

# ADIRONDACK COUNCIL

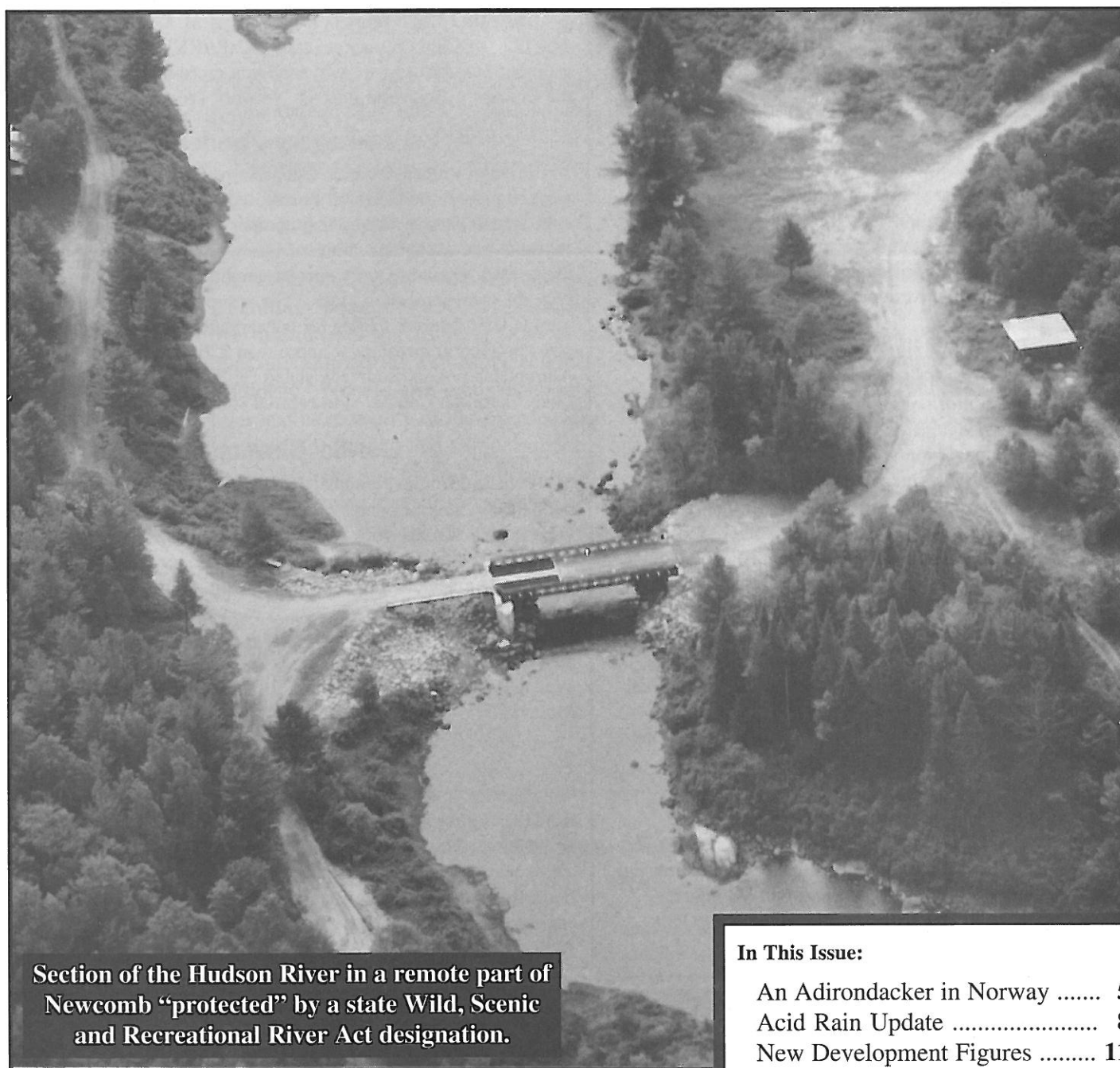


NEWSLETTER/FALL 1993

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

## Scenic River?

### Do State Agencies Really Protect Scenic Resources?



Section of the Hudson River in a remote part of Newcomb "protected" by a state Wild, Scenic and Recreational River Act designation.

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# News Briefs

## Struggle Over Trust Fund Monies

The three-year effort to persuade the State Legislature to adopt an environmental trust fund, led by the Adirondack Council and others, was just the first half of the struggle to secure important additions to the Forest Preserve in the Adirondack Park. This spring, the Council will be working to convince lawmakers to move quickly to protect properties such as Follensby Pond, the Heurich Estate and Morgan property. In the 1994-95 fiscal year, which begins in April, roughly \$19 million will be available for land protection, recycling, landfill closures and other priorities.

## Thank You ESC, Apple Computer

The Adirondack Council was recently the proud recipient of a complete Apple Computer system, including a computer, color monitor and printer, through a grant program sponsored by Apple Computer, Inc. and the Environmental Support Center.

ESC is a non-profit organization that provides management and technical assistance to environmental organizations. ESC and Apple awarded 150 computer systems to groups nationwide. The system is extremely well suited for use with graphics applications and the Council plans to use it to help design publications and brochures, and to produce illustrations for technical documents and testimony before local, state and federal governments.

## Give at the Office

The Environmental Federation of New York (EFNY) is a coalition of 20 non-profit environmental groups working cooperatively to raise funds in the workplace and to educate an almost entirely new group of New Yorkers about protecting and preserving New York State's environment.

The Adirondack Council is a founding member and holds a seat on the board of directors. Like other workplace fundraising campaigns, such as United Way, EFNY's goal is to provide employees with a convenient means of helping to improve their communities. Money raised by EFNY goes to environmental organizations.

If you are in a position in your company to initiate an alternative fund such as EFNY's, please contact Donna Beal at the Adirondack Council's Elizabethtown office at (518) 873-2240. Donna will be happy to work with you and your staff to implement a workplace fundraising campaign.

## To Our Members: Thank You

The Council wishes to express special thanks to all members who responded to our annual telephone fundraising campaign. Your donation to this appeal will help the Council continue our day-to-day work to protect the Park. This campaign will continue until mid-December.

## Your Advocacy Needed

**Today, more than ever**, the Adirondack Council needs you to join our Statewide Activist Network Program. Carry your membership one step further by getting directly involved in the fight for Park protection.

