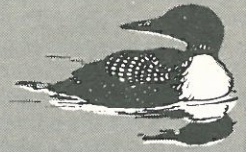




The Adirondack Council NEWSLETTER



to keep supporters informed of our activities

Vol. 7

April 1983

No. 22

SENATOR DUNNE ON THE ADIRONDACKS

Senator John R. Dunne, Chairman of the New York State Senate Standing Committee on Conservation and Recreation, graciously presented the keynote remarks at The Adirondack Council's public informational meeting at Hempstead in January. Senator Dunne's statement is reproduced here so that his eloquence and commitment can be shared with our entire membership.

"Your presence here this evening is evidence of your interest in the Adirondacks, which is nature's legacy to every New Yorker wherever he lives. All of us share that interest and are here to learn a little more about this varied land of mountains, streams, animals, forests and people.

"The Adirondacks represent the last great wilderness in the eastern United States, and I feel strongly that we must work to preserve them in their natural state.

"Philosophically, the preservation of wild, "untamed" lands reminds us that we are not all-controlling, but we are simply a piece in the whole, and that we are dependent on all other pieces for our continued existence. On a more practical basis, that wilderness can be a source of clean water for our urban areas. It provides us with unique recreational opportunities. And wilderness is also a storage house, full of mineral resources, timber, and wildlife; all of which should be protected as reserves for future generations...

"Over the years, numerous attempts have been made to weaken the State's preservation policy as set forth in the Constitution and the Adirondack Park Act. Just last session, three constitutional amendments were proposed that would allow timber and wildlife management and firewood collection within the forest preserve. Environmental and conservation groups were unanimously and vociferously opposed to these proposals, believing that they would lead to timber cutting in the preserve and destruction of the wilderness character of the Adirondacks and Catskills. These proposals are the antithesis of "forever wild" and contravene the very essence of the principles embodied in Article 14. I have opposed such proposals in the past and will continue to do so in order to protect our Adirondack resources.

"Another type of threat, and one which is having a disastrous effect on the Adirondacks, is acid rain. Fish are dying in acidified lakes and ponds, and acid rain may be retarding the growth of vegetation in our fields and forests and harming our health. Most of the available evidence suggests that sulphur and nitrogen oxide emissions from power plants in midwestern states are the major causes of acid rain. These pollutants are carried by wind currents into pristine areas and then combine with rain and snow to form the deadly acids. If we are to save the Adirondacks, we must act quickly and effectively. Many groups, including the Adirondack Council, are working hard at the federal level to reduce the pollutants which are poisoning the Adirondacks. I ask that all of you support these efforts and become active in resolving this very real problem.

"As New Yorkers, we owe it to ourselves and our neighbors to learn as much as we can about the Adirondacks so that we

can not only take advantage of the benefits which can be derived, but also defend and protect that which is important to the quality of our lives. I hope that tonight our knowledge will be enhanced so that we will better be able to appreciate and care for this great part of our heritage - the Adirondacks."

APA GOALS PROGRAM

The Adirondack Park Agency has announced an in-depth review of the Adirondack Park Land Use and Development Plan. As part of this review the Agency is undertaking a program entitled "Goals for the Adirondack Park: Toward the Year 2000."

According to the Agency, it "will seek public participation to refine and affirm goals for the future. A series of workshops and idea sessions will give permanent and seasonal residents, visitors and interest groups an opportunity to help guide park planning. Starting in mid-1983, the Agency will examine the need for specific changes to the plan, the plan map, and other aspects of its regulatory system...The Agency will present its proposed plan changes to the Governor and New York State Legislature, giving merit to public comments and recommendations...In the Agency's latest review of the park land use plan, the public audience will have some role in further defining policies the state legislature set forth in the Adirondack Park Agency Act."

The Adirondack Council believes that the Agency's enabling legislation, including the land use plan and map, is generally sound. It may well need a few minor modifications, such as stronger shoreline protection, but its basis is strong and has been upheld in the courts. The Council is concerned that much time and effort may be spent reopening emotional conflict when there is so much positive work yet to be done. Regardless, we must become involved in this goals program to demonstrate our resolve that the Park be protected.

