

STATE OF THE PARK 2010



ADIRONDACK COUNCIL
Defending the East's Greatest Wilderness

THE ADIRONDACK PARK

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

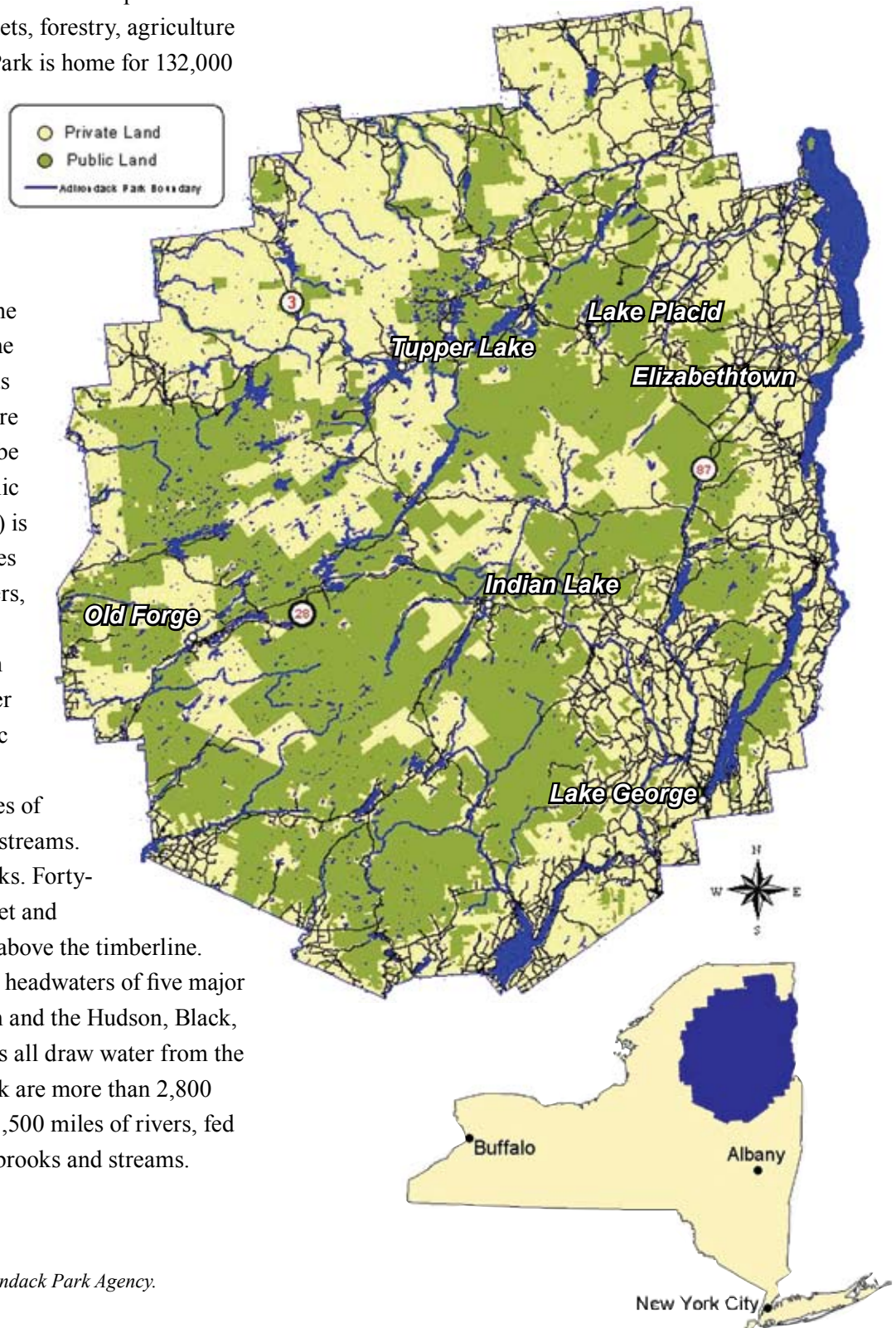
More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture and open-space recreation. The Park is home for 132,000 permanent and 110,000 seasonal residents, and hosts ten million visitors yearly.

The remaining 45 percent of the Park is publicly owned Forest Preserve, protected as "Forever Wild" by the NYS Constitution since 1894. One million acres of these public lands are protected as Wilderness, where non-mechanized recreation may be enjoyed. The majority of the public land (more than 1.3 million acres) is Wild Forest, where motorized uses are permitted on designated waters, roads and trails.

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

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

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



Map data provided by the Adirondack Park Agency.

STATE OF THE PARK 2010

A Non-Partisan Review of Elected and Appointed Government Officials' Actions Affecting the Adirondack Park

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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.

To achieve our vision for the Park, we *educate* the public and policy makers; *advocate* for regulations, policies and funding to benefit the Park's environment and communities; *monitor* proposals, legislation and policies impacting the Park; and, *take legal action* to uphold constitutional protections and agency policies established to protect the Adirondack Park.



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State of the Park 2010



Dear Adirondack Council Members and Friends,

The six-million-acre Adirondack Park is one-fifth the land area of New York State and yet there are only 132,000 year-round residents in its small rural communities. Nearly half of the Park's public lands are constitutionally protected under Article XIV, the "Forever Wild" clause, and the remaining private lands are regulated by the Adirondack Park Agency Act.

As we approach the end of 2010, it is clear that 2011 will be an especially important year for the Adirondack Park. This fall, New Yorkers will elect a new Governor and a new Attorney General. We will decide at the polls which party's leaders will control the NYS Legislature when the majorities in each chamber redraw legislative election districts for the coming 10 years. A new state law will prevent upstate legislators from counting the mostly-downstate population of local state prisons as residents of their districts. If it survives a promised legal challenge, this new law could make Adirondack legislative districts larger and fewer, so we would have even less representation in Albany.

The Adirondack Council wants to make sure that the new Governor, Attorney General and other state officials understand that the Adirondack Park is a unique and iconic region that requires special attention. These are challenging economic times for the Park as the state faces soaring deficits and is reducing public sector employment in communities heavily dependent on state jobs and funding. On the other hand, all signs pointed to an excellent summer tourism trade in many Park communities, as many Northeasterners postponed long-distance vacations for something less expensive. It is also likely that Governor David Paterson's threat to close 55 state parks this summer reminded people of the wonders of the Adirondack Park. You will read about this debate and others in this edition of State of the Park.

We know that governance and policy reforms are urgently needed among the state agencies that serve the Park, whether they are protecting natural resources or helping people build better communities. We also know that any attempt at successful reform will require the input of public and private stakeholders from across the Adirondack Park and ought not to be forced top-down from Albany. Our priorities are clear: reform governance and policy, improve water quality, conserve critical lands, revitalize local communities, and reduce air pollution.

We need to reform the Adirondack Park Agency to improve water quality and promote smart growth in communities. The Department of Environmental Conservation needs reform to unite the Park as one DEC region, under one Park superintendent, one ranger force, and ecosystem-based management principles.

As we continue our work to ensure that the Adirondack Park is a place where wilderness and people can thrive together, your support will be more important than ever. We need your help to get our message to all elected officials, and then to hold them accountable. I hope this State of the Park will inspire you to be active in our advocacy efforts.

Sincerely,

Brian L. Houseal
Executive Director

On the Cover: Land protection opportunities like acquisition of the spectacular, 15,000-acre Follensby Pond tract (currently held by the Adirondack Nature Conservancy) should be a priority investment for the state this year. Follensby Pond is located in the central Adirondacks near the village of Tupper Lake on the western edge of the High Peaks Wilderness. Photo © Carl Heilman II/Wild Visions, Inc.

THE GOVERNOR

Strong Pick for APA Commissioner

In February, Governor David Paterson nominated Adirondack boat builder and former town planning board member, Peter Hornbeck of Minerva, to serve a four-year term on the Adirondack Park Agency Board of Commissioners.

