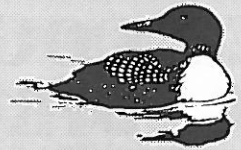




The Adirondack Council NEWSLETTER



to keep supporters informed of our activities

Vol. 10

July 1986

No. 35

CUOMO TO SPEAK AT COUNCIL DINNER AND RECEIVE CONSERVATIONIST AWARD

Governor Mario M. Cuomo will receive this year's Outstanding Conservationist Award from the Adirondack Council at its annual awards dinner at the Westport (NY) Yacht Club on July 18.

The governor will speak on the future of the Adirondacks and the need for better environmental protection at both the state and national levels.

Distinguished Achievement Awards will also be presented. (See pages 4-5.)

Kim Elliman, chairman of the Adirondack Council, will present the awards. In announcing that Cuomo is to receive the Council's top honor, Elliman noted that the Governor has "gone to bat at almost every opportunity to protect and improve the Adirondack Park."

"He has revitalized the Adirondack Park Agency and spurred land-acquisition efforts by the Department of Environmental Conservation," Elliman said. "He has promoted legislation to add Adirondack rivers to the State's Wild Rivers System. He launched a visitor interpretive program in the Adirondack Park, following years of inaction by his predecessors. And he has called for a new infusion of land acquisition funds, to be raised through an Environmental Quality Bond Act, to help round out the publicly-owned Adirondack Forest Preserve and permanently protect the natural character of the entire Park."

This will be the Council's third annual awards dinner. Previous winners of the Outstanding Conservationist Award were Clarence A. Petty and Paul Schaefer.



An Adirondack Conservationist from Queens

THANK YOU!

Members have responded to the Council's latest fund-raising appeal, mailed in late May, with nearly \$10,000 in contributions. This is the most enthusiastic response to any fund appeal in our 11-year history. Please accept our heartfelt thanks for your generosity—which enables us to carry out the kinds of activities described in this NEWSLETTER. And please consider sending us a much-needed contribution if you haven't already done so.

BOND ACT OKAYED

The State Legislature has passed the 1986 Environmental Quality Bond Act with the land-acquisition component intact. Of the \$1.45 billion to be raised in the bond issue, \$250 million will go primarily for the purchase of new public lands and the acquisition of conservation easements on key private tracts.

The Adirondack Council and its letter-writing members have been instrumental in the success of the bond act so far. We'll keep you posted on the final, critical steps in the process: (1) securing approval by the voters in November and (2) earmarking sufficient funds for the Adirondack and Catskill Parks.

A Victory for Natural Tranquility**U.S. COURT UPHOLDS BAN ON MOTORS
IN ADIRONDACK WILDERNESS AREAS**

Upper-case Wilderness, and the natural tranquility it provides, scored an impressive national victory in May.

A court challenge to the concept of publicly designated and protected Wilderness, where motorized recreation is prohibited, was dismissed by U.S. District Court Judge Neal P. McCurn in a ringing affirmation of the Adirondack Wilderness System.

Eleven disabled persons and four charter pilots had sued the NYS Department of Environmental Conservation to gain permission to fly into areas of the Adirondack Park classified off-limits to motors. The plaintiffs charged discrimination and a violation of their constitutional rights.

Intervening in the case were the Adirondack Council, American Wilderness Alliance, Sierra Club, Wilderness Society, Adirondack Mountain Club, and other conservation groups.

In dismissing the suit, Judge McCurn declared that "the handicapped have meaningful access to the Adirondack Park as a whole. Motorized vehicles, vessels and aircraft are permitted in most of the Park. Over 51% of the (public) Park land is classified as Wild Forest, which does allow the use of motorized vehicles and float planes. Eighty-three percent of the publicly-usable Adirondack lake/pond surface is open to motors.

