

# STATE OF THE PARK

A Wilderness Refuge | 2021-2022



**ADIRONDACK**  
**COUNCIL** PRESERVING WATER,  
AIR AND WILDLANDS

# A Wilderness Refuge

Dear Members, Partners, and Friends,

It is hard to describe in one letter just how stressful the past year has been for everyone in the Adirondacks and everyone who loves the Adirondacks. And yet it was also a time of testing new ways to preserve the ecological integrity and wild character of the Adirondacks and foster more vibrant communities.

Personal, family, and community health issues dominated. Each of us made important decisions about how - and where - we would cope with the COVID-19 pandemic. Many of us looked to the Adirondack Park as our personal place of refuge and a place where we felt our children and grandchildren would also be safer. We are reminded now just how precious and essential the Adirondacks have become in our lives.

Many of us worked to make our communities safer and when the economy shut down and nearly everyone was compelled to stay home, we continued to help those in need. We are especially grateful to those who could not stay home

because they were part of the health care and essential-services communities who kept coming to work despite the real dangers to themselves and their families.

We thank those who are leading the nation in a hopeful direction that includes a well-protected environment and real actions to curb the impacts of air pollution and climate change. Closer to home, we are optimistic a new Governor will fix what should be fixed and move us all forward.

The state of the Adirondack Park's natural and human communities in 2021 is stressed, tested and hopeful. As we move into 2022, the Adirondacks are a Wilderness Refuge. It is an honor to those who work to protect it that the Park is seen this way. It also presents us with twin challenges. How do we make sure it is a place of refuge for all New Yorkers? How do we keep the wilderness from being overcrowded and beaten down by the multitudes who wish to experience it?

This means a renewed commitment to diversity, inclusion, justice, and equity in the Park's management and promotion.

It also means a commitment by New York State to the public investments needed to preserve and make the Adirondack Park work for everyone - forever.

We thank all members, donors and partners for teaming up with the Adirondack Council to achieve these and our other shared goals.

Thank You,

  
William C. Janeway  
Executive Director



**William C. Janeway**  
Executive Director

 @WillieJaneway

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# CONTENTS

- 2 Letter from the Executive Director
- 5 2021 Report Card
- 6 The Governor
- 9 The Courts
- 10 State Legislature
- 12 Attorney General
- 13 In the Spotlight
- 14 Forever Adirondacks Campaign**
- 16 Local Government
- 18 Dept. of Environmental Conservation
- 21 Other Agencies
- 22 Adirondack Park Agency
- 24 Federal Government
- 26 Awards
- 27 2022 Priorities

The new “Forever Adirondacks” campaign will raise awareness of the need to fund clean water, jobs, and wilderness protection in the Adirondack Park. The Adirondack Council hired Aaron Mair as Campaign Director, to lead an Adirondack Wilderness, Water, and Jobs Coalition, and appeal for needed funding and policy changes.



PHOTO: NANCIE BATTAGLIA

**p.14**

## Our Mission

The mission of the Adirondack Council is to ensure the ecological integrity and wild character of the Adirondack Park for current and future generations.

*Written and Edited by Adirondack Council Staff  
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 Cover: View from Grace Peak, Dix Mountain Wilderness*

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# ABOUT THE PARK

PHOTO: ADOBE STOCK

**The Adirondack Park** is the world's largest intact temperate deciduous forest. It is also the largest park in the contiguous United States. It contains six million acres (9,300 square miles), covers one-fifth of New York State and is equal in size to neighboring Vermont. The Adirondack Park is nearly three times the size of Yellowstone National Park.

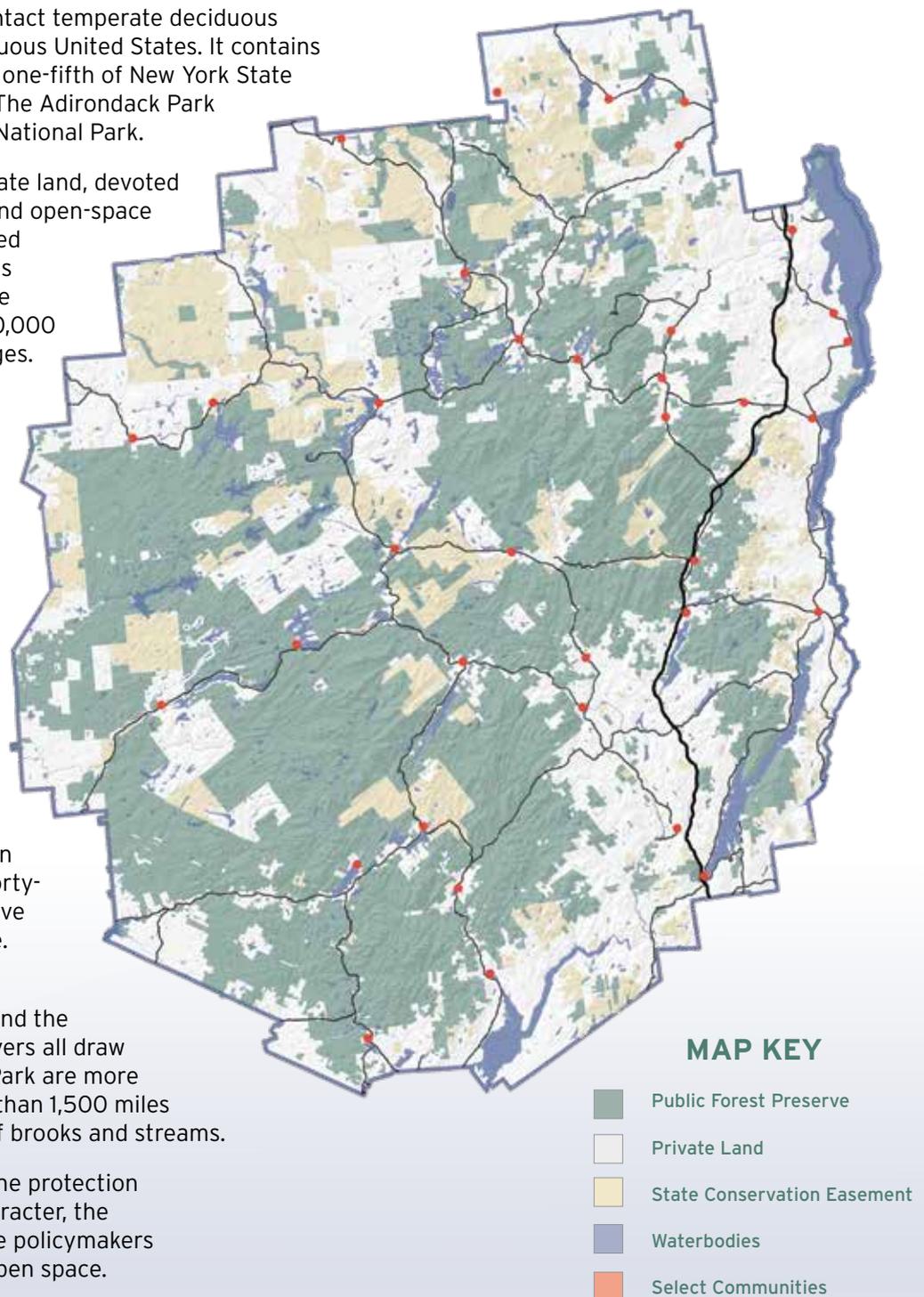
More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture, and open-space recreation. Nearly 775,000 acres are protected from development by conservation easements held by the state or private organizations. The Park is home for 130,000 permanent and 200,000 seasonal residents in 120 hamlets and 9 villages. The Park hosts 12.4 million visitors yearly.

Nearly half of the Park is publicly owned Forest Preserve, protected as "Forever Wild" by the NYS Constitution since 1894. About 1.1 million acres of these public lands are protected as Wilderness, where non-mechanized recreation may be enjoyed. Most of the public land (more than 1.4 million acres) is Wild Forest, where motorized uses are permitted on designated waters, roads and trails.

Plants and wildlife abound in the Park. Old growth forests cover more than 100,000 acres of public land. The western and southern Adirondacks are gentle landscapes of hills, lakes, wetlands, ponds, and streams. In the northeast are the forty-six High Peaks. Forty-three of them rise above 4,000 feet and 11 have alpine summits that rise above the timberline.

The Adirondacks include the headwaters of five major drainage basins. Lake Champlain and the Hudson, Black, St. Lawrence, and Mohawk Rivers all draw water from the Adirondack Park. Within the Park are more than 2,800 large lakes and ponds, and more than 1,500 miles of rivers, fed by an estimated 30,000 miles of brooks and streams.

Through public education and advocacy for the protection of the Park's ecological integrity and wild character, the Adirondack Council advises public and private policymakers on ways to safeguard this great expanse of open space.



# 2021 REPORT CARD

PHOTO: ADOBE STOCK

Elected and appointed government leaders made decisions late in 2020 and in 2021 that affected the legacy of the Adirondacks. Here is a report on the 2021 State of the Park priorities (issued Sept. 2020).

## **Preserve Wilderness**

New plans were released to address overuse, expand education, build infrastructure, pilot enforcement of Wilderness resource capacity limits, hire Forest Rangers, and increase personnel to protect natural resources.

## **New Conservation Funding**

The state reauthorized a \$3-billion Clean Water, Jobs Bond Act for the 2022 ballot, for water, climate, overuse, and the Adirondacks. The Environmental Protection Fund appropriation was a full \$300 million. A new \$500 million was set aside for clean water.

## **Combat Climate Change and Acid Rain**

Federal and state governments promoted clean energy and implemented climate actions, rejoined the Paris accord, restored federal protections against acid rain, and enhanced research funding.

## **Stop Invasive Species**

The state Senate and Assembly approved comprehensive boat inspection legislation to help prevent the spread of aquatic invasive species.

## **Support More Vibrant Communities**

More funds were approved for planning, smart growth, communications, health care, jobs, housing, and recreational infrastructure.

## **Expand Park Diversity Equity & Inclusion Efforts**

Efforts were expanded to build a more welcoming, inclusive Adirondack Park that celebrates all kinds of diversity.

## **Approve Environmental Agency Reforms**

The state failed to increase funding, staffing, and oversight of the Department of Environmental Conservation or take action to strengthen the Adirondack Park Agency with updated planning and conservation tools to better incentivize private stewardship and responsible development.

## **Defend the NYS Constitution**

The Courts defended the integrity of the “forever wild” clause of the NYS Constitution and the Legislature secured second passage of the “Environmental Rights Amendment” so voters may approve it in 2021.

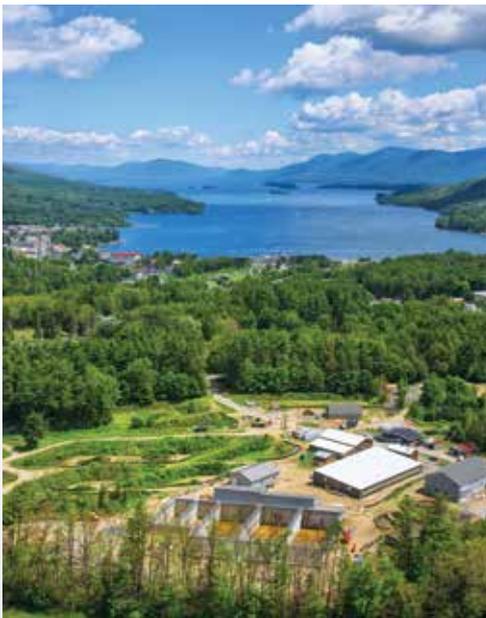
# THE GOVERNOR



PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## Taps Revenue for Water, Flood of Visitors

Gov. Andrew Cuomo negotiated a budget with the Legislature that included a \$300 million Environmental Protection Fund (EPF) for open space, parks, solid waste, and climate mitigation/adaptation. The EPF also dedicated \$1.5 million to manage overcrowding in the Adirondack and Catskill Forest Preserves. The budget provided an additional \$500 million for clean water projects statewide that would otherwise be funded through local property taxes. A total of \$4.4 billion has been approved for clean water since 2015, with \$58 million in grants going to the Adirondacks during that time. The Park's nine villages and some hamlets help to safeguard clean water for more than 12.4 million visitors each year via more than two dozen municipal wastewater treatment plants.