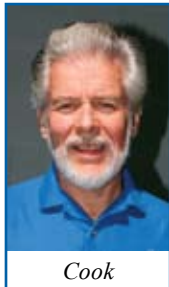
Hornbeck has the support of his fellow townspeople, including the sitting supervisor and town council. His nomination was opposed by Senators Elizabeth Little, R-Queensbury, David Valesky, D-Oneida, and Darrel Aubertine, D-Cape Vincent. They did not want to see Hornbeck replace resort-owner Arthur Lussi of Lake Placid, whose term has expired. As of press time, the Governor confirmed he still sought confirmation for Hornbeck. Lussi can continue to serve until he is replaced.



Paterson

Good Choice for Lake Post

Governor Paterson nominated Dr. Dean Cook of Ticonderoga in Essex County to serve a term on the Lake George Park Commission. The commission acts as a regional zoning and planning agency for the Lake George basin. Dr. Cook, a local dentist, has extensive experience in environmental protection and has been an advocate for the protection of Lake George for decades. Cook has held leadership roles with several environmental organizations, including the Adirondack Council. Cook was confirmed by the state Senate this spring.



Cook

Smart Move for Smart Growth

In late August, the Governor signed the "Smart Growth Public Infrastructure Policy Act" which requires state agencies to fund projects according to smart growth standards established in the act. Smart growth advisory committees will be created in each agency to make sure projects meet anti-sprawl criteria before they are begun. Controlling sprawl will help the environment and local governments' finances.

Birthday Spanking for DEC

Governor Paterson celebrated the 40th Anniversary of the founding of the NYS Department of Environmental Conservation by slashing the agency's funding to unsustainable levels and by reducing its workforce to the point where it cannot adequately care for the state's natural resources. Rangers are foregoing patrols due to limited fuel rations and other staff has to forego some important public meetings, or pay their own way, because they aren't allowed to use state vehicles or accumulate more mileage. Permit reviews and clean air monitoring are suffering as well.

A Violated Trust

In January, the Governor acted to undermine the Adirondack Park Agency's authority when his staff resolved an 18-year-old enforcement stalemate without the APA present.

In 1992, a landowner from the Syracuse area illegally built a cabin in a wetland near the Raquette River in the Town of Tupper Lake. The APA ordered him to halt construction and apply for an after-the-fact-permit. He refused. The Park Agency then turned the case over to the Attorney General for legal action. In 2005, NYS Supreme Court Justice David Demarest fined the owner \$6,500 and continued an injunction preventing him from using the cabin. In 2009, the

Attorney General urged Judge Demarest to find the owner in contempt of court and order the removal of the cabin. The owner then appealed to the Governor and the Governor's staff forced the agency to give him an after-the-fact permit for the cabin.

A Violated Trust Fund

When the Governor ran short of cash at the end of 2009, he tapped into the clean energy development/energy conservation funds held by the NYS Energy Research and Development Authority from the sale of carbon dioxide allowances to power plants. As a member of the 10-state Regional Greenhouse Gas Initiative, New York has been selling power plants the allowances they need to comply with regional pollution limits. The Governor persuaded the Legislature to use \$90 million from the fund to close the budget gap. There is no plan to repay the money.

Environmental Fund Robbed...Again

Late in 2009, Governor Paterson persuaded the Legislature to remove yet another \$10 million from the already-devastated Environmental Protection Fund. This year, the Governor sought much deeper cuts to the fund and proposed a land acquisition moratorium. In addition, he proposed diverting a portion of the fund to day-to-day expenses, such as state employee salaries. The Adirondack Council and a wide coalition of environmental organizations fought against and defeated the Governor's scheme to wipe-out the EPF. In the end, total funding was cut to \$134 million, but the EPF survived and contains \$17.6 million this year for land acquisition.

A Promise Gets Broken

The Adirondack Park Agency, the state's smallest agency, is getting smaller. Early in 2009, Governor Paterson ordered a ten

percent cut in all state agency spending. The Governor claimed that there would be no cuts to personnel. However, when the APA lost three people to retirement in 2009, the Governor did not refill the positions. This year, he eliminated funding for ten more staff, forcing the APA to close its two Visitors' Interpretive Centers in Newcomb and Paul Smiths. The centers are in negotiations to be reopened by SUNY College of Environmental Science and Forestry (ESF) and Paul Smith's College respectively; the agency's total number of employees fell from 72 to 59.

Let's Not Bother Keeping Track

Governor Paterson vetoed a bill that would have required state agencies to assess and report on the amount of

greenhouse gases they are emitting. State government is no small emitter of carbon dioxide and other climate changing chemicals. The public deserves to know how much carbon its institutions are creating, as well as what plans our public officials have to curb them.

Taking Holiday Hostages

Governor Paterson used the popularity of all state parks to force the NYS Legislature to accept deep cuts to the Environmental Protection Fund. The Governor threatened to keep closed seasonal parks and historic sites and some Forest Preserve campgrounds just before Memorial Day weekend, demanding that the Legislature settle the EPF immediately. He failed in his attempt

to get the Legislature to pay state parks employees' salaries out of the EPF and to wipe out funding for land purposes. Parks and campgrounds were opened just before Memorial Day weekend.

It's the Economy, Too

In 2009-2010, Governor Paterson ignored the Common Ground Alliance's urgent request to restructure the Empire State Development zones to encourage economic stimulus for small, private-sector businesses in the Adirondacks. The Alliance is a group of community leaders, businesses, environmental organizations and public officials who work toward comprehensive solutions to eco-friendly, rural economic development.

STATE LEGISLATURE

Both Houses

Protecting the Protection Fund

Both houses of the NYS Legislature opposed Governor Paterson's plan to start paying day-to-day expenses out of the Environmental Protection Fund, which is dedicated to capital projects only. The Governor attempted to pay \$5 million in state employee salaries, plus another \$5 million to cover the state's obligation to pay taxes on Forest Preserve lands to local villages, towns and schools. He also wanted \$6 million for the operation of state parks, campgrounds and historic sites. Legislators rejected all those proposals, as well as Paterson's plan to eliminate all funding for land purchases.

Sprawl a Bad Investment

This summer, both houses passed the "Smart Growth Public Infrastructure Policy Act" that will reduce sprawl and help to create cleaner and greener urban areas across the state. Sprawl strains local government services and eats away at valuable green space. The bill was

sponsored by Assemblyman Sam Hoyt, D-Buffalo, and Sen. Suzi Oppenheimer, D-Westchester.



Hoyt



Oppenheimer

Shocking Results

Following Governor's proposal to close the Moriah Shock facility, the Council and other groups rallied around the correctional institution and called for it to remain open. The facility currently employs over 100 people. The Legislature, when it negotiated the final budget, restored the funding to keep the facility open.

No More Fertilizing Water

In July, Governor Paterson signed a bill that makes it illegal for stores in New York to stock supplies of dishwasher

detergents that contain phosphorus. The new law, which takes effect January 1, 2012, also prohibits homeowners and landscapers from applying fertilizer containing phosphorus on any lawns and within 20 feet of waterbodies. Currently, fertilizers can be used within ten feet of water if a vegetative buffer has been established. Phosphorus drains into waters and promotes algae growth which reduces oxygen that fish need. It also degrades drinking water. More than 100 waterbodies in the state are considered impaired, including Lake Champlain. This bill was sponsored by Senator Antoine Thompson, D-Buffalo and Assemblyman Robert Sweeney, D-Lindenhurst.



Thompson



Sweeney

Curbing Roadside Lead

In June, the Legislature gave its final approval to a bill that requires automobile tire dealers to stop using lead weights to balance wheels when mounting tires. Weights are attached to the rim of wheels to prevent vibrations during high-speed rotation. The weights often fall off, scattering toxic metal on roads, and roadsides, and eventually into nearby waters. The lead weights also contribute to contamination in tire landfills and automobile junkyards, the automobile recycling process and the work environment of tire installers. The bill, which takes effect April 1, 2011, was sponsored by Sen. William Perkins, D-Manhattan, and Assemblywoman Linda Rosenthal, D-Manhattan.