"Many of those areas where such use is largely prohibited, that is, certain Primitive and Canoe areas, are accessible through use of nearby roadways. The only

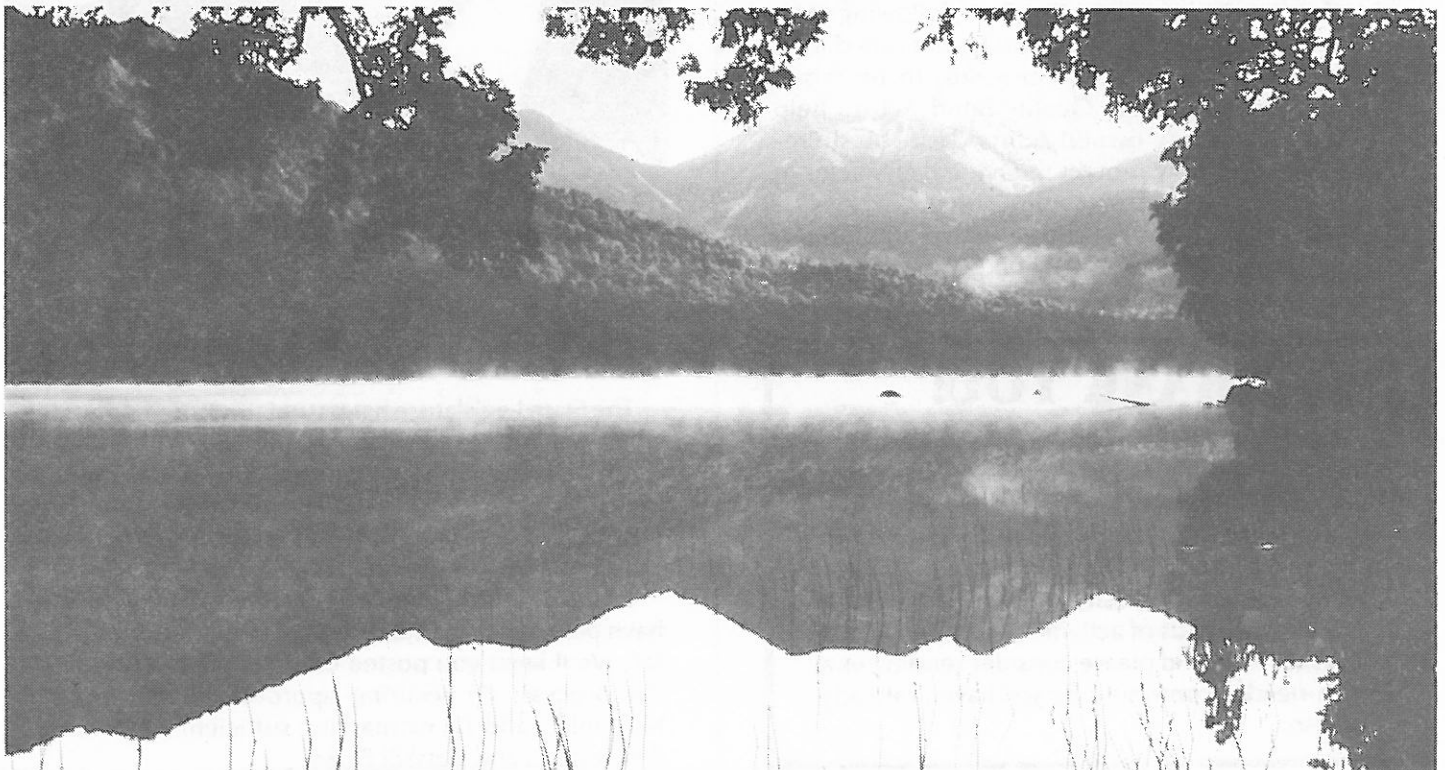
areas the handicapped may find extraordinarily difficult to reach are those designated as Wilderness.

"The provisions of the 1972 State Land Master Plan for the Adirondack Park pay homage to the State's foresight in preserving the integrity of its undeveloped lands. It is clear that any use of motorized vehicles, vessels or aircraft would be inimical to the nature of these areas.

