

HOW CAN THE PEOPLE STAND BY WHEN LAWS ARE BEING BROKEN?

June 10, 2003

Last weeks' column ended with a comparison of how the State treats the little man and the high and mighty. I am sure it is no secret to most of you reading it. The real question is why do you put up with it? It's greater sin when good people refuse to do anything about it.

Organizations such as the Adirondack Explorer, Residents Committee to Protect the Adirondacks, and the Adirondack Council have all voiced skepticism and concern about actions the State has consummated with the rich and powerful, such things as the recent deals on the Ceaderlands property on Long Lake and issuance of a permit for a five story 97 unit lakeshore hotel on Lake George.

I surmise they, like the rest of us, realize there is not much they can do about it and it's the cost of doing business. I am not really as upset with those incidents as I am with direct violations of laws and regulations that directly affect our soil and water.

As a former manager of the League Club and life member, I am particularly upset when it is occurring in my own bailiwick.

A typical example is a culvert poorly installed in May of 2002 on a stream running into Woodhull Lake under the Bisby Road. No permit of any kind was sought until after I brought it to their attention. They applied for an after-the-fact permit from the Canal Department whose property it was on. In an archetypical disingenuous pattern, they deigned to apply for a permit from the DEC, which has direct and sole responsibility to direct where, when, and how the installation should be done.

It's only one instance where the State regulatory agencies are purposely avoided in carrying out questionable extraction operations. Others include clear cuts and gravel pit expansions in a regulated wild and scenic river corridor.

A running battle has been going on for over four years with DEC field personnel over the legality of a road the League Club built and maintains over a corner of the West Canada Wilderness Area. Upper echelon DEC supervisors have pulled field personnel off and suggested the matter be handled out of regional offices. What does that tell you?

I have it from a reliable source that Rangers involved were asked to surrender keys to the gate on the entrance and instructed to not enter the property without notifying the Club first. The State has gone far beyond the letter of the law and been more than tolerant of a situation that should have been settled years ago.

When I discovered the controversial log crossings on the West Canada on May 27, 2000, I urged the Club to have a panel of experts review the site and adjacent harvested area. Eminent among them was the head of the Cornell Fisheries Research Center located on the Club. They not only deigned not to do so, but also acted in a concerted effort to prevent any review of the matter whatsoever.

The APA's actions mimicked the Club's actions. They didn't review the site before or after rendering their edict that it was not in their jurisdiction.

Restoration work on the project consisted of spreading minimal amounts of hay over the vast areas of disturbed and missing soil and installing three six-inch diameter spruce poles as water bars. Nothing whatsoever was done to stabilize the banks on either side of the stream.

The true and more permanent harm in this and similar examples of bad faith followed the whole debacle on February 5, 2002. The architect and person responsible for the mess gave a talk to the Iroquois Chapter of the Adirondack Mountain Club in New Hartford on the Adirondack League Club and how they manage the forest.

Since the Club has publicly endorsed the operations I have described, they should not object to the public viewing the same pictures I shared with them.

The old cliché is that a picture is worth a thousand words. Since there are 21 of them, I should need no more words to convince anyone interested that I am right. You can see the photographs on the Internet at martallen.com. Equate them with the five original articles that follow them on the web. Only then will I say as Bill O'Reilly often does at the end of his discourses, "What say you?"

In all of this there is only one self-evident truth: this has been a true portrayal of a forestry program in disarray and regulatory agencies abdicating their responsibilities to the public.

The real wrong in all of it is knowing the truth and doing nothing about it.