**Why is it important?** Each new activist adds to our influence in the Adirondack Park, the State Legislature and in Congress.

**What does it take?** It takes commitment and a little bit of your personal time to become an activist. We provide you with the necessary information and show you the most efficient ways to communicate the need to protect the Park. Our activists write letters, make phone calls or personal visits to policy makers and speak out for the Park at public hearings. It's that simple.

**How do I learn more?** Just call Lisa M. Genier at (518) 432-1770 or Cindy Monty at (800) 842-PARK or send enclosed postcard and we will send you more information on the Council's Statewide Activist Network Program.

## Forest Legacy Funded

In late October, the U.S. Congress reaffirmed its commitment to protect the Northern Forest Region (including the Adirondack Park) by approving another \$7 million for the Forest Legacy Program. Forest Legacy provides money for forest land protection, with special emphasis on protecting both the environment and jobs. The appropriation brings the total federal funds available for conservation easements and other protection measures to more than \$20 million. One Adirondack project is already slated for the Town of Indian Lake, Hamilton County. **See related story on pages 10-11.**

## Gorilla Blessing

Poet and Council member Howard Nelson has recently published a book of poems entitled Gorilla Blessing honoring Dian Fossey for her work with Mountain Gorillas in Africa. The book is also a tribute to Howard's experiences in the wild Adirondacks, featuring several works with Adirondack Park settings and themes. Proceeds from sales of the book will be donated to the Digit Fund, founded by Dian Fossey, and to the Adirondack Council. The book sells for \$5 and is available from The Falling Tree Press, R.D. #4 Box 121, Moravia, NY 13118.

## Craft Map

The Adirondack North Country Association has published an Adirondack "Craft Trail Map." The map includes a description of every business offering Adirondack hand-made goods and its location, in a handy, county-by-county format. For a free copy, send a self-addressed, stamped (29-cent) envelope to: ANCA, 183 Broadway, Saranac Lake, NY 12983.

**On the cover:** Recent construction of this bridge by the Finch, Pruyn Paper Company across an otherwise unbroken stretch of the upper Hudson River raises concerns about the priorities and permit processes of the Adirondack Park Agency and the Department of Environmental Conservation. APA failed to notice the project in the state's Environmental Notice Bulletin as required by law and held no public hearings on the project. Photo: Gary Randorf



*The Adirondack Council*

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Dear Members and Friends,

The past year has been one of progress and accomplishments in our efforts to preserve and protect the lands and communities of the Adirondacks. John Collins, Chairman of the Adirondack Park Agency, recently announced that backlogs for permits, jurisdictional determinations and wetlands assessments have been cut dramatically as a result of the increased budget and staffing approved by the legislature last spring. The Council played a key role in gaining this increase.

Immediately after the passage of the historic Environmental Protection Act, the Adirondack Council went to work to secure commitments from the Cuomo Administration that high priority projects like the Heurich property and Morgan property would be secured using monies from the new fund. The Adirondack Council will continue to work to promote state policies that encourage private stewardship of such important areas as Follensby Pond and Whitney Park and at the same time we will work to guarantee that the state is ready to act when opportunity knocks in the form of a willing seller.

As you read this newsletter, you will see that the Adirondack Council has a full agenda for 1994. With the celebration of 100 years of "forever wild" protection for the public lands of the Park, we will focus on the way the state manages the almost 2.5 million acres of Forest Preserve lands in the Adirondacks. Issues range from over-use of trails to closure of roads in sensitive areas, mountain bikes, snowmobiles and railroads as well as the activities of the Olympic Regional Development Authority. We will also focus on comprehensive legislation to protect the shorelines and backcountry of the Adirondacks. In addition, we will monitor the legislative study of the 480 and 480-a timber tax abatement programs, advocating that these programs reimburse local communities for lost taxes and that they be improved to ensure that sensitive resources are truly protected. We will further work with local residents toward the goal of thriving and sustainable communities in this vast protected landscape.

Thanks for your continued enthusiasm and support as we work together to shape the future of the Adirondacks. Happy holidays.

Sincerely,

Timothy J. Burke  
Executive Director

### Welcome New Members

For some of you, this is your first copy of the Adirondack Council's Newsletter. We hope you enjoy the informative articles and the up-to-the-minute reporting on issues which affect the Park's future. Thank you for adding your

voice to ours in the effort to preserve and protect the Adirondack Park for the future. If you have any questions or comments about the articles in this edition or about the Council's work, please feel free to drop us a line.

### Moving?

Please send us your new address so we can continue to keep you on the forefront of the effort to preserve the Adirondack Park with Newsletters, Action Alerts and special publications like the annual State of the Park Report.

# Forever Wild for 100 Years

## Centennial Celebration for World's Strongest Forest Protection Law

In 1994, New York will celebrate the 100th Anniversary of the creation of the world's strongest and longest-lasting environmental protection law: The Forever Wild Clause of the New York State Constitution.

"Forever Wild" means exactly what it says. In the Adirondack Park, it means that roughly 2.5 million acres of publicly owned lands are to be forever kept in their wild state, never to be leased, sold, logged or the timber destroyed or removed by anyone -- forever. The only way this provision can be changed is through a constitutional amendment.

New York's Forever Wild constitutional protection predates the Federal Wilderness Act by 70 years. Not surprisingly, much of the thinking that resulted in the Federal Wilderness Act was carried out in an Adirondack cabin overlooking the Siamese Ponds Wilderness, just outside Bakers Mills (by Howard Zahniser). But the Forever Wild Clause was a completely new idea for the time -- an invention born of necessity.

In the years preceding 1894, a number of events took place which led the people of New York to seek better protection for the natural resources of the Adirondacks. Irresponsible logging and the wildfires and erosion that followed, coupled with over-hunting, destruction of fisheries and other unsustainable activities in the Adirondacks, were damaging the state's water supply and causing widespread devastation. Several species, including the wolf, cougar, beaver and moose, had disappeared from the Adirondacks.

For the first time, the public, which had begun to vacation in the Adirondacks, recognized that irresponsible land-use could directly affect them.