Partners in Raid

The Legislature agreed with Governor Paterson's December 2009 plan to divert another \$10 million from the Environmental Protection Fund. The EPF has been raided to the tune of more than \$500 million since 2003. That is about one of every three dollars ever raised for the EPF.

Anti-Environmental Climate

The Legislature agreed with the Governor's plan to balance the state budget by raiding funds from the proceeds of the Regional Greenhouse Gas Initiative's carbon auctions. The proceeds from the auctions were to be used by New York State Energy Research and Development Authority to administer energy efficiency, renewable energy, and/or innovative carbon abatement programs and to cover the costs to administer such programs. Like the EPF, the RGGI fund was created for a specific purpose that was entirely ignored when money was needed to balance the budget.

Senate

Want Our Water? Get a Permit

In June, the Senate passed a bill sponsored by Senate Environmental Conservation Committee Chairman Antoine Thompson that would require water extraction projects to obtain a Department of Environmental Conservation permit for all purposes other than agriculture. (Farms would still only be required to report their use.) A law passed last year requires only reporting of large-scale water extractions. The bill was sponsored in the Assembly by EnCon Chairman Robert Sweeney. The Assembly had not acted on this bill as of press time.

Putting Brakes on Road Repair Costs

In June, the Senate passed a bill that would allow towns to declare certain roads as "minimum maintenance" roadways. Towns would be allowed to reduce the amount of grading and plowing it does, keeping the road passable but not perfect. Towns could ignore the general mandate to keep roads clean, dry and clear after a winter storm. The bill, if passed by the Assembly, would reduce taxpayer costs, reduce salt use, ease sprawl and curb the spread of invasive species. The bill is sponsored by Sen. Darrel Aubertine, D-Cape Vincent, and Assemblywoman RoAnn Destito, D-Rome.



10-Year Loophole

In June, the Senate passed a bill, without debate, that would place a ten-year statute of limitations on Adirondack Park Agency enforcement of any land-use violations, regardless of size or extent of their impact. No local planning or zoning authority in the Adirondack Park has such an escape clause. The bill was sponsored by Sen. Elizabeth Little, R-Queensbury,

and Assemblywoman Teresa Sayward, R-Willsboro. The Assembly came close to passing the bill, but last minute advocacy by the Adirondack Council and others prevented this bill from becoming a law.

Upstate Senators Sink Citizen Review

The Senate rejected a bill that would have made it easier for citizens to defend natural resources and wildlife habitat. In order to gain the right to participate directly in a formal state environmental study, citizens and organizations are currently compelled to prove that the proposed action would harm them more profoundly than a member of the general public. The bill would have lifted that requirement and allowed all interested parties to participate in any action involving the State Environmental Quality Review Act. The bill was sponsored by Assembly EnCon Chairman Sweeney and Senate EnCon Chairman Thompson. All GOP members voted against it, as did upstate Democrats Darrel Aubertine (Cape Vincent), David Valesky (Syracuse), and William Stachowski, (Buffalo).

ATV=Aubertine's Terrible Vehicles

The Senate passed a bill sponsored by Senator Aubertine that would have increased the maximum allowable weight for an all-terrain vehicle from 1,000 to 1,500 pounds. The expanded definition would have allowed huge, four-passenger, side-by-side ATVs to be used where the one- and two-person models now are allowed. The Assembly held this bill in committee.

Straw Man for Wood Boilers

Senator Aubertine gained Senate passage of a bill that would have prevented the Department of Environmental Conservation from regulating outdoor wood boilers. These outdoor furnaces have grown into a substantial polluter of local ambient air quality. This bill did not move in the Assembly.



Assembly



Carbon Cap Proposed

In June, Assembly EnCon Chairman Sweeney gained Assembly passage of a bill that would require the Department of Environmental Conservation to create new emissions rules that reduce the amount of carbon emitted by all sources by 80 percent by 2050. The Senate did not act on EnCon Chairman Thompson's version of this bill.



New Controls for Mercury

In April, the Assembly approved a bill that would require thermostat manufacturers to establish recycling sites at retail stores for consumers who are replacing old-style thermostats that contain mercury. The bill was sponsored by EnCon Chairman Sweeney. The Senate did not act on EnCon Chairman Thompson's version of this bill.

"Not all people feel they need to have wilderness, but I do. If things go bad and everything seems to go wrong, the best place to go is right into the remote wilderness, and everything's in balance there."

Clarence Petty

COURTS



Order Holds Up, House Comes Down

In August, Essex County State Supreme Court Justice Robert Muller upheld the Adirondack Park Agency's 2005 enforcement order against a home builder who violated permit conditions in the Fawn Ridge subdivision in Lake Placid. Muller said the house violated the height, setback and screening requirements contained in an APA permit issued to the subdivision's original developer, Lakewood Properties. The judge noted that his decision would require the owner to tear down his partially constructed home and begin anew. Thus, he declined to impose the \$273,450 civil penalty (\$50 per day) the Park Agency had recommended. In September 2009, U.S. District Court Judge William Sessions dismissed the landowner's claim that the Adirondack Park Agency was selectively enforcing its guidelines.



Town Sinks Boathouse

In January, acting Fulton County State Supreme Court Justice Richard Giardino ended an 11-year fight over an illegally built house. This began in 1999, when a Canada Lake property owner applied for a boathouse permit from the Town of Caroga, after being denied a permit to construct a single-family residence on the lot, which is accessible only by water. The owner built a two-story, 2,000-square-foot structure over the surface of the lake

that the town deemed to be a residence, not a garage. He was ordered to remove it, but he refused and the town commenced legal action. In 2008, the justice fined the owner \$50,000 and ordered him to obtain a demolition permit from the town within 60 days. He appealed the case to the NYS Court of Appeals, which declined to hear the case in October 2009 and in December 2009. The owner then had until Dec. 20, 2009 to obtain a demolition permit from the town, but didn't. The judge told the owner that his appeals had been exhausted and the structure was razed in February 2010.



Judge Throttles Town Pro-ATV Law

In January, NYS Supreme Court Justice Joseph McGuire threw out a 2009 town law in Lyonsdale, Lewis County, which had opened 10 miles of town roads to ATV traffic. McGuire ruled that the law was adopted without adequate justification under state laws. Vehicle and Traffic Law discourages the use of ATVs on the same

roads as automobiles, allowing for only short detours and connections between existing trail systems. Environmental laws require a careful review of the potential consequences. The judge ruled that the town's ATV law failed both tests. The decision came in response to a June 2009 lawsuit by Lyonsdale Town Councilwoman Nancy O'Brien-Dailey.




Split Decision Protects Shoreline, Wetlands

In November 2009, State Supreme Court Judge Robert Muller ruled against nine Adirondack counties and eight towns that attempted to overturn the Adirondack Park Agency's newly created shoreline and wetland subdivision regulations. The shoreline rules were part of a regulatory revision package the APA approved in 2008 that affected subdivisions with wetlands, lots with roads through them, hunting cabins and the expansion of shoreline structures. The towns filed suit in January 2009, about two months after the rules were adopted.

Thank you to all our members for your activism and financial and moral support.
As you can see from all the successes benefiting the Park over the last year, your involvement really does make a difference.
Thank you for your continued support!



LOCAL GOVERNMENTS



Failing to Plan = Planning to Fail

Franklin County, the Adirondack Park's only county lacking a planning department now appears poised to finally create one. The County Legislature has applied for a \$50,000 state grant to organize and establish a planning agency. The county's lack of a centralized planning service has forced its towns and villages to fend for themselves when trying to control development or qualify for state and federal grants.




Campaign Ends in Victory

The Town of Caroga has gone to extraordinary measures to ensure that its land-use laws and local zoning are treated with the respect they deserve. For more than a decade, the town defended its decision to prohibit large boathouses and homes disguised as boathouses against the objections and lawsuits of a Canada Lake camp-builder. The town has prevailed on all legal actions pending in the case, 11 years after first denying a permit for a home on the water-access-only parcel.



