newer machines weigh up to 1,500 pounds and can carry four passengers, plus cargo. Currently, only ATVs weighing 1,000 pounds or less can be registered by the Department of Motor Vehicles. These larger, heavier machines can do more damage to lands that already suffer from ATV abuse. This legislation did not become law.

## Tons More Trouble

Senator Griffo sponsored a bill that would allow all-terrain vehicles as heavy as 2,000 pounds to use the same roads and trails current ATVs do. These bigger machines will do more harm to trails and roads than average ATVs. The bill did not pass.

## Assembly

### Preparing for More Storms

The Assembly passed a bill sponsored by Environmental Conservation (EnCon) Chairman Sweeney that would require increased storm capacity and potential for sea level rises to be factored into the design of any project approved or funded by state agencies. Environmental infrastructure failed during extreme weather events including tropical storms Sandy, Irene and Lee. Recent record rainfalls have led to system failures at sewage treatment plants that resulted in discharges of raw sewage into rivers, streams and bays, and shut down public water systems.



## 80/40 on Climate Change

For the sixth consecutive year, the Assembly passed a bill sponsored by EnCon Chairman Sweeney that would reduce the volume of carbon dioxide and other climate changing gases emitted in the state by 80 percent over the next 40 years. This bill is consistent with the state's policy for combating climate change and is aligned with current scientific projections for the level of cuts needed to reverse current trends. The Senate did not consider a companion bill.

### Seeing the Light

Assemblyman Brian Kavanagh, D-Manhattan, sponsored a bill that would limit the amount of mercury used to manufacture compact florescent light bulbs (CFLs). Mercury is a potent neurotoxin that can damage organs and cause birth defects when mercury products are disposed of improperly. This bill was passed by the Assembly.

## COURTS

### Appeals to High Court

In June, the U.S. Supreme Court agreed to hear an appeal from the U.S. Environmental Protection Agency of an August 2012 U.S. Court of Appeals split-decision that struck down the Cross-State Air Pollution Rule. This rule would require significant cuts in the air pollution that causes acid rain, soot and smog, and is designed to prevent emissions in any one state from harming states located downwind of it. It would apply to 28 states east of the Rocky Mountains.

### Neither Arbitrary nor Capricious

In April, the U.S. Supreme Court refused to hear an appeal from the American Petroleum Institute (API), upholding a 2012 appellate court ruling that said the Environmental Protection Agency had acted properly when it strengthened the

National Ambient Air Quality Standard for nitrogen dioxide. The newly created one-hour standard, to which API objected, is designed to curb short-term spikes in emissions, which epidemiological studies have shown can sicken and shorten the lives of people who live and work nearby.

### Court Says Towns Can Do It

In May, a panel of justices from the NYS Supreme Court's Appellate Division unanimously upheld two town laws in Dryden and Middlefield designed to prevent water pollution by banning certain commercial activities, including natural gas exploration and development. These two decisions have been appealed to the Court of Appeals.

### Wilderness Does Not Violate Rights

In November 2012, U.S. District Court Judge Gary Sharpe dismissed with prejudice a 2010 lawsuit against the state brought by Maynard Baker, a Warrensburg floatplane pilot, who wanted the state to allow floatplane traffic on 38 lakes in Adirondack Park Wilderness, Primitive and Canoe areas. All motorized travel is banned in those areas of the Forest Preserve to protect wildlife and water purity. Sharpe rejected Baker's argument that the state's prohibition of motorized traffic in these areas violated the Americans with Disabilities Act. Motorized wheelchairs and other conveyances for people with disabilities are legal on all public lands and waters in the Adirondack Park.



## EPA Must Follow the Science

In July, the U.S. District Court of Appeals for the District of Columbia Circuit told the Environmental Protection Agency (EPA) it could not ignore its responsibility to set Secondary National Ambient Air Quality Standards. The EPA had set the secondary standard at the same level as the primary standard without an explanation. Both standards are part of the Clean Air Act, but the primary standard is supposed to limit pollution in an effort to protect human health. The secondary standard is supposed to protect public welfare, including soil, water and wildlife. This is important to the Adirondack Park, where acid rain damage to the environment affects both human health and public welfare every day. The court ordered the EPA to set a secondary standard based on scientific data.

## THANK YOU MEMBERS!

You make a difference when you:

- ✎ write letters or make calls to policymakers
- ✎ keep up-to-date on issues
- ✎ write letters to the editor of your local newspaper
- ✎ spread the word when action is needed
- ✎ join online discussions and speak up for the Park
- ✎ encourage family and friends to get involved

Sign up for our email updates at [AdirondackCouncil.org](http://AdirondackCouncil.org) and follow us on Facebook and Twitter, so you'll be sure to know when your actions are needed to make a difference for the Adirondack Park.



Results Matter.

# ATTORNEY GENERAL

## Settling for Clean Air

In February, after finding violations of the Clean Air Act, NYS Atty. Gen. Eric Schneiderman joined with counterparts from seven other states to net further cuts in air pollution at 16 of American Electric Power (AEP) plants. AEP admitted to violations at its Midwest coal-fired power plants which harmed the Adirondack Park. A 2007 settlement required AEP to invest nearly \$5 billion in pollution controls and pay eight downwind states \$24 million in compensation. Aside from paying an additional \$715,000 to fund environmental and public health programs, AEP agreed to this year's settlement and further cuts in emissions in exchange for greater flexibility in how they achieve pollution cuts.