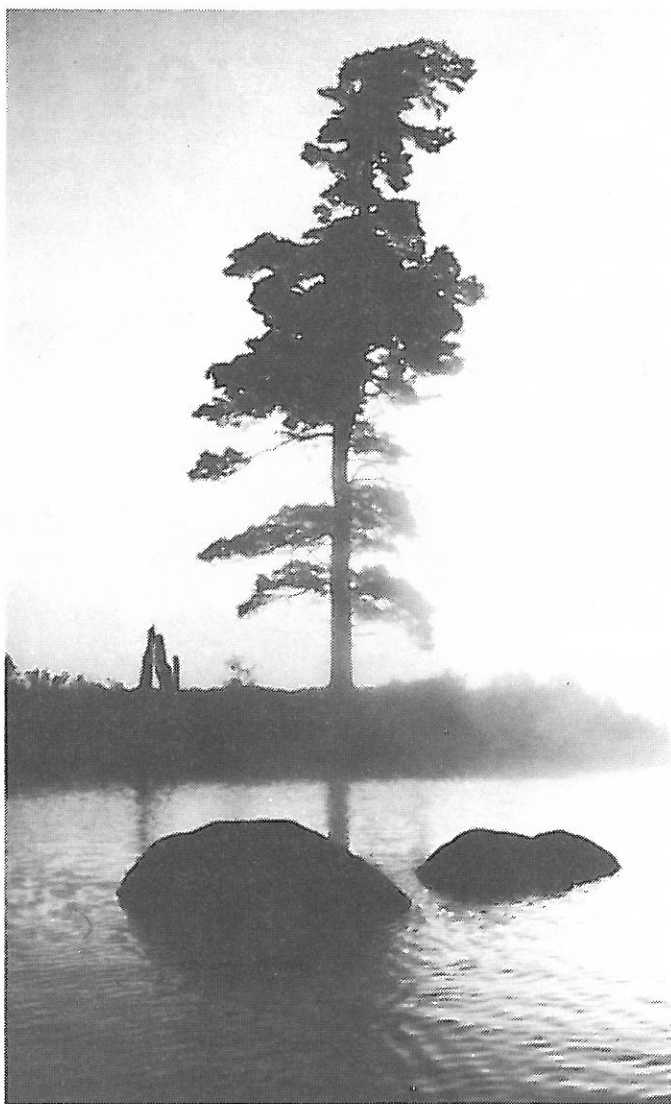
"The right to use motorized vehicles, vessels and aircraft in the Wilderness is not a fundamental right. . . the ban on the use of motorized transportation is clearly not an arbitrary limitation imposed by an unthinking body of lawmakers. The plan governing management of the Adirondack Park and the regulations adopted in accordance with its guidelines are the result of extensive study and debate. The court finds that the challenged restrictions are reasonable and a legitimate state interest. . . (that is) the State's interest in preserving its undeveloped lands in their natural, unspoiled condition. . . ."

One of the plaintiffs was Donald Bird, a charter pilot from Inlet. Bird denounced the decision and insisted that the State was being unfair by designating certain areas as Wilderness. "To promote an area only for hikers is just not consistent," he said.

Wilderness advocates, on the other hand, hailed the decision as a major victory in the unending battle to maintain Wilderness remnants in the Adirondack Park and elsewhere.



Gary Randorf



Gary Randorf

Who Uses Wilderness?

In response to Adirondack newspaper columnist Bill Roden, who echoed Donald Bird's complaint (see story on opposite page) that Wilderness is used only by hikers, the Adirondack Council wrote as follows to the newspapers that carried Roden's column:

"This view is wrong because it is based on the bizarre assumption that if you can't drive into Wilderness you can't use it.

"Yet anyone who knows how to walk (if only a mile or two), paddle a canoe, row a boat, or ride a horse, can use it. Hunters and fishermen can use it—and many do. Folks who enjoy being in a natural setting away from jeeps, motorboats, and all-terrain vehicles can use Wilderness for picnicking, rafting, cross-country skiing or fishing beside a quiet stream or lake. They can use Wilderness for studying nature, and for scientific research on the functioning of natural ecosystems. They can use it for thinking and relaxing and experiencing true peace and solitude.

"The land classified as Wilderness in the Adirondack Park is just about the only publicly-owned land in the Northeast where a person can be sure of finding this natural tranquility. It is about the only place left where one can escape the sound, sight and smell of the internal combustion engine. It is this state-designated Wilderness that makes the Adirondack Park unique—and which will increasingly be a magnet that attracts people here."

'WILDERNESS' AS DEFINED BY STATE LAND MASTER PLAN

There are 16 tracts of Adirondack Forest Preserve, totaling about one million acres, classified as Wilderness by the Adirondack Park State Land Master Plan. The Plan defines Wilderness as follows:

"A wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man—where man himself is a visitor who does not remain. A wilderness area is further defined to mean an area of state land or water having a primeval character, without significant improvements or

permanent human habitation, which is protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least ten thousand acres of land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic or historical value."

