

STATE OF THE PARK

Stressed and Challenged | 2022-2023



ADIRONDACK
COUNCIL PRESERVING WATER,
AIR AND WILDLANDS

Stressed and Challenged

Dear Members, Partners, and Friends,

As the principal author of the Adirondack Council's annual State of the Park Report for 30 consecutive years, I have been asked by Executive Director William Janeway to write this opening letter to tell you why this year's report is unlike others we have issued.

This is a period of great change and emotional strain for the Adirondack Park, its natural wonders, its residents and its visitors. Thus, the title: *Stressed and Challenged*. Around the nation, the disruptions of the pandemic have been amplified by political upheaval. People on both extremes of political debates perceive imminent doom and are calling for extreme actions.

As it did during the Great Depression and World War II, leadership demands a steady hand and confident willingness to bring people together, not divide them. Franklin Roosevelt warned us about letting fear take control.

But since the attacks on the World Trade Center and Pentagon on Sept. 11, 2001, fear has cast an ugly shadow over American political behavior. Nationally, the normally slow-swinging pendulum of political change has careened from left to right and back again with disorienting irregularity. The result: Congress fights more than it governs. Environmental progress is challenging, at best.

It's hard to ignore the fossil fuel industry's fingerprints on all of this. It has been vigorously gaslighting the public to delay regulation the same way tobacco companies did: using their money and influence to elect those who will repeat their lies and cast doubt on facts and science. We should not be surprised when people who win office repeating one lie find it easy to pivot to

supporting the next lucrative falsehood. Their current mission: frighten us into doubting that solutions to acid rain and climate change are possible and affordable. We cannot let them win.

We have an opportunity to vanquish that fear and restore our government's role in protecting nature and public health. We can do this while promoting inclusion and social justice. As in the past, the Adirondacks can lead the way to a brighter future for all.

That's why this report criticizes the actions of public officials who took advantage of fear to sharpen the edges of our political divide and prevent progress. We also praise those who found a way to bridge political gaps. We favor education over ignorance, cooperation over knee-jerk opposition and civil liberties over authoritarian crackdowns. We believe that securing liberty and justice for all will make us truly indivisible.

American government was founded as an antidote to patriarchal European rulers who trampled civil rights and treated women as property. Our ancestors learned to practice democracy, respect for nature and respect for women's rights by living alongside the Haudenosaunee Great League of Peace (Iroquois Confederacy). Their cooperative political system and egalitarian culture dominated this landscape for more than 1,600 years prior to Europe's arrival, and for centuries after, until our war with Britain tore it apart.

American democracy counts. Reliable environmental standards and sustainable communities don't exist in autocratic societies. There is no Clean Air Act, no Adirondack

Park Agency, no "Forever Wild" Forest Preserve without the rule of law and an informed electorate. The Adirondack Council will help inform that electorate and preserve the rule of law. As a tax-exempt organization, we do so without endorsing candidates for office or political parties.

That won't stop us from speaking frankly about the actions of current government officials. Our independence from government funding frees us to speak our minds. It also means that the Adirondack Council can't exist without your support. We offer our sincere thanks for all you have already done to carry us this far. With you at our side, we look forward to making further progress in the year ahead.

Thank You,

John Sheehan
Director of Communications



John Sheehan
Director of Communications

 [@JohnSheehanAC](https://twitter.com/JohnSheehanAC)

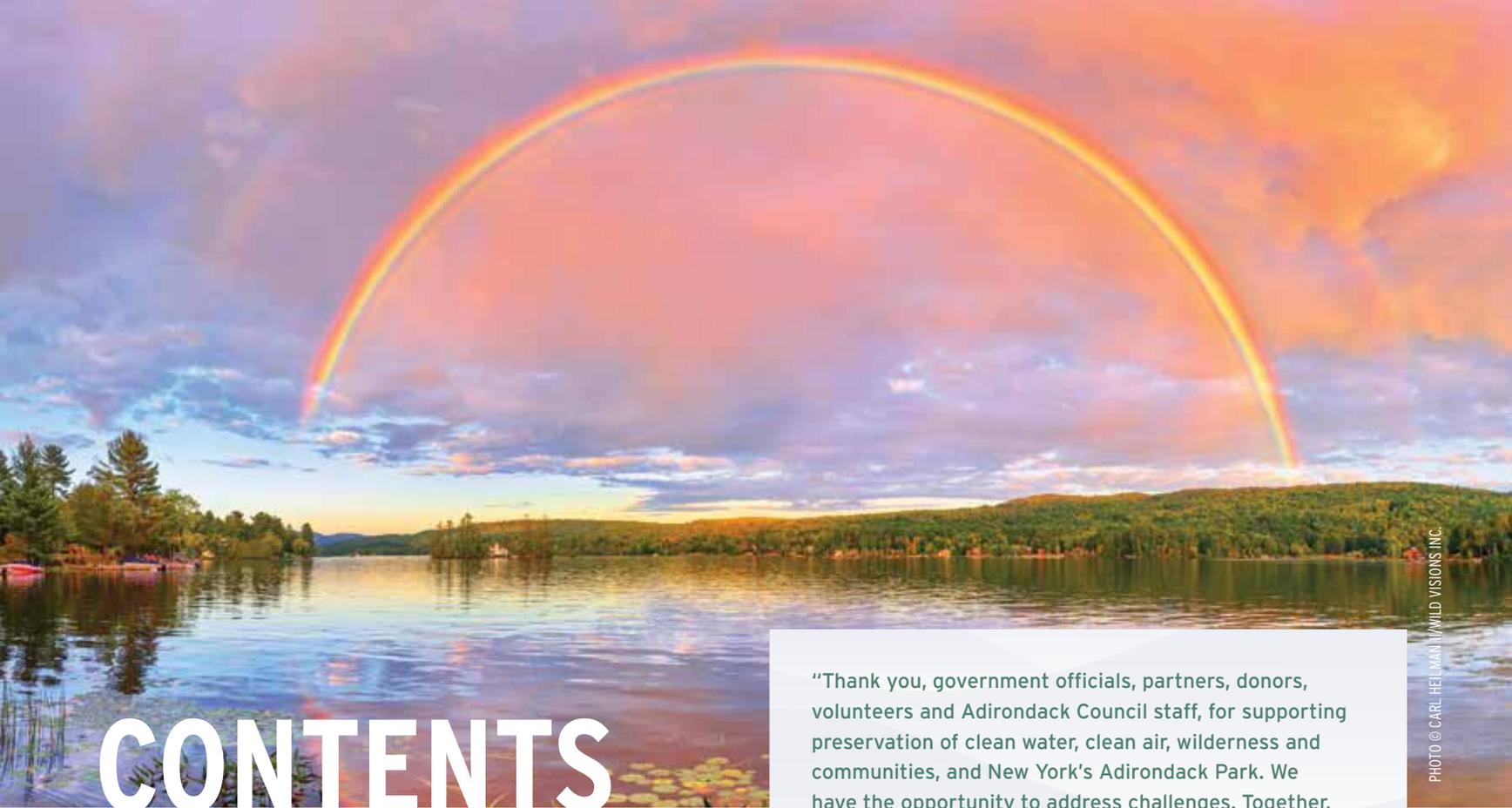


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“Thank you, government officials, partners, donors, volunteers and Adirondack Council staff, for supporting preservation of clean water, clean air, wilderness and communities, and New York’s Adirondack Park. We have the opportunity to address challenges. Together, with honest, transparent and effective partnerships, and advocacy, we can ensure that current and future generations of all living things thrive.”

- William C. Janeway, Executive Director



PHOTO: NANCIE BATTAGLIA

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: Hamilton and Cary Ponds looking south to Little Forked Lake

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

ABOUT THE PARK

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

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.

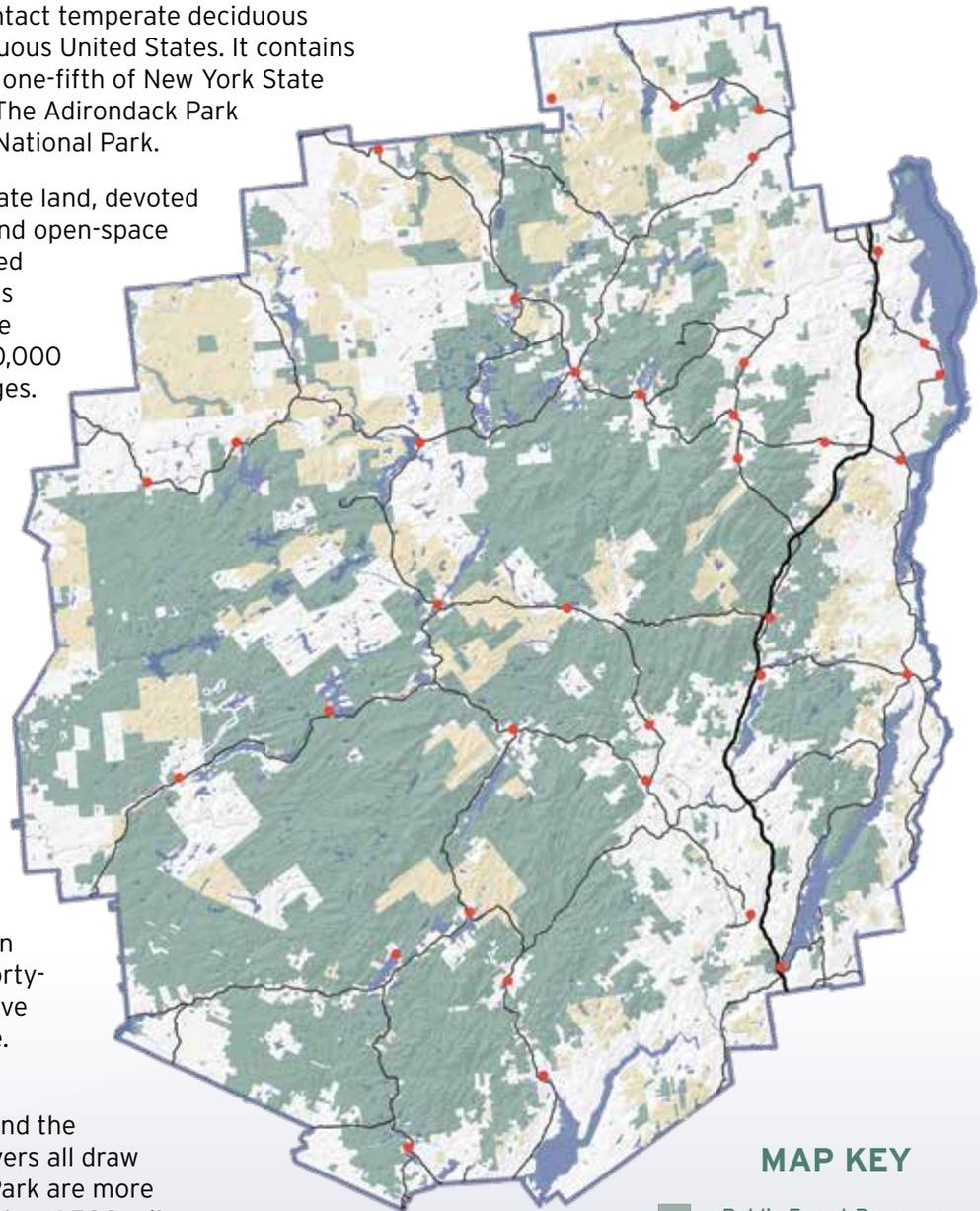
More than half of the Adirondack Park is private land, devoted principally to hamlets, forestry, agriculture, and open-space recreation. Nearly 775,000 acres are protected from development by conservation easements held by the state or private organizations. The Park is home for 130,000 permanent and 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.



MAP KEY

- Public Forest Preserve
- Private Land
- State Conservation Easement
- Waterbodies
- Select Communities

2022 REPORT CARD

PHOTO: ADOBE STOCK

Elected and appointed government leaders made decisions late in 2021 and in 2022 that affected the legacy of the Adirondacks. Here is a report on the 2022 State of the Park priorities (issued Sept. 2021).

Preserve Wilderness

Opportunities still exist for actions to implement the 2021 court victory in the Protect the Adirondacks! case against the state, to protect the 33,000-acre Whitney and 14,000-acre Follensby Pond properties; 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

Real progress was made implementing recommendations of the state's High Peaks Wilderness Overuse Advisory Group report with more "Leave No Trace" education, sustainable trails, permit tests, visitor use management, research, stewards and funding. Opportunity exists for more Forest Rangers and staff.

