



# STATE OF THE PARK 2014



- FAR FROM FINISHED -

# THE ADIRONDACK PARK

The Adirondack Park is the world's largest intact deciduous forest. It is also the largest park in the contiguous United States. It contains six million acres (9,300 square-miles), 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.

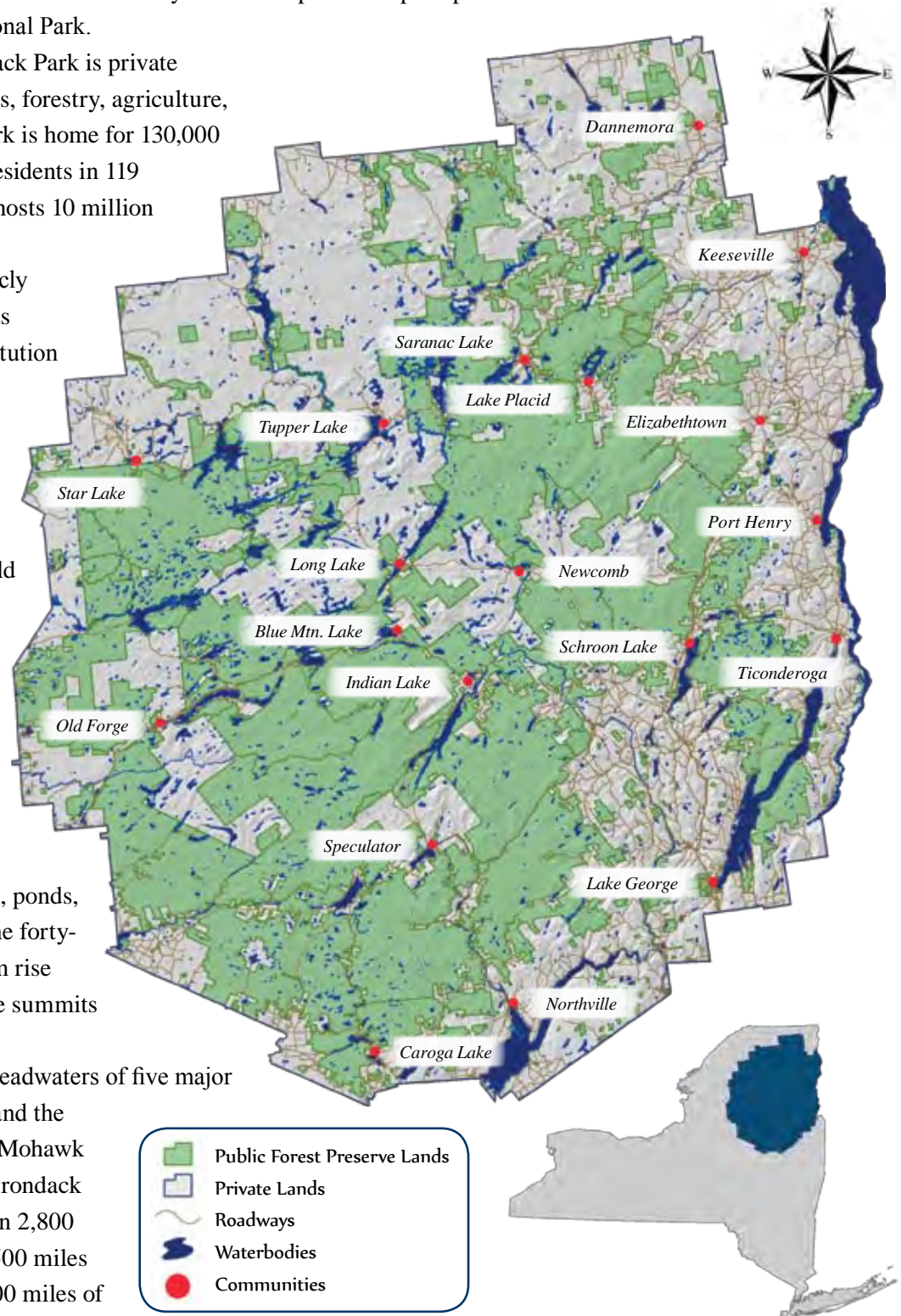
More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture, and open-space recreation. The Park is home for 130,000 permanent and 200,000 seasonal residents in 119 hamlets and 11 villages. The Park hosts 10 million visitors yearly.

Nearly half of the Park is publicly owned Forest Preserve, protected as "Forever Wild" by the NYS Constitution since 1894. About 1.1 million acres of these public lands are protected as Wilderness, where non-mechanized recreation may be enjoyed. Most of the public land (more than 1.4 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 forty-six 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.



# STATE OF THE PARK 2014

## A REVIEW OF ELECTED AND APPOINTED GOVERNMENT OFFICIALS' ACTIONS AFFECTING THE ADIRONDACK PARK

Written and Edited by Adirondack Council Staff

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*Fall 2014*

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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 2014



Dear Members and Friends:

As we reflect on the past year, it's clear that the future of the Adirondack Park is not yet secure. Although we've accomplished a great deal, there is still work to do. The Adirondack Council's detailed analysis of hundreds of state, federal and local government actions, and court decisions, some of which are reported here, highlight progress, challenges and opportunities.

We celebrate accomplishments including the following:

- Governor Cuomo expanded Wilderness and motor-free protections to 34,000 acres including the Essex Chain Lakes and more of the Hudson River;
- Adirondack hamlets are receiving increased attention and funding from the state;
- The U.S. Supreme Court reaffirmed an air pollution control regulation to help end acid rain damage in the Adirondacks;
- The Environmental Protection Agency has a plan to curb carbon emissions from power plants, and the state took further action to reduce the greenhouse gas emission cap;
- Governor Cuomo purchased another 8,400 acres from the Adirondack Nature Conservancy for the Forest Preserve;
- The Adirondack's many outdoor recreational opportunities received positive media attention as Governor Cuomo participated in his third Adirondack Challenge;
- The state legislature passed bills to combat invasive species, promote climate change resiliency and limit light pollution.

