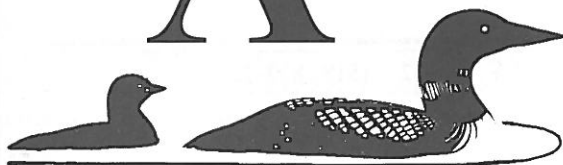


20th
Anniversary

ADIRONDACK COUNCIL



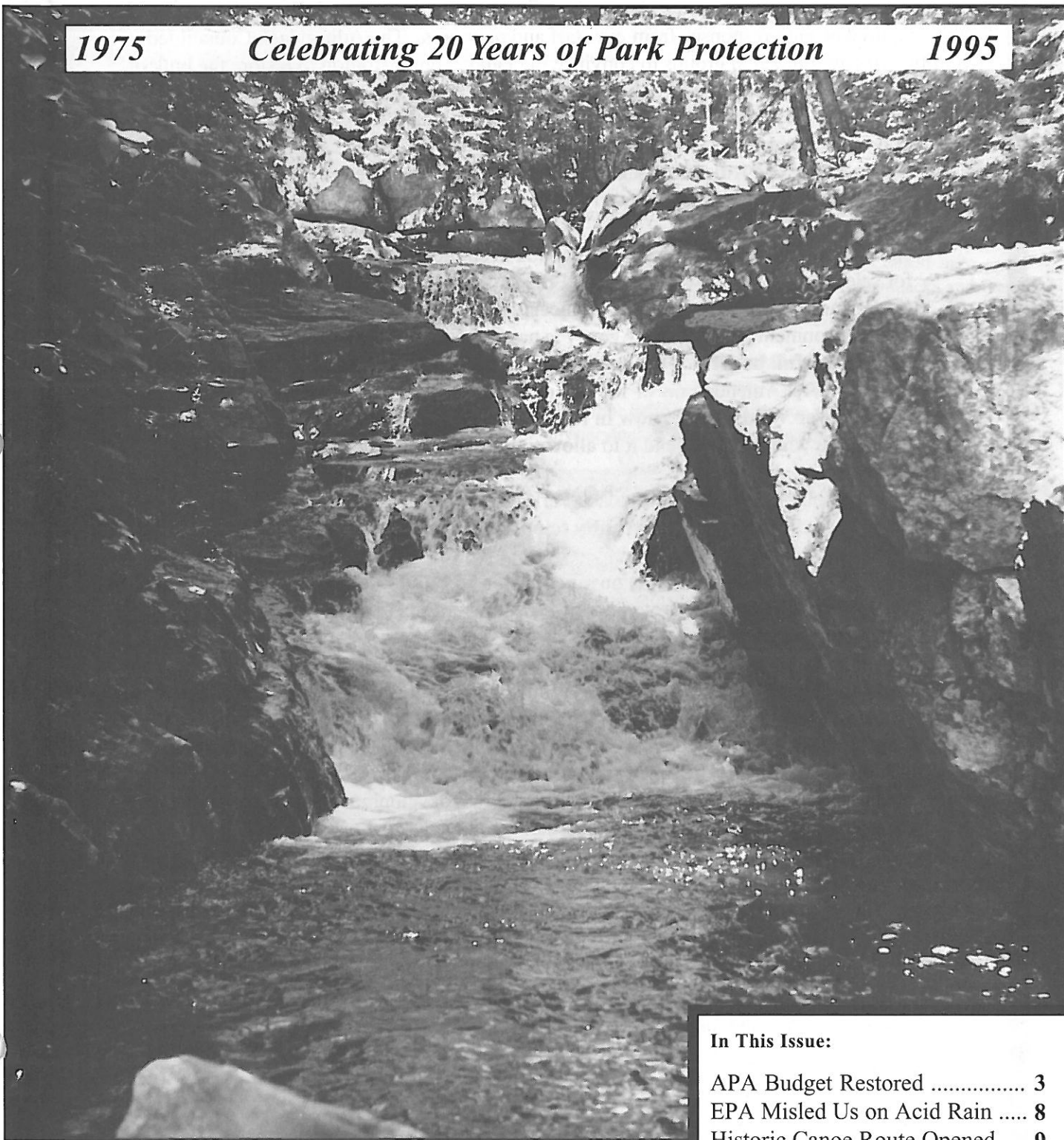
NEWSLETTER/SPRING 1995

Member Organizations: The Wilderness Society, Natural Resources Defense Council, Association for the Protection of the Adirondacks, and National Parks and Conservation Association.

1975

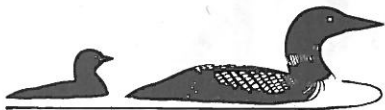
Celebrating 20 Years of Park Protection

1995



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The Adirondack Council

PO BOX D-2 2 CHURCH STREET ELIZABETHTOWN NY 12932 (518) 873-2240

Dear Members and Friends,

Governor George Pataki's administration has begun to take shape in Albany. While the administration has not presented a clear policy direction for the Adirondacks, its budget proposals have required prompt responses from our staff and members. The Adirondack Council led a coalition of environmental groups to convince the Pataki administration to restore the bulk of substantial cuts proposed for the APA budget. We will continue our efforts to ensure that the commitment made by the Governor and Legislature to ongoing funding in the Environmental Protection Fund is kept.

On other fronts, **the Adirondack Council is faced with a series of threats to the character of the Adirondack Park** and the long-term commitments New Yorkers have made to protecting the Adirondacks.

- Three hundred thousand acres of timberland is on the market either for outright sale or for sale of conservation easements and **the future of over 800,000 acres of timberland in the Adirondacks is uncertain.**
- The Environmental Protection Agency is now admitting that **the Adirondacks will not receive the full benefit of the reductions in sulfur dioxide emissions** required by the Clean Air Act Amendments of 1990. Further steps must be taken to control acid rain.
- **The Forever Wild Clause, now in its 101st year, continues to come under assault** from those who would amend it to allow timber harvesting on state land in the Adirondacks.
- New appointments to the Adirondack Park Agency have not been made as yet, but **the Governor will have the opportunity to appoint new members to all 8 citizen slots on the APA** during his first term.
- **The Wal-Mart Corporation is now proposing to build two gigantic stores in the Adirondacks**, seriously threatening the downtown business districts of several Adirondack communities.

