A watercolor illustration of a winter scene. In the foreground, a snow-covered field is depicted with soft, textured brushstrokes in shades of white, cream, and light brown. In the middle ground, a red barn with a white roof and a tall, cylindrical silo stand prominently. The background features rolling hills or mountains under a sky filled with soft, layered clouds in shades of blue, grey, and white. The overall style is painterly and atmospheric.

2020 VISION
FULFILLING THE PROMISE OF
THE ADIRONDACK PARK
Volume IV

Private Land
Stewardship

The Adirondack Council

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.

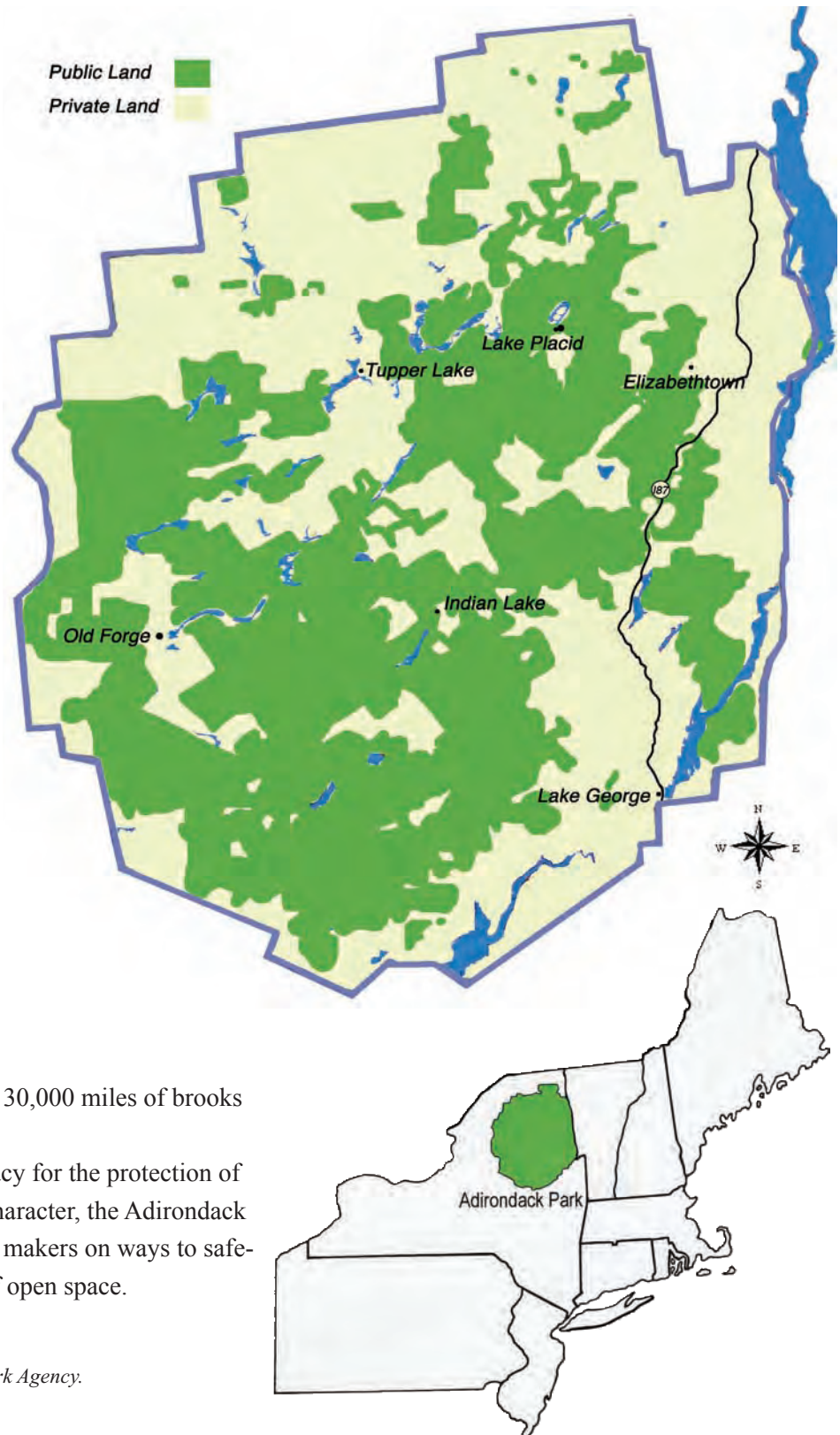
More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture and open-space recreation. The Park is home for 130,000 permanent and 110,000 seasonal residents, and hosts ten million visitors yearly.

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.

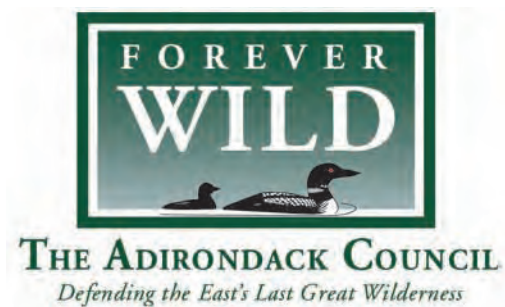
2020 VISION

Volume IV

DEDICATION

To Gary Randorf, a champion of conservation easements in the Adirondacks and founding Executive Director of the Adirondack Council, and to the many private landowners who have been outstanding stewards of their property.

Private Land Stewardship



2007

Acknowledgements

The Adirondack Council wishes to thank the many people and institutions that made 2020 VISION Volume 4 possible. These include Margot and John Ernst, stewards of Elk Lake; Ginny Brandreth, Norm McDonald and the Brandreth family, stewards of Brandreth Lake and Park; Tom Butler and Kathleen Fitzgerald, Northeast Wilderness Trust; Mike DiNunzio, who began the Council’s work on this report and now works with the Association for the Protection of the Adirondacks; Bob Stegemann & International Paper, Co.; Tim Barnett, Adirondack Nature Conservancy, Peter Borrelli, Provincetown Center for Coastal Studies; Frank Clark, Adirondack Landowners Association; Morgan K. Smith, Adirondack Mountain Reserve; Roger Dziengeleski, Finch Pruyn & Co.; and financial contributors: the Tides Foundation ~ Starry Night Fund, the Foundation for Deep Ecology, Arthur L. Loeb Foundation, and the Council’s many generous supporters.

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Foreword

Conserving Private Adirondack Forestlands

The Adirondack Park is a work in progress. It is one of the oldest and largest parks in the world. It has been honored by the United Nations as a Biosphere Reserve – a place where humans and protected natural areas co-exist side-by-side and enrich one another. In short, it is a model for the entire world to emulate when managing people and protected landscapes.

Still, it remains an exciting experiment. We don't really know what the Adirondack Park will look like when it is finished.

The Adirondack Mountains were the first place in America where citizens attempted to incorporate public and private lands inside a single park. Rather than a loose collection of Forest Preserve blocks, separated by private lands, we have a common goal of protecting all six million acres as a single entity. The boundary was drawn, and several times redrawn, to encompass watersheds and ecosystems, not the arbitrary lines of towns and counties.

Unlike national parks, there would not be a sharp delineation between town and countryside. Wild lands would be protected from development and destruction, but private lands, villages, homes and businesses would remain between them. In 1973, it became the job of the Adirondack Park Agency to ensure that those private lands were not abused or developed in a way that would harm them, or the adjoining Forest Preserve.

This two-layer, public/private protection plan makes the Adirondack Park seem more like a collection of small American national parks gathered into a single, loose district – with two important improvements. First, public lands are protected by the New York State Constitution's Forever Wild clause (Article 14, Section 1), which states in part: the lands of the state, now owned or hereafter acquired, constituting the Forest Preserve as now fixed by law, shall be forever kept as wild forest lands. Second, rather than allowing an anything-goes, economic free-fire zone right outside the public lands (as is the case outside

many national parks), a park-wide private land-use plan requires careful environmental review of all development on private lands outside the hamlets. Best of all, this plan can be exported. It can work anywhere population centers and wild lands intersect.

The Adirondack Park Private Land Use and Development Plan is the first of its kind in the United States, incorporating part of 12 counties, all or part of 92 towns and 13 villages, in a single zoning district. The plan sets building-density guidelines based on acreage and gives greatest protection to backcountry lands that serve as a buffer between the Park's communities and its "Forever Wild" Forest Preserve. The plan is administered by the Adirondack Park Agency's board of commissioners, who have strengthened the agency's authority over the years by setting and sticking to precedents, including an increasingly strict attitude toward development near shorelines. In order to gain the New York State Legislature's approval for the land-use plan, a series of compromises allowed more development near lakes and rivers than the draft plan would have allowed. Inadequate protection for shorelines remains the Park Agency Act's greatest shortcoming, but the commissioners have tried to compensate by setting tougher standards for septic systems and vegetative cutting. This has limited the damage.

Water quality and shoreline development are major issues for the Adirondack Council and, we are pleased to note, are now more often at the forefront of local government deliberations. Local officials who once saw land-use controls as merely an obstacle to economic development are coming to understand the need for restraints and long-term planning.

Clearly, we are on to something good. As citizens of New York State, we are caretakers of this legacy to the whole world.

The 2020 VISION research series was intended to provide advice and guidance to New York State's lawmakers, conservation officials and residents. It is our vision of what the Adirondack Park should look like 50 years after



the creation of the Adirondack Park Agency (1973) and the Department of Environmental Conservation (1970). The first three volumes illustrated how to protect the Park's biological treasures and how to complete the "Forever Wild" Forest Preserve – the Park's network of public lands.

This volume (Volume IV) addresses the other half of the Adirondack conservation equation, focusing on good management of private lands. These are the large, corporate and family-owned tracts that act as a buffer between the Forest Preserve and communities. When these forests are well managed, it is often difficult to distinguish them from the Forest Preserve. From an airplane or a mountaintop, it is difficult for an untrained observer to tell where one begins and the other ends.

The Adirondack Council believes that the Adirondack Park can continue to be the world's best example of permanently protected landscapes and intact ecosystems, buffered by well-managed private lands and punctuated by compact, sustainable communities. If our hopes are realized, the Adirondack Park in 2020 will be a place where people can live and work and play alongside wild lands and stunning natural scenery. Its diversity will give the state's native wildlife a fighting chance at survival in the face of acid rain, climate change, invasive species, habitat loss, road traffic and sprawling

development.

The first three volumes of 2020 VISION were pioneering publications, released between 1988 and 1990. Nothing like them had ever before been published. They were filled with sound advice from the best planners and research scientists in their fields. They came out at a time when New York State had no formal plan for the completion of the Forest Preserve or the protection of biological diversity. 2020 VISION would propel the cause of open space conservation planning far beyond the borders of the Adirondack Park.

By 1990, all of the money from the 1986 Environmental Quality Bond Act had been spent. The state's economy was in recession and the State Legislature was strapped for cash. Small appropriations were still being made to purchase lands in the Adirondacks, however. With 2020 VISION providing the justification for the expenditures, the state scrambled to buy forest lands being liquidated by Lassiter Properties in 1989 and 1990.

Once conservation leaders around New York realized what an advantage 2020 VISION had provided for the Adirondacks, they wanted a plan that made similar recommendations statewide. The push for a statewide plan became even more urgent in 1993, when the Legislature created the Environmental Protection Fund (EPF).



Large tracts of private forest lands act as buffers between the public Adirondack Forest Preserve and the Park's rural communities.

The first EPF was a \$31.5 million appropriation, with \$9 million set aside for land acquisition. But the Legislature had few priorities outside of the Adirondacks. Thus was born the NYS Open Space Conservation Plan, which Governor George Pataki officially adopted in 1995. While committees were formed statewide to provide recommendations for land conservation projects, state officials adopted large portions of 2020 VISION into the basic framework of the Open Space Plan.

Today, the Open Space Plan is in its fourth revision and contains more than \$1 billion in prioritized recommendations for new public lands and public access. The wildly popular Environmental Protection Fund has grown to \$225 million in 2006, with \$50 million reserved for land acquisition. There are current legislative proposals that would increase the fund to \$300 million annually by 2008. As of the publication of this report, the EPF had paid for more than \$500 million in open space protection projects statewide.

Our 2020 VISION Volume IV is directed at an equally important segment of the Adirondack Park's open space. It offers protection strategies and conservation advice to state officials and to the owners of the Park's large tracts of undeveloped private land. Whether these lands are in the hands of a private timber company, farmer, a recreational club, a family, or a private retreat, financial pressure is mounting to sell out and subdivide. Volume IV contains lessons from actual Adirondack landowners who have done great work protecting their holdings, as well as some examples where management fell short of conservation goals.

In 1990, more than 30 percent of the Park's private lands (over a million acres in all) were held by fewer than 20 timber companies and family estates. Today, most of the timber companies are selling their lands, or have already done so. Rising property tax assessments, falling pulp prices, rising fuel costs and international competition have caused all of the major timber companies in the Park to rethink their land ownerships.

