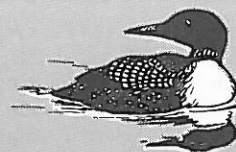




The Adirondack Council NEWSLETTER



to keep supporters informed of our activities

Vol. 6

July 1982

No. 19

AERIAL PESTICIDE SPRAYING: COUNCIL WINS ROUND ONE

Spraying chemicals from the air to control blackflies and mosquitos in the Adirondack Park has slowed down and in some instances come to a screeching halt. The State Attorney General has advised towns deciding to fight these insects through aerial chemical spraying to conduct thorough environmental impact studies and to stop spraying until such studies have been completed. This action will give The Adirondack Council and other interested parties an opportunity to review the veracity of the impact documents and help insure that citizens and municipal officials will be better informed of the tradeoffs associated with spraying.

The State Department of Health (DOH) has also questioned the spraying and will no longer contribute to the cost of municipal spraying programs unless a sufficient health threat exists. State Health Commissioner Axelrod said, "In our view, the benefits from indiscriminate aerial pesticide spraying are outweighed by its potential adverse impacts." The Commissioner has stated further that state funding for mosquito control, which started in 1967, "is designed to be a health measure, not a nuisance-control program." Blackflies were recognized to be a nuisance, not posing any health threat.

A lawsuit initiated this May by The Adirondack Council against the State Departments of Health and Environmental Conservation, the Towns of Black Brook and Keene, and the spray applicator, spurred these actions.

The Adirondack Council had tried unsuccessfully, for well over a year, to get the DOH to reevaluate its spraying (known officially as Vector Control) program. Though the Health Department was prompted by the Council to conduct a "generic" environmental impact statement, it appeared that the DOH would continue what the Council considered to be an ill-founded action. Ill-founded because it was based on a health threat that didn't exist and consumed tax dollars for an ineffective and environmentally damaging program.

As a last resort, the Council decided to sue. The law firm of Davis and Rubino of Elizabethtown represented the Council. The Association for the Protection of the Adirondacks, High Peaks Audubon, Northern Adirondack Chapter of the National Audubon Society, Clearwater Chapter Trout Unlimited, Upper Hudson Environmental Action Committee, C.V. Bowes and David Thomas-Train joined in as co-plaintiffs. The suit brought the entire matter to the personal attention of the Commissioner of the Health Department. The factual evidence submitted by the Council prompted the DOH to scrutinize its Vector Control program and clear the air of misleading information. DOH made it known that California Encephalitis Virus, the only documented encephalitis occurring in the Adirondacks, is not a serious health threat. In its decision, DOH reached additional conclusions that echoed The Adirondack Council's long held claims, namely that:

- there is inconclusive evidence that adulticide spray

- measures are effective.

- the efficacy of aerial spraying in reducing vector populations is questionable.

- there is difficulty in limiting delivery of pesticides to target areas, especially in aerial spraying.

The recognition of the toxicity of the chemical used (dibrom-14 or Naled) is perhaps most important. For some time it has been suspected to be mutagenic and recent laboratory studies have confirmed that such is the case. Additionally, one of the affidavits submitted by the Council was from a highly respected Adirondack biologist who has observed local reductions in bird and other wildlife populations that, he concluded, resulted directly or indirectly from the spraying.

The concern and debate over spraying is not over. Some localities are expected to prepare detailed environmental impact statements and proceed to spray without aid from the Health Department. The Council will scrutinize the towns' actions closely and encourages others to do so as well. Hopefully, the Department of Environmental Conservation and the Attorney General will also be vigilant relative to the adequacy and accuracy of these impact statements. We trust that the many Adirondack landowners and others who have expressed concern about the spraying will monitor local actions by attending county and town meetings when spray programs are discussed and by closely observing spray applications. Those not wanting their properties sprayed should go on record with town boards requesting that spray not be applied, directly or by drift, to their land and waters.

Violations have and will probably continue to occur. We urge readers to report suspected violations to authorities and to the Council. As recently as early July, a spray plane was observed spraying Russian Lake in Hamilton County. This lake is surrounded by state Forest Preserve and both state land and water bodies are off limits to spraying. Earlier this summer spray was shoddily applied in the vicinity of Saranac Lake Village and spray drift pervaded Saranac Lake General Hospital, much to the chagrin of a local doctor who was at the time attending several respiratory patients.