Support for Fellow Local

Minerva Supervisor Sue Montgomery Corey and the town board supported a fellow towns person and local businessman when they wrote to the Senate EnCon Chair, Antoine Thompson, D-Buffero to support Peter Hornbeck's nomination to the Adirondack Park Agency. Hornbeck was nominated by Governor Paterson to replace Arthur Lussi of Lake Placid, whose term has expired. Unfortunately, his confirmation was opposed by a handful of Senators. Governor Paterson is still supporting Hornbeck's confirmation.



No... and No Again

Last September, both the Town and Village of Tupper Lake refused to support the "Rooftop Highway," or I-98. Local officials rightly believe that if the highway is constructed, it would reduce traffic through Tupper Lake and harm local businesses.



In the Zone

In July, the Lewis County Town of Greig amended its zoning regulations to address a shortcoming that had become obvious in recent years. The town created new rules for commercial water extraction that would require operators of such projects to obtain a permit and establish criteria for monitoring water levels and hiring professionals to examine permit application materials.



Good Idea is Contagious

Lake George Town Supervisor Frank McCoy's push to enact a local law banning phosphorus in lawn fertilizers helped persuade the state Legislature to enact a new, statewide law this summer. The new state law phases-in a ban on phosphorus in lawn fertilizer and dishwasher detergents. The law is not as tough as McCoy's plan, but the Legislature left room for improvement by allowing local governments to enact their own laws that are stricter than the state statute. Phosphorus promotes rapid plant and algae growth, reduces water clarity and promotes the spread of invasive species that otherwise wouldn't have enough food to survive.



Fighting Town Hall From the Inside

When the Lyonsdale Town Board passed a local law last year opening a series of town roads to all-terrain vehicle traffic, Councilwoman Nancy O'Brien-Dailey knew the board was acting illegally. The

state's Vehicle and Traffic Law discourages the use of ATVs on the same roads as automobiles, allowing for only short detours and connections between existing trail systems. Environmental laws require a careful review of the potential consequences. She knew the town board had failed both tests. So when her four colleagues ignored her and voted in favor of the new town law, she filed a lawsuit against the town. In January, a state Supreme Court justice agreed with her and invalidated the town law.



Sensible Consensus on Census

Planners from Hamilton, Oneida and Saratoga counties worked together this summer on a proposal to get the US Census Bureau to survey the Adirondack Park as its own Rural Statistical Area. If the Census Bureau agrees, for the first time, census data would be available for the entire Park without having to add up the figures from all of the small communities that comprise the Park. State policy on the Adirondacks has always suffered from some degree of uncertainty, largely because the Park boundary doesn't conform to village and town lines.



Good Plans

In an effort to save money, two towns have consolidated planning efforts. The Village of Saranac Lake and Town of Harrietstown have produced a comprehensive plan designed to guide future development in the community and to serve as the legal basis for land-use regulations in the village and town. This will save taxpayers money and help conserve open space by limiting sprawl.

Also, Lake Placid and the Town of North Elba have drafted a new land-use code for use by both municipalities. This plan "discourages" the storage of road salt within 50 feet of lakes, streams and rivers and requires developers to build at least one mandatory affordable housing unit for projects greater than 10 units.



Green Teams Sprouting Locally

The Village of Lake George has appointed a Go-Green Committee that town government hopes will allow the village to “save energy, protect the environment and become a climate-resilient community.” Among the committee’s first priorities was to audit the village’s municipal buildings’ energy use and recommend changes that could save the taxpayers’ money. A similar team was created in Lake Placid by Mayor Craig Randall to help with clean energy production and energy conservation projects.



Money Where Mouth Is

The Town of Caroga in Fulton County, doesn’t need to be reminded how valuable state lands and campgrounds can be to a community. When faced with the potential closure of the state’s Caroga Lake Campground as the Legislature and Governor debated the budget well past the deadline, the town board appropriated \$36,000 to offset the state’s expenses for operation of the facility. The Legislature eventually found the money needed to keep the Park’s campgrounds open.



Let’s Clean it Up

The Tupper Lake Town Board has asked the state to build a boat-washing station at the state’s Moody Boat Launch in an effort to keep the lake free of aquatic invasive species. It sent the Department of Environmental Conservation a resolution stating “more than 50 lakes in the Adirondack Park are contaminated with invasive species, but Big Tupper Lake is not yet one of them.”



Magazine Touts Quality of Outdoor Life

For the third consecutive year, Saranac Lake was celebrated in *Outdoor Life* magazine’s 2010 list of the 200 best towns in the United States for hunters and anglers. The magazine states that socioeconomic subcategories like population growth, median household income, median home value, cost of living, unemployment rate, population density, mean commute time and amenities account for 40 percent of a town’s overall score. The remaining

60 percent is based on outdoors-related subcategories, including proximity of public land and waters and the potential for taking a trophy-caliber animal or fish nearby.



Whom Does He Serve?

Chester Town Supervisor and Warren County Board of Supervisor’s Chairman Fred Monroe continued in 2009 and 2010 to act as lead organizer of lawsuits against the Adirondack Park Agency by local government entities around the Adirondack Park. He did this despite the fact that he is also the state-salaried Executive Director of the Adirondack Park Local Government Review Board. The Review Board is a state-taxpayer-supported advisor to the Adirondack Park Agency. The Review Board is barred from suing the Park Agency, or anyone else. So instead, Monroe organized and promoted a lawsuit by towns, which sought to overturn the APA’s requirement of a variance for expansions of older homes that are closer to a water body than current law allows.



Agency Needs Inspection

According to documents obtained under the Freedom of Information Law (FOIL), the Adirondack Park Local Government Review Board has received more than \$250,000 from the Adirondack Park Agency’s annual budget over the past three years alone. Yet it continues to undermine the APA’s mission and reports on its finances to no one.

The Review Board also receives funding from 12 Adirondack county governments, and more recently has begun soliciting individual towns and villages for funding as well. In response to a FOIL request, neither the APA nor the NYS Division of Budget could produce a copy of the Review Board’s budget. Both said they had no record of ever receiving one.



No Planning, No Vision


In February, the Town of Franklin took a big step backward when it abolished the local planning board it had created last fall. The planning board was created to administer the town’s new subdivision

law. That law requires a review of any subdivision of five lots or more. The town attorney advised board members that the subdivision law was still on the books, so they would now have to enforce it. The town board also noted that it didn’t have an inventory of the developable lands in the community and asked the former planning board members to volunteer to create one. In May, it repealed the subdivision law too.



Public Taking for Private Purpose?

This spring, the Tupper Lake Town Board used an obscure highway law to take private land and force the Adirondack Nature Conservancy to give up its property on its Follensby Pond tract for resort home buyers at the proposed, 700-unit Adirondack Club and Resort. The developer doesn’t own the land to which a new right-of-way would provide access. He says he owns a purchase option from the company that owns the tract. Follensby Pond is slated for addition to the “Forever Wild” Adirondack Forest Preserve in 2011 or 2012. In August, a state judge allowed the proceeding to move forward and the hearing was taking place as we went to press with this publication.



Land Swap a Two-Way Street

The Town of Long Lake has yet to identify a small parcel of land to complete the swap authorized by a 2007 Constitutional Amendment. The amendment approved by state voters allowed Long Lake to use a one-acre parcel of “Forever Wild” Forest Preserve for drinking water wells for the hamlet of Raquette Lake, in exchange for a parcel somewhere else in town. The wells have been in operation for more than two years.

The Adirondack Council does not accept government or taxpayer funding of any kind. The Council’s work is funded entirely by your private donations, strengthening our advocacy efforts.

Thank you!

ADIRONDACK PARK AGENCY

Defending the Fledglings

The Adirondack Park Agency's staff did a good job of defending sensitive wildlife habitat this spring and summer when the US Army and NY Air National Guard wanted permission to use the Whiteface Mountain toll road for helicopter training. The APA helped persuade officials from Fort Drum to restrict their use of the toll road to times of the year when the rare neotropical songbird Bicknell's Thrush is not actively raising its young.