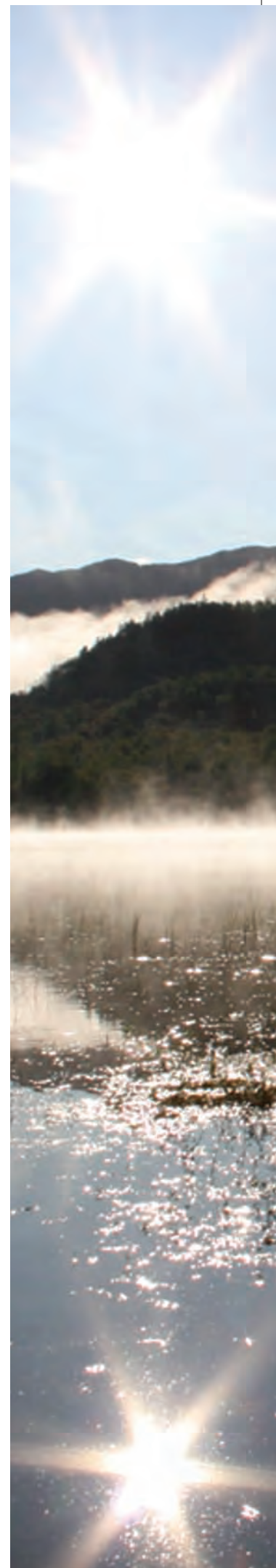
Foreseeing this trend, the Council has been working with the Park's major landowners, helping them find conservation-minded ways

of protecting the Park's commercial timber base and its unbroken forests. For example, International Paper Co. (IP) recently disposed of 260,000 acres it owns in 32 Adirondack towns. Thanks to years of talks with environmental organizations, IP decided to place a conservation easement on all of those acres. When the deal is completed, it will ensure that vast landscapes will remain intact forever. The Conservation Fund (a land trust) provided the short-term financing to make the deal possible. More than 90 percent of IP's land is to be opened to public access. IP has also played an important role in the creation of this report.

The Council has been working with Domtar Industries of Quebec for more than a decade, seeking an easement that would protect all 105,000 acres the company owned in the northeastern Adirondacks. Happily, Domtar found a partner in the Adirondack Nature Conservancy. Together, they formed an agreement that will keep Domtar's former holdings intact, while providing public access to areas that had been off-limits for a century or more. Both IP and Domtar turned to Lyme Timber of New Hampshire to purchase the lands and manage them according to the terms of the new easements. Part of the IP-Lyme agreement provides an uninterrupted supply of pulp timber to IP's paper mill in Ticonderoga for the next 20 years. A similar 20-year agreement exists between Lyme Timber and Domtar. That is great news to the nearly 1,000 Park residents whose livelihoods are tied to the success of the timber industry.

The Council assisted the state in a similar success when Champion International sold its 110,000 acres in 1999. An easement on Lyons Falls Pulp & Paper Co. lands a decade earlier forestalled a mill closure for 15 years, but we missed an opportunity with the Hancock Timber Resources Group in 2002. Although Hancock had no local mill, almost 40,000 acres of its northern Adirondack lands remain unprotected.

More ominously, some large landowners are removing their lands from the state's tax abatement program, freeing themselves of the requisite agreement not to develop their lands. The fate of vast holdings owned by Finch,



Pruyn & Co., is unsettled. Finch has been a good steward of its 162,000 acres of forest. It still operates a mill just outside the Park in Glens Falls. Finch has generously donated several mountain summits to the state. The company, which assisted in the development of this publication, struggled through a long strike at its mill recently, during which its pulp-processing mill closed for months. Finch currently has no plans to develop or sell the lands, but in early 2006, Finch's owners offered for sale the company's century-old mill in Glens Falls.

Now, at the beginning of Governor Eliot Spitzer's gubernatorial administration, the Park is again at a crossroads. Former Governor Pataki did a splendid job of using the Open Space Plan and the Environmental Protection Fund to buy up development rights on the largest parcels of the Park's most vulnerable backcountry. It is an impressive legacy of which the recent Governor is justifiably proud and one that will live long beyond his political career. But the task ahead will be to help the legion of other landowners who control the fate of smaller, but no less important pieces of the Park's wildest and most remote private lands. How we deal with those lands will seal the fate of the Park's most sensitive wildlife habitat outside of the Forest Preserve. It falls on the new governor to strengthen the Adirondack Park Agency, so that it does its job of protecting the Park's wild character and natural beauty, and to provide strong incentives for back-country

property owners to conserve their lands in a natural state.

The more conservation options we can make available to land owners, the better. The Park's private land owners are a diverse group. The Park has seen its share of speculators and schemers with dreams of vast wealth produced by subdividing the Park's open spaces into hundred-acre compounds. All have failed – some in spectacular fashion. We must encourage those whose dreams are inspired by conservation and the love of their lands, not short-term profits.

The backcountry's fate is currently tied to a red-hot real estate market, a new rush of second-home development, post 9/11 flight from big cities, and a slow-growing local economy. The pressure to subdivide and develop large land holdings has never been greater. By the end of 2006, the Adirondack Park Agency had received more than 450 development applications. Massive new developments are planned in Tupper Lake, Jay and North Creek. Combined, they alone would bring more than 1,200 new homes to former forest lands.

This report contains several case studies of large landowners who are doing quite well and doing quite right by the environment at the same time. It also contains a series of recommendations for state policy makers. The recommendations will form the basis of the Council's legislative and regulatory goals in the years ahead. Our government relations, conservation, media relations and activist teams will incorporate these goals into their daily efforts.



Essex farm fields looking west from Split Rock area.



The Adirondack Council

2020 VISION Volume IV: Private Land Stewardship

Introduction

Between 1988 and 1990, the Adirondack Council produced the first three volumes in our 2020 VISION series, which together form a comprehensive plan to protect the Adirondack Park's biological diversity, complete its wilderness system, and optimize the recreational potential of its public lands. This publication is Volume IV in the 2020 series.

The purpose of this 2020 VISION Volume IV on Private Land Stewardship is to examine the key issues affecting the management of approximately three million acres of private lands within the Adirondack Park as they relate to ensuring the ecological integrity and wild character of the entire Park. This volume also identifies existing tools available for private landowners, and sets forth an action agenda calling for needed policy changes to create better incentives for private land stewardship.

To guide the preparation of this publication, the Council formed a steering committee of leaders from communities, corporations, families, clubs, and not-for-profit land owners who have expertise in the management of private lands within the Park. The Council worked with the steering committee to identify the current state-of-the-art in private land stewardship within the Park, and to explore needed policy changes and incentives to improve stewardship park-wide. We are grateful for their assistance.

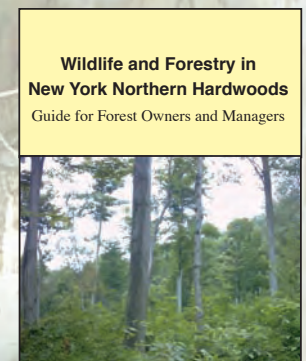
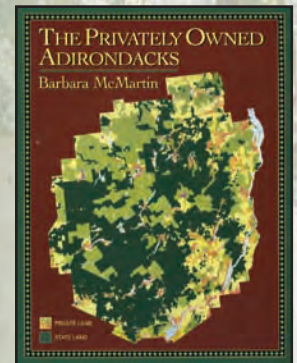
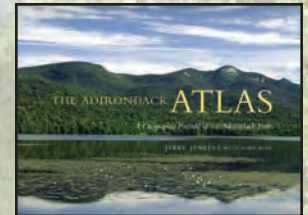
Initially, we imagined that the preparation of this document would require extensive research on land use trends in the Adirondack Park and the current status of private land management. Fortunately, much of this information has recently been compiled and published. *The Adirondack Atlas*, a Geographic Portrait of the Adirondack Park, by Jerry Jenkins with Andy Keal (Syracuse University Press and the Adirondack Museum, 2004) is an excellent interpretation of environmental, historical, social, economic, and land use knowledge on the Park. *Wildlife and Forestry in New York Northern Hardwoods, Guide for Forest Owners and Managers*, published by Audubon New York, is a guide for landowners and forest

managers with information on the effects of different harvest regimes on wildlife communities (online at http://ny.audubon.org/forestry_manual.htm). *The Privately Owned Adirondacks*, by the recently deceased Barbara McMartin (Lake View Press, 2004), is an outstanding compilation of case studies on the history and current status of private preserves, clubs, industrial forest lands, and conservation actions. McMartin is the author of 2020 VISION Volume III, *Maximizing the Recreational Potential of Adirondack Wild Forests* (online at www.adirondackcouncil.org.)

In particular, Barbara McMartin's book forms a solid platform from which this publication can launch a call for action to improve the stewardship of private lands in the Adirondack Park. We are thankful for the work of these researchers and writers who have gone before us.

This 2020 VISION Volume IV is organized in the following manner. The first section describes the Adirondack Council and its vision for the private lands in the Park. The second section focuses on the challenges that private land owners in the Park are currently facing and the opportunities that may arise. The third section discusses tools currently available for private land stewards. The fourth section presents an action agenda for policy changes needed to provide incentives for excellent stewardship of the private lands within the Adirondack Park. A final section includes a list of references and a glossary of terms.

One steering committee member succinctly stated our goal in this 2020 Volume as "the creation of a blueprint for improving the stewardship of the Park." Another member said, "We've talked about these issues long enough, it's time to take action." The Adirondack Council couldn't agree more. It is with that spirit that we present this publication.



1. The Adirondack Council

Founded in 1975, The Adirondack Council is a privately funded not-for-profit organization with 18,000 individual members from all fifty United States. We work to achieve our goals through research, education and outreach, advocacy, and legal action. Over the thirty years of its organizational history, the Adirondack Council has evolved and grown to address the dynamic forces that confront the six-million-acre Adirondack Park. This section describes the Council's current mission, vision and strategies for the Park to provide a context for our commitment and advocacy efforts on behalf of the Adirondack Park's private lands and their owners' stewardship of its outstanding natural heritage.

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

Ecological integrity and wild character are two very important, but different, concepts that merit a brief explanation. Ecological integrity is essentially about environmental and landscape health: clean air, clean water and free-flowing rivers, and intact naturally functioning ecosystems with sufficient habitat for all native species of wildlife. Wild character is an aesthetic concept related to the sublime beauty of the natural landscape: rugged mountain peaks, quiet lakes and the calls of loons, and unbroken expanses of forest.

The Council uses a 'threats-based' approach to develop strategies for addressing impacts to the ecological integrity and wild character of the Park.

Threats to ecological integrity are actions (usually caused by humans, but not always) that place stress on terrestrial or aquatic ecosystems, native species and their habitats, or the ecological processes that support natural communities.

Types of threats include:

- Actions or outcomes that limit the capacity of lands or waters to sustain ecological processes

needed for the viability of natural species and communities (e.g., acid rain, climate change, invasive species, inappropriate development that fragments landscapes or blocks migratory corridors, etc.);

- Damage to a given habitat type (e.g., excessive or inappropriate logging resulting in soil erosion; hydro-electric releases on wetlands and waterfowl nesting sites; trapping out all the beavers; water pollution from sewage; etc.); and,
- Threats arising from the institutional/policy arena (e.g., inadequacies in laws or policies or agency staffing, and economic disincentives to conservation).

Criteria used for ranking ecological threats include such factors as severity, irreversibility, immediacy, and the number of native species and area of natural communities affected.

Threats to wild character are principally aesthetic in nature, affecting our sense of beauty attached to a place. In natural Adirondack settings, any human presence impacts the place's wild character to a greater or lesser extent. Unless carefully sited, man-made buildings, roads, power lines, telecommunications towers, signs and other infrastructure diminish otherwise natural views of mountains, lakes and forests. Buildings on ridgelines or communication towers on mountain peaks mar the natural views. The sounds of cars, boats, planes, snowmobiles or all-terrain vehicles (ATVs) reduce the experience of solitude in a wild setting. Visual and auditory criteria are most commonly used to determine the aesthetic impacts on wild character.

Some threats may have impacts on both the wild character and ecological integrity of the Park (e.g., ATV noise in wild forest areas and erosion of fragile soils, over-cutting trees from hillsides and wildways, etc.).

If the Adirondack Council is successful in addressing major threats and accomplishing its mission, what should the Park look like in the future?

We envision the Adirondack Park composed of large core wilderness areas connected to working forests and farms, and augmented by vibrant local communities, all within a diverse mosaic of biologically intact landscapes.

A fundamental premise of the Adirondack Council's vision for the future of the Adirondack Park is that its ecological integrity and wild character depend on the stewardship practices of private land owners as much as on the public conservation of State Forest Preserve lands.



Bison graze near the High Peaks Wilderness just east of the village of Lake Placid.



Harvest moon rises over Norman Ridge near Vermontville.

II. Private Lands

The six-million-acre Adirondack Park is unique in the United States as the largest park in the lower 48 states and as a mosaic of public and private lands. From the time of its legal establishment in 1892, the Adirondack Park has been a complex mixture of state-owned “Forever Wild” Forest Preserve lands and privately owned lands.

Today in the contiguous United States, it would be nearly impossible to draw a boundary around six million acres of land without enclosing human communities within it. Conservation has become an increasingly complex endeavor of protecting the remaining assemblages of native plants and animals on our planet, while also addressing the basic human needs and economic aspirations of the people who live there. Today, if we were to ask a group of conservation biologists to design an ideal park with a similar size, and identify the most sensitive lands for government acquisition, and then locate areas for settlements and productive lands, the result would be very different from the ‘crazy quilt-work’ used to describe the Adirondacks. Most likely, the scientists would set aside the best examples of the region’s diverse ecosystems by protecting intact watersheds

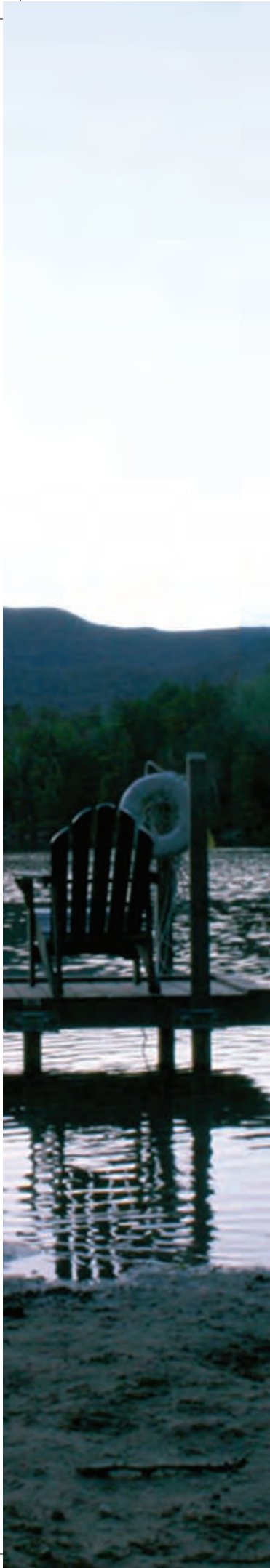
from mountain peaks to the lowest elevations, and then by identifying the wetlands, lakes, river corridors, and unique or fragile habitats. Finally, they would set aside areas for economically productive land uses, and carefully place roads, utilities and other infrastructure in valley villages where people should be located.

