

NEWS RELEASE



For more information:

John F. Sheehan

518-432-1770 (ofc)

518-441-1340 (cell)

FOR IMMEDIATE RELEASE, Wednesday, February 29, 2012

**GOVERNOR, LEGISLATURE MUST ACT TO PROTECT ADIRONDACK PARK'S
FORESTS, WATERS, WILDLIFE FROM WEAK & OUTDATED LAND-USE RULES**
Just-Completed Seven-Year Review of Major Resort Spotlights Serious Flaws in Rules

RAY BROOK, N.Y. – The Adirondack Park's largest environmental organization today called on Gov. Andrew Cuomo and the NYS Legislature to make sweeping changes to the rules for private land use and development in the half-private/half-public park.

"The current rules for development are too weak and outdated to protect the park's pure waters, wildlife and unbroken forests," said the Adirondack Council Executive Director Brian L. Houseal. "Conservation science and smart growth principles have advanced a great deal since 1971. Unfortunately, the Adirondack Park Agency's regulations have not."

The Adirondack Park Agency (APA) was created by Gov. Nelson Rockefeller in 1971, after resort development and the construction of an interstate highway (I-87) through the park prompted a public call to protect the Northeast's wildest and most remote landscape. None of those rules has been amended since 1978, when several were weakened. A recent resort review illustrated why the rules need attention.

"The APA just spent seven years reviewing the Adirondack Club and Resort proposal for Tupper Lake, the largest development project since the park was founded in 1892," said Houseal. "It proposes to build 650 homes and resort facilities near a ski hill, on a footprint half the size of Manhattan. During the review, we and others advised the APA how to scale back the project to better protect water quality, save wildlife and conserve the forest that will surround the new homes. The APA's staff and commissioners lacked the clear authority to compel the developer to carry out those changes."

That is a problem that must be fixed, the Council said.

"We are not the only ones who believe this," Houseal explained. "Nearly every person who spoke after the commissioners approved the Tupper Lake project – including resort

supporters and the APA commissioners themselves – said the park agency’s rules weren’t good enough. They said the process for reviewing applications needed major changes.

“It’s time to prove that this was not mere talk,” Houseal said. “It’s time for real reforms at the APA. If Governor Andrew Cuomo is serious about his mandate to make NYS government less costly and more effective, here is an opportunity to make changes that will positively affect the future of 20 percent of the state's land area. There is plenty for his Spending and Government Efficiency (SAGE) Commission to do.

The Adirondack Park was the first place in America where people realized that the environment and the economy are forever linked to one another, Houseal explained. “Every passing year confirms this truth. Tourism is our number one industry here. It is rooted in our amazing, natural scenery, abundant wildlife, healthy forests and clean waters. But our ability to protect these treasures is slipping away.”

“We must, as a society, agree to avoid building new homes and businesses too close to shorelines, on steep slopes, or in places that wildlife needs to survive,” Houseal explained. “We must recognize that we have allowed 9 of every 10 homes in this park to be constructed outside of an existing community. That trend threatens the park’s wildest places and is causing a decline in the park’s villages and hamlets.”

With the fresh perspective of lessons learned from the review of the Adirondack Club and Resort, now is the time to agree on reforms and implement them as soon as possible, Houseal noted. Key points presented to Governor Cuomo and the Legislature by the Adirondack Council included:

Reform and modernize the APA’s land-use code to better protect the park’s wildest lands – with input from local officials and the public. These lands were meant to sustain working forests and farms, not to become second home subdivisions. New rules are needed to require that backcountry development be clustered into a compact area, and applicants for major projects complete detailed wildlife assessments before any application is deemed complete. Project reviews also need to be streamlined by evaluating all necessary state agency permits at the same time, and the APA should be able to deny a permit application before a project is sent to an expensive and time-consuming adjudicatory hearing.

Protect water quality by developing a water classification system for lakes and rivers that protects pristine waters from inappropriate uses and pollution; requiring inspection upgrading of on-site wastewater treatment (septic) systems; increasing shoreline lot sizes and setback requirements; and, improving shoreline vegetative-cutting restrictions.

Improve the delivery of state agency services to the public by changing their regional boundaries to coincide with the park boundary, making the park a single region for the Department of Environmental Conservation (it is now split between two), the Department of Health, Department of Transportation, Department of State, and Empire State Development Corp. (economic development & tourism).

Fix the APA’s recently slackened enforcement program by reinstating enforcement staff that were reassigned due to budget cuts. Allow APA’s enforcement team to issue tickets

and stop-work orders, like any local code enforcement officer can, for violations of the APA's land-use code.

Revitalize local communities by providing funds and expertise to complete local land-use plans. Most development in the park is outside of a village or hamlet, mainly because only 19 of the park's 103 towns and villages have APA-approved land-use plans. This is not due to a lack of interest, but rather a lack of funds and personnel. More local land use planning and better local zoning would also relieve some of the APA's monthly permit-review burden by allowing local governments to review smaller projects by themselves.

The Adirondack Council is a privately funded, not-for-profit organization dedicated to ensuring the ecological integrity and wild character of New York's 9,300-square-mile Adirondack Park. The Council carries out its missions through research, education, advocacy and legal action. Council members live in all 50 United States.

-end-