

STATE TREATS YOU DIFFERENTLY IF YOU ARE RICH AND POWERFUL

June 3, 2003

This is a sequel to a series of articles I wrote beginning November 6, 2001 outlining serious infractions of State environmental regulations. In a long career spent monitoring such activities, they are the worst abuses I have ever seen.

I am writing this because I have reason to believe the factors contributing to the abuses are still in place. The persons directly responsible are free to continue with business as usual. My efforts to work within the system to correct them have been sloughed off.

I need help and I am asking you, the people directly affected by the actions of the people responsible, to help me. I am confident that once you see the evidence I plan to present, you will.

I am dealing with some powerful and unscrupulous entities. They have been working in concert to sweep their transgressions under the rug. Margaret Mead said it better than I ever could: *"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed it is the only thing that ever has"*.

The problem stems from the fact that the State has two sets of rules in applying compliance standards in its laws and regulations. It's true of both the APA and DEC. The common man is treated far different than the rich and powerful. It's a fact of life all State employees learn early in their careers. I did while I was a Ranger and the situation has gotten worse with time.

My attention was initially drawn to problems with the Adirondack League Club's forestry program by logging contractors working on their property. They were people I had been working with over a long period of time when I managed the Club. The experiences of one in particular perfectly illustrate and confirm my allegations that the State does not apply its rules in an even-handed manner.

In the fall of 1993, Deforest and Jimmy Flansburg signed on for a harvest in the Sand Lake area of the League Club. Access was from the end of the Bear Creek Road over an old winter access road across State land. They obtained a temporary revocable permit from the State, and then encountered unexpected problems with trees crowding the shoulders, drainage and areas where small amounts of fill were needed. The State said no and they had to preserve while their direct pleas for relief fell on deaf ears.

They suffered a double whammy when the timber they had been shown to be harvested was not marked. It had been replaced with a stand of junk trees. As a consequence when they were asked to return the following winter to finish the job they declined the offer. The job remained dormant until the following winter when International Paper Company bought the stumpage in 1995.

You should know IP is one of the largest corporations in the country and spends millions every year advertising and lobbying. They are the same company that former DEC Commissioner Thomas Jorling left his position with the State and immediately went to work for; an action incidentally, in direct violation of State law.

If you guessed that IP had no problem altering the road over State wild forestland to their satisfaction you would be right. They were given carte blanche permission to cut, remove and bury the stumps of several trees, install numerous culverts and haul several loads of fill to spread on the road.

Do you think this is right? I do not and I am not going to stand for it quietly. The current DEC commissioner and the former APA commissioner have been feted at the League Club that also maintains a steady lobby in Albany. They also donated to the latest Pataki gubernatorial campaign. All perfectly legal and above board, unless you are granted special privileges in return. I believe they, along with many of the rich and powerful others are.

In answer to popular news analyst Bill O'Reilly's query, "*Who's looking out for the folks?*" I am, Mr. O'Reilly.