Bicknell's Thrush

Shoreline & Wetlands Habitat Course 101

The APA attempted to revise its boathouse regulations this summer, but took a beating from the real estate industry and others who don't want limits on these structures. The APA tried to limit the size of boathouses to 1,200 square feet. But some complained that the size and configuration of such structures don't have any impact on the environment.

After a contentious meeting where objections and amendments were offered by two Commissioners whose terms were about to expire, the Board decided to wait a month and try again. In June, they agreed to new limits of 1,200 square feet with a maximum height of 15 feet.

Agency Listening, People Talking

The Park Agency's staff and Board of Commissioners reviewed and approved 188 permits for new or improved telecom-

munications facilities in 2009, including six new cell towers on the Adirondack Northway (I-87). Saratoga County has erected its emergency radio tower on Fraker Mountain, overlooking the Great Sacandaga Lake. Thanks to the Park Agency's public hearing process and interveners such as the Adirondack Council and local landowners, the emergency tower is nearly impossible to see with the naked eye.

This is Only a Test

In February, the Park Agency Board of Commissioners made history when it voted to permit the first use of a chemical herbicide in an Adirondack lake to control an invasive plant. In May, the APA allowed a local group to apply 1.5 tons of chlorine-based "triclopyr" to a bay of Lake Luzerne. Commissioners voting in favor of the plan said it was merely an experiment. They failed, however, to establish any scientific criteria for judging whether it caused harm to species other than Eurasian Watermilfoil, the plant that the group was trying to kill.

Inconsistent? Approved!

The APA's Board of Commissioners once again approved a snowmobile plan presented by the Department of Environmental Conservation (DEC). The APA reviews such plans to ensure they are consistent with the Adirondack Park State Land Master Plan (SLMP). For a third time in as many tries since 2005, the APA approved a plan that didn't comply with the Master Plan's natural resource protections. The APA Commissioners agreed that the plan may require amendments to the SLMP, but voted to say it was consistent anyway. The Adirondack Council filed an Article 78 lawsuit challenging that decision. A judge dismissed the suit, saying it was brought before all administrative remedies had been exhausted. At press time, the Council was pondering whether to appeal the dismissal or bring a similar suit when DEC tries to implement the plan.

Environmental Conversational Confusion

The APA is now inventing terms to disguise the fact that it won't force cell phone companies to share towers rather than build them side-by-side. The term "co-location" means adding cell phone transmission equipment to an existing building or tower. The APA this year invented "horizontal co-location," or building another tower of similar size in the same general area as an existing tower. The agency is also neglecting the need to require a bond of all tower builders, setting aside money to remove them when they become obsolete and are abandoned by their owners.

Just Trust Us

For some reason, the APA's records contain no information on the annual budget of its Local Government Review Board. The Review Board is granted large sums of money by the Park Agency for its operation and salaries, including more than \$250,000 in the past three years alone. Yet a Freedom of Information Law request revealed that the APA has no record of the Review Board's annual budget from 1973 to date. In fact, the Governor's Budget Office, which oversees all Executive Department spending, revealed in July that it too had never received a budget from the Review Board in its 37 years of existence.

No Lyon Wilderness

In May, the APA ignored the suggestion of the Adirondack Council and designated about 17,000 acres of the Lyon Mountain tract as Wild Forest, instead of the more protective Primitive designation. One of the reasons for making the lower classification was to keep both the snowmobile trail and fire tower. Primitive classification is 'Wilderness in waiting' where nonconforming structures are removed.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Cleaner Air Close to Home

The DEC is in the process of phasing out inefficient outdoor wood-fired furnaces, also known as outdoor wood boilers. The low smokestack and low combustion temperatures have caused localized, smoke-related air quality problems. In addition, many people were burning painted wood and trash in the units, adding to ambient air pollution and the spread of toxic chemicals. Newer, high-efficiency outdoor wood furnaces are not affected by the ban.

Stemming the Alien Invasion

DEC senior staff has done a good job coordinating discussions educating the public regarding invasive plants and insects and how they might harm the public and private forests of the Adirondack Park. DEC recognizes that it has too few resources to tackle the problem on its own and is enlisting the assistance of other state agencies, private landowners, wood products companies and environmental organizations.

Going Looney

In June and July, DEC Police ticketed a teen and the guardian of two other teens that had allegedly harassed loons and in one case, allegedly broke eggs in a nest with a canoe paddle. Loons are listed as a Species of Special Concern in New York. The birds are also the symbol of the Adirondack wilderness and prominently featured in the Adirondack Council's logo.



Mother loon with chick

Don't Start Your Engines

Last fall, DEC proposed new regulations that would explicitly prohibit chainsaws and other motorized equipment from Wilderness areas. The ban would include brush saws, rock drills and generators. The regulation expands the ban, which was in place in the High Peaks and Whitney Wilderness areas. The regulations were finalized in February 2010.

What Next on Snowmobiles?

In January, the Adirondack Council filed a lawsuit in State Supreme Court in Albany against the Adirondack Park Agency, Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation. The suit was filed in response to DEC's newly created "guidance document" for snowmobiling. The APA approved the plan even though it violated the State Land Master Plan (SLMP). The plan used terms such as "community connector trails" and "periphery of a highway," but these are not clearly defined in the SLMP. In August, a judge dismissed the Council's lawsuit, without hearing its merits, on the grounds that DEC had not yet put the plan into action. At press time, the Council was considering whether to appeal the dismissal or to file a similar suit when DEC implements the final plan.

Fourth Verse, Same as the First ...

Another year has passed without a formal all-terrain vehicle policy for state lands. In 2005, the DEC proposed a draft plan which banned ATVs from the Adirondack Forest Preserve and most public lands statewide, with limited exception for permitted use by people with disabilities. It was the subject of public hearings and comments, but was never finalized. The public and law enforcement officials deserve clear, enforceable rules for ATVs.

Embracing a Mistake

Commissioner Pete Grannis has refused to reconsider his 2008 decision not to exert the state's authority to close a Wilderness trail to motorized traffic. The former Old Mountain Road/Jackrabbit Trail between Keene and Lake Placid in Essex County, was the subject of a legal challenge by a snowmobiling enthusiast, who claimed the state closed it unlawfully. Following a public hearing, the Commissioner took a too-narrow view of the legal options at his disposal, giving up on the road closure despite a request to reconsider from the Adirondack Council, other wilderness advocates and DEC's own staff attorneys.

A Blindfold & Smoke for Wanakena

This summer, the DEC planned to close an air-quality monitoring site in Wanakena in St. Lawrence County in response to budget cuts. Sites such as this one are the key to detecting whether pollution cuts ordered by the Legislature and by Congress are sufficiently reducing the amount of sulfur, nitrogen and mercury pollution that lands on the Adirondack Park and other sensitive areas. They cost very little to run, but the information they provide is invaluable.

Drink Up.

The DEC has failed to issue rules for commercial water extraction operations despite the need expressed by the Town of Greig, Lewis County. The town is contending with a plan from an out-of-state landowner to remove 280,000 gallons a day in trucks. Greig officials turned down this plan but the project reappeared in the form of a pipeline from a neighboring town, under the Black River. Water would be drawn from the same springs in Greig to a truck filling station in the adjacent Town of Turin. Among the many concerns of Greig officials is the loss of a cold water source for local trout streams that need the springs to remain viable as fisheries.

Watered Down

In July, DEC accepted the applicant's version of the Final Environmental Impact Statement for a large water withdrawal project in Lewis County. The document is supposed to address concerns raised by interested parties. The Council believes the applicant did not answer our questions and we are concerned that DEC would accept such a flawed document. We have asked DEC to rescind acceptance of the document so the applicant can provide more information on the critical environmental issues.



GIVE AT THE OFFICE!

