



# The Adirondack Council NEWSLETTER



to keep supporters informed of our activities

Vol. 3

April 1979

No. 7

## LEGISLATIVE UPDATE

It is that time of year again when you may wish to let state legislators know how you feel about proposed measures affecting the Adirondack Park. We hope you will lend your support to some or all of the measures proposed by the Council in its last newsletter (Vol. 3, No. 6, dated January 1979). Additionally, there are several measures that have been introduced in bill form by Adirondack area legislators and others.

The Council feels that several of the bills are potentially damaging to the Park and should be resisted. Others are positive measures that deserve support. In the following listing of bills we have stated the Council's position on the measures and why the position is taken. We hope you will generally agree, but encourage you to express your opinions regardless of the stand you take. It is important to let the Legislature and Governor know that the Adirondacks are still a major concern and that people are watching what happens there with great interest.

After each bill is reviewed and the Council's position stated, the Assembly and Senate Chairpersons of the Committees where the bills are residing will be listed. Since bills sometimes move quickly through committee to another committee or to the full house, it is important that you also send copies of your letters to representatives from your district; to the legislative leadership, Speaker of the Assembly Stanley Fink and Majority Leader of the Senate Warren M. Anderson (Legislative Office Building, Albany, New York 12248); and to Governor Hugh L. Carey, Executive Chamber, Albany, New York 12224. Separate letters should be sent to both the Assembly and Senate sides, referring to the A. or Assembly number, and S. or Senate number, respectively.

**A.3527, S.2690** This bill would amend the Executive Law to provide that ex officio members (the state commissioners of the Departments of Environmental Conservation and Commerce, and the Secretary of State) of the Adirondack Park Agency shall be non-voting members. The Council opposes this bill. The Park Agency makes many decisions affecting state as well as private lands, and it is important to all citizens of the state that the ex officios be able to vote on their behalf. Write Assemblyman Maurice Hinchey, Environmental Conservation Committee and Senator John J. Marchi, Finance Committee. As a reminder, please send a copy of your letter to Assemblyman Hinchey to the Assemblyman from your district and to Stanley Fink, Speaker of the Assembly. A copy of the letter to Senator Marchi should be sent to your own Senator and Majority Leader, Warren M. Anderson. Please also send a copy of one of the letters to Governor Hugh L. Carey.

**A.2834, S.2174** This bill would amend the Executive Law to provide that two more full-time residents of the Adirondack Park be added to the Adirondack Park Agency. The Council opposes this measure as it would provide for 7 citizen members to be appointed from within the blue line, compared to only 3 from outside the blue line. This would clearly create an imbalance since full-time Park residents only own approximately 25% of the land in the Park. Write Assemblyman Maurice Hinchey, Environmental Conservation Committee and the head of the Senate Finance Committee, John J. Marchi.

**A.2835, S.2175** Would amend the Executive Law to require that the Adirondack Park Agency, on or before March 31, 1980, undertake a re-evaluation of the private land use and development plan and create a revised map. The Council vigorously opposes this emasculating bill. The powers and project review jurisdiction of the Agency would be substantially reduced. The existing map is constantly refined through the map amendment process and the development of local land use plans, negating the necessity of a new map. This measure would erode years of work and progress on the part of local governments, as well as the Agency. Write Assembly Environmental Conservation Chairperson, Maurice Hinchey, and Senator John J. Marchi, Finance Committee.

**A.2782, S.2122** This measure would amend the Real Property Tax Law, creating an Adirondack Park tax district. Eligible parcels of forest land in Resource Management and Rural Use areas would be assessed according to the income per acre for the eligible parcels in respective towns. The Council supports this measure in concept because it seeks to keep forest lands productive and it provides that the state would compensate towns suffering tax revenue losses. The Council feels that a better alternative would be current use taxation because it would serve to protect forest lands, agricultural lands, and all other open space. Write to Assemblyman George Hochbrueckner, Real Property Tax Committee, and Senator Jess J. Present, Senate Local Government Committee.

**A.2070, S.1549** Would amend the Executive Law to require legislative approval of the Adirondack Park State Land Master Plan and the individual unit management plans. The Council strongly opposes this bill because the Master Plan represents a carefully devised compromise and years of studied development. Such a plan should not be politicized. The Park Agency has just completed months of work and meetings with parties of all interests in revising and amending the State Land Master Plan. It is a balanced, fair plan that should follow its normal route to the Governor for his signature. Subjecting it to parochial interests and political trade-offs is unwarranted and unwise. Write Assemblyman Hinchey, Environmental Conservation Committee, and Senator Marchi, Senate Finance Committee.