But not all is rosy. Challenges that are growing include:

- Aquatic and terrestrial invasive species are still spreading, and \$10 million per year in state funding is needed to partner with local governments and push invasives back;
- State proposals for managing new state lands raise concerns, and pressure is growing for increased motorized recreation and more opportunities for all-terrain vehicles (ATVs);
- Politics, rather than science and the law, threaten many past gains, and the Adirondack Park Agency Act and other regulations need comprehensive science-based updates;
- Bakken crude oil being transported through the Park without improved safety precautions and spill response plans threatens communities and Lake Champlain;
- Declining school enrollment compromises many small Adirondack communities;
- Poorly designed development projects, including a recreational zip-line near Lake George, are being approved;
- A \$256-million raid from the Clean Water fund for the Tappan Zee Bridge project when funding is needed for projects to update clean water infrastructure and protect public health in the Park;
- The Park's wilderness and hamlets need vision, state leadership, reform, and funding.

There is more to do before we can conclude that the Adirondack Park is strong and ready for the challenges and threats of the 21st century. With your support, the Adirondack Council, with our partners and friends, will be expanding efforts to defend wilderness, communities, clean water and air, and working forests and farms. Working in a collaborative, respectful manner we will secure results.

Best Regards,

  
William C. Janeway  
Executive Director

*On the Cover: Indian Lake, Hamilton County.* Photo © Carl Heilman II/Wild Visions, Inc.

*Above: Executive Director, William C. Janeway on Brant Lake.* Photo courtesy of Dan Wolk

# THE GOVERNOR



## A Good Deal

Gov. Andrew Cuomo brokered a deal that protects 34,000 acres of motor-free Forest Preserve lands between Indian



Cuomo

Lake and Newcomb. The agreement resulted in the creation of the Essex Chain Lakes Primitive Area and Hudson Gorge Wilderness Area. The deal also included a proposed snowmobile trail between Indian

Lake and Newcomb, as requested by local officials. This will provide surrounding communities with new public access and more opportunities for eco-tourism.



## Fulfilling His Pledge

In March, the Governor purchased another 8,400 acres of former Finch, Pruyn & Co. land from the Adirondack Nature Conservancy (TNC) as phase three of his promise to buy 69,000 acres from TNC and add it to the Forest Preserve. These lands include the Benson Road tract in Mayfield and Black Spruce Mountain near Lake George.

*Above: The 3,820-acre Benson Road Tract in Fulton and Hamilton counties.*

Photo © Carl Heilman II/Wild Visions, Inc.



## Helping Farmers

The Governor and Legislative leaders agreed to offer \$20.5 million in grants to protect farmlands from subdivision and development. The Department of Agriculture and Markets will accept applications this year from farmers who want to sell “conservation easements” or the development rights on their farms. Farmers can keep their land, continue to generate jobs and local tax revenue, contribute to the local food supply and protect open space.



## Booth is Back

The Governor reappointed and the Senate confirmed Richard Booth of Ithaca to another term on the Adirondack Park



Booth

Agency Board of Commissioners. Booth is an experienced environmental attorney, a member of the faculty at Cornell University and a former board member of the Adirondack Council. He

has been a strong voice for conservation on the APA board. He had been serving on an expired term.



## Liking the 'dacks

The Governor extended the tourism-promotion successes of his 2013 Adirondack Summer Challenge whitewater rafting race in Indian Lake by creating an Adirondack Winter Challenge that featured multiple winter sports in March of 2014. The Governor returned to Indian Lake for another Summer Challenge in July of 2014. Also, the state's I Love NY program created a “Get Outta Town” campaign in subways and train stations in New York City encouraging people to visit the Adirondack Park.



*The Get Outta Town campaign as seen on subway cars in New York City.*

Photo courtesy of MTA / Patrick Cashin



## Tackling Toxic Leakage

In December, the Governor signed a bill that requires thermostat manufacturers to establish a collection program to recycle more thermostats and decrease the amount of mercury tossed in landfills, threatening water, wildlife and food supplies. This bill was sponsored by Assemblyman Robert Sweeney, D-Lindenhurst, and Senator Mark Grisanti, R-Buffalo and advanced with leadership from the Adirondack Council.



## Order Local Food

In December, the Governor signed a bill requiring that the state monitor how much New York-grown food is acquired through food contracts for state agencies and facilities. 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.



## Up but Down

The Governor and Legislature agreed on a \$9-million increase to the Environmental Protection Fund (EPF) this year, but overall environmental spending decreased from the previous year's fiscal plan. The EPF increased from last year's \$153 million to \$162 million, but it was once as high as \$250 million. The Department of Environmental Conservation and Adirondack Park Agency remain short-staffed. There is a need for \$10 million annually to combat invasive species and significant investments in state land stewardship and clean water infrastructure.



## We're Still Waiting

In his first years in office, Governor Cuomo talked about the need for reforms, but we are still waiting for plans to better manage and protect the natural resources of the Adirondack Park. We've applauded land acquisitions and public investments in communities and jobs,

but the Adirondack Park Agency's (APA) rules and regulations for private land use and development are outdated and need a science-based overhaul to better protect clean water and open space. The Governor's leadership is needed to bring the APA into the 21st century.



## Water Fund Tapped

In June, the Governor announced he would authorize a \$256-million loan to the NYS Thruway Authority from the Environmental Facilities Corporation's Clean Water State Revolving Fund (CWSRF) for the removal and preparation for reconstruction of the Tappan Zee Bridge. The CWSRF is designed to provide needed, low-interest loans to communities whose taxpayers cannot afford to build or rebuild multi-million dollar sewage systems. Proper sewage treatment safeguards clean water for everyone.

*Below: Champlain Valley Farmland.*  
Photo © Carl Heilman II/Wild Visions, Inc.





# STATE LEGISLATURE

## BOTH HOUSES



### Repelling Invaders

In June, the Legislature passed a bill that would help prevent the spread of aquatic invasive species by requiring boaters to clean, drain and dry watercraft and gear when entering and leaving any public boat launch. Invasives threaten clean water, ecosystems and the tourism-based economy of the Adirondacks. The bill was sponsored by Assemblywoman Barbara Lifton, D-Ithaca, and Sen. Thomas O'Mara, R-Big Flats.



### Growing Smarter

In June, the Legislature approved a bill that will help the state and communities better prepare for the consequences of climate change. Development projects and designs for roads, bridges and sewer systems would have to accommodate more severe storms. The bill was sponsored by Assemblyman Robert Sweeney, D-Lindenhurst, and Senator Diane Savino, Staten Island.



