New York’s Adirondack Park

Where U.S. Wilderness Preservation Began

BY ELIZABETH THORNDIKE

Abstract: The state lands (Forest Preserve [FP]) in New York State’s six-million-acre Adirondack Park are owned in common by the people of the state of New York. Since 1894 they have been protected as “forever wild” under Article XIV of the New York State Constitution. The Adirondack Park State Land Master Plan (SLMP), adopted in 1972, classifies more than 1 million of the 2.5 million acres of Forest Preserve as wilderness. This article describes the history of constitutional protection, the substance of the State Land Master Plan, and highlights some current issues affecting these lands.

New York state’s six-million-acre Adirondack Park is the largest designated park in the contiguous 48 United States. Two and one-half million acres of public lands (FP), including more than one million acres of designated wilderness, are protected by Article XIV of the New York State Constitution, the so-called “forever wild” clause: “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 corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.”

These lands are managed under policies incorporated in the Adirondack Park SLMP, as set forth in the Adirondack Park Agency (APA) Act, adopted in 1973. This wilderness resource constitutes 85% of the designated wilderness in the northeastern United States and the largest forested wilderness area east of the Rocky Mountains (Scrafford 1990). Use and development of the 3.5 million acres of private lands in the park are governed by this same law.

The park’s public and private lands—diverse ecosystems of forests, mountains, wetlands, lakes, rivers, streams, wildlife, and humans—are intermingled in a mosaic pattern among more than 100 towns and villages in northern New York, constituting about 20% of the state’s land area. The park is as large or larger than each of the seven states and is nearly three times the size of Yellowstone National Park.

The Adirondacks form the headwaters for five major drainage basins: Lake Champlain, and the Hudson, Black, St. Lawrence, and Mohawk Rivers. Within the park are 2,800 lakes and ponds, and more than 1,200 miles of rivers classified by the state as Wild, Scenic, or Recreational, fed by an estimated 30,000 miles of brooks and streams. In the northeast part of the park, rising from the base elevation of 1,000 feet, are 46 peaks over 4,000 feet, nine with alpine summits. The park constitutes the major portion of the Champlain-Adirondack Biosphere Reserve.

The park is home to 130,000 permanent residents who, along with 70,000 seasonal residents and an estimated 9 million visitors, live, work, and/or recreate within its borders. Principal employment is in tourism, forest products, and government. Most of the private lands are in large holdings owned by forest products industries, sporting and recreation clubs, and educational institutions. About 35% of the private-land acreage (20% of the park) is owned by year-round residents.

While its sheer size and mix of public and private ownerships are distinctive features, the Adirondack Park is equally significant for its historic role as incubator for key leaders of the wilderness movement. Robert Marshall, who grew up in New York state, “learned the ways of wilderness” in the forever wild Adirondacks (George Davis in Zahniser 1992). Howard Zahniser, architect of The Wilderness Act (TWA), summered in the Adirondacks. Speaking in 1953 in Albany to the Joint Legislative Committee on Natural Resources, Zahniser addressed the unique protection...
History of Forest Preserve Acquisition and Zoning:
Constitutional Protection
As a result of widespread despoliation of the timber, fish, and game resources of the Adirondacks during the first half of the 19th century, utilitarian concerns, especially from New York City residents, were raised about the need to protect the forests to ensure consistent water supply for the state’s commerce. Thus the New York State legislature, in 1885, created an FP in 11 Adirondack and three Catskill counties to be kept as wild forest lands; no mention was made of the timber thereon. In 1892 a 2.8-million acre Adirondack Park was established by the state. It consisted of 681,000 acres of forest preserve lands. Within a blue line on the map, an area was set aside in which to concentrate future land purchases; however, timber cutting on the FP lands continued.

The New York City Board of Trade and Transportation recommended constitutional protection and enlisted several delegates to the 1894 Constitutional Convention. Among these were Louis Marshall, father of Robert Marshall, and David McClure who chaired the committee that drafted the amendment barring the lease, sale, or exchange of the lands and prohibiting sale, removal, or destruction of the timber. This last word became critical when later proposals for dams in the park were proposed. The constitutional amendment was approved by the voters later that year (Graham 1978; Brown 1985).

Origins of the State Land Master Plan
Beginning in 1934, when Robert Marshall had suggested zoning the Adirondack FP into wilderness, semiwild, and intensive recreational use areas, several proposals for zoning FP lands, including wilderness, were made (Brown 1985). The action that catalyzed the creation of designated wilderness areas in the Adirondack Park was the 1967 proposal of Laurance Rockefeller, conservationist and brother of New York Governor Nelson Rockefeller, to create an Adirondack Mountains National Park. The proposal was opposed from all sides for various reasons, the most prominent being that a national park would weaken the existing constitutional protection. As a result, in 1969, Governor Rockefeller appointed a group of prominent citizens to a Temporary Study Commission on the Future of the Adirondacks (TSCFA). The commission was faced with the reality that a new interstate highway had just been built, increasing the park’s accessibility. At the same time, only a handful of the park’s municipalities had even rudimentary zoning regulations. It was recognized that what happened on the private lands in the park would have significant impact on the intermingled public lands. There were corresponding concerns expressed about recreational overuse in parts of the FP (Graham 1978).

