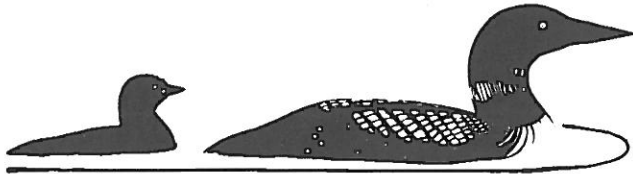


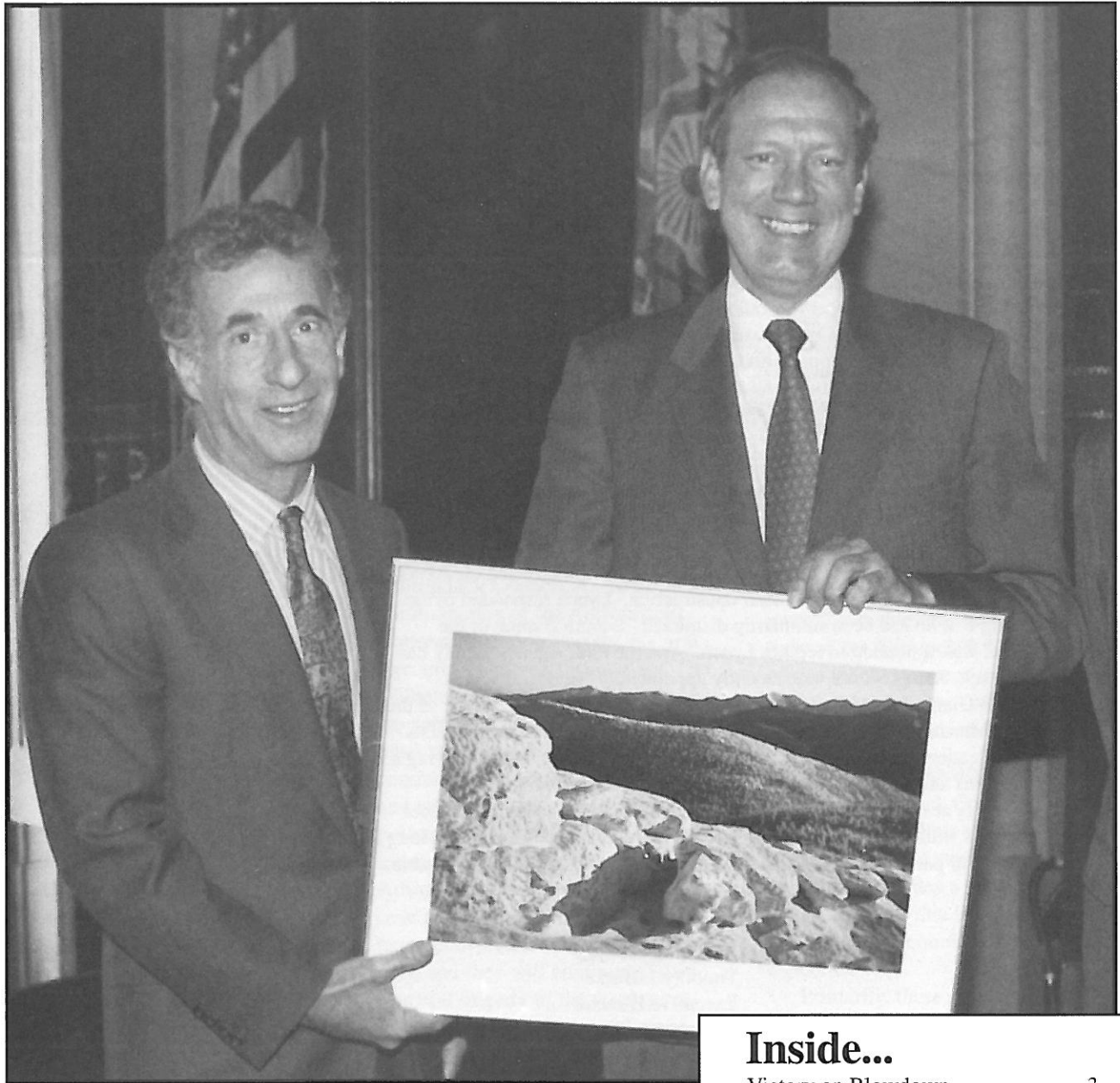
Adirondack Council



Newsletter/Spring 1996

Member Organizations: Association for the Protection of the Adirondacks, National Audubon Society, National Parks & Conservation Association, Natural Resources Defense Council, The Wilderness Society

Council Praises Governor's Blowdown Decision



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Dear Members and Friends,

Since Governor George Pataki took office in January, 1995, we have been wondering what priority the new administration would give to Adirondack issues and how strong his commitment would be to the preservation of the Adirondack Park. Both Governor Pataki and Department of Environmental Conservation Commissioner Michael Zagata have been criticized for some of their actions on statewide environmental issues. But the administration's direction on the Adirondacks had been less clear. The Adirondack Council has worked hard during this first year of the Pataki Administration to promote favorable state policies on the Adirondacks, on issues ranging from acid rain to land protection.