### Growing Darker

The Legislature approved a bill that restricts outdoor lighting to benefit wildlife and preserve night sky viewing by establishing purchasing requirements for lights installed or maintained by the state. This bill was sponsored by Assemblywoman Linda Rosenthal, D-Manhattan, and Sen. Carl Marcellino, R-Syosset.



### Getting Connected

The Legislature approved a \$200,000 grant to develop a "white space" broadband internet-connection system for residents of the Town of Thurman, Warren County. These systems utilize digital television broadcast signals between stations to relay information to and from internet servers located in other communities. If successful, this could be used to connect other locations throughout the Park. The bill was sponsored by Senator Elizabeth Little, R-Queensbury, and Assemblyman Dan Stec, R-Queensbury.



### New Rules, No Money

The Legislature passed a bill requiring people to clean and dry their boats at any public launch site before entering a water body to prevent the spread of invasive species. But it failed to appropriate money to pay for inspections or enforcement. These costs will fall on local governments, lake associations, not-for-profit organizations, and individuals. An annual investment of \$10 million is needed to control invasives within the state.



### Funding Shuffle

Although the Governor and Legislature agreed on a \$9-million increase to the Environmental Protection Fund (EPF) this year, overall environmental appropriations decreased from last year. The EPF increased to \$162 million, but was once as high as \$250 million. Aside from the need for \$10 million annually to combat invasive species, the state needs a significant investment in clean water infrastructure.



### Lack of ATV control

Legislation was not passed this year that would have better protected the Forest Preserve from all-terrain vehicle (ATV) use. ATVs damage wetlands and vegetation, trespass on public and private property, disturb wildlife and deter non-motorized user groups. Balanced legislation is needed to ensure sensitive resources, like the Forest Preserve, are protected and appropriate areas on private lands are open to ATV users.

Above: Cedar roots along Buttermilk Stream. Photo © Carl Heilman II/Wild Visions, Inc.

## SENATE



### Tiny, Big Problem

Sen. Mark Grisanti, R-*Buffalo*, sponsored a bill that would have banned the manufacture, production and sale of plastic micro-beads in consumer goods. Tiny plastic pellets from cosmetics end up in lakes and rivers because they don't break down in septic systems or sewage treatment facilities. The bill did not pass.



*Grisanti*



### Weighting Out Mercury

Senator Grisanti sponsored a bill that would have prohibited the sale and use of vehicle wheel-balancing weights containing mercury. One balancer can contain as much as 28 oz. of mercury. The disposal of these is one of the remaining sources of mercury contamination around landfills and dump sites. Unfortunately, this bill did not pass.



### Eliminating Toxins

Sen. Philip Boyle, R-*Bay Shore*, sponsored a bill that would permit the Department of Environmental Conservation, in consultation with the Department of Health, to regulate toxic chemicals in children's products. Not only do these toxin-laden products hurt the children who use them, most end up in our waste stream harming people and wildlife. This bill did not pass the Senate.



*Boyle*



### Powerful Network

Senator Little sponsored a bill that would allow 10 or more residents in a neighborhood to create a small power company by pooling their solar or wind power generation and applying it to their electric bills from utility companies. Community/neighborhood net metering can spur innovation in clean power generation and energy conservation, while saving money for consumers. This bill did not pass.

### Chairman Sweeney Retires

At the end of the 2014 Legislative Session, Assembly Environmental Conservation Committee Chairman Robert Sweeney, D-*Lindenhurst*, announced that he would be retiring from office at the end of this year. Sweeney was elected to the Assembly in 1988 and became chairman of the EnCon Committee in 2007. He championed legislation to expand the bottle bill, fight invasive species, curb the effects of climate change, require green purchasing, and improve water quality. Sweeney also helped appropriate millions of dollars through the Environmental Protection Fund for the purchase of hundreds of thousands of acres of conservation easements and new Forest Preserve. In 2009, the Adirondack Council presented Assemblyman Sweeney with our Legislator of the Year award.



*Sweeney*



### A Heavy Weight Bill

In June, the Senate passed a bill to increase, from 1,000 to 1,500 pounds, the maximum size of all-terrain vehicles (ATVs) that can be registered in the state. This would allow more and larger ATVs called utility-task vehicles (UTVs) to go where ATVs are allowed now. Senator Patty Ritchie, R-*Oswegatchie*, sponsored this bill.

## ASSEMBLY



### Avoiding the Rut

Assembly leaders halted legislation that would have increased the weight limit of motorized vehicles defined as all-terrain vehicles (ATVs) from 1,000 to 1,500 pounds. This would have allowed heavier and more environmentally damaging ATVs to go anywhere smaller ATVs go now. This bill did not include steps to address resource protection, education, compliance, and safety issues. The bill was sponsored by Assemblywoman Addie Russell, D-*Theresa*.



### Protecting the Preserves

Assemblyman Steven Englebright, D-*Setauket*, sponsored a bill that would codify the prohibition of all-terrain vehicles on the Adirondack Forest Preserve, Catskill Forest Preserve, Albany Pine Bush, and Long Island Pine Barrens. The Assembly held this bill in committee.



*Englebright*



### Micro-Bead, Macro Issue

Assemblyman Sweeney sponsored a bill that would have banned the manufacture, production and sale of plastic micro-beads in consumer goods. Tiny plastic pellets from cosmetic products such as facial-scrub don't break down in septic systems or sewage treatment facilities and enter our lakes and rivers. The Assembly passed this legislation.



### Curbing Mercury

Assemblywoman Linda Rosenthal, D-*Manhattan*, sponsored a bill that would prohibit the sale and use of commercial vehicle wheel-balancing weights containing mercury. The disposal of these rotational aids is a source of mercury. This bill did not pass in the Assembly.



*Rosenthal*



# COURTS



## It's Legal Again

In April, the U.S. Supreme Court reaffirmed the Cross-State Air Pollution Rule, which had been struck down by the U.S. Court of Appeals for the District of Columbia in 2012. The rule requires reductions of 73 percent in sulfur-dioxide and 54 percent in nitrogen oxides emissions from power plants in 28 states east of the Rocky Mountains. Those cuts are expected to be deep enough to halt the damage done by acid rain in the Adirondack Park, and to save 34,000 Americans per year from premature deaths, mainly from lung ailments.