Lake George wastewater treatment plant

PHOTO © CARL HEILMAN II/WILD VISIONS INC.  
LAKE GEORGE LAND CONSERVANCY



CUOMO

## Cuomo Resigns

On August 10, Gov. Andrew Cuomo announced he was resigning following reports from investigations by the Attorney General and a NYS Assembly committee alleging he sexually harassed or abused 11 women and routinely bullied subordinates in an effort to maintain control over them. He also stood accused of under-reporting nursing home deaths during the COVID-19 crisis; ignoring structural flaws in the construction of the Gov. Mario Cuomo (formerly Tappan Zee) bridge; misusing state resources and personnel for allegedly giving COVID-19 testing priorities to friends and family members; and for using state staff to write and edit a book on his handling of the pandemic, for which he was paid millions of dollars.

## Road Salt Program Gets Rolling

Governor Cuomo signed into law the Randy Preston Road Salt Reduction Act – a bipartisan bill that will help reduce road salt pollution in wells, lakes, and streams and protect drinking water in the Adirondack Park. Named for the late Wilmington Town Supervisor who rallied local supporters, the law creates an Adirondack Road Salt Reduction Task Force. The task force will recommend a salt-reduction pilot program to test proven alternative measures Park-wide. Now, the Governor needs to take another step: see *Salt Task Force of Zero* below.



Winter road maintenance on a state highway

## Salt Task Force of Zero

While he signed the bill authorizing the creation of an Adirondack Road Salt Reduction Task Force and Pilot Program in 2020, the Governor has yet to appoint recommendations made by the legislature or fill his own seats.

## Fresh Welcome Mat for a Diverse Public

The Governor continued to support the Adirondack Diversity Initiative (ADI), agreeing to provide another \$250,000 for FY2021-22 via the Environmental Justice section of the EPF. ADI is working to make the Adirondacks a more welcoming, inclusive, and safe place for residents and visitors. It was created by local activists, unprecedented bipartisan support at the state level, and endorsement by more than 40 community agencies across the Adirondacks and greater North Country.

## Internet Must be Affordable

In April, Governor Cuomo approved a new law that guarantees access to high-speed internet for \$15 a month, including fees and taxes, for low-income residents. Providers must offer this price to all New Yorkers who qualify for other government assistance programs, including school lunch, Supplemental Nutrition Assistance Program (food stamps), rent assistance, affordability benefits for utility bills, and Medicaid. However, the Governor's promise to provide universal coverage statewide by 2018 remains unfulfilled and provisions are needed to ensure providers' costs are funded. See *Network Not in Range* below.

## Network Not in Range

There has been little progress in addressing gaps in broadband internet coverage in rural areas. Even New York City officials reported that 1.5 million city residents lacked broadband coverage in their homes and businesses. In January, matters were made worse by a veto of the Comprehensive Broadband Connectivity Act, which would have surveyed the entire state to see who still needs service. New broadband legislation passed in June and awaits the Governor's decision.

## Gov Failing on Cell Coverage

In 2020, the Governor's Upstate Rural Cellular Coverage Task Force told him that it would cost \$633 million to close cell phone coverage gaps in Upstate rural areas outside of the Adirondack and Catskill Parks. Another year passed without an estimate of the cost of closing gaps inside the parks, or a plan to close the gaps. Cell companies have not been willing to provide coverage in sparsely populated locations, so investment is needed to close gaps in the Adirondacks with well screened infrastructure, especially in and along travel corridors and between communities. Also, new generations of service such as 5G require more interconnected transceivers.



HOCHUL

## Governor Kathy Hochul

Lt. Gov. Kathy Hochul assumed the office of Governor in August after the resignation of Andrew Cuomo, who was serving in his third term. From Tonawanda in western New York, Hochul is the first woman to serve as the state's Governor. Hochul was in her second term as Lieutenant Governor, (a separately elected office from the Governorship, not a single ticket). She has also served a term in Congress. Hochul vowed to end what she called a culture of fear and intimidation in state government. Hochul has been attentive to Adirondack issues, frequently visiting the Park and participating in local events and celebrations. She has attended several of the Adirondack Council's awards ceremonies and social gatherings, including recording a special greeting for those who attended the Council's 2021 Virtual Forever Wild Day Celebration in July. Hochul told Council members, "the Adirondacks are God's favorite place on Earth."

## New Beginning for an Old Line

In May, the Governor's depts. of Transportation and Environmental Conservation joined with the Office of General Services to begin rehabilitating the former Remsen-to-Lake Placid rail line into a bike and walking path. The new surface will connect Lake Placid, Saranac Lake, and Tupper Lake. Walkers, runners, and cyclists will be able to travel for 30 miles between those communities on a relatively level surface without competing with automobile traffic. Additional plans call for the rails to remain in use from Tupper Lake to Old Forge and out of the Park to Utica's Union Station via a major rail renovation. The 122-mile railroad was constructed in the 19th Century to carry lumber, freight, and private passengers.



New trail construction along the former rail line between Lake Placid and Tupper Lake

## APA Leadership Vacuum Lingers

Governor Cuomo again failed to appoint new members or a chair to lead the Adirondack Park Agency (APA) board. His inaction has created a leadership void in the state's only agency that treats the Adirondack Park as a park. Of the APA's eight citizen board member positions, two are currently serving on expired terms and one seat is vacant. The Governor also failed to add staff to the APA, despite a written plea from four Adirondack organizations urging him to hire new staff and rebuild the agency.

## Mo Stands Alone on Frontier of Progress

With much fanfare, the Governor in 2017 announced a \$32-million master plan to create a new welcome center for the High Peaks Wilderness Area at the long-idle Frontier Town amusement park at Exit 29 on the Northway (I-87) in North Hudson. The state's plans to partner with other investors have shown little progress. Pakistani-American immigrant Muhammed Ahmad bought the former A-frame building on Blue Ridge Road, which was once part of the defunct amusement park. In June, he renovated the structure into a store, restaurant, and rest stop for those heading into the High Peaks. For some reason, the state has offered Ahmad no assistance.

## There ORDA be Some Balance

Investments in the Olympic Regional Development Authority (ORDA) and the region's sports economy are warranted. In August of 2020, the Governor provided \$147 million for new construction and renovation at ORDA-operated venues. This includes the Belleayre, Gore, and Whiteface ski centers, Olympic Jumping Complex, Olympic Center, Olympic Speed Skating Oval, and Olympic Sports Complex at Mt. Van Hoevenberg. Also, in 2019, ORDA received more than \$60 million. The concern is not these investments but the widening gap in funding between Adirondack sports venues and environmental protection. As the Adirondack Park Agency celebrates its 50<sup>th</sup> anniversary, its annual budget is \$5 million, and it has fewer staff than it had in 1971. The Dept. of Environmental Conservation cannot keep pace with a flood of new visitors to the Park's already overused High Peaks Wilderness Area and other popular destinations. Both need more money and personnel to carry out their missions.



Renovations at the Olympic Ski Jumping Complex in Lake Placid, Essex County

## Green Choice for Public Service Commission

In June, the Governor appointed environmental justice activist Rory Christian to a term on the board of the NYS Public Service Commission (PSC). Christian was chair of WE ACT for Environmental Justice and director of New York Clean Energy for the Environmental Defense Fund. The PSC regulates electric and gas services and has great influence over the siting of new commercial power plants.

## State Breaks Rules, Towns Pay Price

The decision to ignore Constitutional limits on alterations to the Adirondack Forest Preserve has halted a major public works project and led to anger and resentment on the part of some local government officials. The state's highest court in May rebuked a years-old deal with town supervisors. Support from town officials for the state's purchase of new Forest Preserve lands hinged upon the construction of a new snowmobile trail network linking North Hudson, Newcomb, Minerva, Indian Lake, and Long Lake. Ignoring warnings from conservationists and a court, the state pushed ahead with plans to create a network of road-like, high-speed trails requiring the removal of thousands of trees. The Court of Appeals ruled 4-2 that building these new snowmobile highways required the removal of so many trees that continuing would result in an unconstitutional destruction of protected timber. The state halted its construction. Town officials are expressing grave disappointment, with some calling for a halt to state purchases of new Forest Preserve in the Adirondacks.

## New Law a Hit with Farmers

In March, Governor Cuomo approved legislation that legalized the cultivation, possession, and consumption of cannabis for adult-only recreational use. The legalization of marijuana cultivation was a high priority for the Park's farming community as it seeks to boost farmers' earning potential from existing fields by providing new products to expanding markets. The potential price per acre for cannabis is significantly higher than most currently cultivated feed and vegetables. The NY Farm Bureau had endorsed legislation legalizing cultivation and sale since the 2019 Legislative Session. Rules to implement the farming and sales portion of the new law are expected by 2022. ■

## THANK YOU FOR YOUR ADVOCACY!

The staff of the Adirondack Council would like to thank you and the thousands of other loyal and dedicated Adirondack Park advocates from all 50 states and several countries around the world!

During these difficult times, your personal letters, emails and phone calls to state and federal policymakers have made a positive difference for the Adirondacks.

Together, we have better protected the Park's clean water from road salt pollution and invasive species, worked with partner organizations to successfully challenge and reverse Trump-era rollbacks of federal clean air policies, and taken the first steps to address overuse and preserve our world-class wildlands for future generations.

The Adirondack Park is a national treasure. THANK YOU for being a part of these accomplishments.

12 Action Alerts



1,481

NEW Advocates in the past year

13,145 Emails to Policymakers



# THE COURTS

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## **New York Court of Appeals Saves Forest Preserve**

In May, the NYS Court of Appeals delivered a 4-2 decision protecting the “forever wild” public Forest Preserve from destruction by a state agency. Protect the Adirondacks! brought and won this decision. The Dept. of Environmental Conservation (DEC), with the concurrence of the Adirondack Park Agency, was building a network of road-like snowmobile trails through the public Forest Preserve. Conservationists warned that the plan allowed clear-cutting and construction for trail building on a scale like never before on the Constitutionally-protected lands.



### **Class II snowmobile trail construction in the Moose River Plains Wild Forest**

Opponents persuaded the court that the new network would violate Article 14, Section 1's prohibition against the destruction of timber on the Preserve. The court instructed the DEC that it could not continue to build this trail network. The new network would have carved out 27 miles of wider, flatter, smoother “Class II” trails between Long Lake, Indian Lake, Newcomb, North Hudson, and Minerva. It would also have set a precedent that could

significantly degrade the wild character of the Forest Preserve over time. In sum, the high court said state officials may not use the excuse of improved recreation or economic development to justify material destruction of the Forest Preserve, and only the voters can allow changes on the Forest Preserve by a Constitutional Amendment. The court's decision didn't affect the state's ability to perform routine maintenance on or replace existing trails on the Forest Preserve. Adirondack Council and Adirondack Wild were friends of the court and were represented in the case by Philip H. Gitlen (a former DEC General Counsel) and Robert S. Rosborough IV, both of Whiteman Osterman & Hanna LLP.