As Pataki's second year began, the Governor sent three positive messages on the Adirondacks. First, after intervention last fall by the Adirondack Council, the Governor's office agreed to review a proposed Adirondack Park Agency permit to allow widespread clearcutting in blowdown areas on private lands. In January the Governor announced that the permit would be redrafted to require specific protections for wetlands and steep slopes on the private lands where blowdown salvage would occur.

Second, the Governor stepped into the dispute over the proposed sale of the Essex County Landfill to a private company and a plan for large scale importation of solid waste into the Park. The Governor stated publicly that he took a dim view of importing waste into the Adirondacks and ordered the Adirondack Park Agency to perform a thorough review of the permit application.

Third, DEC Commissioner Zagata announced in March that the Governor had decided to rule-out salvage logging on the blown-down areas of the Adirondack Forest Preserve. The Forest Preserve would be allowed to recover naturally. The Forever Wild Clause of the New York State Constitution (Article XIV) was upheld. Consequently, the Adirondack Council and four other environmental groups ceased their preparations to go to court to defend Article XIV. This decision on the blowdown is the strongest indication so far of Governor Pataki's overall commitment to the future of the Park.

Meanwhile, personnel changes at the Adirondack Park Agency have occurred in 1996. Governor Pataki has proposed to replace long-time commissioner Arthur Savage with Jean Knox from Buffalo. Savage continues to serve on an expired term until the State Senate confirms the Knox appointment. Chairman Greg Campbell recently announced the retirement of Ed Lynch, who directed the APA's two Visitor Interpretive Centers since their construction. Lynch responded in the press by saying that he had been summarily dismissed. Sandra Bureau of the Newcomb VIC was appointed to replace Lynch. And the Park Agency finally has a general counsel. James Marrin was recently appointed to the post that was vacated by Bob Glennon in 1988, when Glennon became Executive Director of the Park Agency. Marrin will need the Agency's experienced legal staff as he assists the APA's new leaders in rewriting the Agency's rules and regulations, reviewing a host of town plans and establishing a new set of guidelines for developers.

In reading this newsletter, you will see that the Adirondack Council continues to work on issues which will influence the future of the Adirondack Park for a long time to come. Your participation in the Adirondack Council makes all this possible.

Sincerely,

Timothy J. Burke
Executive Director

On the Cover

Adirondack Council Chairman John L. Ernst, left, presents a photo of the Adirondack Forest Preserve to Gov. George E. Pataki to celebrate the Governor's decision not to allow the logging and removal of fallen trees from the Forest Preserve. See page 3.

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Our Mission

The Adirondack Council is an 18,000-member, privately funded, not-for-profit organization dedicated to protecting and enhancing the natural and human communities of the Adirondack Park through research, education, advocacy and legal action.

Governor's Decision Protects Forests

It is with a great deal of pleasure, and no small measure of relief, that we are able to report a successful conclusion to the storm of controversy that swirled for 8 months in the wake of last summer's Adirondack windstorm. It is a victory not only for the forest, but also for everyone involved in the public participation process which produced a win-win-resolution to a complicated and contentious issue. It is also a major victory for the "Forever Wild" provision of the State Constitution, which suffered a severe blow in a similar battle forty-five years ago.

As many readers will recall, a series of severe thunderstorms, packing 100-plus m.p.h. "micro-bursts" of wind, swept through the Adirondack Region last July 15.

One Million Acres Affected

About one million acres of forest, roughly divided between public and private holdings, suffered various levels of damage in the form of fallen trees, broken branches, and damaged root systems. Two people were killed, one at Eighth Lake Campground and one in the Lake Lila Primitive Area. Damages to facilities on the Forest Preserve included about one thousand miles of roads and trails, 85 campsites, several lean-tos, and about 100 parking areas. Comparable impacts were sustained on private lands, including an estimated \$39 million worth of fallen timber.

Initial Response

The initial response by public and private emergency personnel focused appropriately on public health and safety issues. But these actions were soon followed by cries from some quarters to ignore the constitutional provision which prevents the sale or removal of timber from the Forest Preserve, and to mount an extensive timber "salvage" campaign on state land, as was done following a similar windstorm in 1950. The Adirondack

Park Agency was also subjected to extreme pressure to set aside its normal clearcutting permit requirements, and to grant a so-called general permit, which, as originally drafted, would have authorized the clearcutting of many thousands of acres of private lands without appropriate environmental review.

Calmer Heads Prevail

Despite the initial inclination of some at the Department of Environmental Conservation and at the

'About one million acres of forest ... suffered various levels of damage in the form of fallen trees, broken branches, damaged root systems. Two people were killed.'

Adirondack Park Agency to comply with these ill-conceived responses to the blowdown, calmer heads prevailed. Information provided by the Adirondack Council, Association for the Protection of the Adirondacks, National Audubon Society, Natural Resources Defense Council and The Wilderness Society, brought reason to the debate. These groups, along with other members of the environmental community, as well as forest ecologists and other knowledgeable individuals, pointed out that windstorms are natural events that have helped to shape the Adirondack forest environment for over ten thousand years. Our forests have recovered from such events in the past, and they will continue to do so. The real tragedy of the windstorm would have been the trampling of our State Constitution and the logging of our virgin forests, which were hard-hit by the storm, and which represent a priceless and irreplaceable component

of our natural heritage.