## Remedies for Adirondacks

In January, Attorney General Schneiderman used the proceeds from a Clean Air Act settlement with Duke Energy to create a grant program for non-profit organizations that want to help restore Adirondack waters damaged by acid rain. Duke owns power plants

once operated by Cinergy Corp., which admitted to violations of the federal Clean Air Act. The \$400,000 grant program was established under the guidance of the NYS Energy Research and Development Authority, which will review the applications and choose grant recipients.

## Appealing Argument

In April, Attorney General Schneiderman joined his counterparts in nine states and the attorneys for five cities in filing a brief with the U.S. Supreme Court urging the justices to hear an appeal regarding the suspended Cross-State Air Pollution Rule. The rule that was struck down in August 2012 by a mid-level federal appeals court would require significant additional cuts in sulfur dioxide and nitrogen oxide emissions from power plants in 28 states east of the Rocky Mountains. In June, the Supreme Court said it would hear the appeal.



Schneiderman

## Guiding the Rafting Business

Attorney General Schneiderman helped restore public faith in the recreational rafting industry in the Adirondack Park by successfully suing a company that reportedly sent rafters on a trip with an unlicensed, intoxicated guide and transported them in a bus with an unlicensed driver. Legal action against the Hudson River Rafting Company sent a strong message to the rest of the industry, and allowed companies with excellent safety records to distinguish themselves.

## Fuming Over Methane Pollution

In December 2012, Attorney General Schneiderman joined colleagues in five states in filing a Notice of Intent to Sue the U.S. Environmental Protection Agency (EPA) for ignoring methane emissions from oil and gas production wells. Methane emissions from oil and gas wells are not subject to the same pollution control regulations as power plants and other industries. Schneiderman noted that the EPA missed a Clean Air Act deadline for setting standards to limit methane emissions from fossil fuel production.



## The Ecological Importance of Wilderness Management

The recent acquisition by the State of New York of the above former Finch-Pruyn/Nature Conservancy (TNC) lands gives us a great opportunity to make history. The forested lands and water bodies of the Essex Chain of Lakes and other associated tracts are biologically rich. The Adirondack Council and our partners support protecting the most sensitive of these lands, the lakes and the Hudson River Gorge in a new 38,000-acre, motor-free Wilderness.

According to the New York Heritage Program, these lands and waters contain 64 rare species, including 13 globally significant plant and animal species and 37 additional species of significance within the state. At the Council, we pay attention to the uniqueness of the land and to the scientists who study how wild places and wild things are ecologically connected. We incorporate this critical input into our decision making process regarding advocacy for management of public lands.

In advocating for Wilderness management of the Essex Chain and the Hudson Gorge, the Council doesn't discount the importance this land had as working forest, the historical use of hunting camps or the enormous recreational potential for the surrounding communities.

But physical and biological characteristics of the land and waterways are fundamental considerations in management. The State Land Master Plan (SLMP) says so. The type of soil, elevation of mountain peaks, the condition of the waterbodies, the types of wetlands, and the existence of rare or threatened species on these lands must be incorporated in the decision

making. Management of the lands classified in the Forest Preserve shall be determined by "their characteristics and capacity to withstand use." The most sensitive and unique should be the most protected with Wilderness management. Wilderness management will bring economic advantages, such as ecotourism, to surrounding gateway communities.

The Adirondack Park Agency has stated that the region where the former Finch/TNC lands are located is in one of five areas of Temperate Deciduous Forest identified for restoration or protection in the United States. These forests "represent the most fragmented and degraded closed forest habitat on the planet" with the "largest area of unbroken forests greater than 100,000 acres in the Adirondacks." Known as "matrix blocks," these forest blocks combine a number of physical characteristics and biological considerations such as forest health and valuable wildlife habitat, including over 180 miles of rivers and streams, 175 lakes and ponds, 465 miles of undeveloped shoreline, and over 1,800 acres of wetlands, to create conservation priorities of the highest order.

For the biologists who have surveyed these lands and spent hours in the field cataloging the species found there, the story of these lands and how the next chapters will be written depends greatly on how much of their work gets incorporated into the discussion and decision making. While subplots abound, the true story of the Finch/TNC lands is how closely the attributes of this terrain match the core scientific principles of Wilderness. It is a compelling story, hopefully one with an equally compelling and wild ending.

Rocci Aguirre, Conservation Director



## Thank You for Speaking Up for Wilderness!

Your recent letters and emails to the Adirondack Park Agency (APA) and the Governor's office helped make sure policymakers got the message that Wilderness matters! Public comments ran 4:1 in favor of a Wilderness designation. When you share your commitment and passion for the Adirondack Park it makes a difference. Thank you!

There is still a long way to go in the effort to classify and manage the former Finch-Pruyn/Nature Conservancy lands to be sure their ecological treasures are protected and managed for their Wilderness values. As we go to press with the State of the Park report, the APA Board of Commissioners is anticipating the presentation of the staff's recommended classification for the Essex Chain.

The final recommendation and the state's decision could be made this fall. Please keep a vigilant eye for future Action Alert updates. We will be calling on you again when it's important to make your voice heard and tell Governor Cuomo once again that Wilderness matters!



