

ALA News Notes



The Essex Chain of Lakes

former Finch, Pruyn (PRINE) tracts from The Nature Conservancy, using money from the Environmental Protection Fund.

The state and Nature Conservancy will also provide \$875,000 in grants to communities around the acquired parcels to fund tourism programs, parking, shuttle services, signs, brochures, special events and other recreation support projects.

This acquisition is in addition to the state's purchase of 65,000 acres of former Finch lands in 2011.

In 2007, The Nature Conservancy (TNC) purchased the entire 161,000 acre property from Finch Pruyn. The State has since acquired 73,451 acres of this property with intention of also acquiring the Boreas Ponds and McIntyre tracts. The TNC also sold, 89,000 acres of the former Finch Pruyn lands as working forest with a conservation easement to a private entity.

Legislature passes budget bill with tax impacts- The 2014-15 budget passed by the legislature on March 31 includes a number of provisions affecting taxes of property owners, these include:

A new property tax freeze credit that provides a refundable personal income tax credit to qualifying taxpayers if their local government and school district stay within the property tax cap. To benefit for a second year, schools and localities would have to propose a cost-cutting plan.

The budget bill keeps the top estate tax rate at 16 percent, but the exclusion threshold is raised from \$1 million to \$5.25 million over four years and the exclusion threshold is indexed to inflation, effective January 1, 2019.

Adirondack Club and Resort still on hold- In January, 2012 the Adirondack Park Agency approved a permit for the Adirondack Club and Resort in Tupper Lake, NY. When finished this would be the largest development ever built in the Adirondacks. It includes several "great camp" lots, over 600 dwelling units, a hotel, ski area and marina. In March, 2012 Protect the



Adirondacks, the Sierra Club and three individuals brought suit challenging the park agency's process and ruling. Oral arguments on behalf of the Adirondack Park Agency and the litigants will be heard by the Appellate Division in late April, 2014...the judges will likely rule within 60 days thereafter.

State acquires more of the Finch Pruyn lands from The Nature Conservancy- On March 14, 2014 The Associated Press reported: New York state has purchased an additional 8,451 acres of former timber company lands on 14 parcels in Fulton, Warren, Essex and Hamilton counties.

Gov. Andrew Cuomo announced today the state will pay \$5.7 million to acquire the

North Country Regional Economic Development Council-

In 2011, Governor Cuomo created 10 Regional Councils to develop long-term strategic plans for economic growth for their regions. The Councils also make recommendations for state funding for local projects in their region. The North Country Region was awarded \$81.3 million dollars in 2013. The approved projects reflected the region's diversity with priorities including helping farmers and small business owners improve productivity, addressing the need for more hotel rooms in the region to help with the tourism economy, and growing jobs and investing in high-tech industries.



Presentation of Funding Award

Examples of projects approved in the Adirondack region include:

\$6,000,000 for infrastructure improvements to components of broadband to expand high speed, affordable service across the North Country region.

\$5,000,000 to revitalize the Hotel Saranac, creating a full-service hotel to spur year-round tourism.

\$2,000,000 to construct a new resort and waterfront restaurant at the former Lake Flower Hotel, and leverage private investment to diversify the region's tourism/recreation based communities.

\$250,000 to support Phase 2 of the Wild Walk at the Wild Center located in Tupper Lake, which includes the construction of activities and permanent outdoor exhibits.

Brandreth Park appeals judges ruling on navigable waters-

Kenneth Arron in a March 5, 2014 article in the Adirondack Explorer gives the following update on the suit brought against Phil Brown for paddling on waters that traverse Brandreth Park.

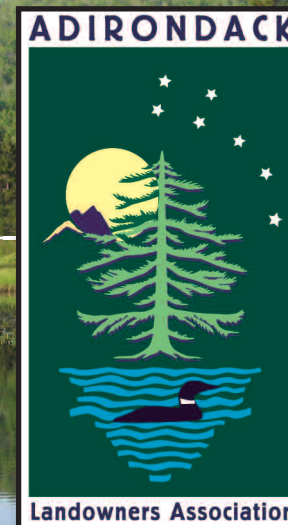
THE BRANDRETH PARK Association has appealed a court ruling in a paddling-rights dispute, contending that it could strip landowners of their rights by potentially opening even the smallest of waterways to the public. Dennis Phillips, who represents the association and the Friends of Thayer Lake, said State Supreme Court Justice Richard Aulisi ignored historical precedent by failing to gauge the commercial suitability of a privately owned waterway that Adirondack Explorer Editor Phil Brown paddled in 2009. In his decision a year ago, Aulisi dismissed a trespassing lawsuit against Brown. In January, Phillips filed an appeal with the Third Department of the Appellate Division, which is headquartered in Albany. Phillips raised several questions on appeal, most of which center on whether the capacity for recreational use alone is sufficient to trigger the public's common-law right to travel on privately owned waterways. "I think they are looking at mere floatability [of a canoe or kayak] as the test. We have a historical disagreement in that sense," Phillips said in an interview.

