



September 23, 2014

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**Executive Director**

Hon. Lani Ulrich  
NYS Adirondack Park Agency  
PO Box 99  
Ray Brook, NY 12977

Hon. Joe Martens  
NYS Department of Environmental Conservation  
625 Broadway, 14th Floor  
Albany, NY 12233

**RE: Troubling Use of Chub Pond Lean-to 1 in the Black River Wild Forest Area in the Adirondack Forest Preserve**

Dear Chairwoman Ulrich and Commissioner Martens,

Protect the Adirondacks recently visited the Chub Pond Lean-to 1 in the Black River Wild Forest. We were disheartened to find that this lean-to is being occupied and managed as a private camp. It has been extensively modified and the surrounding Forest Preserve has been cleared and a high number of trees have been cut down. An open field is mowed. A great deal of private property and supplies are stockpiled and stored around this lean-to.

The pictures attached show many problems and violations with Chub Pond Lean-to 1. There is no mention in the Black River Wild Forest Unit Management Plan (UMP) that there is some kind of special rights associated with this lean-to or special program for its use.

The private expropriation of this lean-to has led to natural resource damage and degradation from tree cutting, mowing of the wetland field near the lean-to, and accessing of the site with motor vehicles. PROTECT is at a loss to understand how a lean-to on the Forest Preserve could be allowed to be used as a private camp. For some reason, those who built and modified this lean-to have been accorded preferential treatment in defiance of Forest Preserve laws, rules and regulations.

The attached pictures show that this lean-to is being managed as a private backcountry camp for exclusive use by a particular group. In defiance of various Forest Preserve laws, rules and regulations, the DEC has authorized these activities.

**Modification of a Lean-to on the Forest Preserve:** Chub Pond Lean-to 1 has been modified with a new roof, two skylights, and a chimney pipe where a wood stove is hooked up. The lean-to has extensive shelving, tables, benches, bunkbeds, and even counters wrapped in a checkerboard laminate covering. A gas cook stove and oven is stored in the lean-to. The outhouse is also used for storage of private supplies.

**Protect the Adirondacks**

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**Tree Cutting and Lawn Mowing on the Forest Preserve:** A high number of trees have been cut down. Clearly, cutting down of a tree on the Forest Preserve is illegal. While a total stump count was not completed, dozens of stumps within a close proximity to the lean-to were seen. In addition to the tree cutting it also appears that the wetland field around the lean-to has been mowed.

Tree cutting and lawn mowing are not allowable on the Forest Preserve.

**Stockpiling Private Supplies on the Forest Preserve:** Around Chub Pond Lean-to 1 lumber is stored under a tarp. A number of shovels, rakes, poles, trash can, and other yard tools are stored on site. At another area mattresses, a wood stove, and other materials are being stored under a tarp. A lawn mower is also stored at the site.

The storage of private supplies on the Forest Preserve is not allowed.

**Questionable Historic Management Practices:** Under a Freedom of Information request, the Department of Environmental Conservation (DEC) provided reports and correspondence about the management of this lean-to. It appears that a group of individuals built a lean-to at this location in the 1960s. This lean-to was intended as a public recreational asset, though the quid pro quo for the private group building this lean-to was that this group was awarded a permit for exclusive use during deer season. Any DEC reservations about this arrangement were met with intervention by area political representatives on behalf of this group.

The Chub Pond Lean-to 1 group was given the right to build and maintain a lean-to. They were allowed to mow the field and cut Forest Preserve trees around the lean-to. They were allowed to erect an outbuilding and store personal materials there.