During the past several years we have celebrated the 100th anniversary of the Forest Preserve, the Adirondack Park and the Forever Wild Clause. But we must never forget that the commitments of 100 years can be undone very quickly unless the citizens of New York are vigilant and let policy makers know that the Park must be protected for future generations.

The Adirondack Council has been and will continue to be the voice in Albany that insists that state lands in the Adirondacks be kept Forever Wild, that development on private lands in the Adirondacks be environmentally compatible, that the federal government live up to its commitments to stem the tide of acid rain, and that the working forests of the Adirondacks are protected as a mainstay of both the environment and the economy. **We need your active participation today to ensure that none of the protections for the Adirondack Park are rolled back and to continue to promote state policies that ensure the protection of Park resources into the future.**

Sincerely,

Timothy J. Burke
Executive Director

Adirondack Park Agency Cuts Restored

Governor Responds to Council's Concerns

In one of the more significant victories of this young Legislative Session, the Adirondack Council and a coalition of other environmental organizations convinced the Pataki Administration not to make sweeping cuts at the Adirondack Park Agency.

After proposing to fire 11 of the 64 employees of the APA, Gov. George Pataki has agreed to scale back the cuts to

After proposing to fire 11 of the 64 employees of the APA, Gov. George Pataki has agreed to scale back the cuts to only three people and slightly more than \$100,000 — proportionally about the same cut other agencies are taking.

only three people and slightly more than \$100,000 — proportionally about the same cut other agencies are taking.

The original proposal, released in February, called for a cut of \$542,000 from the APA budget. The current proposal (released March 2) calls for \$441,000 of that to be put back.

A coalition of environmental organizations worked for nearly a month to convince the Governor not to make such sweeping cuts at the APA. The coalition noted that deep cuts would only make the APA less efficient, meaning a return to unnecessary delays in dealing with applications and public frustration with the Agency.

Business weighs in

Some business representatives joined with the environmental groups in calling for a restoration of the cuts. Other business interests were thrilled over the prospect of a crippled agency. The Blue Line Council (run by large landowners and industrialists) applauded the cuts and had spent most of the months of January and February trying to coax public support away from the Park Agency — to no avail.

The Governor's original budget plan could have meant a diminished role for the Park Agency in bringing tourists to the Park. One of the proposals on the table to deal with the budget cuts called for closing the Newcomb and Paul Smiths Visitor Interpretive Centers. While it was possible that the VICs would have continued operating under the supervision of local colleges, the fate of public programs and nearly a dozen APA employees had not been resolved.

Proposal supported

In addition, the Adirondack Council has called on the Legislature to allow the Park Agency to begin collecting fees for processing applications — something it has never done despite the fact that local governments routinely charge fees for similar services. The proposal spurred a positive response from a wide spectrum of Park interest groups.

The Council's proposal calls for a sliding scale of fees based on the size and scope of the project. Large developers

would pay the most, while those with minor projects would pay a small fee. The plan could help close the last of the current budget gap.

As for changes at the top, it is still unclear what the Governor intends to do in terms of replacing commissioners with expired terms or top staff people not protected by civil service employment laws. The Council is concerned that sweeping changes in personnel at the APA may harm the Agency's ability to protect the open spaces and natural character of the Park.

Cooperative effort

The coalition that helped convince the Governor to substantially restore his proposed cuts at the APA included (in alphabetical order): Adirondack Council, Adirondack Mountain Club, Association for the Protection of the Adirondacks, Citizens Campaign for the Environment, National Audubon Society, The Nature Conservancy, Residents Committee to Protect the Adirondacks and Sierra Club.

APA rules to be republished

Another major initiative planned for the APA by Governor Pataki is long overdue and should take some of the mystery out of what is expected of those who ask the APA's

Some business representatives joined with the environmental groups in calling for a restoration of the cuts. Other business interests were thrilled over the prospect of a crippled agency.

permission to subdivide and/or develop land.

In his revised budget submittal to the Legislature, the Governor instructs the APA to update and publish its rules and regulations for applicants. Such a move would bring the APA's 10-year-old book of rules and regulations up to date and allow applicants to review recent court decisions on how the APA's regulations should be interpreted. In some cases, APA staff, board members and a handful of private lawyers are familiar with how the Agency will interpret certain rules, but that interpretation is not documented. The lack of documentation has led to speculation on the part of uninformed critics of the APA, who incorrectly speculate that interpretations change based on the whim of APA commissioners and staff.

It would also be possible for the Agency to require things such as the pre-filing of testimony for large projects. In the recent Oven Mountain development project, the applicant did not pre-file testimony on behalf of the project, although the Park Agency and the Adirondack Council did. The APA took roughly three months to collect and review more than 1,400 pages of testimony and exhibits.

Pataki Makes Sweeping Changes at DEC . . .

Gov. George Pataki has named a new commissioner and some deputy commissioners at the Dept. of Environmental Conservation and has proposed changes that would drastically alter the DEC's operations.

Governor Pataki appointed Cuomo Administration holdover Michael Zagata, DEC's former liaison to business, as acting commissioner of DEC, pending almost certain confirmation by the Senate.

He replaces the popular Democrat Langdon Marsh, who was picked last summer to replace outgoing Commissioner Thomas Jorling and was quickly confirmed by the GOP-controlled Senate. Jorling left to take a job with International Paper Co.

Also replaced was Deputy Commissioner for Natural Resources Robert Bendick. Bendick was hired by Jorling in 1990 to help with the state's land acquisition program. He had served with distinction as chair of the Northern Forest Lands Council and as DEC's representative to the Adirondack Park Agency.

He was a featured speaker at the Adirondack Council's 1990 conference in Silver Bay, entitled "Managing Growth and Development in Unique, Natural Settings" where he shared his experiences in protecting Block Island (off the coast of Rhode Island) from overdevelopment.

New government liaison

Taking over a government liaison role is new Deputy Commissioner Constance Barrella, who will also run the communications department. According to news reports, Barrella is a former lobbyist for the convenience store industry who had recently lobbied the Legislature against taking back unclaimed bottle deposits for environmental purposes. The Bottle Bill is administered by DEC.