Oral arguments on this case and a ruling by the Appellate Division will most likely not occur until next fall.



Adirondack LANDOWNERS ASSOCIATION

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Adirondack LANDOWNERS ASSOCIATION

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Join The ALA...Your Voice Matters

Jerry Ward

Ownership of land in the Adirondacks involves significant financial and emotional investments. As in any enduring investment it needs to be supported and sustained in meaningful ways, and protected from a range of threats.

ALA Monitoring and Support: The ALA supports and protects private landowners by serving as their "eyes and ears" on current and emerging issues impacting private lands. We have developed on-going relationships with NYS legislators, local government leaders and NYS agencies that are active in the Park, particularly the Department of Environmental Conservation and the Adirondack Park Agency. ALA does not work alone...we collaborate with the Adirondack Association of Towns and Villages, the environmental and economic development organizations and the forest products industry to mention a few. In addition, we maintain active involvement with the Common Ground Alliance, the Council of Forest Resource Organizations, the Adirondack Partnership, the Forest Preserve Advisory Committee, and the Region 5 & 6 Open Space Committees.

It is ALA's goal to identify both existing issues and those beginning to emerge that are most important to private landowners. We strive to engage the issue early enough in the process to influence its outcome to the best possible advantage of our members. Since its founding nearly 25 years ago, the ALA has undertaken specific activities directed to protecting and sustaining its members' interests in the Adirondacks. Here are but a few examples:

Eminent Domain: Governor Mario Cuomo's 21st Century Commission on the Adirondack Park identified numerous parcels of ALA member's land for acquisition by the State. As a direct result of efforts of the ALA, NYS has articulated and enshrined in the State's Open Space Plan a policy that the State will only acquire land for conservation purposes from willing sellers. The ALA continues to monitor that policy through its representation on both the Region 5 & 6 Committees.

Navigable Waters: In 1990s, the ALA supported a member in legal proceedings that threatened unlimited public access to its property through the South Branch of the Moose River. Since that court decision, the ALA has followed closely issues related to public navigation through privately owned land.

Taxation: In 2008, the ALA joined with other groups in filing briefs opposing a court decision that could have had disastrous consequences for nearly all Adirondack towns, and their taxpayers. The decision in the end was successfully overruled. Similarly, in 2008 Governor Pater-



son proposed a cap on New York's payment of taxes on the Forest Preserve...ALA worked with local governments and environmental organizations in convincing the governor to remove that proposal from the budget.

Estate Planning The ALA hosted a symposium in 2004 at which experts explained the tax and estate planning techniques available to insulate the passage of property across generations from severely adverse taxation. The ALA is once again exploring the problems of taxation and land transfers between generations.

Invasive Species Most recently, the ALA has been instrumental in a program to educate the public on the dangers of introducing invasive species into our waters by boats and fishing gear that move from lake to lake and stream to stream.

Stewardship: Over the years the ALA has periodically recognized landowners, researchers and community groups for their exceptional stewardship contributions.

We Learn from Each Other: In addition to the benefits that our members receive from the activities of the Senior Advisor, the Legal Affairs Committee and a very active Board of Directors, they learn from each other. Many of our members have owned their land for well over a hundred years...their experience is invaluable and is shared willingly with other members.

Membership in ALA provides support and value by providing members: "Eyes and Ears" in Albany...Strength of a Collective Voice...Access to Public Officials and Influential Organizations...and frequent contact with Other Members.

Private Lands in a Park: Historical Accident, a Mistake, or an Asset?

Dr. Ross Whaley

If one were to ask what is a park? You might get an answer something like: "It is an area of public land set aside for recreation, or for its scenic beauty, or to protect a natural or historic thing of special interest." This would cover everything from Yellowstone National Park, to the local playground. But, what about this exception, the Adirondack Park? One could argue that NYS simply didn't finish the job when they drew a blue line around this area in hopes of retaining the existing Forest Preserve and adding the remaining private land to it. So perhaps the Park that we have today is not the one originally intended by at least some of the early advocates for the creation of an Adirondack Park, therefore, a historical accident...but, was it a mistake?

Today, about 50 percent of the land in the Park is privately owned, making this Park unique amongst parks in the United States. And whether a historical accident or not, I would make the case that these lands are a distinct asset to the Adirondack Park, and if a mistake, a fortunate one indeed.

