

Exhibit 35



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From: "Neil F. Woodworth" <adk@nycap.rr.com>
To: jwtighe@gw.dec.state.ny.us; capezzd@assembly.state.ny.us
Date: 6/13/2012 11:50 AM
Subject: Constitutional Amendment Memos in PDF
Attachments: ADK-Support-A.10642SweeneySaywardS.7660Little-Township40.pdf; ADK-Support-A.10641SweeneySaywardS.7654Little-NYCO.pdf

----- Forwarded message -----

From: Allison Storellicastro <allisonbeals@gmail.com>
Date: Wed, Jun 13, 2012 at 11:42 AM
Subject: Constitutional Amendment Memos in PDF
To: Neil Woodworth <neilwoody@gmail.com>

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Allison Storellicastro
Dir. of Gov't Relations & Conservation
Adirondack Mountain Club
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301 Hamilton Street
Albany, New York 12210
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Neil F. Woodworth
Executive Director and Counsel
Adirondack Mountain Club
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Albany 518-449-3870
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MEMORANDUM OF SUPPORT

Bill: A.10642 by Assemblymembers Sweeney and Sayward
S.7660 by Senator Little
Status: Referred to the Assembly Committee on Environmental Conservation
Referred to the Senate Rules Committee
Purpose: Concurrent Resolution of the Senate and Assembly proposing an amendment to section 1 of article 14 of the constitution authorizing resolution of a 100 year old real property title dispute between the state and private parties in Township 40 of the Totten and Crossfield purchase (Raquette Lake), in the Town of Long Lake, Hamilton County

The Adirondack Mountain Club (ADK) strongly supports first passage of this legislation in 2012.

Headquarters
814 Goggins Rd.
Lake George, NY
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Fax 518-668-3746
e-mail: adkinfo@adk.org
Web site: www.adk.org

This legislation would resolve in an equitable manner a 100 year old real property title dispute involving legal title to more than 216 parcels of land in Township 40. Litigation over this matter has resulted in ten lawsuits, eight won by the private occupants and two won by the state. The conflicting, intermingled chains of real property title make it very difficult to resolve the true owner of the properties in 2012.

The legislation would require the occupants to make payments to the state depending upon the assessed value of the person's disputed parcel, discounted for the weakness of the state's legal claim to the parcel. The cumulative funds raised from the participating occupants would be used to purchase a replacement property for inclusion in the Forest Preserve. The public has no opportunity to use or recreate on the disputed parcels which are currently occupied by private parties with camps, residences, and businesses.

North Country Operations
P.O. Box 867
Lake Placid, NY
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Reservations: 518-523-3441
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The replacement property for the Forest Preserve will increase recreational opportunities for the public and preserve open space values on the new property. The new replacement property for the Forest Preserve must be approved by the Legislature prior to the state relinquishing title to the contested parcels to the private occupants. The legislation allows an occupant to reduce his or her payment to the state if they convey a portion of the disputed property to the state or a conservation easement.

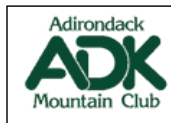
ADK believes that the latter provision, coupled with the existing Adirondack Park Agency restrictions on shoreline development will prevent any excessive build out of the 100 mile shoreline of Raquette Lake, much of which is state owned.

For all of these reasons, ADK respectfully requests that you vote in support of this Legislation.

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301 Hamilton Street
Albany, NY
12210-1738
Phone: 518-449-3870
Fax: 518-449-3875

The Adirondack Mountain Club represents 30,000 hikers, paddlers, backpackers and cross country skiers. ADK is committed to the protection and responsible use of the New York State Forest Preserve and other wild lands and waters throughout the state.

For further information contact: ADK Public Affairs office at (518) 449-3870



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Memorandum of Support

Bill: A.10641 by Assemblymembers Sweeney and Sayward
S.7654 by Senator Little

Status: Referred to the Assembly Committee on Environmental Conservation
Referred to the Senate Rules Committee

Purpose: Concurrent Resolution of the Senate and Assembly proposing an amendment to article 14, section 1 of the Constitution, in relation to a land exchange with NYCO Mineral, Inc.

