Dear Members and Friends of the Adirondacks,

The Adirondack Council continues to advocate for the completion of the Park’s wilderness system and for the money needed from the Environmental Protection Fund to protect key properties. At our Forever Wild Dinner this year we recognized the Open Space Institute as our Conservationist of the Year to celebrate the acquisition of the 10,000-acre Tahawus property, a key parcel in the southern High Peaks Wilderness Area. OSI intends to sell approximately 6,000 acres to New York State to be declared as wilderness, and will place a working forest conservation easement on the remaining lands. The Council pressed both the Legislature and Governor to secure that money.

This spring, a partnership composed of International Paper, the Conservation Fund, and New York State announced an historic 260,000-acre working forest easement on IP lands in the Park. This deal will remove the possibility of future subdivision and enhance the Park’s wild character while also permitting compatible forest production and recreational uses. Through the protection of this working forest easement, the Council’s long-time dream of permanent protection for the Bob Marshall Great Wilderness is now 85 percent complete.

Beyond the wilderness, the Council shares a concern with local governments over the quality of the Park’s waters. Unfortunately, many Adirondack villages and hamlets do not meet New York State and federal health standards for drinking water and need to find new sources. The Council is calling for a Constitutional amendment that will enable limited use of the Forest Preserve for drilled-well municipal supplies that meet modern standards for quality. Currently, only new, above-ground reservoirs are allowed on the Forest Preserve. (See page 3 for a full explanation.)

As the leading environmental advocate for the Park, the Adirondack Council will continue to find solutions that benefit both the Park and its people, such as this important Constitutional amendment for water supplies. I hope you enjoy your summer and will spend as much time as possible enjoying the Adirondacks during this very beautiful season. Thank you for your continued support.

Sincerely,

Brian L. Houseal
Executive Director

On the Cover: View of the Tahawus tract in the southern High Peaks region of the Adirondack Park, in the Essex County Town of Newcomb. Nearly 10,000 acres of public and private forest, plus several lakes and an historic site, will be preserved through a deal brokered by the Open Space Institute (OSI). New York State will purchase most of the land, including the unique habitat of the Tahawus Talus in the north, while a commercial timber company will purchase and sustainably harvest a southern portion. The Adirondack Council will urge the state to incorporate the new Forest Preserve (public) lands into the High Peaks Wilderness. The Council’s advocacy helps to secure public funding for additions to the Forest Preserve as well as for conservation easements. In July, the Council presented OSI with its highest honor, Conservationist of the Year, for this project and several others that have enhanced the Park’s wild character and ecological health.

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All other photos by Adirondack Council staff unless otherwise noted.
Council Proposes Constitutional Amendment To Solve Drinking Water Problems

This spring, the Adirondack Council called on Gov. George E. Pataki and the NYS Legislature to propose and pass a Constitutional Amendment that would solve drinking water problems in towns and villages across the Park.

The bill passed the NYS Senate by a margin of 59-0 on June 21. As of the end of June it was still pending in the Assembly. The amendment is sponsored in the Senate by Adirondack Senator Betty Little, R-Queensbury, and Environmental Conservation Committee Chairman Carl Marcellino, R-Syosset. Assembly sponsors are Environmental Conservation Committee Chairman Thomas DiNapoli, D-Great Neck and Adirondack Assemblyman Chris Ortloff, R-Plattsburgh.

The Department of Environmental Conservation and the Adirondack Park Agency have promised to help several Adirondack communities find water on the state-owned Forest Preserve. Without a plan to do it legally, local leaders and state agencies may only see a flood of litigation. The Forever Wild clause of the NYS Constitution allows any New York resident to press lawsuits if the state fails to protect the Forest Preserve from tree cutting, seizure or development.

Since the new water quality regulations went into effect in 1993, a growing number of towns have been expressing concern over inadequate water supplies and the expense of treating surface waters. The NYS Department of Health estimated that 10 or more Adirondack towns are under orders to fix contamination problems in their drinking water supplies.

A 1913 amendment to the NYS Constitution already allows towns within the Adirondack Park to use up to three percent of the Forest Preserve for municipal drinking water reservoirs. However, reservoirs are no longer practical, given new state and federal regulations that require expensive filtration to make surface water safe to drink. The Council proposed changing Article 14, Section 2 (a.k.a. the Reservoir Amendment) to allow local communities to drill wells and gain access to safe, pure water without breaking the law.

There is very little underground water contamination in the Adirondack Park, so drilled wells are safer and more reliable sources of pure water than reservoirs. But wells are currently not allowed on the Forest Preserve.

The Council has worked toward similar amendments for individual Adirondack towns in the past, but local governments were reluctant to move ahead alone. The Council was concerned that the integrity of the Constitutional protections for the Forest Preserve (Article 14, Section 1, a.k.a. the “Forever Wild” clause) would be eroded if some of the Park’s 92 towns simply started drilling wells on state Forest Preserve.

Basic principles of the Adirondack Council’s proposal:

• The Legislature should pass a Constitutional Amendment adding drilled wells to the list of items allowed under the 1913 Reservoir Amendment for the operation of municipal drinking water systems.
• Up to two percent of the Adirondack and Catskill Forest Preserves, or 55,166 acres (NY State’s count, as of November 2003), could be used to fulfill the purposes of the Reservoir Amendment. The total acreage already used under the Reservoir Amendment is 38,958 acres, which includes Stillwater Reservoir, Great Sacandaga Lake and six lakes in Herkimer County that were created to supply water to the Erie Canal. The remaining land bank for future drinking water supplies would be approximately 16,208 acres.
• As is currently the case, communities wishing to place facilities on state land would need to demonstrate their need and the lack of viable alternatives. Public hearings would be held.
• As is currently the case, the state would construct, own and operate the water system. The cost of the improvements would be apportioned to public and private property owners who benefit.
• As is currently the case, municipalities would make payments to the state for the water rights and the value of the property used, re-adjustable every 10 years.

