



# THE ADIRONDACK COUNCIL



*Gothics and Sawteeth Mountains, from Upper Ausable Lake.*

SUMMER 2003

Dear Members and Friends,

In writing this letter to you, I realize that many of you who are residents and visitors are probably in the Adirondack Park relaxing and enjoying its wild beauty with your families. I know that the Adirondack Park is an escape from the turmoil of the outside world – a place where we can seek renewal and freedom from disturbance. But I would be remiss if I told you all is well in this paradise. I have good and bad news.

The bad news is that acid rain continues to plague the ecological health of the Adirondack Park. More than one quarter of the 2,800 lakes and ponds in the Park are too acidic to support the fish, plants and other aquatic wildlife that once existed in them. Red spruce forests on the west-facing slopes of the High Peaks are dying at a rapid pace. Toxic mercury is migrating through the food chain and poisoning the symbol of the Adirondacks – the great northern loon. And now we also know that the effects of global climate change will disrupt the Park's natural systems and the economies that depend upon them.

The good news is that for the first time in over a decade, we have a window of opportunity to eliminate the scourge of acid rain on our precious Adirondacks, and many other sensitive areas in our country. Currently, both the U.S. Senate and House are holding hearings on legislation to stop acid rain. The Chairmen of the Committees are moving to mark up these bills by late September, and debate on the floor could occur any time thereafter.

The U.S. Environmental Protection Agency recently released new modeling data showing that any of the proposed bills before Congress would eliminate acidic lakes in the Adirondacks in 25 years, by requiring at least 70 percent cuts in sulfur dioxide and nitrogen oxides, and with additional deep cuts in mercury, all from electric power plants.

Imagine, we can restore the ecological health of the Adirondacks and pass the Park to the next generation in better shape than it is now – if we act on this historical opportunity. We need your support to send every U.S. Senator and Representative this very simple message:

**CONGRESS: STOP ACID RAIN –  
DON'T COME HOME EMPTY-HANDED**

Thank you for working with us to keep the Adirondacks Forever Wild – For Everyone,



*Brian L. Houseal*

Brian L. Houseal  
Executive Director

All photos by Adirondack Council staff unless otherwise noted.

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## Our Mission

The mission of the Adirondack Council is to ensure the ecological integrity and wild character of the Adirondack Park. Founded in 1975, the Council is a privately funded, not-for-profit organization.

Newsletter design by Sheri Amsel

# Congress Must Act on Acid Rain this Fall

When Congress returns from its August recess, only a few weeks will remain in its schedule for the year. One of the big items still undone is action to stop acid rain, by putting a limit on the tons of sulfur, nitrogen and mercury emitted every year from polluting power plants.

If Congress fails to take action, the acid rain issue will go unresolved, according to most insiders, through the next Presidential election. If the 2004 election results bring major shifts in the political makeup of the House or Senate or the White House, it may be several more years before the momentum for action will be regained. That is something that the waters and forests and wildlife of the Adirondack Park cannot afford.

There are hopeful signs that action may be taken this year. The Senate Committee on Environment and Public Works has already held several hearings this spring and in July. The House Energy and Commerce Committee held its first hearing on new clean air legislation. The chairmen of key committees are committed to additional hearings and debate in September. Just as importantly, all sides of the political aisle concede that the current law just isn't working to protect the environment or public health. Democrats and Republicans agree that the Clean Air Act has to be changed and want to change it in the same way. Every major proposal before Congress seeks to build on the successful cap and trade program for acid rain, by strengthening its provisions and extending the program to other pollutants that contribute to the on-going threat to our loons, lakes and even our lives. The real debate is about how much pollution to cut and how fast to cut it.

It is time for action, not partisan politics.

## EPA Projects End to Acidic Lakes

The U.S. Environmental Protection Agency (EPA) issued a report in July on new analyses showing that all of the major clean air bills pending before Congress will reduce the number of chronically acidic lakes in the Adirondack Park to zero within a quarter-century.

All of the bills would allow the Park's lakes to recover by 2030, or sooner. In fact, the EPA's estimates of Adirondack Lake recovery time might be too conservative, given recent actions by New York Governor George Pataki.

In March, Pataki's Environmental Conservation Commissioner Erin Crotty finalized regulations requiring New York power plants to make 50 percent cuts in sulfur dioxide and 70 percent cuts in nitrogen oxides, within 5 years. EPA's calculations were

made before New York's power plants were ordered to clean up their emissions beyond the current federal rules.



*In April, Adirondack Council Deputy Director Bernard Melewski was asked to testify before the Senate Subcommittee on Air Quality, chaired by Senator George Voinovich, R-Ohio. He urged the committee members and other Senators to adopt the deepest cuts possible, on the fastest timeline possible, without stalling passage of a bill this year. (To read Bernard's testimony, go to our website at [www.adirondackcouncil.org/berntesepw.html](http://www.adirondackcouncil.org/berntesepw.html))*

## You Can Help Stop Acid Rain with the Power of Your Pen

Your U.S. Senators and Congressional representative need to hear from you — now — that it is time to stop acid rain. The best opportunity in more than a decade to end acid rain will appear when Congress returns to session in September. Don't wait. Act now!

Call or write your representatives and tell them that it is time to pass the best bill they can. Tell them they must act this year, because you know that all of the major bills under consideration will solve the acid rain problem.

Tell them that the lack of action is unacceptable, and there is no excuse for coming home empty-handed this year. Let them know you want them to save loons, lakes and lives, now!

**TELL CONGRESS:  
“DON'T COME HOME EMPTY-  
HANDED! STOP ACID RAIN, NOW!”**

You can call the Adirondack Council toll-free to get your Congressional representative's or Senator's fax number, at 800-842-PARK. Or call the Capitol Switchboard at (202) 224-3121, or, go to Congress's websites at ([www.house.gov](http://www.house.gov) and [www.senate.gov](http://www.senate.gov)) and get the information from the list for your state.