Massive firings

Assembly EnCon Committee Chairman Richard Brodsky (D-Scarsdale) has held hearings this spring to determine the extent of the cuts at DEC and what is likely to be lost as a result.

In one hearing, a former attorney said he had been fired for being too enthusiastic about catching polluters and making them clean up. He said other enforcement staff persons had been targeted as well. Enforcement personnel were not the only ones to feel the blade of Pataki's budget axe.

Another cause for concern at the DEC is a recently filed lawsuit alleging that a top official in the new DEC administration had fired a department attorney for refusing to

conspire to commit a federal crime. The former DEC lawyer said she was told by her new boss to develop a list of civil-service-protected attorneys who could be targeted for firings. The lawyer said that when she advised her boss this was against federal labor laws, she was fired. The lawsuit is still pending.

On March 10, nearly all non-civil service lawyers working for the DEC were fired, many with years of experience under several different commissioners, as were a number of regional directors. Two days later at Senate confirmation hearings, acting commissioner Zagata said the firings were a "transition" decision and without his input. He expressed an intent to rehire some of the attorneys.

Further, even after the Governor replaced more than 60 jobs he had initially cut from DEC's budget for the Fish & Wildlife Division, the new proposal still calls for more than 70 job losses at Fish & Wildlife and the Division of Lands & Forests.

Historic Alliance Restored

The governor's proposals to strip both the Conservation Fund (for fish and wildlife) and the Environmental Protection Fund of millions of dollars has rekindled an alliance of conservationists and sportsmen. The NYS Conservation Council and the NYS Trappers Association has joined with the Adirondack Council, Adirondack Mountain Club, Association for the Protection of the Adirondacks, National Audubon Society, Sierra Club Atlantic Chapter and The Nature Conservancy to restore money that was cut from both funds.

Funding shortfalls

Other proposed budget cuts would curtail the operation of the state's Wildlife Pathology Lab in Delmar, which tests deceased wildlife for toxins and infections -- an early warning signal that environmental pollution and/or unchecked disease can cause human health problems. Director Ward Stone noted that the Adirondack Park is due to feel a wave of rabies infections over the next couple of years, due to the migration of a strain of raccoon

rabies from Florida. The migration has led up the Hudson and Champlain Valleys into Washington County already and is coming down the St. Lawrence Valley into the northwestern corner of the Park as well, he said.

Without the proper resources to perform his work, Stone said many rabies reports will go uninvestigated and the lab will not be able to do its work. Other major losses that could come from the latest budget proposal include:

- Elimination of the Stream Protection Unit
- Elimination of the Contaminant Sampling Unit
- Elimination of the Field Monitoring Unit (tracks the movement of pollutants such as pesticides and acid rain)
- Elimination of the Forest Stewardship Program (encourages proper forest management on private lands)
- Elimination of Environmental Conservation Police Academy
- Leaving 17 vacancies in the Environmental Conservation Officers' ranks

...And Proposes Raid on Environmental Fund

In his final 1995-96 budget submittal to the NYS Legislature, Gov. George Pataki has proposed a raid of nearly \$20 million on the newly created Environmental Protection Fund (EPF).

According to the 1993 Environmental Protection Act, which established the fund, the EPF should receive \$43.5 million this year from the Real Estate Transfer Tax. In his March 2 proposal, the Governor removes \$18.5 million of that tax from the fund and diverts it to the General Fund.

The Governor also proposed dumping 13 salaries from the Dept. of Environmental Conservation into the list of items the fund must support annually. That will cost the fund another \$1.04 million.

The transfer of DEC salaries and even building rents has already harmed the ability of the Conservation Fund (paid for mainly with federal money and hunting/fishing license fees) to support fish and wildlife programs throughout the state.

Governor Pataki had been a sponsor of the EPF as a Senator and was party to the agreement to dedicate the funds, which were not to be used to pay salaries. The fund is supposed to be reserved for open space protection (primarily land purchases and easements), recycling, solid waste projects, historic preservation and waterfront revitalization.

In accordance with an agreement hammered out in 1993, the fund obtained \$25 million from the Real Estate Transfer Tax (RETT) in 1994-95 and a few million dollars more from other, less reliable sources. The RETT's contribution to the

environmental fund was then to grow to \$43.5 million for fiscal year 1995-96 (the current one). Next year, the amount is due to climb to \$90 million, where it levels off.

In the four years preceding the EPF agreement, New York had neglected some of its responsibilities toward environmental protection. In fact, the state fell to dead last of all 50 states in terms of the percent of its state budget spent on the environment.

The EPF was the solution to the problem. In good times and in bad, it would provide a steady source of investment in the future of the state's environment. It was to be a legacy enjoyed by all New Yorkers. That legacy is now in danger.

On Long Island, the agreement to preserve the core of a Suffolk County pine barren requires a certain level of land-protection spending before any new construction can occur around the outside of the barren. In Buffalo, the purchase of much-needed open space on the shore of Lake Erie (Woodlawn Beach) can provide an enormous boost to tourism and the quality of life in the city.

In the Adirondacks, more than 300,000 acres of commercial timberland are currently up for sale and at risk of conversion to other uses — threatening both wildlife habitat and the jobs of those working in the timber industry.

The Adirondack Council will work to convince the legislature that the EPF is a long-term commitment that must be kept.

Cutting On Forest Preserve?

With the Forever Wild Clause entering its 101st year as part of the New York State Constitution, it would be easy to assume that the Forest Preserve lands of the state are permanently protected from lease, sale or timber cutting. But every year, proposals surface to modify, undercut or abolish Forever Wild protections.

One proposal that comes up over and over again involves granting timber companies the right to harvest timber on the publicly-owned Forest Preserve.

In the coming weeks, we may hear a variety of rationales for this scheme to gut the Forever Wild Clause. The following is a list of some of these and why each would be harmful to the Forest Preserve:

- *"The trees are dying in the Forest Preserve and the wood is going to waste."*

The Adirondack Park is a balance of uncut Forest Preserve and managed private woodlands. Dead and decaying wood in the Forest Preserve provides critical wildlife habitat and replenishes nutrients in the soil.

