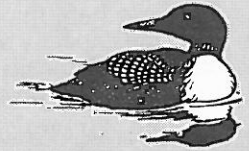




The Adirondack Council NEWSLETTER



to keep supporters informed of our activities

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No. 14

THE CHALLENGE OF OPEN SPACE

The Adirondack Park Agency has received a new challenge in the OPEN SPACE TASK FORCE REPORT submitted to it by the Open Space Task Force in May of this year.

If the Agency accepts and meets this challenge it will have taken advantage of a unique opportunity and the people of New York State can rest more comfortably in the knowledge that the critical open spaces of the Adirondack Park will be better understood and protected.

The Open Space Task Force was appointed by the Park Agency in the autumn of 1978 to study open space in the Adirondack Park, to consider a wide variety of open space issues and alternative program implementation approaches and methods directed toward resolving such issues, and to recommend to the Agency means of achieving the desired ends.

The initial charge of the Task Force "was to further define and describe the essential nature and function of the open space character of the Adirondacks as it relates to the maintenance of a quality environment..." Grasping a clear meaning of open space, not unsurprisingly, caused some struggle among Task Force members. Their final definition reads:

Open space constitutes lands and waters that are un-built upon or predominantly un-built upon, where natural characteristics predominate over evidence of human occupation, activity, or presence, or where such human activity is directly dependent upon, or shaped by, those natural characteristics.

As to the essential nature and function of the open space of the Park, the Task Force reported:

"Open Space is the Adirondack Park. The six million acre region of both publicly and privately owned lands constitutes a unique reservoir of open space, providing a huge range of values to the public of New York State and the Northeast...The open space resources of the Park range from its highest mountains and designated wilderness areas to village parks and recreation areas. Between these two extremes is a wide range of open space land types, including the balance of state lands, large private forestry tracts, cleared agricultural lands of the periphery, private estates, great camps and other historic sites, and even the extensive waterways of the region."

Though the recommendations in the Task Force Report call for the action of private individuals and local governments, as well as various state agencies (several would also require legislation), past experience suggests that the action, if it is to occur, will probably need to be initiated and coordinated or substantially conducted by the Adirondack Park Agency. The Adirondack Park Agency Act provides the mandate for the Agency to do so by stating in Section 801:

to focus the responsibility for developing long-range park policy in a forum reflecting statewide concern. This policy shall recognize the major state interest in the conservation, use and development of the Park's resources and the preservation of its open space character...

The Task Force Report provides substantial challenge to local governments as well, and we must admit to harboring some reservations here based upon the paucity of local government initiatives to preserve the open space character of the Park. Some local officials pay lip service to local planning efforts that could provide long-term protection to the Park's open space, yet few pursue this responsibility in earnest. A case in point occurred in an Adirondack town this author lived in for several years. The planning board labored hard to come up with a plan that emphasized protection of the very critical highway corridor that bisected the town. Though the planning board exercised a considerable amount of effort to interest the town board in their efforts, they met with such little success that eventually they gave up and disbanded.

Some towns deserve credit for developing plans incorporating a considerable amount of open space protection, but they are in the vast minority.

The Task Force has made 131 recommendations, and found it useful to assign them to four readily identifiable aspects of the Adirondack Park, namely backcountry, travel corridors (including roads, railroads, and transmission lines), waterways (including ponds, lakes, streams, and rivers), and settlements. Five categories were deemed of primary and critical importance:

1) In order to preserve the most important vantage points from which the public perceives the open space character of the Adirondack Park and in order to maintain a demarcation between settled areas and Adirondack backcountry, *further controls must be imposed on principal scenic State and county highways.* Inventory of such highways should be undertaken immediately, and a variety of tools should be brought to bear in order to guarantee the preservation of the open space values implicit in such travel corridors. Related to this issue is the need to preserve outstanding scenic vistas that can be seen from such highways, the adjustment of federal highway standards relative to such roads, and the provision of State aid for local rehabilitation of roads. The latter is important in achieving accommodation of developmental pressures which might otherwise be brought to bear upon principal scenic State and county highways.

2) *A lake study should be undertaken immediately in order to examine and assess the following: water*

quality relative to development, shoreline character and the mechanisms necessary for the preservation thereof, the capacity of shorelines to absorb development, and the means of mitigating the visibility of new development on shorelines.

3) *In the forested areas of the Park the demarcation between backcountry and settled areas should be maintained and enhanced, especially along travel corridors.*

4) *Within settlements, the State should cooperate in assisting local governments to maintain local open space resources, to develop and maintain village parks, and to preserve important scenic vistas from settled areas.* At the same time, however, assistance should be granted to localities to absorb a good deal of future growth within the Adirondack Park in order to achieve economies in public services, strengthen the viability of existing communities, and, in so doing relieve developmental pressure on Adirondack backcountry.