## New Jersey & Long Island Students Help Council to Retire Pollution

A group of students from *Richard Stockton College*, Pomona, NJ, going by the acronym S.A.V.E., raised and sent \$1,150 to the Adirondack Council's Pure Waters Campaign at the end of this school year. The contribution allowed them to retire 23 tons worth of federal sulfur dioxide pollution allowances.

Sulfur dioxide is a chief component of acid rain. Power plants must turn in one allowance to the federal government for each ton of sulfur dioxide they emit. The Adirondack Council obtained thousands of allowances and is seeking help to retire them through our accounts with the US Environmental Protection Agency. Allowances retired by the Council can never be used to create air pollution.

About the same time, the Council received another Pure Waters Campaign contribution from members of the *Floral Park Memorial Ecology Club* at Floral Park High School on Long Island. The \$200 sent by the students allowed them to retire four tons of sulfur dioxide. Their note to the Council stated: "club members run a variety of fundraisers to collect money for donations to various environmental organizations. The students then pick an organization that will use the donation for the 'most practical means ... We appreciate all that the Council does for the environment, and have selected your organization to receive the donation.'"

Many school groups have chosen to retire pollution allowances through the Council's Pure Waters Campaign because the cost per allowance is low. Allowances purchased for retirement at public auction or through a broker can cost \$150 or more. The Council will retire an allowance for every \$50 donation to the campaign, and send the donor a suitable-for-framing Clean Air Certificate.

For more information about retiring allowances, call 1-800-842-PARK.

You can also retire pollution allowances through our secure credit card shop on our website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org).



James Townsend of Rochester was named acting APA Chairman after the retirements of chairman Richard Lefebvre of Caroga Lake last November, and Acting Chairman James Frenette, Tupper Lake, this spring.

## Global Warming Program Proposed by Governor

The Adirondack Council in July thanked Gov. George E. Pataki for bringing the leaders of 10 Northeastern states together to fight the carbon dioxide emissions that lead to global warming.

The plan could not have come at a better time. Congress is showing no signs of progress toward a global warming solution for the entire nation. Governor Pataki has stepped into the void to propose a regional plan that will allow Northeastern states to work together. The regional model can keep economic competition from halting progress on emissions reductions. Since all of the states will be paying for emissions reductions at the same time, there would be no advantage to any one state.

Just as important is the impact the Governor's program will have on the Congressional debate over acid rain. Disagreements over how to solve global warming were threatening to halt progress in Congress on all air pollution bills. While every bill contained a differing approach to carbon dioxide control, they are very similar when it comes to acid rain. With 10 states working together, Congress might set aside the carbon issue for now and move forward on any one of the plans for curbing the air pollution that causes acid rain.

This regional approach can be a model for the entire country. The Adirondack Council strongly urged other states to opt into the coalition or form their own regional pacts.

The Adirondack Council held a two-day climate change conference in the central Adirondacks last summer, drawing experts from throughout the Northeast to discuss the potential impacts on people and the environment. One of the main findings of the discussions was that the 9,800-square miles of forest in the Adirondack Park absorbed huge amounts of carbon dioxide, but would not continue to do so if the forest was destroyed by acid rain.



The Adirondack Council sent public service announcements on acid rain to more than 500 radio stations in New York and New England in July, featuring singer/songwriter Natalie Merchant, a New York native originally from Jamestown. Merchant, who now lives in the Hudson Valley, released her first self-produced album on July 1, "The House Carpenter's Daughter." On the PSAs, Merchant encourages listeners to call the Council for more information, or to call Congress: "Tell them it's time to stop acid rain!" Go to our website at [www.adirondackcouncil.org](http://www.adirondackcouncil.org) anytime to hear the PSAs.

[www.nataliemerchant.com](http://www.nataliemerchant.com)

## 30<sup>th</sup> Anniversary Conference Planned On Past, Future of Adirondack Park Agency

The Adirondack Council invites its members and friends to participate this fall in a special Lake Placid conference on the future of the Adirondack Park Agency and its land-use plan.

Thirty years have passed since the Legislature created the APA and its Private Land Use and Development Plan. It was the first attempt by a state government to create a land-use commission and development plan that covered a multi-county region. But the APA's formerly state-of-the-art programs are in need of revision. They have not kept pace with current development trends and sometimes fail to protect the Park's precious water quality and other natural resources.

On October 2 and 3, at the peak of fall foliage season, the NYS Bar Association and the Government Law Center will host a conference called "Looking Forward 30 Years," at the Hilton Lake Placid Resort.

Participants will examine the issues, problems and successes related to the APA's actions over the last 30 years. The Adirondack Council hopes to use the discussions as the basis for legislation that would improve the APA's ability to protect the Park's irreplaceable natural resources.

All levels of government organizations, advocacy groups, businesses, practitioners, and interested citizens are welcome and encouraged to attend.

For more information on the APA conference, contact the Adirondack Council, toll free at 1-877-873-2240.

## Look for the Adirondack Council Logo at the Businesses of Our Forever Wild Partners

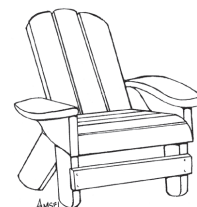
This summer the Adirondack Council is launching its "**Forever Wild Partnership**" to raise awareness and engage both residents and visitors in our efforts to protect the Adirondack Park and its unique resources. We are inviting a group of Adirondack lodges, outfitters, camps, retailers and other organizations to become our partners in this initiative.

Each partner will display a decal with the **Forever Wild** logo, and provide the Council's membership brochure for their customers.

A series of Adirondack Council items are being made available to Partners to include in hospitality baskets or for sale in their shops, including: Gary Randorf's book "The Adirondacks: "Wild Island of Hope", a screen saver based on the book's photographs, and other items.