## **Federal Court Shoots Down Trump's ACE**

In January, the U.S. Court of Appeals for the D.C. Circuit rejected the Trump administration's attempt to repeal and replace the Obama-era Clean Power Plan with a much weaker Affordable Clean Energy Rule (ACE). The Clean Power Plan required cuts of 32% in power plant carbon emissions by 2030. Trump's plan required no carbon reductions. The court's 2-1 majority said that the Trump rule “hinged on a fundamental misconstruction” of the Clean Air Act. The court also said Trump's attempt to use the ACE rule to slow the pace of greenhouse gas reductions from power plants was “arbitrary and capricious.” The federal plan to regulate greenhouse gas from power plants now goes to President Biden's Environmental Protection Agency for a restart. A new draft rule is expected in late 2021. Opposition to the Trump rule was led by NYS Atty. Gen. Letitia James who coordinated the objections of 23 states and eight local governments in winning the case.



**Tooley Pond Road, Town of Clare, St. Lawrence County**

## **Decision Detours Outside of Town**

In April, Supreme Court Justice Mary Farley of St. Lawrence County went out of her way to avoid ruling against the Town of Clare's use of 10.75 miles of the Tooley Pond Road within the town as an all-terrain vehicle (ATV) trail. The ruling upheld the local law despite what appeared to be violations of the NYS Vehicle and Traffic Law and the State Environmental Quality Review Act. For example, the judge's decision veered outside of the town's boundary to satisfy the state law's requirement to connect to an existing ATV trail. Prior state court rulings had limited the use of roads to very compact sections within towns, usually a quarter to an eighth of a mile, connecting existing off-road trails. Clare's law doesn't. One bright spot in the ruling was the judge's recognition of the Adirondack Council's legal standing to challenge laws that might harm the Forest Preserve or bring unlawful motorized traffic to Forest Preserve roads or trails. The Tooley Pond Road runs for miles through the Forest Preserve, facilitating unlawful ATV access to and damage to public lands at random locations. ■

# STATE LEGISLATURE

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## BOTH HOUSES

### Uncommonly Great Step, Motivated by Alliance

In a shining victory for the Adirondack Common Ground Alliance, Assemblyman Billy Jones, D-Chateaugay, and Sen. Environmental Conservation Committee Chair Todd Kaminsky, D-Long Beach, broke a three-year legislative log jam and cleared the way for comprehensive invasive species inspections for powerboats and trailers prior to launch for all Adirondack waters. They also reinstated a 2014 statewide law requiring boaters to take responsibility for ensuring that their crafts are clean, drained, and dry before launching in any New York lake or river. That law took effect in 2015, expired in 2019, and was twice extended by one year before the improvement requiring inspections in the Adirondacks was approved. Preventing invasive species infestations not only protects intact ecosystems, it saves local communities from spending millions of dollars on control methods, or losing significant tourism once recreation is affected. The Adirondack Common Ground Alliance is a non-partisan group of community and organizational leaders who gather to set a mutual agenda for state government action important to the Park. Adirondack Council staff helped to create the Alliance and participate in its gatherings every July.



JONES



KAMINSKY

### Clean Water, Clean Air = Fundamental Rights

In February, the Legislature granted its final approval to the Environmental Rights Amendment to the NYS Constitution (Article 19, Section 1), guaranteeing each New York resident the right to clean water, clean air, and a healthful environment. The resolution had already been passed by the Legislature that sat prior to the November 2020 elections. The amendment now requires the approval of the voters in the November 2, 2021 general election. Four other inalienable and unbridged rights guaranteed by the New York Constitution are freedom of worship, a trial by a jury of one's peers, access to the Erie Canal, and protection of the Adirondack and Catskill Forest Preserves. The resolution was sponsored by Senator Robert Jackson, D-Manhattan, and Assembly Environmental Conservation Committee Chair Steve Englebright, D-Setauket.



JACKSON

### Bond to Heal Environment, Spur Economy

Sen. Kaminsky and Assemb. Englebright gained approval for a \$3-billion Clean Water and Jobs Bond Act for environmental projects statewide. The specific proposal will be spelled out for the voters to consider at the November 2022 general election. It is expected to include several categories that would benefit the Adirondacks, including \$200 million for open space, \$100 million for farmland protection, \$700 million for climate mitigation, \$1 billion for restoration and flood risk reduction, and \$100 million for inland flooding and local waterfront revitalization.

### Facilitating Speedy Broadband Connections

Both houses passed a bill (S.7028/A.2396) that would make it easier for broadband expansions to advance in rural areas such as the Adirondack Park. Broadband providers are often hit with high, unforeseen costs when trying to install their lines on utility poles, including requests to replace the entire pole. This legislation would require utility pole owners to pay for a portion of pole improvements and prevent them from shifting the entire replacement cost onto broadband providers. Under the bill, all utility poles in a village or town will be placed under one contract, creating a more efficient system for broadband service providers to gain permission for their build-out. Regulations currently require providers to obtain contracts for each utility pole they intend to use. The bill was sponsored by Sen. Michele Hinchey, D-Kingston, and Assemb. Carrie Woerner, D-Saratoga Springs, and co-sponsored by Sens. George Borrello, R-Jamestown and Dan Stec, R-Queensbury.



WOERNER

### Let's See Who's (Not) Connected

In April, both houses approved a state budget that included language and funding to implement the Comprehensive Broadband Connectivity Act. The bill requires the Public Service Commission to study the availability, reliability, and cost of high-speed internet services and to publish a detailed internet access map of the state. The budget includes \$1 million in funding to conduct the mapping. The bill originally

passed both houses in 2020 but was vetoed by Gov. Andrew Cuomo. The 2020 legislation had been sponsored by Sen. Jen Metzger, D-Middletown, and Assemb. Sean Ryan, now a member of the Senate, D-Buffalo. This year's sponsors were Senator Kevin Parker, D-Brooklyn and Assemblyman Michael Cusick, D-Staten Island.

## **Healthy Soil is Root of All Growth**

In June, both houses passed a bill to establish the New York Soil Health and Climate Resiliency Act to enhance and maintain the health and resilience of agricultural soils. This legislation links New York's farm, water quality, and climate change policies into one strategy that will increase the resiliency of farms and communities, protect water resources, and expand the role of our farms in meeting state climate goals. It establishes a Soil Health Initiative, a Climate Resilient Farming Initiative, and a Research Initiative through the NYS Department of Agriculture and Markets. The bill (S.4722/A.5386-A) was sponsored by Sen. Hinchey and Assemb. Donna Lupardo, D-Binghamton.



Wild Work Farm, Keene Valley

## **It's Better to Know What We're Up Against**

The Legislature dropped an opportunity to support an important scientific effort and provide protection to the Adirondack Park's waters when it failed to budget funding for a survey of climate change and Adirondack lake ecosystems. In the mid-1980s, the Adirondack Lakes Survey Corp., a not-for-profit partner of the Dept. of Environmental Conservation based in

Ray Brook, coordinated a comprehensive physical and chemical survey of more than half of the Park's 2,800 major lakes and ponds. The idea was to create a baseline from which to monitor the state's recovery from acid rain. The Adirondacks need new funding to provide a contemporary update and comparison to the three-decade-old baseline data while incorporating new criteria for the study of climate change impacts. This information can be used to defend the state's residents and natural resources from upwind pollution that causes acid rain, soot, and smog. Advocates and state officials have used the data to demand additional measures from the U.S. Environmental Protection Agency, Congress, and the nation's courts.

## **SENATE**

### **Senate Advances Green Package**

Senators led the effort to revive a \$3-billion bond act to provide new revenue for environmental capital projects statewide, which had been cancelled by the Governor's budget director in 2020. In addition, the Senate approved several environmental and public safety bills. They included bills to protect pollinators from the impacts of neonicotinoids, enhancing state protection for wetlands, and increasing the minimum age to operate an all-terrain vehicle from 10 to 14. These bills did not pass in the Assembly.

## **ASSEMBLY**

### **400 Million Reasons to Grow the EPF**

The New York State Assembly proposed a \$400 million Environmental Protection Fund (EPF) as part of its one-house budget proposal for the 2021-22 state budget. This proposal acknowledges a level of need that far exceeds the current EPF total. The \$400 million EPF included \$44 million for open space protection, \$9 million for Adirondack and Catskill visitor safety and wilderness protection, \$19.3 million for invasive species spread prevention, and more. Ultimately, this proposal was not

approved in the final version of the state budget. The EPF has remained at a steady \$300 million for five years running.

## **Seeking Tighter Lid for RGGI Cookie Jar**

The Assembly passed a bill that would halt the Governor and Legislature from raiding funds intended for conservation, renewable energy development, and sustainable energy job-creation and using them for non-conservation purposes to close gaps in the state budget. At risk are tens of millions of dollars in the custody of the NYS Energy Research and Development



MAY

Authority from the sale of carbon dioxide allowances to power plants through the state's participation in the 10-state Regional Greenhouse Gas Initiative. The bill would require any funds transferred be used in a manner consistent with NYSEDA's existing rules supporting green energy and jobs. It also directs the Comptroller to issue a report detailing the use of any transferred funds. The bill (A.7611/S.6268) was sponsored by Assemb. Anna Kelles, D-Ithaca, and Sen. Rachel May, D-Syracuse. It did not get out of committee in the Senate.

## **Waiting to Protect More Wetlands**

The Assembly opted not to pass legislation this session that would have protected an estimated one million additional acres of wetlands in the state. This bill would have expanded state jurisdiction over wetlands currently lacking protections, including some wetlands found in the Adirondacks. Wetlands provide benefits that clean our water, protect communities from the impacts of climate change, and support a diverse spectrum of wildlife. The Assembly has contended that they are holding out for stronger legislation. Meanwhile, various forms of this legislation have languished for roughly 20 years. The Senate passed this bill, sponsored by Senator Pete Harckham, D-Somers; the failed Assembly bill was sponsored by Steve Englebright. ■

# ATTORNEY GENERAL



PHOTO: ADOBE STOCK

## James' Suit Trumps Weak ACE

In January, New York State Attorney Gen. Letitia James won a lawsuit overturning the Trump administration's replacement for the Clean Power Plan (CPP) it repealed in 2019. James led a coalition of Attorneys General from 23 states and eight municipal governments to nullify the Affordable Clean Energy Rule (ACE). Unlike the CPP that would have cut power plant carbon emissions by 32 percent within a decade, Trump's ACE rule required no significant cuts. In a 2-1 decision, the U.S. Court of Appeals for the D.C. Circuit said that the Trump rule "hinged on a fundamental misconstruction" of the Clean Air Act and that Trump's attempt to implement the ACE rule was "arbitrary and capricious." The federal plan to regulate greenhouse gas from power plants now goes to President Joe Biden's Environmental Protection Agency for a restart. A new draft rule is expected in 2021.



JAMES



PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## Junk oil tankers stored on the Tahawus Rail Line along the Hudson River just north of North Creek in 2018

### Adirondack Tahawus Rail Line

Attorney General James' team continues to press ahead with the Federal Surface Transportation Board (STB) to force the removal of bankrupt Iowa Pacific Holdings' rights to the Adirondack Tahawus Rail Line. Iowa Pacific is the company which was storing dozens of derelict oil tankers here, adjacent to the Hudson River. The STB continues to delay action. The Department of Environmental Conservation and Adirondack Council attorneys continue to support the state.