### Adirondack Council Member Public Comment

*A truly 'wild' trip, into a place that is devoid of motors and the ever expanding conveniences we have come to expect in our daily lives, is something that will only become more rare and therefore more valuable to our communities over time. We have the chance to offer a wilderness experience on an almost unprecedented level with a Wilderness classification of these lands."*

### The New York Times Editorial, September 1, 2013

*"Andrew Cuomo's immediate task is to decide how the first segment of these forest preserves and nearby forest lands — about 39,000 acres — will be classified. ....Some people would open the entire area....to snowmobiles and four-wheeled vehicles....Some wilderness advocates would put the area off limits except, say, to backpackers....An attractive compromise endorsed by the Adirondack Council, an advocacy group, would allow motorized vehicles like snowmobiles on paths between towns and in less fragile areas. But most of the area would be preserved as wilderness where people can hike and canoe."*

***Above:** Looking north over the Essex Chain of Lakes toward the High Peaks. The new Forest Preserve tract contains 11 lakes and ponds that will provide the public with a spectacular seven-mile canoe route.*

Photo © Carl Heilman II/Wild Visions, Inc.

# LOCAL GOVERNMENTS

## Unified Action on Invasives

This year, officials in Essex, Warren and Washington Counties worked together to protect Lake George by enacting tough local laws banning the transport or introduction of invasive species. They also successfully pressed the state's Lake George Park Commission to approve a plan for mandatory boat inspections at all public launch sites starting in the spring of 2014.

## Upon Close Inspection

The Warren County Town of Chester in June imposed the Adirondack Park's first mandatory boat inspection program. All boats entering Loon Lake must be inspected by a steward at the public launch, or at the local marina after the launch closes for the day. Boats and trailers found to be carrying invasive species must be decontaminated before launching.

## Dirty Job, Clean Water

The Town of Lake George announced this spring that it would be inspecting all septic systems at homes and businesses within 500 feet of the lake and within 100 feet of a tributary stream. Untreated sewage from a faulty septic system can over-fertilize a stream or lake, quickly causing cloudy water, weed growth, and bacterial buildup that can make the water toxic. State law only requires septic system inspections when the system is first installed.

## Adirondack Style

The Village of Tupper Lake Planning Board welcomed Aubuchon Hardware's plan to build a new, larger store, but insisted on design specifications that require Adirondack-style architecture. Planning officials said they want the building to be attractive from all sides, since the back will face a lakeshore park.

## Giving it Another Try

The St. Armand Town Board is moving toward creating a local zoning and land-use code for the first time in almost 40 years. The town had attempted to draft a code in the 1970s, but it was rejected amid controversy over the newly created Adirondack Park Agency (APA). Modern local land-use controls will give the town jurisdiction over all development projects with strictly local impacts. Only projects with a regional impact would require a permit from the APA.

## An Educated Decision

Saranac Lake Central School District saved more than 6,500 gallons of fuel oil and \$13,000 in December 2012 alone, compared with December 2011, after replacing its oil-fired heating system with a wood-fired one. The school worked with the NYS Energy Research and Development Authority and Department of Education to pay for the new system, leaving less than 10 percent of the \$513,000 cost for local taxpayers to cover.

## Great Way to Go On-line

The isolated Town of Thurman worked with state and Warren County officials to devise a creative solution to its lack of internet service by designing a system that uses radio-wave "white space" between digital television signals to transmit high-speed internet communications. The town won a \$200,000 grant to provide service to about 90 homes. It will also offer public computer access and digital training to town residents.

## Cooperation = Restoration

In May, the Essex County Soil & Water Conservation District partnered with the Ausable River Association, the Adirondack Chapter of Trout Unlimited and the US Fish and Wildlife Service to lead a stream-restoration effort

involving more than 100 volunteers on the East Branch of the Ausable River in Keene. That section of river was heavily damaged by Tropical Storm Irene in 2011. Volunteers planted more than 2,500 native trees, restoring 54,000 square feet of river buffer. Funding for the trees came from the NYS Environmental Protection Fund's Waterfront Revitalization Program.



*Ongoing restoration of Johns Brook, Keene Valley, NY, September 2013. Photo courtesy of Ausable River Association*

## Blueway is New Way

The Town of Colton's Tourism and Beautification Committee is working to make the community and the Raquette River more pedestrian-friendly and accessible. In May, the committee built and displayed the first of a series of river-corridor information and environmental interpretation kiosks that will mark the newly designated Raquette River Blueway. A total of 15 Blueway kiosks are planned between Raquette Lake and Massena.

## One is Better Than Two

School officials and voters in Northville and Mayfield, Fulton County have granted preliminary approval to a plan to merge the two school districts into one. Now both communities must hold a binding referendum. A merger would reduce annual expenses for each district, and potentially bring in nearly \$20 million in additional state aid to the district over its first 15 years of operation.

## It is Good to Share

Saratoga County's rural Hadley-Luzerne Central School District and adjoining Corinth Central School District have agreed to share the costs of providing high school elective courses that would otherwise be eliminated by budget cuts. Both districts are discussing sharing of transportation, special education, cafeteria management, and business offices. By splitting these costs, both districts can reduce their budget shortfalls and retain key faculty and buildings.