In return, the Council is making a special effort to recognize the **Forever Wild Partners**, encouraging members and other individuals to support these businesses. As of August 2003 the following in-Park businesses have joined the Forever Wild Partnership program:

**Adirondack Camp – Putnam Station**  
**The Adirondack Museum – Blue Mountain Lake**  
**Adirondack Woodcraft Camps – Old Forge**  
**The Bark Eater Inn – Keene**  
**Blue Mountain Outfitters – Blue Mountain Lake**  
**Camp Regis - Applejack – Paul Smiths**  
**Center for the Advancement of Sustainable Tourism – Saranac Lake**  
**Elk Lake Lodge – North Hudson**  
**Great Camp Sagamore – Raquette Lake**  
**Hoss' Country Store – Long Lake**  
**The Lodge at Lake Clear – Lake Clear**  
**The Mirror Lake Inn – Lake Placid**  
**The Sagamore Resort – Bolton Landing**  
**St. Regis Canoe Outfitters – Saranac Lake**  
**Trail's End Bed and Breakfast – Keene Valley**  
**The Wawbeek Resort – Tupper Lake**



## Use Your Credit Card at the Council's Secure On-line Shop

Now you can use your Mastercard and Visa to easily purchase Adirondack Council products on our website. Visit our secure shop to buy Adirondack Council *Forever Wild* tote bags, caps or to retire a pollution allowance and receive a Clean Air Certificate. All proceeds benefit the Adirondack Council's Park protection efforts. Visit: [www.adirondackcouncil.org](http://www.adirondackcouncil.org) today!



Governor George Pataki congratulates New York State Department of Environmental Conservation Commissioner Erin Crotty at the Council's Forever Wild Dinner July 12<sup>th</sup>, in honor of Crotty being named the Adirondack Council's "Conservationist of the Year." (Photo by Matt Lavin, Adirondack Daily Enterprise)



## Council Persistence on Timber Theft Pays Off

After more than a decade of negotiations – and encouragement from the Adirondack Council and others — the NYS Legislature finally approved a bill in June to increase the penalties for stealing trees from the Adirondack and Catskill Forest Preserves. Once it is signed by Gov. George E. Pataki, the new law will go into effect in March of 2004. The bill applies to all state forests, as well as private lands.

The \$10-per-tree penalty was created in 1909 and has not changed despite an obvious increase in the market value of trees and a better understanding of the ecological damage caused by illegal harvesting. The Council first proposed an increase in the \$10-per-tree penalty in 1992, as a means to help celebrate the 100<sup>th</sup> Anniversary of the creation of the Adirondack Park.

In June, Sen. Elizabeth Little, R-Queensbury, and Assemblyman William Parment, D-Ashville, reached an agreement that will increase the penalty to a minimum \$250 per tree. The new penalty much more closely resembles the current market value of the trees. And there is a provision to deal with rare, high-value hardwoods and old-growth forests of the Adirondacks by allowing a judge to choose between the \$250-per-tree fine, or a fine worth three times the market value of the logs, or both.

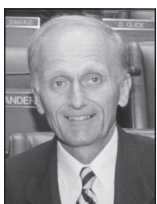
At the same time, the legislation makes the act of illegally cutting timber a Class A Misdemeanor under state law — a criminal offense punishable by up to one year in jail. The old law considered illegal tree cutting to be a violation, punishable only by a civil penalty. In order to seek jail time in the most outrageous cases, prosecutors have had to prove that the act constituted a separate criminal act.

In addition, the Department of Environmental Conservation, or a court, could require the offender to repair the damage and to pay restitution to the landowner reflecting the damage to the forest.

The Council worked with the Empire State Forest Products Association, Attorney General Eliot Spitzer's staff, the Association of Towns, and the Department of Environmental Conservation to persuade the Legislature to pass the bill. It passed the Senate easily and won unanimous approval in the Assembly.



*Senator  
Elizabeth Little*



*Assemblyman  
William Parment*



## Legislation Would Ban ATVs from Forest Preserve & Pine Barrens

The Adirondack Council worked with a host of environmental and landowners' groups this spring to promote legislation that would ban all-terrain vehicles (ATVs) from the four most sensitive forests in the state. The areas include the Adirondack and Catskill Forest Preserves, as well as the Long Island Pine Barrens and the Albany Pine Bush Preserve.

All four areas have already been given special protection under state law, but are still quite vulnerable to abuse by ATVs. All four forests have already suffered tremendous damage from the operation of ATVs. State and local officials need additional assistance in getting them under control.

At a joint press conference with the Legislative sponsors, the Council, Citizens Campaign for the Environment and Audubon New York presented a series of photographs from Long Island and the Adirondack Park, showing deeply rutted trails and flagrant disregard for signs marking certain areas off-limits.

The new legislation (A.8480/ S.5073) is sponsored by Assemblyman Steven Englebright, D-Setauket, and Senator Kenneth LaValle, R-Port Jefferson. It would:

- Explicitly prohibit the use of ATVs on public lands within the four forests.
- Allow police, state environmental officers and other enforcement officers to immediately impound an offender's vehicle.
- Require a \$100 enforcement penalty (along with standard vehicle impoundment fees charged by the enforcing authority and any other applicable penalties) before an impounded vehicle can be returned to its owner. The new penalty would be used for local ATV enforcement costs.

The bill would not prevent the continued use of ATVs on private lands, which comprise more than half of the Adirondack and Catskill parks, and would not apply on lands where the state owns an easement that allows motorized access. It would not alter the state's agreement to maintain Forest Preserve roads designated for ATV use by the disabled.

State and ATV industry officials estimate that roughly 250,000 ATVs are currently being operated in the state. The exact number is not known as only about half are registered with the Department of Motor Vehicles.

The Council worked directly with the following groups to encourage the Legislature to propose this legislation: Albany Pine Bush Preserve Commission, Adirondack Landowners Association, Association for the Protection of the Adirondacks, Catskill Landowners Association, Audubon New York, and Long Island Pine Barrens Society.