### James Pursues the Truth

Attorney General James' investigations of Gov. Andrew Cuomo's behavior in office led to his resignation. She uncovered troubling evidence of unlawful actions in his treatment of women and in his use of state personnel and resources. Her report made it clear that the Governor would be impeached by the Legislature and that she would support the whistleblowers.

### Crucial Funding for "Critical Loads"

Attorney General James' legal actions frequently result in pollution reductions or financial settlements. The NYS Energy Research and Development Authority (NYSERDA) reinvested settlement money it received into a comprehensive study of the ability of Adirondack landscapes and watersheds to withstand air pollution. Acid rain and soot from the coal-fired power plants of the Midwest change the Park's soil and water chemistry in harmful ways. For decades, the answer to how much pollution it takes to make acid rain-caused damage was murky. But no longer. NYSERDA now has all of the tools needed to judge the "critical load" beyond which damage to ecosystems begins for Adirondack lakes, streams, and soils. This new standard will allow New York officials and advocates to seek new, science-based pollution limits from federal regulators. ■



PHOTO: ISTOCK

## Coal-fired power plant along Lake Erie

# IN THE SPOTLIGHT

## ORGANIZATIONS AND PEOPLE

*It takes more than government to make the world's greatest park work so well. Here are some of the organizations and people who made a positive difference in the Adirondacks this year:*

The **Adirondack Common Ground Alliance's** support for the new legislation to combat aquatic invasive species helped spur its approval.

The **Adirondack Mountain Reserve** endured criticism and complaints but instituted a workable parking reservation system for its expanded parking lot serving the High Peaks Wilderness Area.

In May, the **Cary Institute of Ecosystem Studies** published a new study questioning some of the broad assumptions about the value of forests in sequestering atmospheric carbon: "*Rethinking Forest Carbon Offsets*" by senior scientist Charles Canham. It is a critical examination of markets for forest carbon offsets in the U.S.

The citizens and organizations who served on the **NYS High Peaks Wilderness Overuse Strategic Planning Advisory Group**, including the Adirondack Mountain Club, helped state officials frame a solution to negative impacts of overcrowding and worn-out trails.

The **Adirondack Diversity Initiative** (ADI) is offering diversity, equity, and inclusion training to local governments, police departments, and other Adirondack public servants to help them make the Park a more bias-free environment.

The **Ausable River Association** has spent much of 2020-21 installing larger drainage culverts to handle larger storm events without damage to riverbanks and roads. It also installed a series of fishing wader washing stations to prevent the spread of microscopically small invasive species.

**Kate Fish** retired this spring after 12 years as executive director of the Adirondack North Country Association (ANCA), an economic development organization focused on clean energy, local food, and small business development. ANCA also hosts the Adirondack Diversity Initiative.

**AdkAction** of Keeseville partnered with the **Hub on the Hill** in Essex during the pandemic to create Emergency Food Packages that provided more than 64,000 meals to friends and neighbors facing food insecurity due to the COVID-19 crisis.

In June, **Cornell Cooperative Extension's Hamilton and Herkimer Associations** held a Brook Trout Conservation Field Day in collaboration with **Trout Power** and **Great Camp Sagamore** where participants learned about the tremendous strides in research and conservation helping to restore lost heritage strains of brook trout.

The **New Yorkers for Clean Water and Jobs coalition**, some 175 organizations, banded together to support a state Legislative proposal for a 2022 \$3-billion environmental bond act.

In December 2020, the **Adirondack Land Trust** purchased a 17-acre parcel of land in Johnsburg, Essex County, completing the protection of all of Thirteenth Lake's shoreline, which is surrounded by the Siamese Ponds Wilderness Area and Garnet Hill Property Owners Association.

The **Open Space Institute** purchased 2,229 acres from Bar MH Timber LLC in Chesterfield and Lewis for future addition to the Adirondack Forest Preserve that protects a key Champlain Wildway.

The **Lake Champlain Basin Program** awarded 98 grants for a total of more than \$2.6 million to protect water quality, including \$50,000 to AdkAction for efforts to reduce excessive use of road salt.

In February, **Lee Keet** of Saranac Lake realized a long-sought dream when he converted a lot he bought to prevent Walmart from building on it into the Saranac Lake Community Solar Project, co-owned by local residents.

Longtime partners, the **Lake George Association** and the **Fund for Lake George** merged in March into a single organization, keeping the association name.

The **Lake George Association** removed about 20 tons of hand-harvested Eurasian Watermilfoil from the lake this spring.

**Paul Smith's College** hired retired High Peaks Forest Ranger Scott Van Laer to run its Visitor Interpretive Center on Route 30 in Brighton.

On June 19, **John Brown Lives!** held a rousing Juneteenth celebration at the John Brown Farm State Historic Site to recognize the 125th anniversary of the state protection of the site and to celebrate the effective end of slavery in mid-June, 1865 when federal troops freed the last enslaved Blacks in Texas, months after the Confederacy had surrendered.

The **Adirondack Chapter of The Nature Conservancy** continues to work to make sure the Follensby Pond property is well protected.

The **Conservation Fund** protected 8,000 acres of the Adirondacks along the South Branch of the Grass River in St. Lawrence County. ■

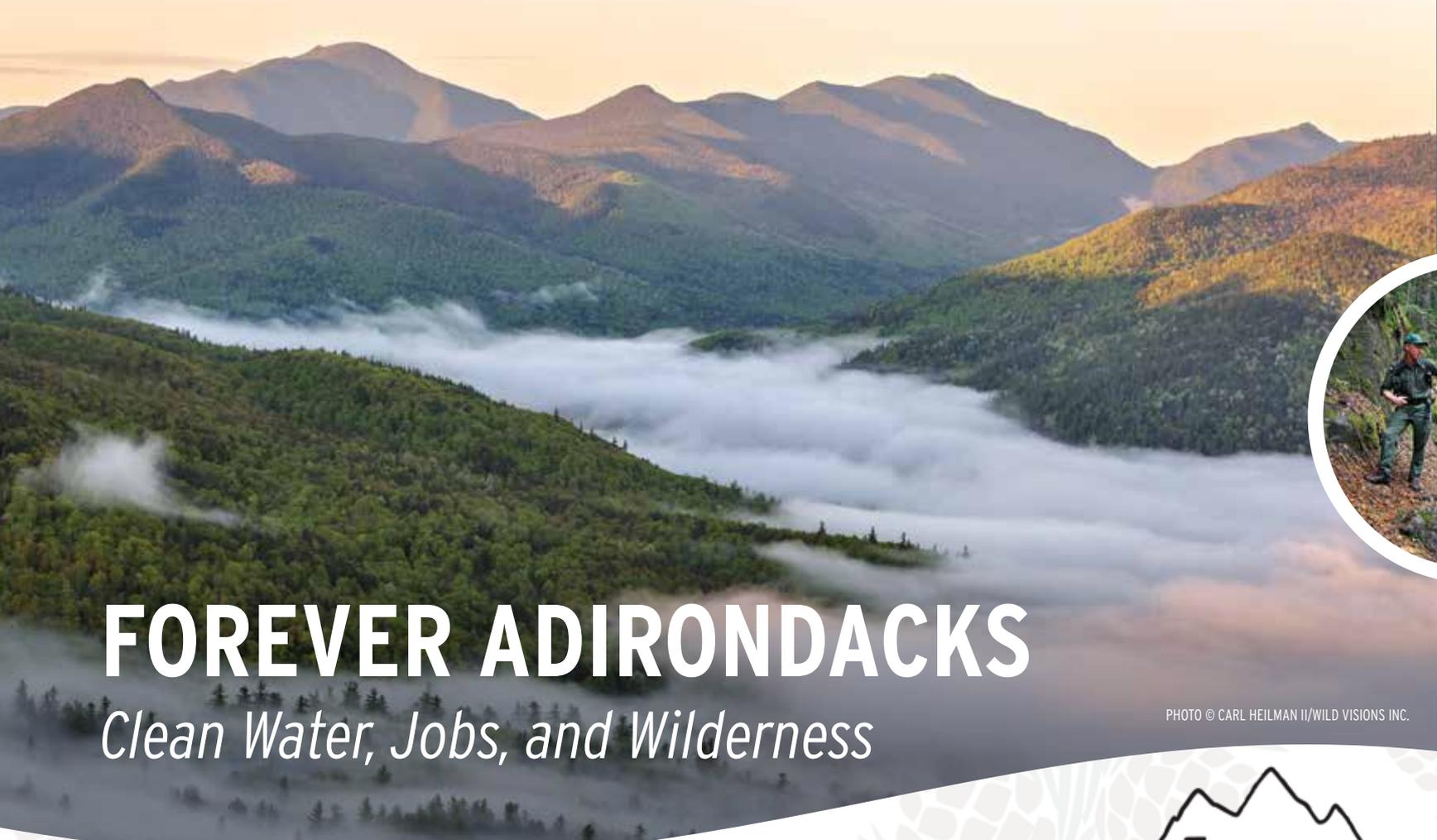


PHOTO © CARL HEILMAN II/WILD VISIONS INC.

# FOREVER ADIRONDACKS

*Clean Water, Jobs, and Wilderness*



***New York's Adirondack Park is a national treasure but is threatened.***

*Clean Water, Jobs, and Wilderness.*

We must act now to preserve it and build a better future for visitors and residents. Aaron Mair, as Director of the Forever Adirondacks Campaign, will raise awareness across New York State and the nation of the need to fund clean water, jobs, and wilderness protection in the Adirondack Park.

### **PROTECTING CLEAN WATER**

The Park has more than 2,800 large lakes and ponds, 1,500 miles of rivers, 30,000 miles of brooks and streams, and billions of trees. Its protected forests sequester carbon and replace it with oxygen, help fight climate change, filter our drinking water, and provide the clear air we breathe, and keep our rivers and streams cool enough for native trout and salmon to survive.



PHOTO: NANCIE BATTAGLIA

**AARON MAIR**  
*Director of the Forever Adirondacks Campaign:*

Aaron joined the Adirondack Council in May 2021. He is a national wilderness advocate and environmental justice pioneer who has worked over the last 40 years in the spaces of health, environment, climate change disparities, and park protection. He is an urban environmental activist and a regional and national environmental justice organizer and strategist who has advised two presidents and Congress, and served on the national board of directors of the Sierra Club as its 57th president.

**"Aaron Mair has been at the forefront of the national movement for environmental justice. What good news that he is bringing his passion and expertise to bear on the six million acres inside the Blue Line, where I have no doubt he will make a tremendous difference!"**

**- Bill McKibben, Environmental author, climate activist/expert, and Adirondack Park resident**



**Forest Rangers are asking the state to hire additional rangers**

## INVESTING IN NEW ADIRONDACK JOBS

The Adirondack Park's 130,000 year-round residents and 130 communities need state and federal investments to upgrade green infrastructure; to double and diversify the Forest Ranger force; to put people to work, foster more vibrant communities, and preserve the Park's clean water and wilderness.

The Park can expand job opportunities and build a sustainable year-round population with new investments in improved housing, education, childcare, visitor management, cell service, and broadband communications infrastructure.

## PRESERVING WILDERNESS

The Adirondack Park is home to 90% of all motor-free Wilderness from Maine to Georgia and irreplaceable wildlife such as moose, trout, and loon. The wilderness should be managed and enjoyed sustainably. The Park needs funding to address overuse and protect the Whitney Estate and Follensby Pond properties.