## Safer Water for Ti

The Town of Ticonderoga is working on a \$13.8-million improvement to its drinking water system. The town will stop using surface waters from Lake George and Gooseneck Pond and switch to underground sources. State and federal regulations require surface waters used for drinking supplies to be filtered and/or treated with chlorine to remove bacteria.

## The Bird is Not the Word

In June, members of the Essex County Board of Supervisors successfully pressured the Adirondack Park Agency



*Bicknell's Thrush*

(APA) to modify a permit condition designed to protect breeding Bicknell's Thrush. The permit would have required the county to conduct a biological study of the impact of building a mountaintop radio equipment structure on Little Whiteface Mountain. The county would have to show that using heavy construction equipment would not negatively impact the Bicknell's Thrush which is in danger of extinction. Instead, the county's complaints led the state to alter the permit so construction could proceed before the study was completed.

*Bicknell's Thrush Photo © Larry Master, masterimages.org*

## Keep the Old, Out with the New

Rather than sort through some of the misplaced worries expressed at its April meeting, the Ticonderoga Town Board rejected four years of work by its planning committee on an update of the 30-year-old local zoning code.

## Annual Hosting of Destruction

Lewis County again hosted an annual all-terrain vehicle rally just west of the Adirondack Park, on the Tug Hill Plateau, in mud season. The event has continued for 10 years, despite the serious injuries, arrests and the damage done to public and private lands and waters. Each year videos are posted on-line showing participants drinking and driving, plowing through streams, overturning in ponds, trespassing, and ruining forest trails. This year, a second, smaller event was also held inside the Park.



## GIVE AT THE OFFICE!

Take advantage of a convenient way to support the Adirondack Council!

You can make a gift to the Adirondack Council by payroll contributions through EarthShare New York's workplace giving program at numerous private companies, many state and municipal government organizations, and in the Combined Federal Campaign (CFC), by selecting #22101 on your pledge form.

Contributions to EarthShare New York support a broad range of charities committed to protecting public health and our air, land, water and wildlife.

To find out more about how you and your workplace can support the Adirondack Council through an EarthShare New York charitable giving campaign, visit their website at: [earthsharenyc.org](http://earthsharenyc.org).

Thank you to Adirondack Council members who contribute through their EarthShare workplace giving campaigns. We appreciate your interest in protecting the Adirondack Park.

The Council accepts no government funding. We count on generous supporters to fund our advocacy efforts. Please visit our website to make a contribution, learn how to make a gift of stock or a planned gift, purchase Adirondack books and other gifts. Thank You!



# DEPARTMENT OF ENVIRONMENTAL CONSERVATION



## Lower Cap, Cooler Park

The Department of Environmental Conservation (DEC) worked with officials from the Regional Greenhouse Gas Initiative (RGGI) to reduce the regional carbon cap by 45 percent this year, from 165 million tons to 91 million tons. RGGI is a government-mandated carbon emissions reduction program for electric power plants in nine Northeast states, from Maine to Maryland (not New Jersey). The Adirondack Council's Cool Park/Healthy Planet Program gives you the opportunity to reduce the regional carbon cap further by helping us acquire and retire carbon allowances.



## Lakes and Forest Preserved

In December 2012, the state purchased the Essex Chain of Lakes tract in the



DEC  
Commissioner  
Martens

Town of Minerva, Essex County, from the Nature Conservancy (TNC) for \$12.3 million. The property was formerly owned by Finch-Pruyn. This was the first of three planned state purchases of a total of 69,000 acres from TNC.

In April, the state also purchased from TNC the OK Slip Falls tract in Indian Lake, the Indian River tract in Minerva and Indian Lake, which includes the Blue Ledges, a stunning marble cliff where rare mosses grow, and the Casey Brook tract in North Hudson. See thumbs up article in the Governor's section, *Governor Cuomo Keeps His Promise*.



## Antacids for Sour Lake

Working in cooperation with the NYS Energy Research and Development Authority, the Adirondack Lakes Survey Corp. and lake ecologists, the DEC has been attempting to rehabilitate the badly acidified Lyon Lake in the Town of Webb, amid the Five Ponds Wilderness. Lyon Lake is one of many small lakes and ponds in the western Adirondack Park that has been damaged by acid rain for so long that its watershed cannot rebound even though pollution levels have dropped dramatically. Decades of acid rain have consumed so much of the alkaline minerals in the soil, there is too little available now to neutralize even slightly acidic rain. The soils are expected to recover their natural balance over time. However, the DEC wants to see if the process can be sped up with small investments in lime and personnel.



## A Long, Long Trail

The DEC, in cooperation with the Department of Transportation, agreed to consider reopening the Unit Management Plan for the travel corridor in which the Adirondack Railroad is located. The railroad runs from Lake Placid to Remsen in the Park's southwest corner, and on to Utica. Short sections in Old Forge and Lake Placid are used for sightseeing tours, but most of the 120-mile track is currently unused. Trail advocates want to remove the tracks to create a hiking, biking and snowmobile trail. Rail advocates want to keep the two existing businesses and invest in upgrades to the entire rail line. The Adirondack Council wants the state to maintain the travel corridor so it can be available as a trail, even if the state decides to remove the rails.