5) *Pertinent to all of the above, the revision of State land acquisition policy, including the development of legislation enabling the State to enter into less-than-fee acquisition on a selective basis and which provides for equitable real property taxation within the Park, should be undertaken immediately.*

With the advice of appropriate State departments, local tax officials, and affected private landowners--including representatives from the State Board of Equalization and Assessment, the Adirondack Park county governments and the forest, mining, and recreation industries--legislation should be developed to provide equitable real property taxation within the Park that

- (a) encourages the preservation of open space,
- (b) provides for State compensation to local governments for tax revenue losses, and
- (c) provides the same standard of assessment for forest preserve and private lands.

Shortly after the OPEN SPACE TASK FORCE REPORT surfaced a special committee of 3 Adirondack Park Agency Commissioners was selected to review the Report. The Committee reported its recommendations at the Agency's July 1980 meeting and the full Agency adopted the recommendations.

The Agency Committee agreed with the Task Force that highest priority should be placed upon: protecting the scenic quality of travel corridors (not always agreeing with the Task Force's suggested means), achieving equitable real property taxation within the Park, and revising land acquisition policies of the Department of Environmental Conservation within the Adirondack Park. Unfortunately, the Committee only assigned "middle priority" to water quality and shoreline character.

Recognizing that not all recommendations of the OPEN SPACE TASK FORCE REPORT can or should be pursued by the Adirondack Park Agency, The Adirondack Council urges the Agency to begin in earnest to develop a schedule for implementing the high priority recommendations of the Task Force and Agency Committee. As suggested by the Task Force, the Council agrees that there are studies, inventories, and management plans (Report, pp. 22 and 23) that require further development in the on-going planning processes of the Agency if open space protection is to occur as envisioned by the Task Force, including:

- Inventory and management plans for principal scenic state and county highways.

- Feasibility studies for the development of an Adirondack Canoe Route System.
- Adirondack Bikeway System plan.
- The further development of water management objectives.
- Acid rain studies.
- Studies on the protection of water bodies relative to their capacity for development.
- Studies on the potential impact of clearcutting and the establishment of voluntary compliance.
- The continued development of unit management plans.
- The development of a great camps inventory.
- Reformulation of State acquisition policy.
- The development of policy and laws relative to the acquisition of less-than-fee interests in lands.

It remains to be seen if the Park Agency will actively work on implementing the recommendations of the Task Force and its own committee. Due to the lack of funds, staff, and to a certain extent the political will, the Agency's record during the past several years in long range park policy development has been disappointing. At times the Agency seems to see itself almost wholly as a regulatory body. Writing in THE AMICUS JOURNAL (Summer 1980), authors Richard S. Booth and Theodore Hullar state:

"A major limitation in the existing Adirondack framework involves the APA's inability to undertake fully its responsibility under the APA Act for long-term planning in the Adirondacks..."

Booth and Hullar recognize a few definite successes in long-term park planning, such as the development of the Wild, Scenic and Recreational Rivers System but claim, justifiably, that the results are few. "Its (the Agency's) energies and resources have been drained by the constant, fierce demands that implementation of the APA Act requires." And there is another factor that must be recognized say Booth and Hullar, "the APA's unwillingness to confront forthrightly high visibility issues that could raise substantial political difficulties with the state's leaders...the Agency has shown a disturbing tendency to be swayed by political considerations."

We hope the Agency will employ the recommendations of the OPEN SPACE TASK FORCE REPORT as a blueprint to refocus more of its attention on long-term park planning and yet not incite the wrath of state leaders. The recommendations are reasonable, and most important perhaps, is the realization that the Open Space report is the first document of its kind, authored by a broadly representative group of Adirondack interests. Eight of the ten Task Force members are permanent residents of the Adirondack Park, and bring a wide variety of experience in Adirondack affairs to the Task Force. Included in the group are two executives of major wood-using industries within the Park, the editor of an Adirondack newspaper, a resort operator and journalist, and an Adirondack county legislator and former chairman of the Adirondack Park Local Government Review Board. The group, however diverse, did reach consensus on the Report and its recommendations.

We must note that The Adirondack Council takes exception to some of the recommendations and conclusions reached in the report. We disagree, for instance, with the recommendation that highways with at least six foot paved shoulders should be considered for use as snowmobile trails or that abandoned railroad beds and cleared areas accommodating transmission lines may serve for users of snowmobiles and other outdoor recreational vehicles. Additionally, we feel, as intimated earlier, that the Task Force is expecting too much from local government initiatives. For instance, recommendation 112 states that local governments, with State financial assistance, should purchase

scenic easements or land in fee to prevent destruction of principal views. All indications are that local governments will not entertain such action; the State should move forward with these acquisitions.