In 1885, the State Legislature reacted to economic and environmental concerns by enacting the law that created the Forest Preserve. However, this law did not prohibit timber harvesting on Forest Preserve parcels and damage to the Preserve continued. Unhappy with the prospect of continued damage to the Adirondacks, the state electorate took matters into its own hands by sending delegates to the 1894 Constitutional Convention with the express intent of placing the Forever Wild law under the iron-clad protection of the State Constitution.

From that point forward, the Forever Wild protection of the Forest Preserve could not be changed without the direct

approval of the people at the voting booths -- and only after two successive Legislatures had proposed and approved a change.

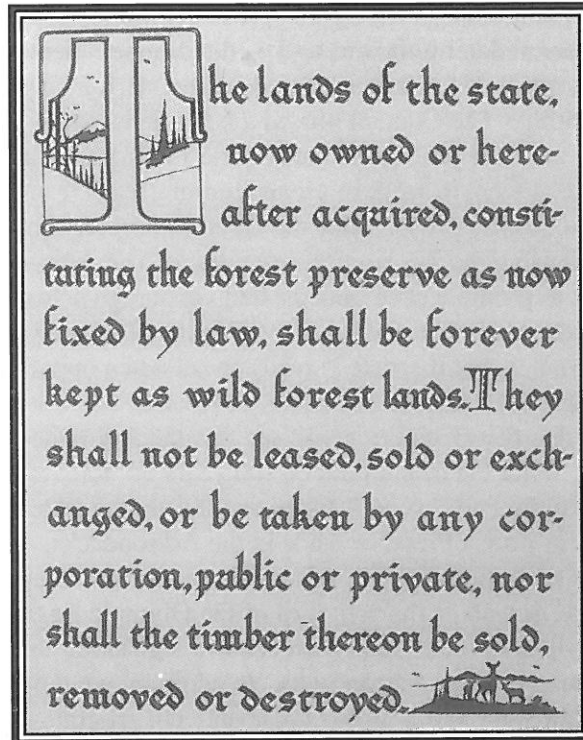
More than a dozen amendments have been approved since the Forever Wild Clause was created, but all were very specific in limiting the amounts and types of activities that

could occur outside the parameters set by Article XIV. In some cases, the amendment removed land from the Forest Preserve but replaced it with a larger, more important parcel.

Attempts to weaken the clause's protection for the entire Forest Preserve were proposed in 1902, 1903, 1915, 1916, 1918, 1928, 1938, 1954, 1957, 1959, 1962, 1963, 1974 and 1977 through 1992. All were defeated. In fact the 1938 Constitutional Convention saw 14 separate amendments proposed and rejected. In the end, the only change made in 1938 was to renumber the clause from Article VII Section 7, to Article XIV Section 1.

Today, the Adirondack Forest Preserve stands as the largest collection of protected public lands east of the Mississippi River. The Forest

Preserve provides a critical balance to the use and conservation of the Park's private resources. Since the Park is half-public/half-private, the Forest Preserve provides essential untouched habitat directly adjacent to private, logged forests. The combination of both landscapes makes the Park one of the most biologically diverse areas in the Northeast. In addition, the Forever Wild Clause has helped preserve more than 100,000 acres of ancient "old growth" forest in the most populated region of the United States.



Assn. for the Protection of the Adirondacks

### THANK YOU....

For helping to build the Adirondack Council's Forever Wild Endowment Fund.

We have already received nearly \$30,000 in gifts from generous members. This releases an equivalent amount in matching funds from an anonymous donor.

Thank you for your lasting contributions to the future of this incomparable place. With your support, the Adirondack Council will continue to protect the incredible wild resources of the Adirondack Park for the next 100 years.

# Adirondack Wilderness Featured in Norway



*In the mountains above Tromsø.*

Adirondack Council Senior Counselor Gary Randorf traveled to Tromsø, Norway, this fall to help present a report on Adirondack Wilderness to an international gathering of wild lands experts at the Fifth Annual World Wilderness Congress.

Along with Professors Thomas Pasquarello of SUNY-Cortland, and Robert Buerger of University of North Carolina at Wilmington, Randorf presented a paper and slide show entitled "Wilderness and the Working Landscape: A Case Study of the Adirondack Park."

The paper was one of several presented at a symposium co-convened by renowned wilderness expert and author John C. Hendee of the University of Idaho, and Vance Martin, President of the International Wilderness Leadership Foundation. Randorf was very well received by an interested and questioning audience.

Hendee praised the Adirondack slide show and lecture, saying it was relevant to challenges faced by governments around the world. "This is especially true as wilderness advocates and managers recognize that they need the help of local people to preserve open space and essential habitat," Randorf said.

At several of the symposia held in Norway, speakers noted that conflicts arise when governments try to protect natural areas where private property is also affected. With input and management assistance from local residents, however, a true partnership can be forged. Both the economy and the environment can improve. The challenge is to overcome the "Us vs. Them" mentality, which can develop when local residents, environmental advocates and government officials stop talking to one another.

