

# Exhibit 116



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**From:** Kenneth Hamm  
**To:** Goodwin, Peter; Tighe, Julia  
**Date:** 10/16/2013 10:18 AM  
**Subject:** Re: FW: NYCO Enabling Legislation

I believe the Township 40 amendment is the only land exchange amendment to Article XIV that has ever had implementing legislation passed before the amendment which it implements is approved by the voters. Neither the Route 56 power line, Keene Cemetery, Raquette Lake Water, Piseco airport extension, nor the Perkins Clearing amendment had implementing legislation passed prior to approval of the amendments. And as Julie points out, even with Township 40 it will eventually be necessary to have an additional piece of implementing legislation because the legislature will need to approve the specific land that comes into the Forest Preserve.

The implementing legislation in Township 40 establishes a process for resolving competing claims of title. It needed to be passed in advance of the amendment to enable the Department to start working on resolving those claims immediately after approval of the amendment by the voters. Without the passage of such legislation, the Department would have to sit around and wait for the legislature to pass implementing legislation at some point in the future before we could begin to work on solving the title problem. In contrast, the NYCO amendment does not require this type of implementing legislation. No legislation is required before the exploratory work and appraisals can be done. Therefore, the only additional legislation needed will be approval of the land exchange parcels. And it is impossible to identify those parcels now because the identification of those parcels is dependent upon the appraisal of Lot 8, the appraisal can't be done until the exploration work has been completed, and the exploration work can't occur until the amendment which authorizes it has been approved by the voters. As a practical matter, what exactly, could implementing legislation have said, given the fact that the exchange parcels are dependent on the appraisals? In fact, if implementing legislation had been proposed which identified specific exchange parcels, those who are now complaining about the lack of implementing legislation would have complained that the identification of exchange parcels was premature and had to wait until the appraisals were completed. They can't have it both ways.

Ken

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>>> Julia Tighe 10/16/2013 9:33 AM >>>

Its premature for enabling legislation. This proposal is a straightforward land swap.

The enabling legislation will only be a land swap which can't be done until we know the appraised value of Lot 8 with the mineral value taken into consideration. There was no enabling legislation in advance for the Racquette Lake water supply or the the National Grid power line.

Prop 4 is completely different - all prop 4 says is that the situation can be settled by the legislature and the legislation lays out the process. There will still need to be another bill to actually do the land swap. (By the way = that legislation has passed the legislature but hasn't yet been acted on by the Governor.)

>>> Peter Goodwin <[peter.goodwin@nycominerals.com](mailto:peter.goodwin@nycominerals.com)> 10/16/2013 9:18 AM >>>

Julie,