The Adirondack Council will work to gain passage of this bill when the Legislature returns in September.



*Assemblyman Steven  
Englebright, D-Setauket  
(on right), and Senator  
Kenneth LaValle, R-Port  
Jefferson showing  
damage to trails from  
ATV misuse.*



*Dead Birch Trees: Twenty years ago, a healthy stand of birch trees filled the area between Route 73 in Keene and Upper Cascade Lake. All of those trees are now dead and nearly all have already fallen. An ice storm in 1999 didn't help, but the salt had killed most of the trees long before the storm hit.*

## The Ravages of Road Salt

In a presentation on road salt in the fall of 2002, Adirondack Park Agency officials estimated that more than 2 million tons of road salt are used on Adirondack roads each winter. The Council is working with both houses of the NYS Legislature on new rules and guidelines for salt use, as well as improved salt storage by municipal governments. Salt not only kills vegetation, it can contaminate lakes and rivers, killing aquatic life and ruining drinking water.



*This municipal salt pile is not covered nor is it located on a surface impermeable by water. It is also in close proximity to a stream. All of these factors can lead to salt migration into drinking water wells and surface waters, long before it is loaded into a plow truck. Too few Adirondack towns and villages have constructed safe salt storage facilities.*



*Dead Pine Trees: Salt spray from a long, cold, snowy winter has damaged hundreds, perhaps thousands of trees along the Northway alone.*





## 2000 ~ 2003

In 2000, the Adirondack Council launched the Campaign for the Forever Wild Fund to help secure the Adirondack Park for future generations. At the Council's Annual Dinner on July 12, 2003, Co-Chair Curt Welling announced the successful conclusion of the Campaign. Eighty-six leadership gifts, pledges and 217 additional gifts from our membership bring the total funds raised for the Forever Wild Fund to \$4.43 million. During the same period, support for the Adirondack Council's Annual Fund resulted in over \$9 million in total funds raised for the 3 year period.

The support of many generous and passionate friends have enabled the Council to:

- Confront threats to the Park's "Forever Wild" qualities.
- Advocate to ensure the ecological integrity of wild lands.
- Preserve the Adirondack Park for future generations.
- Seize emerging opportunities to make environmental advances.



(L to R) Former Chairman David Skovron and Campaign for the Forever Wild Fund Co-Chairs John Ernst, Tricia Winterer and Curt Welling led the Capital Campaign effort to preserve the Adirondacks for present and future generations. Tricia Winterer became the Council's new Chair on July 12th.

## Council Welcomes New Board Member

Liza Cowan recently completed a Masters in Education focusing on Adolescent Risk & Prevention in Boston. She has worked with non-profit organizations and AmeriCorps to provide after school programs and outdoor experiences for children of all ages. She has visited her family's camp on Lower Saranac Lake since before she can remember, and it is there that she inherited her commitment to wilderness protection and passion for the Adirondacks.



Clarence Petty Interns Jennifer Rowden and Ed Hoffman are out in the Park at events this summer talking about the Adirondack Park and the Council's conservation efforts.

## A LEGACY OF FOREVER WILD

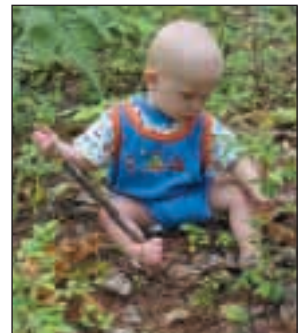
In addition to your membership dues and annual gifts to make our programs possible, please consider providing for the Council in your estate planning. These gifts offer tax and financial benefits while supplying important resources so the Council can ensure that we leave a legacy of a forever wild Adirondacks to our children and grandchildren.

Gift opportunities include:

- \* A bequest to the Adirondack Council in your will.
- \* Designating the Council as beneficiary of an insurance policy, pension fund or IRA.
- \* Structuring a planned gift that provides income to both the donor and the Council during the donor's lifetime.
- \* Establishing a fund in the memory of your spouse or other family members, or friend.

The Adirondack Council recommends that you consult an attorney to prepare or revise your estate plans.

For more information about gifts to the Adirondack Council, please call: Diane Fish, 877-873-2240 (toll free)







*(L to R) Audrey Hyson, Georgia Jones and new Board Chair Tricia Winterer enjoy a reception and discussion about current Park issues hosted by Margo Fish in Lake Placid.*

Thank you for supporting the Council with your membership, activism, donations to the Annual Fund and participation in Council events.



*During a May walk in the Adirondack Land Trust's Coon Mountain Preserve, Ray Johnson, Sheri Amsel and Anitra Pell (L to R) identify one of many wildflowers in bloom.*



*From left, Adirondack Council Executive Director Brian Houseal looks on as Council Board Member Ellen Marshall Scholle presents an Adirondack Council cap with the "Forever Wild" logo, to Governor George Pataki at the Council's July 12th Annual Dinner.*



*Binnie and Kim Smith (center seated) welcomed supporters of the Council to their Concord, MA bookstore in May. In addition to celebrating Gary Randorf's new book The Adirondacks: Wild Island of Hope, Ted Stebbins (presenting above) spoke about his contribution to the new book Winslow Homer: Artist and Angler.*

## Two Adirondack Council 2020 VISION Objectives Secured as High Peaks Treasure is Preserved

A longstanding goal of the Adirondack Council is about to be realized in the southern High Peaks Wilderness. The Open Space Institute (OSI) has signed an agreement with NL Industries to purchase the Tahawus Property and protect nearly 10,000 acres of forest and unusual wildlife habitat in Newcomb, in the headwaters to the Hudson River.