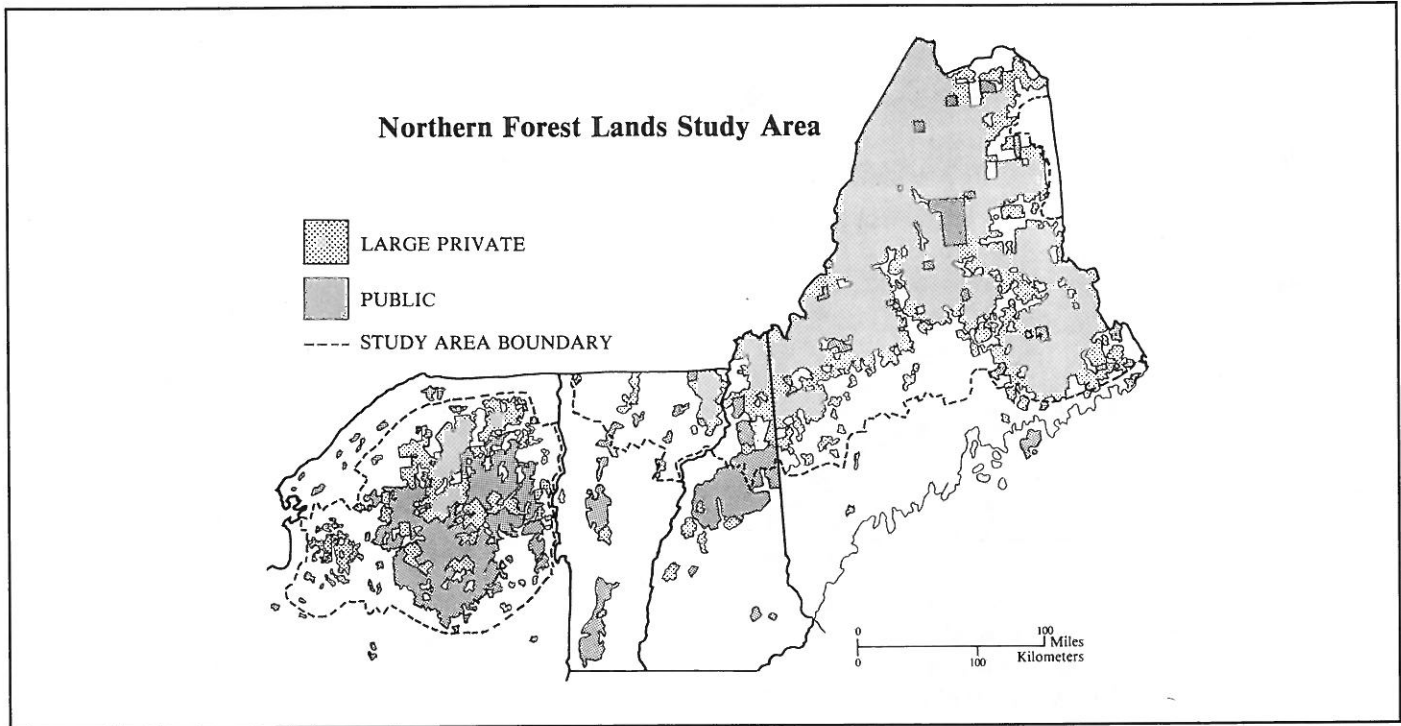
Hendee assured the Adirondack team they would be invited to share the presentation with experts attending wilderness conferences in the United States as well.

After the World Wilderness Congress ended, Randorf discovered that the residents of Norway and the Adirondack Park were facing many of the same challenges in managing the environment and the economy. In Norway's first National Park Center east of Stryn, there was a visitor interpretive

program much like those run by the Adirondack Park Agency at Paul Smiths and Newcomb. Each offered a movie, exhibits, interpretive walks, publications, and general area information. From this information, he learned:

- Norway suffers from acid rain. Like New York State, Norway's own emissions of sulphur dioxide have been reduced by over 50 percent since the early 1970s. Long-range transport, however, via weather patterns from Russia has caused forest damage in the north, and in the south, pollution emissions from Germany, the United Kingdom and other upwind countries have critically acidified more than 1,500 lakes (compared to about 300 Adirondack lakes critically acidified by air emissions). Ninety percent of all acid rain in Norway comes from abroad.
- Norwegian National Parks have only existed since the 1970s -- the same time the Adirondack Park Agency and Land-Use Master Plan were created. Many, if not all, of Norway's parks encompass private lands. Unlike the Adirondacks, however, any activity which significantly affects or changes the environment is forbidden. As a general rule, traditional activities such as animal grazing, keeping reindeer, gathering berries, hunting and fishing may continue.
- Norway has established that the overriding goal of environmental and economic development policy is to promote sustainable development, both nationally and globally. Sustainable development involves the responsible use of renewable resources to create high-quality products and long-term employment, allowing both the environment and the economy to benefit at the same time. As part of the strategy, Norway points to its vast, unpopulated tracts of forests and mountains, which offer Norwegians greater access to pristine natural surroundings than people in most other countries.

# Your Action Needed Now to Help



Northern Forest Lands Study, April 1990

The Adirondack Park has been called an island of wildness in a civilized sea. When viewed from a great height, one can see that this island also lies within a larger woodland archipelago. Broken only by a few pastoral valleys and scattered communities, forestland stretches from the Tug Hill Plateau near Lake Ontario across northern New York, Vermont, New Hampshire and Maine. Known as the Great Northern Forest, this 40,000 square mile swath of open space is the largest intact remnant of the vast primeval forest that covered much of pre-colonial eastern North America.

Occupying nearly one-quarter of the Northern Forest area, the Adirondack Park mirrors the challenges and opportunities of its larger ecosystem. According to a recent study by the Northern Forest Lands Council, "The Northern Forests are of national significance and are facing a number of ever-increasing pressures from development, division of land into unmanageable parcels, recreational use, land taxes and other factors. These have significant adverse impacts on commercial forestry, wildlife habitat and other important biological features; recreational, wildland and scenic values; and the quality of life of local residents." The study further stated, "A strategy to maintain the resources and character of the area must combine innovative means of maintaining large private ownerships and their public values, promotion of economic stability, and land acquisition and protection."

Between now and mid-December, the Northern Forest Lands Council will develop recommendations for the future of the region. It will conduct a series of public meetings and offer other opportunities for you to become involved in ensuring that the values that we cherish about the Northern Forest -- natural beauty, recreational access, ecological balance, productive forests, wildlife habitat, and vigorous communities -- are protected.

We need your help to speak out on behalf of this

extraordinary legacy of wildlands and "lived-in landscapes." Everyone who cares about the Great Northern Forest -- including residents, visitors, loggers, hunters, hikers, developers and conservationists -- has a unique opportunity to avoid the polarization that has plagued other areas of our country and join together in a responsible dialogue about how to conserve the many values of this special landscape.

## Building a Sustainable Future

The Adirondack Council is a founding member of the Northern Forest Alliance, a coalition of 25 conservation organizations that has worked over the past three years to help guide the work of the Northern Forest Lands Council and to develop strategies to sustain the people, wildlife, and working woodlands of the region. As a member of the Alliance Steering Committee, the Adirondack Council played a key role in helping to develop a three-pronged plan to address the challenges facing the Great Northern Forest today. The key elements of this plan are to:

- Promote the development of strong, healthy local communities and sustainable economies that will provide good jobs for local residents, protect community values, and attract industries that are committed to long-term stewardship of forest resources,
- Establish a system of permanently protected wildlands that will provide habitat for all the region's wildlife; guarantee permanent opportunities for people to hike, canoe, hunt and fish; provide clean water, healthy forests and ensure that the vast wild places in the Great Northern Forest are bequeathed to future generations as part of our natural heritage, and

# Protect Northern Forest Region

- Ensure that healthy, sustainably managed private “working forests” and other open space lands are protected from loss through fragmentation, misuse, or speculative subdivision and development. Conservation of these open space resources yields many benefits, including protection of the region’s timber economy, providing wildlife habitat, supporting recreation and tourism-based opportunities, promoting responsible public access, and maintaining the sense of place and tradition of this unique region.

