



April 25, 2023

Memorandum of Support for S.5540/A.2452

S.5540 (Harckham)/A.2452(Jones): “CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to section 1 of article 14 of the constitution, in relation to the Mount Van Hoevenberg Olympic Sports Complex in Essex County”

Protect the Adirondacks supports the proposed amendment to Article 14, Section 1, the “forever wild” clause of the New York State Constitution, retroactively authorizing development of certain facilities on the 1,220-acre Mount Van Hoevenberg Olympic Sports Complex near Lake Placid in the Adirondack Park. The Mount Van Hoevenberg complex is a state-owned and operated facility managed by the Olympic Regional Development Authority (ORDA) and is located on the constitutionally protected Forest Preserve. The lands occupied by the complex are classified as “Intensive Use” by the Adirondack Park Agency. The complex also includes 319 acres of adjoining land owned by the Town of North Elba. The complex includes the Olympic bobsled and luge track, cross-country skiing and biathlon trails, and associated facilities.

The proposed amendment is accompanied by enabling legislation (S.5333/A.2450) that provides important details about the implementation of the amendment. We believe that first passage of a proposed Article 14 constitutional amendment must always include passage of accompanying enabling legislation.

The amendment authorizes the State to utilize 323 acres of Forest Preserve lands in the Mount Van Hoevenberg complex for a variety of winter sports activities and facilities, including trails, buildings, water lines, and parking lots. The amendment exempts the subject lands from the constitutional tree-cutting prohibition that applies to the Forest Preserve. The amendment requires that as an offset the State must acquire at least 2,500 acres of land for inclusion in the Forest Preserve in the Adirondack Park, subject to approval by the Legislature that the lands are equal to or greater in value than the Forest Preserve lands authorized for development.

Protect the Adirondacks believes that the proposed amendment is necessary to retroactively authorize previously unlawful and unconstitutional development at the Mount Van Hoevenberg complex. The current expansion of the Mount Van Hoevenberg complex, utilizing hundreds of millions of State funds, requires that action be taken immediately to bring this facility into compliance with the Forever Wild clause.

Protect the Adirondacks urges the passage of S.05540(Harckham)/A.02452(Jones)

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