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February 6, 2026

Paige Barnum, AICP
NYS Office of Parks, Recreation and Historic Preservation
625 Broadway, 2nd Floor
Albany, NY 12238

Via Email Only: JohnBrownFarm.Plan@parks.ny.gov

**RE: Comments on Draft Scope for the Draft Unit Management
Plan and Draft Environmental Impact Statement for John
Brown Farm State Historic Site**

Dear Ms. Barnum:

Protect the Adirondacks (PROTECT) appreciates the opportunity to submit comments on the Draft Scope prepared by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and the Department of Environmental Conservation (DEC) pursuant to the State Environmental Quality Review Act (SEQRA) for the John Brown Farm State Historic Site (the Site) Unit Management Plan and Draft Environmental Impact Statement (John Brown Farm UMP/DEIS).

PROTECT understands that there are operational problems at the Site that could be addressed through the adoption of a UMP/DEIS. The stated objective in the Draft Scope is to revitalize and enhance the historic, cultural, and natural resources of the Site and to improve its operational infrastructure. Draft Scope at 7. According to the Draft Scope, the UMP will also propose actions that will ensure public access to, and enjoyment of, the Site while protecting its resources. *Id.* Our visit to the Site in the summer of 2025 with the Forest Preserve Advisory Committee, made clear that capable and caring people from OPRHP and DEC are working on thoughtful future plans to protect the important historical, cultural and natural resources of the Site.

**The UMP/DEIS Must Evaluate Impacts to the Forest Preserve and the
Need for an Article 14 Amendment**

As acknowledged in the Introduction of the Draft Scope, the Site is located on lands that are part of the Adirondack Forest Preserve, which is itself an historic resource. Draft Scope at 17. However, the Draft Scope fails to

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recognize that the Site's location on Forest Preserve lands means that it is protected, and activities there are restrained, by the "Forever Wild" clause, Article 14 section 1, of the New York State Constitution. The construction of new buildings as considered in the Draft Scope, including a proposed visitor center, administrative building, and maintenance facility, is not permissible because the buildings are inconsistent with the Forever Wild clause. See Protect the Adirondacks!, Inc. v. NYSDEC and APA, 37 N.Y.3d 73 (2021); see also Association for the Protection of the Adirondacks v. MacDonald, 253 N.Y. 234 (1930).

Consequently, the Draft Scope should be revised to include an analysis of the need for an Article 14 amendment to authorize construction of new buildings on the Site, as was recently done for the construction of new facilities at the Mount Van Hoevenberg Winter Olympic Sports Complex. We urge the agencies to begin the work of drafting an Article 14 amendment and engaging with stakeholders on this issue as soon as possible if construction of new buildings continues to be proposed for the Site.

Additionally, we urge you to amend the Draft Scope to include alternatives that consider and analyze the possibilities of siting new buildings and infrastructure on non-Forest Preserve lands, such as adjacent parcels owned by the Town of North Elba (e.g., on Ski Jump Lane) or privately owned lands near the site.

Review of Adverse Impacts

We support the Draft Scope's list of potential impacts from the proposed action that will be examined in the DEIS, including adverse impacts to land, surface waters (e.g., the Ausable River), ground water, plants and animals (e.g., loss of meadow habitat, State protected plant and animal species), aesthetic resources, historic and archaeological resources, open space and recreational resources, light (e.g., impacts from the proposed new outdoor lighting and pathway lighting), among other impacts identified.

The current and/or proposed housing of OPRHP/DEC staff on the Site should be analyzed as a potential impact on the Site's historic resources. The issue of staff housing on Forest Preserve lands also raises Article 14 concerns that should be considered in the DEIS.

With respect to the energy and climate impacts, the DEIS should fully consider the climate change impacts of any new construction and/or facility upgrades, particularly if the proposed buildings will consume more electricity than they produce (the Draft Scope at 18 indicates that there will be "increases in energy use" and that energy efficiency practices "may" be implemented but not necessarily required). See Climate Leadership and Community Protection Act of 2019 (CLCPA) Section 7; DEC Commissioner Policy #49 (Climate Change and DEC Action) (specifying that "the Department must incorporate climate change considerations into activities the Department undertakes" and comply with CLCPA requirements).

The adverse impacts from proposed new impervious surfaces (and the loss of pervious surfaces) should be added to the Draft Scope's consideration of impacts to land and surface waters, as well as being added to the mitigation and alternatives sections, not simply identified in the section on "unavoidable adverse impacts". Draft Scope at 19.

The adverse impacts to the wild forest character of the land, and any tree cutting, as a result of the proposed actions must also be considered in the DEIS as part of the resource analysis (e.g., impacts to land and plants and animals). See NY Constitution Article 14, Sec. 1.

The Draft Scope (at 18) states that the UMP will be consistent with the Adirondack Park State Land Master Plan (Master Plan). The Draft Scope should detail how the DEIS will analyze the proposed actions' compliance with the Master Plan's Guidelines for Management and Use of Historic areas. Also, the DEIS should consider proposing to reclassify to Wild Forest some of the 114± acres of land in the Historic area that are outside of the vicinity where facilities and infrastructure are located.

Analysis of Alternatives

We support the presentation in the DEIS of a range of alternatives for each individual selected action that will investigate reasonable options or alternatives for potential implementation at the Site. Draft Scope at 15. However, it seems unnecessarily restrictive for the agencies to produce two separate UMP alternatives, with one of the alternatives being the No Action or "Status Quo" alternative. The DEIS should be released for public comment with the full range of alternatives (including the No Action alternative) for each of the proposed actions within the overall project. After receiving public comment on the DEIS, the lead agencies may then select the most appropriate actions to include in a Final Environmental Impact Statement along with a final draft UMP. Releasing two separate UMP alternatives with the DEIS and limiting the public's comment to just those two options – the do-nothing UMP or the UMP with the preferred actions already selected by the agencies – hinders the public's ability to provide meaningful input on the range of alternatives that should be evaluated in the DEIS. See NYSDEC SEQRA Handbook at 100.

Request for Interested Party Status

PROTECT respectfully requests that it be granted status as an interested party for this proposed action and that it receive notifications pursuant to SEQRA. Our mailing address and email address are included on the first page of this letter.

Conclusion

On behalf of the Board of Directors of PROTECT, please accept our gratitude for the opportunity to share our comments on this Draft Scope.

Sincerely,

A handwritten signature in black ink that reads "Claudia K. Braymer". The signature is written in a cursive, flowing style.

Claudia Braymer
Executive Director

cc: Josh Clague, NYS DEC
Molly Breslin, Esq., NYS DEC, Office of General Counsel
Bradley Siciliano, Esq., NYS OPRHP, Office of Counsel
Martha Swan, John Brown Lives!