## Help Shape the Future of the Northern Forest

Help us send a strong message to the Northern Forest Lands Council, state and local representatives, Congressional delegates, and Governor Cuomo in support of actions and policies to sustain the natural and human communities of the Great Northern Forest. Use the tear-out mailer in this newsletter to add your voice to the thousands of concerned citizens now responding to the Northern Forest Lands Council’s request for feedback on its work. If you wish to join the Adirondack Council’s 1400-member Activist Network, use the accompanying mailer to indicate the ways in which you are willing to help our Northern Forest effort.

All Adirondack Council activists will receive additional information on the dates and times of public hearings which we expect the Northern Forest Lands Council to schedule throughout the region in late January, February, and early March, 1994. (See page 2 on how to obtain more information about the Adirondack Council’s activist program.) If you have specific questions about our Great Northern Forest Program, you can call or write to Mike DiNunzio, Northern Forest Program Director, at The Adirondack Council, P.O.



Northern Forest protestor in Lyndonville, NH.

Box D-2, Elizabethtown, NY 12932 (518) 873-2240.

Numerous publications produced by the Northern Forest Lands Council, covering such diverse topics as state and federal tax policies, biological resources, land conversions, and local economies, can be obtained free of charge by writing the Northern Forest Lands Council office at 54 Portsmouth Street, Concord, New Hampshire 03301, or calling (603) 224-6590.

This is a critical time for the future of the Great Northern Forest. You can be sure that the anti-environmental “wise use” forces will continue their attempts to sabotage the effort to promote sustainable natural and human communities in the region. Currently, they are marshalling their forces in opposition to what they characterize as a “grand conspiracy” to deprive them of their land and liberty. Make an effort now to familiarize yourself with the issues surrounding this debate. Shortly, you will be called upon to join with other concerned citizens to help shape the future of the Great Northern Forest.

## The Northern Forest Lands Council

As a result of the sale of nearly a million acres of land in northern Maine, New Hampshire, New York and Vermont by the Diamond International Corporation and the Coburn Lands Trust in 1988, the Congress and four state governors authorized the *Northern Forest Lands Study* and the Governors’ Task Force on Northern Forest Lands. The study assessed changes in land ownership patterns and uses in the region. The Task Force assisted this effort and developed alternative strategies to conserve the long-term integrity of the Northern Forests. Upon completion of the *Northern Forest Lands Study* in 1990, the Governors’ Task Force recommended that Congress and the Governors create a temporary advisory body to continue studying the issues. This led to the creation of the Northern Forest Lands Council and its authorization to develop recommendations for the Congress, Governors, state legislatures and local governments. The Council’s recommendations will seek to conserve and enhance the public and private values of the 26 million acre Northern Forest of Maine, New Hampshire, New York and Vermont.

The Council is guided by its mission to reinforce the traditional patterns of land ownership and use of these large forest areas, while sustaining the forest resources and the communities of the region.

Reprinted from “*Findings and Options for Public Policy Changes Affecting the 26 Million Acre Northern Forest of Maine, New Hampshire, New York and Vermont*”

Northern Forest Lands Council September, 1993

## Acid Rain

In its continuing effort to slow the destruction of acid rain, the Adirondack Council has submitted formal comments to the U.S. Senate Subcommittee on Clean Air and Nuclear Regulation objecting to shortcomings in the federal acid rain program.

The Council has been pursuing, both at the state and federal level, our concerns about the implementation of the 1990 Clean Air Act Amendments.

In its comments to the Senate Subcommittee, the Council questioned to what extent the Adirondacks will benefit from the 50 percent reduction in sulfur dioxide emissions promised by the law. Since the pollution allowance trading system operates without regional pollution limits, it is difficult to predict where emissions reductions will take place. While the U.S. Environmental Protection Agency (EPA) has predicted



substantial reductions will take place in the Midwest -- the source of most acid rain in the Adirondacks -- recent events call into question these projections. Midwest utilities are acquiring pollution allowances and some have announced that they are shelving plans to install scrubbers. Recent reports indicate that orders for scrubbers for Midwest plants are substantially lower than had been expected.

The Adirondack Council called upon Congress in its testimony to fund the EPA's monitoring program and study of regional pollution limits:

"... we urge the subcommittee to take two actions: First, ensure that EPA monitors and tracks allowance trades to determine where pollution reductions will occur. Second, recommend to Congress changes in the program to guarantee that sensitive areas like the Adirondack Park reap the full benefit of at least 50 percent reductions from upwind sources."

Meanwhile, the Council continues to advocate actions by the State Legislature and New York Public Service Commission to prevent New York utilities from selling pollution allowances to utilities that contribute to acid rain in the Adirondack Park.

## State Timber Tax Policy

As part of the agreement that created the 1993 NYS Environmental Protection Act, the Legislature ordered the Department of Environmental Conservation and the Office of Equalization and Assessment to review the current timber tax relief system and assess its impact on natural resources and local tax bases.

Tax exemptions for the owners of large lots of Adirondack forest land can be a very useful tool in protecting natural resources.

Timber lands in areas where trees grow slowly can come under a great deal of pressure from development interests. Modern selective cutting programs can sustain the yield of a forest indefinitely, but income is often sporadic.

In New York State, land values and tax assessments are based on the capacity for development, not the current use. Timberland owners often find that the income from cutting trees will not support the tax payments. When that happens, owners are faced with tough choices about the future of the land.

Tax relief can eliminate most of the pressure to subdivide and sell off attractive backcountry and shorefront lots. By avoiding that pitfall, the environment and the economy can remain healthy and stable.

However, there are some provisions in the current system that are unfair to other local property tax payers and appear to be inconsistent with state law. That is what the Adirondack Council told a panel of state officials in October.

In its testimony, the Council called for a re-examination of those policies and recommended swift action to change them before the system draws a taxpayer lawsuit.