- *"The managed forest is better habitat for deer."*

Over two million acres of managed private woodland provides ideal deer habitat while the Forever Wild Forest Preserve provides a home to countless other species. Together, these

forests ensure maximum species diversity and richness throughout the Adirondack Park.

- *"The timber from the Forest Preserve will generate money for more land acquisition."*

The state Environmental Protection Fund, created in 1993, provides millions of dollars per year for Forest Preserve acquisitions.

- *"Cutting would only be on Wild Forest areas that aren't important."*

One million acres of the Forest Preserve is designated Wild Forest and includes incomparable recreational and natural resources.

The Adirondack Council will defend the Forever Wild Clause from any attempt to destroy the strongest environmental protection law in the world. The Forever Wild Clause is the linchpin of what makes the Adirondack Park unique in all the world, a mixture of uncut Forever Wild lands, managed working forests and communities that are home to 130,000 residents. New Yorkers share the responsibility for the stewardship of these publicly owned lands, but the fact is that 100 years of protection could be undermined in as little as three years if an ill-conceived, short-sighted proposal were to gain approval.

Adirondack Park Agency Approves

Council Works with Agency,

A residential development project recently approved by the Adirondack Park Agency in a Rural Use area of the Adirondack Park incorporates some innovative approaches to developing near environmentally sensitive areas.

The original project proposal for Oven Mountain Estates near North Creek in the Town of Johnsburg was for a subdivision of a 683.5-acre parcel into 82 lots. Seventy-nine of these lots were to have been building sites for single family dwellings. Fourteen of these lots (along with their associated septic systems, cleared areas and driveways) would have been sited within the small watershed of Oven Mountain Pond, almost guaranteeing this shallow waterbody would be excessively loaded with nutrients from runoff and infiltration.

The Adirondack Council participated in the Adirondack Park Agency's hearing process for this project from start to finish, challenging the number and configuration of house sites proposed for this designated Rural Use area. The Council urged the sponsor to reconfigure lots into relatively small clusters. The Council also stressed the need to protect the Oven Mountain Pond watershed, a site rich in biological diversity, with numerous wetland and marsh habitat types and a variety of forest types. Because of this rich biological mix, the state designated this uncommon tract as a Rural Use area some twenty years ago — to limit the type of development that can occur there.

Throughout the hearing process, the Adirondack Council demanded better protection for the Oven Mountain Pond watershed, putting an expert witness on the stand at one point to testify about the wonderful biological richness and diversity on this site. The Council also repeatedly pointed out that house sites should be clustered only on the most developable lands and pushed for maintenance of a large, permanently protected tract.

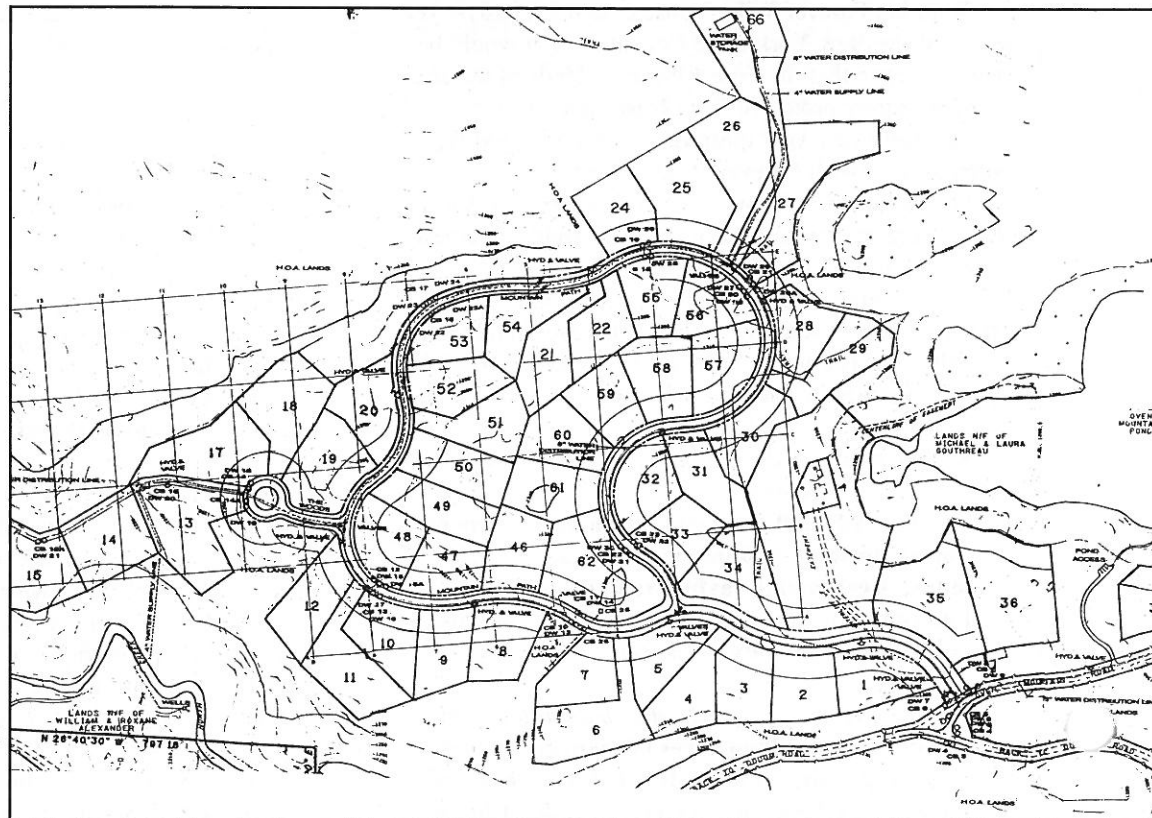
In the last-minute jockeying leading up to the final Agency vote on this project, changes were made that substantially improved protection for both Oven Mountain Pond and the extensive open space land on the site. The number of homes that can be built in the