It was also pointed out that trees on private lands which were blown down or severely damaged by this storm could be salvaged without a permit from the Park Agency. And such legal salvage operations were, in fact, undertaken relatively quickly following the storm event. The Adirondack Council vehemently opposed an initial draft of a general permit which could have had the effect of sanctioning clearcutting on a massive scale, with the potential for long-term environmental damage.

Governor Intervenes

Thanks to the personal intervention of Governor George Pataki, the APA and the DEC were directed to carefully consider their responses to the storm. As a result, the APA drafted a general clearcutting permit which, we believe, adequately protects the environment while providing needed flexibility to private landowners working to minimize their losses. DEC Commissioner Michael Zagata directed his Department to undertake a thorough internal assessment of storm damage and to suggest a set of possible responses. He also directed the establishment of a public participation process, spearheaded by a "storm working group," which included representatives of the Adirondack Council, to advise the Department in drafting an appropriate response to the Adirondack windstorm.

Council Applauds Action

The Adirondack Council applauds the Governor and his team for their work in crafting a storm assessment report that includes a set of recommended actions that balance environmental, legal, economic, and safety concerns.

Primarily, these concerns relate to the effects of the windstorm itself and to the potential threat of wildfire on both public and private lands in the region.

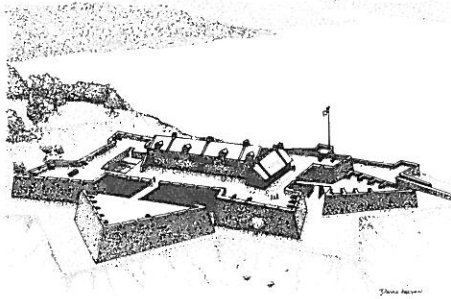
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Reserve Your Place in History Now!

Join us at historic Fort Ticonderoga on Lake Champlain ...

The Adirondack Council's Annual Awards Dinner and Membership Meeting will be held this year at Fort Ticonderoga, situated on Lake Champlain. A strategic stronghold, the Fort was the site of several struggles for dominance in North America by the great powers of the 18th Century.

Why not join us for this opportunity to explore some of our nation's history, as well as to meet other people who care about the Adirondack Park? The Annual Awards Dinner will be held on Friday, July 19, 1996, at 6:30 p.m. under the tent on the historic grounds of the Fort. Cocktails (with cash bar) will be available at 5:30 p.m. in the King's Garden.



Dinner reservations are required. Tickets start at \$45 per person.

The Annual Membership Meeting will take place from 11:00 a.m. to 1:00 p.m. on Saturday, July 20, 1996, at the Pavilion. A complimentary lunch for members attending will follow the meeting.

Saturday activities include a visit to the Fort Museum with artifacts from the French and Indian War and the American Revolution (FREE admission for Adirondack Council members) and a fife and drum corps muster. Boat tours are available for an extra fee. Please call Elaine at (518) 873-2240 for more information or to make phone reservations (Visa/MasterCard accepted).

Activists' Letters Protect the Park

Still Time to Help on Budget

There is still time to influence the outcome of the 1996-97 budget negotiations over the Adirondack Park Agency's budget and the proposal to cut 10 staff jobs. Although hundreds of your letters and phone calls have already been received, the Legislature has not yet completed its budget talks. If you haven't contacted your legislator, it is not too late to help. Contact Lisa M. Genier at (518) 432-1770 for further information about this important matter.

Crucial in Saving Forest Preserve from Logging

A hearty round of thanks for a job well-done is due to all Adirondack Council Activists who wrote letters to Department of Environmental Conservation Commissioner Michael Zagata urging him to avoid authorizing a salvage of Forest Preserve trees that fell as a result of the July 15, 1995 storm.

As you may already have read in the New York Times, you were quite successful in convincing the Pataki Administration that the fallen trees should remain where they fell.

The effort was yet another example of Adirondack Council members' ability to affect a positive outcome in complex and controversial public policy decisions that have a lasting impact on the Park's health.

Your continued assistance is an invaluable tool in informing policymakers about the Park's needs.

Join the Activist Network Today!

Simply fill out this form and drop it in the mail to us at:
P.O. Box D-2, Elizabethtown, NY 12932. We'll keep you informed on how you can help protect the Park.

Name _____

Address _____

Phone _____

I would like to make a \$_____ contribution at this time to help the Council's Park protection efforts.

Community Program in Indian Lake

Council, Rocky Mountain Institute to Work with Local Citizens

The Adirondack Council's mission of preserving and protecting the Adirondack Park includes not only the conservation of Forever Wild Forest Preserve lands and privately owned working forests, but also the promotion of thriving Adirondack communities. This spring the Adirondack Council became the sponsor of Economic Renewal Workshops in the Town of Indian Lake, conducted by the Rocky Mountain Institute (RMI).

This project has been made possible by a generous grant from the Merck Family Fund. The Rocky Mountain Institute is renowned for helping communities across the country plan for a sustainable future.

The RMI workshops will enable the citizens of Indian Lake to take the lead in developing a vision for the future of their community that preserves important natural resources while promoting environmentally compatible development. Indian Lake Town Supervisor Dick Purdue and the town board were enthusiastic in accepting the Adirondack Council's offer to sponsor this process.