Included in the purchase will be lakes and forest that the Council identified in our 2020 VISION research series, Volume II (Completing the Adirondack Wilderness System, '90) as excellent additions to the High Peaks Wilderness Area, including the headwaters of the Hudson River at the outlet of Henderson Lake, Upper and Lower Preston Ponds, Indian Pass Brook, Calamity Brook, Santanoni Brook, Lake Jimmy, Lake Sally, Harkness Lake, Cheney Pond, Sanford Lake and the Opalescent River.

The lands contain rare wildlife habitat identified by the Council in 2020 VISION Volume 1 (Biological Diversity: Saving All the Pieces; '88), known as the Tahawus Talus. This 160-acre, sloping, acidic forest is growing from a pile of giant rock debris (average 10 feet across) at the base of a cliff. A thick blanket of mosses grows in this forest, along with a variety of ferns and wood sorrel. It is home to the rare and unusual rock vole and the long-tailed shrew. Read the entire three-volume 2020 VISION series on our website at: [www.adirondackcouncil.org](http://www.adirondackcouncil.org).

In 1826, travelers along the Upper Hudson River noticed shoreline rocks that had rusty veins of iron protruding from them. Cousins Archibald McIntyre and David Henderson bought the site and began an iron smelting operation in the 1830s, just south of Henderson Lake. They gave up the mine in the late 1850s. But by then, it had provided the "pig iron" for the first cast steel produced in America, and at its peak, employed more than 100 people who lived in the nearby hamlet known as Adirondac.

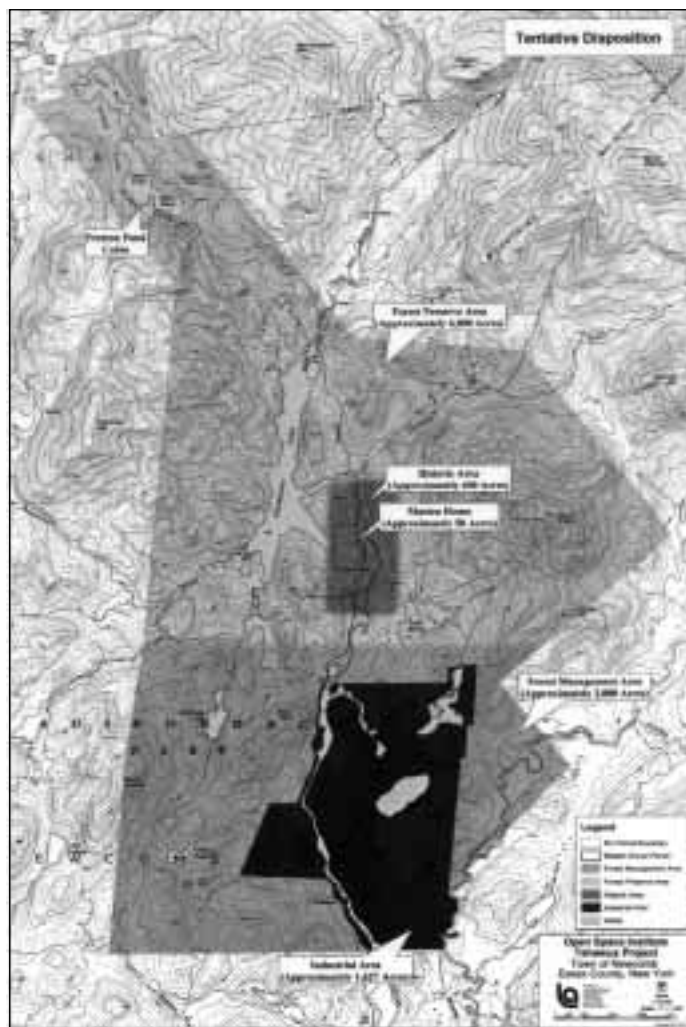
According to OSI: "The only remnants of Adirondac still standing are a remarkably intact 1854 blast furnace that is considered by industrial archeologists to be the best preserved example of its type and era anywhere in the world, and the MacNaughton House, a modest two-story farmhouse in poor condition. A 400-acre area around Adirondac was listed on the State and National Registers of Historic Places in 1976."

Mining activity remained dormant until World War II, when NL acquired the property and with the support of the federal government began mining titanium ore. Massive buildings were constructed.

Phase 1 of the conservation project involves the subdivision of 9,646 acres, including the Village of Adirondac, Masten House and the Preston Ponds cabin. It will be acquired by OSI. NL will retain the balance of the property, approximately 1,627 acres in the southeast portion of the site, including the mine pits and industrial structures, adjacent to disturbed areas on both sides of the Hudson.

The northernmost approximately 6,303 acres, including Preston Ponds, Henderson Lake, and Lake Jimmy, will be conveyed to the State of New York for addition to the Forest Preserve. Approximately 2,893 acres will be sold to a private owner or retained by OSI for sustainable forestry purposes.

If sold, OSI agreed that the parcel would be subject to a strict conservation easement imposing best management practices, sustainable forestry, and retention of public recreation rights. The



Provided by the Open Space Institute.

easement will be conveyed to the New York State DEC, and will be drafted in consultation with DEC. Its provisions will require that timber harvesting be conducted pursuant to a DEC-approved management plan incorporating stringent measures to conserve soils, water quality, sensitive habitats, biodiversity, and scenic, cultural, and natural resources. Public access for recreation will be addressed in a separate management plan prepared by DEC.

Masten House, and approximately 50 surrounding acres, will be sold to a private owner, subject to a conservation easement allowing maintenance or replacement of existing structures, while prohibiting further subdivision or development of the parcel.

The Village of Adirondac historic site, including between 100 and 400 acres to be determined in consultation with the New York State Office of Parks, Recreation and Historic Preservation, will be conveyed to a private nonprofit entity specializing in historic preservation, subject to a conservation easement prohibiting further subdivision or development of the parcel.