The Agency has tentatively scheduled meetings in the Park as follows:

July 13	Blue Mountain Lake - Indian Lake area
July 20	Tri-Lakes (Placid-Saranac-Tupper) area
July 27	Lake George area

Numerous other meetings, both inside and outside the Park, will be held at times and places still to be announced. The schedule will be included in the July NEWSLETTER.

It is imperative that each of you either attend one of the public meetings and present your views or submit them in writing to the Adirondack Park Agency. There is no doubt that many who would exploit the Park for short term gain will be heard - those with more vision and concern for future generations must also be heard.

APPOINTMENTS STILL AWAITED

Governor Cuomo has been moving very slowly in making appointments to his administration. At press time his only Adirondack related appointment was that of Henry G. Williams as Commissioner of the Department of Environmental Conservation.

Commissioner Williams has been active in New York State government since 1969 and has been a close associate of Governor Cuomo since 1975, advising him on a number of statewide issues including the environment. The Council hopes that this broad experience in government coupled with his close relationship with the Governor will insure an effective and efficient DEC and allow the Commissioner to act as a strong environmental advocate. We are already impressed by the accessibility Commissioner Williams has shown to those with environmental interests.

Governor Cuomo has the responsibility to appoint the Adirondack Park Agency Chairman and one or two members at present, the latter depending on whether his choice for Chairman is presently an Agency member. In addition, two more positions will become vacant in July. The new Agency leadership should reflect the statewide concern for the Park, the quality of its natural environment and the potential for the Adirondacks to become both the Nation's foremost Park and a positive example of humans living in harmony with their natural environment.

Since the Agency Chairman exercises leadership and charts the Agency's general direction, it is imperative that the Governor appoint a Chairman as soon as possible. Meanwhile the Agency is adrift while rumors and lack of action undermine its morale.

The Adirondack Council has been, and will continue to be, in close communication with the Governor's office on these matters. We are hopeful that the slow pace of Adirondack Park Agency appointments indicates a careful screening of candidates rather than a lack of interest.

LEGISLATIVE SESSION - 1983

As we go to press (April 1) Adirondack legislation is moving rather slowly in the Legislature. Recently however, the state budget was passed and now, hopefully, attention will focus on other matters. A bill of major interest is the *Conservation Easement Bill*, S.1997/A.2323 (S is Senate number, A is for Assembly number). This bill clarifies and codifies conservation easements and provides that when the state owns easements in the Adirondack and Catskill Parks it will reimburse localities for any resultant loss of tax dollars.

Conservation easements can be tailored to the individual property, but basically they restrict development for the purpose of preserving the scenic, historic, architectural or natural conditions of the real property. In the Adirondack Park such easements can function as a significant tool to protect highway corridors, lake and pond shorelines, and the open space character of the Park in general while providing for retention of private land in productive forest management, agriculture or other open space uses.

The passage of this measure is the Council's highest legislative priority. In the Senate the bill is expected to pass momentarily. In the Assembly, however, A.2323 still has a way to go. It was reported from Assemblyman Hinchey's Environmental Conservation Committee to the Ways and Means Committee, chaired by Assemblyman Kremer (D-Long Beach), and could linger there.

YOU CAN HELP secure passage of this critical legislation by writing a letter of support for its passage to Chairman Kremer, with a copy to your own member of the Assembly. It is equally important to express your support to Governor Cuomo. Write your Assemblyman and Assemblyman Kremer at the Legislative Office Building, Empire State Plaza, 12248 and the Governor at the Executive Chamber, State Capitol, Albany 12224. There is opposition to this bill. Supporters need to be heard.

Another high priority measure, A.3285, would add more than 100 miles of Adirondack rivers to the State System of Wild, Scenic and Recreational Rivers. Although no Senate number exists as yet, Senator Lack (R-Hauppauge) has agreed to sponsor the bill. The Legislature appears to be getting closer to passing this measure, which has been around in various

forms for several years since the original field studies were completed. You can help by writing your Assemblyman and State Senator in support of this bill. Copies to the Legislative leadership, Hon. Stanley Fink in the Assembly and Hon. Warren Anderson in the Senate, are also encouraged.