The private lands are quite diverse in ownership and purpose, ranging from small to not so small individually owned tracts...some are family estates, some clubs, some devoted to education and research, and much of the rest is owned by timber management companies. But, while these lands are privately owned they also serve a public purpose. For example, some of the wildest places in the Park where the biodiversity is the richest are on private lands.

Because of their intact ecosystems, these lands are well suited for research. Many of the studies on fish, loon, American Martin, and spruce grouse have been done on private land where access is relatively easy, but the research can be controlled and intrusion on research pro-

ocols minimized. Perhaps best known is the fisheries research done by Cornell university scientists on the lakes and streams of the Adirondack League Club. This collaboration has resulted in protocols to control species that prey on brook trout, recommendations on logging to protect cold water tributaries, and the hybridization of Temiscamie strain from Quebec with domestic brook trout resulting in the stocking favorite for public waters. In addition to the collaboration between private land owners, clubs and researchers, there are private lands in the Park dedicated solely to research and education: Huntington Wildlife Forest, Cranberry lake Biological Station, Shingle Shanty Preserve and Research Station and Paul Smiths College. These are all private lands that have hosted research which has helped mitigate the problems caused by acidic deposition, climate change, invasive species, and conflicts between humans and natural ecosystems.

The timber harvesting operations on private lands not only generate jobs and paper and wood products, but by creating openings in the forest canopy have contributed to a diversity of habitats for birds, and more robust habitat for mammals such as deer. Also, today much of the commercial forest land in the Park is covered by conservation easements that require the best forest management practices, protect streams and wildlife habitats, as well as prevent future subdivision and development.

Where else in the United States will one find a mosaic of public and private lands that are as well loved, well cared for, home to 130,000 plus permanent residents, visited annually by millions more; and just might be a model for sustainable development for rural wild lands where ever they are found in the United States.



Proud to be celebrating our 24th year of Stewardship, Leadership & Fellowship

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Adirondack

LANDOWNERS
ASSOCIATION

Who We Are

ALA Officers & Directors

President
Thomas E. Williams
West Canada Preserve

Vice President
Wilbur Rice
Adirondack League Club

Treasurer
Robert E. Friedman
Kildare Club

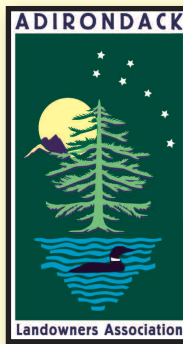
Secretary
John G. Fritzinger, Jr.
Adk. Mountain Reserve

Directors
Kevin Arquit
David Skovron
Jerry B. Ward
William Hutchens, Jr.
Colin Bradford
John Ernst
Sally Hart
Jackie Rudolph
Neil Skotarczak
William Clegg

Theodore S. Wickersham
ex-officio

Senior Advisor
Dr. Ross S. Whaley

ALA Members
Adirondack League Club
Adirondack Mountain Reserve
Ampersand Pond
Arquit Property
Asgaard Farm
Bay Pond Park
Big Wolf Lake Association
Boreas River Farm
Brandreth Park Association
Camp Otterbrook
Dug Mountain Ponds
Elk Lake Lodge
Finch Paper, LLC
Fisher Forestry, LLC
Grasse River Club
Heart Bay Environment
Hollywood Club
Johanson Family Property
Kildare Club
Livingston Lake Club
Matamek Corporation
McCavanaugh Pond Club
McClelland Family Property
Meenahga
Miller Park Association
North Woods Club
Paine Family Estate
Putnam Camp
Skye Notch
Thisse Family Properties
Watch Rock Point Property
West Canada Preserve
Wilmurt Club



Time to Invest in Private Stewardship

Tom Williams, ALA President



The Adirondack Park is blessed with unmatched scenic beauty. There are seemingly endless tracts of forest land, thousands of pristine lakes and ponds, miles of rivers and streams and an incredible diversity of wildlife. Still, with all that natural wonder, the one thing that makes the Adirondack Park truly unique is the blend of public and private lands. These private lands have proven an invaluable public resource for scientific research, improvements in forestry management, and they play an integral role in supporting the fragile economy of the north-country. So, what is missing from this picture?...Some type of meaningful public investment in support of private forestry stewardship and habitat conservation...not only in the Adirondacks, but throughout New York State.

The costs related to the public lands of the Forest Preserve are born by all of the taxpayers in New York. Why?...because they are considered to be an asset and an investment for the people...these state owned lands have benefits for all New Yorkers. Well, I maintain that private forest lands also provide benefits to all citizens of NYS, but perhaps many folks just don't realize it. Ask anyone who is well versed in open space conservation/protection and they will tell you that it can't happen without well managed private lands as part of the equation. These private forest lands provide watershed protection, promote wildlife habitat, grow trees for bio-mass energy and lumber and perhaps most importantly, offer all these benefits with little expense to the public.