The Adirondack Council does not oppose all insect control programs, but in this instance a better alternative is imperative. All the experts we have consulted have stated flatly that aerial chemical adulticiding is far too ineffective to justify its cost and environmental risk.

Site specific drainage programs or ground application of chemicals will be viewed objectively by the Council on a case by case basis. In addition, researchers are now testing the use of a biological control, a bacteria called BTI, as a possible alternative for combating both mosquito and blackfly populations by attacking their larvae. Since BTI is more environmentally benign, and hopefully more effective, the results are looked forward to with great interest.

APA PROPOSES TIMBER HARVESTING REGULATIONS

HIST
The Adirondack Park Agency has drafted proposed revisions to its rules and regulations to address the issue of clearcutting. The proposed clearcutting regulations respond to a number of recommendations made by the Joint Government-Industry Study of Intensive Timber Harvesting in the Adirondack Park. This body, made up of representatives from the Park Agency, Department of Environmental Conservation, timber industry, academic community and environmental groups, was appointed by the Agency in October, 1979 and completed its report in June 1981.

def
Under the new revisions, the definition of clearcutting is clarified; two types of permits are established, based on the nature and scale of the project; and the creation of an Adirondack Forestry Council to advise the Agency on forestry matters is proposed.

Much of the discussion since the proposal centered on the definition of clearcutting. The Park Agency Act defines it as "cutting all or substantially all trees over six inches in diameter at breast height over any ten year cutting cycle." The revised definition took into account residual basal area in defining "substantially all", differentiated clearcuts based on forestry principles from other types of regeneration cutting and assured that clearcutting for site conversion would be carefully reviewed.

The proposed regulations were intensely attacked at public hearings in late April. The most frequent complaints dealt with the complexity of the proposed regulations and a fear that the Agency was trying to regulate forest management beyond the intention of the Adirondack Park Agency Act. The Council testified in support of the basic thrust and concept of the regulations.

Adm
As a result of the hearings, the Agency has gone back to the drawing board and convened an ad hoc committee of Agency members, forest products industry representatives and environmental group representatives. Gary Randorf represents The Adirondack Council on this committee. The committee is to make its recommendations to the Agency in August. These recommendations are expected to simplify the original Agency proposal while still meeting the legislative intent of the Park Agency Act. It is expected the Agency will take final action on clearcutting regulation at its September or October meeting.

The Council will continue to carefully monitor this issue to insure that the forests, waters and aesthetics of the Park are fully protected without unduly impacting the forest products industry so important to preserving the open space character of the Park.



CAMP GABRIELS

Camp Gabriels, the controversial minimum-security prison opposed by the Council and other citizens groups, could open by early November. The prison, located in Franklin County only a few miles north of Saranac Lake, is expected to house 153 inmates. The deed transfer agreement with Paul Smiths College, former owner of the property, was recently completed by the State Department of Corrections.

The existing buildings and surrounding property have been recommended to be classified State Administrative under the State Land Master Plan by the Adirondack Park Agency. The Agency recommended further that the balance of the property (some 135 acres) be classified as Forest Preserve in the Wild Forest category. The Council supports this addition to the Preserve because it would diminish any chances for future prison expansion at the Gabriels location; however, the non-forest preserve classification of 94 acres may be of doubtful constitutionality and might have to be the subject of litigation.

Proposals to establish additional prisons in the Adirondack Park or to classify state acquisitions not necessary for the administration of the forest preserve as non-forest preserve will be closely monitored and opposed by the Council. The Council feels strongly that state acquisitions should be limited to forest preserve and that prisons are incompatible with the purposes of the Park. Furthermore, locating prisons so far from the inmates' homes goes against most modern correctional theory.



APA CHANGES LAKE GEORGE ISLAND TO HAMLET

Sixty-five acre Sagamore Island (Green Island), in Lake George near Bolton Landing, was changed from low intensity use to hamlet in a recent Agency action. In 1973-74 a similar map amendment request was denied by the Agency, and upheld by New York courts, primarily due to potential problems with local sewerage and water quality in Lake George. This time the change, requested by the Town of Bolton, was precipitated by a developer's plan for refurbishing the existing 200 room Sagamore Hotel, expanding the hotel by 150 rooms, constructing 176 condominium units, 100 dormitory units, a night club, a sea wall, floating docks for 56 units, guest parking for 325 cars and other development. This action is viewed with grave concern by the Council, especially as it affects an island in one of the most beautiful lakes in the Park. The Council went on record as opposing the reclassification and now intends to closely monitor both this project and future Agency map amendment actions to insure that they fit the character of the area involved and do no violence to either the physical or biological environment.



