



January 16, 2015

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Hon. Randy Douglas  
Chairman  
Essex County Board of Supervisors  
7551 Court Street  
PO Box 217  
Elizabethtown, NY 12932

**RE: Response to ill conceived resolution by the Essex County Board of Supervisors in support of curbs on free speech and free expression**

Dear Chairman Douglas,

Protect the Adirondacks was disappointed to hear that the Essex County Board of Supervisors adopted a resolution at its January 5, 2015 meeting in support of the December 24, 2014 editorial by Denton Publications entitled "Abolish Protect the Adirondacks." The editorial in question has been denounced far and wide for its calls for censorship, blacklisting, and the silencing of a public voice in the Adirondack Park.

We depend upon our government leaders to defend free speech and free expression. The resolution by the Board of Supervisors is an embarrassment for Essex County residents and brings Essex County unwanted and negative attention.

Protect the Adirondacks questions the wisdom of the endorsement of this editorial by the Essex County Board of Supervisors. Its authors have renounced it because on reflection they found it to be unfair and inaccurate and to contain personal attacks. Denton Publications stated that it does not want to be associated with its ill conceived calls for censorship, blacklisting, or the silencing of a voice with whom it disagrees.

We call upon the Essex County Board of Supervisors to employ similar good judgment and rescind this resolution.

The chief complaint of the Essex County Board of Supervisors is your opposition to a lawsuit that Protect the Adirondacks brought against the Adirondack Park Agency (APA) to challenge its approval of the Adirondack Club & Resort project. Yet, the members of the Essex County Board of Supervisors are no strangers to lawsuits. In fact, the Essex County Board of Supervisors has been among the most litigious in the Adirondack Park. In 2008, the Essex County Board of Supervisors

joined an unsuccessful lawsuit to challenge new shoreline regulations enacted by the APA. After a negative decision in State Supreme Court, the lawsuit was denied a motion for leave to appeal at the Appellate Court.

The Essex County Board of Supervisors criticizes us for being “obstructionists” because of our lawsuit against the APA. Was the Essex County Board of Supervisors being obstructionist when it sued the APA in 2008?

The Essex County Board of Supervisors decision to go to court against APA regulations it opposed in 2008 was the appropriate means to resolve a controversy. Much of modern American civil society has been framed by decisions from lawsuits. This is a major means by which conflicts are resolved in the United States. The courts are open to private individuals and private organizations as much as they are to government bodies such as the Essex County Board of Supervisors.

Protect the Adirondacks has deep roots in Essex County. Of our 18 Board members, five live in Essex County full-time, two have long operated businesses there, and six own property and pay taxes in Essex County. Protect the Adirondacks is also involved in projects throughout Essex County. Here is a list of some of our recent work that you many not be aware of:

**Adirondack Lakes Assessment Program (ALAP):** In partnership with Paul Smith’s College, Protect the Adirondacks manages this water quality monitoring program on over 75 lakes and ponds across the Adirondacks. In Essex County this includes Long Pond in Willsboro, Mirror Lake and Lake Flower in North Elba, Arbutus, Catlin, Deer Wolf and Rich Lakes in Newcomb, Chapel Pond in Keene, and Hewitt Lake in Minerva, among others. This program is invaluable for analyzing long-term trends in water quality across Essex County and the Adirondacks.

**Road Salt Pollution:** The data from ALAP has shown extensive road salt pollution to major waterbodies across the Adirondack Park. This data has helped to catalyze action by many stakeholders.

**Forest Preserve Tax Payments:** Protect the Adirondacks has steadfastly defended the requirement that the State of New York pay full local taxes on the Forest Preserve and opposed any efforts to cap these payments. We have opposed the reduction of Gap Elimination Payments.

**Forest Preserve Management:** PROTECT has been active in Unit Management Planning for every major Forest Preserve unit in Essex County. From the High Peaks Wilderness Area to the Whiteface Mountain Ski Area to the Wilmington Wild Forest, Hoffman Notch Wilderness, Vanderwhacker Mountain Wild Forest Area, Dix Mountain and Giant Mountain Wilderness areas, and the Santanoni Historic Area, among other lands, PROTECT has sought to balance natural resource protection with a wide variety of public recreational activities.

**Forest Preserve/Conservation Easement Acquisition:** Protect the Adirondacks has long championed new land acquisitions, such as Henderson Lake, the Hudson Gorge, Essex Chain Lakes and Boreas Pond. These new public lands have helped to raise the profile of Essex County for visitors. We have also long advocated for purchases of conservation easements, which keep forests in commercial production and mark an investment in the economy and ecology of the Adirondack Park.

**Various Multi-stakeholder Efforts:** Protect the Adirondacks has participated and commented on

a variety of different multi-stakeholder forums underway across the Adirondack Park, such as the Great South Woods project or the Common Ground Alliance, among others.

**Open, Transparent Government Action:** Protect the Adirondacks has long advocated for open, transparent government action. Last summer, we worked hard to ensure that any efforts to revise the Adirondack Park State Land Master Plan must be done in open and transparent forums. The APA agreed and has done so.

Protect the Adirondacks Board members and members have long been involved in their communities throughout Essex County, serving on municipal boards and helping with many non-profits, and operating businesses. These people have helped to advance community development.

**Invasive Species Control:** In 2014, Protect the Adirondacks was instrumental in building a state-wide coalition that helped pass a new law to prohibit the transport of aquatic invasive species around the state. We also worked for higher control and management funding.

The projects listed above are from the recent past, but Protect the Adirondacks was formed by a merger of two organizations – the Association for the Protection of the Adirondacks and the Residents’ Committee to Protect the Adirondacks – that had a long history of advocacy throughout Essex County and the Adirondack Park. While Protect the Adirondacks may have differences on public policy matters with Essex County political leaders, such as the classification of the Essex Chain Lakes tract or the NYCO Constitutional Amendment, no one can deny that we have deep roots and are involved in many issues throughout the county.

In Protect the Adirondacks’ advocacy and grassroots organizing work to defend and protect the natural resources of the Adirondack Park, we rely on the guaranteed American rights for free speech, free expression, and freedom of action. American democracy is based on the rights of all to express themselves. The right to dissent from and challenge the decisions of governmental bodies is basic and integral to American democracy. Dissenting voices should not be censored or silenced or asked to go away by government leaders.

This citizens right to freedom of speech is guaranteed to be free of governmental interference by the United States Constitution and by the New York State Constitution. As a part of their oath of office, each town supervisor pledged to uphold both constitutions.

We hope that the Essex County Board of Supervisors show the same good judgment used by the management of Denton Publications when they withdrew their editorial and that you retract your indefensible attack on freedom of expression and your call to silence our voice and participation in the public debate over the future of the Adirondack Park.

Sincerely,



Charles M. Clusen,  
Chair of the Board of Directors