Saving Forever Wild

Annual Report 2020-2021





Defending Forever Wild and a Wild Adirondack Park

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Annual Report 2020-21 November 2021

Published by Protect the Adirondacks PO Box 48 North Creek, NY 12853 518.251.2700 info@protectadks.org www.protecttheadirondacks.org

Cover picture: The northeast view from Gothics Mountain, on the Great Range. Picture on the right is the southwest view from Owls Head Mountain in Long Lake. Dear PROTECT Members,

As 2021 ticks down, many of us in the Adirondacks are feeling like there is a new day and a new era breaking over us. This summer, we all went through the upheaval, investigations, and resignation of Andrew Cuomo and the swearing in of our new Governor Kathy Hochul. History tells us that the priorities of New York's Governor shapes events and decisions in the Adirondack Park more than any other factor. We had many differences with the former Governor and we hope that our new Governor manages the Adirondack Park in a more inclusive and transparent way that rigorously upholds and complies with the state's environmental laws.



Chuck Clusen, Chair

In May, we won a landmark lawsuit against the Department of Environmental Conservation and Adirondack Park Agency. New York's highest court found that these agencies violated Article 14, Section 1, the forever wild clause, of the State Constitution. For eight years we battled the Cuomo Administration in an effort to defend forever wild.

The Forest Preserve continues to face major threats from high public use and poor management by state agencies. While some modest reforms were put in place, much work remains to generate greater investments in Forest Preserve hiking trails. We're pleased that our new online trail guide of 100 hikes outside the High Peaks is popular.

The Adirondack Park faces immense challenges with new precious lands put up for sale and threatened with development. The 36,000-acre Whitney Park, with 22 lakes and ponds, is top of the list. We think that most of those lands should be protected as Forest Preserve.

We have also been working with local groups and concerns across the Adirondacks who find their quality of life and communities threatened by large developments. We're seeing this with expansion of Barton Mines in North Creek, the newly proposed White Lake Granite Quarry in Forestport, and with the new 120-building upscale development proposed in Jay. In all cases, PROTECT has partnered with residents and local business owners who are concerned about their communities and the natural resources of the Adirondack Park.

In December we lost Peter Hornbeck, who was dearly loved across the Adirondacks and by his fellow Directors on the PROTECT Board. We all enjoyed and admired Peter immensely. Peter was famous for his lightweight canoe, kayaks, and guideboats as the founder of a family business Hornbeck Boats. To us, Peter was an unflinching advocate for Wilderness and the Forest Preserve. We, along with many others across the Adirondacks, miss Peter.

We remain tremendously grateful for the support of our members. We simply could not sustained our efforts to defend forever wild over the last eight years without all of you standing by our side. Your support was decisive in protecting the forever wild Forest Preserve. Thank you very much!

- Chuck Clusen, Chair, Board of Directors



Saving Forever Wild

2021 was highlighted by a historic legal victory that upheld Article 14, Section 1, the forever wild clause of the New York Constitution



Report by Peter Bauer, Executive Director

The last year saw big changes in New York and the Adirondack Park. We have a new Governor, and the Adirondack Park Agency and Department of Environmental Conservation were found to have violated the New York Constitution. COVID upended our economy and changed the way that New York government functioned. Millions flocked to the Adirondack Park, to the forever wild Forest Preserve, for fun, peace of mind, wilderness, or simply to enjoy its wild beauty. Throughout it all, Protect the Adirondacks worked to hold Park leaders and public officials accountable and to keep our public spaces wild and beautiful. This report cover the highlights over the last year.



Peter Bauer, Executive Director





Defending Forever Wild: In a landmark decision, the New York Court of Appeals, the state's highest court, ruled on May 4, 2021 that a plan by the Department of Environmental Conservation and Adirondack Park Agency to build a network of hundreds of miles of "Class II Community Connector Snowmobile Trails" violated Article 14, Section 1, the famed forever wild clause, of the New York Constitution. The Court ruled that the changes to the Forest Preserve from this new kind of trail were so great that these trails could only be built after approval of a constitutional amendment and could not be authorized by administrative actions.