The Council noted that it is supportive of tax programs which encourage landowners to keep their lands unbroken and undeveloped and protect healthy commercial forests.

But the Council explained that the current program gives landowners a local property tax break without reimbursing the local government for the loss in income.

Further, some landowners are receiving tax breaks on lands they are leasing to third parties for recreational purposes.



The law requires lands receiving tax breaks to be dedicated to the "exclusive use" of timber management. However, DEC's regulations allow uses "compatible" with timber management -- an interpretation the Council feels is wrong and could lead to a legal challenge.

The Council asked the two agencies to consider a number of questions, including: whether tax abatements should be adjusted to reflect income from leasing and other activities on the property; whether all open space should be taxed on its use rather than development potential; and, whether sufficient resources are available for planning and enforcement to protect pristine waters from haphazard structure siting and road building.

# State, Federal Policy Issues

## ORDA

The Olympic Regional Development Authority (ORDA) again made headlines this summer when it was found to have leased a section of Constitutionally protected Forest Preserve and allowed cutting of trees at Whiteface Mountain.

That contract with a cellular telephone company was cancelled by Department of Environmental Conservation (DEC) Commissioner Thomas Jorling, along with two other contracts. Jorling, who also serves as chairman of the board of ORDA, has initiated a reorganization of the Authority. Recent reports state that ORDA was losing between \$1-\$2 million per year. Former ORDA President Nevin (Ned) Harkness has retired and several other ORDA executives have resigned.

It is unconstitutional to lease Adirondack Forest Preserve lands or to clear trees for anything other than recreational

trails or to remove safety hazards. Before the illegal contract was nullified, nearly 40 trees were cut on Whiteface. Because the penalties have never been updated, the fine for cutting a tree on the Forest Preserve is only \$10 per tree.

Under new management, ORDA is still looking for a way to create a paved biathlon trail on its lands near the village of Lake Placid. Harkness's original plan for the biathlon trail was to simply pave the existing trail, adding bridges, rip-rap, high-intensity lighting and walls. Recognizing that such a move would be far beyond the scope of what is allowed on the Forest Preserve lands ORDA manages, the Adirondack Council notified ORDA that its plan was unconstitutional and would surely coax a lawsuit. Other environmental organizations agreed.

## Mountain Bikes

Over the past 15 years, the burgeoning sport of mountain biking has swept the nation. Mountain (or all-terrain) bicycles now outsell their road counterparts by a nine-to-one margin nationwide.

Many areas of the Adirondack Park lend themselves well to this new and growing outdoor sport. The Council has worked recently with both the Department of Environmental Conservation (DEC) and the mountain biking community to open up more than 1,000 miles of mountain bike trails on Wild Forest lands of the Adirondack Forest Preserve despite the lack of completed Unit Management Plans (UMP) for these areas. The Department's UMP process has fallen behind by several years. (A current listing of trails open to cyclists can be obtained by writing to: Adirondack North Country Association, 183 Broadway, Saranac Lake, NY, 12983.)

The heightened perception of potential for adverse impacts to Park resources brought to the fore by this new and rapidly expanding user group led to a revision in the Adirondack Park State Land Master Plan in 1986, which prohibits the use of mountain bikes in all one million acres of Wilderness lands in the Park. Enforcement of this ban by the DEC over the last seven years has been non-existent.

Recently, new regulations regarding the use of mountain bikes on State Forest Preserve lands were issued by the DEC, promising enforcement of the Wilderness prohibition beginning next spring. While the Council agrees with the amendments to the State Land Master Plan that prohibit the use of mountain bikes in Wilderness areas, questions remain about the lack of enforcement of the Plan since 1986 and the Department's management practices in Wilderness and other State Forest Preserve units.

In its comments to the DEC on the proposed regulations, the Council asked the pointed question: Why has it taken seven years to begin enforcing a law protecting Wilderness -- one of the state's most valuable and sensitive public resources? As a result of this lack of enforcement and since there are no signs marking trails "off-limits," cyclists have

become accustomed to using some old truck roads in Wilderness areas. But DEC has ignored its mandate to close the truck roads as well.

According to the Wilderness Guidelines for Management and Use contained in the State Land Master Plan, "any remaining non-conforming structures (which include snowmobile trails, roads and state truck trails) ... will be removed by March 31, 1987. The plan further states that roads and trails be closed "by logs, boulders or similar means other than gates."

Inspection of the Marcy Dam Truck Road and the Whiteface Landing Road, both in Wilderness areas near Lake Placid, shows that the roads are closed by gates and that maintenance has been done to culverts and road surfaces. Both of these truck roads have become popular for use by mountain bikers. Mountain bikers have objected to being singled out as a user group when the DEC proposes to keep them off such roads while the roads are maintained in violation of the State Land Master Plan.

Extensive use and overuse of State Forest Preserve lands is an ongoing issue. A recently circulated video featuring extreme overuse of St. Regis Mountain by a large group of hikers (numbering about 350) from a nearby group camp points up the need for better management of not only Wilderness areas, but also Wild Forest and other Forest Preserve units. We think it is past time for the Department to address overuse issues. Serious, long-lasting damage is already apparent in the more heavily-used areas of the Forest Preserve.

While the Council supports the DEC's promulgation of mountain bike regulations, it also urges the DEC to move immediately to abide by the requirements of the State Land Master Plan by barricading the Marcy Dam Truck Road and Whiteface Landing Road. The DEC should vigorously pursue opportunities to provide mountain bike access on Wild Forest lands in the Park and should address the problems of accessibility to mountain bike trails in the immediate vicinity of Lake Placid.

# Adirondack Railroad Future Still Uncertain

The future of a 118-mile railroad corridor crossing one of the most remote sections of the Adirondack Park remains uncertain after more than a year of work by a state task force and citizens advisory committee (CAC) created to explore alternatives.

The corridor is owned by the Department of Transportation (DOT) and runs from Remsen (near Utica) to Lake Placid. Along the way, it crosses Herkimer, Hamilton, St. Lawrence and Franklin counties, ending in Lake Placid, in Essex County.

The line was built in 1892, the same year the Adirondack Park was created, by millionaire and major landowner William Seward Webb. While Webb was mainly interested in a road for his luxurious personal rail car, the line was soon carrying passengers and freight. Passenger service ended in 1965 and freight in 1972. The train was briefly resurrected for the 1980 Winter Olympic Games, but soon fell idle again. Various plans have been advanced for its reuse since then.