Brian Farrell, President of the Indian Lake Chamber of Commerce, will be leading this community revitalization effort. Citizen participants from Indian Lake and Blue Mountain Lake will include

Adirondack Council Board member Ernie LaPrairie, who is a local business owner and guide.

The goal of the Economic Renewal Workshops is to establish teams of local residents who will choose specific economic development and community conservation projects to implement. In addition, the

Adirondack Council's member organization, The Wilderness Society, will be sending an economist to assist community residents in constructing an economic profile of the town.

We look forward to working with the Town of Indian Lake, the RMI and The Wilderness Society in this effort.

Green Loan Fund Established

Part of the Adirondack Council's mission is to promote thriving communities in the Adirondack Park. Over the years, the Council has worked closely with Adirondack communities to solve environmental problems. More recently, we have begun working with local communities to promote environmentally compatible community development. This effort, called the Community Conservation Initiative, has been made possible by generous funding from the Ford Foundation.

One of the outgrowths of this effort is the formation of the Adirondack Park Community Development Loan Fund. The creation of the Loan Fund has been spearheaded by the Adirondack Economic Development Corporation working with its Community Partners: Adirondack Bank, Adirondack Council, Adirondack North Country Association, Adirondack Park Agency Economic Affairs Unit, Champlain National Bank, Evergreen Bank, Key Bank, Marine Midland Bank and NBT Bank.

The Adirondack Park Community Development Loan Fund was launched on May 1st, providing loans to small businesses, individuals and non-profit organizations for projects that contribute to community revitalization in the Adirondacks. The Loan Fund will eventually grow to \$1 million and will be capitalized by local banks, private foundations and individual investors.

Adirondack Council Executive Director Timothy J. Burke has been named to the Board of Directors of the Loan Fund. For more information, please contact the Council at (518) 873-2240.

New Grants Available, Wal-Mart Suit Filed

Grant Program Launched

The Northern Forest Alliance is offering small grants to individuals and groups working at the community and grassroots level to protect the 26-million-acre forest that stretches from Tug Hill through the Adirondack Park, northern Vermont, northern New Hampshire and most of Maine.

Grants will be awarded to projects that address one or all of the following goals of the 28 organizations (including the Adirondack Council) that make up the Northern Forest Alliance: protecting wild lands; ensuring well-managed private forests; or, building strong local economies and communities. Awards will range up to \$1,000. For details on how to apply for a grant, contact Neera Harmon, Northern Forest Alliance, 58 State Street, Montpelier, VT, 05602; (802) 223-5256.

Wal-Mart

On April 12, citizens' group Responsible Intelligent Growth for Historic Ticonderoga (RIGHT) sued the town planning board over its decision to avoid a state environmental review of a plan to construct a 100,000-square-foot Wal-Mart near Rt. 9N. The Adirondack Council believes such mega-stores can harm the character of the Park's communities and its landscape.

Problems, Opportunities Arise in Struggle

March and April brought both good news and bad news with regard to acid rain in the Adirondack Park.

On one hand, key research funding was being cut, just as the state began to take strong action to fight the federal government's attempts to loosen air pollution requirements in the Midwest. Meanwhile, the price for purchasing the right to emit a ton of sulfur-dioxide pollution fell to an all-time low, just as students from the Adirondack region were out buying up the rights to more than 200 tons, taking them out of the hands of utility companies.

And while the NYS Health Department was adding two lakes to health advisory warnings for consumption of native fish, Adirondack folk singer Peggy Eyres kicked-off an education effort aimed at teaching people throughout the Northeast how they can help stop acid rain's destruction.

State, Federal Research Funds Cut

In two separate, yet related decisions, the U.S. Environmental Protection Agency (EPA) and a New York-based electric utility consortium both cut funding for important acid rain research programs.

In the Adirondack Park, the Empire State Electric Energy Research Corp. (ESEERCO) moved to withdraw its \$180,000 share of the \$250,000 program run by the Adirondack Lakes Survey Corp. in Ray Brook. The Survey Corp. has been performing month-to-month testing of 52 lakes in various ecosystems throughout the Park. The research has led to a far better understanding of acid rain-related problems such as "acid shock," which occurs when an entire winter's acidic snowpack melts over a week or two during the spring thaw and rushes into lakes and streams just when new life is emerging.

The research program also helped explain why mercury levels in certain fish species were growing to the point where they could no longer be consumed safely by humans and wild predators. (See related item below).

The Adirondack Lakes Survey Corporation's program is the only month-to-month monitoring of Adirondack lakes in existence. ESEERCO has said there may not be enough money in its \$7.5 million annual research budget for the program.

In Ithaca, the EPA decided to shut down the only New York monitoring station downwind of Midwestern smokestacks that was measuring dry particles of sulfur and nitrogen oxides (the two chief components of acid rain). The particles fall from smoke rather than rain clouds.

This dry deposition is responsible for as much as half of the air-pollution-related acidity problem in the Adirondacks. Without the data from facilities such as this one, it is impossible to measure the effect of acid rain reduction programs and assess the need for further protection.