Protect Clean Water

State officials moved ahead with the approved road salt task force, implementing the new invasive species law, new funding for wastewater treatment/septic infrastructure, and strengthened state legislative protections for wetlands.

Defend the NYS Constitution

Voters approved the "Environmental Bill of Rights" Constitutional Amendment in November 2021. The State Legislature successfully defended the integrity of the Forever Wild clause (Article XIV). Opportunities were missed to improve Article XIV and address several site-specific issues.

Science and Climate Change

Progress was material at the federal and state levels, with new policies combating and adapting to climate change and start-up funds to support science; and a new state climate action plan. Opportunities exist to better support forests and farms, climate jobs and clean energy.

Adirondack Park Agency

While some remain hopeful, little progress was visible on an updated ecological agenda by the summer of 2022. A new Governor, APA staff, board chair and legislative interest offer opportunities to reform and strengthen the agency and address threats and opportunities. A new headquarters was funded.

Enhance Park Environmental Funding

The Governor and Legislature approved for voter consideration in November 2022, an expanded \$4.2 billion Clean Water, Clean Air, and Green Jobs Bond Act, increased the Environmental Protection Fund by \$100 million to \$400 million, and moved to increase spending.

Support Communities

Investments increased for building more vibrant communities, expanding broadband and communications; efforts expanded to generate local jobs, housing and childcare options.

Foster Diversity, Equity, Inclusion and Safety

Funding for and efforts by Adirondack Diversity expanded, along with more opportunities for all communities to enjoy the Adirondacks. There are opportunities and a need to do much more.

THE GOVERNOR

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

👍 Steady Hand Despite Strong Winds

New York's first woman to hold the office of Governor calmly steered the ship of state amid the chaos that followed both the January 6, 2021 insurrection at the U.S. Capitol and the revelations of corruption and misconduct that led to the resignation of Gov. Andrew Cuomo in August of 2021. Through it all, Gov. Kathy Hochul stood calmly and firmly on the side of democracy and the rule of law. She insisted that investigations be completed, then stayed out of them. Rather than simply demonizing opposing viewpoints and fomenting the anger and frustration that divides many political rivals, Hochul worked with State Legislators on solutions to emergent crises. Together, they reached agreements on major issues and reconvened in June to address widely held grievances over recent decisions by the U.S. Supreme Court that threatened public health, civil liberties and human rights. Significantly, she refused to allow any of those crises to shake her commitment to conservation and environmental protection.



HOCHUL

👍 Zeroing in on Vehicle Emissions

Governor Hochul signed a bill into law in September 2021 that requires all passenger cars and trucks sold in New York to be emissions free by 2035. The bill was sponsored by Sen. Pete Harckham, D-Peekskill, and Assembly Environmental Conservation Chair Steve Englebright, D-Setauket.

👎 Not a Lifetime Appointment

Governor Hochul missed an opportunity to freshen the perspective of the Adirondack Park Agency (APA) board when she looked past young, enthusiastic candidates and reappointed Lake Placid hotel owner Arthur Lussi to yet another term. Lussi was appointed to the APA in January of 2006 by Gov. George Pataki.

👍 Blending Conservation, Diversity, Inclusion

Governor Hochul in June nominated outdoor recreation-access advocate Benita Law-Diao to serve a four-year term on the APA's board. Law-Diao, of Albany County, replaced wilderness expert Chad Dawson as one of the three citizen members of the 11-member board who must reside outside of the Adirondack Park. Law-Diao is the first Black member of the APA board. She has been a leader in bringing Black and Latino hikers and paddlers to the Adirondack wilderness. She serves on the board of directors for John Brown Lives!, and volunteers for the Underground Railroad Education Center of Albany.



L-R: APA Board Member Benita Law-Diao, APA Board Chairman John Ernst, and the Adirondack Council's Aaron Mair

👍 Strong Veterans Tapped for APA

Hochul nominated Adirondack Park Agency Chair John Ernst to a new four-year term on the board.

Conservationist Ernst lives in New York City and operates the Elk Lake Lodge in North Hudson. In addition, Hochul brought back former APA board member Barbara Rice to be the agency's executive director. Rice replaced Terry Martino, who retired after 12 years on the job. Martino was appointed by Gov. David Paterson.



RICE

👍 Walks Her Talk

Governor Hochul's first State of the State address and first state budget reflected her intention to support clean water, wilderness and communities in the Adirondack Park. Her first State of the State message focused the state's attention on the need to take bold action on climate, protect the Adirondack Forest Preserve from overuse, invest in clean water, and expand clean energy and energy conservation. Governor Hochul's budget negotiation leaned toward conservation and sustainability in terms of its impact on the Adirondack Park. Hochul's January budget proposal called for a 33 percent increase in the proposed Clean Water, Clean Air, and Green Jobs Bond Act. She worked with leaders to boost the Environmental Protection Fund from \$300 million to \$400 million, while funding visitor management efforts at five times the previous level (up from \$1.5 million to \$8 million), plus a new Visitor Use Management Framework for the Adirondack Park at \$600,000.

Boosting the Volume of An Important New Voice

Governor Hochul supported the Adirondack Diversity Initiative's first budget increase, boosting its state support by 20 percent to \$300,000. ADI's mission includes, but goes far beyond, sensitivity training for police and hospitality/retail staff. Its advocacy has helped to bridge gaps in understanding between black and white residents and visitors to the Park. Its work has relieved tensions and miscommunications that could have led to tragedies. Last year, the Diversity Initiative helped bring to justice an off-duty white policeman charged with firing a handgun while intoxicated near a group of black teenagers at Lincoln Pond in July of 2020. ADI also acted quickly in June to clear the names of two Saranac Lake Village police officers who shot to death a Black man who lunged at one of them with a knife, after having stabbed another person. Both instances reinforced the public's faith in police integrity and the wisdom of investing in efforts to improve interracial communications.

Good Soil = Great Food

The Governor in December signed the Soil Health and Climate Resiliency Act (S4722A/A5386A) to maintain the health and viability of farm soils statewide. State support for sustainable agricultural practices will improve soil fertility, protect water quality, buffer the effects of climate change and enhance biodiversity.



Full and By Farm, Essex

PHOTO: BEN STECHSCHULTE



Lake Placid wastewater treatment plant

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

Community Water Grants Saving Taxpayers Millions

Governor Hochul negotiated another \$500 million addition to the \$4 billion invested statewide since 2015 in infrastructure improvements that produce pure drinking water and safeguard rivers and streams from poorly treated wastewater. Over the past five years, \$88 million of those funds have been spent in Adirondack communities. Those investments will continue to produce results for 20 to 30 years, saving local property taxpayers from the burden of providing drinking water and sewage treatment for 12.4 million visitors to the Park annually. Most Adirondack communities have fewer than 2,000 year-round residents.

No Parity for Police Union Pensions

Governor Hochul may have saved the state some money, but didn't address a legitimate personnel issue in January when she vetoed a bill that would have granted full pension vestment to state Forest Rangers and Park Police after 20 years of service. Both jobs currently require 25 years of service, while most other police officers in New York are fully vested five years sooner. It would have covered environmental conservation officers, forest rangers, police officers in the state Department of Environmental Conservation, regional state park police and university police. Due to pay and pension disparities, candidates for state police exams outnumber those taking conservation officer tests by nearly 10 to one. Hochul said pension and pay improvements should come through collective bargaining, not legislation.

Puts Salt Task Force on Road to Solutions

Governor Hochul appointed a long-awaited slate of members to the Adirondack Road Salt Reduction Task Force about a month after she took office. The bi-partisan group consists of the governor's choices as well as designees from the majority and minority leaders of both Legislative chambers. They include local government and highway officials, former State Environmental Conservation Commissioner Joe Martens, Adirondack Council board member Robert Kafin, and Adirondack Watershed Institute Director Dan Kelting amongst others. All are working to establish a consistent means of limiting the use of road salt parkwide while maintaining safe winter traveling conditions.



Winter road maintenance in the Adirondack Park

PHOTO: ADOBE STOCK

Protects Wetlands Not Yet Identified

As part of the budget negotiations, Governor Hochul approved budget language that improved the NYS Freshwater Wetlands Act by protecting more than one million acres of unmapped wetlands, some inside the Adirondack Park. Under the former law, most wetlands had to be shown on official state maps before they could be protected by land-use regulators. Because the state's comprehensive mapping of wetlands has been idle for nearly 20 years, this rule left many wetlands vulnerable to draining and development. The rule change also reduced the size of wetlands outside of the Adirondack Park over which the state could claim jurisdiction from more than 12 acres to 7.4 acres. Inside the Park, the jurisdictional threshold remains at one acre.

Highlights of Expanded NYS Environmental Protection Fund | \$400 million for FY2022-23

STATE LAND STEWARDSHIP

- \$48.7 million, up by \$14.3 million

OPEN SPACE PROTECTION

- \$40 million for park lands, Forest Preserve; up by \$10 million

FARMLAND PROTECTION

- \$21 million statewide, up by \$3 million

INVASIVE SPECIES CONTROLS

- \$5.75 million, \$800,000 for Lake George

VISITOR INTERPRETIVE CENTERS

- \$150,000 to SUNY-ESF site in Newcomb, up 25%;
- \$225,000 to Paul Smith's College site in Brighton, up 25%

SMART GROWTH GRANTS

- \$3 million, up 50%

CLIMATE SMART COMMUNITIES

- \$15 million to reduce carbon footprints; up by \$4.7 million

MUNICIPAL RECYCLING

- \$19 million, or up by \$3.7 million

LANDFILL CLOSURE/ GAS MANAGEMENT

- \$750,000 statewide including \$300,000 to Hamilton County and \$150,000 to Essex County; same as FY2021-22

Broadening Broadband Access

Governor Hochul approved a series of actions to help Adirondack residents and visitors obtain high speed internet connections. In December, she signed a law repealing a controversial pole-attachment fee paid by internet providers, which had made expansion into rural areas unaffordable. During budget negotiations in April, she agreed to spend \$1.6 billion closing coverage gaps, while also providing a \$30 monthly subsidy from federal grants to those who need help paying for broadband connections that are already available.

Breathing New Life into Air Testing

In September of 2021 Governor Hochul announced that New York would use federal and state funds to establish a new, 10-location mobile urban air quality monitoring program. It will identify places where low-income communities face significant air pollution burdens that are not borne by residents of other areas. Like air monitoring programs in the Adirondacks, the devices will allow state officials to target pollution reductions where they can do the most good. In both the Adirondacks and in cities, monitors measure pollutants that harm public health as well as water purity, forests and wildlife. They include sulfur dioxide (acid rain, haze, soot), nitrogen oxides (acid rain, smog), mercury (brain/organ damage, birth defects) and ammonia, among other hazards. Federal support for air quality monitoring has waned

in recent years, with the U.S. Environmental Protection Agency closing four sites in upstate New York in May, among dozens nationwide. In 2021, the U.S. Government Accountability Office told Congress that the nation's air quality monitoring network should be replaced. Until Congress addresses this need, states may have to take up the slack.

New SCALE to Weigh Climate Impacts

The Governor and Legislature agreed in April to spend \$500,000 this year preparing to conduct a three-year, \$6-million Survey of Climate and Adirondack Lake Ecosystems. The survey would build on the multi-year comprehensive Acid Rain Survey conducted by the Adirondack Lakes Survey Corp. and colleagues in the mid-1980s. That survey encompassed more than 1,400 lakes and ponds, which served as a representative cross-sampling of the more than 11,000 year-round lakes and ponds inside the Park. Replicating that effort today would cost more than \$11 million. Advances in survey techniques, equipment and chemical analysis have allowed the survey organizers to narrow the field of lakes to fewer than 1,000 and reduce the number of people needed. The new survey, if completely funded and executed, will give state and federal officials baseline climate information for judging the efficacy of the NYS Climate Leadership and Community Protection Act, federal Clean Air Act, improvements to the National Ambient Air Quality Standards and federal Cross-State Air Pollution Rule updates.

New Home for the Park Agency

As part of the budget negotiations in April, the Governor agreed to build a new headquarters for the Adirondack Park Agency, replacing the 50-year-old log cabin the agency has used since it was established. The new building is expected to create enough room for an expanded staff and additional facilities. Its total cost was estimated at \$29 million.

