Governor's Commission on the Adirondacks in the 21st Century: Personal Reflections

By ROSS S. WHALEY

How to make this special place, the Adirondack Park, prosper is a theme that is at the heart of over a century of debate about this portion of the Northern Forest. I am going to revisit a part of that debate, the Governor’s Commission on the Adirondacks in the 21st Century, a lesson in applied politics.

In some respects, I am hesitant to speak about the Governor's Commission on the Adirondacks, both because it is old business and because Barbara McMartin will describe the lessons that might be learned more completely and with more thorough scholarship in her upcoming book. Yet my involvement on the Governor’s Commission taught me much, and sharing the lessons learned may be useful. The experience was, at the same time, interesting (every car ride to a meeting was preoccupied with developing a rationale for difficult decisions), demanding, energizing (both the importance of the place and the exploration of new ideas), and disappointing (so much effort so little impact).

It is the disappointing part that urges me to revisit the Commission’s activities and report. It is my wish that rehashing this experience of a decade ago may help as we think about the future of this marvelous place. Many of the problems confronted by the Commission remain with us. For those of us who live in or regularly visit the Adirondack Park it is worth diligent, caring attention and, for the scholar who looks at it from afar, it offers a most interesting case study for sustainable development as pointed out in an earlier Adirondack Journal of Environmental Studies article by Jon Erickson (AJES 5(2) 1998).

So to begin the story, I remember well the cloud that hung over the Adirondacks after the release of the Commission’s report. My most vivid recollection is of being asked to speak about the Commission by several groups after the Governor asked George Davis, the Executive Director, not to. It was my first experience as a speaker of being told where to park my car and having plain clothes state police in the audience to make sure that if things got out of hand I could retreat in relative safety. Yet, I found it easy to disarm hostile audiences by saying “anyone who suggests there is nothing worth implementing in this report clearly hasn’t read it.” Similarly, “anyone that praises the report in its entirety also clearly has not read it.”

The issues were complex and the answers in the report were, at best, incomplete and at worst some were wrong, in my opinion. There were several recommendations that did not receive unanimous support by the Commission members. Therein was one of the disappointments. There were minority reports on individual recommendations and one member submitted his own minority report. While I understand the strength of their feelings, I felt that a good test of the quality of their argument should be the ability to shape the positions of the Commission. None of us agreed with all recommendations but most did not deem it necessary to write a minority position on those things we disagreed with.

Without rehashing months of deliberations or a report that includes 245 recommendations, let me summarize what we were asked to do, remind you of the key issues, identify some common criticisms of the process, and end with my own critique of the process and the report. This critique is only useful if it influences our future approaches to policies in the Park, a place born in controversy, that has been the seed of controversy ever since, and where historically it seems as though the combatants would rather fight than win.

What was the Commission asked to do? In his charge to the Commission the Governor observed, “Recent developments suggest that we may be entering a new period in the Adirondacks, an era of unbridled land speculation and unwarranted development that may threaten the unique open space and wilderness character of the region.” Applications for subdivisions had tripled between 1984 and 1989 and there was a concern that much of the land owned by the forest products industry might come on the market. The recent report by the Residents’ Committee to Protect the Adirondacks indicates that this is a continuing concern. Though the pace of subdivision may ebb and flow with the health of the economy, the central issues remain the same — How much development? What kind? And where?

The Governor’s charge asked us to focus on four questions:

1. What kind of Park does the Commission expect and envision for our children in the twenty-first century? This is interesting wording. Were the expectations and vision of the Commission important or those of the citizens of New York?

2. Are the existing state programs and policies adequate to achieve this type of Park in the twenty-first century?

3. What, if any, new programs or modifications in existing programs are necessary to achieve the kind of Park envisioned...

4. How can a strong economic base,
compatible with the Park ... be maintai-

ed...? "Maintained" is an interesting word, when some would argue that the economic base of the Park was not very strong to begin with.

Am I making too much out of the wording of our charge or are there subtleties in the wording that shaped the deliberations of the Commission?

With this charge, the Commission focused on

- Administration of the Park,
- Jobs, housing, health and education,
- Revitalizing hamlets,
- Open space,
- Compatible uses,
- Creating greenways, and
- Extending the Park boundaries.

Though serious consideration was given to all these areas, clearly we focused most of our discussion on Park administration, open space, and compatible uses.