## EPA Can Regulate Carbon

In June, the U.S. Supreme Court ruled that the Environmental Protection Agency can require greenhouse gas controls on newly constructed, or rebuilt power plants and other large stationary sources of pollution. The Obama Administration's newly proposed carbon standards for existing power plants (introduced in June) were not considered in this ruling.

*Above: Follensby Pond, Franklin County.*  
Photo © Carl Heilman II/Wild Visions, Inc.



## RGGI is A-OK

In June, acting State Supreme Court Justice Thomas J. McNamara dismissed a lawsuit seeking to force New York out of the Regional Greenhouse Gas Initiative (RGGI), the nation's first multi-state, government mandated carbon-reduction program for power plants. The RGGI program includes nine Northeast states, from Maine to Maryland, excluding New Jersey, and requires power plants to make deep cuts in carbon emissions.

*Important legal actions that have occurred over the past year.*

### Adirondack Club and Resort Lawsuit Dismissed

In July, the appellate division of New York's Supreme Court dismissed a lawsuit by some environmental groups that aimed to block the Adirondack Club and Resort project in Tupper Lake. The group raised objections to the permits issued for the project by the Adirondack Park Agency in 2012. The project proposal includes re-opening Big Tupper Ski Area and building more than 600 units including great camps, vacation homes and condos on a 6,200-acre parcel. Moving forward, Adirondack Council priorities are science-based APA reform, open space protection, and environmentally friendly projects that restore economic vibrancy to the community of Tupper Lake.

### NYCO Lawsuit Filed

In July, a coalition of environmental groups filed a lawsuit against the Adirondack Park Agency and the Department of Environmental Conservation charging that they issued permits to NYCO Minerals for the mineral exploration on state land without due environmental review process. New York voters approved a constitutional amendment last fall that allows for the test drilling. The Adirondack Council supports the 1,507-acre for 200-acre land swap based on it meeting our land swap principles and complying with legal and regulatory requirements.

### Fracking Lawsuits Upheld

In June, the NYS Court of Appeals ruled that communities can block hydraulic fracturing within their borders, dismissing lawsuits that challenged bans enacted in the central New York towns of Dryden and Middlefield. Communities can now ban fracking for natural gas and oil extraction if the state lifts a statewide moratorium instituted in 2008. This reaffirms local zoning authority over commercial land use otherwise regulated by state government agencies. Consistent with this ruling the Adirondack Council has developed a model local ordinance for municipalities that desire better protection of their water resources.



# FAR FROM FINISHED

After 124 years, the Adirondack Park is still far from finished. There are threats to the Park, including invasive species and economic and political pressures. But, there are opportunities too. Old conflicts are being resolved through collaboration, coalition advocacy, and respectful dialogue between stakeholders who care deeply for this magnificent landscape.

This is a unique time in the history of the Adirondacks. Decisions are now being made by elected and government officials that will impact the future of the Adirondack Park forever. Government agencies, not-for-profit organizations and citizen leadership can and must build a vision for a healthier, and politically, ecologically, economically, and socially sustainable and resilient Adirondack Park.

The Adirondack Council is urging Governor Andrew Cuomo, the state legislature, local government, and other partners to join together to advance policy and regulatory improvements and provide funding to finish building and securing the future of the Park. There are four specific objectives proposed:

**Defending and promoting the wild character and ecological integrity of the Adirondack Park and Forest Preserve:** State leadership and funding are needed to complete priority land acquisitions, to improve land stewardship and to promote and manage recreational opportunities. The state should work toward a target for the Environmental Protection Fund of \$250 million by 2020. Working with local government and citizen stakeholders, the state can make sure communities benefit from tourism and year-round recreational opportunities, while saving clean water and wildlife.

To protect the Adirondacks, the Adirondack Council uses the best science, the law and an understanding of political decision-making to educate, inform and motivate the public and those who make public policy. We recognize the importance of consensus-building to achieve a more secure future for Adirondack wilderness and communities, respecting the values of local governments and residents, while partnering with NGOs, governmental agencies and other stakeholders.

*Above: The Central Adirondacks. Photo © Carl Heilman II/Wild Visions, Inc.*



**Supporting a better, more resilient, sustainable Adirondack Park, including vibrant local communities:**

State leadership and support is needed to advance science-based improvements to the outdated Adirondack Park Agency (APA) Act, ensure collaborative smart growth planning in the Park’s hamlets and increase project-review coordination between municipalities and the APA. The small communities of the Adirondacks host millions of visitors each year. State investment is needed for infrastructure sufficient to provide clean drinking water and wastewater treatment to residents and visitors alike.

The Adirondack Park is the best model in the world for how public and private lands can sustainably coexist in environmental and economic harmony, with eco-friendly, resource-based local economies and vibrant communities in a park-like setting – but we need to do better.

**Fighting for clean water and clean air; combating invasive species and climate change:** State and federal leadership is needed to ensure that our recent success in reducing the smokestack pollution that causes acid rain and mercury translates into healthier lakes, forests, fish, and wildlife in the Adirondack Park. The state continues to be a leader in fighting climate change by reducing the regional carbon program cap by more than 50 percent by 2020, and by recognizing the need to address community resiliency in the face of more frequent and stronger storms. To effectively implement recent invasive species legislation, it’s critical that the state provide \$10 million in annual funding for statewide coordinated control efforts, public education and research.

**Preserving the open space qualities of large tracks of private land and supporting working forests and farms:** State leadership is needed to increase the amount of private Adirondack forest land from 785,000 to over one million acres where sustainable forestry or best management practices are followed. Likewise, 5,000 acres of working farmland in the Champlain Valley and the greater Adirondack region must be retained for sustainable agriculture and open space conservation.

We invite all who care about the future of the Adirondacks to work collaboratively with us, and keep the Adirondack Park forever wild for everyone – defending the east’s greatest wilderness and showing the world how nature and people can thrive together.

# ATTORNEY GENERAL



## Brief Nets Gain

Last fall, Attorney General Eric Schneiderman led a coalition of states and organizations who filed briefs urging the U.S. Supreme Court to revive the Cross-State Air Pollution Rule, which had been struck down in 2012 by a Washington, D.C. appeals court.