LEGISLATIVE UPDATE

Action taken by the Legislature on Adirondack bills could hardly be called extensive. It looked for a time as if the Legislature might report measures to better protect shorelines and add 85 miles of Adirondack rivers to the state's Wild, Scenic and Recreational Rivers System, each which the Council supports. There was some movement on these measures but to no avail. The conservation easement bill also looked like it might pass, but in the end political maneuvering took over. Possibly this measure will be considered when the Legislature reconvenes in late fall. This bill will be a priority for us then.

The good news is that no obviously damaging legislation passed both houses that would either weaken the Park Agency or Forest Preserve. Three proposed constitutional amendments that posed a great threat to the Preserve (collection of dead wood, habitat management, and forest preserve management areas) were passed by the Senate, but the Assembly rightfully bottled up these ill-founded measures early in the session.

A proposed constitutional amendment, that would exchange 10 acres of Forest Preserve and several buildings once a part of the Camp Sagamore property near Raquette Lake for considerably more acreage of private land, received first passage by the Senate and Assembly. Additionally, the bill that implements the previously passed constitutional amendment relative to the Perkins Clearing land exchange passed both houses and is expected to be signed by the Governor.

The Council, aided by several other organizations, spearheaded the publication of an attractive brochure on the Forest Preserve, aimed at providing facts for the Legislature and other decision-makers. In conjunction with this publication, a briefing on the Preserve was held for the Legislature in Albany in April. Due to the interest it generated, similar meetings are

planned for the future. Promoting better understanding of the purposes and functions of the Preserve is key to insuring its continued preservation.



COUNCIL CONVENES AT ELK LAKE

Nearly 100 members of the Adirondack Council convened at Elk Lake on July 10 for the Council's eighth annual meeting. The 55th meeting of the Board of Directors followed.

Chairwoman Frances Beinecke and Executive Director Gary Randorf reviewed the year's activities which were highlighted by the successful drive against aerial pesticide spraying (see lead article). The Council ended the financial year well in the black and agreed to undertake an aggressive program with an expanded budget in the upcoming year. Demonstrating this resolve, Ms. Beinecke introduced George Davis, who was recently hired as a program consultant, and Mr. Randorf described the acid rain program being undertaken by Yale University intern Tony Emmerich.

Directors Barnett, Beamish, Beinecke, Cobb, Crocker, DuBois, Ernst, Glaser, Hord, Jerry, Lawrence, Marshall, Petty, Rogers, Sage, Schaefer, Setzer and Sive were reelected.

Five new directors were also elected. They are:

-Professor Richard Booth of the Department of City and Regional Planning at Cornell University. Dick is past president of the NYS Environmental Planning Lobby and has previously served as Assistant Counsel for the Department of Environmental Conservation and on the legal staff of the Adirondack Park Agency.

-Dr. Dean Cook, a dentist from Ticonderoga, who traces his Adirondack roots back to 1796 when his ancestors first settled in the Ticonderoga area. Dean is also the treasurer of the Lake Champlain Committee and past president of the High Peaks Audubon chapter.

-Dr. James C. Dawson of Peru is a Professor of Environmental Studies at SUNY Plattsburgh and the Miner Institute in Chazy. Jim is currently the president of the Adirondack Mountain Club and served on the executive council of the Lake Champlain Committee.

-Mr. Kim Elliman is a partner in Elmrock an investment management firm in New York City. Kim has served on the board for the Connecticut Fund for the Environment and as associate director of the New York City Council on the Environment. He has a summer residence in Franklin County.

-Ms. Sally Johnson of Essex is secretary of the Town of Essex planning board and an advisor to the Essex County Soil and Water Conservation District. Sally has a particular interest in historic preservation and in keeping agriculture a viable land use in the Champlain Valley.

At their meeting, which was open to all Council members, the Board reelected the present officers for another term. Funding for the ambitious program the Council is undertaking was discussed along with the Park Agency clearcutting regulations and the development of a basic Council policy statement.

We hope all of you unable to attend this year's annual membership meeting will be able to join us next year. The more involved our membership becomes, the more effective the Council will be.