Of course, this hypothetical situation didn’t occur. While a remarkable amount of ecologically significant land has been acquired by the state, lands with even greater biological diversity remain in private hands, especially in the most diverse sector of the Park, the Champlain Valley and Hills.

As the largest remaining relatively intact deciduous forest in the eastern United States, and one of the largest forests still standing in the western hemisphere, the Adirondacks still afford us a unique opportunity to demonstrate a balance between conservation and compatible economic uses of natural resources. Equally important, we have the ability to expand the example of the Adirondacks by reconnecting to other regional landscapes, beginning a process of restoration that is needed for both conservation and sustainable economic development.



Large expanses of forested land in the Adirondacks are privately owned by individuals, clubs and timber companies.



A Changing Landscape

The need for action is urgent. Privately owned lands within the Adirondack Park are in a period of dynamic change that could dramatically affect the future of its forests, waters, wildlife, and scenic resources. Managed forests and farms are declining in numbers and acreage due to exurban sprawl. Local hamlets and villages have unstable tax bases. Seasonal home development is increasing, pricing out year-round residents' abilities to afford housing. Shorelines are overbuilt, and now home construction is moving upland into previously natural view sheds. Local leaders, residents, commercial businesses and environmental organizations are concerned about the future economic and environmental implications of these changes, and have expressed a desire to promote opportunities for good stewardship of the Park's private lands.

The importance of private land stewardship to the future of the Park cannot be overstated. Unfortunately, there are many obstacles. Private lands in the Adirondack Park, especially large tracts of forest and farm lands, are under increasing pressure from subdivision and development, primarily due to property taxes, high inheritance taxes, and lack of good management information. There is a need to identify public policies that are discouraging good stewardship of private lands. There is an equally pressing need for new policies and incentives that promote excellent long-term management of the lands and waters that comprise over half of the Park.

When land stewardship fails, the consequences are both environmental and economic. For example, the mid-nineteenth century logging in the Adirondacks devastated the forests, and set the stage for major fires, erosion of fragile soils, sedimentation of streams and rivers, and the drought conditions that affected national commerce along the Erie Canal. After the creation of the Adirondack Park and state acquisition of lands through tax foreclosures, the Forest Preserve lands began to recuperate and more scientifically based forestry

practices were initiated on private forest lands. Today the pressure on the remaining private lands extends beyond demands for lumber to a new surge of land development that includes more roads, buildings and related infrastructure.

The real estate boom surging through the nation at the start of the twenty-first century may have been slow to reach the Adirondack Park, but by 2006, had resulted in a doubling and tripling of prices and development rates on the Park's most desirable uplands and waterfront. While the Park's year-round population remains less than one-third of the equal-in-size State of Vermont (150,000, as opposed to more than half a million), its seasonal population is swelling rapidly and the demand for new development is increasing.

The impacts of the new development include:

- Permanent fragmentation of previously unbroken forest habitat;
- The entrance of invasive plants and animals that threaten the well-being of native species;
- Diminished water quality due to erosion, chemicals and waste water;
- Intrusions on wild landscapes and natural lakeshores; and,
- The introduction of outdoor lighting, noise and automobile traffic.



Exotic species such as purple loosestrife invade former agricultural lands.





Values of the Land and Water

We asked private landowners about the values that they place on their properties. Universally, they expressed a deep and abiding love of the Adirondacks. Whether a farmer, forester, angler, villager, visitor, or second home owner, everyone cares passionately about the Park and its future. They also want to do what is right for the land and its resources. While they occasionally resent the restrictions placed on their use of the land by the Adirondack Park Agency or the Department of Environmental Conservation, in general they also respect the regulations as an effort to protect the environment and guide development. One only has to travel elsewhere in the Northeast to appreciate what can happen with sprawling development and unplanned land uses.

Private land management in the Adirondack Park is driven by a diverse set of values that people place on the land. In many instances, those values are economic. The forest products industry, for example, needs to derive a corporate return on investment from the natural resource base that justifies the long-term management of hundreds of thousands of acres of land between harvest cycles. An energy company may value the watershed for the hydroelectricity it generates. Conversely, families or clubs that have owned property in the Adirondacks for many generations may value the land for less tangible reasons related to family traditions and deep emotional ties to the place. Other individuals and organiza-

tions – such as the Adirondack Council – care for the Park because of the clean air and water, abundant wildlife and other environmental values that enhance life for the wider society and provide a legacy to future generations.

Economic values that are associated with private lands in the Adirondacks, include:

- Forest products;
- Agricultural products;
- Tourism facilities and outdoor recreation;
- Summer camps and institutional retreats;
- Private preserves, clubs, great camps, and second homes;
- Mining;
- Energy resources from water, wind, solar, and biomass; and,
- Scientific research and education.

Many ecological and less tangible values from private lands that benefit the wider society may be overlooked and undervalued when considering landowners' efforts to be good stewards and setting property tax values.

Less tangible values may include:

- Protection of natural ecosystems, biodiversity, wildlife habitat and migratory corridors;
- Watershed management and water quality;
- Clean air and carbon sequestration;
- Scenic views and aesthetic qualities; and,
- Community character.



Environmental, economic and aesthetic values provide inspiration to protect private lands.

The Land Owners

Forest Products Industries. The forest products industries in the Adirondacks are declining due to a lack of high-grade wood, paper mill closings and limited demand for the abundant low-grade wood, effects of a globalizing marketplace, rising property taxes, acid rain and exotic pathogens (e.g., beech bark disease).

As stewards to the vast majority of private land in the Park, the timber industries express the following values that they place on the land:

- To grow hardwood saw timber in mixed-age stands while retaining the natural ecosystem;
- To provide pulpwood supplies to the paper industry;
- To sustain working forests and retain forest product jobs in the area;
- To derive economic returns from the land that produce a profit; and,
- To permit recreational uses and earn revenue to support stewardship through leases and limited public access.

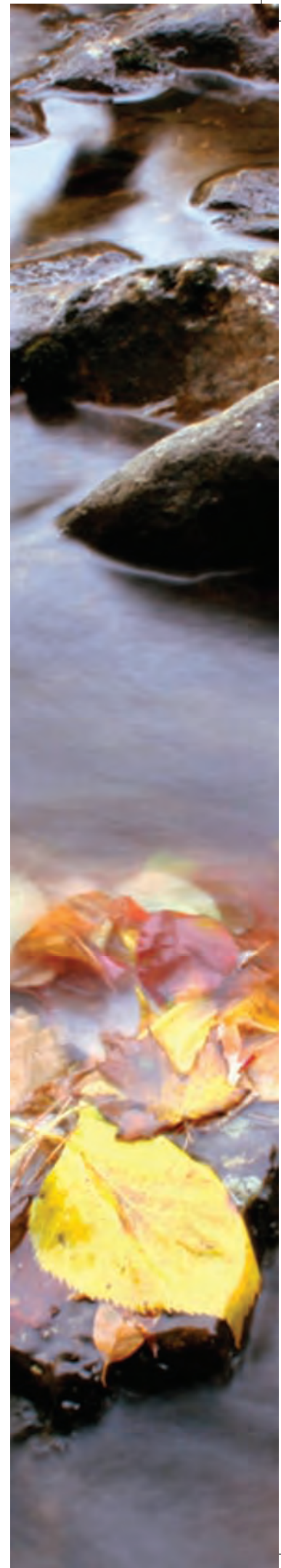
Managed forests now comprise the vast majority of the easement lands in the Park. That number will rise when the state concludes its negotiations for the pending purchases of easements on all or part of the 260,000-acre former International Paper holdings, and 105,000-acre former Domtar Industries lands.

Farming. The decline in agricultural production is especially noticeable in the Champlain Valley, where dairy farmers are receiving a much lower price for their products than the costs of the feed, fuel and equipment needed for their operations. These lands have high development potential for second homes and other non-farm uses. Many properties zoned for rural use and resource management in this region are being subdivided and sold for development of houses, despite Adirondack Park Agency's large lot size requirements. (Maximum of 80 houses per square mile in Rural Use zones, or 8 acres per unit; 15 houses per square mile in Resource Management zones, or 42.5 acres per unit.)

Countering this exurban sprawl, there is a nascent organic farming and natural foods movement underway in this region, with a growing niche market called "Adirondack Harvest," that hopes to reconnect the food systems of the Park with its ecosystems and residents. The concept of "farming with the wild" is to integrate the farmlands of the Champlain Valley and the Park's northern lowlands with the larger landscape in ways that support the full range of native species and ecological processes.

Local Communities. With profound transitions underway due to the impacts of a global economy, declining forestry and agriculture industries, and changing tourism demand, many Adirondack hamlets and villages are struggling to stay alive economically. As the employment base decreases, tax revenues shrink and additional property tax pressures are placed on private land owners. Towns and villages also are dealing with aging water supply and sewage treatment infrastructure, inadequate energy utilities, lack of affordable housing for year-round residents, and poor (or too expensive) access to the broadband communications enjoyed by other areas of the state. And remarkably few towns (17 of 103) have development plans that are approved by the APA, meaning most towns are vulnerable to large-scale, undesirable changes that can be wrought by a few well-funded developers. This lack of local planning also creates obstacles to obtaining state or federal assistance to revitalize their villages and hamlets.

As resource-extractive industries decline in the Park, growing demands for tourism may provide new sources for employment in Adirondack communities. However, much of the region's tourism infrastructure is aging and, with few exceptions, does not meet the expectations of the well-traveled, internet-savvy tourists of today. Nature-based ecotourism and birding are two of the fastest growing segments of the world-wide tourism industry, and the Adirondacks offer extraordinary opportunities. The Adirondack Economic Development





Corporations (AEDC), the Adirondack North Country Association (ANCA) and others are providing assistance to local communities to assess the natural attractions and revive their facilities to attract a new wave of “green tourism” with a unique Adirondack brand.

Seasonal homes. Seasonal and second home development is increasing dramatically in most areas of the Park, with significant impacts seen in the Rural Use and Resource Management zones. Here, in the Park’s wildest private lands, wealthier individuals are able to acquire lands for a new generation of Adirondack great camps. Impacts are being seen in previously forested uplands and highly visible ridgelines, where an individual’s desire to have a panoramic view may also be degrading the view of thousands of others who can now see the house. Second home development is also affecting many villages and hamlets with lakes, where older and smaller housing stock is being purchased by seasonal residents and upgraded, or torn down to make room for much larger homes. The result is often that year-round residents are being priced out of the housing market.

Private Camps and Clubs. There are numerous large “parks,” or private preserves, in the Adirondacks, some of which have been in the same ownership for generations and are remarkable repositories of Adirondack architecture and traditional lifestyles. In general, the private camps and clubs guard their solitude and are concerned about any public access to their lands and waters. Some are long-standing partnerships between friends or club members who manage their lands jointly. Others are family estates that have passed to successive generations. Those fortunate and farsighted enough to have kept their holdings intact for a century or more have provided a great service to their neighbors and the Park as a whole. But each successive generation of family or club members also faces increasing pressure for further development or subdivision. As families and club memberships grow, personal interests and economic goals tend to diversify. Many

of these owners are enrolled in the Forest Tax Abatement program (NYS Real Property Tax Law Section 480 and 480-a) – designed to prevent the loss of the state’s commercial timber supplies – and are good stewards of the land.

Throughout the Adirondack Park, landowners view rising property taxes as the single greatest obstacle to good private land stewardship. Property taxes are rising as local land values rise, along with the costs of education, health care and other government services. As local towns and year-round residents are increasingly burdened, local governments place higher taxes on seasonal residents (typically lakeshore owners), larger land owners, and forest products industries. This situation often pits one stakeholder group against the other within the same community. These factors are combining to discourage good long-term management of the land. The declining ability of many smaller land owners to generate enough revenues from their land to subsist and pay the taxes is causing many to subdivide and sell, often after carrying out liquidation logging or impermissible clear cutting, to extract any profit before selling.

In addition, federal tax policies have shifted too much of the burden for services to local governments, where they are passed along to landowners through property taxes.

The result of this scenario is that large private tracts of contiguous forest and farmlands are being subdivided into smaller and smaller pieces. This gradual process will fragment the natural landscape and diminish its ecological integrity and wild character. There is an urgent need to reduce the tax burden on private land owners within the Park, but to date, there are no universal strategies that enjoy widespread support.

Adirondack Harvest

Adirondack Harvest is a community organization operating within Cornell Cooperative Extension of Essex County and dedicated to the protection and prosperity of the Adirondack Park's historic farmlands. Their mission statement, "we envision a picturesque and productive working landscape connecting local farmers to their communities and regional markets," is becoming a reality. Since its founding in 2001, Adirondack Harvest has enlisted local farmers from Clinton, Essex, Hamilton, Franklin, Lewis, Saratoga, St. Lawrence, Washington and Warren counties. These savvy growers offer a plethora of goods, ranging from candy and baked goods to organic wheat and breads, dairy and eggs, fruits and vegetables, jams and jellies, meats and wool, as well as the Park's prized maple syrup.

Farmers are now connected directly to retailers and restaurants, which use the "Adirondack Harvest" label to draw customers seeking healthy, nutritious food produced in an area renowned for its environmental quality.