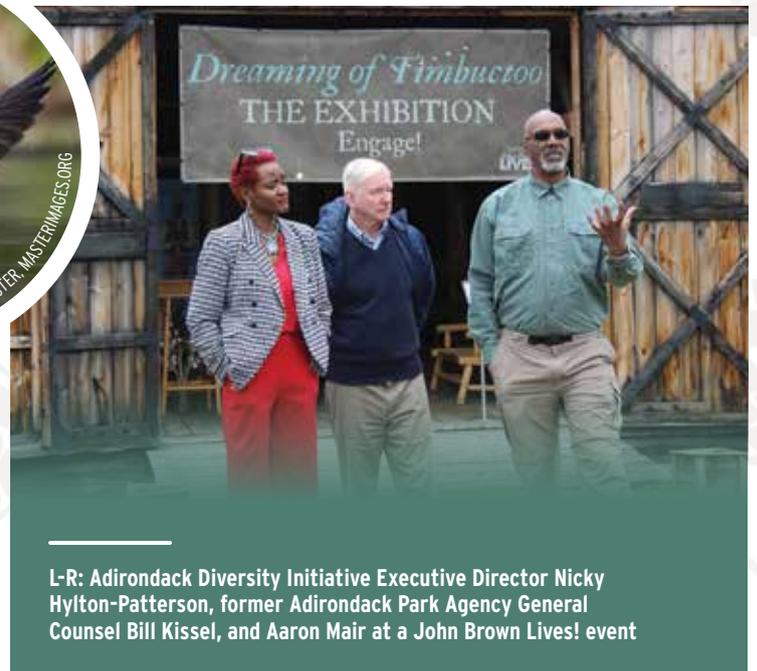
## FUNDING SCIENCE

Resources for science, climate monitoring, acid rain research, and restoration have been cut significantly. They must be restored and expanded to protect nature and public health.

## ADIRONDACK GREEN NEW DEAL

A Green New Deal for the Adirondack region would improve the quality of life by funding community-centered development, expanded housing options, better wilderness protection, clean water, and a welcoming, safe environment for all. Better visitor-management would help spread out economic benefits and relieve congestion in crowded communities.

Renewable energy, green transportation, and climate-smart farm projects would build the economy in ways that complement Park protection. More long-term rental housing and reasonable purchase options would help provide affordable living spaces for new residents, young families, and professionals.



**L-R: Adirondack Diversity Initiative Executive Director Nicky Hylton-Patterson, former Adirondack Park Agency General Counsel Bill Kissel, and Aaron Mair at a John Brown Lives! event**



# LOCAL GOVERNMENT

## **Balancing Act Earns Encore Performance**

Once again, Keene Town Supervisor Joe Pete Wilson has shown patience and leadership in guiding his town's reaction to the flood of new visitors to the High Peaks Wilderness. More people are using the Forest Preserve as a COVID-19 refuge and using his community to get there. He worked with state officials to acquire new shuttle buses to help control the number of visitors at over-visited and worn out trails and campsites. Confident that his town has more than enough visitors and traffic to sustain the economy, Wilson has shown the courage to provide visitors with alternative hiking and camping options in other towns. This generous act protects the vulnerable Forest Preserve while it preserves the quality of life for town residents.



**WILSON**

## **Re-Running the Numbers**

In May, St. Lawrence County planners worked with the Development Authority of the North Country to complete a survey of residents' broadband internet needs. Also, Washington County officials used federal Coronavirus Aid, Relief, and Economic Security Act funding to carry out a similar survey. Local officials are reacting to the lack of accurate data available from internet providers or from state officials promising universal coverage. Two years ago, town officials in Essex County carried out their own surveys and discovered that the local cable TV and internet providers' estimates of coverage were exaggerated.

## **Braymer Leads on Clean Water**

In June, Warren County Supervisor Claudia Braymer, D-Glens Falls, proposed a new local law that would require septic systems near major waterbodies to be inspected at the time of sale or transfer. She wasn't happy when one member of the board's Environmental Concerns and Real Property Tax Services Committee blocked the measure. So she brought the proposed law to the full board, which appointed her to chair a special committee to discuss and gather public comment on the measure. The law would apply near Lake George, Schroon Lake, Loon Lake, Brant Lake, and the Schroon and Hudson Rivers. Homes with septic systems situated within 250 feet of these waters would need to have their disposal systems inspected whenever they are sold to new owners. Lake George has over 6,000 septic systems in the watershed with a majority of those within Warren County, and time-of-sale inspections are the least disruptive to the homeowner. Warren County and the state departments of Environmental Conservation and Health, and the NYS Environmental Facilities Corp., offer financing to homeowners for fixing septic systems in the Lake George basin.

## **Long Lake Dreams of 2040**

At press time, the Town of Long Lake had nearly completed its first 20-year comprehensive plan. Residents want officials to seek new businesses and want basic and reliable services such as dependable electricity, cell phone reception, and a grocery store. They also value the outdoors, so a recreation plan is part of the big picture.

## **Fiction Adds Friction**

An essay in the Albany Times Union newspaper by a local government leader inaccurately accused the Adirondack Council of renegeing on a promise to support a new network of road-like snowmobile trails connecting Adirondack communities. Not only did the Adirondack Council refuse to agree to the building of these so-called "trails," it filed two lawsuits to prevent their construction, before the first trees fell. In both cases, the court said the Council acted too hastily, since no damage had yet been done to the Forest Preserve. After trees were cut and earth moving equipment was used to plow flat, level surfaces through the Forest Preserve, the organization, Protect the Adirondacks!, filed a third suit. That made its way to the state's highest court, where the Council filed a Friend of the Court (amicus curiae) brief supporting Protect's objections. The court ruled 4-2 that the state had violated the "forever wild" clause of the NYS Constitution by destroying a material portion of the forest without permission from the voters. The Council has no objection to the construction of lawful snowmobile trails which, under state law, must be the same as existing foot trails.



**Hoss's Country Corner general store in Long Lake**

## **Throttling Back Uncontrolled Events**

The Lewis County Legislature started off with the right idea in August 2020 when it enacted a local law requiring organizers to obtain permits and insurance for events that draw 250 people or more 90 days prior to the event. It stumbled in April when it balked at enforcement. Local tavern owners had organized a poker run to five Tug Hill establishments and two others in the Adirondack Park near Brantingham Lake, without a permit. The event drew between 300-400 participants, and appeared to violate both the new permit law and COVID-19 restrictions. Most UTVs exceed the 1,000-pound limit for off-road vehicles that may be registered for use on public trails or roads in New York. At press time, the county was contemplating a reduction in the permit threshold to events drawing 50 people or more.

## **Straight Poop from the Town Supe**

In May, Queensbury Town Supervisor John Strough wrote a guest column for the Times Union newspaper of Albany calling for New York to “fulfill its statutory responsibility and implement a mandatory, uniform septic system inspection and maintenance program in every lakeside community.” Strough correctly lamented the recent algal blooms in Lake George - a drinking water source - and counted his community’s blessings that it hadn’t turned toxic.

## **Development Paused for More Planning**

The Santa Clara Town Board cautiously halted all commercial development in the community for six months, starting in January, to give officials time to prepare to review plans for a marina expansion at already-busy Fish Creek Ponds. Town officials pointed to nearby town of Long Lake’s comprehensive planning efforts and expressed a desire for the same type of professional and engineering advice. The town also gave itself permission to extend the moratorium beyond July 1.

## **It’s a Park, It’s a Brand**

It wasn’t so long ago that Adirondack town officials could be counted on to say the Adirondack Mountains were their home, not a park. Now, most towns just outside of the Park’s border are brimming with Adirondack-themed gift shops, restaurants, sporting goods outfitters, and clothing stores, and even a few churches with Adirondack in their titles. This spring, four Saratoga County towns located inside the Park (Hadley, Corinth, Edinburg, and Day) are joining forces to promote themselves to potential new residents using the Park, and the city next to it, as the sales tools. The slogan: *“Saratoga’s Adirondacks: On the Edge of Everything.”*

## **Six Times the Trouble, Rejected**

The Town of Lake Luzerne sought a map amendment from the Adirondack Park Agency (APA) that would weaken zoning restrictions on about 100 acres near Lake Vanare. The Town’s request to shift from a protective “rural use” zone to “moderate intensity” would have allowed a six-fold increase in principal structures per square mile. Fortunately, in April, the town’s request was denied by the APA’s Park Policy and Planning committee. The APA staff cited a loss of limited open space in the already-congested neighborhood along Route 9N. The plan gave too little consideration to increased water pollution from new development. The land in question contains wetlands and a stream that flows into the lake. About 80% of public comments opposed the proposal.



**Fish Creek Pond Campground**



**View of Piseco Lake from Panther Mountain**

## **Three Projects Hit the Trails**

In June, the Adirondack Community Recreation Alliance awarded three grants for recreational improvements in Keene, Tupper Lake, and Piseco Lake. The Alliance is a group of community leaders, outdoor enthusiasts, and local entrepreneurs dedicated to recreation, stewardship, and Adirondack communities. The Northern Forest Center, which facilitates and participates in the Alliance, raised funds for this round of grants. The Alliance awarded approximately \$9,000 to locate a pump track for cyclists in Keene, assess mountain biking trail options in Tupper Lake, and improve trails on Panther Mountain near Tupper Lake. A third grant was awarded to the Piseco Lake Association for improvements to the Panther Mountain Trail to address erosion and overuse, in partnership with the state and the Hamilton County Soil and Water Conservation District.

## **Saranac Lake Reaches Medals Podium**

After two years of work and political action by the village’s Climate Smart Community Task Force and local high school students, Saranac Lake received its bronze-level Climate Smart Community certification in September 2020. The task force began work in May 2018 and has met enough green goals to earn the new designation. Local high school students played a large part in reaching the goals, partnering with The Wild Center in Tupper Lake and attending its annual Adirondack Youth Climate Summit. The Climate Smart program encourages communities statewide to inventory and curb their greenhouse gas emissions and work toward a zero-emissions future. ■

# DEPT. OF ENVIRONMENTAL CONSERVATION

## 👍 Fair Access Begins Here

In May, Basil Seggos prioritized safety and wilderness protection over unfettered hiker access and the Department of Environmental Conservation (DEC) implemented parking reservations and other limits for the Adirondack Forest Preserve's most popular destinations. Seggos worked with the private Adirondack Mountain Reserve (AMR), home of the Ausable Club. AMR allows but has the right to restrict public access to and across its lands. AMR allows hikers to reserve a parking spot at its recently expanded 70-car parking lot up to two weeks in advance of a trip. By reserving a parking space online, the new system gives people in all areas of the state a fairer opportunity to visit the iconic High Peaks, plus the information they need to find another great adventure not far away.



SEGGOS



Hikers wait to register at a popular High Peaks Wilderness Area trailhead

## 👍 High Peaks State Overuse Group Recommendations

Members of the DEC's High Peaks Wilderness Overuse Advisory Group agreed upon recommendations that recognize the unacceptable physical and social impacts of overuse on wilderness, visitors, and communities in the Adirondack High Peaks area. Some are short-term recommendations that can be implemented immediately, or are already underway, such as addressing parking and pedestrian safety along Route 73; creating a pilot shuttle service; adding new portable toilets; increasing support for steward programs; and education efforts including "Leave No Trace" principles. Others are long-ranging plans and general agreements that include supporting green infrastructure; supporting social justice, equity, diversity, and inclusion efforts; using science and best management practices to influence decisions; using an established methodology to monitor and respond to resource conditions; providing stakeholder engagement; committing to a transparent process; and securing a commitment by the state for necessary funding to inventory, maintain, and rebuild trails. Some of these recommendations have been made before, but had not yet been carried out.