The new land bank would be one percent smaller than the current land bank, since wells take considerably less space than flooding land for reservoirs. Further, the need for additional reservoirs would diminish. The size of the Forest Preserve has also grown substantially since the Reservoir Amendment was enacted 91 years ago.

If the proposed Amendment passed this year, and again next year, it could go on the November 2005 statewide ballot. If approved, the Legislature could pass enabling legislation to allow local projects to move ahead as soon as it returns to session in Albany after that election (usually December or January). Due to requirements that Constitutional Amendments must be passed by two consecutive, yet separately elected Legislatures, first passage must occur this year to allow work to begin in the 2006 construction season.

Water Conference Slated for Early August

Don’t forget to join us for the Second Annual Adirondack summer water conference – sponsored by Paul Smith’s College, the Adirondack Council and others – to be held from August 9 to 11 at the college. It’s a great way to find new methods for protecting your lake or river from pollution, while meeting some of the Park’s most active and effective local government officials, educators and environmental activists. Last year’s conference benefited from the participation of top state and federal officials, who congratulated the participants for their foresight and vowed to assist their efforts. This year’s lineup promises to be no less impressive. All are welcome. For more information, go to www.paulsmiths.edu or call, 518-327-6249.
State Closes Forest Preserve Roads to All-Terrain Vehicles

In late May, the Adirondack Council praised the New York State Department of Environmental Conservation’s decision to close 54 roads in the Western Adirondack Park to all-terrain vehicles (ATVs).

The DEC had been patient with the ATV riders in the Western Adirondacks, but the Council was relieved when the agency took action. The ruts, ruined roads, illegal trail construction and vandalism had only worsened in recent years. It’s a big step for the DEC to virtually eliminate a motorized user group from areas of the Forest Preserve, but the Council’s research supports the DEC’s decision.

The Adirondack Council and several other organizations have been pressing the NYS Legislature to ban ATVs from all Forest Preserve areas in the Adirondacks. Legislation is pending in both houses that would provide funding for ATV networks in other areas, but bans any new trails on the Forest Preserve. Gov. George E. Pataki made a similar proposal as part of his FY 2004-05 budget.

The DEC’s move toward road closure doesn’t eliminate the need for the Park-wide ban, but it takes a great deal of pressure off four of the most abused areas of the Adirondack Park. The Aldrich Pond, Black River, Independence River and Watson’s East Wild Forests all suffered substantial damage to their wild character and overall health.

State officials said five roads will remain open temporarily under a revocable permit system (TRP). These roads will be opened for permitted use only from September 1 to December 15, to allow hunters access to primitive camping sites. These roads are slated to be rehabilitated for automobile and truck access by 2006 at which point public ATV access will be eliminated.

Even if the DEC had not been pressed by the Adirondack Council and the Residents’ Committee to Protect the Adirondacks, which filed a lawsuit, state officials may have had little choice but to close the roads. DEC officials noted that State Vehicle and Traffic Law prohibits the use of ATVs on roads that are open to motor vehicle use, unless the purpose is to provide ATVs with access to adjacent trails and areas which they could not otherwise reach.

There are nearly 200,000 acres of conservation easement lands (and millions of acres of other private properties) in the Adirondacks, many of which which would be better suited to ATV travel than the Forest Preserve. The Council isn’t trying to banish ATVs from the Adirondacks – just move them to areas where they won’t do so much harm.

The DEC plans to close the roads officially through its Forest Preserve Unit Management Plan process, which requires approval from the Adirondack Park Agency as well. The Adirondack Council will support DEC’s proposed amendments.
Council’s Advocacy Prevents Battle Over Emergency Towers

This spring, the Adirondack Council worked with the media and the Pataki Administration to avert a potential Constitutional legal battle over the placement of new radio communications towers in the Adirondack Forest Preserve and the undeveloped private backcountry.

At the end of April, the Adirondack Council found that a 1996 plan to build a statewide emergency radio network was about to become a reality, and the details of the plan posed a threat to the ecology and wild character of the Adirondack Forest Preserve.

State officials said the network would blanket the entire state. When asked whether this would require construction on public lands in the Adirondacks and Catskills, one of the bidders responded that the state’s Request for Proposals called for 400 “stations” in the Adirondacks alone, where there are fewer than 65 existing towers.

The bidder declared that the “stations” would have to be towers of 150 to 225 feet in height, some painted red-and-white, with flashing red lights at the top. The Statue of Liberty, as a point of reference, is 150 feet tall. Since they would be in remote locations, and could not be allowed to lose power, the towers would require gasoline-powered generators and 1,000-gallon, buried fuel tanks. Because they would be on mountaintops, they would require new roads through the Forest Preserve – some in Wilderness Areas.

Given that the Park makes up 20 percent of New York’s entire land mass, and since 97-percent coverage of all roadways was the public goal of the new communications network, it was clear that new equipment would be needed in places that were not currently covered by cell phone or emergency services towers.

The Adirondack Council’s reaction to the proposal was predictable. It was also the subject of recurring articles carried by the New York Times, Newsday, Associated Press, Gannett News Service, Ottaway News Service, Albany Times-Union and a host of TV and radio stations. We said such a scheme would draw immediate litigation – if not from us, then from almost any of the 19 million New Yorker’s who could easily gain permission to sue.

If the plan was not altered to rule-out construction on the Forest Preserve and in inappropriate areas of the private backcountry, we said, litigation would be inevitable.

Later that week, Governor Pataki told the New York Times he had no intention of building towers on the Adirondack Forest Preserve and would seek to co-locate most, or all, of the system on existing equipment.

The Governor also explained that a “station” did not have to be a tower, and could be a police car, ambulance or fire truck with a high-powered radio on board that would link the hand-held units employed by emergency personnel.

The Council thanked the Governor for his assurances. However, the Adirondack portion of the network may not be under construction until 2014 or later. The Council asked that the Pataki Administration seek a means of binding future Administrations to the same promise. The contract for services is still under negotiation.