The first 54 words of Article 14, Section 1 have not been changed since 1894. They read today the same as they have been read for the last 125 years: "The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporaThe pictures above show how different Class II Trails are from hiking trails. On the right PROTECT Chair Chuck Clusen with recipients of the Howartd Zahniser Adirondack Award Claudia Braymer and John Cafffry, who were recognized for their tremendous legal work in winning PROTECT's historic forever wild lawsuit.

tion, public or private, nor shall the timber thereon be sold, removed or destroyed."

The Court of Appeals decision was the last stop in an 8-year legal odyssey in Protect the Adirondacks v. the Department of Environmental Conservation and Adirondack Park Agency, initiated in 2013. This ruling, like the 1930 ruling on Article 14 by Court of Appeals, will shape Forest Preserve management for decades to come. The Board and staff of Protect the Adirondacks, and most of all our extraordinary attorneys, John Caffry and Claudia Braymer, poured their heart and souls into that legal challenge. Through the last eight years there were a number of twists and turns, with high





points and low points. This was a David and Goliath story in every way.

The courts in New York have long deferred to the administrative discretion of state agencies. The old adage that it's hard to beat City Hall is certainly true when it comes to trying to hold state agencies accountable to their statutory responsibilities. In the months after this decision, the DEC and APA have tried to ignore and downplay it. Neither agency has taken responsibility and both agencies have embarked upon a course of distorting and misrepresenting the meaning of the decision. Neither agency has proposed any meaningful reforms to change management practices in order to comply with the *Protect* decision.

In late June, Protect the Adirondacks submitted a Forest Preserve management reform platform to the DEC and APA. It called on the agencies to restore Forest Preserve areas damaged by Class II trail construction,







provide the public with guidance over future tree cutting on the Forest Preserve for hiking-trail construction and maintenance, and undertake the revision of various Forest Preserve management policies that were either obsolete or inaccurate in the wake of the Court of Appeals' decision. Reform of Forest Preserve management is going to be a major challenge for the APA and DEC in the months and years ahead. The DEC and APA have a lot of work to do and a long road ahead of them to get back on the right side of forever wild.

What is now known as "the Protect decision" will cast a long, bright light over Forest Preserve management for decades to come. In 2021, Article 14, Section 1 was affirmed once again, with a decision guaranteeing that forever wild remains vital and vibrant. This decision inextricably links our time with that of the framers of Article 14 in 1894 and with New York State's courts over the last 100 years. Forever wild is not some quaint The pictures on these two pages show what we hope is the High Peaks of the past (above) and the High Peaks of the future (on the right). Time will tell if this is to be so. The pictures above so the eroded, degraded state of many hiking trails in the High Peaks and beyond. The pictures on the right show sections of a new sustainable hiking trail built to Wilderness standards.

notion, or archaic legalism, or words borrowed by organizations for fundraising, but it is one of New York State's great public values and achievements, which has coursed through the decades, like a river, to bind together generations of New Yorkers. In 2021, forever wild was upheld and affirmed, literally, as the law of the land.

Enshrining Article 14 in the State Constitution insured that the Forest Preserve would not be changed in any material way by the Governor, the Legislature, or any state agencies, all subject to pressure from special interests. We clearly saw outside influences guide





decisions by the APA and DEC with regards to Class II trails. The Court saw through this. Leaving final authority over the Forest Preserve to the People is just as important in 2021 as it was in 1894. Major changes, such as a Class II trail network of hundreds of miles could only be done with a constitutional amendment, not through administrative actions. PROTECT will continue to work to defend this decision and to bring the heart of forever wild to Forest Preserve management decisions and actions.