After

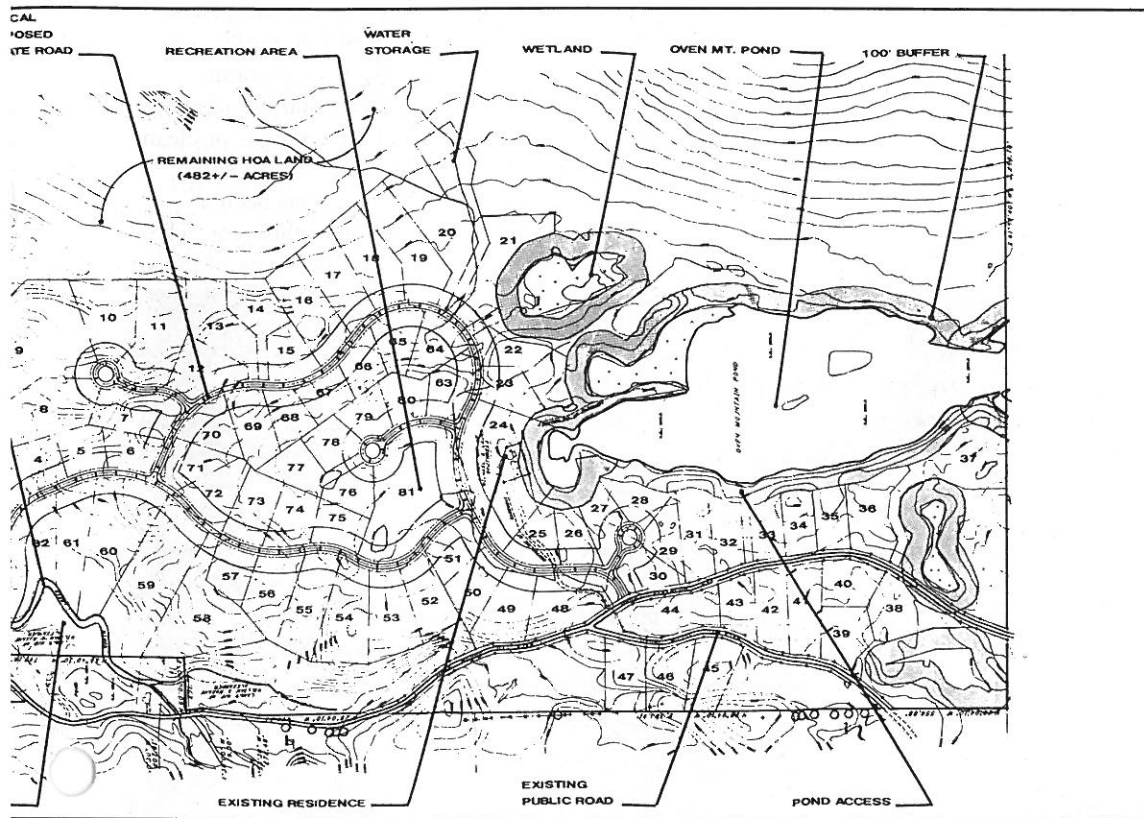
Project is substantially improved with the removal of all but two house sites from the watershed, redesign of the pond access, clustering of structures, and protection of about 500 acres of open space through either deed restrictions or conservation easements.

(Note: Map showing all final changes was not available at press time.)



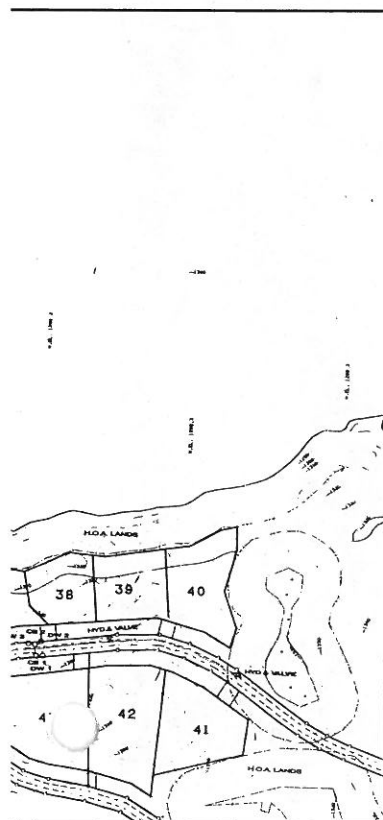
Oven Mountain Subdivision

Developer to Improve Project



Before

The original proposal for the Oven Mountain Estates project included over 80 lots, 14 of which were within the fragile Oven Mountain Pond watershed. Nutrient loading to Oven Mountain Pond from surface runoff and subsurface infiltration would have pushed the pond toward an early death through eutrophication.



pond's watershed was whittled down to two. The project sponsor agreed to permanently protect over 500 acres of backcountry land on the site through either deed covenants or conservation easements. The total number of house sites was reduced to 55 and green space was added in several places throughout the project site.

Residential development in the Park traditionally occurred in and around existing developed areas, such as Hamlets. If sited properly and kept in scale with the resource limitations, residential development doesn't present a problem to the Park's resources. There are many places in the Park, especially in and around existing Hamlet areas, that are appropriate for residential growth.

But recently, a shift in house building trends has taken place in the Adirondack Park. Over the last 25 years, approximately 26,400 residences have been added to the Adirondack Park, according to the Adirondack Park Agency. (That's over 1,000 new houses per year!) Over the last five years, only about 20 percent of the houses built in the Park have been built in areas designated for higher intensity development.

Subdivision and development of large tracts of Rural Use and Resource Management lands into suburban-like lots degrades native wildlife habitat, open space and the character of the Adirondack Park. Animals that depend on large, unbroken tracts of land to survive will be pushed into ever-decreasing spaces.

Although the Oven Mountain project has been substantially improved over the course of the review process, the final permit had not been issued by press time. The Adirondack Council is still concerned about the definition of "small clusters," which will be included in the permit. The Park Agency has the opportunity to set a valuable precedent that will guide future development proposals for Rural Use areas of the Park.

The Council will continue to work to ensure that the wild, open space lands in Rural Use and Resource Management areas of the Park remain intact, as specifically intended by the Adirondack Park Agency Act.

EPA Admits: Acid Rain Program Won't Save the Adirondacks

The U.S. Environmental Protection Agency has admitted for the first time that it misled the public in 1992 by claiming that a pollution trading scheme would mean "an end to acidity in Adirondack lakes and streams." The Adirondack Council has been a persistent critic of the program and its promised benefit to the Adirondacks.