## More Land for Preserve

In April, the DEC purchased 2,460 acres near Lake George and added them to the Forest Preserve. The Cat and Thomas Mountain tract, a 1,900-acre property in the Town of Bolton, Warren County, was previously acquired by the Lake George Land Conservancy and sold to the state for \$1.5 million. The state also purchased the 565-acre East River Road Tract in Bolton from the Adirondack Nature Conservancy for \$381,000. It was formerly owned by Finch-Pruyn. The purchases were made through the Environmental Protection Fund.



## An Over-Loved Lake

The DEC announced it would close a series of unofficial and overused campsites on Mason Lake, north of Speculator, as was called for in the Jessup River Wild Forest Unit Management Plan (UMP). The UMP was approved in 2006 giving residents seven years to grow accustomed to the idea. There are now 10 official campsites on the lake, with one new camping area for groups of 10 to 20 people, and all will be out of sight and sound of each other.



## Coalmine Canary for Mercury

In the fall of 2012, the Adirondack Lakes Survey Corporation (ALSC) collected and analyzed dragonfly larvae in acidic Adirondack lakes and ponds in a new study of mercury pollution in the food web. The ALSC worked in partnership with the Univ. of Maine, Maine Sea Grant, the US Geological Survey, and Dartmouth College. This team has been testing the concept of using dragonfly larvae as indicators of how contaminated with mercury the food web has become in northeast lakes and streams. Dragonfly larvae live in the water for the first year or more of their lives.

Interested in exploring the new Forest Preserve lands? Limited public access is being provided through an *Interim Access Plan for the Former Finch Lands*. This temporary plan will allow the public to enjoy these lands prior to final land classification by the Adirondack Park Agency this fall. Please check out the Department of Environmental Conservation website for trail and access information.



## 👍 Rec Plan For Easements

The DEC is working on an initial draft of the Sacandaga West Working Forest Conservation Easement Recreational Management Plan for 3,200 acres of timberland. These lands were formerly owned by Finch-Pruyn. The DEC purchased the easement in 2010 when the lands were sold by the Nature Conservancy to Upper Hudson Woodlands ATP. The conservation easement protects these lands from development, opens them to public recreation and ensures the ability to continue logging. An initial draft of the plan is expected to be completed in late 2013 or early 2014.

## 👍 Bringing Birds Back

In April, the DEC approved a recovery program for spruce grouse, which are listed as endangered in New York.



*Spruce Grouse*

The DEC plans to release nine captured Canadian females, their young and three males on Forest Preserve in Franklin County this year. The birds will carry radio transmitters so

biologists can track them. Currently, there are about 75 to 100 spruce grouse living in the Park on both public and private lands.

## 👍 Unit Plans Showing Promise

The DEC's newest Unit Management Plans continue to show promise in their systematic removal of unused, dead-end and redundant snowmobile trails. The department is attempting to relocate snowmobile trails away from the interior of Forest Preserve parcels and off of lakes and rivers to make them safer and more environmentally friendly.



## 👍 New Technique Sinks In

The DEC will install a new type of porous pavement for the public road and parking lot at Million Dollar Beach at the south end of Lake George. The pavement will allow rain and storm-water runoff to seep into the ground beneath the road and parking lot instead of running over them into the lake. This will help to remove sand, salt, fertilizers, and other materials from runoff before it enters Lake George.

## 👍 Trees Trim Erosion

The DEC's Trees for Tributaries program helped pay for 2,500 saplings used to re-stabilize the banks of the East Branch of the Ausable River in May after storms Irene and Lee left the banks eroded and sagging.

## 👍 It's a Thirsty World Out There

In November 2012, the DEC finalized its new regulations governing large withdrawals of water from state sources for commercial purposes. The DEC will now track all commercial operations using 100,000 or more gallons per day. It will phase in the mandatory reporting requirements over the next five years. Over time, the DEC will be able to develop a state water budget and track where this resource is being used, sold and moved to other parts of the nation.

## 👎 Spill, What Spill?

The DEC has not yet proposed rules to implement a new law requiring municipal governments to report sewage spills to the public within two hours. Without these regulations, municipalities do not know how to carry out this new law. Too often, sewage spills into lakes and rivers are known only to work crews in charge of stopping them or are reported to the media long after they occur. Meanwhile, people swim, fish and boat in contaminated waters, unaware of the contamination.

## 👎 DEC Bags Bobcats

In June, the DEC formally approved new regulations based on its Bobcat Management Plan. The Plan more than



*Bobcat*

doubled the length of bobcat trapping season, from seven to 16 weeks in the Northern Zone which encompasses a large portion of the Adirondack Park. This change will make the new trapping season match up with the hunting season for bobcat, which runs from October 25 to February 15. The DEC said the change will make it easier for its limited personnel to manage both seasons. The change may prove a poor one for bobcats. State data on the bobcat population in the Park is insufficient to address the impacts this longer trapping season will have on this unique predator.

## 👎 Supposed to be a Trail

The Adirondack Council and others raised concerns over the DEC's design and maintenance plans for the first major section of "community connector" snowmobile routes on the Adirondack Forest Preserve. They were developed according to the new "Guidance" adopted November 2009. The 12-mile trail from Seventh Lake to Inlet is much wider than conventional foot trails and is slated to be maintained by mechanical groomers. The DEC cut down 2,200 trees to complete it, despite using an old logging road for a portion of the new trail. The Adirondack Park State Land Master Plan requires snowmobile trails to retain the character of foot trails, and only allows snowmobiles on trails, not vehicles such as trail groomers.