Most of these products can be found at farmers markets, which occur daily around the Park from May-October. With markets held in Chateaugay Lakes, Elizabethtown, Keene, Lake Placid, Malone, Plattsburgh, Saranac Lake, Ticonderoga, Speculator, Paul Smiths, Schroon Lake, Wadhams, Wilmington and Warrensburg, they are easy to come by. The Adirondack Harvest Cookbook, which is full of favorite family recipes, can be purchased from their website, www.adirondackharvest.com. Their website also offers a complete listing of products, growers and events.

By purchasing locally grown goods and supporting small farms, consumers help conserve the precious farmland that is left in the Adirondacks and Champlain Valley. Farmers face enormous pressure to sell and subdivide their lands into home sites. If the farms remain intact, the scenic vistas and working lands that make this region so special will be conserved for future generations to come.



Photo by Laurie Davis

Harvest Hill Farm grows vegetables and flowers in Willsboro and has been a member of Adirondack Harvest since 2001.

Wild Farm Alliance

The Wild Farm Alliance (WFA) promotes farming that is connected to the broader landscape, sustainable, eco-friendly and that provides habitat to hundreds of native species – a visionary, idyllic way of life, where agriculture becomes synonymous with conservation. Wildlife corridors, protected waterways, agricultural easements, native pollinators and non-lethal predator control are all common concerns of members of the Wild Farm Alliance. Founded in 2000 by a group of conservationists and farmers, Wild Farm Alliance is working to make stewardship farming and wild lands conservation mutually reinforcing.

One of the primary ways WFA is promoting biodiversity is through the use of agriculture easements. An easement is simply a voluntary legal agreement between a landowner and a governing body which sets conservation restrictions on a plot of land. In economic terms, the revenue from selling an easement can mean the difference between viability and foreclosure for many small farmers. In ecological terms, easements can protect very specific areas of the land – meaning places that are particularly sensitive, such as endangered species habitats, wetlands or wildlife corridors. Or, they can be less limiting in areas that aren't of particular concern, such as intensively used areas around barns and other buildings. A strong conservation easement prohibits all future mismanagement of the land, and creates long-term opportunities to restore vital wetlands and other natural habitats that have vanished over the years. Another benefit is that nearly all easements allow landowners to receive substantial tax deductions.

WFA produces and distributes resources on agricultural methods that encourage conservation, which create a common link between farmers, conservationists and ecologically-minded consumers. They host meetings and conferences around the country that encourage such practices. With continued public support, Wild Farm Alliance members will be pioneers in biodiversity protection on U.S. farmlands, particularly those set in a wildlands matrix like the Adirondack Park. (For further information, see *Farming with the Wild*, by Dan Imhoff, Sierra Club Books, 2003.)



Photo by Edward Cornell

Crooked Brook Studios have been featured as the art farm on Adirondack Harvest's annual farm tour.

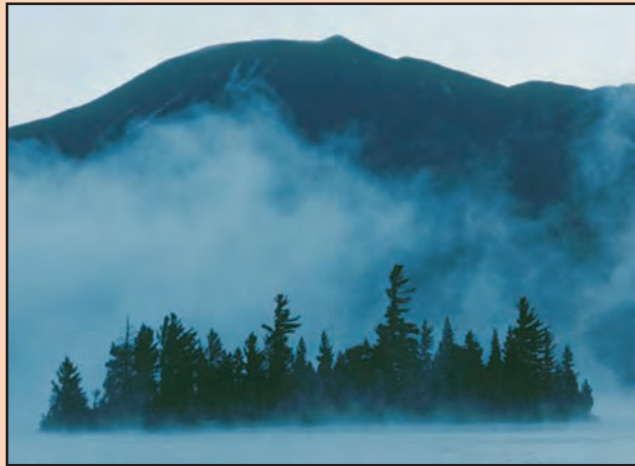
Conservation Conversations

John and Margot Ernst
Elk Lake Lodge, Elk Lake Land, Inc.
12,000 acres, Town of North Hudson, Essex County

Elk Lake Lodge in the Town of North Hudson, Essex County, is perhaps the most heralded Adirondack backcountry getaway resort. It is located just a few miles from the Adirondack Northway (Interstate 87), but is nestled in an amazingly scenic section of the Park's southern High Peaks, just west of the Dix Mountain Wilderness and just north of the Hoffman Notch Wilderness. The century-old rustic lodge is run by John and Margot Ernst, who split their time between Elk Lake and Manhattan. While both have successful careers in the city, each has a special attachment to the Adirondacks that brings them back season after season. And each has been a strong advocate for environmental protection. While Elk Lake's guests value their privacy and the untrammelled character of the lodge and its trail system, there is public access across portions of the land on state trails.

Interview at Elk Lake: July 15, 2004

John Ernst: Elk Lake was purchased in the 1960s. It is now held in two corporations: One of them is Elk Lake Lodge, which is the lodge operation and a perimeter of 40 acres around the lodge. All the rest of the land is held in Elk Lake Land, Inc. That is partly for liability purposes and partly because the business operations are separate. A service forestry operation run by Finch Pruyn has nothing to do with the lodge. In fact, the lodge pays rent to the land company to keep this relationship in a proper business perspective.



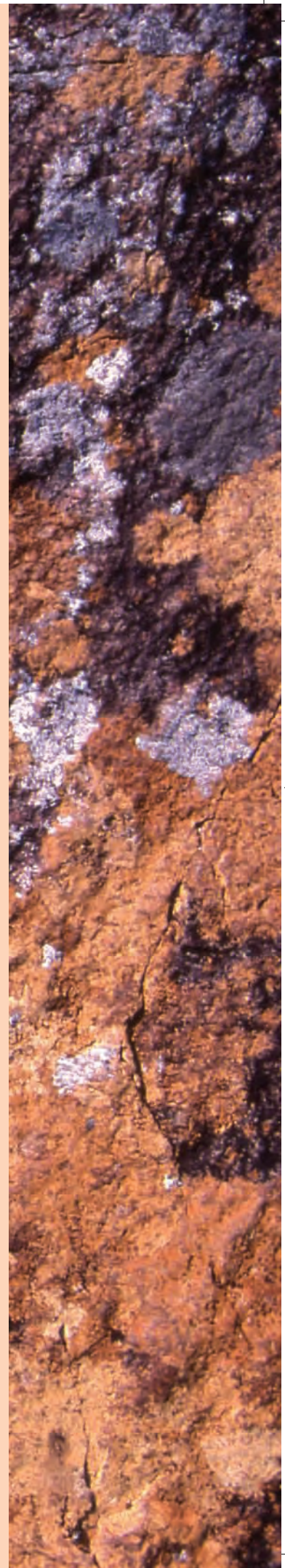
Morning on Elk Lake near the Dix range.

Stewardship & Tourism

John: The managers of Elk Lake Lodge, Mike and Cammy Sheridan are overseeing this property with ecology very much in mind. They are starting to shift in small ways from a passive policy of just trying to preserve it. We don't allow motors on the lake except electric trolling motors, and even they must be cleaned first to prevent the spread of exotic species to Elk Lake. They're starting to put nature guides in everybody's room that describe the plant life, the bird life, the stocking programs here, how the easement works, how the property fits into the Park as a whole.

Margot: The whole ecotourism idea is growing and I think we can be a model for that kind of thing. We've always been that way – not because we were intending to project that image to the world, but just because we thought it was right. And now there's a real market and opportunity for a lodge like ours to attract people because we are doing things the right way.

The biggest incentive for landowners to keep their property healthy and intact would be a reduction in taxes. Easements are one way. New corporate structures are another way. Some towns are working on that too. Nearby, the Town of Newcomb now has a homestead (tax abatement) law in place. It provides a lower tax rate for the resident landowners versus the large, absentee, commercial ones.



I've been reading about eco tours. Audubon Magazine had an article about it just last month. And there's a whole magazine devoted to the topic now. The problem is that it doesn't seem that there is a standard. There's no easy-to-read benchmark that everyone respects in terms of how a lodge presents itself to the public and how it behaves. It's still very unorganized and wide open.

John: It's all informal, but people are finding us. We just had Backpacker Magazine spend the whole week with a crew in here (July '04), and we'll be on the cover of the magazine.

Margot: Outside Magazine did an article two years ago on Elk Lake and said we were the number one wilderness resort in North America.

John: I didn't even know about the magazine at the time. But the phone rang off the hook. They had us on their website, and they just published a book of inns nationally, which we're in.

Margot: It's the things you don't have here that are the things we're the most proud of. No telephones in the rooms, no TV.

John: No soft drink machine.

Margot: No musicians. No organized events. Nothing going on – absolutely nothing!

John: You want it? We don't have it. That's our slogan.

Timberland Management and Operations

John: Finch Pruyn has handled [our Forestry service program] for years. They were cutting in Casey Brook most recently. We went in with their chief forester. We were looking at what they cut and how they cut and where the landings should be; what the aim of the cut is. They're completely willing to do anything we want. If we're willing to take a little bit less revenue to do what we want to do, they'll do it. They really understand how to keep a healthy stand. In that area, we had a 100 to 120-year-old story and a 50-year-old story, and we pretty much took out the 120-year-old and we kept the 50. That's done for another maybe 20, 25 years ...

Margot: All of it was done at Casey Brook by hand and with great care. They didn't use the big tracked machines (feller-bunchers) that clip the trees off, bundle the trunks and keep going. And there have been years where we haven't cut anything.

John: Starting in the 1970s, when I really took over the management of the property, we started with Finch Pruyn cutting up on the east shore. Maybe it's another ten years before we can get in there again and do even a light cut.

Choosing a Sustainable Harvester

Margot: I remember we were talking about whether to go with Finch Pruyn. (Finch had stopped doing a program for a



Elk Lake at sunrise.

few years and then got back into it.) John picked up the phone and asked whether they were certified by a third party and what plans they had in that regard. We found out that they were already certified by the industry as sustainable harvesters, and were nearly done with the Forest Stewardship Council review, so they were clearly concerned and trying to be progressive.

John: Finch Pruyn owns land all around us. It makes all kinds of sense for us to deal with them. They care about their lands. I'm happy that they're there and they're getting some revenue from their lands, because I don't know what happens if those lands get sold.

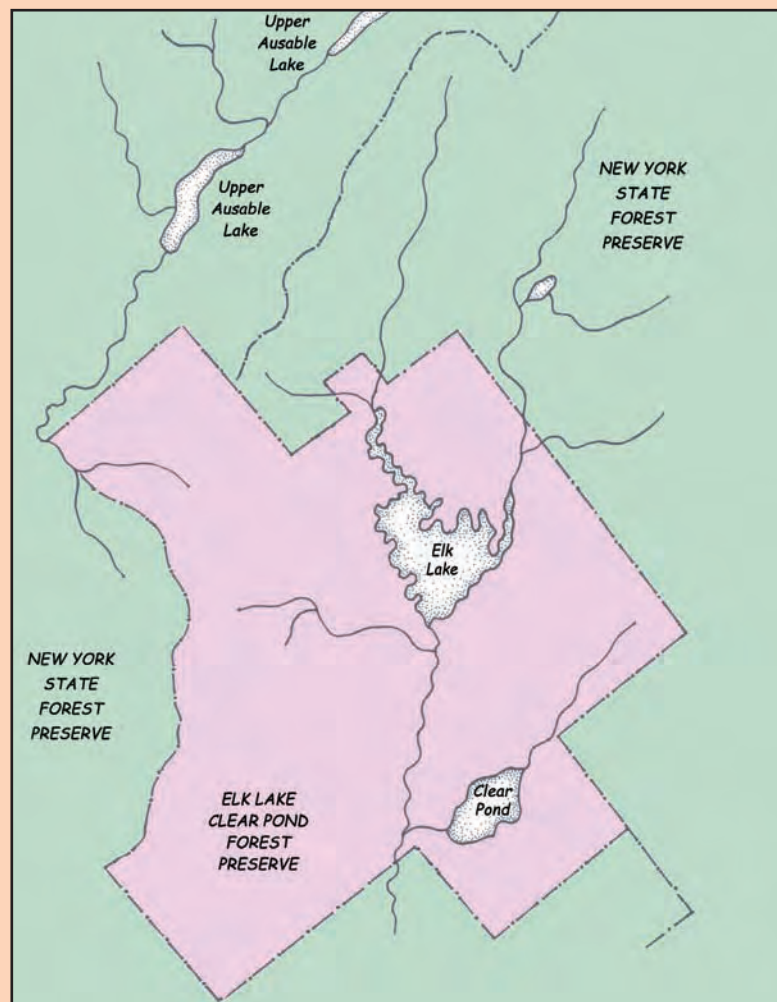
Recreational Leasing & Trespass

John: Finch polices its leased hunting and fishing camps beautifully. We had one little incursion from a camp. They were on it immediately, and it stopped. Finch basically told them, that if they trespassed and come over here with ATVs, they're finished. They're off the lease next door. Our boundaries are pretty well marked, but it could have been a mistake. Or it could have been the fact that nobody was here year-round before.

Margot: Until Mike and Cammy settled in about four years ago, the property was unoccupied during the winter. Many private landowners have this problem of trespass. Some people ignore it, until their camp gets ransacked one winter. Some of them get mad and overreact to every incursion, accidental or not. In this case, we just had a talk with a neighbor and it stopped.

Property Lines

John: AMR (Adirondack Mountain Reserve, a.k.a. The Ausable Club) was concerned about boundaries so we got together and walked it. They remarked it. That's one of the things I was talking to Finch Pruyn about – whether they're re-marking when they're there cutting trees. The State isn't performing that service anymore. They don't have the manpower.





**Brandreth Park Association, Brandreth Park
10,000 acres, Town of Long Lake, Hamilton County**

Brandreth Park is a 10,000-acre private reserve in remote northern Hamilton County. It is owned and operated by The Brandreth Park Association, which consists of family members who share responsibility for the care and upkeep of the property. The association is organized as a tenancy-in-common, in which decisions on day-to-day management are made by a small group of representatives, while long-term decisions about the future of the Association's vast forests and waters are made by the whole group. This private ownership plan, combined with the long-term view of the current leadership, ward off rash decisions to subdivide and fragment the forest for short-term financial gains. Below is a history of Brandreth Park and its management plan as told by two of the Brandreth family members.