**A.3081, S.3042; A.2234, S.1610; and A.700, S.530** Would amend the Environmental Conservation Law to provide that residents of the state, or in the case of A.700, S.530, residents of the Adirondack Park, may gather dead wood lying on the forest floor on state forest lands, or in the case of A.700, S.530, on forest preserve lands in the Adirondack Park. The Adirondack Council opposes all three of these bills because they include forest preserve lands and would no doubt be unconstitutional. A.3081, S.3042 is the most acceptable because it allows the Commissioner of Environmental Conservation to exclude lands by rule and regulation. Although this could provide for the exclusion of all forest preserve lands, closure would be subject to the whim of whoever might be Commissioner. In addition to the constitutional question, the Council opposes the removal of dead wood from the forest preserve because it would be difficult to supervise. The Department feels it doesn't have the staff for proper administration. (It is commonly known that large, living, healthy trees were

cut under the guise of salvage operations after the 1950 blowdown because of inadequate supervision and enforcement.) The wood to be salvaged is often not accessible by road, possibly necessitating unfortunate clearing for roads on forever wild land. Write Assemblymen Arthur Kremer, Ways and Means Committee relative to A.3081, and Maurice Hinchey, Environmental Conservation on the other two bills. On the Senate side write Senator Fred J. Eckert, Senate Conservation Committee. Please don't forget copies to your own representatives, the legislative leaders, and the Governor.

**A.4158** Would amend the Environmental Conservation Law to create a commission on fish and wildlife, transferring to it the powers, functions, duties, and obligations of the current Division of Fish and Wildlife in the Department of Environmental Conservation. This bill represents the attempted take over of the management of fish and wildlife resources in the state by sportsmen groups. The Adirondack Council has consistently and vigorously opposed this move because it would lead to a further deemphasis of non-game fish and wildlife. Additionally, it would compromise sound ecological principle by failing to realize that fish and wildlife are interdependent with all other sectors of the environment and should be treated and managed accordingly. Write Assemblyman Maurice Hinchey, Chairperson of the Environmental Conservation Committee. This is a very important issue. Please remember to follow-up with copies to other relevant parties.

**A.1412, S.1102** Would amend the Highway Law to require that town board approval be forthcoming before the state can abandon a road passing over or through lands owned and occupied by the state. The Council opposes this bill because it could well preclude the closure of several dead end roads that currently penetrate wilderness lands in violation of the State Land Master Plan. This measure apparently surfaced because the State Department of Transportation closed an actively used road in the Town of Altona in Clinton County. The road passed through state land, returning into private land, in a tract of land occupied by Mohawk Indians. One can understand the public displeasure over this road closure. The Council, however, feels the bill is not acceptable as written. In addition to preventing another unfortunate occurrence like that in Altona, the measure might also thwart the implementation of wilderness guidelines. If the bill moves forward, it should be amended to not require town board approval when subject roads receive little or no use and dead end on state land. Write Assemblyman Arthur Kremer, Ways and Means Committee and Senator John D. Caemmerer, Senate Transportation Committee.

**A.4939, S.3637** Would amend the Environmental Conservation Law and Parks and Recreation Law to provide for the transfer of the administration of state campgrounds in the 6th park region (including the Adirondack Park) from the Department of Environmental Conservation to the Office of Parks and Recreation. The Council opposes this bill. It doesn't make good sense to invite the major interest of another state agency into the Adirondack Park. Additionally, Parks and Recreation is development oriented. The campgrounds would probably become much more developed and sophisticated, an unwelcome trend in the Adirondack Park, since it would further compromise the forever wild provisions of the constitution, and would provide a much more formidable form of competition to private campground owners.