Reforming Forest Preserve Management: Many of the major hiking trails in the High Peaks Wilderness were built in the decades after the American Civil War. Due to their poor design, or lack of design, these trails are expensive to maintain and despite heroic efforts over the years to "harden" these trails they remain in poor condition. There are many band-aid efforts to salvage failed trails, such as a long, wooden staircases bolted into the Mount Colden or Ore Bed trails. The new sustainable hiking trail under construction to the summit of Mount Van Hoevenberg (see above) is expected to be completed this year. This project has been a priority of the DEC. This project started in 2018 and marked a completely different approach to hiking trail building in the Forest Preserve and the High Peaks Wilderness. For the first time, the DEC committed to a multi-year effort to showcase new sustainable trail design and trail building techniques for the Forest Preserve. In many ways, this trail marks a new beginning for the state's approach to hiking trail building in the Adirondack Park.

For a number of years, Protect the Adirondacks has campaigned for greater resources to be invested by the State of New York in rebuilding the trails in the High Peaks Wilderness and the Forest Preserve and we will continue to press for even greater investments in the years to come. The Cuomo Administration refused to get serious about rebuilding trails in the Forest Pre-





serve. It appears that the Hochul Administration will be better. The new Mount Van Hoevenberg and Cascade Mountain trails show what the future could be.

Online Hiking Trails Guide: Over the past year, PROTECT worked to research and publish 100 online hiking trail guides for great places to visit outside of the High Peaks Wilderness. These guides have grown very popular and in 2022 we plan to expand this list. There are many wonderful places in all corners of the Adirondacks. The reality is that many of these places face similar challenges as the High Peaks with limited investment, poor trails, and poor management.

Land Protection: In July, the state acquired nearly 8,000 acres of Forest Preserve and easement lands along the South Branch of the Grass River with \$4.3 million from the Environmental Protection Fund. The acquisitions in the towns of Colton and Clifton, St. Lawrence County, include a conservation easement

Above is a section of the South Branch of the Grass River, where 947 acres in the river corridor was protected as Forest Preserve. On the right is Salmon Lake, one of 22 lakes and ponds on the 36,000-acre Whitney lands that are up for sale.

on 7,047 acres of working forest and 947 acres to be added to the Adirondack Forest Preserve. Hats off to the Conservation Fund for sticking with the project for years and making it happen.

Protect the Adirondacks supported this deal by the State of New York and had advocated for it. The newly acquired Forest Preserve land can be accessed by motor vehicle, including snowmobiles, along an existing road with year-round public access rights. It can also be accessed by non-motorized means, including foot, bicycle, or canoe, from adjacent Forest Preserve or conservation easement lands. DEC purchased both motorized and non-motorized public recreation rights on the easement, which preserves 13 miles of existing





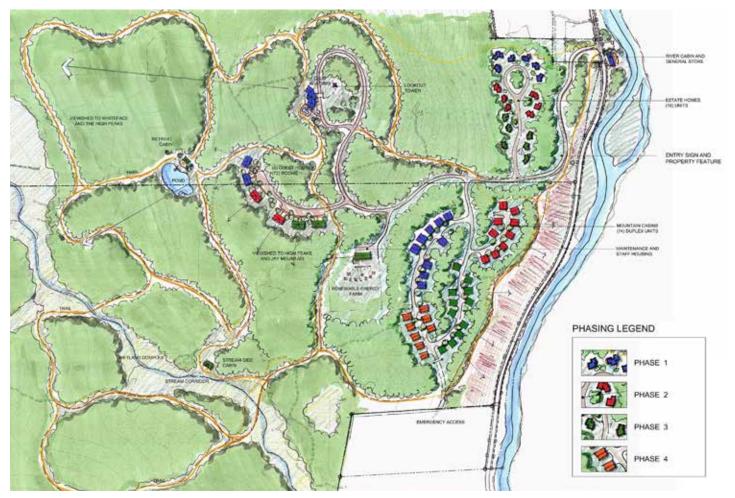
snowmobile trails, protects trail connections, provides 21 miles of gravel roads for non-motorized uses such as hiking, biking, and snowshoeing, and allows for additions to approximately five miles of existing roads currently open as part of the year-round access route. DEC is developing an Interim Recreation Management Plan for the property to help guide public use until a Recreation Management Plan is finalized following opportunities for public input.