Located in the south central Adirondacks, the NL property is bordered on the west, north, and east by State Forest Preserve land, and forms a significant wedge into the southern portion of the High Peaks Wilderness Area. It is rugged and mountainous, and includes the 3,540-foot Mount Adams as well as several other peaks in the 2,000 – 3,000 foot elevation range. Spectacular vistas are available from many of these promontories.





*Ore processing plant*



*McIntyre Furnace*



*Ruins, hamlet of Adirondac*



*Hudson River at the Tahawus property*

## State Purchase to Bring Tax Bonus to Newcomb

The Town of Newcomb could reap an annual bonus of more than \$10,000 in additional tax revenue when New York State purchases 6,300 acres of the Tahawus tract sometime next year, according to a new study by the Adirondack Council.

Portions of the Tahawus tract are currently enrolled in the State's timberland tax abatement program. When these lands are added to the Forest Preserve, however, the State will pay tax based on the land's full-assessed value, because the state is not eligible for tax breaks. The Council estimates that the taxable value of these lands will increase by more than 13 percent as a result of the change in ownership, or more than \$340,000. Then, Town officials can either collect more tax for additional services or decrease local property taxes to adjust for the increase in income. The research for this report was conducted by Clarence Petty Intern David Gahl.

This is the third time in five years that a Council study has shown that Forest Preserve and easement purchases by the state can be a boon to local taxpayers. The Council showed that the state's 1998 purchase of the William C. Whitney Wilderness property in Hamilton County meant a \$100,000 annual windfall to the taxpayers of the Town of Long Lake. (Turn to the next page for a summary of the potential benefits of state easements and purchases on the Hancock Timber property in St. Lawrence County.)



The Adirondack Council worked with a host of environmental organizations this spring to persuade the Legislature to maintain its support for the Environmental Protection Fund (EPF). Above, Council Communications Director John Sheehan leads a press conference at the State Capitol in January, in which the groups called on the Legislature to provide \$125 million in funding for EPF priorities in FY2003-04, including at least \$30 million for open space protection and watershed purchases. Despite a lean budget year, the group effort was successful.

# Study Shows Forest Preserve & Easements Can Mean Windfall to Local Taxpayers

When the Hancock Timber Resources Group announced in May that it would be accepting bids on its entire 93,000-acre holdings in the Adirondack Park, local government officials publicly worried that any move by the state to buy the land, or to purchase a conservation easement, would result in a loss of local tax revenue.

In May, the Adirondack Council found the opposite to be true.

The main reason: timber companies get tax breaks from the state that the state cannot give itself. The state is obligated by law to pay full local taxes on all land it owns in the Park, and is further obligated to pay its share of taxes on easements, based on the value of the easement.

For example, easements in which the state buys only the development rights often require the state to pay 50 percent of the taxes. On lands where the state also acquires the recreational rights, the state's share of the taxes can climb to 70 or 75 percent. Of Hancock's 93,000 acres, 72,000 are located in the towns of Colton, Clifton and Clare, in St. Lawrence County. Approximately 20,000 acres in St. Lawrence County are already protected by an existing conservation easement (as are 21,000 acres located near Old Forge). The remaining 52,000 acres in St. Lawrence County are unprotected.

Another opportunity for New York State would be to purchase a half-mile corridor, approximately 5,000 acres, along the Grass River and designate this land as Forest Preserve. Both the North Branch and the Middle Branch of the Grass are located within the Towns of Colton and Clare and flow in a northwesterly direction to the Adirondack Park boundary. The purchase of a half-mile along both branches would help protect the natural beauty of this river and preserve its wild character from unwanted development.

The half-mile buffer would forever protect the shorelines of the river, which provide migration corridors for the Park's wildlife. In addition, this purchase would open up the Grass to the public for fishing and paddling for the first time in more than 120 years. The Grass River Corridor is located within the 52,000 acres, without an easement, which are part of the Hancock Lands. The purchase of the 5,000 acres around the river corridor would increase the taxable value even more than an easement acquisition.

The tax study was completed by Nathan Marks, a Clarence Petty Intern serving in the Albany office. The full study is available on our website at [www.adirondackcouncil.org/hancocktaxpr.html](http://www.adirondackcouncil.org/hancocktaxpr.html).

	Assessed Value	Taxable Value	Total Taxes	School Taxes
<b>Colton</b>				
<b>Current Value</b>	\$535,230.00	\$103,733.00	\$45,307.46	\$24,576.42
<b>With 50% Easement Purchased</b>		\$319,481.50	\$139,539.93	\$75,691.56
<b>Net Gain (above current value)</b>		\$215,748(+208%)	\$94,232(+208%)	\$51,115(+208%)
<b>With 72% Easement Purchased</b>		\$414,410.84	\$181,002.22	\$98,182.22
<b>Net Gain (above current value)</b>		\$310,677(+299%)	\$135,695(+299%)	\$73,606(+299%)

After completing a detailed analysis of the Hancock case, the Council sent the new study to each of the St. Lawrence County towns in which Hancock owns unprotected land. The Council's study showed that, together, they stood to gain nearly \$1 million new taxable value.

That translates into an annual windfall of at least \$128,056, and perhaps as much as \$184,467 for the three towns, or an average jump in total town tax revenues between 60 and 87 percent. The Town of Colton alone, where most of the unprotected land is located, would see an increase in total tax revenue between 208 percent and 299 percent.

This is a substantial sum for three towns whose combined populations are less than 2,400. Colton is the largest, with 1,451 people. Clifton has 765 and Clare has 117.

School tax revenues alone would increase between \$68,000 and \$98,000 in the three towns. That is very good news for Clare, which saw the Edwards-Knox School District to which it belongs approve a tax increase of 34.9 percent on June 3, the fourth highest increase in the entire state. Colton's school taxes rose 10.8 percent and Clifton's rose 1.8 percent. The three towns combined have fewer than 300 students enrolled in school, according to the 2000 census.