The Adirondack Mountain Club (ADK) strongly supports first passage of this legislation in 2012.

The Adirondack Mountain Club supports this legislation which would constitute first passage of a measure to be put on the ballot of the 2013 general election to amend Article XIV, section 1 of the Constitution, authorizing a land exchange with NYCO Mineral, Inc. to enable NYCO to continue its wollastonite mining operation in the Town of Lewis, Essex County.

This is a two part constitutional amendment, which if approved, would allow NYCO to do exploratory drilling to determine the quantity and quality of the wollastonite vein on Lot 8, Town of Lewis, Essex County which is currently part of the Jay Mountain Wilderness Area in the Adirondack Forest Preserve. The Department of Environmental Conservation (DEC) will then appraise Lot 8 based on the estimated value of the wollastonite on Lot 8. If NYCO wishes to mine the wollastonite on Lot 8, an estimated 30-50 acres of the 200 acres total, NYCO will purchase for conveyance to the state sufficient replacement lands for inclusion in the Forest Preserve, provided that the value of the land to be conveyed to the state be at least one million dollars. The estimated value of Lot 8 at the present time is \$100,000. The Department's appraisal of Lot 8 and value of similar lands adjoining the Jay Mountain Wilderness Area to the north could enable the state to purchase 1,000 to 1,500 acres of highly desirable recreational lands including mountains with lovely scenic views. The legislature has to approve the properties to be included in the Forest Preserve, an approval which must occur before NYCO is permitted to mine on Lot 8.

If insufficient wollastonite is found by the exploratory drilling and NYCO decides not to drill on Lot 8, NYCO will compensate the state for parcels of Lot 8 damaged by the test drilling by purchasing land for inclusion in the Forest Preserve equal to the number of acres disturbed. If NYCO decides to mine Lot 8 and that mining ends, it must be reclaimed by state law and returned to the Adirondack Forest Preserve.

ADK supports this constitutional amendment because it will greatly benefit the economy of the Town of Lewis and Essex County while exchanging the disturbance of an estimated 30 to 50 acres of rarely, if ever used Forest Preserve already adjacent to the NYCO mine for as much as 1,500 acres of pristine lands very valuable for hiking, mountain climbing and which would allow the Jay Mountain Wilderness Area to be expanded. The Department is already engaged in negotiation with the owner of an 8,000 acres tract containing three open rock peaks known as the Little Jay Range.

ADK does not view this NYCO amendment as a future precedent for use of the Forest Preserve by enabling mineral extraction by a private company. Each constitutional amendment stands or falls on its own merits. ADK does not believe the NYCO amendment will set a precedent for future mining amendments because the NYCO mine is unique in directly abutting the Forest Preserve with a vein of mineral extending into the Forest Preserve. The adjacent Forest Preserve Lot 8 does not have any important natural resource, ecological or recreational values and has poor public access. Because of the value of wollastonite, the state will acquire in the land exchange, many more acres with far superior recreational, natural resource and public access values than that portion of Lot 8 that will be disturbed by the wollastonite mining.

ADK views this constitutional amendment to be similar to the Perkins Clearing land exchange of 1979 where both the private company, International Paper and the state benefited by the exchange and consolidation of parcels. In the NYCO land exchange, the state will receive many more acres of much more valuable lands for recreation and scenery as a result of the exchange.

For all of these reasons, ADK respectfully requests that you vote in support of this Legislation.

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From: Julia Tighe
To: smryan65@gmail.com <smryan65@gmail.com>
Date: 6/13/2012 11:51 AM
Subject: Fw: Constitutional Amendment Memos in PDF
Attachments: ADK-Support-A.10642SweeneySaywardS.7660Little-Township40.pdf; ADK-Support-A.10641SweeneySaywardS.7654Little-NYCO.pdf

Updated memo (apparently there was a correction)
Thank you

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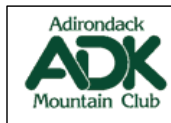
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