My personal history with the Park was infantile compared to others on the Commission. For them the issues seemed clear and the solutions obvious. However what was obvious to one wasn't always consistent with what was obvious to another. May be my naïveté wasn't such a hindrance after all. But it did leave me with the dilemma of how to bring rational judgment to a task with which I was honored to be involved, and felt obligated to give it my absolute best thinking. How should I vote on this issue, then that one? Was I being consistent? I developed a set of principles that may well have been the beginning of my interest in sustainable development, though I wasn't using that term at the time. Let me share those principles with you, if for no other reason than debate over cocktails sometime.

1. There are private rights in land, culturally if not legally, and these should be respected. (Quite an admission for a liberal.) The point being that many, perhaps most, landowners with years of acculturation do not understand the law and the prerogatives of government with regard to the land. They think it is theirs to do with as they wish.

2. There are social benefits such as the open space characteristic of the land-
scape, wildlife habitat, and diversity within and between ecosystems, which should be preserved for this and future generations. (Of course, the rub comes when principle one and two conflict.)

3. When the first and second are in conflict, the social benefits should be given priority, but the landowner should be compensated. Perhaps through preferential taxes, subsidies, easements, or public purchase (trying to be as sensitive as possible to number 1).

4. The economy must improve to solve the equity problems within the resident population. (I think this is possible without violating the other 5 principles.)

5. Key environmental values must be protected, not because of positive benefit/cost ratios, but as ethical imperatives. These include clean air, clean water, and protection of sensitive ecosystems. Simply, I have no right to pollute your water, your air, or to choose whether the continuation of a species is important or not. (This was a change from my inclinations as an economist who tended to think that all trade-offs should be able to pass the scrutiny of a benefit/cost analysis.)

6. The long-term productivity of the land should be maintained or improved.

I have never had the nerve to look at my voting record on all the Commission's recommendations to see if I was consistent to the principles.

Of those you following the events of the time will remember that after the release of the report there was a motorcade along the Northway that stretched from the Adirondacks to Albany. The criticisms of the Commission were many and strongly felt. We spawned many new organizations: The Fairness Coalition, the Adirondack Landowners Association, The Residents' Committee for the Protection of the Adirondacks, and many others. The unrest made my previous experience with disgruntled faculty seem tame by comparison. The criticisms of the Commission included:

1. Aren't these Commissioners the same old-guard preservationists that we've been dealing with for years? I found that one interesting because I was a relative newcomer, a forester/economist (a group that historically has not been lumped with the preservationists), and had chaired the Governor's Task Force on the Forest Industry. (An equally ineffective effort. There may be a pattern here. I'm not sure whether the common element is Whaley, Governor Cuomo, or the combination.) The fact that none of the commissioners voted yes on every recommendation was significant to me in confirming it wasn't a single-minded group.

2. What right do those people (those outsiders, those rich people, those city dwellers, those dickey-birders) have to tell us what to do with our land? The answer, of course, was "None!" But by being asked to serve we had the opportunity and the right to give our best study, thinking, judgment and conclusions. The report was only that.

3. What right does Albany have to tell us what to do with our land, our home? Depending on how you answer the question whose land and who's impacted will influence your answer to the main question.

4. The report was couched in terms of a crisis. Was there really a crisis? I will say more about this shortly.

While these criticisms were strongly held, I think in the main they were the wrong ones, except for the last, was there really a crisis? But the Commission and its report deserved to be criticized because to a large extent it failed. Let me offer my critique.

1. The crisis mentality didn't serve the Commission well. Setting the stage as a crisis resulted in recommendations that were the immediate undoing of the Commission. For example, a recommendation that a moratorium be imposed on all current permit applications until the legislature could act on other recommendations scuttled serious attention to all other deliberations of the Commission. Those who supported the recommendation make the point that some kinds of land use change are essentially irreversible. Are the irreversible ones consistent with the kind of Park we want for following generations? I think the premise of irreversibility (at
least in a reasonable time period) is sound, and thus the question of consistency with a vision for the Park essential, and not inflammatory in and of itself.