"There is just one hope of repulsing the tyrannical ambition of civilization to conquer every niche on the whole earth. That hope is the organization of spirited people who will fight for the freedom of the wilderness."

ROBERT MARSHALL

Adirondack Achievers

Each year at its annual dinner, the Adirondack Council presents Distinguished Achievement Awards to individuals and government entities "whose actions have benefited the Adirondack Park through preservation or compatible use and development of the Park's resources."

This year's recipients are:

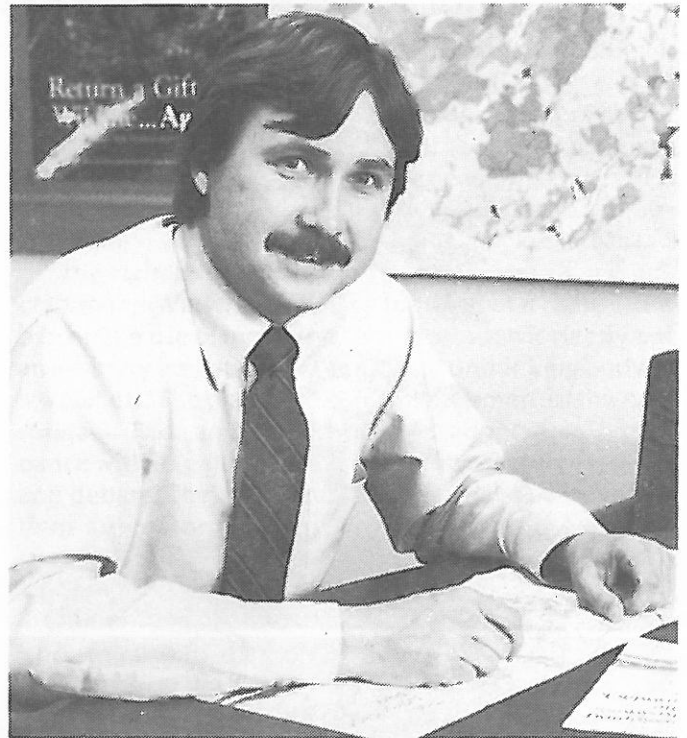
Edith C. Mitchell, Blue Mt. Lake, for stimulating compatible economic activity. Mitchell has encouraged the development of arts and crafts in the Adirondacks through her teaching, her extensive voluntary leadership in government and citizen organizations, and by operating her own successful arts and crafts outlet, Blue Mt. Designs. She is also a quilt-maker of national reputation.

Norman J. VanValkenburgh, Director of Lands and Forests for the NYS Department of Environmental Conservation, for outstanding public service. VanValkenburgh has devoted much of his 32-year career to pursuing land acquisitions that have consolidated and better protected the Adirondack Forest Preserve. He will be retiring from government service this summer.

Carl G. Hathaway and **Ralph Morrow**, Saranac Lake, for perpetuating an Adirondack art and tradition begun in the mid-19th century. Both men are skilled builders of Adirondack guideboats and have, through their work and teaching, inspired a new generation to learn these skills and carry on this tradition.

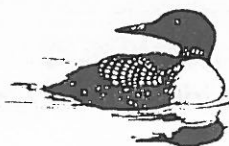
Joan Payne and **Susan H. Beck**, Eagle Bay, for their leadership in educating the public on the natural and human resources of the Adirondack Park. Through their "Adirondack Discovery" program they have provided a forum and focus for cultural, historical and ecological issues. To commemorate the 100th anniversary of the Adirondack Forest Preserve, Payne and Beck organized more than 130 free educational activities in five different locations in the Park.

Thomas A. Ulasewicz, Executive Director of the Adirondack Park Agency, on behalf of the Agency's staff and commissioners, for producing a series of readable, well-illustrated publications explaining the Park's resources and the means of protecting them. Publications include "Citizen Guides" to the Park's rivers and roads, lakes and wetlands, forestry and Forest Preserve, community planning and land-use regulations.



