

'Dead-wood' bill may move in Assembly

By CHRIS MORRIS

A bill that would allow downed trees along Adirondack roadways to be cut up, removed and given to communities could gain some traction in the Democrat-led state Assembly.

Assemblywoman Teresa Sayward, R-Willsboro, said Monday that legislation championed by her and state Sen. Betty Little, known as the "dead-wood" bill, could get sponsored by Assemblyman John McEneny, D-Albany. Sayward said a Democratic sponsor would get the bill, which has stalled for years, out of the Environmental Conservation Committee.

Currently, when state Department of Transportation crews cut trees for safety purposes along roadways through the state-owned Adirondack Forest Preserve, that wood is stacked and left to rot. Wood collecting is not allowed in the Forest Preserve.

"We have tried repeatedly to get a bill through the Assembly that would allow for DOT to pick that up, bring it back to the garage and let people use it in their furnaces or in their woodstoves in the wintertime," Sayward said.

Little said it's a good sign that at least one Democrat has decided to support the legislation. She added that most of the Adirondacks dodged an early-season snowstorm over the weekend that downed trees and limbs in other parts of the state.

"Had it occurred in the Adirondacks and we'd seen a similar impact along roads and highways in the Park, much of that wood would be left to rot instead of being gathered and used in a common-sense way to provide heat," Little said.

Sayward said the bill has been stuck in committee for years, in large part because it gets graded poorly by environmental groups. She said many downstate lawmakers depend on that rating because their constituents are concerned about the environment.

In this case, Sayward said the bill has "nothing to do with the environment."

"We're talking about trees cut down for safety reasons along the road," she said.

But Adirondack Council spokesman John Sheehan said downed trees do play an important environmental role. He said trees replenish the soil with critical nutrients, and in wild settings it's important for calcium-rich tree trunks to decay and add buffers against acidity.

"These laws are there to help protect the forest from losing that sort of nutrient," Sheehan said.

According to Sheehan, the bill failed in the past because it would have let anyone remove trees from the Forest Preserve, not just DOT. He added that the legislation could lead to people removing both dead and live trees.

Sayward said she's taking a new approach, working with McEneny and Assemblyman Robert Sweeney, D-Babylon, to make the bill as specific as possible. This time around, she said, it will let only DOT work crews pick up downed trees and bring them to DOT sites.

"We're working with attorneys on the language," Sayward said. "I believe we can get it through."

Sayward said she and several downstate legislators recently toured parts of the Adirondacks, including Tupper Lake and Blue Mountain Lake. When she brought up the dead-wood bill, she pointed out trees left along roadways.

"And they said, 'For heaven's sake, it's wood on the ground!'" Sayward said. "Those things, that sort of interaction, can't be replicated when you're sitting in an office in Albany. So I'm really encouraged."

The bill does face at least one major hurdle: It could require an amendment to the state Constitution. That would require the Legislature's approval two years in a row, then a statewide referendum.

Sayward said the state Attorney General's Office told her the legislation would not need an amendment.

"We asked a couple sessions ago for an opinion, and their opinion is that it doesn't," she said.

But Sheehan said he's not sure that's the case.

"There is a constitutional prohibition from removing trees from the Forest Preserve," he said. "I would like to see that opinion in writing."

Officials with the Attorney General's Office could not immediately be reached for comment on Tuesday.