Agency Needs Personnel

Along with its new headquarters, the Adirondack Park Agency needs an influx of additional staff. Hovering near 50 employees for the past decade, the APA had previously been understaffed with a full complement of 72 staff members. Loss of staff caused the agency to give its two visitor interpretive centers back to the colleges that had donated the lands for them (Paul Smith's College and the SUNY College of Environmental Science and Forestry, Newcomb). Now, the state's only official visitor centers for the largest park in the contiguous United States are unstaffed rooms containing travel pamphlets in Northway rest areas. Even more important, the agency lacks sufficient scientific, legal, planning and enforcement staff. ■

STATE LEGISLATURE

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

BOTH HOUSES

Clean Water, Clean Air, Green Jobs

The Legislature approved a \$4.2-billion *Clean Water, Clean Air, and Green Jobs Bond Act* that will make the investments needed to meet the goals of the Climate Leadership and Community Protection Act. If approved by voters on Election Day (Nov. 8), it would provide investments in forest and farmland protection, clean water infrastructure, flood prevention, clean energy, electrification of buildings and transportation, and job skills training. New York voters will need to flip over their ballot to vote yes on the Bond Act.

Early Adopter Of "30 by 30" Protection Plan

The Legislature took seriously the Biden administration's challenge to protect 30 percent of the nation's lands and waters by 2030. In May, Assemblymember Patricia Fahy, D-Albany, and Senator Todd Kaminsky, D-Long Beach, persuaded their colleagues to pass a bill designed to accomplish that in New York. Nearly half of the Adirondack Park is constitutionally protected Forest Preserve and another 800,000 acres are protected via conservation easement. But the park comprises only 20 percent of the state. Overall, about 22 percent of the state's forests are protected, while only one percent of New York's farmland is protected (79,000 acres). This action recognizes the rapid decline in global biodiversity that threatens the natural systems we depend on for food, water, and employment.



FAHY

Plan to Modernize Worn Trails, Visitor Management

The Legislature began the process of modernizing the management of wilderness recreation in the Adirondack Park in April when it funded the Dept. of Environmental Conservation's Visitor Use Management Framework project at \$600,000 for the first year. This will allow the DEC to adapt the model of visitor management that is in use in national parks to the Adirondack Park's High Peaks Wilderness Area and other heavily visited areas of the Forest Preserve. The framework will give the State, DEC and APA a set of objective criteria for assessing which negative impacts exist at what scale and what options exist to address those impacts, while preserving and enhancing access and management.

Protects Wetlands Not Yet Identified

As part of the budget negotiations, the Legislature improved the NYS Freshwater Wetlands Act by expanding eligible lands. The change will protect an additional one million acres of unregistered wetlands, some inside the Adirondack Park. Under the former law, wetlands had to be shown on official state maps before they could be protected by land-use regulators. Because the state has been slow to update the official maps, this rule left many wetlands vulnerable to draining and development. The rule change also reduced the size of wetlands outside of the Adirondack Park over which the state could claim jurisdiction, from more than 12 acres to 7.4 acres. Inside the Park, the jurisdictional threshold triggering an Adirondack Park Agency permit remains at one acre, while providing the Agency with some new wetland protection options.

Protecting Wetlands from Pesticides

State Sen. Pete Harckham, D-Peekskill, and Assemblyman Chris Burdick, D-Mount Kisco, sponsored a bill passed by both houses in June that gives local governments greater authority to limit pesticide usage in local watersheds. If signed by the Governor, the new law would grant local governments that have implemented a freshwater wetlands protection law the ability to limit pesticide applications. Currently, the federal government approves pesticides for use and state agencies decide where and when they may be used. The new law doesn't allow local governments to adopt rules less protective than the state's. The bill included an exception when needed to combat invasive species.



Clean Water Grants Save Lakes, Rivers, & Taxpayers

The state budget included \$500 million in additional grants to communities for new water treatment and sewage treatment facilities. The grants lift an enormous burden from the shoulders of rural taxpayers. Villages and hamlets struggle to build and maintain multi-million-dollar projects in communities with total populations that average fewer than 2,000 residents. State grants ensure safe drinking water and purer lakes and rivers for Park residents and 12.4 million annual visitors.

Reducing the Pollution Burden

At the end of April, the Legislature passed a bill to halt the growth of the pollution burden carried by poor and minority communities.

Industry will no longer be allowed to build polluting facilities such as power plants, warehouses, and garbage dumps in communities that already have more than their fair share of environmental contamination. The Dept. of Environmental Conservation had a



STEWART-COUSINS

policy stating that it would try to do this. The law also goes further by prohibiting the DEC from approving permits that cause a “disproportionate or inequitable” pollution burden on communities that have a large percentage of minority or low-income residents, are economically distressed, or already experience high rates of pollution. The bill was sponsored by Senate Majority Leader Andrea Stewart-Cousins, D-Yonkers, and Assemblymember J. Gary Pretlow, D-Mount Vernon.

Seeking Equal Treatment, Justice for All

In a June special session, the Legislature acted to dampen the local impact of decisions made by the U.S. Supreme Court that narrowed civil rights for New York residents. The Legislature granted first passage to an equal rights amendment to the NYS Constitution. The amendment would add ethnicity, national origin, age, disability, and sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy to existing protections. New York’s Constitution currently bans discrimination based on race, color, religion or creed. The amendment will require second passage by a separately elected legislature, and voter approval. It was sponsored by Senate Majority Leader Andrea Stewart-Cousins and Assemblymember Rebecca Seawright, D-Manhattan.

Legislators Celebrate Suffrage Heritage

The Legislature’s Black, Puerto Rican, Hispanic and Asian Caucus held its annual conference in the Adirondack Park community of Lake Placid in October 2021, marking the first time they met outside of Albany. Members of the caucus toured the area and stayed at the environmentally conscious Golden Arrow resort. They welcomed Adirondack Council staff including Forever Adirondacks Campaign Director Aaron Mair. Mair helped the conference to reconnect with the area’s proud history in securing voting rights for Black residents in the 1840s through the establishment of settlements such as Timbuctoo in North Elba. Inspired, the caucus secured \$2.1 million in the state budget to create the Timbuctoo Summer Climate and Careers Institute, which will bring high school students to the Adirondacks to learn about careers in environmental protection and climate science. The initial sessions will feature a partnership between Medgar Evers College in Brooklyn and the SUNY College of Environmental Science and Forestry in Newcomb. The program will expand and diversify the pool of talent available to the state in protecting its forests and solving the climate crisis. The institute was championed by Assemblymember Michaëlle Solages, D-Elmont, and Senator Zellnor Myrie, D-Brooklyn.



SOLAGES



Pictured right, Assemblymember Karines Reyes, D-Bronx, and her family, joined other members of the BPHA Caucus during a reception in Lake Placid

Diversity Efforts Gain Funds

Both Houses and the Governor agreed to a 20 percent increase in the budget for the Adirondack Diversity Initiative, increasing it from \$250,000 to \$300,000. The Initiative provides anti-bias training, education and advocacy in an effort to make the Adirondack Park a more welcoming place for all.

Fortune Favors the Wise

The Legislature in June passed the nation’s first moratorium on the approval of new permits for mining of cryptocurrency using fossil fuel power plants. Citing the enormous amount of electricity and air pollution the practice generates, while creating benefits for very small numbers of people, the Legislature passed a bill calling for a two-year hiatus. A break would allow for a study of the industry’s impact on ambient air quality, climate and the cost of electricity. To gain the electricity needed to operate banks of cryptocurrency-mining computers, miners have purchased decommissioned power plants. Gov. Kathy Hochul had not yet signed this bill when this report was printed. The bill was sponsored by Sen. Kevin Parker, D-Brooklyn and Assemblymember Anna Kelles, D-Ithaca.

Who is Running Where Now?

By seeking partisan advantages rather than fairness, both houses repeated the mistakes of the past by approving new district maps for U.S. Congress, Senate and Assembly districts that were deemed unfair and thrown out by state judges. As a result of delays caused by successful litigation, the primary elections for the Governor, Lt. Governor and Assembly were held on June 28, but the Senate and Congressional primary was August 23. New maps drawn by the court were significantly different from the originals, so many voters remained confused well into the summer regarding which district encompassed their home or business, and who was running for which seat. Assembly districts are still subject to change.

Finding Common Ground is Rare

Assemblyman Billy Jones, D-Chateaugay, and Sen. Dan Stec, R-Queensbury, bucked the national trend of partisan non-cooperation when they reached an agreement on a plan to preserve the buildings of the former Debar Lodge. The lodge sits on lands that were donated to the state by the former owner in Franklin County. Stec and Jones proposed a Constitutional Amendment removing the six acres around and beneath the buildings from the “Forever Wild” Forest Preserve and replacing them with at least 300 acres in another location. The buildings could be operated as a not-for-profit educational or housing facility. The agreement was not advanced in both houses this year.



JONES

SENATE

Please Tax Me

Senator Dan Stec, R-Queensbury, sponsored a bill giving local governments the authority to create special tax districts to pay for the management and reduction of aquatic invasive wildlife species. Similar authority already exists for combating aquatic invasive plants. Special taxing districts allow homeowners and businesses in only a portion of a town or village to fund solutions to highly localized problems. Special taxing districts currently fund dam maintenance, professional police/fire departments, building/land-use code enforcement, erosion control, rural water delivery and other community needs. The bill didn't pass in the Assembly.



STEC

No Help for Conservation Designed Development

The Senate held in committee yet again legislation aimed at halting the Adirondack Park Agency's practice of approving sprawling, suburban-style subdivisions in the Park's most remote private forests. The APA has the authority to require compact, well-designed subdivisions that minimize the impact on wildlife and water quality, while maximizing the conservation of open space. Yet it has failed to do so when faced with large subdivision plans for Tupper Lake, Woodworth Lake in Bleeker, and Woodward Lake near Northville.

SCALEing-up Climate Research

Senate budget negotiators secured a \$500,000 installment in the state budget for a three-year, \$6-million comprehensive survey of Adirondack lakes to gauge the impacts of climate change over time. It would also give scientists an update on the comprehensive multi-year lake survey conducted in the mid-1980s to study the effects of acid rain. The Adirondack Lakes Survey Corp., which oversaw the first survey, would also help coordinate this one.

ASSEMBLY

Tied to Antique Communications Tech

Assemblymember Carrie Woerner, D-Saratoga Springs, continued to push for a Constitutional Amendment to build an emergency radio communications tower on Cathead Mountain in Hamilton County, when no amendment is needed. There is no longer any need to build a miles-long road and power line through the “Forever Wild,” motor-free Silver Lake Wilderness Area or to the mountaintop. Remote tower technology no longer requires a connection to the electric grid. Battery-operated towers with solar and fuel backups are in use in Alaska, Antarctica, Maine, and the Great Smoky Mountains National Park. The non-amendment solution to communication needs would be faster, eco-friendly, more reliable, and less expensive. Amending the Constitution takes about three years, if voters say yes.

Designed for Conservation

Assembly Environmental Conservation Committee Chair Steve Englebright, D-Setauket, sponsored a bill approved by the Assembly that would have stopped the Adirondack Park Agency from approving subdivisions that consume valuable wildlife habitat and open spaces in the Park's wildest locations. The Conservation Design bill would require developers to retain most of the open space in a large-lot subdivision, while clustering development into areas of the landscape best suited to withstand it. This compromise bill, supported by the Common Ground Alliance, Adirondack Association of Towns and Villages and Local Government Review Board, included transfer development rights and other incentives for sustainable development.



ENGLEBRIGHT

Tied to the Refinery

Assemblymember Matt Simpson, R-Horicon, sent postcards to his constituents in May that were very similar to ads from fossil fuel lobby groups that oppose New York's Climate Leadership and Community Protection Act. The postcards claimed “households” would pay a very high price for a transition away from fossil fuels such as natural gas currently under consideration by the state's Climate Action Council. The post card didn't explain how they arrived at the cost estimate. Some skepticism is expected when state government considers changes in how we heat and power our homes. But alarming predictions not backed by rational explanations of the options are meant to alarm rather than educate. The phase-out of fossil fuel appliances and furnaces will be gradual, beginning with new home construction, not existing homes. It is a necessary part of economy-wide adjustments needed to help the Adirondacks, and humanity, to withstand the impacts of global climate disruptions. ■

THE COURTS & ATTORNEY GENERAL

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

Returning Protections to Endangered Species

U.S. District Judge Jon S. Tigar of the Northern District of California in July revoked changes to the federal Endangered Species Act made by the Trump administration. Trump's changes had diminished protections and added economic impediments. Under the Trump rules, the U.S. Fish and Wildlife Service no longer provided the same protections to species that were considered threatened (likely to become endangered) as they did for species that were endangered. The Trump rules also had allowed for the consideration of economic impacts in deciding whether to protect a species on the brink of extinction.