Schneiderman

The reinstated rule will require reductions of 73 percent in sulfur dioxide and 54 percent in nitrogen oxides emitted from power plants in 28 states east of the Rocky Mountains.



## Rally for RGGI

In April, Atty. Gen. Schneiderman defended the state's participation in the Regional Greenhouse Gas Initiative (RGGI), a nine-state program to reduce carbon emissions from power plants in the Northeast. The NYS Court of Appeals denied the appeal of a 2013 dismissal by the Appellate Division of the State Supreme Court. Plaintiffs are opposed to government-mandated carbon emissions reductions.

*Above: A wild pond in the North Hudson area, Essex County.*

Photo © Carl Heilman II/Wild Visions, Inc.



## Micro-beads, Macro Problems

Attorney General Schneiderman proposed legislation that would have banned the manufacture and sale of plastic micro-beads in consumer goods. Tiny plastic pellets from cosmetic products don't break down in septic systems or sewage treatment facilities and end up in waterbodies. The bill was sponsored by Assemblyman Robert Sweeney, D-Lindenhurst and Sen. Mark Grisanti, R-Buffalo.



## Lighting a Fire Under EPA

In October, Attorney General Schneiderman led a coalition of his counterparts from six other states in suing the U.S. Environmental Protection Agency (EPA) for failing to cap emissions from residential wood-burning heaters/boilers. The lawsuit contended this was a violation of the Clean Air Act, and aims to force the EPA to require new wood heaters meet stricter pollution standards.

## IN MEMORIAM

### Rob Garrett (1937-2014)

Adirondack Council Board Member  
Rob Garrett passed away in March. Rob was a kind and gracious person, a true gentleman. He joined the Council's Board of Directors in 2009 and was serving as Treasurer at the time of his death. Rob's great-grandparents came to the Paul Smith's Hotel in



Garrett

1887 and purchased their property on Upper St. Regis Lake the following year. As he said in his Board member biography, "We have been passionate Adirondackers ever since."

### David Sive (1922-2014)

David Sive of Manhattan was an attorney, environmentalist and professor of environmental law, who was a pioneer in the field of United States environmental law and advocacy. He was a founder of the Natural Resources Defense Council and Environmental Advocates of New York, a leader and activist for the Sierra Club, a contributing founder of Friends of the Earth, and a member of the board of directors of the Hudson Valley Institute and Scenic Hudson. Sive was also a former Board member and an advisor to the Adirondack Council.



Sive

Photo courtesy of William Paxton, grandson of David Sive.



# LOCAL GOVERNMENTS



## No Fertilizer Needed

In April, Town of Lake George banned the use of lawn fertilizers within 50 feet of the water's edge. This will help keep excessive nutrients out of Lake George, which impair clarity and purity, promote weed growth and harm native aquatic life.



## A Clear Improvement

The Warren County Soil and Water Conservation District is working with the towns of Bolton, Schroon and Queensbury and the Lake George and Schroon Lake Associations to create storm-water collection and dry-well systems for these localities. These new systems will protect Lake George and Schroon Lake from storm-water runoff, which is a major source of water pollution in both lakes.



## Deserving Answers

In March, the Essex County Board of Supervisors brought together volunteer fire and rescue officials and local governments to question the Canadian Pacific Railway's plans for emergency responses should a crude oil spill or fire occur. Officials demanded more information about the volume of traffic, track conditions and safety precautions. The Canadian Pacific Railway ships dangerous crude oil on nearly 100 miles of track through the Park, mostly along the shore of Lake Champlain.



## Going Green, Saving Money

The Town of Warrensburg, Warren County, is saving money and helping to protect the environment by installing a series of solar-electric arrays at its wastewater treatment plant near the Schroon River. Generating electricity with solar panels helps to significantly reduce air pollution.



## Thurman Gets Connected

The supervisor of the remote town of Thurman, Evelyn Wood, enlisted local, state and federal officials to help bring "white space" internet access to the town. This system employs unused digital television broadcast signals to relay information with internet servers to and from other communities.



## Moving Out of Harm's Way

Essex County is working with the Federal Emergency Management Agency to buy 26 homes from county residents along the Ausable and Boquet rivers and Mill Brook that were destroyed by tropical storms Irene and Lee. Officials recognized that it makes little sense to rebuild here when a warming climate threatens to increase the severity and frequency of future storms.

*Above: Tupper Lake, Franklin County.  
Photo © Carl Heilman II/Wild Visions, Inc.*



## Old Site is Finer

The towns of Fine and Clifton, St. Lawrence County will be able to begin redeveloping the former J & L Steel plant near the hamlet of Star Lake. In the fall of 2013, the NYS Department of Environmental Conservation signed an agreement allowing the county to take title to the property, and relieving them of any liability related to hazardous material contamination on the 36-acre parcel.



## Mud Flies in Lewis County

Lewis County hosted an all-terrain vehicle (ATV) rally just west of the Adirondack Park, on the Tug Hill Plateau. This annual event has continued despite injuries, arrests, damage to public and private property and legal issues. It does not appear to promote responsible or legal ATV use.



## Clock Still Ticking

After seven years, the Town of Long Lake has not completed a land swap authorized by a constitutional amendment that was approved by the voters in 2007. The town must give the state a parcel of land greater in value than the two acres of Forest Preserve it received to install drinking water wells for the hamlet of Raquette Lake.

# DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## An Ounce of Prevention

In June, the NYS Department of Environmental Conservation (DEC) Commissioner Joe Martens adopted new regulations that require boaters to remove all visible plant and animal materials from boats, trailers and associated equipment, and to drain boats prior to launching from DEC lands. This will help to curb the introduction of invasive species that harm aquatic ecosystems, interfere with recreation and are costly to remove. The Council is urging the Governor and Legislature to allocate \$10 million per year to fight invasive species.



## New Cap for RGGI

In January, the Department of Environmental Conservation revised its regulations to implement the new Regional Greenhouse Gas Initiative (RGGI) carbon-dioxide cap of 91-million tons, which will be a 45-percent decrease from last year's cap of 165 million. This will lead to meaningful reductions in greenhouse gas emissions. The RGGI is the nation's first multi-state, government mandated carbon-reduction program for power plants.