Septic System Reforms Needed

The Adirondack Council is supporting legislation that would require periodic septic system inspections to help protect water quality in lakes and rivers throughout the state.

The bill is sponsored by Assemblyman Tom DiNapoli, D-Great Neck, and Senator Carl Marcellino, R-Syosset. Both sponsors are Chairs of the Environmental Conservation Committees in their respective houses. The bill (A. 4080-A / S. 887-A) would help to improve septic systems without placing a heavy financial burden on property owners.

It would provide financial assistance from the Water Pollution Control Revolving Fund, a source of State funding for clean water initiatives. It would also require inspection of new septic systems at the time of installation, as well as the inspection of existing systems every ten years. However, this bill has languished in committee for years. In an attempt to revive the idea, the Adirondack Council is advocating for a provision that would simply require inspections at the time of installation or whenever the property is sold or transferred.

Because of its rural character, the Adirondack Park has a high percentage of homes with septic systems. Leaking septic systems and lax enforcement degrade water quality by increasing nutrient levels. High nutrient levels cause clear water to become murky and result in overgrowth of algae, weeds and other vegetation. As these plants die, they rob the water of oxygen, an important element in sustaining fish populations and other marine life. Properly operating septic systems are essential to minimizing the flow of pollution into water bodies, thereby improving and preserving water quality within the Adirondacks.
Proposed Acid Rain Rule Already Causing Emissions Reductions

The mere idea that the US Environmental Protection Agency plans to impose new air pollution controls on electric power plants has already caused some companies to begin cleaning up their emissions, Adirondack Council research has revealed.

The Adirondack Council testified in favor of the Clean Air Interstate Rule at two sets of USEPA hearings earlier this year. The rule would require a 70-percent cut in sulfur dioxide and a 65-percent cut in nitrogen oxides by 2015.

We had plenty of company. Environmental organizations from around the nation praised the rule. The Adirondack Council conducted joint promotions for the rule with Trout Unlimited and the National Trust for Historic Preservation.

The price of a pollution allowance has doubled from just one year ago and has reached an all-time high. It now costs more to avoid cleanup than it does to install a pollution control device on many power plants causing acid rain in the Adirondack Park.

“We have been looking forward to this day for nearly a decade,” Adirondack Council Executive Director Brian L. Houseal told the media in May. For the first time since the federal acid rain program – and its sulfur dioxide trading system – began in 1995, market forces are finally starting to work in favor of the environment.

“This is a real turning point for the Adirondack Park in terms of acid rain,” Houseal concluded.

The rapidly rising price for allowances appears to be a reaction to two recent developments in federal pollution controls. First, the final phase of the acid rain cuts required under the Clean Air Act Amendments of 1990 is limiting the total number of available allowances. Second, the proposed Interstate Air Quality Rule (a.k.a. Clean Air Interstate Rule) is expected to be approved by the US Environmental Protection Agency later this year. That would mean another 70 percent cut in sulfur dioxide pollution and a corresponding drop in the number of available sulfur dioxide allowances. This spring, the Council held a joint press conference to promote the new Interstate rule with Congressman John Sweeney, R-Clifton Park, and the NYS Conservation Council, which represents hunters and anglers. All three called on the public to support the proposed rule in comments to the U.S. Environment Protection Agency.

Power plant emissions of sulfur dioxide are a leading cause of acid rain. The Adirondack Park is suffering from the worst acid rain damage in the United States. The Adirondack Council has been pressing federal officials for a solution to acid rain since the late 1970s. As a result of decades of acid rain, more than 500 of the Adirondack Park’s 2,800 lakes and ponds are too acidic to support their native life. Thousands of acres of high-elevation red spruce and fir forests have been wiped out and acid-rain-caused mercury contamination has been documented in more than 20 Adirondack lakes, making the fish unfit to eat.

Nearly a dozen coal-fired power plants in states upwind of New York have announced the installation of new scrubbers and other pollution devices within the past four months.

If the Interstate Air Quality Rule is finalized and goes into effect in early next year, we can expect an end to acid rain damage in the Adirondacks by 2010. Then, the long, complex process of recovery can begin.

You Can Make a Difference

Anyone interested in curbing acid rain can take personal action by retiring a sulfur dioxide pollution allowance through the Adirondack Council’s Clean Air Certificate Program. For $50, participants can stop a ton of sulfur dioxide pollution from ever billowing out of a coal-fired power plant’s smokestack. See our website at www.adirondackcouncil.org for details and for secure credit card purchases.

How Allowance Trading Works

The basic idea behind the federal pollution allowance trading program is to use the laws of supply and demand to reward those who clean up their emissions faster and deeper than the law requires. New York has used allowance trading to combat acid rain since 1985. Companies are free to find their own methods for reducing pollution, as long as they turn in one allowance each year for every ton of sulfur dioxide they emit. The slow ones buy leftover allowances from the faster ones, until they can catch up to pollution standards. But the price of avoiding cleanup keeps rising.

Over time, the EPA decreases the number of allowances it issues until the reduction goals are met. As a result, the price continues to climb. After awhile, the cost of avoiding cleanup gets too high. Then, it makes more financial sense for the company to install pollution control equipment. Often, they won’t have a choice. In most states, the Public Service Commission or Public Utility Control Board protects consumers by requiring power company officials to choose the least costly option.

Photo by Gary Randorf.
Attorney General Spitzer Picks Up Power Plant Suits Feds Dropped

Attorney General Eliot Spitzer and his counterparts in three adjoining states began legal action in late May against a Pennsylvania power company, accusing it of emitting air pollution that drifts across state lines, producing smog and acid rain.

The litigation seeks to force the company to install pollution-control equipment in five coal-fired power plants that federal environmental officials were investigating until the Bush Administration changed its enforcement policy for the Clean Air Act last year.