## 👍 Visitor Use Management

In May, the DEC converted some of the recommendations from the High Peaks Wilderness Overuse Advisory Group into a draft 98-page wild lands monitoring plan. The agency recognized the need for a third-party, independent, outside expert-assisted visitor management plan. That plan can evolve into a state-of-the-art Visitor Use Management Framework,

such as those used in national parks. The framework is a system for determining which areas of the Park need new trails, parking, sanitary facilities, planners, land managers, Forest Rangers, educational programs, and limits on use for the most heavily damaged locations to give them a rest.



PHOTO: NYSDEC

Essex County Hiker Shuttle

## 👍 Leave No Trace and #loveyouradk

After the Leave No Trace Center for Outdoor Ethics hosted a Hot Spot in the Eastern High Peaks in 2019, the DEC worked with local people and organizations across the Adirondacks to sustain the public conversation about outdoor ethics and wilderness. Together, they are providing a digital place where people can get proper information about Leave No Trace, the Adirondacks, and pledge to leave the Park a little better: [www.loveyouradk.org](http://www.loveyouradk.org). This effort has culminated in TV commercials running in all Stewart's Shops around the Adirondacks, as well as an audio message that gets played at Stewart's gas pumps. The DEC's partners include the Adirondack Council, Adirondack Mountain Club, and the Regional Office of Sustainable Tourism.

## Teamwork Needed to Repel Invaders

In December 2020, the DEC announced new, five-year, \$3.5-million partnerships with the NY Invasive Species Research Institute and Cornell University to support research to limit the spread of invasive species. The Institute has conducted nearly 50 scientific investigations into species affecting New York waters, forests, and farms. Of special concern is the effort to conserve New York's hemlock resources in the face of multiple threats, particularly hemlock woolly adelgid, an invasive insect. Other work includes a focus on identifying invasive species, education, outreach, and targeted control efforts. Part of the Institute's work will be to deploy biological controls to combat hemlock woolly adelgid, including an infestation on Lake George.



L-R: Council conservation staff members Ryan Nerp and Jackie Bowen work with Cathy Pedler from the Adirondack Mountain Club to survey for hemlock woolly adelgid near Lake George

## No Thanks, We'd Rather Not...

In June, the DEC's legislative affairs team was slow to support the approval of the aquatic invasive species legislation passed unanimously by both houses of the NYS Legislature. The agency once again defended the Governor's lack of additional funding for new personnel during budget hearings in March. Yet, staff told Legislators in June that the DEC lacked the personnel to carry out the boat inspection program mandated by the bill. A network of boat inspection and decontamination stations is already in place around the Park. The bill had the support of environmental organizations, the Common Ground Alliance, and local governments.



PHOTO: AWI

Boat washing and decontamination station at the Adirondack Welcome Center near exit 18 on Interstate 87 the Adirondack Northway

## Ranger-only Academy Slated for Wanakena

In June, Commissioner Seggos announced that he was scheduling a Forest Rangers-only academy to train more Rangers at a time when visitor numbers are rising, staffing is short, and a host of older Rangers are retiring. For decades, Forest Ranger and Environmental Conservation Officer recruits have had to share a training academy, and law enforcement and policing were the training emphasis. However, Forest Rangers have different duties. Rangers help to properly manage public lands such as the Forest Preserve, fight fires and rescue injured or stranded hikers, educate the public, and understand the terrain, so they can warn us when snow, ice, or rising streams make trails unsafe. Also, for the first time in decades, the academy will be held inside the Adirondack Park at the State University of NY College of Environmental Science and Forestry's Ranger School in Wanakena. A typical academy trains 40 to 60 recruits.

## DEC Not Asking for More Rangers

The Department is still not asking the legislature for increased funding to double the number of Forest Rangers, nor is it calling on the civil service to help diversify the force. A new academy should help maintain the current staffing level as more senior staff retire, and the need for an expanded Ranger force must be recognized and acted on.



PHOTO: NANCIE BATTAGLIA

Forest Rangers are an integral part of managing public lands in the Adirondacks and across New York

## **DEC Finds PFAS Linger in Local Water**

In October 2020, the DEC identified a colorless, odorless threat to public health at the Adirondack Regional airport, a town-owned airfield near Saranac Lake, adding it to its Superfund list as a hazardous waste site. The DEC found PFAS chemicals in the water supply near the airport and the groundwater in a nearby mobile home park. This is bad, but the fact that the DEC found and publicized this problem is good. Like other airports across the country, Adirondack Regional for years sprayed firefighting foam that contains chemicals known as PFAS, which can cause cancer and other health problems.

## **Hunter Shoots Moose, Sent to Calaboose**

In September 2020, Conservation officers scored a victory for protected wildlife when they won a conviction in a moose poaching case involving a Saranac Lake resident. The shooter was sentenced in the Town of Franklin Criminal Court to 60 days in county jail and a \$5,000 fine. The DEC also revoked the perpetrator's hunting privileges for five years. The cow moose was shot on private lands open to public recreation via a conservation easement. The Park's moose population is not yet large enough to sustain hunting pressures.



PHOTO: LARRY MASTER, MASTERIMAGES.ORG

**Researchers estimate that only 600-800 moose reside in the Adirondacks - ticks, disease, and climate change threaten native moose populations across the Northeast**

## **Helping Agencies Budget Carbon Cuts**

In September 2020, Seggos announced the finalization of guidance to reduce climate-altering greenhouse gas emissions and advance the ongoing implementation of the Climate Leadership and Community Protection Act. This will help state agencies estimate the value of reducing carbon and other greenhouse gas emissions in decision-making. When agencies undertake conservation measures, the DEC's "value of carbon" metric establishes a monetary value for the avoided emissions of carbon dioxide, methane, and nitrous oxide. It is a metric that will be applicable to all state agencies and authorities to demonstrate the global societal value of actions to reduce greenhouse gas emissions.

## **Not Forever Wild Advocates**

From 2009 through 2021, the DEC promoted large-scale destruction of trees in the Constitutionally protected, "forever wild" Forest Preserve at the request of snowmobiling promoters. This earned the DEC a rebuke from Park advocates and the state's courts. The DEC then claimed without evidence that the court's refusal to allow the construction of much wider, flatter trails would prevent it from doing any trail maintenance, even on foot trails. State law requires Forest Preserve snowmobile trails to have the character of a foot trail. It's time for the DEC to follow that law.

## **Updated Regulations Please Some Anglers**

The DEC approved new generally improved regulations that simplify rules and make them easier for the public to understand. However, the new rules would also allow trout fishing year-round, not just in the traditional season of April 1 to mid-October. While the expanded period is catch-and-release only, and artificial lures must be used, which is good, this will add pressure to trout populations and will require careful monitoring for and adjustments to correct for any unintended negative impacts.

## **Debar Wild Forest Plan Lacking**

The DEC proposed reclassifying 41 acres of the Debar Mountain Wild Forest to Intensive Use and removing the Debar Lodge and other buildings, and replacing them with a day-use picnic area (in the Forest Preserve). The plan is incomplete, lacks critical information, and ignores consideration of a possible constitutional amendment to save the Debar Lodge, as was done for Great Camp Sagamore, and expand the Forest Preserve while opening new public access.



**Debar Lodge is listed on the National Register of Historic Places in the Town of Duane, Franklin County**

## **Clean Water for Fetching Landscape**

This spring, the DEC closed the unofficial Lake George dog beach adjacent to Million Dollar Beach in the Village of Lake George. The state's major bathing beach with the pricey name had been closed several times in recent years due to high fecal coliform levels. The DEC excavated the so-called dog beach and installed a massive "bio-filter" to help slow and clean stormwater runoff before it enters the lake. Local and state officials are working together to improve the lake's overall water quality.

## **New, Improved Raquette Boreal Proposal**

The DEC revised a previously flawed draft amendment to the Kildare tract and Five Mile Tract Conservation Easements Recreational Management plan portions of the Raquette Boreal Wild Forest Unit Management Plan. The revision better balances public access and protection of natural resources and managing for wild character. ■

# OTHER AGENCIES

## **Comptroller: DEC Can't Do More with Less**

In January, New York State Comptroller Tom DiNapoli reported that the Dept. of Environmental Conservation (DEC) is doing much more than it did decades ago, but the funding to carry out its mission hasn't kept pace. His report said that after 50 years of growing and improving its mission, the DEC needs an influx of new state investments so that it can protect the state's clean water and air, healthy forests, wildlife, and general public health. In the Adirondack Park, the DEC needs additional planners, engineers, trail builders, land managers, lake/boat-launch stewards, summit stewards, Forest Rangers, and conservation officers. Overuse of wilderness, the spread of invasive species, and the need for new water and sewage systems will require greater investments by the DEC in the years ahead.



**DINAPOLI**

## **Improving Water Regs in Lake George**

In February, the Lake George Park Commission adopted new rules that will tighten protections for the lake's water quality. The Commission adopted the first significant changes to its 1998 stormwater regulations by prohibiting fertilizer applications within 50 feet of any water body, among other provisions. In addition, the new stream rules prohibit development and tree cutting within 35 feet of the 86 streams that flow into the lake.

## **Schroon Lake Powers Up for Electric Cars**

In December 2020, the NYS Power Authority unveiled what it called the first non-Tesla fast-charger for electric vehicles (EV) in the Adirondack Park - providing a key link to the North Country and better accessibility to the Park region for drivers. The four 175 kilowatt Direct Current Fast Chargers (DCFC) in Schroon Lake are only the fifth location in the state completed as part of a statewide charging network. The DCFCs are being installed along key travel corridors and in urban areas to make it convenient for travelers to drive EVs. Schroon Lake's chargers, installed in the parking lot of a Sunoco station on U.S. 9 in Essex County, are the first fast chargers offering non-proprietary charging in the Adirondack Park. They can power any all-electric vehicle with fast charging capabilities.

## **Mining Sunshine Instead of Iron**

In April, Benson Mines in Star Lake, St. Lawrence County, entered into a land-lease agreement with the New York State Energy Research and Development Authority (NYSERDA) for a 20-megawatt solar project on approximately 130 acres. The project, once completed, will provide enough power for 4,500 homes and would operate for 20 years. The agreement is part of the state's new renewable energy siting law, the Accelerated Renewable Energy Growth and Community Benefit Act. The law is intended to streamline large renewable energy projects to help the state achieve its goals under the Climate Leadership and Community Protection Act to get 70% of its electricity from renewable sources by 2030. NYSERDA identified the mine's tailings pile as a "build-ready" project site and is seeking a solar developer for the site.