## What an Awful Boar

In order to ensure maximum effectiveness of their statewide eradication efforts, the DEC adopted a regulation in April that bans the hunting and trapping of free-roaming Eurasian boars. Also, after September 1, 2015, it will be illegal to possess, sell, distribute, trade or transport this non-native species. Eurasian boars have escaped from hunting reserves, bred and created widespread damage to forests and agricultural lands.



## Old Trail Gets New Start

The DEC created a new trailhead for the 133-mile Northville-Placid Trail (NPT) at the Northville Waterfront Park. This saves hikers from walking two miles on roadways and allows for a more pleasant start to the hike. A new parking lot and kiosk for the trailhead was also constructed. Created in 1923, the NPT is the Park's longest hiking trail and includes parts of four Wilderness Areas and four Wild Forests.

## Planning Should be Complex

The Council has long urged the DEC to discontinue resource and recreation management planning across artificial boundaries, and focus on connections and overlapping uses across Forest Preserve units and conservation easement lands. With the release of the Drafts for the Essex Chain Lakes Management Complex Plan, the Community Connector Multiple-Use Trail Plan and the Upper Hudson Woodlands Recreation Management Plan, the DEC made an initial attempt to incorporate complex planning on an ecosystem scale. The Council is encouraged that the DEC withdrew the drafts in order to more thoroughly address the cumulative impacts to the natural resources, carrying capacity, policy concerns and recreation connections across these adjoining tracts.

*Above: Fourth Lake of the Fulton Chain of Lakes from Bald Mountain.*

Photo © Carl Heilman II/Wild Visions, Inc.



## Information Overload

The DEC allowed the comment deadlines for four major environmental plans to fall on one week, inhibiting public participation in important management decisions. Not all were originally scheduled to end that day, but several comment periods were extended to that week. This has forced many from the public with interest in more than one plan to be selective in providing substantive comments. Reducing the opportunities for public participation, comment and criticism is poor policy.

## Drilling Raises Questions

Last fall, voters supported a constitutional amendment that would temporarily swap a 200-acre parcel of the Jay Mountain Wilderness with NYCO Minerals in exchange for 1,507 or more acres added to the Forest Preserve. This amendment also allowed NYCO to do test drilling on the parcel prior to the swap, but an amendment to the Jay Mountain Wilderness Plan is needed to allow this. The DEC ruled in June that the amendment would have no significant environmental impact, drawing concern from the Adirondack Council. We cautioned the DEC that we would be watching to make sure that they follow all applicable rules and laws in carrying out the referendum.

## Planning for Forever (Wild)

The DEC's proposed Unit Management Plans for the Essex Chain Lakes Primitive Area and the adjoining Vanderwhacker Mountain Wild Forest raise concerns over the location of snowmobile trails, motorized access, new parking lots, and the construction of a bridge in an adjoining wilderness area. In the meantime, the DEC is establishing campsites, parking lots and access routes under a temporary management plan. While DEC's management is intended to protect the resources, allowing temporary or incompatible uses under the Primitive classification could create public expectations that these uses will remain in the final plan, leading to unnecessary disappointment and controversy in the future.

## Completely Un-bearable

The DEC's plan for managing the state's black bear population emphasized hunting rather than educating people about how to avoid conflicts with them in more populated areas. Bears were once confined to the Adirondack and Catskill Parks and Allegheny Plateau. As people build homes in and around forested areas, bears and people can come into conflict, as bears seek food at bird feeders, trash cans or in homes. The Council opposed parts of the plan such as legalizing trapping, baiting bears, hunting them with dogs and killing cubs one year old or younger.



## Not the Right Spot

This spring, the DEC adopted Unit Management Plans for the reclassified portions of the summits of the Hurricane Mountain Wilderness Area and St. Regis Canoe Area that allowed the fire towers to remain. Fire towers are not allowed in Wilderness, Primitive or Canoe areas, so the DEC and the Adirondack Park Agency used spot zoning to keep them. While the Council understood and accepted the DEC's action to preserve the historic fire towers, we urged DEC to avoid spot zoning as a practice.



## Seven-Year Glitch

The DEC has been unable to come to an agreement with the Town of Long Lake over the land swap authorized by a constitutional amendment approved by the voters in 2007. The state gave the town two acres of Forest Preserve to drill drinking water wells for the hamlet of Raquette Lake. The public has not been reimbursed for the lost Forest Preserve acreage.

## A Hasty Crude Decision

The DEC failed to account for the potential impact on the Adirondack Park, its communities and its water when it ruled there would be no significant environmental impact from a plan to expand the crude oil-handling capability of a transfer facility at the Port of Albany. Several trains per day use the Canadian Pacific Railway line to carry hundreds of tanker cars of crude oil between Montreal and Albany. They travel through the Adirondack Park for about 100 miles, mostly along the shore of Lake Champlain.

*Below: A Canadian Pacific Railway train carrying crude oil near the hamlet of Port Kent, NY. Many portions of the rail line are in close proximity to Lake Champlain.*



# ADIRONDACK PARK AGENCY



## Charting a New Path

The Adirondack Park Agency (APA) approved a classification plan for the newly acquired Essex Chain Lakes and the adjoining Hudson River Gorge Primitive Area that preserved 34,000 acres of motor-free Forest Preserve in those two areas. The APA also accommodated the desires of local officials who sought a new snowmobile trail from Indian Lake to Newcomb. Surrounding communities will have new public access to state land and more opportunities for eco-tourism.