After the federal government announced plans to drop 50 investigations of possible pollution violations in November, Spitzer obtained the government’s comprehensive files and said he and the attorneys general of Connecticut and New Jersey would carry out enforcement efforts through litigation. This is the first of the cases to be brought by the attorneys general, who were joined by the Pennsylvania secretary of environmental protection.

The Adirondack Council has been a supporter of Atty. Gen. Spitzer’s actions against power plants he found to be violating the New Source Review section of the federal Clean Air Act.

The Council participated in the Attorney General’s press conference, when he announced the first such suits four years ago at the State Museum.

The four states sent a letter of intent to sue Allegheny Energy Inc. of Greensburg, PA. The company provides power to four million customers in Pennsylvania and four other mid-Atlantic states.

The company has until late July to negotiate a settlement or prepare for court. The action represents the latest volley in the continuing struggle between Northeast states and utility companies concerning high levels of pollution that drift eastward. It also underscores the rising frustration among some Northeast officials who believe that the Bush Administration is hampering enforcement of the New Source Review (NSR) section of the Clean Air Act.

NSR requires new or substantially modified coal-burning plants to use the most advanced pollution-control devices available. The state officials maintain that Allegheny made major modifications to the five plants but classified the work as routine maintenance to avoid installing pollution controls.

The Price of Polluting

On January 13, 2004 securities brokerage house Merrill Lynch released a study (which echoes an earlier EPA study) that concluded: “We believe that allowances prices over $300/ton makes scrubbing a very attractive alternative and will be keeping a close eye on prices … We believe that any price over $300 makes construction of a scrubber economic.”

On Friday, May 7, the price of a federal sulfur dioxide pollution allowance reached $326. On July 2, the price reached $450. In January, when the Merrill Lynch report was issued, the price was $228.50. One year ago, the price was $168, or less than half of the June 15 price. The price of an allowance was $56 when the program began in 1995.

Suit Delays Emissions Reductions

State Supreme Court Justice in Albany has ruled in favor of a Minnesota power company that sued to nullify New York’s strict new emissions rules for electric power plants.

However, the rules were thrown out for technical reasons and the court specifically rejected the power company’s claim that state regulators didn’t have the authority to change emissions levels without legislative approval.

The Adirondack Council will work with the NYS Department of Environmental Conservation to ensure that the rules are readopted quickly.

The main petitioner is NRG Energy of Minneapolis, which owns two of New York’s largest and dirtiest coal-fired power plants. The plants are in Dunkirk, Chautauqua County, and Tonawanda, in Erie County.

NRG had argued that state regulators did not have the right to impose the new rules, which called for reductions of 70 percent in nitrogen oxides and 50 percent in sulfur dioxide beyond the requirements of federal law. The judge disagreed with that point and reaffirmed the DEC’s authority to impose new emissions standards. The Judge also found that the state missed a rule-making deadline when the proposed rules were under public review and must start the rule-making process again. The now-nullified rules were due to go into effect in October.

DEC officials said that rather than appeal the decision, the state would reissue the rules, following the judge’s recommendations carefully. That, they said, would be faster than seeking and following through on an appeal to a higher court.

The rules Pataki proposed in 1999 would have been twice as stringent as federal standards when it came to sulfur dioxide and nitrogen oxide emissions. The regulations were originally supposed to go into effect in 2003, but the rule-making process languished for several years before getting started in 2002.
International Paper Company, the Adirondack Park’s largest private landowner, announced this spring that it had reached an agreement with state officials in which the state will acquire the development rights to all 260,000 acres IP owns in the Adirondack Park, with the assistance of The Conservation Fund.

In the process, the company will relinquish 90 pre-approved subdivisions and give up the rights to build more than 6,000 principal residences on 43-acre lots. The deal prevents forever the fragmentation and conversion to new uses of nearly 10 percent of all the private land in the Adirondack Park.

The state and IP are still negotiating over which lands will be added to the Forest Preserve and which will remain private, managed under a conservation easement. About 80,000 acres will be opened to full public access.

More important than the public recreation potential of the lands being protected is the plant and wildlife habitat that this deal will safeguard. There are seven vital locations within the IP easement lands that were first identified in the Adirondack Council’s landmark study 2020 Vision, Volume I: Biological Diversity, Saving All the Pieces.

The lands include rare wetlands, floodplain forests, unusual wildlife and rare mixes of vegetation that provide homes to unique species. The Adirondack Council will work with state officials and IP to ensure that these areas are taken into consideration when harvesting and recreational plans are discussed.

The estimated cost of the entire project is $26 million. The NYS Environmental Protection Fund typically contains $30 million annually for statewide open space protection needs.

Here’s a sampling of what can be found at the seven sites:

**Auger Flats Floodplain Forest**

*Acres: 160*
*Town: Wells*
*County: Hamilton*
*Type: Floodplain forest*

The stand of large silver maple and black ash along the floodplain at Auger Flats on the Main Branch of the Sacandaga River is readily visible from New York State Highway 30, a few miles southeast of Speculator. Associated tree species include blue beech, butternut and yellow birch while the ground cover is dominated by cinnamon and ostrich fern, bedstraw, bluejoint grass and tussock sedge. The state recently acquired key parts of this floodplain forest, but this northern portion is essential to complete state ownership of this exemplary stand and provide ready access to it. Protection of this parcel through a conservation easement would not only secure the future of a floodplain hardwood forest, a rich and uncommon Adirondack forest, but also offer easily accessible educational and interpretive opportu-

**Ireland Vly**

*Acres: 7,180*
*Town: Edinburg, Providence*
*County: Saratoga*
*Types: Poor fen (R), sedge meadow, shrub swamp, pine-northern hardwoods, Appalachian oak-pine forest and hemlock-northern hardwood forest.*

The Ireland Vly area contains a particularly rich mix of songbirds, small mammals, and plant communities. The numerous “vlys,” a Dutch term for swamps, are key to the area’s diversity. The complex vegetative cover communities include ericaceous wetlands, sedge meadows, tamarack hardwoods and innumerable small scattered patches of white pine and hemlock. It is the complexity of types and their interspersion that results in the biological richness of this area. It is located just east of the Great Sacandaga Lake.