Interview at Brandreth Park: August 21, 2003

**Virginia "Ginny" Brandreth
Brandreth Park , Vice President, External Affairs
Past President Adirondack Landowners Association**

Originally there were three main camps built here [on the north side of the lake] in the late 1800's and early 1900's because it was the best view of the lake. Over the years, we've decided to keep the camps clustered at one end, because we want to keep the lake as pristine as possible.

In most cases, you can look out from any camp and just see a wild lake and not somebody's car lights coming down their driveway, or their front porch. We have defined an area at the North end of Brandreth Lake. We believe in clustering our camps to preserve the rest of the lake, as well as the park. Environmentally, it keeps our human impact to a minimum. Socially and politically, it keeps the family together and creates a sense of community, so we don't have one group of the family at one end of the lake and another group at the other end. It creates a sense of belonging, and keeps the family in touch with each other. Everything evolves from that.

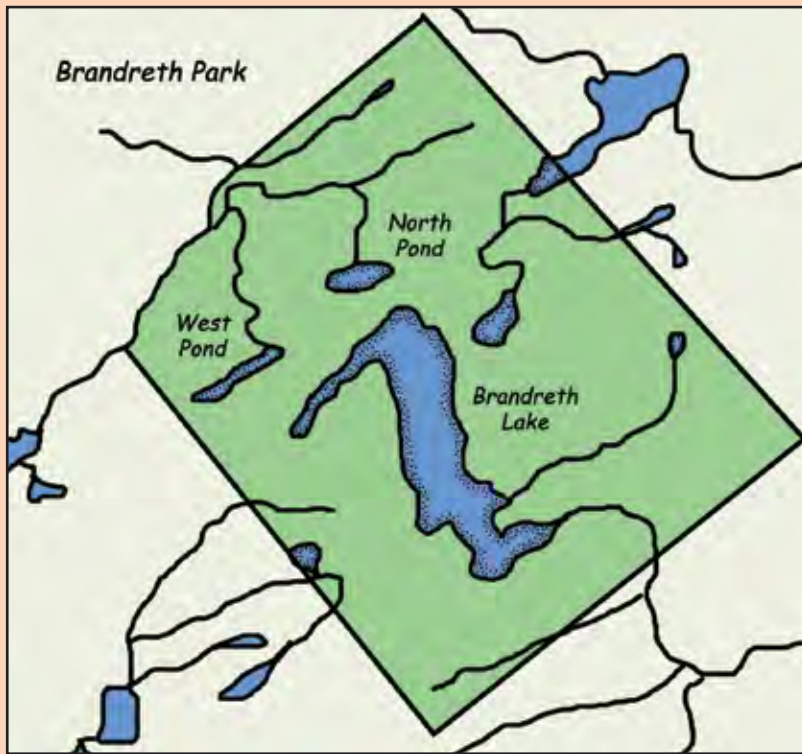
**Norm McDonald
Then-President of Brandreth Park Association (1998-2004)**

I married into the family – I was not a descendant of Park founder Benjamin Brandreth, but I've been here about 48 years. My children are his descendants. Benjamin Brandreth was a New York State senator from the district that represented part of Westchester County. During his first term, the state had a lot of land in the Adirondacks that they simply wanted to get rid of. This was around 1850.

Benjamin, having been an Englishman and not of the landed gentry, was not able to own land in England like you could in America. So he sent his assistant up to Long Lake to look at Township 39. He bought it in March of 1851. He paid about 15 cents an acre. The reason his assistant suggested purchasing this place is that all the water rises on this park. It begins here. We don't have streams going through from the outside. The lake is spring-fed from Pilgrim Mountain, which we share with Whitney Park, next door.

The doctor, being a businessman, decided that he'd like to produce an income on the property. So he had about 100 acres cleared to raise hops so that he could make beer with the water from the lake. This turned out to be a total disaster, but at any rate, the place survived. He became discouraged with running the place in the mid 1870's and decided to let it go for taxes. He went on a trip to England and his sons went to their mother and said they wanted to keep the place. So she paid the taxes, and got a controller's deed. That saved it. Of course, when the old man came back from England, he was furious. But, he still came up to enjoy it, until he died in 1880.

In 1874, Dr. Brandreth's son, Franklin, had this building constructed by John Plumley from Long Lake. This is a rough-hewn log camp. It's been covered since then, but the camp is pretty much the way it was 100 years ago. You can look at a picture and not much has changed. Growing up, I had not been exposed to places like this because I lived in a suburb of New York City. I liked it up here very much and, therefore, I raised my children knowing this place, and growing up here summers, enjoying the hunting and fishing.



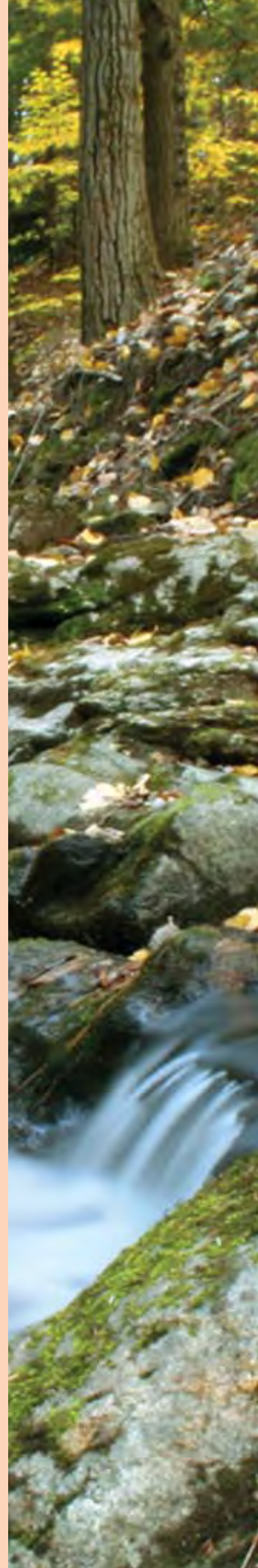
I remember going to family meetings 40 years ago and the attitude was that we preferred to be very private - we didn't want anyone to know about Brandreth Park. We didn't want to give out stories or information that could be published. A movie company wanted to make a movie and had flown over Brandreth and approached someone, and it came up at a meeting, and the owners were irate. "No, we don't want anything like that." That's changed. We were sort of a mystery, being the oldest private park, and there's a lot of Adirondack tradition and lore connected with this place.


Timber Management

Typically, our forester comes in and looks at the forest to determine which trees should be cut, leaving a lot of good, healthy trees. It's carefully managed. We bid the right to cut and the contractor must meet all of our standards before the job is awarded. It must be done in the winter to minimize the impact on the forest, and when we leave an area, we literally back out on our hands and knees. It's clean, the trail in is smoothed down, the staging area is cleaned up, and nature takes over again pretty quickly. The forester finds areas that won't have a significant impact. It's hardwood timber harvesting primarily.

These days, there's a strong feeling by a lot of the family that we don't want to lumber. We wish we didn't have to, but we do to maintain our 480a status (to maintain the association's timberland property tax abatement). So we cut about every three years, and work closely with our forester. The area is generally about 200 acres, and we never cut around a lake. We try not to cut near the road. The forester and the head of our forestry committee, and one or two committee members who are savvy about lumbering, will designate an area.

Ginny: Looking ahead 100 years, I'd like us to maintain a plan for the camps and how they accommodate the families. The main concern is to give our children and grandchildren the legacy we inherited – an incredibly beautiful, magnificent place with wild forest and unspoiled waters. Many of our ponds look just the way they did 500 years ago, with the exception of a wooden picnic table, in one little tiny area. But they are pristine bodies of water. If you do anything to any of these special places, it opens the door to do more: building a camp, changing the shoreline or adding a parking lot. It would just ruin it.





Brandreth Park Association Structure: A Large-Group Tenancy-in-Common

Norm: The structure of Brandreth Park as a tenancy-in-common was formed in 1955. Prior to that, the administration and ownership of the park was handled through a corporation – the Brandreth Lake Lumber and Improvement Corp.

The family members that owned the park owned stock in the corporation. However, there were some major changes in the ownership of the corporation. The cost of operating the park was becoming a real burden. The owners dissolved the corporation and decided through a complicated formula that they would form a tenancy-in-common and would issue 120 interests. When that happened, the original owners of the corporation were given a number of shares equal to what they owned in the corporation. Today, many owners own more than one interest, so there aren't 120 owners.

Because of that, we cannot sell land unless we have 100-percent approval. We cannot have mortgages on any building here. If you're building a camp, you need to have the cash to do it. We cannot subdivide the property, nor do anything with it unless we have 100-percent agreement of all interests.

To run the park, we have a set of rules that allows us to act with a majority approval. On the routine operational matters, the president can make a decision or take it to the Council, a group of family members who are elected to serve as advisors to the officers.

Building is limited to a defined area on the North end of Brandreth Lake. Many camps are passed on to a younger generation or are divided among immediate family members. Some prefer to build their own camp. We are planning ahead so we can accommodate a reasonable amount of family members who may want to build a camp.

Ginny: One of the advantages of having private parks, is that it affords the opportunity to study pristine property with minimal human presence. Over the years, we've had many different kinds of wildlife studies: coyotes, loons, bald eagles, fish, and plant life. We have worked cooperatively with different universities and independent groups because we can provide a place where there will be little or no human contact for six months to a year.

Nearly all of the Park will be kept in open space, with the exception of a mile of shoreline that's in Resource Management, and part of it in Low Intensity Use that we have designated as our clustered building area. In Resource Management, you can have one camp every 42 acres, so take 10,000 and divide it by 42 and that's how many camps we could have. Theoretically, every body of water could be dotted with camps, but we don't want that and won't allow it.

Norm: Private lands like ours contribute an enormous amount of value to the public lands by providing unique and unspoiled habitats. The very fact that there are very few trails and roads through the park preserves it's wild character. The isolated and remote nature of the Park enhances the animal and bird life, including loons and eagles. Many of these birds prefer a place that's not traveled on a regular basis.

The same concept applies to many plants species. Some of them are rare and threatened, but not endangered. We caution our family not to pick certain flowers or transport/transplant them from one area of the park to the other. The spread of invasive species is a significant concern, so we are careful to identify these plants and not pick them. That wouldn't happen with the public. And while I believe the public has every right to use the public lands, I think that the private parks with substantial land remaining intact contribute to the diversity of the Adirondack Park, the ability to prevent the spread of invasives, and habitat for rare or endangered species.

We have moose here and not just one or two; we have a habitat for them. I can't imagine hordes of people with cameras trying to see them. They don't want to be seen; they don't get close to humans too often. I just saw a huge bear a few minutes ago out by our spring house. I think the private parks, if they were to be open for public access, would absolutely not look the way they do now.

Another witness to that is fish. Little Tupper Lake was free of bass or so-called trash fish, until 2002, when the public brought them in – it completely changed that lake. It's an absolute crime, but it is hard to prevent when these bodies of water are open to the public. We have a number of ponds that we stock with native trout. There are only eight unique native species left in the Adirondacks. We have perfect places to propagate them without other fish that are incompatible with the trout.

With owners who care deeply about the Park, but may live anywhere from Saranac Lake to California, communications can be a challenge. When I became president of the Brandreth Park Association we established a newsletter. We send out minutes of both our council and general meetings. I worked with the council, and I advised the owners of any important issues immediately. The family is down to five, six, seven generations now, so we've got fourth, fifth and sixth cousins, and they're here from all over the country. They don't get to see each other too often. With the camps the way they are, cousins swim on the beach, there are picnics together, and cousins go visiting from camp to camp. That helps in terms of keeping communications open because people get to know what's going on.

In the past 15 years, we've realized that the family is getting larger. While we are very fortunate to have this land, which was passed down through the generations, contrary to outside opinion, we are not the super rich. As an example, family members often physically divide a camp or convert a barn or outbuilding into a satellite camp instead of having to go to the expense of building a whole new camp. This seems to be an ideal way of managing our growth. Franklin's camp (Benjamin's son) was made up of 13 buildings at one point in time. Many of the old buildings were hard to maintain. When his grandson, Franklin also, inherited it he gave or sold many of the buildings to other family members to use. It's making do with what we have back here – part of it is economics – we can't afford to build a new camp, and part of it is that we don't want to have sprawl around the lake.

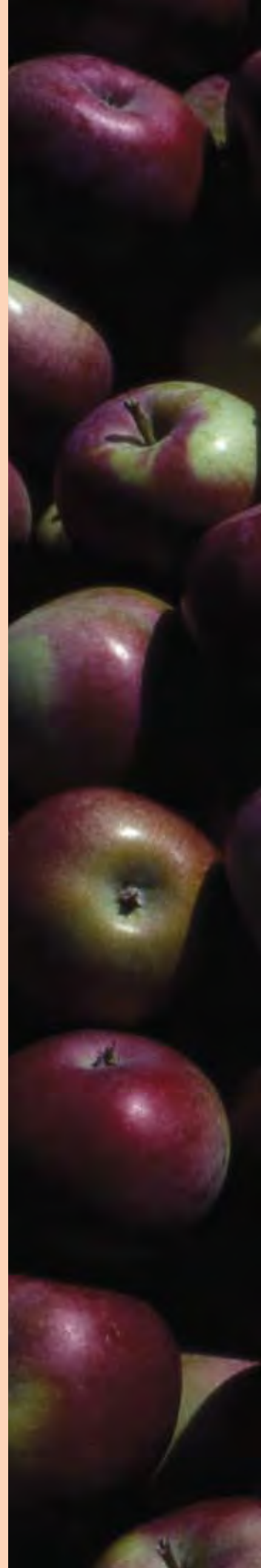
Ginny: We are very conscious of trying to think “down the road.” What's going to be best for our grandchildren? I think back to my father's and grandfather's generation and how thoughtful they've been in managing and keeping this legacy going. My generation feels a responsibility to be thoughtful for the future generations.