Judge Won't Douse Emissions Tests

The U.S. Court of Appeals for the D.C. Circuit in August of 2021 rejected a challenge by makers of wood-fired residential heaters who sought to overturn Obama-era rules requiring emissions testing and audits. Last year, the NYS Energy Research and Development Authority and the Northeast States for Coordinated Air Use Management told the U.S. Environmental Protection Agency that its list of approved wood stoves and furnaces needed to be rewritten. Audits showed inaccurate efficiency claims. Rather than testing stoves with cord wood (stove-length split logs) that still had its bark on, for example, some manufacturers burned kiln-dried lumber. Rather than improving their products so they could pass real-world tests, some manufacturers decided to sue the EPA to eliminate the testing.

Federal Court Reverses Trump Wolf Delisting

Judge Jeffrey White of the U.S. District Court for the Northern District of California in February struck down a Trump-era ruling that removed federal Endangered Species Act protections from the gray wolf. White ruled that Trump's U.S. Fish and Wildlife Service (FWS) failed to adequately consider the threats to wolves outside of the core populations in the Great Lakes and Northern Rocky Mountains in delisting the entire species. In October 2020, Trump's FWS ruled that the gray wolf population had been successfully recovered and didn't need protection from hunting or habitat loss. Some states opened hunting seasons as a result.



Gray wolf (*Canis lupus*)

Judge Hears Concerns on Herbicide Approval by APA

Exhibiting caution after the Adirondack Park Agency (APA) granted approval in a split 6-4 decision, NYS Supreme Court Justice Robert Muller halted the application of a little-known herbicide to the waters of Lake George in June while more information was gathered. From the Warren County bench, Muller cited possible irreparable harm if the herbicide ProcellaCOR EC were to kill more than the targeted Eurasian watermilfoil. The chemical has only been in use for a few years. The decision reversed the ruling of the APA, which approved the controversial chemical treatment despite calls for an adjudicatory hearing from the Lake George Waterkeeper, the Lake George Association, the Town of Hague and nearby shoreline owners. They all sued when the APA refused to hold the hearing. The Adirondack Council is filing a friend of the court (amicus curiae) brief on behalf of those objecting to the herbicide application. A final decision on the permit was still pending when this report was printed. Adjudicatory hearings allow the agency to gather testimony and evidence on controversial proposals. The agency cannot reject an application or impose significant conditions without an adjudicatory hearing. Sadly, the APA seems to have lost control of this vital tool. Despite holding them for all disputed major projects prior to his election in 2010, the APA did not hold a single adjudicatory hearing during the 11-year Andrew Cuomo administration. Hopefully, the ruling will remind the APA that this shameful streak must end. Lake George is a drinking water source for thousands of local residents and visitors. It contains rare, protected plant species.



SCOTUS Embraces Coal, Invokes New Doctrine

After the Trump administration repealed the Obama-era Clean Power Plan two years ago, the Supreme Court of the United States should have considered the matter settled. Instead, it heard a complaint from Midwest states and coal companies and declared in June that the U.S. Environmental Protection Agency had overstepped its authority. To do this, the ultra-conservative majority ignored its responsibilities to defer to the expertise of federal agencies (*Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837; 1984). It instead invoked a so-called “major questions” doctrine that had never before been mentioned in a majority opinion. The court ruled in June that greenhouse gas emissions limits were too important for President Joseph Biden’s EPA to craft the solution without specific directions from Congress. Its major objection was that EPA’s rules made it impossible to burn coal to make electricity and still meet emissions standards. The ruling admitted that EPA’s plan was practical and that climate change was a serious threat. But the decision concluded - without justification - that EPA crossed an undefined threshold into Congress’s sphere of authority, when it decided to set an emissions standard too low for coal-fired power plants and industries to meet. The decision ignored the court’s own *Chevron* precedent and EPA’s climate expertise. It ignored the deadly nature of the threat. It rejected Congress’s prior authorization to EPA in the Clean Air Act to create the best system possible for protecting public health from air pollution. Justice Elena Kagan reminded the chief justice of this in her dissent. Robert’s opinion tries to limit EPA Administrator Michael Regan, who will craft the Biden administration’s next set of rules for carbon dioxide cuts and other greenhouses gas reductions. The Obama Clean Power Plan had required a 32 percent reduction in power plant carbon dioxide. The Trump rule that replaced it had required no carbon dioxide reductions. Legal scholars warned that the court could use this newly minted “major questions” doctrine to undermine other federal agencies and regulations that protect public health, civil rights and consumers.

Court Hears Out Upper Saranac Concerns

In August of 2021, State Supreme Court Justice Richard Meyer of Essex County halted tree cutting and construction of a previously approved, but never constructed, home on the shores of Upper Saranac Lake. His order gave other lakeshore residents time to present a case against the plan. Lot 9 was the final undeveloped lot in the Deerwood shoreline subdivision. Neighbors said the Adirondack Park Agency had improperly modified the permit without holding a hearing or gathering input from neighbors or experts. They said the APA’s actions weakened water quality protections for the lake. Shoreline homeowners have been battling potentially harmful algal blooms in the lake’s waters for more than a generation. Meyer in July removed his order delaying the project, stating that the applicants had a right to develop the site. Yet, like Justice Muller in Warren County (left), he gave neighbors the formal hearing they could not get from the APA board. Unfortunately, formal hearings held in courtrooms are far more expensive for participants and taxpayers than hearings held in the APA’s conference room, using an administrative law judge and a single stenographer.

ATTORNEY GENERAL

Science Brings Action

The Attorney General’s Environmental Protection Bureau worked with staff in the Legislature this spring to get a new acid rain and climate science program funded as part of the state budget. Attorney General Letitia James and her team helped to secure \$500,000 to design and prepare a Survey of Climate and Adirondack Lakes Ecosystems. The full survey would take about three years and cost \$6 million. Data from air quality and water chemistry testing in the Adirondacks has served as the basis for every request for relief from Congress and the U.S. Environmental Protection Agency. The AG’s team noted that there were times when those requests went unheeded. Then, the data became even more valuable as evidence in lawsuits that forced the federal government to act.

Curbing Diesel Smoke

Attorney General Letitia James in November worked with colleagues in Connecticut and New Jersey to press for swift federal action tightening pollution controls for heavy trucks. In a letter to EPA Administrator Michael Regan and National Climate Advisor Gina McCarthy, the attorneys general urged the EPA to propose stronger standards. They asked him for tighter controls on emissions of nitrogen oxides from new on-road heavy-duty trucks and engines for model year 2027 and beyond. Nitrogen oxides cause acid rain and smog. ■



JAMES

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 Foundation's Adirondack Birth to Three Alliance** for child care scored a big win when the state budget allocated roughly \$7 billion to programs statewide.

Nova Bus, with manufacturing in Plattsburgh, won a bid to deliver 135 40-foot transit buses to NY's MTA. Nova is one of North America's largest providers of sustainable transit solutions and was awarded the "Business of the Year" prize by the North Country Chamber of Commerce in March 2022.

The **Adirondack Experience** (formerly the Adirondack Museum) is pursuing a new permanent exhibit on the experiences of Black residents and visitors in the Park.

Two founding members of the Adirondack Diversity Advisory Council, **Dr. Paul Hai** of the SUNY College of Environmental Science and Forestry in Newcomb and **Dr. Wallace Ford** of CUNY's Medgar Evers College in Brooklyn, joined forces to facilitate the Timbuctoo Summer Climate Careers Institute, giving BIPOC students from New York City a chance to see the Park and learn about careers in climate science and environmental protection, while also learning about the Adirondack suffrage settlements of the 1840s.

Champlain Hudson Power Express Inc., building a power line to connect New York City to clean, Canadian hydro-power, made a \$2.1 million contribution toward the Timbuctoo Institute, matching a state grant championed by the NYS Legislature's Black, Puerto Rican, Hispanic and Asian Caucus.

The **Golden Arrow Lakeside Resort**, the organization **John Brown Lives!** and the **Regional Office of Sustainable Tourism** joined with the Adirondack Council to extend a warm welcome to the 67 members of the **NYS Legislature's Black, Puerto Rican, Hispanic and Asian Caucus** when it held its first annual conference outside of Albany, choosing the Adirondack Park's village of Lake Placid.

The **Ausable River Association's** focus on salt levels in Mirror Lake, in the Village of Lake Placid, is beginning to pay off, with this year's readings showing signs of reduced salt contamination.

The **Lake George Land Conservancy** won a \$3.7-million Water Quality Improvement Program grant from the state so it can buy 60 acres of sloping shoreline on the wild, northwest side of Lake George.

The **Uihlein Foundation** is working with the **Adirondack Watershed Institute** on studies of bobolink habitat on the former potato fields on the foundation's Heaven Hill Farm.

Once again, the **Lake George Waterkeeper Chris Navitsky** is protesting the use of a potentially harmful herbicide in the lake, as he did successfully in 2005, when he was honored with the Adirondack Council's Conservationist of the Year Award.

The New Yorker Magazine ran an essay this spring that heralded the death of a white pine called Tree 103, on private land near the Paul Smith's College campus, which at 160 feet was the tallest in New York, and very old (c.1675).

The **Adirondack Diversity Initiative**, at its inaugural Community Policing and Cultural Competency Initiative, trained 57 police officers in how to recognize and eliminate bias in their interactions with the public.

After helping to bring a conviction in the case of an off-duty police officer who fired his weapon in the direction of a group of Black teenagers near Lincoln Pond last year, the **Adirondack Diversity Initiative (ADI) Director Nicky Hylton-Patterson** diffused a potentially explosive situation when she investigated the shooting death of a Black man at the hands of the Saranac Lake Village Police this summer, confirming that the shooting was justified. ADI is part of the Adirondack North Country Association.

This summer, the **Adirondack Mountain Club** hired its first Black summit steward, Klarisse Torriente, expanded education, buying the former Cascade Ski Center, and expanded stewards and trail crews.

A study conducted by **St. Lawrence University** predicted that climate change would bring an end to cross-country skiing and pond hockey in New York State by 2030.

Historic Saranac Lake will rehabilitate the Trudeau Building on the corner of Church and Main streets into a museum in downtown Saranac Lake, using a \$500,000 grant from state economic development officials.

The **Six Nations Iroquois Cultural Center** in Onchiota, Franklin County, will use a \$150,000 community development grant for phase two of its renovation, allowing it to illustrate Haudenosaunee culture and its influence on the Adirondacks and American society.

OWD Development, LLC plans to redevelop the blighted former Oval Wood Dish factory whose idle smokestack dominates the Tupper Lake village waterfront, using a \$2.5-million state grant to transform the former wooden kitchenware manufacturing facility into a new co-working and training space, commercial space and market-rate apartments. ■

AWARDS

Kretser Wins Council's Top Award

The Adirondack Council presented its Conservationist of the Year Award to climate change educator and activist Jen Kretser and The Wild Center's Youth Climate Program during the Adirondack Council's Forever Wild Day celebration on July 9 at Paul Smith's College, near Saranac Lake. Kretser, the Youth Climate Program and The Wild Center are doing a fantastic job of educating our youth about the dangers of global climate change. As Director of Climate Initiatives for The Wild Center in Tupper Lake, Jen manages the center's climate change engagement programs, including the now-famous global Youth Climate Summits and broader Youth Climate Program.

L-R: Conservationist of the Year Jen Kretser and The Wild Center's Executive Director Stephanie Ratcliffe pose with a handcarved loon awarded at the Council's annual Forever Wild Day celebration at Paul Smith's College



Jones Praised for Leadership on Invasive Species and Road Salt Pollution

Assemblymember Billy Jones, D-Chateaugay, was presented a Special Recognition Award at the Adirondack Council's Annual Forever Wild Day celebration. In 2021, Jones co-sponsored and passed the Aquatic Invasive Species Transport Act which required boaters to take precautions like cleaning, draining, and drying their watercraft before launching in New York waters in order to prevent the spread of aquatic invasive species. The Assemblymember authored and successfully passed the Randy Preston Road Salt Reduction Act which established the Adirondack Road Salt Reduction Task Force and Pilot Program in 2022. Assemblymember Jones has represented New York's 115th District, which includes the northern Adirondacks, since 2016.

L-R: Executive Director William Janeway, Assemblymember Billy Jones, Board Chair Sarah Hatfield, and Director of Government Relations Kevin Chlad



BOND ACT ON THE BALLOT

Clean Water, Clean Air, & Green Jobs Bond Act



On November 8th, 2022, New York voters have a once-in-a-generation opportunity to protect clean water, update infrastructure, build parks, and improve quality of life in every county of the state.