**Kunjamuk Wetlands**

*Acres: 2,220*
*Town: Lake Pleasant*
*County: Hamilton*
*Types: Shallow marsh, shrub swamp, and red spruce-balsam fir swamp*

The Kunjamuk wetland complex follows the Kunjamuk River from the Town of Wells line to Routes 8 and 30 in Speculator. North of Elm Lake, a nearly 200-acre wetland community of sedges and ericaceous plants is bisected by numerous streams and includes an island of red spruce and balsam fir. A similar but narrower wetland follows the Kunjamuk downstream for approximately one mile from Elm Lake. Extensive wetlands occur again along the lower mile of the river where it joins the Sacandaga River. The entire system is particularly important to waterfowl and for black bears, as it is among the best such habitat within the Park. A recreational easement would also protect an important Adirondack canoe route.
This huge wetland complex supports one of the largest populations of the endangered spruce grouse in New York State as well as boreal birds such as the white-winged crossbill, boreal chickadee, grey jay and Lincoln’s sparrow. The bog itself is one of the largest open heath-Sphagnum mats in the northeast, exceeding 500 acres (Jenkins 1981).

Worley’s authoritative study (1982) classifies this bog as being of national significance and a candidate for registry as a National Natural Landmark. The combination of bog, shrub swamps, spruce-fir swamps and islands of hardwood communities greatly enhances the number of species of both plants and animals. The setting is unusual: glacial kettles, kames and a well-defined esker. The western wetland complex, Massawepie, contains Sphagnum and other mosses, cotton grass, Labrador tea, leatherleaf and sheep laurel with scattered small black spruce and tamarack (DiNunzio 1981). The Grasse River Flow portion to the west “consists largely of extensive wooded coniferous wetlands dominated by black spruce and tamarack and an open boggy mat (actually a fen) dominated by Sphagnum, sedges and heath shrubs” (DiNunzio 1981). Tentatively, identified natural heritage program communities include the rare and vulnerable poor fen, boreal acid bog, patterned peatland and black spruce-tamarack swamp, as well as the shrub swamp, red spruce-balsam fir swamp and pine-northern hardwood forest.

This easily accessible bog lies to the west of Route 56, just north of Route 3. A short woods road follows a ridge on the northern side of the bog and offers excellent views of the bog and associated wetland complex. This area would be an excellent, accessible educational opportunity for the public. In addition, Sevey Bog contains one of the highest spruce grouse populations in the state along with the rare black-backed three-toed woodpecker and ruby-crowned kinglet. It is the only site in New York State where one can find the rare peatmoss, Sphagnum jensenii, and the regionally rare southern bog lemming. “Sevey Bog can be best described as a fen… which covers approximately 200 acres. The extensive bog mat is dominated by heath shrubs and Sphagnum mosses. There are no open water pools” (DiNunzio 1981). The bog is surrounded by a black spruce-tamarack swamp with a nearby shrub swamp, while the sandy uplands are principally pine. Tentatively identified natural heritage program communities include the pine-northern hardwood forest, shrub swamp and the rare and vulnerable black spruce-tamarack swamp and poor fen.

Some of the most spectacular rock ledges – ideal for the nesting of peregrine falcons golden eagles and ravens – in the entire Park occur in the three mile long southern slopes of the Silver Lake Mountains. The Department of Environmental Conservation used this unique area for the hacking program that has resulted in the restoration of the peregrine falcon to the Adirondack Park. In addition to the biological importance of the nesting sites, a valuable wetland is located immediately south of Silver Lake Mountain. Mud Pond is open water surrounded by a sedge-heath-Sphagnum mat containing a variety of boreal bog species.
The Adirondack Council has recorded a number of recent successes in its quest to create a 408,000-acre Bob Marshall Great Wilderness in the wild, west-central Adirondack Park first proposed in 1990. Recent deals include forests, streams and lakes that will be protected through a conservation easement agreement between the state and International Paper Co., as well as a pending deal between the state and the Adirondack Nature Conservancy.

In 1990, less than 50 percent of the lands within the boundary of the proposed Bob Marshall Great Wilderness (the Bob) were protected from subdivision and development. Today, the total is nearly 85 percent. The Council will continue to press for permanent protection of lands within the boundary, as they become available from willing sellers.

Bob Marshall, the conservationist, spent the first 22 summers of his life exploring the Adirondacks from his Lower Saranac Lake home. He, his brother George, and guide Herbert Clark were the original 46ers, having climbed every Adirondack peak above 4,000 feet.

Bob died in his mid 30s, but his impact on the American conservation movement is still felt today. As an employee of the U.S. Forest Service in the 1930s, he identified all areas in the United States that were larger than 300,000 acres, yet contained no communities or public highways. Back then, he found fewer than 50 such sites in 48 states. One of them was the area between Raquette Lake and Cranberry Lake, in the Oswegatchie River basin of the Adirondack Park.

Such areas were large enough for anyone to walk for two weeks without crossing his own path. But the Adirondack roadless area is even more impressive. It is diverse enough to contain nearly every ecosystem found in the Adirondack Park.

In addition, the Bob would contain most of the old growth forest (more than 100,000 acres) in the northeastern United States.

One of Bob Marshall’s final legacies was his collaboration with his brothers in the founding of The Wilderness Society—the nation's leading wilderness advocacy organization and a member organization of the Adirondack Council.

With all of the well-deserved attention garnered by International Paper Company's historic conservation easement deal with the state, there was little notice paid in early April to an act of extraordinary generosity that will leave a lasting legacy to the company’s former chairman.