Council Efforts Call Attention to Problem

The Adirondack Council is pressing for restoration of full funding to both research efforts. After the Council issued a press release informing the public of the loss in funding for the Ithaca station, U.S. Sen. Daniel Patrick Moynihan, D-NY, stormed onto the Senate floor and attacked EPA's "stupidity," and wondered aloud why we need an EPA if it is going to shut down such essential programs. EPA acid rain officials have since recommended restoring the station's funding.



Smallmouth bass from Cranberry Lake, above, have been tainted by

Pataki, Vacco Take Action

On March 25, Governor George E. Pataki and NYS Attorney General Dennis Vacco joined forces to file a lawsuit against the EPA for allowing Midwestern states to avoid clean-up of their nitrogen emissions. EPA has given authority over nitrogen-oxide emission controls to its regional offices rather than the central office. As a result, regional officials have exempted many Midwestern states from nitrogen-oxide emissions reduction requirements because nitrogen-based air pollution is not a problem in those states.

The Governor and Attorney General correctly argued that the nitrogen-based pollution from those states may not be causing a problem in the Midwest, but it is certainly causing problems such as acid rain and smog in New York. The two officials filed suit in a federal appeals court, seeking to overturn EPA's Midwestern pollution waivers.

Among other points, they argued that New York is paying the price for lax Midwestern enforcement by having to increase pollution controls here, and through loss of natural resources to acid rain. Other states may join in.

Also on March 25, the EPA held its fourth annual sulfur-dioxide pollution allowance auction at the Chicago Board of Trade. Pollution allowances are certificates from

Plan to Control Acid Rain in Adirondacks



Mercury due to air pollution and acid rain.

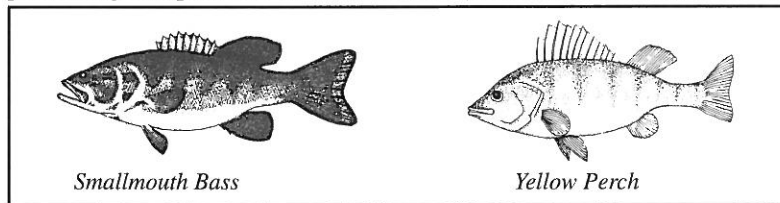
Gary Randorf

Glens Falls Students Again Take Action

In early March, students at the Glens Falls Middle School again took action on their own to help stop acid rain's destruction. In 1995, the sixth grade raised about \$3,000 to buy pollution allowances and retire them so they would never be used. The class received the Adirondack Council's 1995 Education Action Award for its efforts.

This year, the entire school participated in the fundraising, as did much of the greater Glens Falls community. On March 9, the students held an auction at the Queensbury Hotel, where more than 300 items had been donated to the cause. Among the items donated was a plaque from Governor Pataki, a classic motorcycle, gas grills, art, crafts and items of nearly every description (including signed posters from the Adirondack artists Gary Randorf and Anne E. Lacy). More than 400 people turned out for the auction.

Through the auction and other school activities, the students raised nearly \$15,000 and bought more than 200 pollution allowances, thus preventing 200-plus tons of sulfur-dioxide pollution from being released.



Smallmouth Bass

Yellow Perch

David Nelson

New Health Warnings Issued for Certain Fish

In early April, newspapers around the state noted that the NYS Health Department had issued a warning to anglers who ply the waters of Cranberry Lake and Stillwater Reservoir — the two largest water bodies in the acid-rain-damaged western Adirondacks. Fishermen who keep their catch were advised not to eat more than one meal per month of smallmouth bass from these waters, due to mercury contamination. Women of child-bearing age and children are advised to eat none. Mercury, like aluminum, can harm fish in acidic waters. Mercury is carried to the Adirondacks in the smoke from the Midwest. Acidity can also break mercury free from rocks and soil, where it had been harmless. Mercury is then ingested by the local fish and builds up in their bodies.

The mercury can be extremely harmful to the kidneys and nervous systems of people, water fowl, birds of prey, mammals and other fish-eating species.

In 1994, the Health Department issued a similar warning about yellow perch in five Adirondack lakes. Since bass eat perch, it is unclear whether the bass were contaminated directly by the water they live in or by eating the perch. Research on this topic is continuing at DEC.

Education Continues

Striking a more positive note, singer/songwriter Peggy Eyres has begun distributing informational flyers provided by the Adirondack Council at her concerts. The flyers were designed to explain the Adirondack acid rain problem and what citizens can do to help. Aside from encouraging concert-goers to get involved, Eyres is busy recruiting other musicians to spread the word. For more information about the education effort and what you can do to help, contact David Nelson at the Council's Albany office at (518) 432-1770.

EPA that allow the owner to emit one ton of sulfur-dioxide. EPA had predicted in 1990 that each allowance would cost \$600 to \$700 by now. EPA also believed that the cost of installing pollution control devices on Midwestern utility plants would be roughly \$400 per ton. Consequently, EPA predicted that the Midwest would have a powerful economic incentive to install pollution controls.

Pollution Allowance Price Drops

Unfortunately, EPA's predictions were far too rosy. The average prices paid at the EPA auctions have slipped from a high of \$170 in 1993 to a 1996 average of \$68. Consequently, it is still less expensive for many Midwestern utility companies to keep buying pollution allowances and continue polluting the Adirondacks at high levels than to install controls.