Alan Cederstrom

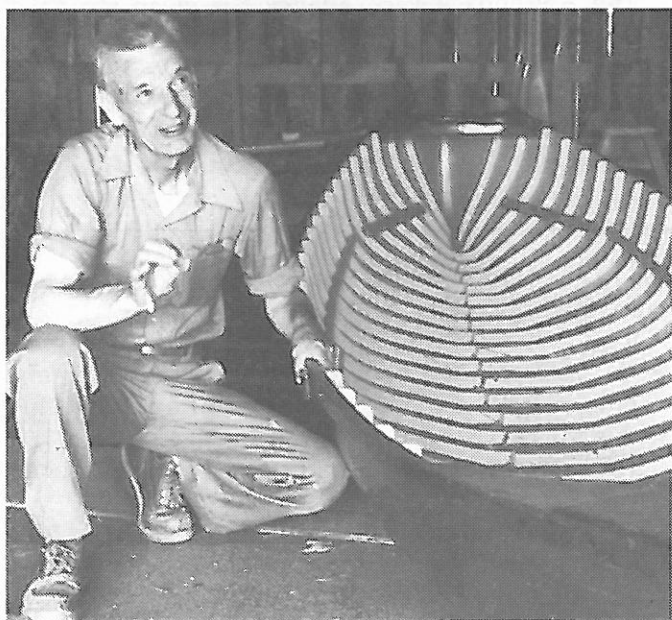
Pictured above is **Tom Ulasewicz** at his APA post, and **Edith Mitchell**, below, at work on a quilt.





Alan Cederstrom

Pictured on this page are boat builders **Carl Hathaway** (left) and **Ralph Morrow** (lower left); **Norm VanValkenburgh** (below), in his office; and way down below, **Susan Beck** (left) and **Joan Payne**, on a dock.



Alan Cederstrom



Alan Cederstrom

COUNCIL ADVOCATES NON-CHEMICAL CONTROLS TO COMBAT WATERMILFOIL

Eurasian watermilfoil (commonly shortened to just plain milfoil) is a messy, fast-growing weed that grows on shallow lakebottoms, and in recent years it has appeared in Dunhams Bay and other parts of Lake George.

Expressing alarm, the Lake George Association, an organization of property owners, called for immediate use of Sonar, a chemical herbicide, to kill the invading plant. But others, including the Adirondack Council, have urged that alternative controls be considered.

"The movement of milfoil into Lake George is reason for concern," stated Gary Randorf at a public hearing on the problem. "But a cool head and careful evaluation of what could and should be done is in order. The Adirondack Council applauds the involved state agencies (DEC and APA) and the Governor's office for subjecting the matter to careful scrutiny in spite of the near-hysterical public outcry that is placing enormous pressure on the State to declare the situation an emergency, allow applications of chemicals, and pay short shrift to the environmental and health concerns."

"Although the chemical proposed for use apparently has in its testing so far proven to be safer than others

proposed for use, its application directly into water (drinking water at that!) calls for caution and skepticism."

The Council located an expert on milfoil control in Washington State who has successfully used a "benthic screen"—a tough, plasticized matting placed on the lake bottom—to restrain the growth of the plant. C.M. "Bud" Girtch, Director of Operations for the Seattle Department of Parks and Recreation, testified on the effectiveness of benthic screens.

"Due to concerns about the potential for adverse impacts on humans and their environment," Girtch stated, "the Seattle government has not and does not use herbicides to kill aquatic vegetation. This policy has not prevented us from implementing an effective milfoil control policy using non-chemical methods."

The Adirondack Park Agency has given the Lake George Park Commission a permit to use benthic screens. Following additional hearings, in which the Council will remain actively involved, the State will decide on whether or not to permit the use of chemical controls.

COURT UPHOLDS APA PESTICIDE JURISDICTION

At least one chapter in the otherwise dismal saga of the Sagamore development on Green Island in Lake George has ended on a happy note for conservationists. The State Supreme Court has ruled that a decision by the Adirondack Park Agency, which prohibits the use of dangerous pesticides on the golf course associated with the development, shall stand.

The sad story of Green Island began several years ago when a younger and laxer Adirondack Park Agency granted a zoning change that opened up this largely-natural island near Bolton Landing to intensive condominium development. After winning the zoning change, the developer, Green Island Associates, proceeded to ignore or challenge those APA restrictions that still applied: the limitations on lakeshore tree-cutting (which the developer violated) and the APA regulations on pesticide use (which the developer contested).