Schroon Lake native John Dillon recently retired as chairman of International Paper, the world’s largest paper company, which got its start in the Adirondack Park more than 100 years ago. As a fitting tribute to both his career and to the Park that helped to spawn it, IP this spring donated full public access to a 16,800-acre parcel in the Town of Long Lake.

The Adirondack Council has been working with IP since the early 1990s on plans to make the best possible use of its vast holdings. Dillon Park was IP’s own initiative.

The parcel contains several large lakes and boasts excellent hunting and fishing opportunities. Dillon, who earned his forestry degree from Paul Smith’s College, will work with the famous Adirondack forestry and hospitality institute to design handicapped-accessible fishing piers, boardwalks and other amenities aimed at making the lakes and forest friendly to those with mobility impairments.

The lands are located just east of State Route 30, just north of the Village of Long Lake.
The Adirondack Council and Association for the Protection of the Adirondacks teamed up in May to stop an illegal plan by the Olympic Regional Development Authority to construct rental cabins on the slopes of Whiteface Mountain Ski Center.

Both organizations were surprised when the plan suddenly materialized as part of ORDA’s five-year update to its Unit Management Plan for the ski center. Earlier in the year, the Council’s intervention had led ORDA to drop another controversial proposal in the same plan. That proposal called for ORDA to develop a summit lodge on Little Whiteface Mountain, in the midst of a bird conservation area established by Governor George E. Pataki to protect habitat for neotropical songbirds such as Bicknell’s Thrush.

The rental cabin plan was not discussed during previews of the plan held by ORDA last year. In fact, it was not mentioned to high-ranking officials at the Department of Environmental Conservation. The DEC holds a seat on ORDA’s board of directors and oversees all Forest Preserve management. Not until the plan was about to be unveiled to the Adirondack Park Agency at its May meeting did the two advocacy organizations realize the cabins were meant to be rented. The plan made them appear to be trailside warming huts, open for general public use.

Both organizations pointed out to the media that high-priced, exclusive, day-use cabins are not a requisite feature of a ski area. The Constitutional Amendment allowing the construction of the ski center limited development only to those “appurtenances” required for running a ski center. ORDA officials claimed that such cabins were popular at ski areas such as Vail in Colorado and Wachusett in Massachusetts. An Associated Press reporter interviewed the owners of the Vail and Wachusett ski centers, who confirmed that no such cabins existed there.

The Council and Association also pointed out that the plain language of the “Forever Wild” clause of the NYS Constitution prohibits leasing any portion of the Forest Preserve to anyone, for any length of time.

The attention drawn to the plan created a wave of news stories and angry commentary from media outlets across New York State. DEC Commissioner Erin Crotty said her agency would not grant final approval to the ORDA plan until the unconstitutional cabin proposal was removed.
Council Report: State Tax Breaks are Local Back Breakers

The Adirondack Council this spring joined with 19 Adirondack local government officials, timber company representatives, sporting groups, landowners and several members of the Legislature to support a bill that would reimburse heavily impacted municipalities for taxes lost when the state grants timberland property tax abatements.

Too many Adirondack towns suffer from a lack of revenue because of property tax breaks granted by the state to forest owners. The abatements began in the 1920s to conserve timberlands and prevent them from being converted to other uses. That helps the entire state by preserving open space and watersheds, while ensuring a steady supply of renewable timber and jobs. But the entire abatement is financed by local taxpayers, not state revenues. Taxpayers in the tiny towns of the Adirondacks should not be carrying this burden alone.

The delegation of supporters sent a letter urging the Legislature to approve the Governor’s $3.3 million budget appropriation for the reimbursements, and to pass a bill distributing the money to municipalities statewide. Most of the heavily affected towns are in the Adirondack and Catskill Parks. The program would provide relief to any municipality that loses more than one percent of its total tax revenues for the year to timberland tax abatements. Municipal governments would be reimbursed for the lost revenue in excess of that one percent.

The Council also issued a report, calling on the Legislature and Governor to scrap two old, complex tax abatement programs and replace them with a modern program that doesn’t shift the costs to Adirondack families and homeowners. The report is entitled Shifting the Burden: Forest Tax Abatement Programs in the Adirondack Park, and is available online at www.adirondackcouncil.org.

Shifting the Burden is the result of months of research, interviews and analysis conducted by Adirondack Council staff members and by graduate students from the Rockefeller Institute for Public Policy. The interns are participating in the Council’s Clarence Petty Internship Program. The report builds on a report issued in 1994 by the NYS Office of Real Property Services, which identified several problems that have only grown worse with the passing of another decade.

### Problems:

- No reimbursement to local governments for lost revenues.
- Lack of accountability.
- Cumbersome regulations for landowners.
- New enrollments by landowners in the Park are climbing rapidly, adding to the financial burden on towns and school districts.
- More than one-third of the 92 towns within the Adirondack Park are losing more than one percent of their property tax base to the timberland tax abatements granted under the two programs.
- Several towns are losing more than five percent of their total tax assessments.
- Hunting and fishing cabins (and access roads) allowed on tax-abated lands are often poorly sited, causing excessive runoff and water pollution.

### Recommendations:

1. The Legislature should fully reimburse municipalities impacted by state timberland tax abatement programs.
2. The Department of Environmental Conservation should accept third-party certified sustainable harvesting programs, but should require participating landowners to provide a siting plan to minimize the impact of the location of leased cabins and roadways.
3. The Legislature should form a Joint Conference Committee to consider replacing the current forest tax abatement programs with one that includes forest stewardship, wildlife habitat management and open space protection.

### Additional reimbursement charts can be found online at www.adirondackcouncil.org.

### Town | Total Municipal Value Exempt | Percent of Estimated 04-05 Reimbursements
--- | --- | ---
Long Lake | 31.686 | $51,657.77
Indian Lake | 6.644 | $13,964.31
Webb | 1.603 | $10,868.48
Morehouse | 49.96 | $6,863.22
Arietta | 9.35 | $3,203.54
Salisbury | 1.392 | $323.01
Total | | $86,880.33

Have You Visited the Adirondack Council Website Lately?