*Sundew (right) a rare insect-eating plant and spruce grouse (below) an endangered bird are two natives of the Hancock lands.*





## State Needs Septic System Control

Leaking septic systems are one of the leading causes of water pollution in the Adirondack Park, leading to excessive nutrients in lakes and ponds, rendering them undrinkable and eventually causing them to develop odiferous blooms of algae on the surface. As the algae decay, they use up the dissolved oxygen in the water, which can kill plants, fish and other aquatic life.

In a June 2002 report on impaired waters, New York identified on-site wastewater treatment systems as the primary source of pollution in at least 22 water bodies.

As more and more Adirondack seasonal camps are converted into year-round residences, or are renovated to include new bathrooms and water-using appliances, aging septic systems are being stressed to their limits. Yet, there is no statewide, or even Parkwide, program that requires the inspection of septic systems to ensure they are working and can handle the amount of waste generated by the residence.

In other states (Massachusetts, for example), regulators require the inspection of septic systems whenever a house is sold. The inspections are done at the same time that pest and radon inspections are completed, allowing the buyer to know that the system works before moving in.

While the adoption of state standards for periodic septic inspections makes environmental sense, it may also be crucial to the state's financial well-being.

In June, as the NYS Legislative session wound to a close, the Adirondack Council discovered that the NYS Department of Environmental Conservation and the Department of State had been notified by federal authorities that New York may be penalized for its continuing failure to require the inspection of private septic systems in the coastal areas of the state.

The letter from the National Oceanic and Atmospheric Administration and the Environmental Protection Agency, (received in May) states that all aspects of New York's Non-Point Program met federal funding standards, except for septic system inspection. The federal program requires each state receiving funds to be in compliance with federal standards established by the Coastal Zone Reauthorization Act of 1990. New York's coastal management area covers approximately 60 percent of the state.

The penalty could be as high as 30 percent of the money the state currently receives from the federal Coastal Management Program (about \$3 million annually) and Clean Water Act funding (nearly \$6 million annually). That would amount to a \$2.9 million loss of federal assistance in the coming year, with the possibility of more severe penalties in future years if the state legislature fails to act.

The coastal areas of the state run from Buffalo to Montauk, including most of Long Island, New York City, the Hudson Valley, Lake Champlain Valley, the St. Lawrence River Valley and the Great Lakes. The state's non-point pollution program (aimed at runoff from the landscape, not a drain pipe) is operated and overseen by both DEC and DOS. It covers watershed protection and waterfront planning. Both agencies depend on the money to pay staff salaries.

The Adirondack Council called on the Governor and legislators to address septic system inspections before they left for the summer break, adding that even the inland areas of the state will benefit from a program to require septic system inspections.

Several bills are pending in the state legislature that address wastewater pollution, including those sponsored by the respective chairmen of the Environmental Conservations Committee, Sen. Carl Marcellino, and Assemblyman Thomas DiNapoli, both of Long Island.

The Council will again urge the Legislature to take action when it returns to Albany in the fall.

## Bond Act Yields Clean Water

The Adirondack Council's support of the Clean Water/Clean Air Bond Act of 1996 is still paying off for Park residents. This summer, the Town of Moriah, in Essex County, received nearly \$6 million in state grants and low-interest loans for a major upgrade to its drinking water treatment facilities.

The state money will allow the town to complete the construction of a new filtration plant, new pipelines and three new storage tanks. The town's main water supply is Bartlett Pond. Federal law requires surface waters to be treated and/or filtered to reduce the risk of contamination.

Moriah received a \$2 million grant from the NYS Drinking Water State Revolving Fund and a \$3.7 million interest-free loan from the Environmental Facilities Corp. Bond act money has been used for new drinking water and sewage treatment facilities, as well as for watershed protection projects that prevent the pollution of surface waters (lakes, rivers, etc.) by landscape runoff.

The Bond Act provided a pool of \$355 million for safe drinking water grant and loan programs around the state. Grants are still available through the NYS Department of Environmental Conservation.

## Sewage Closes Ausable Beach Again

The Town of Wilmington was forced by state health officials to close its beach along the Ausable River on July 18, due to what appeared to be inadequately treated sewage from the Lake Placid treatment facility, 10 miles upstream.

The town suffered a similar closing for three weeks last summer, because of fecal choliform and E-coli bacteria contamination. The NYS Environmental Facilities Corporation awarded Lake Placid a \$14-million low-interest loan in March to rebuild its treatment system, but the work has not yet been completed. The loans are an outgrowth of the 1996 Clean Water/Clean Air Bond Act, which the Adirondack Council supported.

The West Branch of the Ausable River, between Lake Placid and Wilmington, is one of the most famous trout streams in the world. Excess bacteria can harm fish and other aquatic wildlife by robbing the river of oxygen.

Wilmington Town Supervisor Jeannie Ashworth said she wants Lake Placid to sterilize the outflow from its treatment plant as soon as possible. The Adirondack Council agrees that Lake Placid needs a state-of-the-art treatment facility.