**Measures still to be assigned numbers** The Adirondack Park

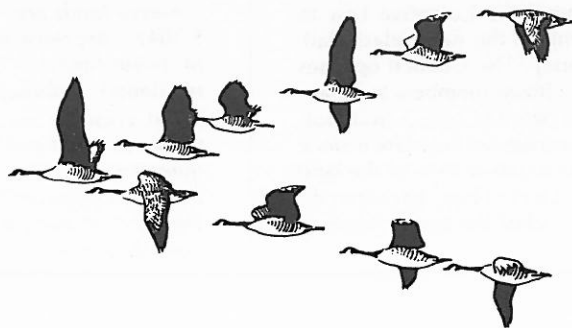
Agency has sent two bills to the Governor's office that are of major interest. If they receive that office's stamp of approval, they will be sent to legislative committees (probably to Maurice Hinchey's Environmental Conservation Committee and Fred Eckert's Senate Conservation Committee). One measure would add approximately 100 additional miles of notable Adirondack Rivers, including the Osgood and branches of the Moose and Saranac, to the State System of Wild, Scenic and Recreational Rivers. The other is a scenic easement bill that provides for state aid to local government if, and when, the holding of easements by the state, places a burden on local taxing authorities. The Council supports both these measures and enthusiastically encourages you to voice your opinion on these matters to the Governor's Office (very important) and to Assemblyman Maurice Hinchey, Senator Fred Eckert, the Legislative leadership, and your own state representatives.

**Concurrent Resolution of the Assembly and Senate (A.3851, S.2765)** Would provide for wildlife habitat improvement (tree cutting) on the forever wild forest preserve, pursuant to appropriate legislation. The Council opposes this resolution on the grounds that it threatens the forever wild clause and cannot be justified. Natural openings frequently occur on the forest preserve as a result of fire, wind, beaver work, and insect and disease epidemics. Additionally, one can make the case that the lack of deer in any area of the forest preserve is more dependent on the incidence of illegal take (poaching), dog kills, hard winters, and lack of winter cover, than it is on the absence of woodland improvement or habitat manipulation. Write Assembly Environmental Conservation Committee Chairperson, Maurice Hinchey, and Senator Douglas Barclay, Senate Judiciary Committee.

**Concurrent Resolution of the Assembly and Senate (A.526, S.411)** Would provide that the state, subject to prior legislative approval of tracts to be exchanged, convey to International Paper Co. approximately 8500 acres of forest preserve in the Perkins Clearing area in Hamilton County in exchange for lands determined to be at least equal in value for incorporation into the forest preserve. The Council has in the past supported this resolution, and continues to do so in principle. However, the Council will not continue to support the measure if motor vehicle and aircraft access is continued to Pillsbury and Whitney Lakes. The newly acquired land should logically be annexed to the West Canada Lake Wilderness. Maintenance of motor vehicle and aircraft access to the two lakes mentioned would be an unacceptable precedent. The Council will continue close scrutiny of this resolution before lending or withholding its support. A.526 is currently in Arthur Kremer's Assembly Ways and Means Committee. S.411 is in Senator Douglas Barclay's Judiciary Committee.

Senator Ronald Stafford has introduced a modified version of this resolution (S.3320), which specifically calls for maintenance of aircraft access to Whitney Lake and motor vehicle access almost all the way to Pillsbury Lake. For reasons cited above, the Council clearly opposes this measure. Write Senator Douglas Barclay, Senate Judiciary Committee.

As of this date (March 30) the Legislature has not yet reported any measures that pose a serious threat to the Adirondack Park. Please help insure this will continue to be true for the remainder of the session by communicating your views to the legislators noted.



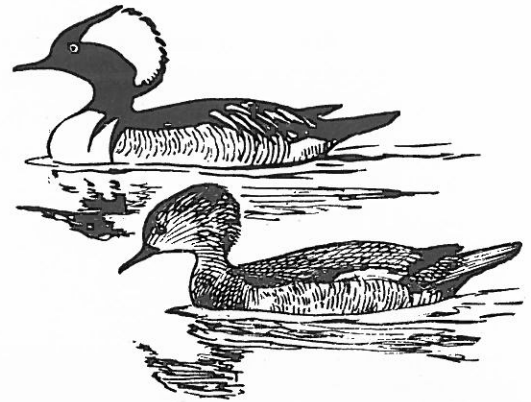
## ABOUT RIVERS AND DAMS

On March 28 the Adirondack Park Local Government Review Board passed a resolution urging that no more Adirondack Rivers be designated as Wild, Scenic or Recreational until a study of their hydroelectric potential and the need for hydroelectric power has been made. Interestingly enough, the Adirondack Park Agency had looked into this matter in detail before completing and issuing their report, ADIRONDACK PARK AGENCY REPORT TO THE NEW YORK STATE LEGISLATURE REGARDING THE INCLUSION OF ADDITIONAL RIVERS IN THE WILD, SCENIC AND RECREATIONAL RIVERS SYSTEM, to the Governor and Legislature. The Agency reviewed studies and reports and contacted relevant agencies to insure their recommendations would not restrict hydroelectric potential where it could be feasibly developed. The Agency excluded a section of the Oswegatchie from their recommendations because it was the one river segment that had viable hydroelectric potential if a new dam were to be constructed. Inclusion of a river in the Rivers System would not preclude using existing dams for hydroelectric generation.