DAVIS JOINS COUNCIL STAFF

George Davis, former director of planning for the Adirondack Park Agency and executive director of The Wilderness Society, has joined the Adirondack Council staff as a program consultant. Davis also served as ecologist for the Temporary Study Commission on the Future of the Adirondacks.

Davis, who was instrumental in developing the Adirondack Park state land master plan, the private land use and development plan and the wild and scenic rivers system, believes many who worked for the Adirondack land use regulatory system became distracted after the basic legislative package was complete. "We neglected the positive aspects of the program necessary to fully develop the Park's potential" he stated.

"We need to highlight the special features of the Park, particularly as seen from the roadsides, and then gain the national attention it deserves. The tourist and educational potential of the Park is largely untapped. Concurrently, the tax burden on private forest and agricultural lands needs to be revamped so the owners aren't forced to develop where development would detract from the Park's natural character," Davis continued.

Davis believes the Council can act as a catalyst for positive economic and educational programs in the Park. "Our deep concern for protecting the environment is well known, so our support of carefully designed state and private programs to increase the Park's profile won't arouse the immediate suspicion of those concerned with preserving the Park," Davis suggested.

In his work with the Council, Davis will be responsible for the media relations program, Newsletter, intern program, development of position papers and liaison with national groups.



COUNCIL UNDERTAKES ACID RAIN REPORT

Anthony Emmerich, a student at the Yale School of Forestry and Environmental Studies, is working with the Council this summer as an intern under a fellowship from the Richard King Mellon Foundation. The product of his work for the Council will be a report on the impact, actual and probable, of acid rain on the Adirondacks. The threat of acid rain to the environment is by no means limited to the Adirondacks--damage, especially to lakes, has been well documented in Eastern Canada, New England and Northern Europe--but the Adirondacks are the first region in North America to feel the full force of airborne sulfates and nitrates produced by industrial and power plants in the Midwest and borne eastward by the wind. So far, the acid rain problem in the Adirondacks has been characterized chiefly by the 200 or so Adirondack lakes that have been made virtually lifeless by acidity and aluminum toxicities; but evidence of other effects, such as degradation of forest soils, decline of forest productivity and the leaching of toxic metals into potable water supplies, are just now coming to light.

By assessing much of the recent literature on acid rain, the Council hopes to achieve a documentary perspective of what the overall impact of acid rain will be on the Adirondack economy and environment and what action must be taken to prevent further degradation and to reverse what has already occurred.

This updated assessment of acid rain impacts in the Adirondacks should be valuable from a national perspective since what happens here is indicative of what can be expected to occur in other regions of the United States and Canada susceptible to acid precipitation effects.

ACID RAIN - ANOTHER PLEA

We can neither overstate nor repeat too frequently the need for each of you to write or phone your Congressional Representative and Senators expressing your concern with acid rain. Even if you have already written or phoned, please do so again. We expect the Senate to vote on the Clean Air Act during August and the House soon thereafter. By the time of our next Newsletter, it may be too late.

*A copy of the last 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.

The Adirondack Council is funded solely through private contributions and grants.

If you are not yet a contributor, please consider lending us your financial support. Send contributions to the address at right. Please make checks payable to: The Adirondack Council.

*Contributions are tax deductible

**Any part of this Newsletter can be reprinted without permission.



The Adirondack Council

Box D- 2, Elizabethtown, NY 12932

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

EXECUTIVE DIRECTOR: Gary A. Randorf **PROGRAM CONSULTANT:** George D. Davis

OFFICERS:

Chairwoman Frances Beinecke **Secretary** William T. Hord
Vice Chairman . . Arthur M. Crocker **Treasurer** Timothy L. Barnett

BOARD OF DIRECTORS:

Timothy L. Barnett	Marilyn M. DuBois	James Marshall
Richard Beamish	Kim Elliman	Clarence A. Petty
Frances Beinecke	John Ernst	James Rogers III
Richard Booth	Barbara Glaser	Samuel H. Sage
Thomas Cobb	William T. Hord	Paul Schaefer
Dean Cook	Harold A. Jerry, Jr.	Gene Setzer
Arthur M. Crocker	Sally Johnson	David Sive
James C. Dawson	Richard W. Lawrence, Jr.	



The Adirondack Council

Post Office Box D-2

Elizabethtown, New York 12932

U.S. Postage
PAID

BULK RATE
PERMIT NO. 40
Elizabethtown, NY
12932