Your opposition is encouraged to three proposed constitutional amendments relating to the forest preserve that would (1) provide for commercial timber producing areas (S.219/A.243), (2) provide for timber cutting to "improve wildlife habitat" (S.217/A.242), and (3) provide for the collection of down and dead wood from state owned lands, including the forest preserve (S.1385/A.1992). These ill-conceived proposed changes to the constitution would seriously threaten the Adirondack Park. Scientific research refutes most of the arguments used in favor of them.

LOON PROJECT PROGRESSES

The initial phase of the Adirondack Loon Preservation Project (see October 1982 NEWSLETTER), a joint project of the Council and the North American Loon Fund, has been completed. In the 14 northern New York counties, 1021 lakes and ponds large enough to potentially support loons have been identified, and field work is about to begin.

Additional volunteers are still needed to monitor specific lakes in late May and late July. If you are interested, please contact the Council office as soon as possible.

A brief summary report of the project's 1982 accomplishments and objectives for 1983 is available free of charge from the Council. A complete report, with over 100 pages of tabular information, is available for a copying and postage fee of \$15.

We are available to discuss the project at meetings of lake associations or other groups in the Adirondacks and have an excellent film, *Legacy for a Loon*, that we can loan for a fee of \$35. The Adirondack Loon Preservation Project is funded by The Adirondack Council and a grant from the North American Loon Fund. Donations have been received, and are welcomed, from individuals as well. Since the North American Loon Fund grant is based on matching funds, every dollar contributed generates another dollar to help study and preserve these magnificent birds.

HYDROPOWER: A STATES' RIGHTS ISSUE?

As announced in the January NEWSLETTER, The Adirondack Council has intervened in a Federal Energy Regulatory Commission (FERC) proceeding to license a hydropower development on the Indian River in Hamilton County. The site involves both state forest preserve and a designated recreational river. The Council, together with the Sierra Club, Adirondack Park Agency and the Department of Environmental Conservation, is opposed to the development since it would clearly violate Article XIV of the New York State Constitution, the State Wild, Scenic and Recreational Rivers Act and the Adirondack Park State Land Master Plan.

The arrogance of the project developers toward our state constitution and laws is apparent in their rebuttal to the opposition to licensing and motion to dismiss. The following direct quotations are taken from those documents submitted for the developers, SNC Hydro Inc. and Adirondack Hydro Inc. of Wilmington, N.Y., by their attorney:

- In essence, the State of New York simply does not have the option of "keeping the door shut" against hydroelectric development.
- New York State's determination that such development is undesirable (editor's note: restrictions imposed by state constitution and law)...is an impermissible intrusion on the jurisdiction of the FERC.
- The minimal disruption attendant to SNC/Adirondack's project is truly infinitesimal compared to

what has occurred and is occurring elsewhere in the Adirondack Park.

- ...it is clear that the DEC/APA's position is to prevent all hydro development in the Adirondack Forest Preserve and/or the Adirondack Park. This is clearly contrary to the national interest.
- Such a dismissal would by its nature be precedent-setting in that it would prohibit any and all hydro development in the Adirondack Forest Preserve/Park, based solely on New York State law and policy. Such a dismissal would unquestionably violate the federal preemption doctrine.

Whether or not the confusion the developer creates over the difference between the Adirondack Park and the Forest Preserve is designed to muddy the waters or simply based on ignorance is not certain. What is certain is that the outcome of this case will determine if New York's constitution and laws have any significance when viewed by the federal government.

The Adirondack Council continues to support appropriate low head hydro development in the Park, but not when it contravenes the state constitution or the state rivers law. Much of the Park's hydroelectric potential is on sites that can be appropriately restored or developed within the confines of state law. The Council believes it is inappropriate and short-sighted to destroy forest preserve or sacrifice statutorily protected free-flowing rivers for a small increase in hydroelectric power.

MEMBERSHIP AND APPEALS

All of us are deluged by appeals for contributions to a variety of good causes - more than most of us can possibly support. Our mail indicates some members may be confused with our membership dues and special financial appeals. In view of your generous support and commitment to preserving the wonders of the Adirondack Park, we feel an obligation to clarify our fund raising policy.