The report, which Congress had requested within 36 months of the passage of the Clean Air Act amendments of 1990, was the subject of lawsuits filed by the Adirondack Council together with the Natural Resources Defense Council and the NYS Dept. of Environmental Conservation. EPA released the report in February as a partial settlement of that lawsuit.

The report, entitled, "Acid Deposition Standard Feasibility Study Report to Congress" was intended to examine whether the actions taken by Congress in 1990 under the Clean Air Act amendments would be sufficient to protect "sensitive resources" such as the Adirondack Park or whether it would be feasible and advisable to create a specific set of pollution-reduction goals in sensitive regions to protect those resources.

Among the findings of the study are:

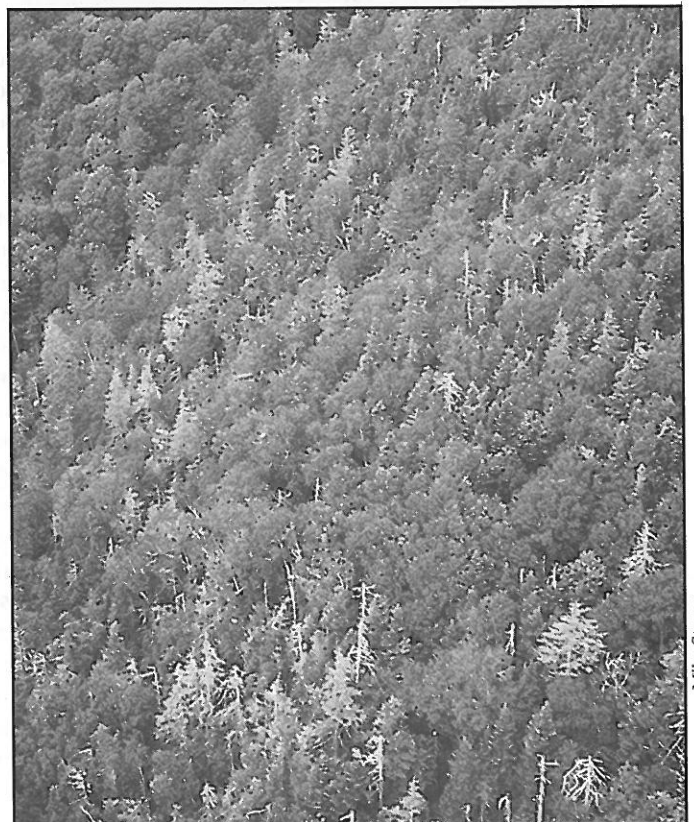
- The Adirondack Park will not see a 50 percent reduction in acid rain and snow (the national goal) but rather only an estimated 39 percent reduction.
- The reductions in the current program will slow but not stop the steady acidification of waters in the Adirondack Park. In other words, lakes will continue to die under the current program.
- Almost 93 percent of the sulfur dioxide emissions that contribute to acid precipitation in the Adirondacks come from sources beyond neighboring states, far more than other sensitive regions.
- Preexisting acid conditions, such as soils, are not significant factors in the problem.
- Nitrogen oxide emissions, which contribute to the acid problem in the Adirondacks, come almost equally from mobile (vehicular) sources and electric generating facilities.
- Nitrogen deposition contributes significantly to the acidity of Adirondack waters, but the extent is unknown and no national strategy yet exists to control emissions.

The draft report found that the decline of Adirondack waters could be stopped if emissions controls were placed on electric utilities that contribute to the acid rain problem here. The report went on to say that these electric generating utilities could reduce emissions by either installing modern scrubbing equipment or by switching to natural gas or clean coal technologies. (Note: the Milliken plant operated by New York State Electric and Gas Company has been a contributor to local sources of acid rain until this year, when

NYSEG installed state of the art scrubbing equipment, reducing emissions of sulfur dioxide by 98 percent. Many New York based utilities and industrial generating sources have moved to natural gas in recent years.)

USEPA went on to say that it could pursue additional limits on emissions to protect sensitive areas, which would be enforced by each state where facilities exist. The Agency would need no new legal authority, but would prefer a new specific directive from Congress to set acid deposition standards to protect sensitive areas, such as the Adirondacks. USEPA would also require some additional funding to utilize more sophisticated computer modeling, which is available (but which they did not use for this report for lack of sufficient funds).

The draft report found that the decline of Adirondack waters could be stopped if emissions controls were placed on electric generating facilities that contribute acid precursors to the region.



Red spruce die-back is attributed to the effects of acid precipitation.

Mike Storey

Council Inks Pact to Open Historic Canoe Route

Beaver River Hydro Deal Will Expand Wilderness

The Adirondack Council has joined the Niagara Mohawk Power Corp. (NiMo), state and federal resource agencies and a number of statewide sporting and conservation organizations in a proposed settlement of issues by the parties involved in the licensing of existing hydroelectric facilities on the Beaver River.

The settlement, if accepted by the Federal Energy Regulatory Commission (FERC), will govern NiMo's operation of the power dams on the Beaver River and could

- Whitewater kayaking opportunities on several stretches of the Beaver with scheduled water releases.
- Restoration of the once-famous trout fishery on the Beaver River through increased water flows on key stretches of the river.
- New opportunities for public access to the river both inside and outside the Adirondack Park with new



Gary Randorf

Canoeists on the Beaver River.

shape the future of the Beaver River region for the life of the 40-year license.

Highlights of the settlement include:

- Expansion of the Pepperbox Wilderness area through the transfer of lands from NiMo to NYS Dept. of Environmental Conservation and the granting of conservation easements on other lands to preserve the "wilderness character" of the area. (The Pepperbox Wilderness area is the most remote of the designated wilderness areas within the Adirondack Park).
- Extension of the Beaver River canoe route from the Stillwater Reservoir west to the Black River (18 miles), including improved facilities for put-ins, portages, and camping.

signage, parking lots, and trails for hiking, fishing and waterfall watching.

- The establishment of a long-term Beaver River management council to guide future activities, research and programs, using money from a dedicated Beaver River Fund.

While the Adirondack Council was able to commit significant legal and program staff time and resources to the effort, the successful completion of these negotiations was due in large part to the contributions of the staff of New York Rivers United, a not-for-profit organization located in Rome, NY, which facilitated meetings and the exchange of information on behalf of a number of intervenors, including Trout Unlimited, the National Audubon Society, the American Whitewater Association, American Rivers and the Adirondack Council with NiMo, FERC and government agencies.

