



Board of Directors

March 18, 2026

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Chair

Olivia McGranaghan
NYS DEC - Division of Operations
625 Broadway
Albany, NY 12233

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Via Email Only: dec.sm.OpsPlanning@dec.ny.gov

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RE: Draft Work Plan for Adirondack Fish Hatchery-Brook Trout Expansion Project

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Dear Ms. McGranaghan:

Protect the Adirondacks (PROTECT) has reviewed the draft Work Plan prepared by the Department of Environmental Conservation (DEC), which was noticed in the March 4, 2026 Environmental Notice Bulletin, for the proposed Adirondack Fish Hatchery-Brook Trout Expansion project in the Adirondack Fish Hatchery-Administrative Use Area. We appreciate the opportunity to review and comment on this draft Work Plan, which proposes construction of a new 1,440 square foot barn and 1,300 square foot parking lot, with a combined disturbance of 5,400 square feet. The proposed project also involves replacement of 7,050 square feet of existing asphalt, resulting in a total disturbance area of 12,450 square feet. The stated purpose of this proposal is to establish additional brood stock and hybrid production capacity as part of a statewide hatchery modernization effort.

Staff

Claudia K. Braymer, Esq.
Executive Director

PROTECT opposes construction of these new facilities because the siting of new structures on Forest Preserve lands is not permissible under Article 14 of the New York State Constitution, the "Forever Wild" clause. The Work Plan fails to evaluate the proposal's compliance with Article 14 as required by DEC Commissioner Policy 78/Forest Preserve Work Plan Policy (CP-78). It also fails to evaluate the proposal's impacts on the nearby Adirondack Rail Trail and on Little Clear Pond as required by CP-78.

Christopher Amato, Esq.
**Conservation Director
and Counsel**

Peter Bauer
Fundraising Coordinator

The Work Plan Must Evaluate Constitutional Compliance

This Adirondack Fish Hatchery is located Forest Preserve lands and new construction on these lands is therefore prohibited by Article 14. The construction of new buildings, including the new fish barn, and a parking lot

Protect the Adirondacks

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is not permissible because these facilities 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).

CP-78 requires DEC to evaluate constitutional compliance and to “document the detailed, site-specific assessments conducted by Regional Land and Facility Managers when siting a particular project to ensure that an analysis of the relevant constitutional, statutory, and regulatory factors have been considered.” CP-78 p. 5. The draft Work Plan does not document any analysis by DEC staff to ensure that the constitutional provisions have been considered, and more importantly, have been satisfied. Consequently, the Work Plan should be revised to include a constitutional compliance analysis and the need for an Article 14 amendment to authorize construction of a new building and parking lot at this facility, as was recently done for the construction of new facilities at the Mount Van Hoevenberg Winter Olympic Sports Complex.

Additionally, we urge DEC to fully consider alternatives that including siting the new building and infrastructure on non-Forest Preserve lands in the geographic vicinity, such as privately owned lands near the site or on Town-owned lands at the Adirondack Regional Airport in Harrietstown. These alternatives must be considered prior to construction of this new building.

The Work Plan Must Evaluate Adverse Impacts to the Forest Preserve

The Adirondack Park State Land Master Plan (Master Plan) requires that all “state administrative facilities should be located, designed and managed so as to blend with the Adirondack environment,” “have the minimum adverse impact possible on surrounding state lands,” and must “preserve the scenic, natural and open spaces resources of the state administrative area.” Master Plan at 49-50.

The Work Plan indicates that the new barn will be located within a few feet of the Adirondack Rail Trail and about 100 feet from Little Clear Pond, and will be constructed with wood framing, aluminum metal panel siding, aluminum metal roofing, aluminum garage doors and stainless-steel windows—none of which will blend in with or be consistent with the Adirondack environment. In addition, the new parking area will increase impervious surfaces by approximately 1,300 square feet in close proximity to the Adirondack Rail Trail and Little Clear Pond.

The Work Plan does not contain an analysis of the proposed project’s aesthetic impacts on the surrounding Adirondack environment, including the Adirondack Rail Trail and Little Clear Pond, which is part of the Saint Regis Canoe Area. Our review of the proposed projects suggests that the construction siting and design will have adverse visual impacts on these important State lands that are highly valued for their scenic and natural qualities and views.

The Work Plan states that the proposed project avoids direct wetlands, streams and waterbody disturbances, but there is no discussion of whether the project will cause indirect adverse impacts to wetlands and/or surface waters on the project site and/or to Little Clear Pond from stormwater runoff from the site. The potential adverse impacts to wetlands and surface waters from the

proposed significant increase in impervious surfaces (and the loss of pervious surfaces) should be analyzed in the Work Plan and any required permits for those impacts should be obtained.

Conclusion

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

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
Megan Phillips, APA, Deputy Director for Planning
Julia Goren, Adirondack Rail Trail, Executive Director