Unlike many organizations that solicit their membership six to ten times a year and sell their membership lists to others, the Council solicits three times - once for your annual dues and twice for special contributions that are frequently for a specific project - and does not sell its membership list.

We trust this explanation will clear up any questions you may have, but if it doesn't please feel free to write us. And once again thank you for your support - we will continue to work diligently to protect the Park and deserve your support.

NWF ADIRONDACK SUMMIT

The nation's largest conservation organization, the National Wildlife Federation, is once again hosting a conservation education program in New York. The 1983 program, entitled the Adirondack Conservation Summit, will include sessions on nature photography, birdwatching, bog ecology, wildflower walks, geology, conservation action and many more. Family events, youth programs and small child care services are included. The Adirondack Council is pleased to assist the National Wildlife Federation in this educational effort.

The Adirondack Summit will be held at Silver Bay on Lake George from July 31 through August 6. For more information contact Anne S. Rust, Adirondack Conservation Summit, National Wildlife Federation, 1412 16th Street, NW, Washington, D.C. 20036.

COUNCIL ACTIVITIES January-March 1983

Public Meetings

Gary Randorf and George Davis conducted public educational meetings at Hauppauge and Hempstead in January and at Mt. Kisco in March. Keynote remarks at the Hauppauge meeting were provided by former State Senator Bernie Smith, now president of the Association for the Protection of the

Adirondacks. State Senator John Dunne's keynote comments at the Hempstead meeting are reproduced in an earlier article. Although the Long Island meetings were poorly attended, over 50 individuals attended the Mt. Kisco meeting.

Historic Preservation Resolution

At its January meeting, the Board of Directors discussed historic preservation in the forest preserve. A resolution was adopted based on findings that:

- In practically all cases historic and cultural resource preservation is compatible with Adirondack Park objectives;
- Historic and cultural resource preservation is also often compatible with forest preserve purposes; and,
- In terms of some structures, most notably the so-called "Great Camps", historic preservation is not compatible with Article XIV of the state constitution.

The resolution applauded the emphasis on private sector solutions but opposed draft legislation that seems to legislatively amend the state constitution; supported a study bill in the 1983 legislative session incorporating carefully drawn and limited proposed constitutional amendment language; and, supported an immediate comprehensive inventory of historic and cultural resources in the Park to be completed within 18 months.

This resolution and supporting information was included in testimony by program consultant George Davis at a hearing sponsored jointly by the State Assembly Committees on Tourism and Environmental Conservation.

Ticonderoga Map Amendment

The Adirondack Council opposed a proposed amendment to the Adirondack Park Land Use and Development Plan Map to reclassify approximately 30 acres of resource management land to hamlet. The tract is adjacent to Ticonderoga Creek and Fort Ticonderoga. The Council's position was based on potential archeological resource impact, soils incapable of accepting sewage effluent, water quality impacts on Ticonderoga Creek and Lake Champlain, and the appearance that the map amendment was designed to avoid Agency project review.

The Council concluded that "in the case of proposed map amendment 83-1, the parcel does not better fit the character description of any other land use area except possibly rural use along the road; cannot withstand any increased development without serious environmental degradation; it not regional in nature; and, is not part of a comprehensive local land use program or plan. The Adirondack Council, therefore, opposes the amendment as presently proposed and finds it inconceivable that the Adirondack Park Agency has any legal basis to approve map amendment 83-1." The Agency's decision on this proposal is expected in May.

Liming in the Wilderness

At its March meeting, the Board of Directors unanimously passed a resolution opposing the liming of acidified lakes in designated wilderness areas of the forest preserve. The subject surfaced as a result of a sportmen's group proposal to use snowmobiles to transport lime to an acidified lake in the West Canada Lake Wilderness. The decision came only after lengthy discussion that took into account the following aspects of liming:

- Neutralization of acidified water bodies by liming is presently an imperfect art whose long term results and effects are by no means certain;
- Liming is deemed by many experts to alter water bodies so that they are no longer normal but possess a very peculiar water chemistry and a very peculiar biota;
- These ecological changes are generally unaccept-

table in preserves set aside as wilderness; and, There may well be a substantial benefit from having water bodies that are generally not manipulated in wilderness areas so that they may act as a "control" for comparison with treated waters, on wild forest lands or elsewhere, in how they ultimately respond to the reduction in the pollutants that cause acid rain.