The Adirondack Council is working with our colleagues in the Vote Yes for Clean Water & Jobs Coalition on a campaign to encourage voters to approve the *Clean Water, Clean Air, and Green Jobs Bond Act* on Election Day this November.



CLEAN DRINKING WATER

The Bond Act will protect clean drinking water, a priceless resource. Most of New York's rivers begin in the Adirondacks.



MODERN INFRASTRUCTURE

Investments will bring much-needed upgrades to outdated roads, sewer systems, and drinking water pipes. State funding means property tax relief for expensive necessities in rural communities.



LOCAL JOBS

The Bond Act will support more than 80,000 good jobs. New investments will mean new employment opportunities in rural areas.



PUBLIC HEALTH

The measure will add street trees, reduce lead exposure, increase energy efficiency, and improve air quality. Less carbon in the air means less acid rain too.



Above (L-R): Rob, Bottle, Pear, Sutton, Hamilton, Cary, and Moose ponds and Little Forked Lake
PHOTO © CARL HEILMAN II/WILD VISIONS INC.



WILDLIFE HABITAT

The Bond Act will conserve wildlife habitat and increase access to parks, nature centers, campgrounds, and public waterfronts. Adirondack wildlife projects will help species move from one location to another as suitable cool-weather habitat shifts northward and upslope due to a warming climate.

Among the \$4.2 billion in proposed investments are:

- \$1.5 billion to curb the impacts of climate change and cope with its consequences
- \$1.1 billion for restoration and flood risk reduction
- \$650 million for water quality improvements and more resilient infrastructure
- \$650 million for open space conservation and recreational opportunities
- \$300 million for other climate-related priorities

FOLLOW & SHARE

Follow us on social media and share our campaign message posts with your friends, family, and followers.

Remember to tag @NYBondAct and use the hashtags: #NYBondAct #VoteYesNYBondAct #FlipYourBallot

“This moment demands historic investments in renewable energy and environmental protection to bring us closer to a brighter, greener future. Our unprecedented commitment to the pursuit of clean-energy alternatives and green infrastructure will supercharge our economy and advance our climate goals.”

- New York Governor Kathy Hochul

LOCAL GOVERNMENT



Thank You! May We Have Some More?

In January, the Warren County Board of Supervisors sent Gov. Kathy Hochul a letter of support for her proposal to fund septic system replacements on Lake George and other major waterbodies. The program is designed to prevent the loading of excess nutrients into lakes in the form of untreated sewage, which cause harmful algal blooms and heavy metal contamination. Legislator Claudia Braymer thanked Hochul for a \$340,000 grant the county received in 2021 to begin implementation of a local law requiring septic system inspections when lakeshore homes are sold or given away. She also asked for more support in the state budget, which Hochul provided.

First Wilderness Heritage Corridor

Warren County announced in February that it would launch a year-long campaign to highlight recreational opportunities along its newly designated First Wilderness Heritage Corridor. The corridor runs from Hadley, Saratoga County to North Creek, Warren County. The county created an online “story map” for potential travelers to explore, so they know what to expect and where to find it. The trail map illustrates the corridor’s unique natural, historical and cultural features and recreational amenities, along with food, fuel, camping, and other services and accommodations.

Making Space for Everyone

Officials in the Village of Lake Placid and Town of North Elba worked to solve two serious housing concerns this spring. They moved to construct affordable housing and

set rules for short-term housing rentals in both municipalities. The Adirondack Park has a serious lack of affordable housing, especially around its most populated villages. One of three new affordable housing units being constructed on Wesvalley Road will first be used for the 2023 World University Games. After the games end in January, the apartments will be made available to long-term tenants.

Clean Energy Sprouts Local Green

Chairman Shaun Gilliland and the Essex County Board of Supervisors expressed support in January for a major renewable energy project. The Champlain Hudson Power Express is designed to bring Canadian hydropower to replace fossil fuel power in New York City. The power line would also provide host fees to municipalities along the route. Essex County’s Industrial Development Agency negotiated an \$82-million, 30-year host community benefit package for the 13 municipalities where the line would be installed.



GILLILAND

Inez Trail Beckons

The Town of Lewis, Essex County, improved its local recreational offerings in 2021 and paid tribute to one of its most famous residents, suffragist and labor activist Inez Milholland. It constructed a new 3.5-mile loop trail on the Thrall Dam tract. The mossy inviting trail tours the mini-park’s perimeter, intersecting here and there with Burpee Brook and its scenic pools and wetlands.



Essex County Hiker Shuttle

Hiker Shuttles for Overuse

With multiple years of dedicated state Environmental Protection Fund (EPF) funding dedicated to Essex County overuse, two hiker shuttles are operating, expanding service along the Route 73 High Peaks corridor in 2022. Essex County is working closely with the Town of Keene and the Regional Office of Sustainable Tourism. The two shuttles are one part of a multi-faceted effort to address safety, sustainable recreation and wilderness resource protection with improved education and infrastructure.

Better Water in Minerva

The Essex County Town of Minerva will use a \$1-million state community development grant to replace its water system distribution infrastructure serving Town Shed Road and Moxham Pond. The total project cost is estimated to be \$2.4 million and includes \$1.4 million from NYS Environmental Facilities Corporation Drinking Water State Revolving loan funds.

LaChute Scores

The Town of Ticonderoga, Essex County, will construct a quarter-mile segment of the LaChute River Walk Interpretive Trail using a \$279,000 state community development grant. This project is part of the Essex-Clinton Local Waterfront Revitalization Program. The project will improve access to parks, waterways, heritage sites, and businesses via a universally accessible trail.

Connecting Downtown to Rec Hub

Warren County's Town of Johnsbury won a \$35,000 community development grant to connect downtown via walking/biking path to the major recreational hub next door. The town said it would reroute the existing Connector Trail to link the hamlet of North Creek to Ski Bowl Park. The Olympic Regional Development Authority has connected its Gore Mountain Ski Center to the town's Ski Bowl facility, via gondola. Sometimes called "Little Gore," the Ski Bowl operated as a ski area into the 1970's. Today it is run as part of Gore and features the Village Slope, 46er Chairlift, mountain bike trails, cross-country ski trails, and much more. A network of mountain bike and hiking trails winds through the woods and slopes.



Gore Mountain, North Creek
PHOTO © CARL HEILMAN II/WILD VISIONS INC.

North Creek, Forestport Plans to 'Grow Smart'

The Lake Champlain Lake George Regional Planning Board won a \$1.6 million grant from state economic development officials to allow the Town of Johnsbury to construct a new wastewater collection and treatment system



LaChute Falls, Ticonderoga

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

in the downtown business district of North Creek. The lack of a public sewer system has inhibited business expansion and further development for decades. This project will protect water quality in the Upper Hudson River and improve employment opportunities. The Town of Johnsbury will use a \$90,000 state economic development grant to update the town's long-range Comprehensive Plan. The updated plan will incorporate Smart Growth Principles that promote compact development, climate-resiliency, and greater coordination and integration. The Town of Forestport will also update its comprehensive master plan with a \$30,000 state grant. The goal of the plan will include a collective vision to guide sustainable growth in the Oneida County town.

Room to Fish, Enjoy the View

The Village of Northville will complete final design for the Hunter Creek Dam Pedestrian Way Project using a \$131,000 state economic development grant. The project will support public safety improvements along South Main Street, near the spillway that carries Northville Lake's overflow into the Great Sacandaga Lake. The small shoreline parking area is popular with anglers and vista-seekers, creating congestion and threatening pedestrian safety on the curving, narrow causeway between the lakes.

County Moves to Free Big Tupper

Franklin County in April commenced a foreclosure proceeding on the Big Tupper Ski Center and Tupper Lake Marina properties due to unpaid property taxes dating back to 2013. The county is seeking to free the properties from a long-stalled resort development plan. The county said it would then sell the ski area to the Town of Tupper Lake so it can be reopened. The town built Big Tupper more than half a century ago on lands leased from the Oval Wood Dish Corp., selling it to a local private owner in 1987, who ran it until 1999. The ski center was purchased by Adirondack Club and Resort developers in 2003, who sold the chairlifts and other equipment, even though they had promised to reopen the ski center in the first phase of development.



Remnants of a once vibrant Big Tupper Ski Center

Herkimer County IDA Takes Eye Off Ball

The Herkimer County Industrial Development Agency was instructed to improve its processes for approving and monitoring development projects, following an audit by the NYS Comptroller in July. The audit said the agency could not effectively evaluate projects or hold project owners accountable. The audit said the board failed to verify applicants' project information or complete cost-benefit analyses before approving projects. The Board did not obtain information to monitor capital investment and salaries and did not have an adequate process to verify job creation and retention, it said. The Board and officials did not adequately monitor sales tax exemptions claimed by project owners. The comptroller recommended several remedial actions.

Decade of Noncompliance in Morehouse

The Town of Morehouse's Supervisor and town board were criticized in March by the NYS Comptroller for poor financial record keeping, dating back some 11 years. The audit said the supervisor of Hamilton County's least populous town did not maintain the town's accounting records and reports in a complete, accurate, up-to-date or timely manner. The Town's accounting records were not reliable. A total of \$2,082,924 in revenues and \$673,497 in disbursements were not recorded. Cash balances were understated by about \$1.7 million as of June 2021. Federal payroll taxes were not filed timely, resulting in interest and penalties totaling \$6,520. The 2012 through 2020 annual update documents were not filed with the NYS Comptroller, as required. Bank reconciliations were not performed. Monthly financial reports were not prepared for and submitted to the town board. Because the Board did not have complete, accurate and timely financial information, its ability to monitor the town's financial affairs, accurately assess the town's financial condition and make sound financial decisions was compromised. The audit also noted this wasn't the town's first brush with poor oversight. A July 2012 audit returned similar results, it said. Morehouse has 92 year-round residents and 235 seasonal homes. Its budget is devoted to a general fund, highway department and fire district.

Local Leader Passes Away

Former local government leader Fred Monroe of Chester, Warren County, died in December at the age of 76. An attorney who grew up on Blythwood Island on Loon Lake, he served as town supervisor for nearly a quarter of a century, chaired the Warren County Board of Supervisors and led the Adirondack Local Government Review Board from 2005 to 2018. Monroe was one of the founders and former chairman of the Adirondack Fairness Coalition, formed in opposition to the recommendations in the report of Gov. Mario Cuomo's Commission on the Adirondacks in the 21st Century. He unsuccessfully sued state government to overturn the Adirondack Park Agency's authority to regulate land use. Monroe led the effort to require the inspection and decontamination of trailered boats prior to launch in Loon Lake.



Deputy Director Rocci Aguirre greets Carol Monroe, wife of the late Fred Monroe, at an honorary tree planting ceremony at the Park Agency

TOBIE Gets a Boost

The Town of Webb, Herkimer County, will construct seven miles of new mountain biking trails with a \$250,000 economic development grant. The project will enhance the existing 25-mile trail network at McCauley Mountain Recreation Center in Old Forge. The new trails will include beginner, intermediate and expert levels. These trails will provide a direct connection to the existing multi-use trail system such as the Thendara, Old Forge, Big Moose, Inlet, Eagle Bay (TOBIE) Trail.



McCauley Mountain, Old Forge

Kudo\$ for Essex County, Town of Bolton

An audit of the Essex County Board of Supervisors 2021 budget showed that the county had done a good job of accounting for the potential additional expenses of coping with the COVID-19 pandemic, the NYS Comptroller's office said. Short-staffing and other challenges led some local governments to reduce or eliminate services and reduce capacity and delay capital projects, the audit said. The Town of Bolton, Warren County, received a similar positive assessment for its 2022 budget in May.

Red Ink in Stony Creek

The Town of Stony Creek was criticized by Comptroller Tom DiNapoli for failing to maintain accurate accounting records and reports. DiNapoli also faulted the town board for poor oversight of financial operations. Without complete and accurate financial reports, the board was not aware of significant deficiencies with its accounting records. The town's general fund balance was overstated by \$316,000 in December, 2021. ■

VISION 2050

Fulfilling the promise of the Adirondack Park



PHOTO © CARL HELLMAN / WILD VISIONS INC.

The Adirondack Council, with input from experts and other stakeholders, offers VISION 2050 to achieve a future with intact natural systems, vibrant and diverse human communities, and cutting-edge management. This proposal for a long-range strategy for the next 30 years of the Adirondack Park offers a path forward.