The Council filed two lawsuits early in the planning process in an effort to alter the DEC's approach. It lost both suits on technical grounds before the merits of the cases could be heard. The Council understands that snowmobiling is an important part of the winter economy in some Park communities, and doesn't oppose it on carefully designed trails.

*Spruce Grouse and Bobcat Photos © Larry Master, masterimages.org*

# ADIRONDACK PARK AGENCY

## Clear-Cut Reasons to Stop

After receiving a flood of faxes and letters identifying significant issues, the Adirondack Park Agency (APA) suspended the processing of its proposed general permit to expedite the approval of clear-cutting on private land in the Park. If approved, the general permit might have opened the door to clear-cutting on as many as two million acres of private timberland. While clear-cutting can be used to encourage even-aged growth of certain tree species, it is hard on wildlife, and must be carried out carefully to avoid widespread erosion, water pollution and landscape scars. APA staff said they will move to update outdated forest management regulations through the proper process, as the Adirondack Council suggested.

## We Can Hear You Now

Over the past year, the APA has approved the location and design of a large number of cell towers for underserved Park communities and roadways without compromising the visibility standards of its towers policy. The gaps in coverage along the Adirondack Northway (I-87) are nearly gone.

## Townsend Returns to APA

In January, Park Agency Executive Director Terry Martino announced she had hired former APA Commissioner James Townsend of Rochester and North River to be the agency's new chief counsel. Townsend proved himself to be an excellent commissioner from 1999 through 2010, including time spent as chair, all of which gave him a decade of experience with agency procedures and rules.



Townsend

## Better Complex Planning

In January, the APA advanced the cause of Wild Land Complex Planning when it approved the Taylor Pond Wild Forest (TPWF) Unit Management Plan. The TPWF consists of 26 separate parcels stretching across three counties from the shores of Lake Champlain to Saranac Lake. Plans include closing dead-end and redundant snowmobile trails; closing an illegal boat launch while opening a new one in a better location; establishing a new mountain bike trail system; and, arranging better parking for trails to popular mountain peaks.

## Birds are an Inconvenience

In June, the APA modified a permit condition that had been designed to protect the breeding habitat of the Bicknell's Thrush. Under apparent outside pressure, the Park Agency altered a permit which required a study of the impact of the construction of a radio equipment structure on Little Whiteface Mountain. It allowed construction to proceed before the study was completed.

## A Clear-cut Mistake

In November 2012, the APA drafted a General Permit that would have offered blanket permission to clear-cut more than 25 acres without a government review of the plans beforehand. The APA dropped this general permit plan in February after receiving a surge of public complaints that identified problems. See thumbs up article, *Clear-Cut Reasons to Stop*.

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## Commissioner Wray Retires

Cecil Wray of Manhattan and Keene Valley retired as a member of the Adirondack Park Agency (APA) Board of Commissioners on June 11 after 14 years of service. He was praised by staff and fellow commissioners for his legal expertise, wit and devotion to the Adirondack Park. Wray mentioned he was nearing 80 years of age and the 300-mile monthly drive to every meeting was growing difficult. He was a strong advocate for environmental protection and wilderness. Wray was appointed to the board in 1999 by Gov. George Pataki. Wray retired as senior partner at the law firm Debevoise & Plimpton in 1997. Before that, he served as a law clerk to U.S. Supreme Court Justice Tom C. Clark. Hudson attorney Karen Feldman was appointed to fill his vacancy and was confirmed by the Senate in late June.



Wray

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## Arthur Savage, 1927 – 2012

The Adirondack Park lost one of its staunchest advocates on Dec. 26, 2012 when Arthur V. Savage passed away at the age of 86. He was born in NYC and lived in Pelham. He earned a BA from Princeton University in 1948 and a law degree from Harvard in 1952. Arthur practiced law in NYC for more than 60 years. He was a director on the board of the Association for the Protection of the Adirondacks, Parks and Trails New York and the Adirondack Mountain Reserve. He was a founding director of the Adirondack Museum and the Adirondack Nature Conservancy. He was appointed to the Adirondack Park Agency Board of Commissioners by Gov. Hugh Carey in 1979 and served with distinction until 1997. A long-time supporter and advisor to the Adirondack Council, his Dec. 31, 2012 NY Times obituary, noted that in lieu of flowers, donations may be made to the Adirondack Council.



Savage



# FEDERAL GOVERNMENT

## Obama Directs Deep Cuts

In September, the Obama Administration announced that the U.S. Environmental Protection Agency (EPA) would require deep cuts in greenhouse gas emissions from all new power plants. The EPA said it would require new gas-fired power plants to emit no more than 1,000 pounds of carbon per megawatt hour of power produced. Modern coal-fueled plants emit about 1,800 pounds per megawatt hour, but will be limited to 1,100 pounds. To meet that goal, they will need to install new pollution-control technology. The EPA also announced that it would set carbon emissions standards for existing power plants, due in June 2014.

## Obama Directs Action

In June, President Barack Obama said he would direct federal agencies to take action to combat climate change, since Congress has been unwilling to act. He directed the U.S. Environmental Protection Agency to work with states to create uniform carbon pollution standards for both new and existing power plants; made available \$8 billion in loan guarantees for energy efficiency projects; and made a major investment in renewable energy installations at military bases and public housing. The plan sets a goal to reduce carbon pollution by at least 3 billion metric tons by 2030.