There is some hope for optimism in the fact that the price of low-sulfur coal is now about 15 percent less expensive than soft, high-sulfur coal. Competition among rail road companies has decreased costs to coal users. Overall, the cost of compliance with the Clean Air Act Amendments is dramatically lower (40 percent) than projected by Congress in 1990.

Essex County Landfill Saga Worsens



Gary Randorf

Essex County Landfill, off Route 9, Town of Lewis.

Essex County continues to dig itself into an ever-deepening hole over the proposed sale of its landfill.

The Essex County Board of Supervisors voted to sell without holding a public hearing, despite significant public opposition to the sale. County residents were concerned that county officials were not taking into account the true present and future value of the facility and demanded more information. They were roundly ignored.

Local residents and the Residents' Committee to Protect the Adirondacks also questioned the plans of the proposed buyer — Serkil of Castleton, New York — which came into being in September 1995 as a limited liability corporation. Serkil proposes to bring waste into the landfill from the City of Troy and other out-of-Park points of origin.

Huge Tonnage Increase

Serkil has made its purchase of the landfill contingent upon the county obtaining an increase in the permitted tonnage for the facility from 95 to 500 tons per day. This proposed increase represents a 50-fold increase in the amount of trash currently going into

the landfill and would fill the facility in fewer than 20 years instead of the 80-100 years it would last at presently permitted amounts.

Initially, the Department of Environmental Conservation, the agency which issues landfill operating permits, claimed that the five-fold increase was merely an amendment to the existing permit. In addition, DEC refused to look at the off-site impacts that such a large increase in tonnage would cause.

Policy Shift Averted

Meanwhile, the Adirondack Park Agency claimed to have no jurisdiction over the proposed tonnage increase since it had already issued a construction permit for the one operational cell at the facility and the type of use was not proposed to be changed. The APA has had a policy since 1992 of opposing importation of waste into the Park. Oddly, the DEC designee and the APA Chairman moved to repeal this policy at an APA meeting last fall. The effort fell flat after meeting stiff resistance from other commissioners.

When it became evident that the permit to increase tonnage (and

therefore the sale) would not be approved by January 1, the supervisors entered into an "interim operating agreement" with Serkil. The county and its taxpayers received little from the bargain.

All landfill and recycling center equipment, tipping fees and profits were turned over to Serkil. In exchange, the county gets to dump its waste in the landfill it still owns if it pays Serkil \$35 per ton. In addition, as the March 1 deadline for a debt payment approached, county officials wondered out loud where the money would come from to make the payment, while others questioned who authorized this outright giveaway of a county asset.

The hubbub did not escape the governor, who made statements to the press about taking a "dim view" of importing waste into the Adirondack Park. He then instructed state agencies to proceed cautiously in reviewing the proposed tonnage permit increase. Shortly after, the APA re-evaluated its earlier decision and determined that it did indeed have jurisdiction, based on the effects that such a large increase in tonnage would have off-site.

DEC Slows Pace

DEC Commissioner Michael Zagata has since ruled that DEC will not proceed with its review until the APA review is completed. Thus far, the county has not submitted an application to the APA. In April, DEC notified the county that it was already exceeding its tonnage limit by as much as 100 percent.

The Adirondack Council will oppose any attempt to open the Adirondack Park as a dumping ground for New York State's trash. Essex County officials should evaluate all solutions to the county's solid waste problem, both economically and environmentally, and investigate cooperative solutions involving other in-Park municipalities that are facing similar problems.

Lyons Falls P&P Sells Holdings

Sale a Wake-Up Call for Looming Changes in Park Landscape

Recently, the Lyons Falls Pulp and Paper Company sold its entire 67,000-acre holdings in the Adirondacks and Tug Hill Plateau to the Hancock Timber Resource Group, a wholly-owned subsidiary of John Hancock Mutual Life Insurance Company. In response, Adirondack Council Executive Director Timothy J. Burke told the Associated Press, "The Hancock Timber Resource Group's purchase of the Lyons Falls lands should serve as a wake-up call for all New Yorkers who are concerned about the future of the Adirondack Park. It is a prime example of why the State must undertake a large-scale conservation easement program to protect the Park's working landscape."

Forests Key to Economy

Over the past century, the privately owned "working" woodlands of the Adirondack Park have provided a continuing flow of forest products that underpin a major sector of the region's economy. These woodlands also provide wildlife habitat, clean air and water, and diverse recreational opportunities for the general public. In short, they largely define the open space character of the Park's private lands and have sustained untold numbers of residents for generations.

Fragmentation, development, or change in use of these lands would be a catastrophic blow to the economic and environmental stability of the Park. Unfortunately, that catastrophe may be looming on the horizon.

Currently, more than 300,000 acres of working forest land in the Adirondack Park are in danger of being lost forever. Due to hard economic times and changing conditions in international markets, landowners are often pressured to sell or develop their lands instead of keeping them in active forest production. When this happens, both jobs and open space are lost. Working

forests can only remain in production as long as they pay their way. If taxes are too high or market prices too low, the burden of ownership can become too heavy to bear, as it was for Lyons Falls.