Save Whitney Park: Whitney Park could be a paddling paradise for people in canoes and kayaks. Whitney Park has 22 lakes and ponds and over 100 miles of undeveloped shorelines. The property has been well-managed for more than 100 years. The property was part of a holding of more than 100,000 acres in the decades after the Civil War, but they sold large tracts to a timber company and to the State of New York in the 20th century. There are two private inholdings totaling over 400 acres with shoreline frontage on Forked Lake and Plumley Pond at the south end of the property.

In the 19th century, the lakes and ponds of the Whitney tract were popular as important links in historic canoe routes that were open to the public for decades. Little Forked Lake, Salmon Lake, Moose Pond, Flat Fish Pond, Slim Pond, and Stony Pond, among others, were parts of popular canoe routes documented and written about by George Washington Sears under the pen name "Nessmuk". If purchased for the public Forest Preserve, these canoe trails from Little Tupper Lake to Stony Pond and Slim Pond could once again be opened to the public.

Whitney Park is currently threatened with development. The current landowner, widower of Mary Lou Whitney, states that he is planning to subdivide the tract into more than a dozen lots, each with its own lake. PROTECT will continue to advocate for these lands to be protected in the Forest Preserve.





Big Development Projects: Residential development projects are increasing in the Adirondack Park, driven by COVID and other pressures. The growth of the short-term rental industry has monopolized a large number of residential buildings, creating acute pressures in some Adirondack communities around affordable housing and year-round rentals. New subdivisions are being proposed in many communities.

The largest current subdivision proposal is a project at the APA to build 120 buildings in four phases on over 355 acres in the Town of Jay in Essex County. This project seeks to create an exclusive preserve with private association buildings and hiking trails. This is one of the largest residential developments proposed in recent years.

Two mining projects are also getting a lot of attention and scrutiny. A new granite quarry is proposed in the western Adirondacks near White Lake. This project Above is a rendering of the 4 phases of a 120-house luxury development proposed in the Town of Jay. The project is proposed on 355 acres. On the right is Barton Mines mountaintop mine on Ruby Mountain in Johnsburg and a protest sign on Route 28 near White Lake in the Town of Forestport in the Western Adirondacks.

seeks a permit to open a granite mine with blasting, industrial mining operations, and heavy truck traffic in a residential and lake resort community. Many homeowners and local businesses have major concerns about this proposal. It's currently pending before the APA. PROTECT and its partners have called for an official adjudicatory public hearing for this project.

Another major mining project involves the expansion of Barton Mines at its mountaintop mine on Ruby Mountain above Thirteenth Lake in the Town of Johnsburg. Barton Mines is seeking a permit for a major expansion to more than double the current tailings



piles on the mountain, now visible from Thirteenth Lake Road. Neighboring landowners and businesses have concerns about industrial noise from a 24 hour operation, fugitive dust, water quality, and light pollution. These impacts are also evident within the Siamese Ponds Wilderness Area. This project is ripe for an official adjudicatory public hearing.

Diversity and Inclusion: PROTECT is working to help make the Adirondacks more open and welcoming to all people. This is of particular importance because the Adirondack Forest Preserve belongs to all the people, and depends on state government to support and protect its wilderness. Therefore, we believe it is fundamental to the protection of the Adirondacks that our work be inclusive of the interests of all the residents of the State.

We believe that all people have an equal right to live, vacation and recreate in the Adirondack Park. We

commit to promoting diversity, equity, and justice for all as part the mission of Protect the Adirondacks. These efforts include working to make our Board, staff, and membership more representative of the people of New York State and the U.S.

SaveWhiteLake.org

Throughout all of these different projects and challenges, Protect the Adirondacks is incredibly grateful to our members who stand with us week-in and week-out to protect and defend the forever wild Forest Preserve and the wild Adirondack Park. Thank you very much!