The Domtar Dilemma

A Case Study in the Demise of the Park's Working Forest Lands

About three years ago, the Adirondack Council began to sound the alarm that the break-up of many large forest holdings in the Park was imminent. Right on cue, announcements have come from Champion International, Lyons Falls Pulp and Paper, Lassiter Properties, Domtar Industries, and others that they are considering either the outright sale of their land or of conservation easements on holdings totalling over 300,000 acres. (Over 800,000 acres of Adirondack timberland face an uncertain future.)

Recent increases in world prices for forest products have temporarily stemmed the tide of this rush to sell Adirondack "working forest" tracts. But the process of disinvestment in the aging paper mills and the highly-taxed, slow-growing forests of the Northeast seems to remain on track for many industrial giants. The scope of this phenomenon and its implications for the future of the Adirondack Park are exemplified by the machinations of Domtar Industries, Inc., whose 105,000 acres of land make it the fourth largest landowner in the region.

Domtar is a Canadian corporation engaged in the manufacture and marketing of a broad range of pulp and paper products, packaging, and construction materials in both the United States and Canada. The corporation's Adirondack holdings are grouped within six towns in Clinton and Franklin Counties in the far northeastern corner of the Park. Hardwood fiber from these forests is used at Domtar's pulp and paper mill across the St. Lawrence River in Cornwall, Ontario.

Two years ago, Domtar evaluated its holdings in Northern New York and concluded that it needed help to maintain its land base as a working forest. Specifically, the corporation decided to sell a conservation easement on the bulk of its 105,000 acres to the State. In return for not developing the land, Domtar would receive a substantial lump-sum payment, and the State would share in the payment of taxes forever. Details of the easement, such as public access rights and possible development areas were not specified. Instead, Domtar assembled a focus group of town and state officials, environmental advocates (including the Adirondack Council), and lease-holders to advise it on ways to protect the multitude of public and private values inherent in the land. The group held ten meetings, at which everyone's concerns and interests were aired and reconciled.

Despite the best efforts of Domtar's staff and those who supported the conservation easement proposal, State officials failed to make any commitment to the program. Worse yet, the regional open space advisory committee, on which the Council also sits, refused to recommend that the Domtar lands be included in the revised statewide open space plan that was recently submitted to Governor Pataki. Local officials on the committee decided to continue their steadfast opposition to the inclusion of any Adirondack lands in the plan. This stubborn intransigence was hard to defend, in light of the fact that four Adirondack towns specifically agreed to the easement idea as part of the open space "local

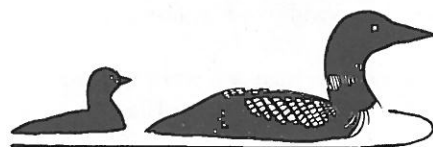
consultation" process.

Dismayed and frustrated, Domtar reluctantly solicited offers to buy its entire Adirondack holdings last summer. It seemed as though our dire predictions were, in fact, being realized. But unrealistically low offers from potential buyers, coupled with an upturn in forest product markets and a reshuffling of corporate management, led to a reversal of the "sell" decision last month. How long this latest reprieve will last is questionable, but it can't last forever. In the meantime, Domtar has reconvened the focus group and is redoubling its efforts to design a win-win solution to its ongoing dilemma. The returns from sustainable forestry don't appear to be adequate when unbalanced by high taxes, a short growing season and escalating costs of operation.

Unfortunately, Domtar's decision to reconsider the sale of its property did not come without a price. The corporation is now offering to sell "small isolated, non-strategic parcels," which are not contiguous with its core block of holdings. When pressed to elaborate, Domtar officials estimated that about 9,000 acres will be offered to the highest bidder. And many of these lands will undoubtedly be sold for speculative subdivision and development, since they lie along the shorelines of streams and rivers, on roadsides, and on scenic ridgetops. If this happens, the Park will be the loser. And we must ask: How long will it be before the core lands are forced back on the market?

Some people betray their short-sighted provincialism by portraying Domtar as a foreign conglomerate whose fiscal plight does not warrant our attention or assistance. In fact, Domtar has been an important member of the greater Adirondack community for the past thirty-two years. Seven separate logging contractors provide fifty jobs to local residents who, in turn, cycle their wages through the economy. Thirty-three separate hunting clubs with over seven hundred members lease Domtar's land and share in its stewardship. Fish and wildlife habitat are protected by Domtar's progressive policy of demanding environmentally-sensitive, sustained-yield harvesting practices. Many communities are dependent upon the taxes that Domtar pays.

We simply cannot continue to ignore the plight of Domtar and other stewards of the privately-owned working forests of the Adirondack Park. Our inaction may help bring about the same fate in the Park that has befallen the Catskills, Poconos, and other special places around the world. We must all work together to protect the working forests from fragmentation and abuse, so that they will continue to provide the jobs, wildlife, recreation, clean air and water, and scenic beauty that they have sustained for generations.



Around the Park

Lake Champlain Plan Hearings Set

Seven public hearings are slated in New York and Vermont to discuss the Lake Champlain Basin Program's draft plan to improve the health of Lake Champlain and to guide its management into the next century.

The Lake Champlain Basin includes 3,000 square miles of land in New York State, two-thirds of which lie in the Adirondack Park. The vast majority of the Park's population resides in Lake Champlain's watershed, or basin. The plan attempts to balance the economic, social and cultural needs of basin residents with the need to clean up the lake, prevent further pollution and enhance the ability of present and future generations to use and enjoy the Lake's many attributes. The plan is explained more fully in the Adirondack Council's Winter 1994 Newsletter, pages 14 and 15.

The following is a list of the hearing dates (all times 7 to 9 p.m., unless otherwise noted):

- April 3, Middlebury Union H.S., Middlebury, VT.
- April 4, Beekmantown Central School, Beekmantown, NY
- April 6, Westport Central School, Westport, NY
- April 10, Ticonderoga Elem./Middle School Ticonderoga, NY
- April 12, Grand Isle Central School, Grand Isle, VT.
- April 13, Burlington Boathouse, Burlington, VT.
- April 19, South Burlington, VT interactive TV meeting with connections to St. Albans, Waterbury, Middlebury and Rutland (7:15 to 9:15 p.m.)