## Citizens Committee Airs Objections

The October 14 meeting of the citizens advisory committee (of which the Adirondack Council is a member) revealed a wide gulf between the opinions of the committee members and those of state officials on the task force charged with drafting the management plan. The CAC is made up of environmental, railroad, snowmobile, historic preservation and economic development advocates from around the Park. The task force is made up of officials from the Department of Environmental Conservation (DEC), the DOT and the Adirondack Park Agency (APA).

At the CAC meeting, the Adirondack Council's main objections stemmed from aspects of the plan which call for the entire rail corridor, including the sections adjacent to Wilderness, Primitive and Canoe areas, to be used as a snowmobile trail in the winter.

Some members said they felt the plan, which includes a prohibition against train use between December and May, was deliberately designed to prove that the railroad was not feasible and that snowmobiling should be the primary winter use in the corridor. CAC members said that was not their intention when they last met with the task force. They asked that the draft management plan be changed before it is released for public comment -- either by reflecting the CAC's wishes or by removing the names of the CAC members from the plan. The task force representatives said they would try to change the report, but were unsure how top officials at the DOT and DEC would react.

## Council Concerns

Since the corridor runs alongside the St. Regis Canoe Area, the Five Ponds and Pigeon Lakes Wilderness Areas and the Lake Lila Primitive Area, the Adirondack Council testified that in those areas motorized uses other than the train were inappropriate. It is expected that rail cars would traverse the corridor no more than once per day, and for obvious reasons, would be confined to the corridor. Noise

impacts would be restricted to a narrow area, while the train could reduce the number of cars on Adirondack highways and provide both economic and educational opportunities.

The Adirondack Council has also noted that care must be taken throughout the route to protect special wildlife habitat areas, including twelve deer wintering yards, osprey nesting sites, loon nesting areas and spruce grouse habitat. Also of concern are breeding areas for northern harrier and red shouldered hawk (threatened); common raven, grasshopper sparrow, vesper sparrow, black tern, common nighthawk, upland sandpiper, sedge wren, Cooper's hawk and eastern bluebird (species of special concern).

The Council has submitted an alternative management plan for the corridor which includes banning motorized vehicles on about 40 percent of its length, while providing trails for hiking, hunting, fishing, camping, skiing and biking along various portions -- whether the trains run again or not. Most of the corridor could accommodate snowmobiles while sensitive resources would be protected. The Adirondack Council will continue to work with state agencies and other organizations to protect public and private lands along the corridor.

## Snowmobiles

Motorized vehicles such as snowmobiles are banned inside all Wilderness, Canoe and Primitive areas in the Adirondack Park (as they are on similar federal lands). While the corridor does not enter these areas, it is directly adjacent to them. Without a huge increase in law enforcement personnel -- which is very unlikely -- off-rail vehicles such as snowmobiles would have access to these areas.

Unfortunately, the Adirondack Council has discovered that the DOT has been issuing permits to a snowmobile club for the past two years to use the corridor as a trail. The Council told the DOT at the October 14 CAC meeting that it felt such permits should not continue. The Council noted that this was a major change in use for the rail corridor for which the law requires extensive public input. DOT held no hearings and never solicited comment before issuing the permits.

## Trespassing a Problem

Property owners near remote sections of the corridor have already reported an increase in trespassing and theft on private lands, snowmobiling on Lake Lila and other primitive/wilderness lakes, and other abuses.

The section of corridor between Horseshoe Lake and Beaver River is especially problematic, given the 35 miles of wild, environmentally sensitive terrain it traverses. Encouraging snowmobilers to use routes closer to towns and services would do more for the local economy and would limit environmental damage.

Snowmobile advocates estimate that 20,000 snowmobile trips would be made along the corridor each winter. Even if that number were spread over six full months, more than 100 snowmobiles would be used on the corridor every day.

# New APA Study Suggests "Suburbanization"

Members of the Adirondack Park Agency recently received the results of a new tabulation of data by Agency Director of Planning John S. Banta, reviewing 25 years of seasonal and permanent residential growth within the Park. Utilizing updated tax information, the study examined one and two family residential structures on individual lots (i.e. not subdivisions of land).

Perhaps the most significant trend for the period from 1987-1992 suggests that many residential structures in Hamlet areas are being converted to other uses (commercial, etc.) or abandoned. This may suggest a "suburbanization" of some Park towns with a shift in residential growth patterns to the Low Intensity and Rural Use areas.

The study showed that growth is unevenly distributed and is concentrated in the Northway (Route 87) corridor, the Tri-Lakes region and the Fulton Chain of Lakes, with substantial growth along the Park's southern fringe as well. Growth is concentrated, in most towns, in the Low Intensity and Rural Use land use areas. The pattern of growth does not follow the Adirondack Park Land Use and Development Plan, but rather tracks conventional market pressures associated with access and amenities.

The average rate of growth has increased by 20 percent in the past five years (from approximately 1,000 residences per year to approximately 1,200), while the pattern of permit applications before the Agency has followed the economic cycle in the North Country.

## Council Research Confirmed

The new Agency data seems to validate the concerns of the Adirondack Council in recent years, which have been examined in many of our publications. These include the facts that:

- The rate of growth in residential construction has increased (State of the Park 1990);
- Rural roadsides are under increasing development pressure (Windows on the Park: Scenic Vistas of the Adirondacks); and,
- Sound planning and the restoration of Hamlet areas is essential to prevent suburban-type sprawl (Managing Growth and Development in Unique Natural Settings).

## Council Presents Annual Awards

The Council presented its **Conservationist of the Year** award to **George Davis** during ceremonies held this summer at the Garnett Hill Lodge in North River. Davis, who authored the Adirondack Council's 2020 VISION Volumes I and II, is a MacArthur Fellowship Award winner now working on conservation planning for the Lake Baikal region in Siberia.

Other award winners and their awards include:

- **Park Heritage Award:** To **The Sagamore Institute**, a non-profit educational center located in Raquette Lake. Sagamore Institute hosted the re-creation of Ralph Waldo Emerson's 1858 Philosopher's Camp at Follensby Pond, the subject of the Park centennial public television documentary, "Adirondack: Searching for Common Ground," which the Council helped to sponsor. The documentary featured several informal roundtable discussions on the future of the Adirondack Park by an assembled group of "modern day philosophers," including conservationists, local officials, Park residents and visitors.