**Electric vehicle charging station**

## **Halting Pollution Overloads**

The NYS Energy Research and Development Authority (NYSERDA) worked with Syracuse University's Department of Civil and Environmental Engineering, E&S Environmental Chemistry, and the U.S. Geological Survey New York Water Science Center, in Troy to develop a series of three studies illustrating how New York can set air pollution standards that would protect Adirondack ecosystems from harm. The studies confirm that there are "critical loads" beyond which damage from acid rain begins to accumulate in the Park's soils, lakes, and rivers. This research will allow New York officials to establish a highly accurate pollution standard for the Park and demand help from the U.S. Environmental Protection Agency in curbing upwind pollution to meet that standard. Most of the air pollution hitting the ground in the Adirondacks is generated by coal-fired power plants in upwind states. It is illegal to burn coal in New York to produce electricity. ■

# ADIRONDACK PARK AGENCY

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## Visitor Plan is Framing Up Nicely

In May, the Adirondack Park Agency (APA) worked with the Dept. of Environmental Conservation to turn a set of recommendations from the High Peaks Wilderness Overuse Advisory Group into a draft wildlands monitoring plan. The advisory group recognized the need for a third-party, independent, outside expert-assisted visitor management plan. That plan can evolve into a state-of-the-art Visitor Use Management Framework, such as those used in national parks. The framework is an iterative, science-based system for determining which areas of the Park need new trails, trail maintenance, parking, sanitary facilities, planners, land managers, Forest Rangers, educational programs, and limits on use for the most heavily damaged locations to give them a rest. The Council has provided the Agency with a set of suggestions for improving the draft framework.



## Out of Sight, In Service

In September 2020, the APA approved a well-screened cell tower in the Warren County Town of Horicon. The 95-foot cell tower on North Sherman Lake Road was disguised as a tree to conceal it from public roads. Visual analysis concluded that generally, the monopine's size, composition and color blend in with the surrounding forested landscape and it is substantially invisible.

## Coverage, Not Clutter

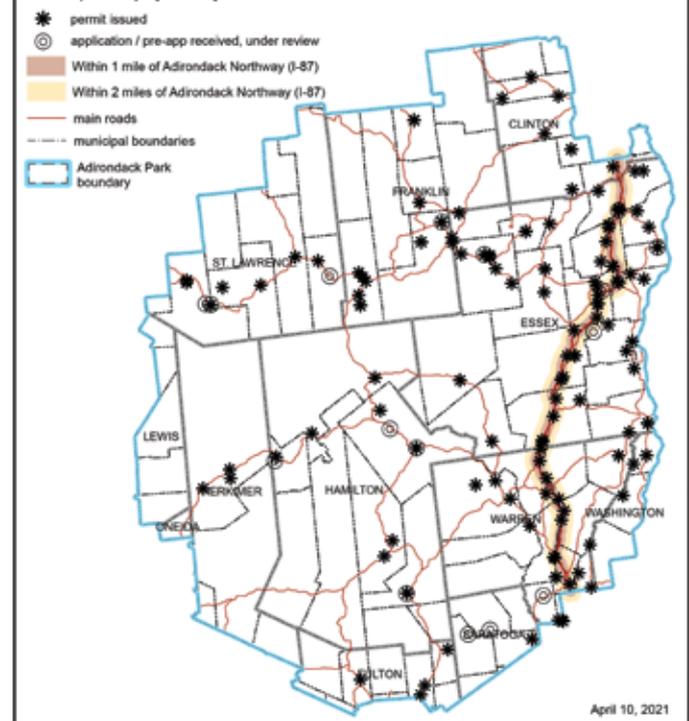
The APA approved cell towers in Indian Lake and Inlet that did not meet the "substantially invisible" criteria of its long-standing policy for siting towers and other tall structures. For nearly two decades, the fair application of the policy has helped to ensure cell phone coverage without harming the wild beauty of the Park's forests and mountains. Making towers more visible would bring only negligible improvements in coverage at a high cost to the Park's natural character.

## Richard Persico (1933-2021)

Gloversville native Richard Persico passed away in August at the age of 88. In 1973, Persico was Chief Counsel to Governor Rockefeller's Office of State Planning, when he drafted the legislation that enacted into law the Adirondack Park Private Land Use and Development Plan, the most sweeping state-level land use control program over private lands in the nation. In June of that year, he was appointed the first Executive Director of the Adirondack Park Agency. He also made significant contributions to the creation of landmark legislation, such as the State Hazardous and Waste Super Fund, the Adirondack Park Agency Act, and the State Wild, Scenic, and Recreational Rivers Act.

### TELECOMMUNICATION PERMITTING

Cellular permits/projects only



New and existing structures for which the APA has permitted or is reviewing cellular service use (1993 through April 10, 2021).

This map should not be used for legal jurisdictional determinations.



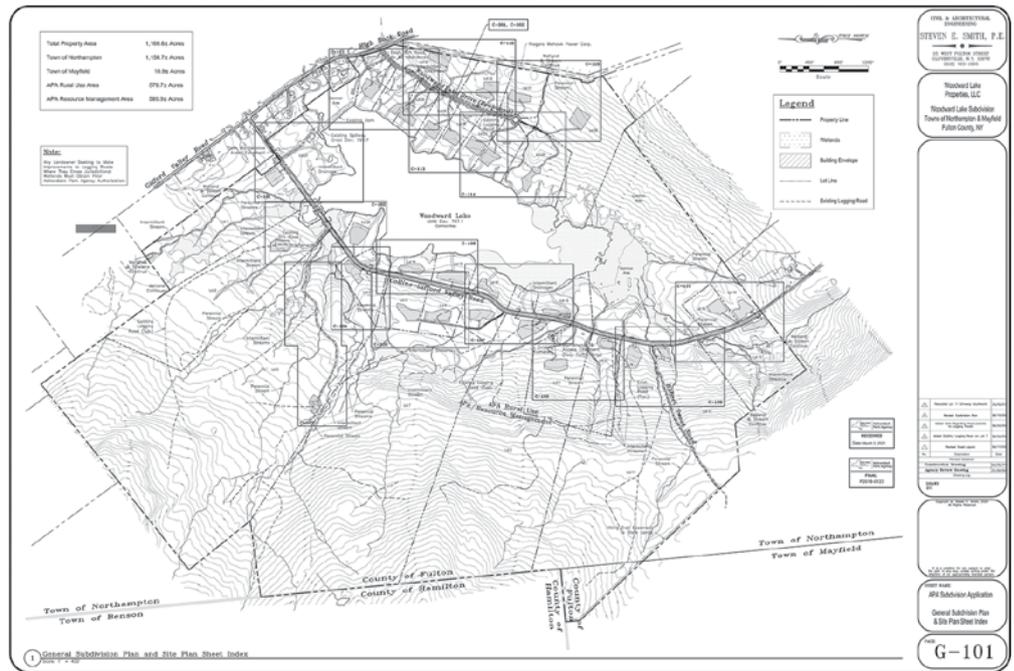
NEW YORK  
STATE OF  
OPPORTUNITY.

Adirondack  
Park Agency

0 10 20 40 Miles

## What are We Saving it For?

In a stark reversal of a “thumb up” in State of the Park 2020-21, the APA approved a virtually unchanged application it had rejected as incomplete in March 2020. The 37-lot suburban-style development around Woodward Lake spans the towns of Northampton and Mayfield, Fulton County. The APA requested more information on biological surveys, wetlands, building height, maintenance plans, and construction methods. It didn’t get much. The largely unimproved subdivision adds layers of new development around a small, shallow lake. The decision highlights the failure of the APA’s own effort to improve the large-scale subdivision process, and the need for APA legislative reforms, including but not limited to proposed conservation development.



## Ernst Speaks Up for Wildlife and Water

To his credit, in the discussion about the Woodward Lake subdivision, APA board member John Ernst told his colleagues that the lake’s wildlife and water quality could only be protected by clustering development in a compact location and leaving most of the shore undeveloped. Another member rejected that argument, wondering aloud why the APA should protect any lake from development that wasn’t “alpine” or available for public access. “Because it is inside the Adirondack Park,” Ernst replied. See “What are We Saving it For?” above.



ERNST

Subdivision development map of the 1,169-acre tract surrounding the 129-acre Woodward Lake in the southern Adirondacks

## What Carrying Capacity?

The APA board approved a wetland permit and shoreline variance in September 2020 for an expansion at the Saranac Lake Marina on Lower Saranac Lake. The Agency did not do its own comprehensive assessment of the carrying capacity of the lake before approving an expansion of the number of watercraft that may dock there. The proposal expands the marina from 219 to 292 slips.

## Lake Bogged Down by Septic Permit

In June, the APA staff reversed a 34-year-old board decision and endangered a rare bog when it approved an amendment to a shoreline development permit on Upper Saranac Lake. The amendment eases the restrictions that are normally required for wetlands and allows a large private on-site residential septic system to be installed 100 feet from a stream that empties into the Upper Saranac Lake. This will degrade the lake’s water quality. A coalition of conservationists, engineers, a wetland ecologist, and neighbors objected to what it said were violations of the Adirondack Park Agency Act, the Freshwater Wetlands Act, and the Wild, Scenic and Recreational Rivers Act. Shoreline development is limited on Upper Saranac Lake, where residents have had challenges maintaining balanced water chemistry due to excessive nutrient-loading from existing septic systems and other sources. Residents have worked hard with state officials to reduce those sources and improve water quality.

## Plugging Into Solar

The APA approved some well-sited solar projects in Ticonderoga over the past year. In September 2020, the APA approved a 5-megawatt array on 52 acres close to existing utility infrastructure and near the community center. In March, the APA approved a 5-megawatt, 50-acre installation on lands zoned for moderate intensity uses that had been previously authorized as a commerce park. ■



Community solar installation near Saranac Lake

# FEDERAL GOVERNMENT

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

## 👍 Good First Day on the Job

On January 20, President Joe Biden issued a series of executive orders designed to undo the anti-environmental agenda of the Trump administration. Many of these changes benefited the Adirondack Park, Upstate New York, and the Northeast. These include: re-establishing national emission standards for hazardous air pollutants from coal- and oil-fired power plants (acid rain and smog), reconsidering the Trump administration rules barring the U.S. Environmental Protection Agency (EPA) from considering significant side-benefits when assessing whether the costs of new pollution regulations are “reasonable,” and reinstating the nation’s support for the Paris Climate Accord.



BIDEN

## 👍 Building a Green Team

President Biden appointed former EPA Administrator (2013-17) Gina McCarthy to be the nation’s first White House National Climate Advisor. He also appointed Michael Regan to be the new EPA Administrator. Regan formerly led the North Carolina Department of Environmental Quality. He is the second African American tapped to lead the EPA following Lisa Jackson of the Obama administration.



MCCARTHY



REGAN

## 👍 Federal Funding Proposals Could Help the Park

Annual budget and infrastructure funding proposals in Washington D.C. could greatly benefit the Adirondacks with monies for climate action, scientific research, broadband, renewable energy, clean water, and other infrastructure. President Biden’s infrastructure proposal for example includes funding for wildlife and rural communications.

## 👍 Making America’s Outdoors Great Again

The federal departments of the Interior and Agriculture announced their proposed Fiscal Year 2022 allocations of \$2.8 billion in projects, grants, and programs authorized in the Great American Outdoors Act, which will support local economies, outdoor recreation, and access to public lands. The Act established the National Parks and Public Land Legacy Restoration Fund and authorized up to \$1.9 billion per year from Fiscal Year 2021 through Fiscal Year 2025 to reduce deferred maintenance on public lands and at Native American schools. It also provided permanent, full funding of the Land and Water Conservation Fund (LWCF) at \$900 million annually. The LWCF is used to secure public access and improve recreational opportunities on public lands, protect watersheds and wildlife, and preserve ecosystem benefits for local communities.

## 👍 Army Improves Park Training Rules

Following a series of meetings with conservation advocacy organizations, and state and federal agencies, the U.S. Army scaled back its proposal for military training exercises in the Adirondack Park and agreed to keep them off the “Forever Wild” Forest

Preserve. In the Adirondacks, the Army will only choose basecamp sites on private lands, will choose no more than two sites (instead of the six it proposed), and will not use any site twice in the same year. Some low-level army helicopter training over designated Wilderness still occurred and disappointed participants in the planning efforts.