2. I'm not convinced that the Commission had a real client, or at least a client with a clear commitment. Why do you have committees or commissions anyway? Perhaps the problem to be explored is too complex for a single person or organization to get their hands around it, or the issues transcend the purview of a single government agency. Perhaps it is desirable to have “buy-in” from diverse citizen groups. Or perhaps a good political strategy is to avoid dealing with issues by giving them to a committee in hopes that there will be a hung jury or inoffensive general recommendations. Or if by chance they come up with controversial results, you can disown them, both the results and the committee. For those of you who are academics or work for large corporations or agencies you will recognize some of these motives on the part of administrators whom you have known. Nonetheless there was no client (governor or legislature) committed to follow through on the recommendations. This was a major difference with the previous Task Force of the 1960s.

3. The Commission apparently didn't understand the difference between public input and public involvement. We had plenty of public input but limited public involvement. Our excuse was that there would be plenty of opportunity for further involvement of the public during the legislative process. This presumed, of course, that there was a receptive audience to carry significant recommendations to the legislature. In addition, adequate public involvement was prevented by a fact the Governor made clear: the Commission had only a year to do its work. From the beginning he said that his office would help by any means at its disposal but we couldn't ask for an extension of time.

4. The devil truly was in the details. The report was in some ways offensive and included a map that didn't accurately portray the actions of the Commission. For example, there were pictures in the report that were meant to portray development that was inconsistent with the concept of a world-class park. While that might have been an accurate portrayal, those pictures were of someone’s home. This was, in my opinion, insensitive. Also, the map included with the report represented a recommendation for public land acquisition that was never approved by the Commission. The Commission acted on the kinds of land to be acquired by the public, not specific locations. It was this map that spawned the creation of the Adirondack Landowners Association.

Looking back, however, the Commission did make a difference either directly through its recommendations or indirectly through the furor raised by its very existence. There have been encouraging gains protecting the future of this special place during the ensuing decade.

1. Conservation easements have become commonplace in the Adirondacks. Negotiating the first large conservation easement on Lyons Falls Paper Company lands was a nightmare for all parties. It paved the way, however, for a process that, though never routine, does not call for acts of bravery on the part of the landowner, the staff of NGOs, such as the Nature Conservancy, or State bureaucrats to enter into discussions about easements.

2. Much land has been protected through state Bond Acts and the facilitation of non-profit groups. Though the controversy over how much land should be protected and at what cost to the local economy will always be argued by concerned citizens. The argument today is more over the specifics of a particular deal rather than broad-based ideological arguments over land preservation vis-a-vis jobs. Recent successes in protecting sensitive ecosystems or lands with other public values that would be reduced by subdivision must be attributed to the Governor and the support of organizations, such as the Nature Conservancy, but the stage was set by the Commission, both through its report and reflecting the heat through the threat of more radical protectionist measures.

3. The tone of the debate has become more civil, due in major part to the leadership in the APA and regions 5 and 6 of DEC. They have accomplished much in diluting the impression that government is composed of only bad guys.

4. Though it is premature to offer congratulations over progress in planning for community development that is both sensitive to aesthetics, economics, and protecting special places there are myriad activities underway that are promising: the Gateways project; the Residents' Committee's expansion into sustainable forestry; the Wildlife Conservation Society's thinking about sustainable development; a coalition of Adirondack groups exploring how they might collaborate in developing an Adirondack Center for Community and Entrepreneurial Development; and citizen involvement and leadership in long term planning as exemplified in Old Forge.

There has been progress, but what's next? As we look to the future of the Park, maybe we can seek guidance from Lewis Carroll's Alice in Wonderland. As I remember it, Alice was walking down a path and came to a fork. She was perplexed as to which branch to take. She looked up and there was the Cheshire cat in a tree. She asked the cat, "Which path should I take?" The cat inquired, "Where do you want to go?" Alice said, "I don't know." "Then it doesn't make any difference," the cat replied.

What fork should we take if we want this special place to prosper? It seems to me that we still haven't risen to the challenge of identifying a shared vision for the Adirondacks. I think it should be possible for the alphabet soup of Adirondack groups and agencies (AATV, ANCA, AC, APA, AEDC, ADK, AFPA, ESFPA, DEC, ALA, RCA, etc.) to come up with a state-
ment of shared values and goals for the Park. If it was possible for the UN through its World Commission on Environment and Development to design a vision and an Agenda, it should be possible for us to have a common set of objectives. We at least speak the same language. I think.