The owners are assessed each year – an assessment is part of the way of paying our taxes and operating expenses such as salaries and maintenance. Our lumbering income is invested. It's been very carefully managed financially. We have a treasurer and a finance committee. We are comfortable with how our park is managed financially.

Another opportunity is to sell an easement to a third party, like the Nature Conservancy. The hurdle landowners have about this option is that most/all local assessors don't recognize easements held by an organization other than the State – they assess at full value even though the landowners have effectively reduced the value of the land by locking up the development and/or timber rights in an easement. If the State holds the easement the local assessors do consider a reduced value because the State reimburses the local municipality. I think that you might have more landowners willing to consider easements if they had some assurance that their easement, regardless of who holds it, will provide a permanent reduction in their property assessment.

The hurdles to making easements more attractive are being discussed widely among landowners and organizations such as the Adirondack Landowners Association, the Nature Conservancy, the Adirondack Council and the State. It's a very important topic, and a key element to long-term maintenance of private tracts. Landowners recognize the impact their land decisions have on the local community. At Brandreth, we realize that it is very expensive to manage the Town of Long Lake, especially with a dwindling resident population. Tax revenues are critical to the Town so we need to be working closer with them on balancing their needs while ensuring Brandreth's long term stability.

Norm: One of the core elements that holds Brandreth Park together is that we are a big family. If one person or part of the family comes under hard financial times, the park isn't going to cave in.



Split Rock Wildway West Champlain Hills, Essex County

Interview with John Davis and Tom Butler of the Wildlands Project: Fall 2004

Characterized by fertile soils, productive forests and a temperate climate, the Champlain Valley harbors a greater diversity of wildlife than any other portion of the Adirondack Park. Historically, these abundant natural resources once supported a thriving agricultural center as our nation's breadbasket and fostered the strong self-sufficient character of its residents.

Unfortunately, unchecked exploitation over the course of the past century has led to fragmentation and loss of natural habitat, degrading the Champlain Valley's ecological integrity and economic base. And as with many small farming communities throughout the nation, industrialization of agriculture and market globalization continues to erode the economic health of this region.

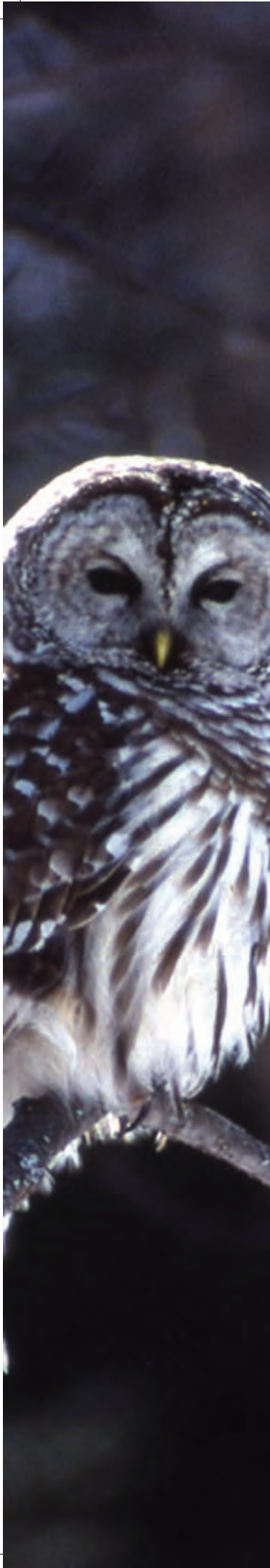
The Split Rock Wildway is a focus of ecological reconnection and restoration, leading to a future for the Champlain Valley that is both economically productive and environmentally sound. The project works to protect and restore a broad swath of wildlife habitat linking the Split Rock Wild Forest and Lake Champlain with the foothills and High Peaks of the Adirondack Mountains. At the same time, the project is stimulating local economic activity and strengthening local markets by promoting low-impact tourism, community supported organic and sustainable farming, architectural heritage restoration, and certified forestry in areas surrounding the wildway.

Ecologists and conservation biologists have concluded that our protected natural areas need not only to be larger but also connected, providing linkages that allow plants and animals to migrate and disperse naturally. Survival for many species in the Champlain Valley is complicated by the relative isolation of existing protected areas, within a landscape fragmented by roads, dams and towns. As these small pockets of remaining habitat face continued development pressure, as well as natural disturbances such as fires and flooding, wildlife has little room left to roam.

To reverse this change, it will be necessary to restore the viability of all native species and encourage the return of those once present. In many cases, the protection of relatively small



Looking across Lake Champlain toward Vermont from Split Rock Wild Forest.



linkages can have enormous benefit for wildlife populations. Agricultural fields with hedgerows and forested river floodplains are examples of narrow corridors in the Boquet Valley that permit the passage of many birds, mammals and other creatures. To date, more than 6,000 acres of private land have been protected, but there is still much work to fill existing gaps in the corridor. By reconnecting and restoring the full array of natural communities and species in the Champlain Valley, we will once again have the opportunity to see moose swimming across Lake Champlain, hear the howl of a timber wolf in the High Peaks, and witness the return of a salmon run to the Boquet River.

Epilogue: Since this interview was conducted, the Northeast Wilderness Trust www.newwildernesstrust.org and Adirondack Land Trust www.tnc.org have added significantly to the protected acreage in Split Rock Wildway. Complementing these vital land acquisitions, Adirondack Nature Conservancy and Wildlife Conservation Society www.wcs.org have conducted biological surveys confirming the great conservation importance of what botanist Jerry Jenkins has referred to as the West Champlain Hills and naturalist Gary Randorf knows as the Adirondack coast. The Adirondack Council plans to expand its proposed Champlain Valley Reserve in keeping with these good works.



III. Existing Tools for Private Land Stewardship

New York State currently has two mechanisms to encourage private land stewardship: the Forest Tax Abatement Program and conservation easements. Although significant land protection has occurred with these tools, they both need improvements to increase incentives for wider participation by land owners and to increase protections for the Park's ecological integrity and wild character.

Section 480 and 480-a of the Real Property Tax Law; the NYS Forest Tax Abatement Program. In an effort to conserve productive forest lands in New York State for their long-term benefits by relieving the pressures of rising property taxes, the state enacted the Fisher Forest Tax Law in 1926. In 1956, the state legislature crafted Section 480 of the Real Property Tax Law to allow private landowners of at least 15 acres to have their local tax assessment frozen based on the bare value of the land alone, exclusive of the value of the standing timber. Under the 480 program, over 500,000 acres were enrolled in the Adirondacks alone. The 480 program proved to be inadequate due principally to enforcement difficulties and limited constraints on potential development. Enrollment in this program was cut off in 1974. However, land owners already enrolled were allowed to remain in the program rather than be obligated to transition into the updated version.

The most recent version of the forest tax abatement program, Section 480-a of the Real Property Law, went into effect in 1976. Under this newer program, land owners must possess a minimum of 50 acres of contiguous forest to be eligible. Instead of a frozen tax assessment, the landowners are now entitled to tax abatement on up to 80% of the assessed value. The owners must agree to keep the land in active timber production for the next ten years, and must renew each year to retain the tax exemption, or be subject to a penalty for early withdrawal. The owner must also provide a 15-year harvesting plan for Department of Environmental Conservation (DEC) approval, and any modifications or changes must also be

approved.

There are significant flaws in both versions 480 and 480-a of the Forest Tax Abatement Program. One of the principal problems is that it is an unfunded state mandate on local governments that is increasingly disrupting the budgets of small Adirondack towns by unfairly shifting the tax burden on over a million acres to these municipalities. Historically, the State Legislature has not appropriated the funds needed to reimburse municipalities for these lost revenues. Local governments and school districts have been forced to pass the cost of these exemptions on to other local taxpayers in the form of higher property taxes. Through the cooperation of the Adirondack Council, local government officials, state legislators and the forest products industry, some progress has been made toward state reimbursement of Forest tax abatements.

Starting just five months after the Council released its 2004 report *Shifting the Burden*, the Governor and Legislature took action. Together, they have provided approximately \$3 million per year through the state budget to reimburse local governments that had lost one percent or more of their total tax levy to the abatement program. This is a good start, but there is no guarantee such payments will be made in subsequent years.

There are many additional concerns with these programs. The DEC does not have enough staff to administer the program, and record-keeping has been weak on the more than 800,000 acres enrolled in the programs between 1956 and 1976. Town assessors and state foresters alike believe that timber management enforcement is inadequate, and there is almost no regulatory oversight of the location of access roads, buildings or other infrastructure on enrolled lands. Commercial landowners find the state's forest management oversight cumbersome, and also assert that many communities have raised their assessment on property that is not enrolled in the programs -- wetlands, shorelines, steep slopes, rocky outcrops and other non-productive lands -- to make up for lost revenue. Many stake-

holders would like to see the programs expanded beyond timber harvesting to include lands conserved purely for open space and wildlife habitat protection. In brief, both forest tax abatement programs need serious overhauls.

Conservation Easements. New York State law guides local governments to assess property values based on the land's "highest and best uses," or in other words, its highest-value development potential. Regardless of their current uses, lands situated near highways, recreational amenities, commercial areas and popular waterfronts will be taxed at higher rates than those that are more isolated from hot real estate markets. Thus, increasing tax burdens redouble the pressures on forest owners to sell their lands to subdividers and developers. Conservation easements can be an effective tool for protecting private lands from subdivision and development pressures. Basically, a

conservation easement is a contract in which the landowner voluntarily gives up certain property rights in exchange for one-time cash payment and/or for reductions in property taxes that can result when development potential is restricted.

In the contract, the landowner gives up one or more of a "bundle of rights" that are associated with land. These typically result in restrictions on the number of development rights associated with a property. The bundle may also contain water rights, mineral rights, logging rights, public access and recreational rights, and even scenic views. Easements are usually given up in perpetuity (i.e., the easement remains with the property even if ownership changes).

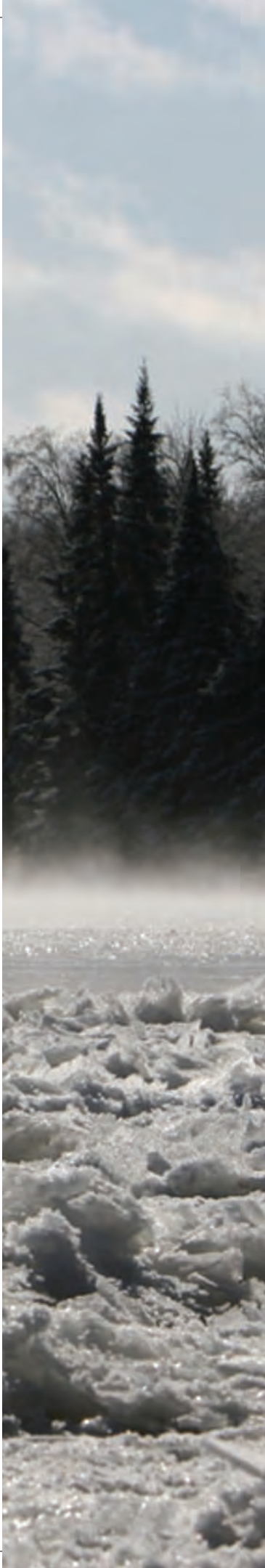
Easements may provide many important benefits to the Park and society, depending on the rights that are purchased or donated. In general, the principal objective of any ease-



Conservation easements provide a variety of options for landowners interested in protecting their land from subdivision in perpetuity.

Motorless Mirror Lake in the village of Lake Placid with Algonquin Peak in the distance.





ment within the Park should be to eliminate the future possibility of subdivision in places poorly suited to new development.

Important values of easements may include the following:

- Elimination or restrictions of development rights;
- Conservation of terrestrial and aquatic ecosystems, habitat for rare and endangered species, migratory corridors, and other natural areas;
- Watershed protection and water quality;
- Working forests' production of pulp and paper, and contributions to the employment base;
- Continuation of agricultural practices and retention of open space;
- Providing public access for a variety of motorized or non-motorized recreational uses; and,
- Protection of scenic views, historic or cultural sites.

In the Adirondack Park, approximately 500,000 acres of the 3.2 million acres of private lands currently have easements held by New York State or non-profit conservation organizations such as the Adirondack Nature Conservancy/Adirondack Land Trust, Open Space Institute, or the Conservation Fund. The use of easements in the Park is expanding, in part due to rising prices for outright purchases, but also due to uncertainty over how much land the state should acquire to complete the Forest Preserve. The Adirondack Council's plan for the completion of the Forest Preserve is illustrated in Volumes I through III of this 2020 VISION research series, available online at www.adirondackcouncil.org. In sum, the plan recommends state protection (through purchase or easement) of roughly 800,000 acres of private land. Recent estimates indicate more than half of that total has been protected since those volumes were completed. That number will also increase with the completion of the Domtar and International Paper negotiations.

Since 1978, an average of 13,000 acres of conservation easement lands has been acquired by the state each year. This represents more than three times the amount of lands that have

been purchased and added to the Forest Preserve during this period.¹ Currently, International Paper is negotiating a 280,000-acre working forest easement that will add substantially to the amount of easement lands. Lyme Timber is also negotiating an easement on roughly 80,000 acres in the northeastern sector of the Park. By 2010, the amount of private lands under easements may exceed one million acres in the Park.

There are many concerns about easements as they are currently used in New York State. There is little consistency in the criteria for defining an easement. As a result, easements often overlook fundamental objectives such as: restrictions on future development, biodiversity conservation, watershed protection, or best forest management practices. Moreover, easements are often difficult to monitor and enforce.