Peter Hornbeck, 1943-2020

Peter Hornbeck, founder of Hornbeck Boats and master boatbuilder of lightweight canoes and kayaks with a distinctive red stripe below the gunwales, famous throughout the Adirondacks and beyond, died quietly and unexpectedly at his home in Olmstedville on December 26, 2020, after a hike with his family. Pete was a founding Board member of Protect the Adirondacks since 2009 and served on the Board of the Residents' Committee to Protect the Adirondacks (RCPA) before that from 1993 to 2009, serving eight years as the Chair. Pete died at 77 years old.

Pete was a great advocate for the Forest Preserve and Wilderness. He was a strong supporter of state land purchases to expand the public Forest Preserve. But the thing that he most cherished was Wilderness. He loved the wild, motorless waters of the Adirondacks. He took a lead role when the RCPA organized the Canoe-In for Wilderness at Little Tupper Lake in 1998 (the picture above is from that day). People in over 250 canoes and kayaks and other motorless watercraft joined in a protest at newly purchased Little Tupper Lake, which at that time had not yet been classified. With passion and good humor, he addressed the crowd that day. Pete talked about the connection between his business, and other businesses, and a wild Adirondacks, and about how the Forest Preserve was the greatest economic asset this region had. That event was an important milestone in the classification and creation of the William C. Whitney Wilderness Area.

In 2018, Pete was there again, with his wife Ann, his daughter Leigh, and his two grandsons in their specially made 6- and 8-foot Hornbecks, as Protect the Adirondacks organized the Canoe-In for a Motorless Weller Pond, off of Middle Saranac Lake.





Lakes and Ponds Enrolled in the Adirondack Lake Assessment Program in 2021

Picture by Brendan W

The Adirondack Park Lake Assessment Program (ALAP) is a partnership between Paul Smith's College Adirondack Watershed Institute and Protect the Adirondacks. 2021 marked the 24th season of water quality monitoring. ALAP has grown into one of the best long-term citizen science programs of its kind in New York and the eastern United States.

The annual report for all ALAP lakes is available of the ALAP website: www. adirondacklakeassessment program.org. Following is a list of the lakes studied in 2021: Adirondack Lake Amber Lake Arbutus Pond Augur Lake Austin Pond **Big Moose Lake** Blue Mountain Lake Brandreth Lake Butternut Pond Canada Lake Caroga Lake (East) Caroga Lake (West) Catlin Lake Chases Lake Chateaugay Lake (Lower) Chateaugay Lake (Upper) Chazy Lake Cranberry Lake Deer Lake Eagle Lake Eli Pond Fern Lake Frank Pond

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Osgood Pond Otter Pond Paradox Lake Pine Lake Pleasant Lake Raquette Lake Rich Lake Rondaxe Lake Silver Lake Simon Pond Star Lake Stoney Creek Ponds Svlvia Lake Thirteenth Lake Tripp Lake Trout Lake Tupper Lake Twitchell Lake White Lake Windover Lake Wolf Lake Zach Pond



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Adirondack Lakes Assessment Program

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Protect the Adirondacks makes every effort to assure the accuracy of this list of generous donors. This list is for donors from July 1, 2020-June 30, 2021. If you see an error on this list, please bring it to our attention.

Thank you very much for your support.

* Deceased at time of publication.



Become a Sustaining Member

There are many ways to help build our membership and support programs that are vital to the Forest Preserve, waters and forests of the Adirondack Park



When you sign up to become an automatic monthly, quarterly, or annual donor of Protect the Adirondacks, you are making a commitment to give back to the wild lands and waters you love. Your recurring gift will provide regular resources that help sustain PROTECT's high quality advocacy, research, and grassroots organizing.

