



PRESS RELEASE

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Appellate Court Upholds Temporary Restraining Order Against State's Tree Cutting on the Forest Preserve

Court upholds restraining order barring the cutting of thousands of trees and grading on new major new snowmobile trail between Newcomb and Minerva in Adirondack Park

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Albany, NY– The Appellate Division, Third Department, of state Supreme Court issued an order today to uphold an injunction against tree cutting by the Department of Environmental Conservation (DEC) on a new 9-12 foot wide community connector snowmobile trail between Newcomb and Minerva in the central Adirondacks. The DEC cut over 4,000 trees on 2.9 miles of this trail in the fall of 2015, had recently cut over 1,000 more trees on a new 3-mile section, and was about to cut thousands more trees, including many located in old growth forest habitat.

“Protect the Adirondacks is grateful that the Appellate Division, Third Department acted to uphold an injunction against the Department of Environmental Conservation to prevent more tree cutting on the Forest Preserve. We believe this level of tree cutting violates the forever wild provision, Article 14, Section 1, of the State Constitution,” said Peter Bauer, Executive Director of Protect the Adirondacks.

“This is one part of a larger lawsuit on the constitutionality on this high level of tree cutting on the Forest Preserve. Protect the Adirondacks believes that the Department of Environmental Conservation has overstepped what is lawful by cutting and destroying tens of thousands of trees to build these new road-like trails. The Forest Preserve has never seen this level of abuse before by a state agency,” said Peter Bauer.

Protect the Adirondacks is currently challenging the legality of these new wide, roadlike snowmobile trails in Supreme Court in Albany. Protect the Adirondacks has alleged in court that these trails violate Article 14, Section 1 of the New York State Constitution, the “forever wild” provision, due to the enormous amount of tree cutting. Article 14, Section 1 prohibits destruction of the trees on the Forest Preserve.

Efforts to stop tree cutting on other new 9-12 foot wide class II community connector snowmobile trails in 2014 and 2015 were unsuccessful. For the 14-mile Newcomb to

Minerva trail, Protect the Adirondacks obtained an independent expert count of stumps of cut trees, and an estimate of the additional trees to be cut, to detail the high level of tree cutting. In its public notifications and planning, DEC only counts trees greater than 3 inches diameter at breast height (DBH). This spring, DEC estimated it would cut over 1,600 of these large trees over 7 miles of new trail. When trees under 3 inches DBH were added to the tally, Protect the Adirondacks found that over 9,000 trees would be cut on this section. The entire trail from Newcomb to Minerva would require cutting over 17,000 trees. Prior cases on the constitutionality of tree cutting on the Forest Preserve tallied both large and small trees. Protect the Adirondacks aged the stumps of a number of trees cut down on the Forest Preserve under 3 inches DBH and found many to be 30, 40 and 50 years old, or older.

Protect the Adirondacks

Protect the Adirondacks is a privately funded, 501(c)(3) not-for-profit organization dedicated to the protection of the 6-million-acre Adirondack Park in northern New York. PROTECT was formed through the merger of the Association for the Protection of the Adirondacks and the Residents' Committee to Protect the Adirondacks in 2009. PROTECT pursues its mission to protect the Adirondack Park and defend the public "forever wild" Forest Preserve through citizen advocacy, grassroots organizing, education, research, and legal action. PROTECT is governed by a volunteer Board of Directors. PROTECT maintains an office in Lake George. For more information see www.protectadks.org.