When the state acquires conservation easements, it is usually insistent that public access be included, even though this right can be negotiated as part of the bundle of rights that is given up by the landowner. Private land owners are often reluctant to permit the public on their lands due to concerns about potential abuse and liability issues. As a result, hundreds of thousands of acres of private lands in the Park are unprotected from development, even though they have significant ecological, open space and scenic values. State easement acquisition does, however, provide the benefit to the owner of an established property tax reduction, due to the fact that the state pays a proportional amount of the local taxes, depending on which land rights it purchases with the easement.

While an easement acquired by a non-profit, conservation organization may include the same terms and conditions about rights that are purchased, there is not necessarily a similar property tax deduction for the property owner. Such abatements are determined by the local tax assessor, and vary widely depending on the municipality. It is understandable that local governments are reluctant to lose tax revenues from easements, but the greater public good is not well-served by this dilemma.

¹The Adirondack Atlas, p.247

IV. Action Plan

Incentives for Private Land Stewardship

There is an urgent need for New York State to provide incentives for private land stewardship in the Adirondack Park to ensure the long-term protection of the ecological, economic, recreational, scenic and aesthetic resources that these lands provide to all New Yorkers. Shortcomings in the state's two primary private land conservation tools have left large tracts of land in the Adirondacks unprotected and open to increasing development. The problem is especially profound on lands zoned by the APA as Rural Use and Resource Management. Unprotected lands remain subject to rapidly escalating property taxes and other costs that increase the expense of ownership and provide an incentive to subdivide and sell. Left unchecked, the proliferation of commercial and residential development now evident along Adirondack shorelines will spread to other environmentally sensitive areas and further jeopardize the ecological integrity and wild character of the Park.

There are many opportunities for action to achieve the long-term vision of an Adirondack Park composed of large core wilderness areas connected to working forests and farms, and augmented by vibrant local communities, all within a diverse mosaic of biologically intact landscapes.

...working forests and farms...

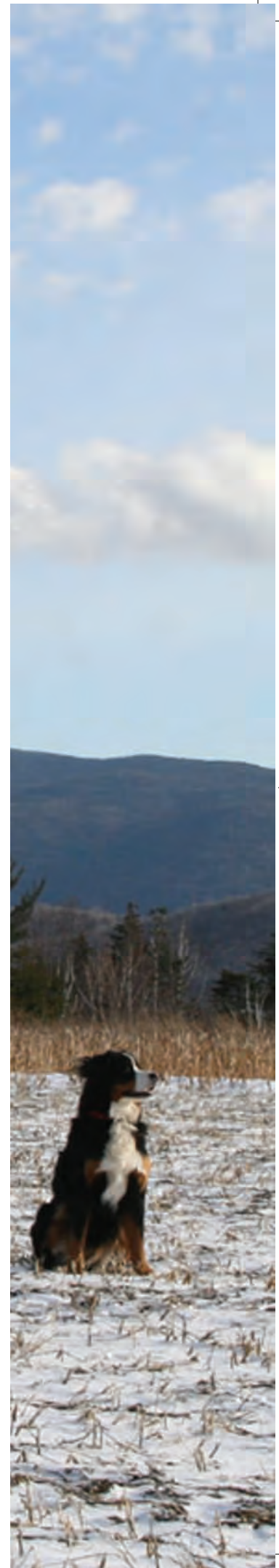
New York State has an opportunity to reform the conservation easement policies and the forest tax law to encourage wider participation among landowners and to better promote natural areas and watershed conservation objectives.

The state should develop standards for new easement agreements that define clear priorities for their use, including:

- Permanently limiting development;
- Conserving ecosystems and biological diversity;



Public education, policies and incentives to prevent subdivision of lands adjacent to water bodies will protect land and water quality.



- Protecting watersheds and water quality;
- Promoting sustainable forestry and farming;
- Improving public recreation; and,
- Protecting scenic resources.

As a first step toward developing standards, the Department of Environmental Conservation and the Adirondack Park Agency should produce a mapped inventory of Adirondack lands that are now under public or private easements, and define monitoring and enforcement procedures to ensure that good standards are met.

The primary purpose of an easement should be to limit development. If the removal of development rights is accomplished, the additional terms and conditions of individual easements may vary widely to include other objectives such as biodiversity conservation, sustainable forestry practices, scenic views, public recreational access, etc.

In particular, while public access is a worthy objective and the state should continue to seek access rights, a landowner's reluctance to allow public recreation should not prevent the protection of vital habitat. State acquisition of development-rights-only easements would also serve the public interest by preserving other important open space resources. The option of a no-access easement that only extinguishes development rights would encourage many more landowners to convey easements.

New York State has recently acted to provide income tax incentives to encourage easement donations. A coalition of organizations, led by the Land Trust Alliance and including the Adirondack Council, lobbied state government to create an easement state income tax credit that is expected to lead to many more donations in the years to come. The program, which will begin in 2007, will provide a 25 percent credit based on the property taxes, up to \$5,000 annually. It will cover any easement partly or entirely donated to the state, a local government or not-for-profit land trust.

In 1997, New York established a broad agricultural property tax credit for eligible farmers. Representatives of the forest products industry and others have urged the state to provide a similar credit to owners of forest lands that produce merchantable timber products. Such a credit would be appropriate only for those lands that are managed in accordance with sustainable forestry practices. A carefully designed income tax credit for sustainable forestry could augment the objectives of a revised forest tax law and a strengthened conservation easement program. It would also contribute to protecting open space and promoting economic activity in the Adirondacks. Within the Adirondack Park, owners of forest lands who protect their property as wildlife habitat and do not log should receive a similar tax credit.

Specific recommendations for reforms in conservation easement policies and forest tax law include the following:

Conservation easements: The state should develop incentives to encourage more land owners to convey conservation easements to the state, or not-for-profit conservation organizations, and ensure that easements further the state's open space conservation objectives by:

- Developing appropriate standards for easement agreements through a public process that encourages the widest possible participation;
- Ensuring compliance with easement agreements by enhancing DEC and APA staff and training, developing a mapped inventory of existing easements, and improving monitoring and enforcement procedures;
- Encouraging the conveyance of easements through targeted incentives under the state's income tax law and by adopting a more flexible approach to public access in easement agreements, including NYS-funded easements with a "no-access" option as one of the rights potentially retained by the land owner;



- Changing NYS conservation easement laws and policies to ensure a uniform property tax deduction for conservation easements held by non-profit conservation organizations, rather than the current situation that inhibits the use of this tool, because local tax assessors set the property tax values and there is too much variation across the state; and,
- Changing NYS easement law to include criteria that coincide with federal agriculture, forestry, wetlands and open space programs to enable the state to benefit from additional funds.

Forest tax law: The state should establish a new forest tax law program that would:

- Expand the approved land uses to include a variety of conservation and natural resource management objectives in addition to timber harvesting, and establish ecological standards for such conservation and management activities, including wildlife habitat restoration and preservation, as well as carbon sequestration;
- Extend tax exemptions to wetlands, rocky outcrops, habitats for endangered species, migratory corridors and other non-timber areas included within an otherwise eligible property;
- Provide an additional exemption as an incentive to landowners who are willing to provide public access;
- Require a site plan for all roads, residences and other infrastructure on enrolled lands;
- Encourage independent, third-party certification of the forest management plan by eliminating the requirement for DEC forester approval for any enrolled parcel if the plan meets sustainable forestry certification standards;
- Provide for permanent state payments of real property taxes on tax-abated parcels; and
- Discontinue enrollment in the current (480 and 480-a) forestry tax abatement programs, but provide enrolled landowners with an option to enroll their lands in the new program without penalty.

Private land stewardship income tax credit: The state should explore the establishment of an income tax credit of local school and property tax payments by owners of forest lands that are used for conservation purposes or that produce merchantable timber and are managed in accordance with sustainable forestry practices.

...augmented by vibrant local communities...

The revitalization of the Adirondack villages and hamlets may be a means of relieving development pressures on adjacent Rural Use and Resource Management lands. Often surrounded by Forest Preserve lands and private lands enrolled in forest tax abatement programs, many of the Park’s smaller communities are burdened with aging infrastructure and limited funds to improve their communities and advance their economic development.

The state should make funds available for local communities to develop land use plans that assess current infrastructure and that project future needs for water supplies, water treatment systems, energy, telecommunications, housing, and other requirements for creating quality mountain communities. As an incentive to undertake local planning, those plans approved by the APA should be supplemented by funds to address the most critical concerns, such as water systems, to improve both public health and environmental quality. Consideration should be given to “green-lining” the villages and hamlets with appropriate tax incentives, to encourage efforts to provide economic stimulation, affordable housing and denser concentration of future development within their village limits. This would serve the twin purpose of discouraging expensive sprawl into the adjacent rural and resource management lands.

The APA needs reforms that guide private land development in a manner consistent with its mandate. In particular, shoreline development urgently needs improved regulations for lot sizes, setbacks, on-site wastewater treatment, and vegetative buffers to ensure water quality standards.



Permissible land uses in Resource Management zones also need to be better defined to protect the Park's open space character and environmentally sensitive areas with steep slopes, wetlands and significant wildlife habitat.

Currently, there is a proliferation of proposals on lands in Resource Management zones for telecommunications towers, commercial wind turbine plants, massive residential subdivisions, airstrips and other incompatible uses. In general, development should be contained within the villages and hamlets and lands still wild in character should be more strictly protected.

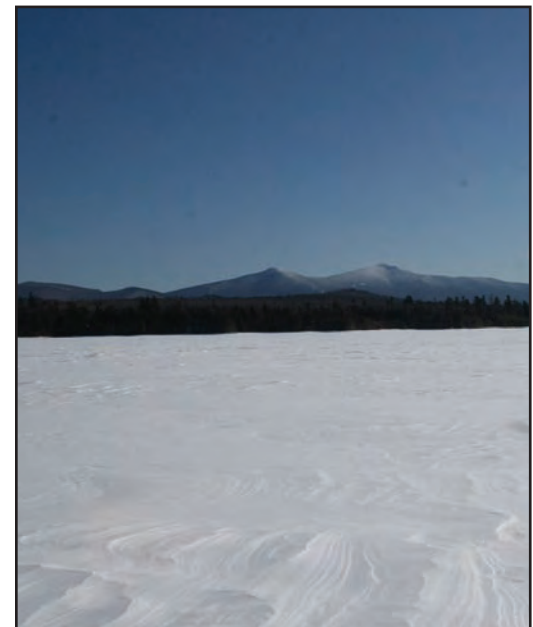
...all within a diverse mosaic of biologically intact landscapes...

As the "Forever Wild" lands within the Adirondack Park return to their original old growth forests, there may also be a change in the types of species that inhabit those forests. Privately owned lands that are managed for a variety of uses, such as forest products or farms, will probably have a greater proportion of early succession habitats that favor opportunistic species. The challenge will be to maintain ecologically intact landscapes that enable wildlife connectivity between public and private lands while also reducing the impacts of invasive species on the overall Adirondack ecosystem.

The Adirondack Park is the largest intact ecosystem remaining in the northeastern United States. By using a large landscape approach based on watersheds to plan and assess the cumulative impacts of development, we may be able to ensure the long-term health of our environment and its viability as habitat for all native species. Both the Adirondack Park Agency and Department of Environmental Conservation need to reform their land use planning and management practices, and move beyond the current piece-meal and reactive approach to their agency mandates toward ecosystem based management principles. At the same time, private landowners in the Park need to realize that they have to also practice a much higher standard in their stewardship of lands and waters if we are to pass this special natural heritage to the next generations in better shape than when we arrived.

There is much to accomplish. This publication calls for improvements in the existing conservation tools to enable private landowners to be better stewards and to provide increased economic incentives. There is still the need for aggressive, new strategies that reward good land stewardship and penalize abuses of land. It is time to consider the Adirondack Park's role in abating the effects of global climate change, perhaps by providing opportunities for investment in carbon sequestration through forestry and other land use changes. Ironically, local governments impose far more severe penalties for illegal clear cutting and abusive timber practices than does the Adirondack Park Agency. The Legislature should give the APA greater authority to impose stiff penalties for abusive harvesting practices that cause long-term ecosystem damage.

It may also be time to reassess the economic role of the Park in watershed management and maintenance of water quality in a time of increasing scarcity of this very precious resource. The Adirondack Park and its people merit the gratitude and support of the people of New York for their stewardship of this remarkable place. Let's continue to work together on the innovative solutions to ensure the Park's ecological integrity and wild character.



Conservation easements can protect critical riparian buffer zones.



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Wildlife Conservation Society: www.wcs.org

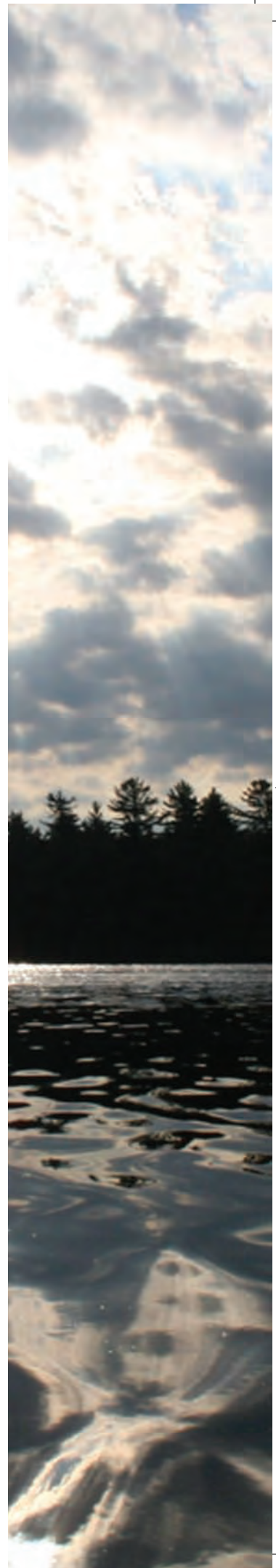
Glossary of Terms

Adirondack Park Agency – created in 1973 by the NYS Legislature, this tiny state agency (fewer than 70 staff) reviews and rules on plans for the development of private lands inside the Adirondack Park; also administers Wild, Scenic & Recreational Rivers Act and Freshwater Wetlands Act; has 11-member board of commissioners appointed by the Governor.