We do not believe that all damming of rivers is wrong. Sometimes dams may be the lesser of two evils, for example dams might be more acceptable to produce hydroelectric power than to pollute the atmosphere by other means of power production. And many Adirondack rivers have been harnessed for hydroelectric power and other worthwhile uses, particularly downstream at or near the boundaries of the Adirondack Park. Protecting upstream sections of rivers and tributary streams in the Rivers System benefits the downstream harnessed sections by guaranteeing the quantity and quality of flow.

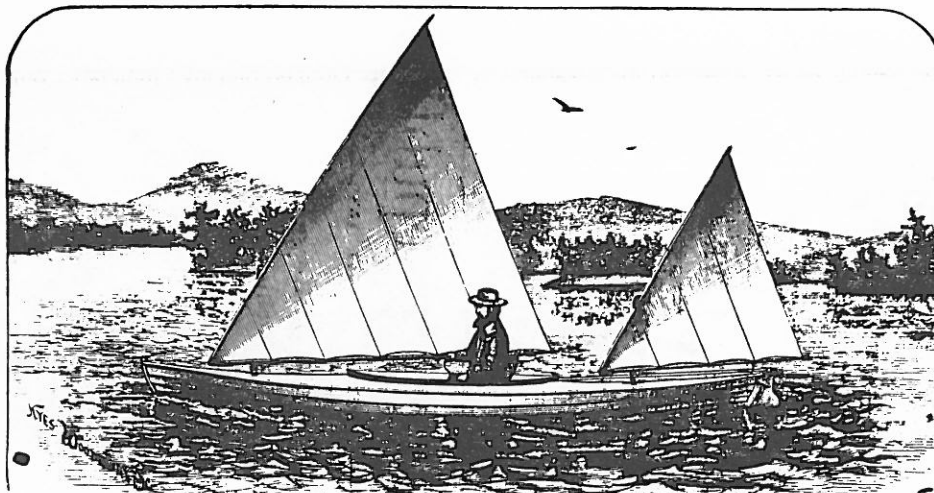
Let us not forget that we must keep some rivers natural and free. To quote John Kauffmann in his book, FLOW EAST,

Each one of us should be fully aware of what endless population increase, endless construction in our valleys,



endless demand for more water and more power will cost in terms of the beauty and integrity of the American landscape, and its intangible values that enrich our spirits. The money we gladly pay for a dam today may constitute a check drawn on the birthright of the future. In fifty or a hundred years, the dam may be "spent." The valley could have smiled, the river could have laughed for us forever.

If you only write one letter during this legislative session I hope it will be to the Legislature and Governor to express your opinion on the fate of the Park Agency's recommended additions to the State System of Wild, Scenic and Recreational Rivers.



THE "STELLA MARIS."  
THE MOST POPULAR SMALL CANOE EVER BUILT.

J. H. RUSHTON



\*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 Sierra Club, Atlantic Chapter; 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

### OFFICERS

**Chairman** ..... Harold A. Jerry, Jr.      **Secretary** ..... William T. Hord  
**Vice Chairman** ..... Arthur M. Crocker      **Treasurer** ..... Timothy L. Barnett

### BOARD OF DIRECTORS

Timothy L. Barnett	R. Courtney Jones	Sam Sage
Julius G. Bede	Richard W. Lawrence, Jr.	Gene Setzer
Frances Beinecke Elston	James Marshall	David Sive
Arthur M. Crocker	John M.C. Peterson	
George D. Davis	Clarence A. Petty	
William T. Hord	Mary Prime	
Harold A. Jerry, Jr.	James Rogers III	



## The Adirondack Council

Post Office Box D-2

Elizabethtown, New York 12932

U.S. Postage

**PAID**

**BULK RATE**  
**PERMIT NO. 40**  
Elizabethtown, NY  
12932