## California Goes National

In April, the EPA set tighter limits on sulfur in gasoline and fuel efficiency for automobiles, mimicking standards already in place in California. They will go into effect in 2017. The so-called Tier 3 standards would reduce sulfur in gasoline by more than 60 percent and reduce nitrogen oxides by 80 percent, two main ingredients in smog, soot and acid rain.

## Division Leader Rises

In February, President Obama nominated Gina McCarthy, former Deputy



Director for Air and Radiation, as his new EPA Administrator. McCarthy replaces Lisa Jackson, who was given the Adirondack Council's 2012 Conservationist of the Year Award. Jackson won the award mainly for the EPA's work in curbing mercury emissions and the pollution that causes acid rain.

## Here's the Beef!

In October 2012, Congressman Owens, D-Plattsburgh, Sen. Schumer, D-NY, and the U.S. Department of Agriculture's Office of Rural Development announced a 30-year, \$900,000 Business and Industry Guaranteed Loan to build the Adirondack Meat Company, a slaughterhouse in Ticonderoga. Other funding has come through the state's North Country Regional Economic Development Council. The operation is expected to create 12 to 17 full time jobs and provide a service needed by farmers raising local meat.



## New Standard Fine

In December, the EPA set a new, stricter standard for emissions of fine particles of soot – 2.5 microns or less – from cars, power plants, drilling operations, and commercial boilers. Fine particles of soot lodge in the lungs and cause damage, especially in children. The Bush Administration set a standard in 2006 that was nullified by a federal court in 2009 for being insufficient to protect public health. The EPA was supposed to issue a new standard by October 2011, but when it did not, several states and environmental organizations filed a lawsuit.

## Feds Fight Lack of Funding

This summer in the Park, U.S. Senators, Kirsten Gillibrand, D-NY, and Charles



Schumer, and the Adirondack Park's main congressional member, Bill Owens, promised to deliver additional federal money to combat the introduction of non-native plants and animals that can alter ecosystems and cost

millions of dollars to eradicate. All three said it was better and cheaper to prevent introduction than to attempt eradication. In June, Gillibrand and Owens introduced the Invasive Fish and Wildlife Protection Act aimed at stopping the spread of invasive species in New York.

## Saving the Alarms

In September, Senator Schumer announced he had found funding for 21 stream water-level gauges and prevented their planned Oct. 1 closure due to the federal budget sequestration. Of the 21 gauges, 15 received long-term funding, while the other six will be funded at least through 2014. Stream gauges are operated by the U.S. Geological Survey, but are used



by many local, state and federal entities. The National Weather Service uses them to provide flood forecasting and warning information. They are also used by hydro-power dam operators, fisheries managers and scientists to determine when water levels are correct for power production and supportive of aquatic ecosystems.

## Passing on Good Science

The EPA has refused to better regulate the smokestack emissions that cause ground-level ozone (smog) and acid rain in the Adirondack Park. As part of the Clean Air Act, the EPA was supposed to set both a primary and secondary National Ambient Air Quality Standard for ground-level ozone. The primary standard was designed to protect human health.

The secondary standard was supposed to protect public welfare, including water, forests, and wildlife.

The EPA simply set the secondary standard the same as the primary, without explanation. In July, the EPA was ordered by a federal court to explain why it couldn't set a secondary standard based on available science which shows that cutting ozone further would help lakes and rivers in places like the Park recover more quickly from acid rain.



# OTHER AGENCIES

## Commission Tackles Invasives

In July, the Lake George Park Commission (LGPC) approved an invasive species control plan for the lake basin that includes the first mandatory boat inspection law on a major Adirondack lake. Although the Commission must still approve a formal rule, and determine the precise funding source, mandatory inspections and decontaminations will begin in the spring of 2014.

This summer, the LGPC also issued its first tickets to boaters who allegedly violated new local laws by launching boats with Eurasian Watermilfoil attached and for transportation of invasive Water Chestnut. In addition, the LGPC reported that the lake has been cleared of 85 percent of non-native milfoil without the use of chemical herbicides.

## EFC Cleans H<sub>2</sub>O

Last fall, the NYS Environmental Facilities Corporation provided \$2 million in grants and 30-year, zero-interest loans to the Town of St. Armand for sewage treatment system upgrades that its 1,500 residents could not afford on their own. The upgrades will help clear up persistent issues with water quality in the plant's effluent, which flows into Sumner Brook and the Saranac River.

In September, the Town of Clifton received a \$2-million grant and a \$667,000 no-interest loan for wastewater collection and treatment; the Town of Essex received a \$1.14-million grant and

a \$2-million interest-free loan for a new drinking water system; and, the Village of Corinth received a \$9-million no-interest loan to install a filtration system on its existing waterwells.

## Nodding in Agreement

The NYS Department of Transportation (DOT) responded to a YouTube video made by Town of Newcomb Planning Board member Paul Hai and North Creek videographer Matt Klippel, who were frustrated with the deteriorating condition of State Route 28N, from North Creek through Newcomb to Long Lake. The humorous video illustrated the jarring ride, massive holes in the road and auto parts littering the roadside, and even employed a bobblehead doll to illustrate what drivers and passengers were experiencing. The DOT adjusted its maintenance and reconstruction schedule for that stretch of highway and work began this summer.