The Chub Pond Lean-to was maintained and rebuilt over the years. The record shows that DEC was not always comfortable with the modifications undertaken by this group. In 2003, DEC issued a consent order for a series of violations at the lean-to. From our field visit one month ago, it appears that not only were the majority of these violations not enforced, but that many other illegal activities were expanded. These include:

- The interior of the lean-to has been outfitted in a way with bunk, counters, shelves, a gas stove, trash can, and with tables and chairs strapped to the ceiling that effectively blocks other people from using it.
- Extensive amounts of personal items are stored in the outhouse, including various chemicals as well as a number of yard tools including rakes, shovels, buckets, a ladder, hoes, and other tools. Cut lumber is stockpiled on site under a tarp. Another stockpile includes mattresses, a wood stove, and some type of canvas covering presumably to cover the front of the lean-to.
- The lean-to has two skylights, which were supposed to be removed as part of the consent order, and a chimney where the wood stove is attached.
- The lean-to contains dozens of hook bolts, eye bolts and crown bolts placed in the walls and ceiling.
- A gas powered lawn mower is stored on site.

If annual permits were given to this group, they were not provided as part of our information request.

The original group that built this lean-to is either no longer living or no longer in a condition where they can use it. One email in the record provided by DEC includes a statement from an individual that exclusive use of this lean-to has been accorded to him and others in the will of one of the original group. PROTECT does not understand the legality of this type of private transfer of what was supposed to be a public asset.

**Immediate Action is Needed:** The Adirondack Park Agency (APA) should uphold its oversight responsibilities for Forest Preserve protection and management and conduct an investigation of how something like

this could happen. Forest Preserve management rules and regulations have been broken and these actions around management of the Chub Pond Lean-to 1 deviate from the Black River Wild Forest UMP. An APA enforcement action is needed.

The DEC should also investigate the failure to enforce its own consent order from 2002 as well as the historic mismanagement by Region 6 staff that allowed for the expropriation of the Forest Preserve for special private use. DEC should take steps to bring this site into compliance with the State Land Master Plan.

Among the actions the DEC should undertake, PROTECT urges:

- The DEC to revoke any and all permits for special use of this lean-to.
- All furnishings inside the lean-to, including shelves, bunks, tables, stools, chairs, counter, etc., should be removed and burned.
- The cut lumber stored on the property should be burned.
- All personal equipment should be removed from the site including the lawn mower, chemicals, yard tools, wood stove, gas stove, mattresses, chimney pipes, covering for the front of the lean-to, trash can, storage boxes, among other items. Reimbursement for the cost to move these items should be paid by those that illegally occupied this site.
- The skylights and chimney should be removed from the lean-to roof.
- All affixed bolts and screws should be removed.
- The outhouse should be emptied of all contents except those for which it was intended.
- An inventory should be made of all mature trees cut down around the site and fines levied accordingly.
- This lean-to should be left in way similar to other Forest Preserve lean-tos.

On behalf of the Board of Director of Protect the Adirondacks, please accept our gratitude for the opportunity to submit these comments on this important issue.

Sincerely,



Peter Bauer

CC Governor Cuomo  
J. Malatros  
B. Seggos  
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J. Walke  
S. Eisenstein  
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APA Commissioners  
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W. Linck



*The top picture shows the Chub Pond Lean-to modified with a porch, railings and a chimney for a wood stove. The lower picture shows a new roof and skylights.*



*The Chub Pond Lean-to shows substantial modifications with shelves, bunk beds and various furniture strapped to the ceiling and stored in the lean-to. The lower picture shows a gas stove/oven stored in the lean-to.*



*The Chub Pond Lean-to outhouse is being used as a storage shed to hold chemicals. Various yard tools are stored outside the outhouse.*



*The Chub Pond Lean-to has been equipped with shelves and other modifications.*



*The top picture shows cut lumber stored on site around the Chub Pond Lean-to The lower picture shows a large set of storage supplies, including a wood stove, mattresses and other materials.*





*The top picture shows a lawn mower stored on site. This is next to a larger stockpile of supplies.*



*The Chub Pond Lean-to has seen a lot of trees cut. Forest Preserve trees are protected.*



*The Chub Pond Lean-to has seen a lot of clearing in the meadow around it. A lawn mower stored on site has prevented the forest from growing up around the lean-to. This is an abuse of the Forest Preserve.*