



May 13, 2024

Memorandum of Opposition S.0495/A.2411

S.0495/A.2411 (Stec/Jones) An act to amend the executive law, in relation to the classification of historical lands and buildings located within the forest preserve.

This bill proposes to amend section 816 of article 27 of the Executive Law, the Adirondack Park Agency (“APA”) Act. Executive Law § 801 *et seq.* Lands within the Adirondack Park owned by the State are Forest Preserve lands protected by under Article 14 of the New York State Constitution, the famed “Forever Wild” clause, which requires that the Forest Preserve “be forever kept as wild forest lands.”

Forest Preserve lands in the Adirondack Park are classified and managed in accordance with the Adirondack Park State Land Master Plan (“Master Plan”), which was first adopted by APA and approved by Governor Rockefeller in 1972. The Master Plan (page 12) was amended in 1979 to include provisions for Special Historic Areas “for the development and management of state historic sites.” The Master Plan has strict management guidelines for “state historic sites”, “properties listed on the National Register of Historic Places”, and for properties that are recommended for nomination to the historic register that “the state has committed resources to manage . . . primarily for historic objectives.” Because the Master Plan already has specific provisions for addressing sites and structures with historic significance or value, the proposed bill is redundant and unnecessary.

Additionally, the bill improvidently limits APA’s discretion under the Master Plan by directing that it “shall” consider listed or eligible lands and buildings “for an historical classification”. The Master Plan recognizes that lands in the Adirondack Park purchased by the State often contain existing structures and includes specific provisions to ensure that non-conforming structures are removed. By requiring that every parcel of land containing existing structures to be considered for historic status, the bill will cause needless delays in classifying and developing management plans for newly acquired Forest Preserve lands. Moreover, the new requirement will open the door for every existing structure on newly acquired lands to be claimed as “historic”—as has already happened in the case of decrepit hunting cabins and accessory structures and, most recently, the Debar Lodge and its surrounding buildings that are falling down (including the boathouse that collapsed). Maintaining these types of structures degrades the “Forever Wild” Forest Preserve and creates a financial burden on the State for management and upkeep in perpetuity.

For all of these reasons, Protect the Adirondacks opposes S.0495/A.2411

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