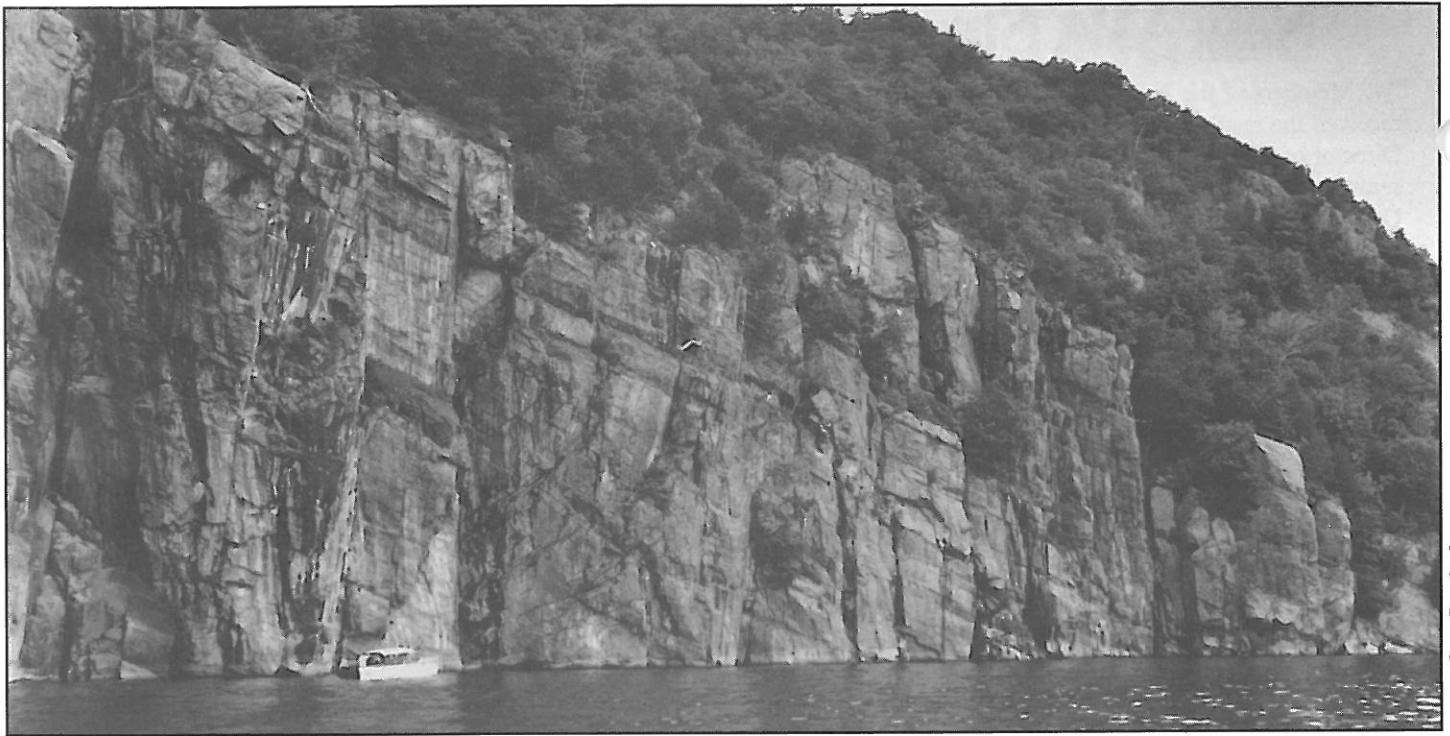
"Thanks to the Council for the 1993 Park Heritage Award: We take it as a gratifying affirmation of our institutional mission on behalf of communities, natural and human, and their essential interrelatedness," said Michael Wilson, Associate Director at the Institute. "... Our latter-day philosophers asked 'How much is enough open space,' and were inevitably led to issues of population growth, biological diversity, and the urgent need to protect biosphere reserves like the Adirondacks as life support systems for the planet."

- **Citizen Activist of the Year:** To **David Bronston** of Manhattan for playing a key role in convincing the New

York City Council to join with those calling for the Environmental Protection Fund which was passed this year by the state legislature. By working with Councilman Andrew Eristoff, Bronston helped elicit the first public resolution concerning the future of the Adirondack Park from the City Council since the Park was created in 1892.

- **Land Stewardship Award:** To **International Paper Company** for its decision to forever protect 20,000 acres of rare low-elevation boreal habitat (spruce/fir forests and sphagnum bogs), including important spruce grouse habitat and miles of Raquette River shoreline, by donating land and conservation easements to the state and a non-profit environmental group.

- **Park Communicator Award:** To **WCFE-TV, a.k.a. Mountain Lake Public Broadcasting**, in Plattsburgh, for its landmark documentary entitled "Adirondack: Searching for Common Ground," which is an historic, socio-economic, political and environmental history of the Adirondack Park followed by discussions of what Adirondack policy makers should be doing in the Park's second century. A video tape of the program can be obtained from WCFE, 1 Sesame St., Plattsburgh, 12901.



Gary Randorf

*Moments before he signed the Environmental Protection Act of 1993 into law, Governor Mario M. Cuomo addressed those who had assembled on the Heurich Estate, reaffirming his commitment to save those parcels the Adirondack Council has worked so long to protect: Follensby Pond, the Whitney Estate, the Morgan Property on Lake George and, of course, the largest undeveloped parcel on Lake Champlain, the Heurich Estate (above). The Governor recently underscored his commitment to*

*ultimate state ownership of the Heurich and Morgan properties by letter to the current owners. The Adirondack Council will continue to work closely with the Governor's office and the leadership of both the State Senate and Assembly to ensure that timely action is taken to protect all of these Adirondack jewels. On Nov. 18, the Open Space Institute purchased the Heurich Estate for resale to the state in 1994.*

# **ADIRONDACK COUNCIL**

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*A coalition of The Wilderness Society; Natural Resources Defense Council; Association for the Protection of the Adirondacks; National Parks and Conservation Association; and other concerned organizations and individuals.*

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