Take advantage of an easy and convenient way to support the Adirondack Council! You can make a gift to the Adirondack Council by payroll contributions through Earth Share New York's workplace giving program at numerous private companies, many state and municipal government organizations, and in the Combined Federal Campaign (CFC), by selecting #22101 on your pledge form. Contributions to Earth Share New York support a broad range of charities committed to protecting public health and our air, land, water and wildlife. The Adirondack Council is a member of Earth Share New York, a statewide federation of our state and this country's most respected environmental and conservation charities. To find out more about how you and your workplace can support the Adirondack Council through an Earth Share of New York charitable giving campaign, please call Diane Fish, Director of Fund Development at 518.873.2240. You can also visit Earth Share New York's website at: www.earthsharenyc.org.

OTHER AGENCIES

No More Guessing About Who's Who

The Empire State Development Office's State Data Center has proposed having the Adirondack Park to be a "Rural Statistical Area" in the US Census. If the Census Bureau agrees, data would be available for the entire Adirondack Park without having to add up the figures from all of the communities that comprise the Park. Planners, researchers and grant writers would have a much more accurate statistical picture of the Park's socio-economic conditions.

Spin-Out Causes Regulatory Fallout

Reacting to the 2009 disintegration of a wind power turbine in Clinton County, just north of the Adirondack Park, the NYS Public Service Commission this

summer told all wind power developers to certify that their emergency control systems will shut down turbines during a power failure. This new requirement will be part of the application for a certificate of public convenience and necessity, which all wind projects 80 megawatts and larger must receive. A wind turbine broke apart in March 2009, at Noble Environmental Power's Altona Wind Park, scattering parts across a large area and catching fire.

Sound Investing

In March, state Comptroller Tom DiNapoli released a report that outlined many of the benefits New York receives when it protects open space. The report reinforced that New York should continue its tradition of land protection, not only for tourism and outdoor recreation, but also for watershed management, flood

control and to ensure clean drinking water supplies. The report helped to convince the state legislature to restore over \$17 million for open space in this year's Environmental Protection Fund.

Constructive Criticism

In June, DiNapoli issued another report that explained some of the problems state



DiNapoli

agencies have with providing the grants paid for by the EPF. This report offered several suggestions to help agencies ensure recipients get the money more quickly. Over \$500 million in unspent EPF funding has been

taken by the Legislature since 2002 to help cover budget shortfalls.

"Although huge sums of money are involved in any basis of calculation, the most important values of forest recreation are not susceptible of measurement in monetary terms. They are concerned with such intangible considerations as inspiration, aesthetic enjoyment, and a gain in understanding." Bob Marshall

ATTORNEY GENERAL

Duking it Out with Big Polluter

In December 2009, Attorney General Andrew Cuomo worked with a coalition of states and the US Department of Justice to reach a settlement that requires Duke Energy to clean up its air pollution. The power company will cut almost 35,000 tons of sulfur dioxide emissions each year from its 550-megawatt Gallagher Generating Station in New Albany, Indiana.



Cuomo

This is equivalent to an 86% reduction in the plant's total sulfur dioxide (SO₂) emissions. Duke will also pay \$400,000 to New York to fund projects that reduce air pollution and conserve energy. The company is also required to pay a civil penalty of \$1.75 million and spend \$5.25 million on other environmental projects.

Compensation for Champlain Basin

In May, Attorney General Cuomo worked with his counterpart in Vermont to direct a \$400,000 settlement payment from American Electric Power Co. toward water quality improvements in Lake Cham-

plain. The money came from the settlement of a Clean Air Act lawsuit filed by New York and other states, which resulted in substantial reductions in air pollutants that cause acid rain, plus a cash award to New York and Vermont. The money will be used for grants to Champlain Valley farmers who seek to complete water pollution prevention projects on their farms.

Clean Up or Prepare to be Sued

In July, Attorney General Cuomo announced he intends to sue Pennsylvania's Homer City Station, over multiple violations of the federal Clean Air Act. The power plant is one of the largest contributors of sulfur dioxide pollution to New York. The suit alleges that the operators of the power station disregarded the New Source Review portion of the Clean Air Act. The company made substantial modifications to its coal-fired power plant and kept using the older plant without bringing its emissions in line with new standards.

Car Dealers Want Recall

Last October, Attorney General Cuomo announced he would lead an 18-state

coalition to defend the US Environmental Protection Agency's decision to allow states to regulate greenhouse gases from automobiles. In June 2009, the EPA granted a Clean Air Act waiver to California, allowing it and other states to implement global warming pollution emissions standards for cars. This was a reversal of Bush Administration policy. Last September, the National Automobile Dealers Association brought a federal lawsuit that challenges the waiver.

Can't Recall Transaction?

This year the Attorney General's office is unfairly singling out the Adirondack Nature Conservancy, implying that the organization overcharged the state for a tract of former Domtar Industries timberland. Not only was the price for the land well within the official appraisals (about \$500 per acre), but the Attorney General's office had already reviewed and signed off on the transaction in 2008 as required by law. All state land acquisitions are intensely scrutinized, requiring the approval of more than two dozen state officials for the purchase of a single parcel.

FEDERAL GOVERNMENT

Transporting Cleaner Air to Adirondacks

This summer, the US Environmental Protection Agency (EPA) released its plan to replace the Bush Administration's Clean Air Interstate Rule with the new Transport Rule. The new rule would reduce acid rain falling on the Adirondack Park to levels that would allow most of the Park's ecosystems to recover from decades of acid rain. The Adirondack Council will call for deeper cuts and insist that federal authorities monitor the results of these cuts and keep making reductions

until the Park's ecosystems fully recover. The Adirondack Council testified in favor of the Transport Rule at the only public hearing held in the Northeast, in Philadelphia, PA, in August.

Carper Cares About Clean Air

In February, Senator Tom Carper, D-Delaware unveiled his new, bipartisan legislation aimed at curbing the pollutants that cause acid rain and high-elevation smog in the Adirondack Park. Known as the Clean Air Act Amendments of 2010,



Carper

the bill is co-sponsored by New York Senators Kirsten Gillibrand and Charles Schumer, and nine other Senators. The legislation proposes to limit the amount of sulfur dioxide emitted by power plants to 1.5 million tons by 2018 nationwide and nitrogen oxides to 1.6 million tons by 2015. In addition, mercury emissions from these sources would be reduced by at least 90 percent by 2015.

Factory Boiler Toxics to Drop

In May, the Obama Administration proposed new emissions rules that would sharply restrict emissions of mercury and other toxic pollutants from the boilers that provide power for many Midwest factories and universities. US EPA's proposed action would reduce mercury emissions by more than 50 percent from tens of thousands of industrial boilers across the country. The new rules, if put into effect, would cause a steep drop in mercury pollution across the nation.

A Standard More People Can Live With

In June, the US EPA issued new health standards for sulfur dioxide emissions, the first such revision in nearly 40 years. The previous standard was based on a 24-hour measurement of sulfur dioxide concentrations; the EPA is moving to a one-hour measuring period to protect against short-term exposure. The new standard would prevent 2,300 to 5,900 premature deaths and 54,000 asthma attacks a year.

Getting Results, Keeping Track

In March, the US EPA released new data showing that the cap-and-trade approach to pollution regulations has worked for both major acid-rain-causing emissions. In 2009, sulfur dioxide decreased by 1.8 million tons from the previous year to a level of 5.75 million tons. Nitrogen oxides also diminished by 1 million tons since 2008 to a level of 2 million tons. The data will be useful in confirming the effectiveness of current pollution control measures and in setting new pollution limits in the future.

Listening and Acting on Acid Rain Bill

In October 2009, Sen. Kirsten Gillibrand traveled to Blue Mountain Lake in Hamilton County, to seek the advice of her constituents on her pursuit of federal legislation to halt the damage cause by acid rain. She asked the Adirondack Council to participate in her panel discussion and lend



its expertise on the issue. In the public meeting, Gillibrand had a discussion with advocates and fielded questions from three dozen Adirondack Park residents. Gillibrand said she would press EPA to act and would work for approval of legislation in the Senate.