LEARN MORE AT ADIRONDACKVISION2050.ORG



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COUNCIL** PRESERVING WATER,
AIR AND WILDLANDS

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DEPT. OF ENVIRONMENTAL CONSERVATION



No Space for Invaders

In June, the Department of Environmental Conservation (DEC) began enforcing the new state law requiring all motorized boats to be inspected for invasive species and decontaminated prior to launch in the Adirondack Park. Inspections and cleaning are the most effective tools for preventing the spread of aggressive, non-native species to new locations. Some of the Park's largest waterbodies are infested with species carried in on boats coming from all over the Northeast. Trailers can gather and spread salt water and freshwater plants and animals, as can hulls, bilges and engine cooling-water intakes. A network of professionally operated inspection and decontamination stations is spread around the Park's entry roads and major waters. The service is free and takes only a few minutes. Invasive species overtake and ruin habitat for native plants and animals, and can interrupt ecosystem functions and recreation.

Parking Reservations are Unreserved Success

The DEC continued its successful partnership with the Adirondack Mountain Reserve (AMR) on the Adirondack Park's first parking reservation system for hikers, as recommended by the State's High Peaks Wilderness Overuse Working Group. The system operates only from May through October, when hiker volume is at its peak. The DEC and AMR are using the system to manage the number of hikers who enter a sensitive private wilderness area owned by AMR on any single day. Overuse of trails on steep slopes has led to erosion, water pollution and degradation of wilderness conditions. Under an agreement donated to the state, select trails are open to public

access, and the AMR can limit that access. AMR access leads to popular private lands and the summits of the Great Range of the High Peaks Wilderness Area and beyond. The system allows anyone to make a reservation online and improves equity of access.



Council staff measures the width of a damaged trail on Ampersand Mountain

PHOTO: NANCIE BATTAGLIA

With Protections, Overuse Can Improve to High-Use

The DEC is accomplishing more than may be visible in its efforts to control the problems of overcrowding and excessive wear in the Adirondack Park's most popular hiking and camping areas. These efforts can prevent high-use from degenerating into overuse. Overuse damages the wilderness resource, puts visitor safety at risk, reduces fair access and harms the quality of the human experience. In 2021, the DEC's High Peaks Wilderness Overuse Working Group released recommendations that recognize the unacceptable physical and social impacts of overuse on wilderness, visitors, and communities. The DEC worked with the Adirondack Mountain Club and local elected officials to implement the report's recommendations. This includes more trail professionals to inventory, maintain, and rebuild trails; addressing parking and pedestrian safety along Route 73; expanding

a pilot shuttle service; adding bathrooms; increasing trailhead, summit and backcountry steward programs; and ramping up education efforts including "Leave No Trace" principles. The DEC has announced actions on long-range plans that include third-party national experts on visitor-use management; supporting green infrastructure; supporting improved access and social justice, equity, diversity, and inclusion; supporting science and best management practices; and facilitating stakeholder engagement. More Forest Rangers and other staff are still needed.

New Coordinators for Preserve

The department in November hired new Forest Preserve coordinators for the Adirondack and Catskill parks. Both are experienced conservationists. Josh Clague has 14 years with DEC's Forest Preserve Management team. McCrea Burnham will coordinate management of "Forever Wild" public lands in the Catskill Park. The coordinator positions were recommended by the High Peaks Strategic Advisory Group, as part of the state's response to high levels of hiker traffic and use-related damage to trails and slopes.

DEC Still Loves Our NY Lands

The DEC continued its commitment this summer to the *Love our New York Lands Campaign* it started in May of 2021. The education campaign aims to minimize user impacts to natural resources while helping hikers and campers properly prepare for their voyages. The campaign launched with an educational session about the Leave No Trace system of outdoor ethics. It continued with a focus on hiker preparedness and safety, sustainable use, and responsible trip planning.

DEC Grants Conservation Funds to Land Trusts

The department in April announced \$3.375 million in Conservation Partnership Program grants, the largest amount of funding for this program to date. Grants went to 51 not-for-profit land trusts across the state. Overall, 80 grants were funded through the NYS Environmental Protection Fund. Grants went to projects that protect water quality and farmland, boost public access for outdoor recreation, and conserve open space. In the Adirondacks, the Adirondack Land Trust won a capacity grant of \$29,000 and a transaction grant of \$75,000, while Champlain Area Trails won a stewardship and resource management grant of \$23,500 and a transaction grant of \$33,240.

Advancing Clean Trucks

The DEC took another step toward achieving the goals of New York's nation-leading Climate Leadership and Community Protection Act in January by phasing in the sales and use of zero-emission trucks. The new Advanced Clean Trucks rule requires manufacturers of vehicles greater than 8,500 pounds to sell an increasing number of zero-emission vehicles in New York. The goal is for 100 percent of medium- and heavy-duty vehicles offered for sale or lease in the State be zero-emission by 2045. The rule will also reduce diesel soot, smog-causing air pollution and acid rain.

Bald Mountain Gets Throttled

The DEC issued a temporary revocable permit for the public use of all-terrain vehicles on a part-public/part-private road on Bald Mountain in the Town of Oswegatchie, St. Lawrence County. Mixing auto traffic and ATVs has resulted in tragedy in too many locations already. The permit will facilitate unlawful behavior such as incursions on to the Forest Preserve and adjoining private lands. Lewis County residents facing the expansion of ATV use on a former rail line are petitioning their local officials to halt the project. Concerns centered on past instances of eroded trails, trespass, property damage, drunk-driving, and vandalism.

Changing the Locks to Foil Intruder

DEC Commissioner Basil Seggos worked hard this spring to develop and implement a plan to stop the spread of the invasive round goby (*Neogobius melanostomus*) fish from the Hudson River to Lake Champlain. The fish is a bottom dweller native to the Black and Caspian seas, accidentally brought to the U.S. in ship ballast water. It has developed large, non-native populations in several Eurasian rivers and the American Great Lakes. It outcompetes native species for food, shelter, and nesting sites, substantially reducing their numbers. Round gobies are voracious predators of eggs of native fish. Its ability to survive in degraded environmental conditions has helped to increase its competitive advantage compared to native species. The only waterway connecting the river and lake is the Champlain Canal, constructed in 1823. While no longer used to transport cargo or commercial passenger vessels, the canal is still open to pleasure craft. Seggos worked with the NYS Canal Corp. to change the way it operates the locks to prevent fish incursion from the Hudson to the lake, but the Canal Corp did not temporarily keep the lock closed as advocates recommended.



SEGGOS



The invasive round goby is a threat to aquatic ecosystems in the Adirondacks

PHOTO: USFWS

Getting a Charge Out of Camping

The DEC installed electric car charging stations at two campgrounds in the Adirondacks in October 2021, the Meadowbrook Campground in Ray Brook and the Frontier Town Campground in North Hudson. The Meadowbrook site has one dual charging station, and Frontier Town has four single-car chargers. They may be used by visitors and campground staff alike.

Tighter Lid on Methane

In March, the DEC adopted stricter standards for volatile organic compounds and methane emissions from the oil and gas sector. This regulation will fulfill New York's obligations to reduce greenhouse gases and associated VOCs under the Climate Leadership and Community Protection Act. It also helps New York comply with the U.S. Environmental Protection Agency's recently updated guidelines for leaks and emissions from the oil and gas industry. New York's new regs are expected to prevent the release of 14,000 tons of methane and 2,000 tons of VOCs.

Task Force to Revisit Drawing Board

After losing a lawsuit that discarded its road-like design for "community connector" snowmobile trails, the DEC appointed a task force in December to help it start over. The new Trail Stewardship Working Group is reviewing trail construction guidance and policies in light of the 2021 Court of Appeals decision. The court said the former design required cutting too many trees. It violated Article 14, Section 1 of the New York Constitution, the court ruled. The "Forever Wild" clause protects Forest Preserve trees from destruction. Conservationists objected to the plans in 2010, when the Adirondack Council filed the first of its two lawsuits to stop construction. Both were deemed premature. In 2013, the group Protect the Adirondacks! filed another suit. It lost the first round, but won an appeal in 2019, which was affirmed by the state's highest court in 2021. The Council filed a friend of the court brief (amicus curiae) in support of Protect's lawsuit.

Beloved Asset Meets a Flood of Interest

Overnight stays at campgrounds operated by the NYS Department of Environmental Conservation (DEC) and Office of Parks, Recreation and Historic Preservation climbed to record highs in 2021. Due to capital investments made over the last decade, overnight stays at State Parks campgrounds have risen nearly 45 percent. Sites were occupied for 787,103 nights, surpassing the 2019 record of 684,820. DEC campgrounds were occupied for 394,401 nights, surpassing the previous 2016 record of 354,521 nights by more than 10 percent. State Parks operates 68 State Parks campgrounds. The DEC operates 52 campgrounds and five day-use areas in the Adirondack and Catskill forest preserves. They provide a wide variety of experiences, including island, tent or trailer camping, boat launching facilities, hiking trails, beaches and day-use areas with beaches, picnic tables and grills.



Gray Wolf Shot in New York

The Northeast Ecological Recovery Society, Maine Wolf Coalition, and the Center for Biological Diversity released a DNA analysis in July 2022 which they say confirms that a canid shot in December 2021 in central New York was a gray wolf. As an endangered species, the gray wolf is supposed to be protected. Unfortunately, DEC proposed to delist the wolf from the state endangered species list and remove protections. The State should be expanding education and protection for wildlife, including the gray wolf, and cutting back on coyote hunting. (Wolves can often be mistaken for coyotes.) Wolves in the state should be protected, not shot. Wolves are an important but missing piece of Adirondack wilderness, essential to healthy ecosystems and water quality, and have positive impacts on deer, moose, and other animal populations.

Ew! What's That Smell?

The DEC is abdicating the vital job of regulating the flow of untreated sewage into Adirondack lakes, leaving the task to local governments and lake associations. Poorly treated sewage is reaching the park's waters via antiquated municipal sewage treatment facilities and from private, on-site septic systems. Only a handful of municipalities have taken it upon themselves to require inspection and repair of septic systems, yet failed septic systems are everywhere in the park. There is no law or regulation requiring inspection, so few bother to test unless bacterial growth emits an odor or impairs water quality in a noticeable way. As stewards of New York's water quality,

the DEC has the power to issue regulations on the use of private wastewater systems.

Sounding the Dam Alarm ...

In December, the DEC issued a report showing that the vast majority of dams in New York needed repair and a high number were no longer safe. Only 122 of 5,946 active dams in New York were found to have "no deficiencies noted." More than 375 active dams in New York were rated "unsound," including more than a dozen in the Adirondack Park and 34 in the Capital Region. Of them, 147 are considered "high hazard." An unsound dam has structural and stability deficiencies or inadequate spillway capacity to such an extent that "the safety of the dam cannot be assured," according to state guidelines.



Union Falls impoundment on the Saranac River in the Town of Black Brook

Four Fewer Buckets to Empty?

The DEC essentially yawned when the U.S. Environmental Protection Agency announced in May that it was closing four air quality monitoring stations in and around

the Adirondack Park. The department said nothing when the EPA shut two air monitors in Newcomb, Essex County. They had been collecting samples adjacent to the High Peaks Wilderness Area. The EPA stopped the funding for another station at the Akwesasne Mohawk Reservation near Malone and the Bennett Brook research station in Oswego County. New York doesn't have a fund to pay for reopening the sites. The Adirondack Council is working with Congress and the EPA to restore funding.

Snuffing Cryptosmoke

The DEC in June denied an air permit renewal for the gas-fired power plant operated by Greenridge Generation, LLC's cryptocurrency mining facility on Seneca Lake. The DEC denied the Title V air permit because the facility's operations didn't meet the statewide greenhouse gas emission limits. The facility had actually increased emissions since the Climate Leadership and Community Protection Act was passed, the DEC said. The law requires emissions to be slashed statewide by 40 percent from 1990 levels by 2030 and 85 percent by 2050. Cryptominers use hundreds or thousands of computers and servers to solve complex mathematical puzzles and maintain an encrypted ledger of verified currency transactions, for which they are rewarded in cryptocurrency. This source of acid rain and greenhouse gases near the Adirondack Park had been closed because the power was not needed for the state's electric grid. The DEC's actions can prevent a spike in air pollution levels before it harms the park. The company is appealing the decision in court. ■

OTHER AGENCIES

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

EPA No Longer Blowing Smoke

The NYS Energy Research and Development Authority and Northeast States for Coordinated Air Use Management scored a victory for rural clean air this summer. They persuaded the U.S. Environmental Protection Agency to scrap its list of approved “clean” wood-burning stoves and furnaces because their audit showed that many manufacturers had falsified the test results. The list is used as a “green” buyer’s guide and as a basis for awarding federal clean-energy financial incentives. The EPA released an official corrections list for residential wood heaters, clearly articulating what report deficiencies require immediate retesting and which units earned a 5-year waiver from retesting.