It is time that NYS adopts legislation that will offer a "public investment" in the stewardship value of well managed private forest land. This public investment should come in the form of a tax credit to private landowners, for lands that meet acceptable criteria. This will be an investment that will pay benefits to all New Yorkers!

The ALA will be looking to elected leaders from throughout NYS to help create this legislation and make it a reality. Additionally, we will look for support from local government, economic organizations and the various stakeholder groups and non-profits, all of whom are well versed in the public benefits of private land stewardship.

The Adirondack Landowners Association will soon be celebrating its 25 year anniversary. The ALA was founded on the principles of private stewardship and now, almost 25 years later, there is no doubt we picked the right foundation to build on. Our members can be proud of the role we have played during that time and can be equally excited about our future success as we look forward to the next 25 years.

Tom Williams

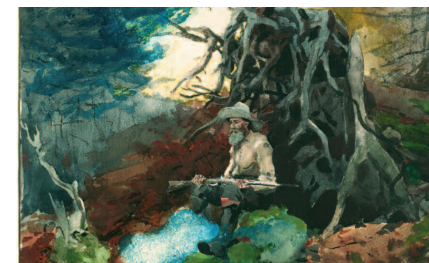
ALA Statement of Purpose

The Adirondack Landowners Association is a group of private landowners, who collectively own over 200,000 acres of land in the Adirondack Park. Our membership, which totals over 3500 individuals, is made up of clubs, family groups and private preserves, some with ownership dating back to the mid 1800's. We are significant employers, taxpayers, and contributors to the economic and environmental health of the Adirondack Park. The ALA has been a leader in the prevention of the spread of invasive species through education and advocacy.

It was founded to encourage continued stewardship and sound resource management of the land; to promote public awareness of the valuable role played by private landowners in the Park; to advocate laws, regulations and governmental policies that promote and facilitate good stewardship by private landowners and recognize and preserve their rights in the land.

The North Woods Club: One Members Story

(excerpts from a piece written by Theodore S. Wickersham)



Campfire, Adirondacks by Winslow Homer c.1892

boating, fishing, athletic and all lawful manly sports and pastimes and preservation of game and forests." It has continued as such to this day, and despite the phrase "manly sports and pastimes", there have been women members for most of the Club's 123 year history.

The Club is situated nine miles from the nearest paved road. Access was difficult at best until a road was built at the turn of the last century. While today's road is more convenient, many members long for the old days when a narrow rock studded path restricted all but the most determined from accessing our bit of heaven.

The remoteness of the clearing meant that Baker's farm and later the Club had to be self sufficient. On the clearing were cattle, horses, chickens, pigs and other domesticated animals in addition to the bountiful deer and trout that was the lure for the sports. Sugaring was done on the premises. Logging is now certified by the Forest Stewardship Council and we are a designated tree farm. A sawmill was erected in the 1890s and operated until around 1950 along with a blacksmith's shop during the same time. Electricity was introduced in 1961...but, telephones did not arrive until the 1980's, though some members refused to install a phone in their cottage lest the sense of remoteness be destroyed.

For most of the Club's history, everyone ate all meals in the communal dining room. With the advent of electricity members began to install their own kitchens and today the dining room is open only five nights a week in the summer season. Electricity has also enabled the Club to evolve to more of a year-round operation with over half the cottages now "winterized."

We like to think that we are good stewards of our property. We retain our own limnologist and fishing on our six lakes (historically called ponds) is more restrictively regulated than state regulations would permit. One of our ponds was reclaimed by the DEC so they

could introduce and preserve a native strain of brook trout, something that couldn't be done on public water. Moreover, to maintain the remoteness of the ponds, Club rules prohibit building a cottage where it can be seen from the water.

The Club maintains two emergency escape trails from the Hudson River, along with a host of other trails. The emergency trails have been proven to be literal life savers to the occasional canoeist or rafter with a medical emergency...another example of private stewardship.

The Club has always attracted artists including my great-great-uncle, Eliphalet Terry. As long as I can remember there has been at least one professional or active amateur painter who has been a Club resident. Clearly, the most noted painter was Winslow Homer, whom Terry introduced to Baker's Clearing in 1870 and who was a member until 1910. It was on this property that Homer painted the vast majority of his Adirondack pictures. One of Homer's favorite painting spots was on the shore of our largest pond beside a spring which flowed into the pond. Homer was known to leave each morning with his easel and paints and a brown jug supposedly for his "tea" which he would place in the spring. In the 1950's a couple of our members took it upon themselves to clear out the various springs on the property. When "Homer's Spring" was subjected to this treatment, low and behold, along with the expected muck, up came bits of a brown jug!