Gillibrand is a member of the influential Senate Environment and Public Works Committee, through which clean air bills must pass.

Taking Our Best

Last November, Judith Enck was appointed to lead the US Environmental Protection Agency's Region 2, which covers New York, New Jersey, Puerto Rico and the Virgin Islands. Prior to the EPA, Enck was the Deputy Secretary for the Environment for both Governors Spitzer and Paterson.

Show Us the Money

This summer, the House of Representatives passed legislation that included fully funding the Land and Water Conservation Fund (LWCF) at \$900 million. The LWCF has been funded at various levels in the past, including a low of \$137 million in 2007. It is expected the Senate will pass a similar measure this fall when it considers its oil spill legislation. LWCF is used to improve state parks and other public facilities.

Stopping Water Quality From Going Down the Drain

Last October, US Sen. Charles Schumer said that he intends to double the amount of federal funding available for water and sewer projects. Schumer noted that New York State's infrastructure is crumbling and local municipalities are starved for federal funding. Schumer is pushing Congress to increase funding in the Clean Water State Revolving Fund and Drinking Water State Revolving Fund from \$1.8 billion to \$3.75 billion next fiscal year, which begins October 1st. He also wants 30 percent of the funds to be made available as grants instead of loans.



Congressional Lake Champs

Late last year, the 2010 federal budget included over \$6 million to help clean up efforts for Lake Champlain. Over the last few years, the lake has suffered from agricultural runoff, algae blooms, and invasive species including water chestnut.

Carbon Will Not be Free

In June, President Obama told Congress that he was disappointed they had not completed negotiations on a bill limiting carbon dioxide emissions, but warned that it was his intention to put a price on carbon emissions as soon as possible. Making polluters pay the taxpayers for the right to emit carbon, as occurs in the Northeast's Regional Greenhouse Gas Initiative, forces industry to explore alternatives that limit their carbon emissions and reduce costs.

Connecting the Service

Last winter, Rep. Scott Murphy announced a US Department of Commerce grant of nearly \$40 million in stimulus funding for expansion of upstate New York's broadband network. The money went to the Development Authority of the North Country and ION Broadband. The funding is helping to connect over 100 community sites and 250,000 homes, including the Tri-Lakes region.



Choppers Won't Affect Bicknell's Breeding

The US Army 10th Mountain Division has agreed to avoid conducting high-altitude helicopter training on the Whiteface Mountain toll road in Wilmington in Essex County, during the breeding and fledging seasons of the Bicknell's Thrush, one of the world's rarest neotropical songbirds. Most of the bird's protected breeding habitat is on Adirondack Park mountain summits, including Whiteface Mountain.

👍 Forest & Farm Protection Funding

First-term US Rep. William Owens, D-Plattsburgh, sponsored a bill in the House of Representatives that would bring \$500,000 to the Adirondack region for the control of aquatic invasive species. The bill was awaiting action in the Senate at press time.



Owens

👍 Helping Hand for Broadband

In August, the US Department of Agriculture announced it will provide more than \$27 million in economic stimulus funds for improving St. Lawrence County's broadband communications network. The money (\$20 million in a grant and \$7 million in a loan) will go to Slic Network Solutions for its St. Lawrence Broadband Initiative, which includes towns inside the

Adirondack Park. In addition, the USDA will provide \$7.1 million for Castle Cable TV's broadband project in Jefferson and St. Lawrence counties.

👍 Council Leader Now an EPA Advisor Too

In July, US EPA Administrator Lisa Jackson appointed Adirondack Council Executive Director Brian Houseal to the EPA's National Advisory Committee. The committee's job is to advise her on a broad range of environmental and trade issues across North America. Members are invited to serve as representatives from academia, private industry and non-governmental organizations focused on the environment. Houseal accepted the appointment and began serving a two-year term in August.



Jackson

👍 A Boost for the Northern Forest

In October 2009, Congress approved \$1.5 million in funding to the Northern Border Regional Commission as part of the final Energy and Water Appropriations bill. The money will be invested to help address community and economic development needs in the most severely distressed areas of New York, Maine, New Hampshire and Vermont. Clinton, Essex and Franklin counties are included in the commission. Eligible projects must develop infrastructure; assist in obtaining job skills and employment related education; provide basic health care and other public services; promote resource conservation, tourism, recreation, and preservation of open spaces in a manner consistent with economic development goals; and promote the development of renewable and alternative energy sources. The bill was supported by US Senators Charles Schumer and Kirsten Gillibrand, as well as US Representatives Scott Murphy and William Owens.

TIP OF THE HAT

Each year in State of the Park, the Adirondack Council recognizes the positive efforts other not-for-profit organizations, groups, individuals and companies have brought to the Park's environment and sustainable economy over the past 12 months. We offer a tip of our collective hats to:

Paul Smith's College and **SUNY College of Environmental Science and Forestry (ESF)** are in negotiations to staff and operate the facilities that were formerly the Adirondack Park Agency's two Visitor Interpretive Centers in Paul Smiths and Newcomb respectively. Gov. David Paterson's severe cuts to the APA budget forced the agency to eliminate all eight staff positions and close the two centers.

ADK Action.org released a report in February that outlined additional problems with the overuse of road salt and some of the solutions that government can take to reduce the environmental impacts. The report was put together by the Adirondack Watershed Institute at Paul Smith's College. ADK Action and the Adirondack Council co-sponsored a stakeholders meeting on this topic in May.

The **Center for Biological Diversity** petitioned the Department of the Interior in September to put four species of birds, including the Bicknell's Thrush, on the threatened or endangered list under the Endangered Species Act. The Bicknell's Thrush is a rare neo-tropic songbird that lives on high-elevation mountaintops, including some in the Adirondacks, where climate change will have a severe and detrimental effect on their habitat. The Center is also pressuring the federal government to combat white-nose syndrome, which is wiping out bat populations across New York and several other eastern states.

The **Great Sacandaga Lake Advisory Council** and the **Great Sacandaga Lake Association** are keeping a close eye on water quality in one of the Park's largest reservoirs, hiring the Darrin Freshwater Institute of Rensselaer Polytechnic Institute to sample its feeder streams. For the second year in a row, the groups sounded the alarm about fecal bacteria levels at the Kenyetto Creek in Mayfield in Fulton County. The state Department of Health allows a maximum of 1,000 parts of fecal bacteria per 100 milliliters of stream water. Results from the Kenyetto Creek on July 20 produced 4,960 parts per 100 milliliters. The Institute sampled water at 29 sites over several days in July and August.

Rose Pettit, a senior citizen and resident in the Town of Greig, Lewis County, has been a strong advocate for environmental issues in her part of the Adirondack Park. This year, Rose sued Lewis County for opening roads to ATVs, including one near her house, even though the roads do not connect any legitimate trails. She has also been an outspoken critic of the Hidden Falls Spring water extraction project near her property, which would take nearly 300,000 gallons of water a day and pipe it underneath the Black River to tanker trucks waiting on the other side in the neighboring Town of Turin.

ADIRONDACK PARK VISION

A Park Where Nature and People Thrive Side by Side

When the 1894 New York State Constitutional Convention approved Article XIV, the ‘Forever Wild’ clause that began the creation of the Adirondack Forest Preserve, they did so to protect the most important economic asset of the region – its watersheds, which served to maintain the vitally important Barge Canal System for the Empire State. By this action, New York embedded the concept of wilderness into its fundamental social charter, and became one of the few governments in the world to guarantee wilderness protections to its lands, waters, and the plants and animals found there.

Although these early conservation leaders were beginning to understand the natural connections that we now call ecological integrity and biological diversity, no one could have foreseen the impact of protecting large core wilderness areas at the time, other than to stop the rapacious destruction of natural habitat and species that was occurring across the continent with the country’s western expansion.