Cleaning Up Waters; Relieving the Burden

The NYS Environmental Facilities Corp. awarded \$638 million in grants to municipalities statewide for water infrastructure projects. They included \$8.3 million for seven municipalities inside the Adirondack Park. The funds will supplement \$15 million that the seven communities raised from other sources. Every grant serves the dual purpose of making the Adirondack Park’s waters cleaner while relieving some of the burden from taxpayers in tiny rural towns. Essex County grant winners were the towns of Essex and Westport on Lake Champlain and the Town of Schroon on Schroon Lake. The Clinton County Town of Dannemora also won grants; as did the Warren County Town of Warrensburg, on the Schroon River.

Where There’s Smoke There’s ... Asthma

The 22-member panel recommending how New York will reduce greenhouse gases is targeting wood smoke in rural areas. The New York Climate Action Council said in December 2021 that it would incorporate wood smoke impacts into its year-long study of how to achieve the goals of the Climate Leadership and Community Protection Act. The act requires the state to achieve net-zero greenhouse gas emissions by 2050. The NYS Energy Research and Development Authority said reducing wood smoke by 40 percent upstate could reduce non-fatal heart attacks, asthma-related hospital visits and deaths significantly.



No Reservations About Protecting Shawangunks

The Office of Parks, Recreation and Historic Preservation initiated a pilot online reservation system for one of its most popular and worn-out campsites this spring. Hikers and campers can reserve a spot at the popular Sam’s Point area of Minnewaska State Park. The use of parking or campsite reservations can improve equity of access, and curb damage to sensitive or overused hiking trails and campsites. They also inform non-reservation holders how to locate a suitable, less crowded option. The park is located in the Shawangunk Mountains.

Hey You! Here, Have Some Money

Empire State Development Corp jumped the gun in December when it awarded \$200,000 to a proposed campground and recreational vehicle park on the Great Sacandaga Lake. The grant arrived before the potential developers even proposed the project to the Adirondack Park Agency. ESD justified the grant to the developers by stating it would provide a “unique camping destination.” There are 41 state-run campgrounds in the Adirondack Park and more than 100 private camping operations that allow recreational vehicles.

Real Price, No Blaming the APA

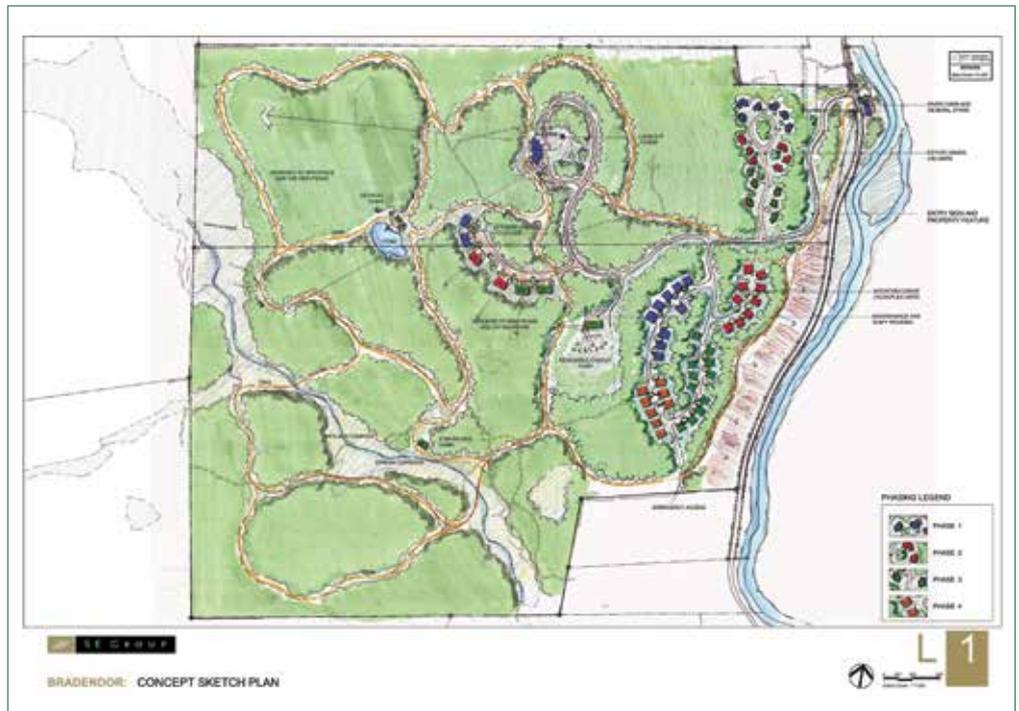
New York’s Upstate Cellular Coverage Task Force reported in September 2021 that the state could close the remaining cell phone coverage gaps with a public and private investment of \$610 million. It recommended that state incentive programs avoid making investments already contemplated by private industry. It also recommended regulatory streamlining, but didn’t recommend major changes to the way the Adirondack Park Agency reviews projects. Task force members said the APA’s long-standing towers policy simplified permitting in the 92 Adirondack Park towns. The policy requires new towers to be “substantially invisible.” The park is the only place in New York where the rules were the same across such a large geographic area (9,300 sq. mi.; one-fifth of the state). It did recommend new visual assessment tools to speed up review of applications received in the winter. More importantly, it called for a Park-wide cell coverage plan such as those in place for some national parks. ■

ADIRONDACK PARK AGENCY

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

Back to Drawing Board in Jay

In December 2021, the agency refused to accept the permit application for a sprawling subdivision on the banks of the Ausable River in Jay, Essex County. It declared the application to be incomplete. A Miami-based developer wants to build a resort on 355 acres. The current design includes 20 townhouses, 60 villas, 18 larger “estates,” six mansions and two hotels. The agency received hundreds of comments, most of them opposed. The APA told the developer it wanted maps of the land’s existing conditions and natural features, a project narrative detailing how they will avoid sensitive plant and animal species, and a conceptual map showing alternatives that avoid or minimize impacts on sensitive resources. The APA is expected to gather public comments on the application once it is deemed complete.



Only Seeming to Hear

The APA went out of its way in January to avoid adequately addressing more than 1,200 comments it received on the proposed reopening of a granite quarry. Owners want to reopen a mine closed for almost a century in what is now a residential neighborhood in White Lake, Oneida County. Residents expressed concerns over noise and dust from mining, blasting, rock sawing and rock crushing on the site. The pink-colored stone was last mined from this site in the 1930s. As its own rules demand, the agency should have held an adjudicatory public hearing on the controversial proposal. During the 11-year Andrew Cuomo administration, the APA failed to hold a single adjudicatory hearing. Prior to that time, they had been commonplace for controversial projects.

Proposed subdivision in the Town of Jay

MAP: ADIRONDACK PARK AGENCY

This time, the APA decided to hold a two-day “special meeting.” This gave the impression of a thorough review, while foreclosing all possibility of major changes before the sessions began. The APA also declined to hold an adjudicatory hearing to reconsider a permit modification that could result in a septic system too close to wetlands on the shore of Upper Saranac Lake. When faced with a mountain of public comments on another controversial subject in April, the APA once again failed to hold an adjudicatory hearing. Instead it issued a permit to use aquatic herbicides in Lake George. Opposition had been expressed by the Lake George Waterkeeper, the Lake George Association and the Hague Town Board. A Warren County Supreme Court justice was forced to schedule a hearing

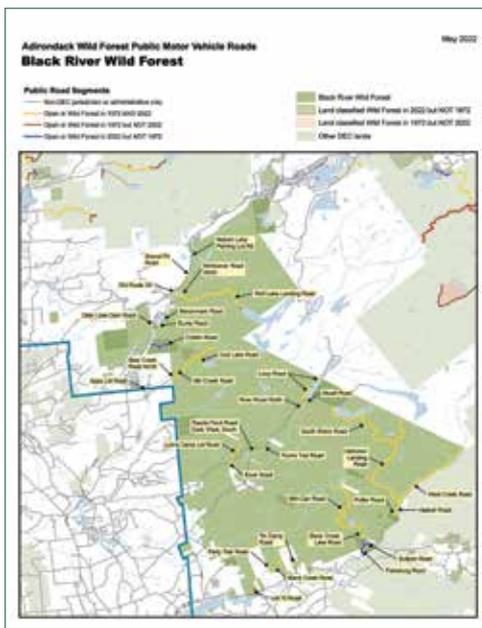
on the appeal instead. The Adirondack Council is filing a friend of the court (amicus curiae) on behalf of the appellants. The case was pending at press time.



White Lake residents show opposition to the proposed reopening of a granite quarry

👍 Finally Limiting Motorized Miles?

This spring, the Adirondack Park Agency moved for the first time, as required, to limit the total mileage of roads on the “Forever Wild” Forest Preserve. The agency said it would determine how many miles currently exist so it can comply with the Adirondack Park State Land Master Plan’s Wild Forest Basic Guideline #4: “no material increase of road mileage.” More than 30 years ago, legal action forced the agency to track and limit snowmobile mileage on the Forest Preserve (858 miles). The APA had not treated roads the same way, despite a clear mandate.



Motor vehicle roads in the Black River Wild Forest

MAP: ADIRONDACK PARK AGENCY

👍 Thanks for Letting Us Know ...

This spring, the agency’s press office began issuing news releases describing all major project applications and preapplications. The news alerts provide public notice for those interested in participating in the review, while there is still time to conduct research and field visits. In the past, short notice of major projects caused difficulty for individuals and organizations that watch over the agency, or were directly affected by proposed development projects.

Terry Martino Retires

Executive Director Theresa “Terry” DeFranco Martino announced her retirement in January. Martino served as the APA’s top staff person since August 2009. She stepped down in February. Martino was replaced by former APA board member Barbara Rice of Saranac Lake. Martino was appointed by Gov. David Paterson after Richard Lefebvre retired in 2007. She had previously served as executive director of the Adirondack North Country Association, an economic development agency. Before she retired from the APA, Martino hired Adirondack Council vice president of conservation Megan Phillips as deputy director of planning.



👎 Stuck in Non-Feedback Loop

The APA again this year failed to gain headway on improvements to two major areas of its rules for developers. APA failed to significantly improve its policies for review of large-lot subdivisions in remote locations. Consequently, a “conservation design” law is under consideration in the NYS Legislature. The APA also balked at its obligation to measure and enforce compliance with the recreational carrying capacities for public lakes and forests. The agency received a “thumb down” in the 2021 State of the Park as well for its lack of progress establishing carrying capacities. They are a basic tool needed for all of the 100-plus Unit Management Plans administered by the APA under the Adirondack Park State Land Master Plan. APA is supposed to ensure that recreation doesn’t cause ecological damage. Instead, the APA has approved new recreation and made plans to measure the impact later – without baseline data. This creates an endless cycle of increasing damage.

limits for solar in any Adirondack land-use area. There are no specific uses prohibited in any APA land-use classification, so solar panels are currently allowed anywhere, including lands intended primarily for open space, farms and forestry. “The Agency has not evaluated site-specific development constraints on much of the Park’s farmland,” the APA’s report noted, so site visits are crucial. “Considerations including wetlands, key wildlife habitat, and visual impacts may render many agricultural lands unsuitable for solar development upon project review.” The APA said further regulation of solar power would require an act of the Legislature. The Legislature has not updated the APA’s land-use plan since 1978. ■

👍 Casting Light on Sun Power

In November 2021, the agency explained its plans and methods for reviewing solar power plant installation projects. Commercial solar installations on farmland have become more common in recent years. Solar panel farms and similar installations need special handling by the APA. Solar power generation equipment is not considered a principal building or dwelling, so there are no density



Solar panels in Vermontville, Franklin County

FEDERAL GOVERNMENT

PHOTO © CARL HEILMAN II/WILD VISIONS INC.