We need to turn increased attention to the invaders from outside our Park boundaries. I'm not referring to the folks from New Jersey. Rather I am talking about invasive species that are likely to be serious competitors with indigenous species. I am talking about invasive climate changes that could destroy present ecosystems. I am talking about invasive airborne chemicals whose nitrogen or sulphur compounds may change our lakes for decades or longer. I'm talking about the invasive heavy metals that might be harmful to our health. My concern for these invaders is for both the changes that they may cause and that they are also symptomatic of a society that, at best, is not educated about the potential impacts of these changes on life as we enjoy it and, at worst, doesn't care.

I think it would be good for the Governor to charge the Adirondack Park Agency to annually conduct a roll-up-the-sleeves workshop composed of the agency heads with jurisdiction in the Adirondacks to develop a shared work plan for a piece of the landscape designated by law as a Park and protected by the State Constitution.

I hope that Unit Management Planning for the State Lands in the Park will take a systems view so that there is an obvious interrelationship between the individual Unit Plans and other planning activities that are occurring in the towns and hamlets. Most of the experiences of visitors to the Park are linear experiences along roadways, canoe routes, or snowmobile trails that transcend governance boundaries. Have we adequately thought that through in our planning processes?

Let me end by saying that in the final analysis, as important as our research, policy studies, planning, and commission and task force activities are, what will really influence the quality of the Adirondack Park is whether people truly care. Perhaps, this can best be summed up in the following quote from Larry Rasmussen:

"Early on, when time and earth were yet young, they all gathered about dawn: the dragonflies and blackbirds, the Swedish ivies and Boston ferns (though they weren't yet sure about Sweden and Boston), the tyrannosaurus rexes and the duck-billed platypuses, a lion and a lamb, a woman heavy with child and a shy young man, and of course, the elder among them — Venus, the morning star. They waited. They all waited to see if it would happen again. With growing impatience they waited. And waited, ever so long. Finally it happened. They broke into applause, grabbed one another by the arm (or wing, or frond, or whatever), did a joyful jig, and sang a funny-sounding song. It had really happened again! The sun had come up one more time. And in almost the very same place. Morning had broken. . .

As was now their habit, they elected a Village Philosopher for the day and retired to the daily session of the Primitive... Brunch Bunch discussion Group. It had one and only one question that it loved to contemplate: Why is there something rather than nothing? And the glow of that astonishing occurrence — the rising of the sun — stayed with them all all day long.

But soon some grew bored. They quit coming to the regular midmorning discussion group with its one and only question. They quit gathering at dawn. Some claimed an inalienable right to sleep in. Soon they quit applauding and dancing and singing. There were other things to do — toil, reap, cook, complain, invent aspirin, suffer ulcers and coronaries. God continued doing only wonders, but no one noticed. They would wake up alive but fail to be astonished at that; see one another, alive and well, but hardly let the mystery of it all register; eat and drink and kiss good-bye on the way to the bus, all without a single ounce of awe. Birthing, breathing, laughing, crying, singing, working, dying — it all went on. God kept doing only wonders, mornings like the first morning, but no one gathered to see creation anew. They even forgot the question they loved to contemplate: "Why is there something rather than nothing?"

(Tending the Garden, pp. 114-115).

Perhaps, for the Adirondacks we can add another question to Rasmussen's, "Why is there something we admire rather than something else?"

ENDNOTES

1 This article is taken from the keynote address presented at the Adirondack Research Consortium's 8th Annual Conference on the Adirondacks.

2 Permit me to say a word about myself in order to give the reader the filters that should be applied to my observations. As President of the SUNY College of Environmental Science and Forestry (ESF) for 16 years, I had indirect responsibility for research and teaching activities that took place on 20,000 acres of land scattered from the Pack Forest at Warrensburg, to a Biology Station on Cranberry Lake, to the Adirondack Ecological Center in Newcomb, or to the Ranger School in Wanakena. (That is, I saw the Adirondacks as students to educate, a venue for research, personnel to nurture, roads to plow, budgets to allocate, and buildings to repair.) I'm also a new faculty retreat. The focus of my scholarship is sustainable development. (That is, I am curious as to how one combines economics, ecology, and ethics in making choices that affect the use of our landscape and its resources.) As a 15-year seasonal resident of the Adirondacks I have fallen in love with the place and we now call it home. So, at times my logic may get fuzzy, because my love for the place invades my pretense of objectivity. Lastly, I served on Governor Cuomo's Commission On The Adirondacks In The 21st Century.