Leaping Trout by Winslow Homer 1889



The Interrupted Tete-a-Tete by Winslow Homer 1995



Two Men in a Canoe by Winslow Homer 1895

ALA Reaches Out to the Adirondack Community

For the past few years ALA has stepped up its efforts to better serve the citizens of the Park in general, as well as our own membership. This has included mounting an education program to fight aquatic invasive plants, active involvement in classification of the Essex Chain of Lakes Parcel acquired by NYS from The Nature Conservancy, entering discussions with the Adirondack Park Agency on timber harvesting regulations, and arranging several discussion forums with government leaders and others regarding enhancing the economy of the Park.

In the spring of 2012 we invited NYS Comptroller Tom DiNapoli to join in a discussion with local government officials and some of the non-profit groups in the Park. The Comptroller's office has an audit responsibility for local governments, and it made sense for him to meet some local officials from the rural north and learn first-hand about some of the pressures they face. Also, the Comptroller's office oversees the NYS Pension Fund and is always looking for investment opportunities which will not only make a reasonable return, but also support businesses located or interested in locating in New York...something of interest in a region where capital is in short supply.

In May 2013 ALA members along with local government leaders met with state legislators to review recently passed legislation and to exchange ideas on the role of the legislature and our members in laying the foundation for expanded business growth in the Park.

Later that same summer, ALA President Tom Williams and Vice President Wilbur Rice met with about 50 members of the Adirondack League Club (ALC) and members of the Adirondack business community to explore whether there was a mechanism for those members of the ALC with substantial business experience to mentor and/or assist local businesses.

In December 2013 another meeting was held between local government leaders, state officials, the North Country Chamber of Commerce and a wood pellet manufacturer from Vermont interested in expanding into New York. The manufacturer left the conversation with an understanding of potential locations, available wood supplies, the regulatory climate and names of individuals willing to help him further explore North Country opportunities for his business.

This is only a sample of the efforts of ALA to work with local communities in improving the business and natural environment in the Park.



ALA Economic Forum July/2013

ALA Launches Invasive Species Education Initiative

In the spring of 2013 the ALA initiated a three part education program to help reduce the spread of aquatic invasive species. Working in collaboration with the Department of Environmental Conservation and the Department of Motor Vehicles we were instrumental in creating an educational insert to be included in all mailed renewals for boat registrations.

In addition, local DMV offices, operated by the County Clerks throughout upstate New York have partnered with ALA to help with the education effort. The County Clerks agreed to provide space for signage and educational brochures on aquatic invasive species. The ALA supplied the signage and brochures to approximately 40 County Clerks. The County Clerks are deserving of high praise for their enthusiasm and the way they have embraced ALA's request to assist in its invasive species education program.

Going forward we hope to continue this educational effort about the serious

problem of aquatic invasive species with the cooperation of private sector businesses and local government. The ALA plans to work with North Country business owners and town government officials to have posters and handouts about preventing the spread of invasive species displayed throughout the Adirondacks.



ALA Recognizes Outstanding Stewardship

In May of 1996, the Adirondack Landowners Association joined with the Adirondack Nature Conservancy/Adirondack Land Trust to sponsor a Stewardship Award recognizing sound conservation and management of private lands within the Adirondack Park. In 2006, the ALA assumed the role of sole sponsor of this award.

Though originally, the award was conceived as an annual award honoring a landowner who demonstrated a commitment to good stewardship of their property, the ALA board decided to widen the scope of the award to include other organizations who have demonstrated their support of the ideal of stewardship. The award is now given periodically when a sufficiently notable candidate is available. Members of ALA are strongly encouraged to make nominations to ALA's President or the Stewardship Committee.

Twelve awards have been presented since the first, which went to the North Woods Club. The most recent recipient, in 2013, was the Common Ground Alliance. Others who have received the Stewardship Award include: The Otetiana Council of Boy Scouts/The Adirondack



Common Ground Alliance 2013

League Club (1997), Finch & Pruyn (1998), Erwin and Polly Fullerton (2000), Town of Westport (2001), Highland Forest, LLC (2002), Paul Smith's College (2003), Bill Polihronakis, P&T Timber Sales (2004), Timothy L. Barnett, Adirondack Nature Conservancy/Adirondack Land Trust (2006), Peter R. Stein, The Lyme Timber Company (2007), Cornell Fisheries Program (2012)