In 1985, a more diligent Park Agency reviewed a request by Green Island Associates to use 22 pesticides, many of them harmful to wildlife and potentially dangerous to people, on its golf course within 200 feet of wetlands—an area of APA jurisdiction. Based on the latest scientific data, the Agency approved the use of three chemicals but denied use of the remaining 19.

Green Island Associates challenged the decision, declaring that the Agency had exceeded its jurisdiction.

On May 8, State Supreme Court Justice Thomas E. Mercure ruled against the developer.

It is "ludicrous," the court stated, "to argue that the APA... is prohibited from regulating the use of potent chemicals in or adjacent to ecologically fragile wetlands within the Park."

The Adirondack Council participated as an intervenor in the case.

"It was a significant decision," said Gary Randorf, the Council's executive director. "A victory for the developer would have established a terrible precedent for Lake George and the entire Adirondack Park."



ONE MAN'S FOREVER WILD

An exhibition of 40 color prints by Gary Randorf is being featured this year at the Adirondack Museum in Blue Mountain Lake Village. The exhibit is entitled "One Man's Forever Wild—A Photographic Celebration." This is quite an honor for Gary, as he is only one of two living photographers (the other being Eliot Porter) to be exhibited at this prestigious museum. His photographs have frequently appeared in Adirondack Life Magazine and in the various publications of the Adirondack Council, for which he serves as executive director.

COUNCIL WORKS TO 'GET OUT THE WORD'

The Council's staff devotes many hours each week to working with the news media, encouraging newspaper editorials in support of Adirondack preservation, and responding to published misinformation.

A typical example of the Council's efforts to explain and clarify appears below. In April, the *Syracuse Post-Standard* ran an editorial urging that adequate funds for Adirondack land acquisitions be included in the 1986

Environmental Quality Bond Act.

A representative of the forest products industry responded to the editorial on the "Reader's Page," expressing concern that further public acquisitions would be detrimental to forestry in the Adirondack Park.

Our response to that response is reprinted below as it appeared in the *Post-Standard*. It was accompanied by an evocative photograph of the High Peaks.

Securing a Magnificent Heritage

By RICHARD BEAMISH

In his commentary of May 3 ("Forever Is a Long, Long Time"), Joseph S. Kutsko criticized *The Post-Standard* for an editorial supporting a provision of the 1986 Environmental Bond Act that would raise funds for the acquisition of additional public land and for conservation easements on some private land in the Adirondack Park.

Mr. Kutsko disputed the statement that "The preservation of the Adirondacks ensures the preservation of the existing wood and tourist industries." He also asserted that the state seeks "to make the entire Adirondack Park 'forever wild' and forever unproductive in meeting our wood needs."

Mr. Kutsko is misinformed about the state's intentions and the purpose of the Adirondack acquisition funds. It is true that any land purchased directly by the state within the Adirondack Park must, by law, become part of the publicly-owned Adirondack Forest Preserve. And no trees can be cut in this preserve. It must, under the state Constitution, remain "forever wild."

Some of the bond act funds will, indeed, be used to purchase key private lands to be incorporated into the Preserve due to their outstanding value for wildlife habitat, recreation and watershed protection, and because they are needed to consolidate fragmented public holdings. As things now stand, some of these critically important tracts could be subdivided and privately developed at any time; if this occurs, the natu-

ral character of the Adirondacks will be sadly diminished.

But about half of the new Adirondack acquisition funds will be used by the state to purchase not the land itself but conservation easements on the land, thus leaving these open-space holdings in private ownership.

WHEN the state purchases a conservation easement, the owner sells some or all of his development rights. But such rights as timbering, growing crops and the like are often retained.

Conservation easements benefit the public by providing public access to rivers and streams, by protecting wildlife and preserving scenic roadsides, and by safeguarding the overall natural beauty that makes the Adirondack landscape unique in the world. These easements can also serve to protect and perpetuate the wood-products industry in the Adirondacks. Not only may timber companies be paid an average of \$100 an acre for their development rights; they can continue timbering operations. And their property taxes will likely be reduced, reflecting present and potential use of the land. Many timber companies are being taxed out of business in the Adirondacks and elsewhere. Conservation easements can help to give the timber industry a new lease on life.