## A Slower Pace

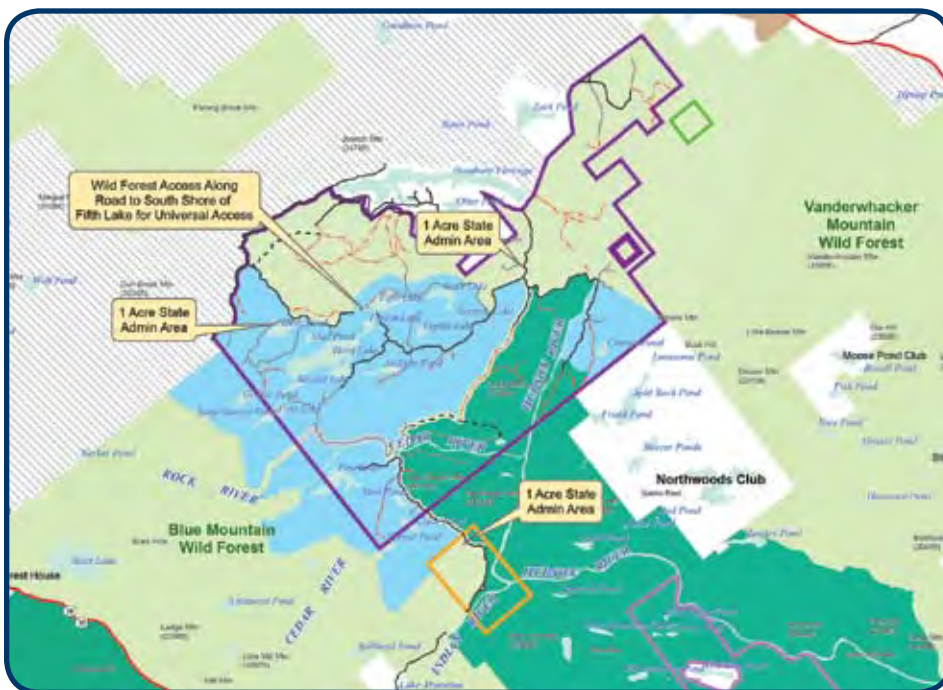
Rather than rush ahead with a stripped-down general permit that would replace the current review process for clearcutting more than 25 acres of timberlands, the APA decided to take a slower and more deliberate approach. It has held meetings with timberland owners, commercial harvesters, state foresters, trade associations, and environmental organizations to refine the APA's rules for large-scale timber harvesting.

*Above: The Essex Chain Lakes Primitive Area. Photo © Carl Heilman II/Wild Visions, Inc.*



## Zip line Zipping Along

The APA approved a 3,400-foot-long zip line on French Mountain in the Lake George basin that will be seen by visitors to the Adirondacks on Interstate 87. The owner was permitted to clear trees on a 900-foot-long path on the mountain slope to construct the zip line at the Wild West Ranch and Western Town resort. Local officials in Lake George and Queensbury were left to sort out issues on visual impact, vegetation clearing, noise, and water quality. In May, a neighbor filed a lawsuit seeking to annul APA's permit for the project.



*Left: The APA's Preferred Alternative classifying the Essex Chain Lakes, OK Slip Falls and Indian River tracts. The plan established five new Forest Preserve units, including the Hudson Gorge Wilderness Area, the Essex Chain Lakes Primitive Area, the OK Slip Pond Primitive Area, the Pine Lake Primitive Area and the Polariss Mountain Primitive Area.*

Map courtesy Adirondack Park Agency

- Primitive
- Wilderness
- Wild Forest





# FEDERAL GOVERNMENT



## Clearing the Air

In June, the U.S. Environmental Protection Agency (EPA) Administrator Gina McCarthy introduced a Clean Power



McCarthy

Plan that requires power plants nationwide to carry out a 30-percent cut in total carbon emissions by 2030. Power companies will be able to choose how to achieve those emissions reductions. The EPA

predicts these improvements will also result in an additional 25-percent cut in acid rain causing sulfur- and nitrogen-based pollution.



## Buyer Beware

The Consumer Products Safety Commission (CPSC) highlighted the dangers of all-terrain vehicles (ATV) and multi-passenger utility-task vehicles (UTV) in a report that listed New York as one of the top 10 states where riders died over the past 25 years (359). The CPSC said that 100,000 Americans went to the emergency room for ATV/UTV injuries in 2012, and about 25,000 of them were children under 16.

*Above: Bear Brook near Raquette Lake.*  
Photo © Carl Heilman II/Wild Visions, Inc.



## Not Bakken Away

This summer, the EPA Regional Administrator Judith Enck began overseeing the inspection of railroad



Enck

tracks that carry dangerous Bakken crude oil from North Dakota to the East Coast via the Port of Albany. The Canadian Pacific Railway line runs along the Adirondack Park's eastern edge for 100

miles, following Lake Champlain from Montreal to Albany. When the inspections are complete, the EPA will develop site-specific plans to better protect environmentally sensitive areas like the Park. The Council was invited to help develop those plans.



## Funds to Fight Invaders

In February, the EPA awarded a \$500,000 grant to the Paul Smith's College Watershed Stewardship Program. The program will inspect about 14,000 boats to prevent the spread of invasive species into 20 lakes and rivers in the northern Adirondacks. The stewards will remove invaders such as Eurasian watermilfoil, zebra mussels and spiny water flea, and educate boaters on how they can help prevent the spread of invasives.



## Tankers are Crude

The National Transportation Safety Board (NTSB) has warned that the older DOT-111 railroad tanker cars that oil companies use to transport crude oil to refineries are prone to leakage during a derailment and should be replaced with a safer car. The DOT-111 models are blamed for the explosion and fire in Lac-Mégantic, Quebec, last summer that killed 47 people, and for the spill that set the James River on fire in Lynchburg, Virginia in April 2014. Trains carrying up to 99 such cars a day pass through the Adirondack Park on the Canadian Pacific Railway line.



## Go Ahead, Chuck 'em

In January, U.S. Senator Charles Schumer called on the U.S. Department of Transportation (USDOT) to ban the use of



Schumer

DOT-111 railroad tanker cars to transport crude oil. Leaks from these derailed cars caused the recent disasters in Quebec and Virginia. The USDOT has the authority to ban their use in carrying hazardous

materials through communities, water supplies and sensitive wildlife habitat throughout the country. Oil companies have resisted such a ban.

## USFWS Endangers Wolf's Return

Last year, the U.S. Fish and Wildlife Service (USFWS) proposed to remove the gray wolf (*Canis lupus*) from the endangered species list, which will eliminate the current bans on hunting and trapping and any other special protections for the animal. The agency claims that the gray wolf no longer needs federal protection to prevent its extinction because its population has been “restored” to its historic range. However, scientific evidence shows that the historic range for the gray wolf includes the Adirondack Park which currently does not have a viable wolf population, proving protections are still needed.