If you haven’t, take a look. There’s more information on it than ever before. We’ve added links to other organizations we think you should check out, along with our new “Forever Wild” Partners who are helping us spread the word about protecting the Adirondacks. Of course, there’s also up-to-date information and press releases on issues such as acid rain, park management and the latest legislative actions.

We also added our newest report, entitled Shifting the Burden: Forest Tax Abatement Programs in the Adirondack Park, that calls on policymakers to reimburse localities for lost revenue and to reform the state forest tax abatement programs.

When you visit our website, you also have the opportunity to purchase gifts that help protect the Park, to renew your membership (or to become a member) on-line. You can also sign-up as an activist or respond to our action alerts.

Please visit www.adirondackcouncil.org today.
In Memoriam

Joan Cullman and Joseph F. Cullman 3rd, New York, NY

It is with sadness that the Council notes that deaths of Joan Cullman and Joseph F. Cullman 3rd. Joe Cullman was a member of the Adirondack Council’s Advisory Board and until the end of their lives Joan and Joe were stalwart and generous supporters of the Adirondack Council. During a dinner at which he was honored by the Council in 1995, Joe spoke of his long time love affair with the Adirondacks and his very real appreciation of the vital role the Adirondack Council plays in maintaining the integrity of the Adirondack Park. Joe and Joan will be greatly missed by the Adirondack Council and the entire environmental community.

William T. Hord, Philadelphia, PA

Bill Hord, Founding Chairman Pro Tem of the Adirondack Council, passed away after complications from a stroke on January 4, 2004. Bill spent 92 years in the Adirondacks. An innovative, creative, environmentalist who loved the Park, Bill spearheaded the founding of the Adirondack Council to address concerns about uncontrolled development in the Adirondack Park in the mid-1970s. At the time, Wambat Realty Co. was intent upon subdividing more than 22,000 acres of land into 801 housing units on the shores of Silver Lake in Clinton County. Bill Hord, then Chair of the Silver Lake organization Hawkeye Conservationists, used diplomacy, know-how and know-who to help gather a consortium of environmental and conservation groups to discuss the incorporation of a new venture: the Adirondack Council. Bill chaired the first meeting on January 13, 1975 and the Council was incorporated in May of that year. Bill always took great pride in the work of the Adirondack Council. We are grateful for his vision and celebrate his life and love of the Adirondacks.

Robert Kelly, Cazenovia, NY

This past April, the Adirondacks and the Adirondack Council lost a great activist and friend. The Council’s 1992 Activist of the Year Award winner, Robert “Bob” Kelly, passed away at age 89. Bob was a graduate of the College of Forestry in Syracuse and later served in the Army. He loved the Adirondacks. Throughout his life, Bob hiked and paddled his way around the Park, recreating in the Adirondacks up until his death.

The Council could always count on Bob to write letters to policymakers and occasionally meet with them face-to-face. If hearings were held on a Park issue, Bob would always attend and stand up for Park protection. Bob’s love for the Adirondack Park showed in his spirit and activism, and he passed along that passion to his children and grandchildren. Bob was a both a friend to the Adirondacks and to all at the Adirondack Council. His courage, perseverance and passion for Wilderness will be sorely missed.

The Adirondack Atlas

A new resource for the Adirondacks hits bookstores this summer. The Adirondack Atlas is a book of maps and stories about the animals, plants, places and people of the Adirondack Park, and it offers a synthesis of the rich range of topics shaping the regional landscape. Its content is wide-ranging and ambitious in scope. At nearly 300 pages, and with 750 maps and graphics, the book tells the stories of over a hundred themes central to the Adirondacks’ history, geology, ecology, and human communities. The Atlas also invites the reader to consider a variety of issues of regional significance, including the problem of acid rain, the effects of global warming, and the future of farms and commercial forestry in the region. Bill McKibben has called the book “a great gift.” Authored by Jerry Jenkins with Andy Keal, the Atlas is a project of the Wildlife Conservation Society. It is being published by Syracuse University Press and The Adirondack Museum.

National Wilderness Act 40th Anniversary Conference

The Adirondack Council is co-sponsoring the 40th Anniversary National Wilderness Conference, to be held October 10th - 13th in Lake George. The 1964 National Wilderness Act is one of the most important pieces of environmental legislation ever enacted by Congress. It was inspired by, and written in, the Adirondack Park. Its author Howard Zahniser did most of his work from his cabin near the hamlet of Bakers Mills, in Warren County. This year, wilderness advocates and managers from around the nation will gather to celebrate the act and find new ways to work together to protect the nation’s vanishing wild places. For more information, go to www.wilderness40th.org, or call the Association for the Protection of the Adirondacks at (518) 377-1452.

The Adirondack Atlas
Thank you to the Adirondack 540!!

The Sixth Annual Adirondack 540, a qualifying bicycle competition for the Race Across America (RAAM), will run September 17th - 19th, 2004 in the Adirondacks. Thanks to the race organizers’ generosity and interest in Adirondack Park protection, the race is also a fundraiser for the Adirondack Council.

The race will be held on a 136-mile loop, which begins and ends in Ticonderoga, NY. This year’s event will offer distance options of 544, 408, 272, and 136 miles! In addition to the solo qualifying competition, there are also tandem and team categories. For more information about participating, volunteering or sponsoring a competitor, please contact Race Director John Ceceri at 518.583.3708 or adk540@nycap.rr.com

Clarence Petty Internship Program

The Council’s Clarence Petty Internship is available to undergraduate and graduate students pursuing degrees in environmental studies, public policy, natural resource management, and law. Interning with the Adirondack Council’s conservation program in Elizabethtown or government and communications program in Albany has helped students clarify their education and career objectives and given them the advantage of experiential training in their field.