As a result of those visionary decisions, today the Adirondack Park is the largest remaining protected patch of deciduous forest anywhere on our planet. The recuperation of the deforested lands and return of many species that were once extirpated by past destructive practices

are wonderful evidence that nature can rebound when given a chance. There are still many threats that the Park faces from acid rain, climate change and invasive species, but large core natural areas will tend to be more resistant and resilient to those threats. There is still much to be done, including better integration with local people who live here.

Internationally, conservationists have known for decades that it is impossible to draw a boundary line around natural areas as large as six million acres - more than 9,000 square miles - to establish a protected area unless you take into account the basic needs and economic aspirations of the people who already live there. In great part, the stewardship practices of local residents who depend on the natural resources for subsistence are among the main reasons that natural ecosystems and species still exist in these biologically significant areas.

The Adirondacks are no exception. The state’s most successful efforts to protect the region have focused more on threats that come from outside the region, such as major developers and international logging or mining interests. They have also focused on those resources that one town or county could never hope to protect by itself – wild river systems, extensive wetlands, undeveloped

watersheds and abundant habitat for all native wildlife.

These worthy goals require us to set aside large areas of land and water and ban development therein. We must do the one thing that seems most difficult to human beings – acquire something unique and beautiful, and leave it alone. We must withdraw the hand of civilization, and recognize that civilization relies on wilderness for more than most of us recognize. Few states or nations have had the courage or foresight to accomplish this task.

More than 20 years ago, the United Nations recognized the Adirondack Park-Lake Champlain region as one of only two-dozen World Biosphere Reserves. The UN identified the Park as the most populous region in which nature and communities thrive side-by-side, together protecting natural resources of global significance. The Adirondack Park was again cited as the model in 2009, when the British Parliament created the South Downs National Park in England, which combines public and private lands in a single park with a common management plan.

As the world begins to recover from a long economic recession, New Yorkers know that the state officials who serve in the Adirondack Park must build on our traditional strengths: nature-based and cultural tourism, forestry, farming, the arts, and light manufacturing. In particular, tourism is the number one local and global industry and we must compete globally to attract new people and money.

One way to achieve this objective is to seek a new designation for the Park as a World Heritage Site for both its natural and cultural values. Clearly, we have the geological features, naturally functioning ecological processes, wide array of native species, and wild character. In addition, we have a unique history and traditional architecture, art, literature, music and culture of the Adirondacks. Once branded as a World Heritage Site, we would increase our tourism visitation as a world-class destination.

Let’s show the world how wilderness and people can thrive together!



The Village of Saranac Lake and the Town of Harrietstown, surrounded by mountains and lakes, celebrated for its quality of life (see page 8). Photo © Carl Heilman II/Wild Visions, Inc.

2010 AWARD WINNERS

CONSERVATIONIST OF THE YEAR

Adirondack Harvest

The sustainable agriculture organization Adirondack Harvest has been a prominent advocate for Adirondack farms and farmers' markets for more than a decade. The Adirondack Council celebrated the group's outstanding leadership in July by presenting it with the Council's highest honor, the Conservationist of the Year Award.



L to R: Tom Both, Adirondack Harvest, Brian Houseal, Adirondack Council Executive Director, Laurie Davis, Adirondack Harvest, Brian Ruder, Adirondack Council Board Chair.

The award was presented by Adirondack Council Chair Brian Ruder at our annual Forever Wild Day celebration on July 10 at Hohmeyer's Lake Clear Lodge. Adirondack Harvest received a museum-quality, hand-carved common loon by Dr. Robert Poe of Inlet to commemorate the award. As part of the celebration, the Council hosted a 100-mile-lunch, in which all ingredients for the meal came from within 100 miles of Lake Clear.

Sustainable local farming is one of the essential elements of a healthy environment. The more we can produce close to home, the less fuel we use in transporting food to consumers. This cuts our dependence on oil, improves air quality and decreases traffic. By organizing farmers into regional markets, promoting local farm stands, and bringing the producer and consumer together, Adirondack Harvest has created a boon in direct-to-consumer sales in the Adirondacks. The result has been an improved quality of life for everyone involved.

Adirondack Harvest maintains a database and map of all local farms that sell produce, which can be viewed online at www.adirondackharvest.com.



Above left: Farmers gather with representatives of Adirondack Harvest at the Council's Forever wild Day.

[Read remarks and view photos on our website at www.AdirondackCouncil.org.](http://www.AdirondackCouncil.org)

Council Honors Keeping Track

In August, the Adirondack Council honored Keeping Track at the Council's annual midsummer gathering at the Split Rock Lighthouse (www.AdirondackDreams.com) on Whallons Bay, on the western shore of Lake Champlain. Susan Morse is the founder of Keeping Track, a grassroots, citizens' science organization. She is a nationally recognized naturalist and habitat specialist, forester and tracker and has been a conservation leader in the Champlain Basin for decades. Her work is vital to understanding which areas are essential to the survival of specific birds, fish and mammals, so we can make room for them when we are planning our communities and commercial developments.

Data collected by Keeping Track teams has influenced the conservation of over 30,000 acres of habitat in twelve states and Quebec. Morse has tracked and taught in the Split Rock Wildway - an area of conservation concern linking the wildlife habitats of the Adirondack Park's High Peaks region with the Champlain Valley to the east. This range varies from the Lake Champlain shore, just one hundred feet above sea level, to the mile-high peaks of the Park's interior. Most of the valley is privately owned forest and farmland.



www.keepingtrack.org



Keeping Track founder, Susan Morse and Council Executive Director, Brian Houseal

WE'RE COUNTING ON YOU!

You make a difference when you:

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

Sign up for our e-mail updates at AdirondackCouncil.org and follow us on Facebook and Twitter, so you'll be sure to know when your actions are needed to make a difference for the Adirondack Park.



Thank you!

REDUCE YOUR CARBON FOOTPRINT



Purchase a Carbon Reduction Certificate through our *Cool Park/Healthy Planet* program and we will permanently retire THREE TONS of carbon dioxide from the Regional Greenhouse Gas Initiative (RGGI). Funds generated by the Council's *Cool Park/Healthy Planet* program are used for education, advocacy and additional credit purchases. (A \$25 contribution retires three tons.) To learn more go to our website www.AdirondackCouncil.org/CoolParkHealthyPlanet.

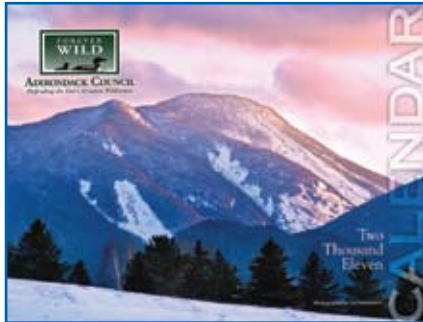
The Adirondack Council offers a small collection of products to help raise the funds needed to advocate for the Adirondack Park every day. You can place an order by calling

877.873.2240 (toll-free) or order online at www.AdirondackCouncil.org

Proceeds from sales benefit Adirondack Park conservation.

Additional items are available on our website.

ADIRONDACK COUNCIL 2011 FOREVER WILD CALENDAR



Featuring the Adirondack landscape photography of Carl Heilman II, the Adirondack Council's 2011 calendar brings you into the Park with Carl's breathtaking images. \$13

ADIRONDACK PARK MAP WITH WATERCOLOR ILLUSTRATIONS

This 2nd Edition of our Adirondack Park map (35" x 43") shows public and private lands, wilderness areas, mountains, rivers, towns and highways. The map is bordered by beautiful, detailed watercolor illustrations by artist Anne Lacy depicting various Park habitat: alpine meadow, river valley, marsh, bog, river, brook, hardwood forest, lake, beaver flow, boreal forest and farm fields.

Laminated map: \$40 Unlaminated map: \$25





ADIRONDACK COUNCIL

Defending the East's Greatest Wilderness

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Adirondack Council

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

Not a member yet? Join us! Adirondack Council memberships begin at \$35. Membership benefits include regular newsletters, special reports on important topics of the day, action alerts and the opportunity to play an active role in protecting the Park's natural resources and scenic beauty.

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