The final date to submit written comments on the draft plan is May 15. The final plan is expected by December. Two more public hearings will be held in 1996 to review the final plan.

Zebra Mussels Invade Champlain . . .

Divers from the NYS Museum Biological Survey and the Vermont Dept. of Environmental Conservation have found zebra mussels as far north as Cumberland Bay in New York, indicating that the infestation has spread along the entire Adirondack Park shoreline of the lake.

The study confirms that the destructive, non-native mollusk has spread more than 78 miles since 1993, when the first report of infestation was made near Whitehall, at the very southern tip of the lake.

Zebra mussels were first found in the United States in 1986, when they were discovered to be growing in the Great Lakes. Scientists suspect they were carried to the U.S. in the ballast of ships and released inadvertently into our waters. Their larvae are carried by water currents and take only a few weeks to grow into adults.

They can attach themselves to other aquatic life, altering both life cycles and habitat. On muddy lake bottoms, they attach themselves to freshwater clams and slowly choke them to death. They have been known to clog water intake pipes and boat engines. They can harm or obscure archeological specimens. They may be responsible for the decline in Lake Ontario alewives, an important food source for salmon.

On the other hand, they are also highly efficient at filtering out and consuming algae and other organic material. While the mussels may increase water clarity, they are direct competitors for food with immature fish and other organisms that rely on algae.

The extent of the effects zebra mussels will have on the Lake Champlain ecosystem are not known as yet, but those effects are certain to be widespread and of major proportions.

According to Timothy J. Sinnott of DEC's Bureau of Environmental Protection, zebra mussels themselves have become a food source for some species of fish, waterfowl, crayfish and blue crabs. And while they deplete food in the water, they tend to increase food supplies for bottom-feeders. A variety of invertebrates use zebra mussel colonies and shells for shelter and feed on undigested particles excreted by the zebra mussels.

One organism that seems to cause zebra mussels harm is the freshwater sponge — whose population is exploding alongside zebra mussels in Lake Michigan and Lake Erie, causing a decline in population of the intrusive mollusk.

Sinnott noted that when a species is introduced into an area where it has no competition, its numbers will explode. He explained that the zebra mussel population will stabilize at a much lower level over time as it inevitably falls prey to disease, predators and increased competition.

. . . And Wal-Mart Muscles Into Park

The mega-retailer, Wal-Mart, has targeted two towns inside the Blue Line to place stores. The two stores, proposed for the towns of North Elba and Ticonderoga, could potentially soak-up 30 percent of all retail sales in the region.

The Adirondack Council has come out in opposition to these stores because of the effects they have on the business districts of small towns. Also opposing the proposal in North Elba are the Lake Placid Visitors Bureau, the Saranac Lake Chamber of Commerce, Residents' Committee to Protect the Adirondacks, the Association for the Protection of the Adirondacks and a local citizens' group, Residents for Responsible Growth.

The Adirondack Park Agency has no jurisdiction over the 80,000 square-foot store proposed for North Elba. No determination has been made yet with regard to jurisdiction over the Ticonderoga proposal.

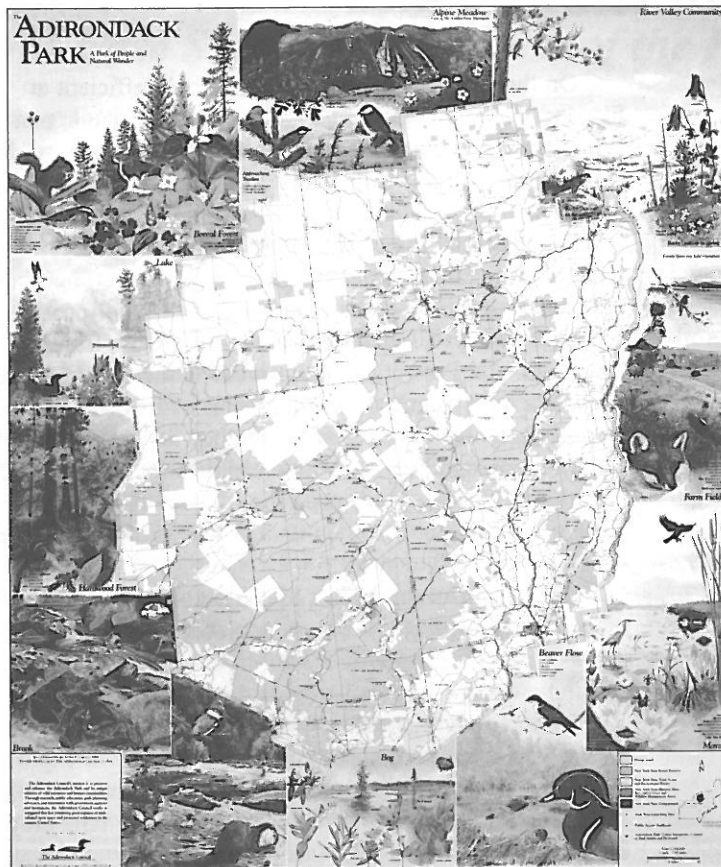
Save the Date

On Wednesday, June 28, the Adirondack Council will hold its Anniversary Benefit celebrating 20 years of activism and education on behalf of the Adirondacks. The benefit will start at 6:00 p.m. at the Loeb Boathouse in Central Park.

The event will honor Francis B. Trudeau, M.D. and Joseph F. Cullman, III, for their dedication to preserving the patchwork quilt of wilderness and communities in the Adirondack Park.

Tickets for the event start at \$250. For more information, or to make a donation, contact Diana Beattie Events at (212) 722-6226.

Adirondack Council Poster/Map Available



Adirondack Council poster maps are still available. The 35" x 43" poster/map not only serves as a guide to recreational access points and areas of interest throughout the Park, but also is surrounded by the beautiful watercolor art of Anne Lacy, whose work can be seen throughout the book, *Adirondack Wildguide*. Cost is \$20 plus \$2.90 shipping and handling. Order by calling (518) 873-2240. Master Card and VISA accepted.

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ADIRONDACK COUNCIL

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