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2020-2021 Financial Summary

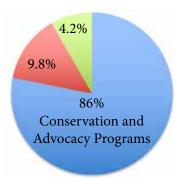
Assets	2020-21	2019-20
Cash	\$170,308	\$123,713
Cash (Designated)	26,859	81,104
Cash (Temporarily Restricted)	63,823	83,538
Cash (Permanently Restricted)	42,660	63,660
Investments - Board Designated	38,286	31,380
Investments - Unrestricted	89,826	0
Investments - Permanently Restricted	560,617	511,764
Property (Adirondack Research Library)	450,000	450,000
Property (Headquarters/Furnishings)	221,545	207,511
Total Assets	\$1,663,924	\$1,552,670

Revenues	2020-21	2019-20
Contributions & Grants	\$314,983	\$255,723
Dues & Fees	65,398	60,605
Investment Income	13,571	9,516
Realized Gain (Loss) on Investments	(290)	946
Unrealized Gain (Loss) on Investments	62,918	1,166
Event Income	0	6,900
In-Kind Donations	106,623	22,428
Program Services	22,250	26,955
Miscellaneous	272	1,804
Total Income	\$585,725	\$386,043

Program, Administrative & Fundraising Expenses	2020-21	2019-20
Program Expenses	(86%) \$377,326	(78.1%) \$290,871
Administrative Expenses	(4.3%) \$18,817	(8.3%) \$30,982
Fundraising Expenses	(9.7%) \$42,712	(13.6%) \$50,493
Total Expenses	\$438,855	\$372,346

Expenses	2020-21	2019-20
Salaries	\$178,707	\$175,661
Payroll Expenses & Benefits	32,092	31,389
Contracted Services	1,210	3,559
Insurance	3,688	6,518
Occupancy Costs (Headquarters main.)	12,525	11,527
Supplies	3,901	8,947
Printing	12,157	13,806
Postage	4,042	8,808
Conferences & Events	2,243	3,294
Bank Charges	1,729	1,414
Advertising	6,592	4,135
Dues & Subscriptions	468	495
Legal Defense	107,903	23,749
Professional Fees & Services	9,575	11,287
Travel	2,877	8,711
Website & Technology Services	9,973	18,249
Investment Fees	0	375
Program Expense	42,207	34,323
Miscellaneous		
Depreciation and Amortization	6,966	6,099
Total Expenses	\$438,855	\$372,346

2020-21 Total Resource Allocation



Administration 4.3% Fundraising 9.7% Programs 86%

Protect the Adirondacks is the recipient of the "Gold" level Guidestar seal for organizational transparency.



Notes

Protect the Adirondacks' fiscal year runs from July 1 - June 30th.

An independent audit was prepared by Cusack & Company in Latham, New York.

All information reported in this summary is also available in PROTECT's

NYS CHAR 500 and Federal 990 filed with the NYS Attorney General.

The Adirondack Research Library (\$450,000) is on permanent loan to the Kelly Adirondack Center of Union College in Niskayuna, NY, and PROTECT's headquarters (\$221,545) is located in Johnsburg, NY.



Help secure the future of Protect the Adirondacks

Join the Forever Wild Legacy Group

The Forever Wild Endowment Fund will ensure that the advocacy, research, independent public oversight, legal defense, and other vital programs of Protect the Adirondacks are sustained for decades to come.

Gifts to the Forever Wild Endowment Fund are administered by the Board of Directors of Protect the Adirondacks, in partnership with professional financial advisors. The endowment is managed for long-term growth, and income supports PRO-TECT's programs based on an annual allocation. No matter how one chooses to give, you can direct your gift to support the Forever Wild Endowment Fund. The Forever Wild Legacy Group are people who have notified us that they have included Protect the Adirondacks as a beneficiary in their wills or estates. These generous donors include:

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For more information on the Forever Wild Legacy Group call (518) 251-2700 or email us at info@protectadks.org. Thank you very much!



Protect the Adirondacks PO Box 48 North Creek, NY 12853



Help us keep the Adirondacks wild and beautiful

Please make a special contribution today to help Protect the Adirondacks continue defending and protecting the wild lands and waters you love. Please help Protect the Adirondacks preserve the wild characteristics of the Adirondack

Park for current and future generations to enjoy. To become a member today and add your voice to many others, visit us online at www.protecttheadirondacks.org, or return the completed form below.

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