Finally we wish the Task Force had been stronger or more cautious in some instances:

- Instead of gearing acquisition policy and priorities solely to the dwindling funds of the 1972 Environmental Quality Bond Act, we would have welcomed a recommendation for a new bond issue and/or a revolving fund for long term assurance that acquisition opportunities will be realized.
- We question the recommendation that "mechanisms should be devised to assist project sponsors in assembling large parcels of land within settlements to accomodate large undertakings such as shopping centers." It is highly questionable that such undertakings would be of general benefit to the Park or the majority of its residents.
- We disagree strongly with the recommended concept of a "density bonus" to allow more principal buildings to be placed adjacent to shorelines and highway corridors if developers adhere to certain siting requirements, because the Park Agency already has the legal authority to impose conditions like screening development from highways and to reserve land for open space uses. The fundamental growth-guiding control is the intensity guideline system. It seems undesirable to encourage more development, particularly along shorelines because of the concern for increased runoff and use of water bodies.

We call upon the Park Agency to move forward with vision and commitment to protect open space in the Adirondack Park and we encourage our readers to offer their encouragement and support to the Agency in achieving open space protection objectives. We urge the Agency to conduct a series of public meetings on the central recommendations of the Open Space Task Force Report to solicit public commentary on implementation approaches and methods for the protection of open space. This process would help refocus the Agency's "responsibility for developing long-range park policy in a forum reflecting statewide concern."

Will the Agency seize upon the challenge and opportunity to be guided by the vision of the broad range of interests represented in the Task Force Report? If it does not, we recommend strongly that it moves quickly to prepare an alternate plan to achieve long-range park policy objectives, otherwise it risks becoming primarily a regulatory body.

If the Agency does elect to be guided by the Task Force Report, we believe it can become the positive force envisioned at the time of its creation.

We feel the following words of the Task Force Report offer a fitting conclusion to this review:

"It now seems that the time has come to undertake two important steps, namely seeing that certain recommendations of the Temporary Study Commission on the Future of the Adirondacks, especially those pertaining to less-than-fee interests in land, are undertaken and that continuous open space planning for the Adirondacks moves forward...to usher in an era which moves beyond passive, reac-

tive regulations to a period in which positive long-term planning with on-going public participation is the order of the day.

For our readers who are interested in the details of the OPEN SPACE TASK FORCE REPORT, we highly recommend that you request a copy from the Adirondack Park Agency, P.O. Box 99, Ray Brook, New York 12977. We urge you to read the report critically. Having done so, we hope you take the time to correspond with the Agency, to encourage it to address the key recommendations in the Open Space Task Force Report, and to state what you think are the Report's priority recommendations. It would be advisable to send a copy of your letter to Governor Carey.



MORE ON ACID RAIN

A wealth of factual data and scientific opinion on the cause and effects of acid rain, and suggested action for combatting the problem, were brought to light at the Action Seminar on Acid Precipitation, held in Toronto, Canada on November 1, 2, and 3, 1979. The proceedings have recently been published in an easy to read, spiral-bound book in a handy 6x9 format (including tables and maps). Copies can be obtained for \$6.00 PREPAID, from the Sierra Club, 530 Bush Street, San Francisco, Calif. 94108. Write soon if you are interested, as only 400 copies are still available.

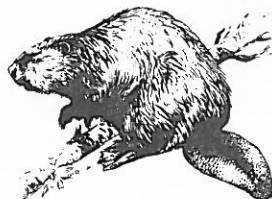


MEMBERSHIP RENEWALS

On a quarterly basis we remind members that their yearly membership is due to be renewed. Like many other organizations, the Council is experiencing a lower percentage of renewals this year than has previously been the case. It is surmised that this is due to many families having less discretionary income than in the past. If you are like a lot of people you may feel that there is a necessity to reduce the number of organizations that you contribute to. We hope you will elect not to skip the Council this year. Please be reminded that our basic membership is only \$10.00, considerably less than many other public interest groups. If you read the Newsletters and the summaries of our activities in the membership renewal letters, I believe you will agree that membership in the Council provides a good return on your investment.

The Adirondack Park represents a disappearing segment of our national landscape. If you are like us, its special character is something that you feel must not be lost or compromised. The "Great North Woods" remains one of the few places left that means quiet, peace, mystery, and vast open space. We must work together to preserve it.

Please renew your membership when notified. Even if you have to reduce the amount of your contribution we still very much want to keep you as an active member. There is strength in numbers as well as in dollar income.



*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

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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.

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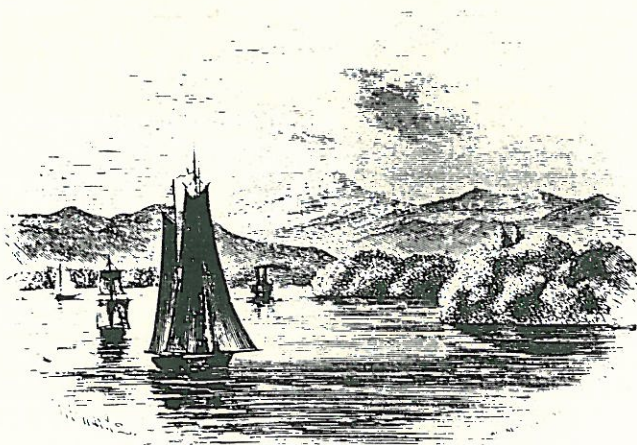


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