*Above: The gray wolf, *Canis lupus*.*  
Photo © Larry Master, masterimages.org

*Below: Oswegatchie River during fall.*  
Photo © Carl Heilman II/Wild Visions, Inc.

## Hide and Seek

Congress tried to bury a proposal in the Middle Class Tax Relief and Job Creation Act of 2012 that would permit the Federal Communications Commission (FCC) to allow an increase of 10 percent or more in the height and footprint of any cell tower, in any location. This could be disastrous for the Park and override the Adirondack Park Agency's (APA) towers policy. Created in 2002, the APA's policy allows cell towers almost anywhere on private lands, but requires they remain “substantially invisible,” helping blend them into the Park's wild landscape. The FCC sought public comments on this proposal and received thousands. Council members helped lead this effort. As of press time, the FCC had not decided how to proceed.

# OTHER AGENCIES

## Monitoring Waters' Recovery

The state's Energy Research and Development Authority (NYSERDA) is using state and federal funding to monitor the success of the just-completed federal acid rain program, the newly reinstated Cross-State Air Pollution Rule and the proposed federal Clean Power Plan. It also examines the depth of recovery in Adirondack watersheds and how the most impacted ecosystems can be nursed back to health. This research is used to guide clean air policies and secure funding for future research.

## Curbing Invaders

In July, the Office of Parks, Recreation and Historic Preservation issued new regulations that require boaters to remove

all plant and animal materials from boats, trailers and equipment, and to drain boats prior to launching at the 180 state parks it oversees. This will help curb the introduction of aquatic invasive species that harm the ecosystems of lakes and rivers, inhibit recreation and are costly to remove.

## Wood Principles

At its annual gathering for input from environmental advisors in June, the Governor and NYSERDA embraced the Council's conditions for biomass support: smart biomass based on material from sustainably managed forests and healthy biomass with air pollution controls to protect public health. If done right, wood-based biomass energy can help the Park by providing local jobs, business opportunities and better air quality.

## A Broadband Appeal

Last December, the Empire State Development (ESD) approved more than \$14.5 million in New York State Broadband Grants for nine projects to expand access to broadband services. The projects in the Adirondacks included the Towns of Long Lake, Hamilton County; Schroon, Essex County; Belmont, Franklin County; and Lyon Mountain, Clinton County. These were the first grants from the Governor's Connect NY Broadband Grant program and the Regional Economic Development Council Awards.

*Above: Oswegatchie River during fall.*  
Photo © Carl Heilman II/Wild Visions, Inc.

# AWARD WINNERS

# TIP OF THE HAT

## Marshall Family Honored

In July, the Marshall Family was named “Conservationist of the Year” by the Adirondack Council at its annual Forever Wild Day celebration, held at the Adirondack History Center Museum in Elizabethtown. The Marshalls were cited for five generations of advocacy on behalf of the Adirondack Park’s wilderness and communities.

The Marshall family’s roots in the Adirondack Park run deep. Louis Marshall drafted and championed the ‘Forever Wild Clause’ of the NYS Constitution, which has protected the Forest Preserve from logging, sale and development since 1895. Their children, James, Ruth, Robert, and George, were among the founding directors of the Adirondack Council, the Natural Resources Defense Council and the Wilderness Society. George and Robert were among the first Adirondack 46ers, having climbed all of the Adirondack peaks above 4,000 feet in elevation.



Robert’s niece, Ellen Marshall Scholle, served on the Council’s board and was succeeded by her granddaughter, Liza Cowan. Each generation of the Marshall family has made significant contributions to the health and well-being of the Park, its wild character and its communities.

## Adirondack Explorer Recognized

The *Adirondack Explorer* magazine received special recognition at the Adirondack Council’s Forever Wild Day for excellence in journalism and education, helping people understand, explore, protect and celebrate the Adirondack Park. The magazine issued its first edition in 1998, and has become a must-read publication for anyone who cares about Adirondack Park conservation and recreation. Six issues a year cover the region with a special emphasis on the Park’s wildlife, natural attributes, conservation needs, and recreational opportunities. More recently, the Explorer teamed up with the online news blog *AdirondackAlmanack.com* to present fast-breaking news and to provide a forum for the discussion of Park issues.

Above: Big Deer Pond and Lows Lake.  
Photo © Carl Heilman II/Wild Visions, Inc.

## Partner Contributions

*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 **Adirondack Explorer** magazine and **Paul Smith’s College** joined forces to hold a conference in September 2013 to gather information and advice on how to update the rules and regulations of the Adirondack Park Agency.

The **Fund for Lake George** has organized a group of stakeholders called the **S.A.V.E. Lake George Partnership** to halt the spread of invasive species. It includes the village and town of Lake George, the towns of Bolton, Chester and Queensbury, the Lake George Waterkeeper, Lake George Association, and the RPI Darrin Fresh Water Institute, as well as individuals.

The **Adirondack Center for Working Landscapes** is a new collaboration between Paul Smith’s College and Cornell Cooperative Extension, designed to build stronger, more sustainable communities.

The **Adirondack Public Observatory** in Tupper Lake formally opened its Roll-Off Roof Observatory in July with an open house of its facilities and telescopes.

The first ethnic and racial diversity conference, **Toward a More Diverse Adirondack Park**, was held in August with help from a variety of not-for-profit organizations, including the **Adirondack Almanack**, the **Adirondack Council**, the **Adirondack Foundation**, **Adirondack Futures**, **John Brown Lives**, **SUNY College of Environmental Science and Forestry** and the **Wild Center**.

The **Wild Center** in Tupper Lake held a Park-wide forum on broadband internet access in October 2013 that brought together industry representatives and community leaders to discuss recent progress and new opportunities, and to identify areas where work was still needed.

The **State University at Albany’s Rockefeller Institute for Public Policy** joined forces with Adirondack Wild/Friends of the Forest Preserve to host a forum and celebration of the 50th Anniversary of the federal Wilderness Act, which was written in the Adirondack Park.

Timber Investment Management Organization **Molpus Woodlands Group** of Jackson, Miss., purchased the entire 130,659-acre holdings of the Rayonier Corp. in the Adirondack Park, vowing to keep intact its Sustainable Forestry Initiative certification.



**ADIRONDACK COUNCIL**  
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