The Adirondack Council is building a $100,000 Clarence Petty Internship Fund to host three interns annually. For more information on the Fund, making a leadership gift, or applying for an internship position, please contact the Council’s Elizabethtown office, toll-free 877-873-2240.

The Adirondack Council’s Forever Wild Partnership raises environmental awareness and informs both Park residents and visitors of the Council’s efforts to ensure the ecological integrity and wild character of the Adirondack Park.

A collection of cultural centers, lodging businesses and summer camps, our Forever Wild Partners are a network of like-minded enterprises throughout the Park who are supporting the Council’s efforts to educate and involve the public in Adirondack Park environmental issues. Through communication with our Partners, the Council is also able to listen closely to local concerns and respond effectively.

We hope you will support our Partners in Adirondack Park protection.

Adirondack Camp, Lake George  www.adirondackcamp.com
Adirondack Lakes Center for the Arts, Blue Mountain Lake  www.adk-arts.org
Adirondack Theatre Festival, Glens Falls  www.atfestival.org
The Bark Eater Inn, Keene  www.barkete.com
Brant Lake Camp, Brant Lake  www.brantlake.com
Camp Treetops, Lake Placid  www.camptreetops.com
Depot Theatre, Westport  www.depottheatre.org
Elk Lake Lodge, Elk Lake  www.elklakelodge.com
The Hilton, Lake Placid  www.lphilton.com
Lake Placid Center for the Arts, Lake Placid  www.lpartscenter.org
The Lodge at Lake Clear, Lake Clear  www.lodgeonlakeclear.com
Minnowbrook Conference Center, Blue Mountain Lake  www.minnowbrook.org
Pendragon Theatre, Saranac Lake  www.pendragontheatre.com
The Wawbeek Resort, Upper Saranac Lake  www.wawbeek.com
Give a Legacy for the Adirondacks

Please consider including the Adirondack Council in your estate planning and give a legacy to protect the Adirondack Park.

Thank you!

All gifts received by the Adirondack Council through estate planning become part of the Council’s FOREVER WILD FUND.

The FOREVER WILD FUND provides independence and flexibility to the Council’s protection efforts with two designations of funding:

ACTION FUNDS allow the Council to move immediately to protect the Park. Such funds also help to maintain the Council’s continued independence of thought.

LONG-TERM FUNDS give the organization stability and flexibility in planning for the future of the Adirondack Park.

A planned gift to the ADIRONDACK COUNCIL through your will or a charitable trust has tax benefits for you and your family, and your gift will benefit the Adirondack Park and the Adirondack Council for future generations. For more information, please contact the Adirondack Council at 877-873-2240.

Looking forward to speaking with you!

We’re looking forward to another successful fall telephone campaign. Our annual telephone campaign helps us raise a significant portion of the funds needed to meet special challenges and opportunities in Adirondack Park protection each year. It also gives us the opportunity to hear your concerns about current issues and opportunities in the Park.

The telephone campaign will begin in mid-October and will last about three weeks. If you do not wish to be called please let us know and we’ll take your name off the calling list.

Get Involved!

Join the Adirondack Council Activist Network

The Council’s Activist Network is a subgroup of our main membership that is made up of people who want to get more involved in protecting the Adirondack Park’s land, waters, and wildlife. Becoming an Adirondack Council activist is an easy and effective way for you to get involved.

When you become an activist you’ll receive Action Alerts in the mail or via e-mail informing you about emerging issues and how you can help. We will provide you with the information you need to send a letter, call a policy maker or attend a public hearing. Policymakers in the Park, Albany and Washington have told us that Activist letters or phone calls do make a difference.

To become an activist, just complete the form below and return it to us in the enclosed, postage-paid envelope. Or you can call or e-mail us today. It’s as easy as that! Please join today.

Tear off this page (your name and address are on the opposite side) and return in the envelope provided.

Yes! I’d like to become an Adirondack Council activist.

My e-mail address is ____________________________

I would prefer to be notified by ___ mail ___ e-mail

_________________________ __________________
Signature Date

For more information contact Lisa Genier at activists@adirondackcouncil.org.
Hundreds of loons and other waterfowl will survive their summer nesting season in the Adirondacks this year because of a state law that took effect May 7 banning the sale of small lead fishing sinkers. Lead sinkers are dangerous to waterfowl birds that eat them accidentally because they look like the pebbles that birds swallow to aid in their digestion. But they are deadly to 27 distinct species of water birds.

This new law is a triumph of cooperation between environmentalists, anglers and committed lawmakers. Working together, we will have saved the lives of thousands of loons, herons, swans, geese and other water birds by the end of the decade, and thousands more as the generations pass.

Loons have been adopted as the symbol of the Adirondack Park and its vast undisturbed wilderness areas. The Adirondack Council’s success in helping to pass the lead sinker bill will make a significant difference in protecting our treasured Adirondack loons.

Purchase a singing loon toy for someone who cares about the Adirondack Park. This symbol of wilderness sings a beautiful loon song with just a gentle squeeze. It includes a live recording by Cornell Laboratory of Ornithology. Five inches tall and very huggable. $12

Three Easy Ways to Place an Order:
1. Call toll-free 1.877.873.2240 M-F 8:30am - 5:00pm (Mastercard or Visa)
2. Make your purchase on our secure website at www.adirondackcouncil.org
3. Download an order form from our website or call our toll-free number and we will mail one to you!

For more gift ideas that help protect the Adirondack Park visit www.adirondackcouncil.org

Thanks for your help keeping the Adirondack Park Forever Wild...for everyone!

Assemblyman Steven Englebright, D-Setauket, accepts a T-shirt and singing loon from the Adirondack Council, Adirondack Cooperative Loon Program and Audubon New York this spring for his sponsorship of legislation banning the sale of small lead fishing sinkers. Flanking Englebright, left to right are Council Legislative Director Scott Lorey, Council Legislative Associate Jessica Ottney and Audubon New York Legislative Associate Sean Mahar.