# Chaumont Swamp to Become Forest Preserve

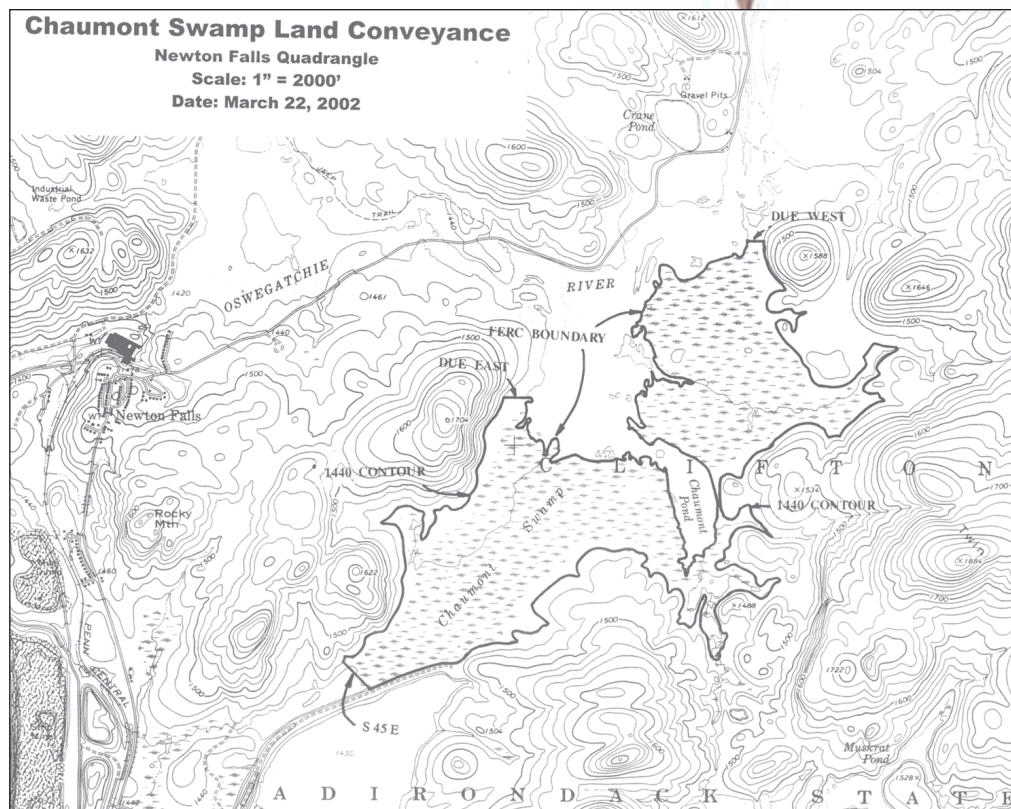
One of the Adirondack Park's most biologically rich wetlands will be added to the Forest Preserve by 2005, as part of a hydropower licensing settlement co-signed by the Adirondack Council.

Newton Falls Holding, LLC, has agreed to donate by January 2005, a substantial portion of the Chaumont Swamp, adjacent to the Oswegatchie River, to the State of New York. The company has also agreed to improve access for car-top boat launching.

The Council first asked the state to protect Chaumont Swamp in 1988 in Volume I of our 2020 VISION research series ("Biological Diversity: Saving All the Pieces"). Read the entire three -volume 2020 VISION series online at: [www.adirondackcouncil.org](http://www.adirondackcouncil.org).

The open shallow waters of Chaumont Swamp provide ideal fishing for the resident osprey, black tern and great blue heron populations. The mud flats are a favorite hunting ground for Wilson's snipe and deeper waters are plied by resident loons. The open water is fringed by an emergent cat-tail marsh; a heath wetland dominated by sweet gale, leatherleaf and Bebb willow; several small poor fens; and, a tamarack swamp with scattered black spruce. Two coniferous islands – one dominated by red spruce, the other by white pine – and surrounding hills of northern hardwoods complete one of the richest mosaics of ecosystems anywhere in the Adirondack Park.

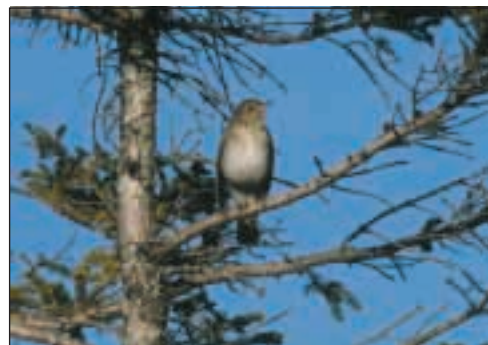
Other signatories to the license and preservation agreement included New York Rivers United, NYS Conservation Council and several state and federal agencies.



## Rare Song Bird Threatened by Ski Area Expansion

Each year, Latin American residents return to their summer homes in the Adirondack Park. The Bicknell's Thrush nests and breeds among the dense branches of red spruce and balsam fir trees, high atop the Adirondack Park's tallest mountains and on the higher peaks of western New England. It is a rare neotropical, migratory songbird that has only become known to the scientific community as a distinct species in the past eight years. Ninety-eight percent of its winter habitat is in the mountainous Madre de las Aguas National Park in the Dominican Republic, where officials are struggling to protect its habitat. Several Bicknell's and their nests have been identified in the past year atop Little Whiteface Mountain, whose slopes serve as a portion of Whiteface Mountain Ski Area. In 2002, Gov. George E. Pataki declared the top of Little Whiteface (and other High Peaks above 2,800 feet) to be Bird Conservation Areas, where special care would be taken to protect rare species.

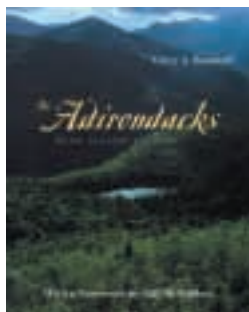
The ski area is on the Forest Preserve, operated under a Constitutional Amendment that limits, for example, the total acreage and width of the ski runs. The Olympic Regional Development Authority's plans to expand the ski area by cutting up to 55,000 trees that are home to the Bicknell's Thrush were dropped this spring after media attention was drawn to the Council's objections. But the reprieve was only temporary. The Council will fight to protect the Bicknell's habitat and fragile Forest Preserve by working with state officials on alternatives to the current expansion plan.



Photos by Dan Busby



## Gifts available from the Adirondack Council.



### **“THE ADIRONDACKS: WILD ISLAND OF HOPE” by Gary Randorf**

224 pages, 100 color photographs. This book is much more than just a photo essay on the beauty of the Adirondack Park. Aside from Randorf's astounding images of the Park, he shows how people's love for this place resulted in inevitable conflicts, and eventually, to the conservation of vast areas of the world's largest, intact deciduous forest. (\$23)

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## Sales benefit Adirondack Park conservation.

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