## Reminder: Check Your Boat

In May, the NYS Department of Motor Vehicles agreed to work with the Adirondack Landowners Association and the Department of Environmental Conservation to place educational materials in all boat registration renewal mailings about the need to avoid the spread of aquatic invasive species. These written reminders to clean hulls, trailers and bilges will help check the spread of non-native plants and animals.

## Rebuilding for the Next Storms

The Department of Transportation is working with the Adirondack Nature Conservancy to determine where replacing older highway culverts with much larger models would do the most good for local wildlife. Recent weather events throughout the Park have overwhelmed existing culverts and bridges, endangering both people and wildlife as streams and rivers flowed over and around them. Well-designed culverts allow fish to swim upstream, assist wildlife and better protect communities and infrastructure in floods.

## No Resolution Yet?

The Department of Transportation has been slow to investigate and solve contaminated drinking water problems in the Town of Dannemora, which appear to stem from a DOT salt storage site. Reports in April showed that 18 homes had high chloride levels and three contained an inert form of cyanide used to prevent salt from caking. Residents have been using bottled water for two years and the DOT has provided a bulk truck for people to obtain larger amounts of water, but a permanent solution is still elusive.

# 2013 AWARD WINNER

## CONSERVATIONIST OF THE YEAR

### John and Margot Ernst

In July, the Council presented the Conservationist of the Year Award for 2013 to conservation pioneers, nonprofit leaders and Adirondack philanthropists John and Margot Ernst. They have devoted their lives to improving the environment and the economy of the Adirondack Park.

The Ernsts' most recent major achievement was their donation of a conservation easement covering 12,000 acres surrounding Elk Lake Lodge just southeast of the High Peaks Wilderness area of the Park. Their donation means that the forests and waters around Elk Lake and Clear Pond will be protected forever from further development while it remains a private, tax-paying business and one of the Town of North Hudson's largest employers. The Ernsts gave up the rights to construct nearly 300 additional homes, plus accessory buildings on the property they donated. This easement was a crucial step

in protecting the entire landscape surrounding the state's tallest mountains and most popular wilderness destination.

The Ernsts received the award at the Adirondack Council's Forever Wild Day celebration at the SUNY ESF Ranger School in Wanakena, NY, St. Lawrence County.



*Pictured (L to R): Board Chair Ann Carmel, John and Margot Ernst, and Executive Director William Janeway.*

## TIP OF THE HAT

*Each year the Adirondack Council recognizes individuals and not-for-profit organizations whose work has advanced environmental protection and shown how nature and people can thrive together in the Adirondack Park. Those making contributions over the past year include:*

The **Wildlife Conservation Society's Adirondack Program** released a new study on the wildlife impacts caused by building new homes in the Adirondack backcountry. The study showed that building homes in otherwise unaltered habitats chased away wilderness birds and other human-sensitive wildlife for about 200 meters in all directions, or about a 30-acre envelope.

The **Adirondack Nature Conservancy** announced that \$500,000 in grants would be available to the communities that surround the Essex Chain of Lakes, OK Slip Falls and the Hudson Gorge Primitive Area to develop outdoor recreation and economic development plans. The Conservancy wants to help the gateway communities of Newcomb, Indian Lake, Long Lake, North Hudson, and Minerva benefit from its recent sale of these lands to the state.

The **Adirondack Park Invasive Plant Program** turned 15 years old this year and in March won the 2013 National Invasive Species Awareness Week Award for Outstanding Achievement in Invasive Species Leadership. Hilary Smith has lead this Nature Conservancy supported program since its inception.

The **Fund for Lake George** has been working to encourage local and state officials to enact uniform rules around the lake basin for the use of fertilizers near the lake and its tributary streams. Fertilizer use around water bodies can lead to excessive weed growth and a decline in water purity.

The **Common Ground Alliance** held its seventh annual gathering this year in Newcomb. The event was the largest so far, bringing together more than 200 community leaders, environmental organizations and other non-profits to develop a common, environmentally-friendly agenda for policy changes and funding.

The **Open Space Institute** purchased the 295-acre Marion River Carry parcel between Utowana Lake and the Marion River in January from Raquette Lake tour boat operator Dean Pohl, for \$2 million. The parcel is slated to become Forest Preserve through a purchase by 200 landowners on Raquette Lake if a Constitutional Amendment is approved in November authorizing a land swap between the landowners and the state.

The **Johanson family of Chesterfield**, Essex County, worked with the Open Space Institute to donate an easement on 1,400 acres of Poke-O-Moonshine Mountain, a popular destination for cliff and ice climbers.

**Champlain Area Trails** purchased a 97-acre parcel from the Lewis Farm of Essex for addition to a wildlife movement corridor called the Split Rock Wildway. The idea is to connect the Champlain Valley to the tallest mountains of the Park, allowing wildlife to move from one to the other.



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## Adirondack Council

The Adirondack Park is the largest park in the contiguous United States. Its wild, natural beauty is a sanctuary for wildlife and people in today's world. The Adirondack Council is the leading voice for Adirondack conservation. We are showing the world how people and nature can thrive together.

Not a member yet? Join us! [AdirondackCouncil.org](http://AdirondackCouncil.org)

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