Mr. Kutsko raised the question: "How much forest preserve is really enough?" Clearly the state neither wants nor could ever afford to own the entire Adirondack Park. What is needed, if lasting protection is to be

achieved, is something far more desirable and affordable. It will require a total expenditure during the next few decades of \$300 million.

According to a study by the Adirondack Council, a citizen conservation group, \$100 million will be needed to acquire about 500,000 additional acres of private lands. This would increase the public Forest Preserve from 2.5 million acres today to 3 million acres eventually, or half of the entire Park.

An additional \$200 million will be needed to acquire conservation easements on about 2 million privately-owned acres, thus protecting the Park's scenic, open-space character in perpetuity. At the same time, conservation easements will ensure continuation of such present uses as forestry, farming, hunting, fishing and other outdoor recreation.

The 1986 Environmental Bond Act, now awaiting approval of the state legislature before it can go to the voters in November, will move us in this direction. It's hoped that the act will raise at least \$100 million for Adirondack land and easement acquisitions over the next 10 years.

It is a tribute to the foresight of our ancestors that we have, in the Adirondack Park, lands as diverse and beautiful as any in the nation. With an infusion of new acquisition funds we can begin now to permanently secure this magnificent heritage for future generations.

(Beamish is a representative of the Adirondack Council. He lives near Saranac Lake.)

BOB MARSHALL WILDERNESS PLAN THREATENED

The state-owned Wilderness Lakes Primitive Area is a key link in creating the Adirondack Council's proposed "Bob Marshall Great Wilderness" in the western Adirondacks. Yet this magnificent 6,676-acre primitive area is being ravaged by indiscriminate logging as you read this.

How can this Forest Preserve land be logged when the State Constitution prohibits the cutting of trees on Forest Preserve? Because the Department of Environmental Conservation, when it purchased the lake-studded property for the people of New York State, allowed the previous owner to retain his timber rights

until 1990! Adding insult to injury, the Department *required* the previous owner to construct 12 miles of gravel roads even though such incompatible development will reduce the value of this public land as Wilderness.

What can you do to curb this outrage? You can write Commissioner Henry G. Williams, 50 Wolf Road, Albany, NY 12233 and express your concern over the destruction of the Wilderness Lakes Primitive Area. Urge Commissioner Williams to *immediately* use his power of eminent domain to buy the retained timber rights and halt all logging and road building on your Forest Preserve.

LOON WITH YOUNG (below): A limited edition of 750 fine art prints of the watercolor cover from the Adirondack Wildguide are being offered for sale by the artist. Prints are \$50 each, measure 29 x 15 inches, and are printed on archival quality paper. Sample cards are available. Write Anne E. Lacy, Box 465, Westport, NY 12993.



The Adirondack Council

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

July 1986

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

EXECUTIVE DIRECTOR: Gary A. Randorf PROGRAM DIRECTOR: George D. Davis
COMMUNICATIONS DIRECTOR: Richard Beamish ADMIN. ASST.: Donna Beal

OFFICERS:
Chairman Kim Elliman Vice Chairman . . . Frances Beinecke
Vice Chairman . . . Arthur M. Crocker Secretary Dean Cook
Treasurer Timothy L. Barnett

BOARD OF DIRECTORS:

Timothy L. Barnett	Marilyn M. DuBois	George R. Lamb
Frances Beinecke	Edward A. Earl	Richard W. Lawrence, Jr.
Peter A.A. Berle	Lynne T. Edgerton	James Marshall
Richard Booth	Kim Elliman	Frederick O'Neal
Thomas Cobo	John Ernst	Clarence A. Petty
Dean Cook	Barbara Glaser	Paul Schaefer
Arthur M. Crocker	William T. Hord	David Sive
James C. Dawson	Harold A. Jerry, Jr.	Francis B. Trudeau

Contributions are tax-deductible.

A copy of the latest financial report filed with the New York Department of State may be obtained by writing: New York Department of State, Office of Charities Registration, Albany, NY 12231 or The Adirondack Council.

U.S. Postage
PAID

BULK RATE
PERMIT NO. 40
Elizabethtown, NY
12932