Lucky This Time

Fortunately, we were lucky this time. Not only does Hancock appear to be a responsible steward of its 140,000 acres of Adirondack forest lands, but 18,000 acres of the land they purchased from Lyons Falls are already permanently protected by conservation easements. Only 5,000 acres of the Lyons Falls land in the Park remain available for develop-

'A new Working Forest Conservation Easement category should be created within the EPF, with \$5 million dedicated to easements...'

ment, and thus remain at risk of being lost to other uses.

Conservation easements are contracts between a landowner and the state that provide permanent protection from development while allowing the land to remain in private hands. In a typical easement deal, a landowner agrees to sell all, or most of the development rights on a parcel of land. The state pays for the development rights and also pays its proportionate share of the local property taxes — forever. In many cases, the public gains access to lands previously posted against trespass.

Under the terms of a conservation easement, the landowner continues harvesting trees and employing local loggers. But the land is protected from development for a fraction of the cost of purchasing it. When the state

does buy forest land outright in the Adirondack Park, it becomes constitutionally-protected Adirondack Forest Preserve and is then off-limits to logging.

May Signal New Trend

The sale of large blocks of Adirondack forest land by industrial owners is a phenomenon that runs counter to traditional patterns and may signal a new trend in the Park. Over the past 20 years, the percentage of the Park's large private holdings (500 acres or more) owned by the forest industry has nearly doubled. Seven of the ten largest landowners in the Park are forest industry companies. The industry now controls more than 50 percent of the two million acres owned by large Adirondack landowners. Currently, many owners of large tracts of Adirondack Park working forest lands are interested in selling conservation easements on their property. And funds from the Environmental Protection Fund (EPF) must be used this year to purchase such easements.

\$5 Million Needed Now

Governor Pataki recently approved amendments to the Open Space Conservation Plan which identified "working forests" in the Adirondacks as a priority project that the state should protect.

To permanently protect the working forests of the Adirondack Park, a new Working Forest Conservation Easement category should be created within the EPF with \$5 million dedicated to easements this year. Right now there are large landowners who are ready for the state to purchase the development rights to their property. We can not let this opportunity to protect the Park's working forest lands pass us by. If our working forests are fragmented and developed, the Park's economy and environment will suffer.

Adirondack News Items ...

Inside Park: Power Lines, Politics & Recreation



Council Dir. of Research and Education Michael DiNunzio chats with NYS Assembly Speaker Sheldon Silver after autographing a copy of the Adirondack Wildguide for him.

John F. Sheehan

Review Board Surprise

For the first time in its 25-year history, the Local Government Review Board, a statutory watch-dog of the Adirondack Park Agency, has called for the restoration of proposed APA budget cuts. Executive Director Joseph Rota pleased the Adirondack Council and many Adirondack citizens when he said in March that the \$500,000 cut in the governor's budget proposal will mean the loss of staff who are needed to ensure that the Agency does not return to a period of long delays for those who request information, planning assistance or permits. In the past, the Review Board has called for the APA's abolition.

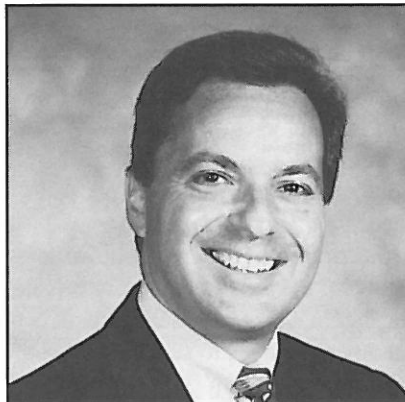
Knox Tapped for APA Board

Buffalo resident Jean R. Knox has been tapped by Gov. George E. Pataki to be the newest commissioner named to the Adirondack Park Agency's 11-member board. If confirmed by the NYS Senate, Knox would replace long-time board member Arthur Savage, who currently serves on an expired term. Knox is a landowner in the Park and is married to Seymour Knox, owner of the Buffalo Sabres of the National Hockey League.

Vacco's Ruling Protects Park's Public Land

In his first formal opinion on an Adirondack issue, NYS Attorney General Dennis Vacco has advised the Department of Environmental Conservation (DEC) not to issue a temporary permit that would allow permanent, private facilities on the "Forever Wild" Forest Preserve.

The Attorney General was asked whether the DEC may issue several permits to the Niagara Mohawk Power Corp. to authorize the installation of electric cable on the beds of Raquette Lake, Hamilton County, and



NYS Attorney General Dennis Vacco

Big Moose Lake, Herkimer County, both of which are considered to be part of the Forest Preserve. To his credit, Vacco found that the cable would not be temporary, nor would it serve any public purpose permitted in the Forest Preserve, such as electrical service to public campgrounds. Therefore, he said such lines could not be allowed by simple permit. DEC is currently reviewing the legal status of other lake beds and facilities inside the Adirondack Park as part of its response to Vacco's legal guidance.

Power Line Right-of-Way Tree-Cutting Plan Approved by DEC

Bad publicity caused by several recent power outages in the Upper Saranac Lake/Tupper Lake area prompted Niagara Mohawk Power Corporation officials to apply to the Department of Environmental Conservation for a Temporary Revocable Permit (TRP) to cut 348

Forest Preserve trees that the utility claims threaten power lines along a 7.75 mile stretch. TRPs have been used in the past for similar purposes.