Adirondack Park Land Use and Development Plan – A zoning plan created by the NYS Legislature in 1971 to set limits on the number of buildings/residences that may be constructed per square mile; it ranges from Hamlet, with no density limits, to Resource Management, where nearly 43 acres is required for each principal building.

Conservation easement – an agreement between a landowner and a third party (often the state) in which the landowner sells (or donates) all or most of the development rights. The landowner usually retains the rights to live on and/or harvest timber from the lands.

Department of Environmental Conservation – created by the NYS Legislature in 1970, this agency oversees the entire Adirondack Forest Preserve, as well as state lands outside the Park. The agency therefore administers the Adirondack Park State Land Master Plan, and its component Unit Management Plans for specific areas designated as Wilderness, Wild Forest, Primitive, etc.





Development potential – the number of additional buildings that can be constructed on a piece of property under current law.

Ecological integrity – environmental health and balance that is sustainable for many generations.

Ecosystem – the web of life or the interconnection of species whose survival all depends on a common set of conditions and mutual benefits.

Exurban Development – the spread of commercial and residential development outside the boundaries of traditional hamlets, villages and cities, leading to expensive, habitat-fragmenting extension of municipal services into the countryside; also known as suburban sprawl.

Fisher Forest Tax Law – created in 1926, this law froze the assessed value of enrolled commercial forest lands and prevented them from increasing unless and until the town completed a town-wide revaluation of all properties.

Forest Tax Abatement (see Fisher Forest Tax Law, Section 480/480-a NYS Real Property Tax Law, Property tax abatement; for full explanation, see *Shifting the Burden: Forest Tax Abatement Programs in the Adirondack Park*, 2004 by the Adirondack Council, in appendix or online at www.adirondackcouncil.org).

Forest Preserve – Created in 1886, the preserve consists of all state-owned wild lands inside the Adirondack Park. The 1894 Constitutional Convention incorporated the protection of these lands into the state government's compact with its citizens, banning all logging, leasing, sale or development of Forest Preserve lands without a Constitutional Amendment. Such amendments require the approval of two separately elected, consecutive Legislatures, plus statewide ballot approval.

Income tax credit – A reduction in income taxes owed in a given year, or period of years, usually stemming from participation in a government program aimed at a common goal (e.g., preservation of open space, energy conservation, etc.)

Invasive species – non-native plants, animals and insects that aggressively colonize new territory, displacing native species. Invasives often alter the habitat to their own liking and to the detriment or exclusion of native species.

Migratory corridors – long-established travel routes for birds and other animals that move north and south with the seasons.

Opportunistic species – plants, animals and insects that grow in numbers or expand their territory when a natural check on their survival or reproductive rates is eliminated or weakened.



Whiteface Mountain in Wilmington from Norman Ridge near Vermontville.

Property tax abatement – a reduction in the assessed value of a certain parcel of land, often stemming from participation in a government-sponsored program that provides a community benefit (e.g., maintaining timberland stocks, new recreational opportunities, open space conservation, etc.)

Property tax assessment – a local government’s estimate of the taxable value of private property, used for establishing the amount of taxes to be paid by the landowner.

Resource Management lands – the strictest category of land-use controlled by the Adirondack Park Agency. RM lands are the transition areas between the “Forever Wild” Forest Preserve and the lived-in landscapes of the Park. These lands are often commercial timberlands or large, private estates. Developers need to have 43 acres for each principal residence constructed.

Rural Use lands – the second-strictest category administered by the Adirondack Park Agency, these lands are primarily devoted to open space, but usually have some development within them or on the fringes. Principal structures require 8.5 acres per principal residence.

Section 480/480-a NYS Real Property Tax Law – sections of state Real Property Tax Law that provide tax abatements to owners of large, actively harvested timber tracts (see *Shifting the Burden: Forest Tax Abatement Programs in the Adirondack Park, 2004* by the Adirondack Council, in appendix or online at www.adirondackcouncil.org).

Sprawl – see “exurban development.”

Subdivision – the separation of a single parcel of land into separate lots for the purpose of selling those lots to new owners for the construction of new buildings.

Sustainable forestry – using harvesting and land-management techniques that allow private forest lands to continue producing useful wood products indefinitely, without interruption, while also maintaining a biologically healthy ecosystem.

Third-Party certification – independent bodies (such as the Forest Stewardship Council) set up to verify that the landowner is employing the proper techniques to ensure a sustainable harvest and a healthy ecosystem.

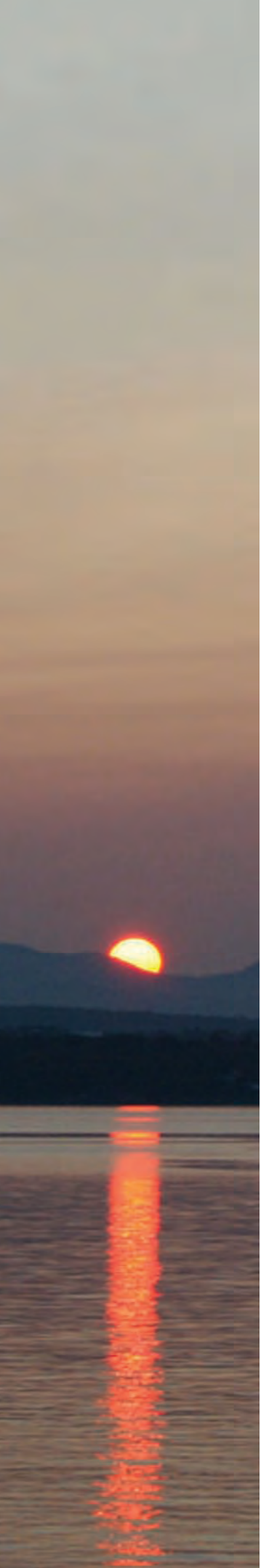
Watershed – the lands surrounding a lake, pond, river or stream from which precipitation drains into that water body or water course.

Working forest – a forest from which marketable wood products are harvested.



Potato harvest on the Adirondack Loj Road.





The following is an excerpt from the Land Trust Alliance publication *Conservation Options: A Landowners Guide*. To receive your copy of the guide, which includes conservation options and tax information related to land conservation, contact the Land Trust Alliance, 1331 H Street NW, Suite 400, Washington, DC 20005-4734, 202-638-4725, www.lta.org/publications.

Conservation Easements

A conservation easement can make a critical difference in a family's ability to pass land from one generation to the next. This flexible tool protects land while leaving it in private ownership.

The Advantages of a Conservation Easement: A conservation easement (called a conservation restriction in some states) is a legal agreement between a landowner and a qualified conservation organization or government agency that permanently limits a property's uses in order to protect its conservation values.

A conservation easement offers several advantages:

- It leaves the property in the ownership of the landowner, who may continue to live on it, sell it, or pass it on to heirs.
- It can significantly lower estate taxes – sometimes making the difference between heirs being able to keep land in the family and their needing to sell it. In addition, an easement can provide the landowner with income tax and, in many cases, property tax benefits.
- It is flexible, and can be written to meet the particular needs of the landowner while protecting the property's resources.
- It is permanent, remaining in force when the land changes hands. A land trust or government agency ensures the restrictions are followed.

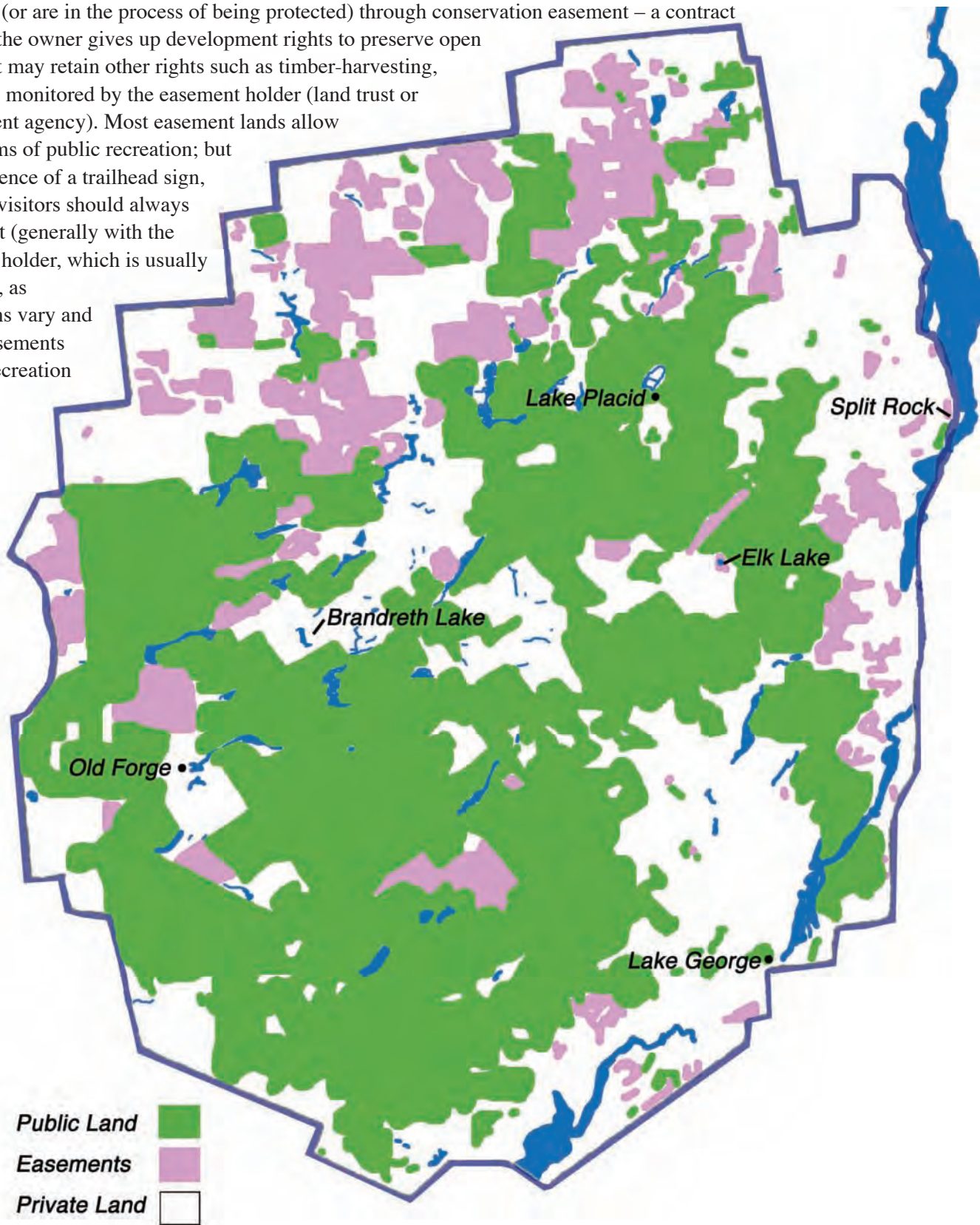
How Conservation Easements Work: When you own land, you also “own” many rights associated with it. They might include rights to harvest timber, build structures, grow crops and so on (subject to zoning and other restrictions). When you donate or sell a conservation easement to a land trust or government agency, you permanently give up some of those rights. For example, you might give up the right to build additional residences, while retaining the right to grow crops. Future owners will also be bound by the easement's terms.

Conservation easements can be used to protect a wide variety of land, including farms, forests, historic areas, ranches, wildlife habitats, and scenic views. They may be called agricultural preservation easements, historic preservation easements, scenic easements, or forever wild easements, depending on the resources they protect.

Conservation easements are written up in a detailed legal agreement that outlines the rights and restrictions on the landowner's uses of the property and the responsibilities of the landowner and the land trust or government agency that holds the easement.

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This map is an approximate representation of lands color-coded to show different levels of protection inside the six-million-acre Adirondack Park. Public lands – known as the Forest Preserve and comprising approximately 2.7 million acres (and shown here in green) – are protected from logging and other forms of development by the NYS Constitution’s Forever Wild Clause (Article 14, Section 1). Slightly less than half of those lands are classified as Wilderness, Canoe, or Primitive Area where motorized and mechanized travel is prohibited to preserve the peace, solitude and serenity of the state’s most sensitive wildlife habitat. The other half of the public lands is classified as Wild Forest, where some motorized recreation is allowed on designated trails and roads. Some 650,000 acres of private lands (shown here in purple) are protected (or are in the process of being protected) through conservation easement – a contract in which the owner gives up development rights to preserve open space, but may retain other rights such as timber-harvesting, which are monitored by the easement holder (land trust or government agency). Most easement lands allow some forms of public recreation; but in the absence of a trailhead sign, potential visitors should always check first (generally with the easement holder, which is usually the DEC), as restrictions vary and not all easements include recreation rights.



Between 1988 and 1990, the Adirondack Council produced the first three volumes in our 2020 Vision series, which together form a comprehensive plan to protect the Adirondack Park's biological diversity, complete its wilderness system, and optimize the recreational potential of its public lands. This new volume, 2020 VISION Volume IV: Private Land Stewardship, presents a set of conservation strategies to promote and enhance the stewardship of the approximately three million acres of private lands within the Park.

2020 VISION Volume IV: Private Land Stewardship examines the key environmental, economic, social and political issues affecting the management of private lands as they relate to ensuring the ecological integrity and wild character of the Park. Included are existing tools and incentives available for private land owners, case studies of private land conservation, and needed policy changes to promote excellent stewardship of private lands throughout the Adirondack Park.



THE ADIRONDACK COUNCIL
Defending the East's Last Great Wilderness

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