The temporary study commission recommended, and Governor Rockefeller promptly implemented, the creation of an APA with general powers over the use of private and public lands in the park. The APA, as charged, com-
completed an SLMP in 1972, along with a Private Land Use and Development Plan adopted by the state legislature in 1973.

The APA board of commissioners, the decision-making body recommended by the temporary study commission, includes eight citizens nominated by the governor and confirmed by the U.S. Senate for four-year renewable terms. Three must reside in New York State outside the park, five within the park, and no more than five of the citizen members can belong to the same political party. The Commissioners of Environmental Conservation, Economic Development, and Secretary of State also serve as agency members. Sixty staff members administer the regulatory and planning programs and the two visitor interpretive centers.

The Adirondack Park State Land Master Plan


With adoption of the APA Act in 1973, the legislature established a two-tiered structure regarding policy and management of state lands in the park. The APA is responsible for long-range planning and policy, in consultation with the Department of Environmental Conservation (DEC) and subject to approval by the Governor. The DEC, and other agencies with land under their jurisdiction, are responsible for managing these lands in compliance with the guidelines and criteria in the SLMP. This master plan zones the public lands in the park into wilderness, primitive, wild forest, and canoe areas. Intensive use areas (campgrounds and boat launches); historic sites; state administrative areas; Wild, Scenic, and Recreational rivers; travel corridors; scenic vistas; and special management areas are also listed and described in the plan, along with guidelines for acquisition, easements, and rights-of-way.

Land acquisition is the responsibility of DEC, which negotiates with willing sellers. The department is also responsible for the development of unit management plans in the park, in consultation with the APA. The law requires the APA to classify state lands in the park according to “their characteristics and capacity to withstand use,” although nothing prevents the DEC or any other agency from providing more restrictive management in order to comply with constitutional requirements or to protect the natural resources of such lands.

The constitutional prohibition against removal or destruction of timber applies to all state land classifications in the park. Specific guidelines in each classification cover nonconforming uses, structures and improvements, ranger stations, motorized access, roads and trails, flora and fauna, recreational use, bicycles, boundaries, fire towers, fishing waterway access, tent platforms, campgrounds, boat launches, ski areas, visitor centers, rivers, highways, signs, scenic vistas, aesthetics, and general management guidelines.

2. Wilderness Guidelines

The definition of wilderness in the master plan closely parallels that in TWA. There are two notable exceptions set forth in the master plan. A wilderness area is to be protected and managed so as to preserve, but also “enhance and restore, where necessary” its natural condition. A wilderness area should have at least 10,000 acres (State of New York 1986).
Under the wilderness management guidelines, which are based on the above-noted definition, hunting, fishing, and trapping are permitted uses in wilderness. Motorized vehicles are not permitted in wilderness, except for use by officials in cases of sudden, actual, and ongoing emergencies involving protection of human life or intrinsic resource values. Motorized aircraft and public use roads are permitted through specific guidelines. All-terrain bicycles are not permitted, except under the same restrictions as for administrative use, maintenance, or research. All-terrain bicycles are not permitted, except under the same restrictions as for administrative personnel or research projects applicable to motorized equipment or aircraft. Primitive areas, wilderness in character but with a nonconforming use or of a size that prevents classification as wilderness, are subject to the same restrictions: equipment, aircraft, and vehicles are permitted for removal of nonconforming structures. Bicycles may be used on roads and truck trails designated by the DEC in specific adopted unit management plans. Canoe areas, managed as wilderness and to protect the quality of the water and fishery resources, are subject to the same motorized access restrictions, except that vehicles may be used by administrative personnel to preserve and enhance water or fishery resources as specified in adopted unit management plans. The 16 wilderness units range in size from 7,000 to nearly 200,000 acres, including Mt. Marcy, the state’s highest peak at 5,344 feet and Lake Tear o’ the Clouds, the source of the Hudson River, which lies at about a 4,300-foot elevation. The most remote wilderness areas are located in the western portion of the park. Proposals for combining these areas, with (now) private parcels, would result in the largest single forested wildland tract in the eastern United States.

Wilderness Policy and Management Issues

In the past 25 years, major issues have included removal of nonconforming uses, military overflights, use of mechanized transport, acid rain controls and fisheries management, and constitutional issues related to planning and management of land under its jurisdiction classified as wilderness, has resulted in a recent lawsuit in federal court, charging that the SLMP restrictions on motorized access in the forest preserve are contrary to the Americans with Disabilities Act.

The Adirondack Park has been the bull's-eye recipient of excessive acid deposition in the eastern United States, with documented damage to resources. Recent acknowledgment by the Environmental Protection Agency that standards for pollutant controls established by the 1990 Clean Air Act Amendments are insufficient to prevent further deterioration of lakes and ponds has resulted in a concerted campaign, supported by the governor and all of the New York congressional delegation, to institute further controls regarding emission trading and standards.