After representatives from the Council and our member organization, the Association for the Protection of the Adirondacks, traveled the

route and expressed concern over some of the trees NiMo proposed to cut, DEC issued a permit for the power provider to fell 113 of the most diseased and damaged trees that were considered an immediate threat to the line. But the solution was temporary.

... from Around the Park & Beyond

Outside Park: Art, Publications & Legislation

Road Salt Bill Proposed

The Adirondack Council in March joined with Plattsburgh Assemblyman Chris Ortloff in calling for reductions in the use of road salt on the state's highways. Republican Ortloff introduced a bill that would set up a working group of state and local highway officials who could set new, lower standards for road salt use before, during and after storms, as well as seek alternatives to salt. Majority Democrats said they would either allow Ortloff's bill to pass or sponsor a similar measure of their own by the end of the 1996 session.

Aside from damage to roads, bridges and automobiles from corrosion, road salt appears to be harming at least four Adirondack lakes that lie along-side state highways: Upper and Lower Cascade lakes, near Rt. 73 in Keene; Barnum Pond, along Rt. 30 in Paul Smiths; and, Silver Lake, across Rt. 3 from Cranberry Lake in Clifton. All have been salinated to the point where the normal process of summer stratification of cold and warm water layers is disrupted, leading to a loss of oxygen in parts of the lakes and consequent loss of fish and other aquatic life. The Council is also working with the Adirondack Aquatic Institute, Paul Smiths, which is studying this problem.

New Environmental Publications

There are two new publications available from Adirondack Council member organizations. The Association for the Protection of the Adirondacks has just released "The Forest and The Law II," an inquiry into the constitutional and legislative background of the NYS Forest Preserve and the Adirondack and Catskill Parks, by Alfred S. Forsyth and Norman J. Van Valkenburgh. Contact the Association (\$5 includes postage) at PO Box 951, Schenectady, NY 12301.

The National Audubon Society is offering "Songs from the Deep Woods," an account of its symposium on neotropical songbirds in the Northern Forest of New York, Vermont, New Hampshire and Maine. Free. Contact the Northeast Regional Office, 1789 Western Avenue, Albany, NY 12203. (Supplies limited.)

Council Poster Map a Prize in Statewide Sweepstakes

The Adirondack Council's poster/map of the Adirondack Park and its ecosystems is being offered in the Department of Environmental Conservation's I Love New York/Conservationist Magazine Sweepstakes. The posters are being offered as a second prize in the drawing, along with Empire State Passports good for free admission to state parks and campgrounds for a year.

The Grand Prize is a week-long tour on the Erie or Champlain canal or Hudson River. First Prizes are weekend trips to the Park's Sagamore Lodge and five other locations around New York. Look for entry forms in DEC's New York State *Conservationist* Magazine.

Randorf Photo Show Completing Stay at Liberty Science Center

Adirondack photographic artist (and Adirondack Council Senior Counselor) Gary Randorf's highly acclaimed 30-piece exhibit "OUR WILD ADIRONDACKS" will be on display at the Liberty Science Center in Jersey City, NJ, from now through May 31. The show was created in 1992 to celebrate the 100th Anniversary of the creation of the Adirondack Park. Since then, it has toured the Buffalo Museum of Science, the Rochester Museum and Science Center and the Vanderbilt Museum on Long Island. This is its first out-of-state appearance.

The exhibit is available for display elsewhere in the New York

metropolitan area this summer or fall. Those interested in matching the show to an appropriate venue should

call Randorf or Loretta Surprenant at the Adirondack Council's Elizabethtown office: (518) 873-2240.



Governor's Decisions Protect Forests

Continued from Page 3

Some key provisions of DEC's storm response report include plans to:

- * lower the potential of fire from dead and downed trees in high risk areas around public and private structures, public campsites, and along trails and public roadways by cutting small (less than one inch) branches and limbs and leaving them on the ground where they will decompose rapidly. No such wood is to be removed from the Preserve.

- * progressively restrict use and access to affected public lands as the danger of fire increases, through public education and through restrictions on open burning, encouraging extraordinary care with smoking and camp fires, and by prohibiting public use in areas where fire danger is extreme.

- * establish an aerial detection system using overflights, for early detection of fires.

- * station fire detection and suppression equipment and supplies at appropriate staging areas.

- * develop and implement an expanded fire prevention and control training program.

- * assure emergency access to

affected areas by reopening trails and roads blocked by the storm, for their originally intended purposes.

- * use the Unit Management Planning Process, including full public participation, to decide on trail closing or major trail relocations.

Many lessons were learned by everyone involved in responding to the Adirondack windstorm of 1995. For us, the overriding lesson is a message of hope and encouragement; hope that we can continue to build working relationships with all sectors

of governmental, corporate, organizational, and private-sector interests to develop mutually beneficial solutions to the challenges the Park will continue to face. And encouragement that our efforts, including the efforts of many of our activist members, will continue to help safeguard public and private lands of the Adirondack Park for the use and enjoyment of present and future generations. It is truly a time for celebrating a successful conclusion to a crucial battle in defense of the forest.



Left to right, Sen. Majority Leader Joseph Bruno, R-Troy, meets with Adirondack Council Exec. Dir. Timothy J. Burke, Dir. of Research and Education Michael G. DiNunzio and Legislative Director Bernard C. Melewski to discuss Park issues.

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