Schumer Saves Civilization from Coal

Snatching victory from the jaws of defeat in July, Sen. Charles Schumer, D-NY, struck a deal with coal-state hold-out Sen. Joe Manchin, D-WV, to cut carbon emissions nationwide by 40 percent by the year 2030. Manchin had refused to approve several earlier versions of a climate bill. Schumer's agreement passed congress in August and was signed into law by President Biden. This is the first major greenhouse gas reduction measure approved by Congress. This is historic and important given the Supreme Court of the United State's recent ruling against the Obama-era Clean Power Plan. SCOTUS indicated that federal regulators needed permission from Congress before ordering sweeping solutions to the climate crisis (see *Courts* on pages 13-14). This puts the U.S. on pace to meet commitments made at the COP26 international climate summit in Glasgow, Scotland, in 2021.



President Biden signs the Inflation Reduction Act which includes historic investments in tackling the climate crisis

Federal Plan Replaces State Shams

The Biden administration in April proposed a Federal Implementation Plan for Regional Ozone Transport to reduce smog and acid

rain-causing emissions from 12 Midwest states. Smokestack emissions of nitrogen oxides from all 12 states cause acid rain and ground-level ozone (smog) in the Northeast. Biden rejected and replaced those states' inadequate State Implementation Plans, as allowed by the Clean Air Act and National Ambient Air Quality Standards. The rules expand emission controls beyond power plants alone. Similar to New York's pioneering acid rain law, the rules use allowance trading to reduce emissions quickly and efficiently by rewarding those who cut emissions faster or deeper than the law requires. EPA said the plan's aim was to "fully eliminate" ozone air quality problems in downwind states. It would significantly reduce acid rain, soot and mercury emissions that fall on the Adirondack Park.

Biden Closes Open Season for Mercury

In January, the Biden administration reinstated mercury emissions rules that had been repealed by the Trump administration. Mercury causes organ failure, brain damage, nerve damage and birth defects in people and other mammals, fish, amphibians and birds. The federal Mercury and Air Toxics Standards had reduced mercury pollution falling on the Adirondacks by 86 percent (compared to 1990) before they were repealed. The new rule will prevent 4,700 heart attacks; 130,000 asthma attacks; and 11,000 premature deaths each year, while spurring a shift to renewable energy. Mercury is emitted from coal-fired power plant smokestacks. It is also liberated from otherwise harmless compounds in rocks and soil when acid rain breaks them down chemically.

EPA Will Enforce Good Neighbor Policy

In settlement of a 2018 lawsuit brought by the Adirondack Council, the Environmental Defense Fund and others, the U.S. Environmental Protection Agency agreed to enforce the Good Neighbor rule in the Clean Air Act. The rule prohibits any one state from emitting so much air pollution that it causes a public health risk in another state. The Trump administration's EPA had refused to enforce the rules, despite clear evidence that coal-fired Midwest power plants were causing dangerous levels of smog in Northeast states from Maine to Maryland.

Shoring Up Stream Protections

In January, President Biden signed an executive order calling on the U.S. Environmental Protection Agency and the Army Corps of Engineers to replace the Waters of the United States rule that the Trump administration had repealed. A new rule would protect traditional navigable waters and their adjacent wetlands, tributaries, wetlands adjacent to tributaries, and other "relatively permanent waters." Once these waters were officially included under federal jurisdiction, they were protected by the Clean Water Act (CWA). The CWA prohibits polluting them without a permit. Hundreds of thousands of currently unprotected streams and other waterways were protected. U.S. Rep. Elise Stefanik co-sponsored legislation to prevent this order from being carried out.



BIDEN

Forests are Federal Priority

On Earth Day, President Biden issued executive orders strengthening protections for old-growth forest and prioritizing protection of at least 30 percent of America's forests by 2030. Biden said his goal is to restore 200 million hectares (494 million acres). Abroad, the Secretary of State was directed to prioritize forest protection in foreign grants and aid. At home, the secretaries of the Interior and Agriculture were directed to recommend policies to protect all old-growth forests on federal lands. Lastly, the order directs agencies to uphold tribal treaty rights and support the ecological knowledge and practices of tribes.



An Adirondack Council member measures an old growth white pine near Saranac Lake

Schumer, Tonko Seek Action

The EPA ran out of money to run the nation's air quality monitoring network in May and announced it would stop collecting data at a dozen stations (four in New York). Senate Majority Leader Charles Schumer, D-NY, led an effort to restore the funding and rebuild the network. U.S. Rep. Paul Tonko, D-Amsterdam, used his time during House budget hearings in May to question Administrator Regan on the closures and bring national attention to the issue. By July, Congress was considering three newly introduced bills to improve the network nationwide. An effort to restore 2022 funding was underway at press time.



TONKO

Pingree Makes Critical Effort

U.S. Rep. Chellie Pingree, D-Maine, added language to the federal budget bill that would have required the U.S. Environmental Protection Agency to implement a new "critical loads" standard for acid rain. A critical load is the amount of pollution needed to harm a natural ecosystem. A critical loads standard would limit emissions of air pollution from upwind smokestacks to prevent harm to sensitive ecosystems. At the request of U.S. Reps. Paul Tonko, D-Amsterdam, Joseph Morelle, D-Rochester, and Elise Stefanik, R-Schuylerville, Pingree also added \$5 million to the EPA's Science and Technology budget to modernize the nation's air quality monitoring network. GOP senators, abetted by Sen. Joe Manchin, D-WV, refused to accept either of Pingree's additions, stripping them out of the final budget.



PINGREE

Budget Blocks Road to Recovery

In an effort to protect coal interests, a coalition of all Republican U.S. Senators and Sen. Joe Manchin, D-WV, stripped away a \$5-million annual funding increase the U.S. Environmental Protection Agency requested by Northeast states. The grants were meant to fund acid rain and smog research. The funds had already been approved in the House's version of the Interior Appropriations bill. The House bill also would have established tighter emissions standards for smokestacks upwind of the Adirondacks, based on a scientific assessment of the threshold where ecological damage begins.

Same Muster, Less Bluster

Perhaps reflecting a change in tone in the White House, Air Force and Air National Guard units using Adirondack air space for military training practice behaved more respectfully toward the Adirondack Park this summer. This stood in contrast with the preceding several years. Pilots

from regional military bases - especially those outside of New York - had previously generated a large increase in complaints about extreme noise, proximity to homes, powerful sonic booms, and the use of unauthorized airspace over state-designated Wilderness, Primitive, and Canoe areas.

SEC Means Business on Climate Info

The Biden administration's Securities and Exchange Commission in March issued rules requiring all companies publicly traded in the U.S. to disclose climate-related risks that are likely to affect their business. The rule would also require these companies to assess and disclose their greenhouse gas emissions and set climate-related goals. The rules will give investors new tools for judging the sustainability of a company and its impact on public health and the environment. U.S. Rep. Elise Stefanik co-sponsored legislation to repeal this rule.

Redefining Success for Endangered Species

In June, the Biden administration's Fish and Wildlife Service proposed a rule to rescind the Trump-era definition of habitat as it applies to the Endangered Species Act. The new rule expands the scope of protected areas to include both current and potential habitat for listed species, which can change as the climate changes. This allows the agency to take a broader view when outlining "critical habitats," which are protected under the act from any federal agency activity.

Federal Review Can't Ignore Climate

In May, the Biden administration reinstated National Environmental Policy Act requirements from the pre-Trump era. Federal agencies are once again required to estimate broad-reaching environmental impacts in their formal environmental assessments, including the impact on climate change. This rule also expands the scope of the act to include all agency projects that receive federal funding. U.S. Rep. Elise Stefanik co-sponsored legislation to repeal this rule change.

Stefanik Says 'No' to Infrastructure

U.S. Rep. Elise Stefanik voted against a Biden administration infrastructure bill that included funding for local road, bridge and broadband projects. The “no” vote included broadband internet-access expansion projects and replacement of the Middleton Bridge. The Town of Horicon has been trying to replace the span for more than a decade, so ambulances can reach homes faster. Voters approved a Constitutional Amendment in 2018 (a health and safety projects land bank) allowing the construction. Community leaders and environmental advocates set aside other disagreements and joined forces to promote that amendment. It won statewide voter approval, but the project has waited six years for federal funding. The bill was approved.

Electrifying the Economy, Cleaning the Air

In March, the Biden administration proposed a new heavy-duty engine rule designed to reduce greenhouse gas emissions from trucks, buses and other sources. Vehicle emissions have a large impact on air quality in the densely populated Northeast. Reducing them will save lives in poor urban communities closest to the sources of transportation pollution, as well as protect natural areas where prevailing winds carry those emissions as they fall from the air. It's also good for the local economy. Novabus is making all-electric transit buses at a factory in Plattsburgh, NY.



NOVA electric buses, assembled in Plattsburgh, are bound for New York City

PHOTO: NOVABUS

US Rep. Sherwood Boehlert Passes

In September 2021, the Adirondack Council mourned the passing and celebrated the life of retired U.S. Rep. Sherwood Boehlert, R-Utica. Sherry was a staunch conservationist whose work benefitted the forests, waters, wildlife, and communities of the Adirondack Park. From his election to Congress in 1983 to his retirement in 2007, Boehlert was a conservation leader who inspired his colleagues to join him. Among his proudest moments in Congress were the Clean Air Act Amendments of 1990, which created the first federal Acid Rain Program; the Land and Water Conservation Fund; and the Forest Legacy Act, which protects private forests from subdivision and development. Boehlert also secured funding for acid rain research and protected it from repeated federal budget cuts. His efforts ensured that New York had the data it needed to compel federal regulators to protect us from acid rain and smog. He was 84.



Partisan Nastiness Spreads Disease

The words and actions of some who represent Upstate New York in Congress took a sharply authoritarian and anti-environmental turn recently. The change aligned with the policies and actions of former President Donald Trump. This extremist tone toward rivals and critics, and toward messengers such as the news media, turned from barely civil to hostile to sometimes abusive. Rather than invite open discussions, they have limited their public appearances, hand-picked their audiences and screened all questions ahead of time. They have shunned one-on-one interviews with local journalists. They speak only through press releases, social media and ultra-conservative national media outlets that won't question their unsupported claims. Worse, they keep repeating Trump's lie that the 2020 election was stolen from him. They know they are wrong, yet they have intentionally undermined our government and public faith in democracy - all for partisan political gain. Polls and studies have shown repeatedly that Adirondack residents hold vastly different views on many current topics. Yet, Adirondackers find ways to work together to solve their problems. They routinely prioritize the good of their community, this Park, their country and common decency ahead of party politics. Those who disrupt this Adirondack sense of duty are spreading the diseases of fear and hate among us. They bring dishonor to their office. They make the world a little nastier for everyone.



An Adirondack Council member at the Climate March in Washington, DC in 2017

Polluting the Final Climate Bill

Concessions in the “Inflation Reduction Act,” climate legislation necessary for Sen. Charles Schumer, D-NY to strike a deal with coal-state Sen. Joe Manchin, D-WV, eliminated some provisions of the earlier House-approved “Build Back Better” legislation. Compromises also added provisions negative for environmental, climate and public health objectives earning strong and legitimate objections from a coalition of 150 plus environmental and social justice organizations. ■



2023 PRIORITIES

To preserve the legacy of the Adirondacks for current and future generations, 2023 priorities, guided by the VISION 2050 report, include:

Pass the Bond Act

Gain New York voter approval for the \$4.2-billion Clean Water, Clean Air, and Green Jobs Bond Act.

Combat Climate Change

Adopt an effective Statewide Climate Plan inclusive of protections for the Adirondacks, and advance local, state and federal climate actions.

Invest in Science

Increase and spend funding for research and monitoring, the Survey of Climate and Adirondack Lake Ecosystems (SCALE), and wilderness visitor use management framework (VUMF) protections.

Secure Federal Support

Secure federal science funds and policy to protect clean water, clean air, wildlife, wildlands, and communities.

Advance Protection of Clean Water

Protect water from road salt, aquatic invasive species; curb wastewater; improve septic system regs. Promote Adirondack Park Agency reforms and watershed scale planning.

Preserve Wildlife and Wildlands

Advance the preservation of wilderness, rewilding and wildlife recovery plans, state land stewardship, and Article XIV, the “Forever Wild” clause of the NYS Constitution. Expand state and partner staffing including doubling and diversifying the numbers of rangers, stewards, trail crews and educators.

Expand Support for Justice, Equity, and Inclusion

Expand the Adirondack Diversity Initiative (ADI) & Adirondack Council efforts in support of justice, equity, diversity, and inclusion (JEDI) and expand and diversify support for the Adirondacks.

Foster Sustainable Farms, Forests and Communities

Ensure environmental protections include support for working farms and farmers, and climate-smart forestry. Foster more diverse sustainable and vibrant communities and solutions to housing, childcare, and communications challenges. ■

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
COUNCIL** PRESERVING WATER,
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