Significant Current Issues

7. Unit Management Plans and the High Peaks Wilderness Area

The APA Act directs the DEC to develop, in consultation with the agency, unit management plans for each unit of land under its jurisdiction classified in the master plan. These unit management plans, in accordance with statutory mandate, must conform to the guidelines and criteria set forth in the master plan and cannot amend the plan itself.

There has been continuing interagency tension between the agency and the department on a variety of issues related to planning and management of the FE A Memorandum of Understanding allows the department to conduct ordinary maintenance, rehabilitation, and minor relocation of conforming structures without notifying the agency. However, there is often a dif-
ferent interpretation of what this means, especially in the context of compatibility with wilderness values.

Although new facilities and programs should only be implemented when an approved unit management plan exists, most of the 58 units of wilderness, primitive, and wild forest areas in the FP lack any plan after 25 years. As a result, there has been a loss of solitude and destruction of habitat in parts of some wilderness areas, while these same delays have limited development of recreational uses in wild forest units better able to accommodate such activities. Many reasons are given for this state of affairs; primarily, the unit management planning process has rarely been a priority with the department, as evidenced by inadequate funding and insufficient staffing to undertake the mandated tasks (Dawson 1990).

Absence of an adopted unit management plan for the High Peaks Wilderness, the largest (nearly 200,000 acres) and the most heavily used area, is a major problem. The 1970 TSCFA technical report lists unstaffed trail registrations in 1969 at various locations in the High Peaks, including up to 18,000 registrations at Marcy Dam, the most popular day-hike and campsite area two miles from the trailhead. The first iteration of the SLMP in 1972, citing heavy public use at Marcy Dam and Lake Colden, noted that this use “threatens to destroy the wilderness character of these sections if appropriate management systems are not applied now.”

The 1986 revision of the plan, when trailhead registrations in the entire unit were at nearly 80,000, again cites heavy public use near Marcy Dam, Lake Golden, and the John’s Brook Valley as threatening to destroy the wilderness character of these sections if appropriate management systems are not promptly applied. It further states that future measures to control or limit public use in particular areas and at given times of year are inevitable and calls for prompt development of a peripheral control system for the Adirondack Loj/South Meadows corridor.

Since 1983 annual visitor use has almost tripled from 57,000 to more than 150,000, most of that in the eastern portion of the unit. Although a draft unit management plan, submitted for public comment in 1994, recommended management controls that included a permit system to limit total numbers of visitors, the subsequent draft eliminated this recommendation, calling only for a self-issuing permit system that would enable the department to monitor the number of users over another five-year period (High Peaks Wilderness Complex Unit Management Plan 1996).

The unifying theme of the SLMP is that protection and preservation of state land natural resources is paramount. “Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded.” The primary wilderness guideline in the master plan is “to achieve and perpetuate a natural plant and animal community where man’s influence is not apparent.” It is the author’s opinion that the current 1996 draft High Peaks Unit Management Plan, by recommending no action to control numbers, is problematic in terms of complying with the guidelines and criteria of the master plan, as required by law.

2. Acquisition Policies

The master plan provides guidelines for future state land acquisitions in the park. Fee purchases should be made only where such lands are threatened with development that would curtail their use for forestry, as open space or for wildlife habitat. Just such a threat was avoided in 1998 when the state, with exceptionally strong encouragement from Governor Pataki, negotiated purchase of 15,000 acres of Whitney Park, part of a 51,000-acre tract owned for a century by the family of Cornelius Vanderbilt Whitney. The purchase includes a key link in an historic canoe route and Little Tupper Lake, the largest privately owned lake in a single ownership in the northeast. Pending classification by the APA, the DEC is managing the land under wilderness guidelines in the SLMP.

As this article is written, an unprecedented amount of land, more than 360,000 acres mainly owned by forest
products industries, is for sale in the park. It includes significant acreages along river corridors that have not been open to the public for more than a hundred years. With revenues from a state Environmental Protection Fund and a 1996 Clean Water, Clean Air Bond Act, and vigorous support from a governor with strong environmental convictions, the state is in an excellent position to negotiate purchase or easements for these lands to ensure their permanent protection for wild land and open space uses.* IJW

*On December 9, 1998, Governor Pataki announced a plan to protect 144,000 acres of land put up for sale by Champion International Paper Company, by purchase of easements and acquisitions with U.S. $25 million from state environmental bond act money.

ELIZABETH THORNDIKE was a commissioner of the APA from 1980 to 1995. She chaired the Park Policy and Planning Committee, which was responsible for oversight of state land matters. Since 1996 she has been a trustee of the Association for the Protection of the Adirondacks. She is currently a visiting fellow at the Department of Natural Resources, Cornell University, where she has developed and taught a wilderness course entitled “Wilderness: Issues in Policy and Management.” She can be contacted at Cornell University, Center for the Environment, Rice Hall, Ithaca, New York 14853-3001, USA. Telephone: 607-277-2604. E-mail: ewf3@cornell.edu.

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