The Council noted that hundreds of lakes and ponds occur on state lands not designated wilderness and many of these are similar to the lake in question.

Washington Clean Air Strategy Session

In late February the Clean Air Coalition and the Environmental Policy Center held a Clean Air Colloquium in Washington, D.C. Council executive director Gary Randorf joined concerned citizens from many states to be briefed on the Clean Air Act and develop strategies for working with the new Congress. Workshops on all major segments of the Clean Air Act were given along with sessions on working with the media, building coalitions, and motivating citizen action.

Many attendees, including Gary, stayed on for a time to lobby their Congressional delegations. Those from New York visited the offices of our two Senators and 10 members of our upstate delegation. A substantial portion of these meetings focused on acid rain. Our message was that since New York is the hardest hit state, it seems logical that our delegation should take the lead in calling for legislation to reduce acid rain.

Now is the time to write your U.S. Senators and Representatives (United States Senate, Washington, D.C., 20510 and House of Representatives, Washington, D.C. 20515). Letters are desperately needed to give our members of Congress a perspective on how important acid rain is as an issue. Request their help in getting Congress to pass legislation calling for a 50 per cent reduction in sulfur dioxide emissions, the major pollutant causing acid rain. Remember, this is a new Congress so write now even if you have written before.

Meetings

During the first quarter of 1983 the staff participated in the following meetings in addition to those mentioned above:

January

- 6 Prepublication meeting in Utica for ADIRONDACK WILD GUIDE
- 7 Interviewed by Plattsburgh Press-Republican reporter
- 11 Interviewed on Long Island by Newsday editorial staff

- 12 Interviewed in New York by Daily News associate editor
- 13 Interviewed in New York by Times editorial staff
- 19 Met with Assemblyman Hinchey in Albany regarding legislation
- 20-21 Attended Adirondack Park Agency meeting in Lake George
- 21 Met with Dr. McIntyre in Utica regarding loon project
- 22 Attended Environmental Network meeting in Albany
- 26 Met with new DEC Commissioner Williams
- 27 Met Environmental Planning Lobby and Adirondack Mountain Club staff in Albany regarding legislative issues and priorities

February

- 1 Attended Senate Judiciary Committee meeting and met with legislators and staff in Albany
- 3 Interviewed by Plattsburgh Press-Republican reporter
- 7 Met with Albany Times-Union and Knickerbocker-News editorial staff
- 8 Met with legislators and staff in Albany
- 7-8 Participated in American Land Forum session on Aesthetics in American Land Use Policy in Washington, D.C.
- 10 Testified on historic preservation before Assembly Committees in Lake Placid
- 16 Attended DEC legislative briefing in Albany
- 16 Spoke to Resource Conservation and Development District meeting in Westport
- 16 Attended Lake Champlain Committee meeting in Burlington
- 18 Attended APA Goals Committee meeting in Lake George
- 23 Met with legislators and staff in Albany
- 25 Spoke on Wilderness Management to Five Ponds Unit Management Plan Advisory Committee in Wanakena
- 28 Conducted field review of proposed Ticonderoga map amendment

March

- 3 Inspected Whiteface Mountain for compliance with lawsuit settlement
- 8 Met with legislators and staff in Albany
- 8 Interviewed on Glens Falls radio
- 9 Participated in Allegany State Park issue scoping session in Albany
- 10 Attended Council Board meeting in Albany
- 11 Attended Committee on Adirondacks meeting in Saranac Lake
- 12 Attended North American Loon Fund trustees meeting in Boston
- 15 Spoke on acid rain to Orange and Dutchess County Garden Club in Poughkeepsie
- 17 Attended APA meeting in Lake George
- 18 Interviewed by New York Times reporter in Ancram
- 22 Presented "Lakes to Lichen" slide show and spoke on acid rain to Lake Placid Kiwanis
- 24 Spoke to Northern Adirondack Audubon chapter in Plattsburgh on loon project and other Council activities
- 25 Attended and spoke at aerial spraying draft environmental impact statement hearing in Keene



The Adirondack Council

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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.

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