## 👎 BOOM! Chakka Lakka...

Northeast Air National Guard units stepped up their use of Adirondack Park airspace for combat and bombing training during the past year. This triggered some conflicts with Park residents and visitors. Individual aircraft continued to disrupt the peace of Adirondack homes, businesses, and natural areas with loud flight noise and occasional sonic booms. Complaints to unit commanders and efforts to explain agreed-upon flight restrictions largely went unaddressed. Sonic booms centered over Saranac Lake and Raquette Lake could be felt as far away as 60 miles of each. The Raquette Lake boom also caused horses in a nearby state-run equestrian campground to throw their mounts, fortunately resulting only in minor injuries. Loud noises can disrupt breeding and parenting among sensitive wildlife, especially in a landscape known for its serenity.



PHOTO: WILLIAM LEWIS

An F-35A Lightning II fighter jet assigned to the 134th Fighter Squadron, Vermont Air National Guard

## Tracking Impacts, Halting Damage

U.S. Rep. Chellie Pingree, D-Maine, used her position as chair of the House Appropriations Interior Subcommittee to add \$5 million annually to federal grants available to Northeast states for acid rain and climate research. If approved in the 2022 budget in October, it would be the first significant increase in that funding in more than 20 years. More importantly, she included language instructing the EPA to develop a “critical loads” approach to acid rain control. That would allow regulators to set upwind emissions levels based on the threshold for biological harm. Polluters would have to stop short of depositing the ecosystem’s critical load for sulfur, nitrogen, and fine particles of soot. The Adirondack Council led a group of two dozen scientists and advocates from five states who urged their Congressional delegations to support this legislation.

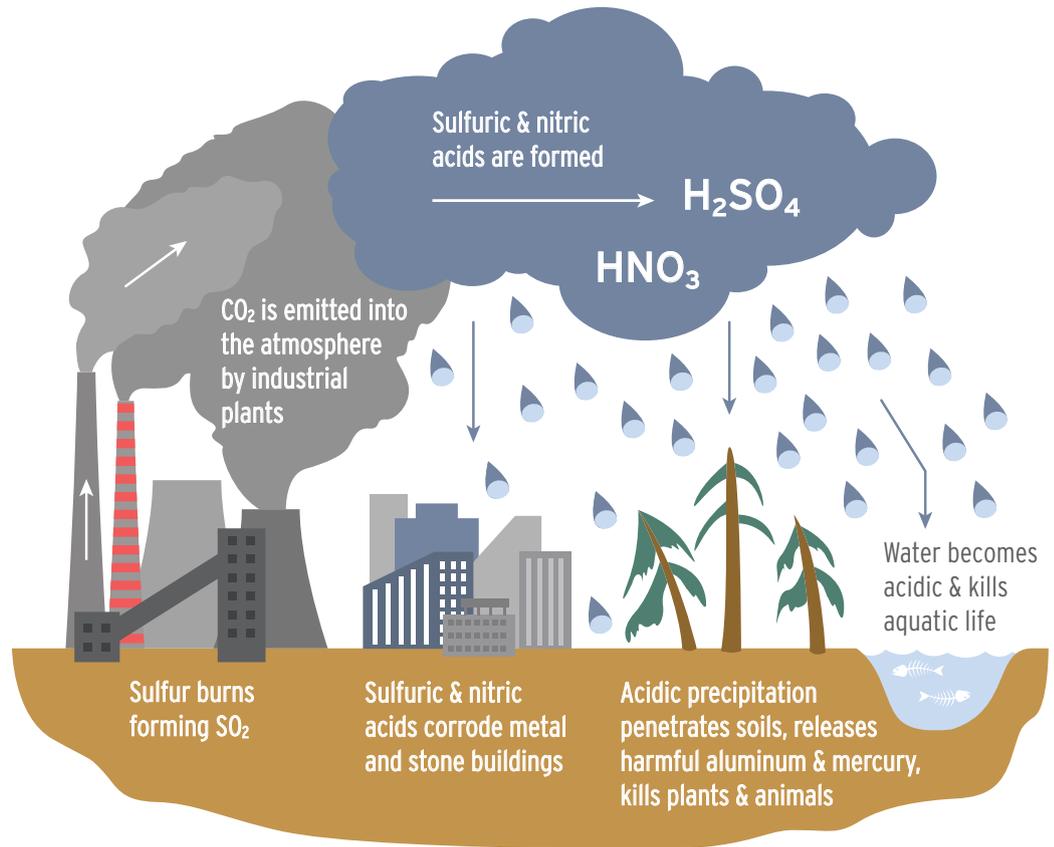


PINGREE

## Fact-Based Leadership Needed

The Park’s sole member of Congress, U.S. Rep. Stefanik, maintained that Joe Biden’s win in the 2020 Presidential election shouldn’t have been certified by Congress, even after the January 6 insurrection. Violence that day at the U.S. Capitol killed both police and protestors. The Adirondack Council has firsthand experience with charismatic leaders who use lies to foment hate and spur violence. In the early 1990s, a handful of local criminals used hate speech and violence in an attempt to intimidate the organization into silence. They were emboldened by the silence, or outright support, of some public officials. Eventually, the thugs were apprehended and brought to justice. But in the meantime, the organization’s staff and board members endured threats and attacks at their hands, as did other environmental advocates and state officials.

# THE IMPACTS OF ACID RAIN ON ADIRONDACK ECOSYSTEMS



## Justice to the Rescue

In June, the Environmental Protection Agency announced it will provide \$50 million for Environmental Justice initiatives through funds received under the American Rescue Plan. In response to the COVID-19 pandemic, Congress designated this funding for grants, contracts, and other agency activities that identify and address disproportionate environmental or public health harms and risks in underserved communities.

## Feds Help with Low-Cost Internet

In December, Congress approved the Consolidated Appropriations Act of 2021, directing the Federal Communications Commission to establish an Emergency Broadband Benefit Program, under which eligible low-income households may receive a discount off the cost of broadband service

and certain connected devices. Participating providers can receive a reimbursement for such discounts. Broadband internet has been a lifeline to those who needed to work from home during the pandemic. Its lack is holding back communities across the state.

## Tupper Taps Broadband Grant

In September 2020, the federal Northern Border Regional Commission provided a \$200,000 grant to Tupper Lake and the Development Authority of the North Country for fiber optic internet expansion. The grant will allow Tupper Lake to expand fiber-optic broadband service to underserved or unserved businesses and residents in the uptown area of the town. This grant will allow the town to become a provider and offer faster, cheaper, and more widely available high-speed internet to all residents. ■

# AWARDS

PHOTO: ADOBE STOCK

## Barbara L. Glaser - Conservationist of the Year

The Adirondack Council presented its highest honor in July, naming Barbara Linell Glaser as Conservationist of the Year during a virtual Members' Meeting and Forever Wild Day celebration. Glaser was honored for her efforts to establish a paid internship program at the Adirondack Council in honor of founding board member (and dear, late friend) Clarence Petty. Barbara served more than 25 years as a Council board member and chair and has remained a generous supporter of the organization's mission and vision. The Clarence Petty Internship Program has assisted more than 70 students in establishing careers in public service, law, conservation, environmental justice, and human services.



Barbara L. Glaser, second from left, with five of six 2019 Clarence Petty Interns



L-R: Aaron Mair and Nicky Hylton-Patterson

## Nicky Hylton-Patterson - Adirondack Diversity Initiative

The Adirondack Council's "Forever Adirondacks" campaign recognized the excellent work of Nicky Hylton-Patterson, Executive Director of the Adirondack Diversity Initiative. Her organization's mission is to make the Adirondack Park more diverse, more welcoming, and safer for all New Yorkers. During a presentation at the Council's Board of Directors meeting in July, Campaign Director Aaron Mair thanked Nicky for seeking to make "forever wild" an idea that inspires and is accessible to everyone.

## NYSDEC Commissioner Basil Seggos

In May, the Council presented NYS Dept. of Environmental Conservation (DEC) Commissioner Basil Seggos with a framed Adirondack photograph as a token of appreciation for the efforts by the DEC and the Commissioner to improve the management of visitors and sustain the success of the High Peaks Wilderness Area, and other popular destinations in the Adirondack Park. Seggos made progress on visitor management planning, including Leave No Trace outdoor ethics, with colleagues at the Adirondack Park Agency. This spring, he began a cooperative parking reservation program with the Adirondack Mountain Reserve (AMR) in St. Hubert's, whose private parking lot and trails provide access to public lands via a conservation easement. The AMR wants to establish a fairer system of access to some of the most popular routes into the central High Peaks Wilderness. ■



PHOTO: NYSDEC

Commissioner Seggos with a photo of the Adirondack Great Range

# 2022 PRIORITIES

PHOTO: ADOBE STOCK

Federal and state elected and appointed government leaders will be making critical decisions in the year ahead that will affect the legacy of the Adirondacks for all time. Priorities for 2022 include:

## Preserve Wilderness

Support protection for the Whitney Estate and Follensby Pond, encourage rewilding by removing obstacles to wildlife movement, including obsolete power dams, fencing and roads; and re-establish military training boundaries.

## Improve State Wildland Protections

Continue progress implementing recommendations of the state's High Peaks Wilderness Overuse Advisory Group report addressing overuse/overcrowding, with more Forest Rangers and other jobs, education (Leave No Trace), sustainable trails, permit tests, visitor use management, research, and new funding.

## Protect Clean Water

Move ahead with the approved road salt task force, implement the new invasive species law, keep funding new wastewater treatment/septic infrastructure, and strengthen state legislative protections for wetlands.

## Defend the NYS Constitution

Defend the integrity of the Forever Wild clause (Article XIV) and seek voter approval of the "Environmental Bill of Rights" Constitutional Amendment in November 2021.

## Science and Climate Change

Fund science and combat and adapt to climate change at the federal and state levels, including working forests and farms, clean energy and conservation.

## The Adirondack Park Agency (APA)

Reform and strengthen the APA with visionary leadership, a full, diverse, and skilled board, legislative reforms, more staffing, and enforcement.

## Enhance Park Environmental Funding

Pass the 2022 Clean Water Jobs (Restore Mother Nature) Bond Act, sustain and expand the Environmental Protection Fund, and spend it.

## Support Communities

Invest in building more vibrant communities, expanding broadband, communications, and "small-cell," and support Adirondack Common Ground Alliance healthy community, jobs, and housing initiatives.

## Foster Diversity, Equity, Inclusion and Safety

Increase funding for the Adirondack Diversity Initiative, fund more opportunities for all communities to enjoy the Adirondacks. ■

The Adirondack Council is committed to our mission, our values and these priorities. We will use the best available science and respect diverse views in order to achieve these results. We will employ our knowledge of the political process to be the leading environmental advocate for the Adirondacks. We work with partners, promote diversity, and find common ground when possible. We carry on the legacy of early conservation visionaries and ensure the Park is known and protected as a national treasure.



**ADIRONDACK  
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AIR AND WILDLANDS

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# PLAN ON FOREVER

Ensure the Adirondacks forever benefit from your generosity.

PHOTO: NANCIE BATTAGLIA

When you make an estate gift to the Adirondack Council, your gift becomes part of the Forever Wild Fund creating a lasting legacy and voice for Adirondack Park protection.

## TO LEARN MORE, CONTACT:

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