Bibliography of Legal Materials on the Adirondack Park

Prepared by Jack McNeill, Associate Library Director, Pace Law School Library
Feb. 15, 2007

New York Constitution and Laws 2

New York Agency Regulations 6

New York Case Law 7

Attorney General Opinions 10

Articles 16

Books 18

Web Sites 31

New York Constitution and Laws

The Constitution of the State of New York Article 14§1
Forest preserve to be forever kept wild; certain uses and exceptions authorized.

The Constitution of the State of New York Article 14§3
Forest and wild life conservation; use or disposition of certain forest preserve lands authorized.

Executive Law Article 27
ADIRONDACK PARK AGENCY ACT

- §800 - Short title.
- §801 - Statement of legislative findings and purposes.
- §802 - Definitions.
- §803 - Adirondack park agency.
- §803-A - Adirondack park local government review board.
- §804 - General powers and duties of the agency.
- §805 - Adirondack park land use and development plan.
- §806 - Shoreline restrictions.
- §807 - Local land use programs.
- §808 - Administration and enforcement of approved local land use programs.
- §809 - Agency administration and enforcement of the land use and development plan.
- §810 - Class A and class B regional projects.
- §811 - Special provisions relating to agency project review jurisdiction and the shoreline restrictions.
- §812 - Public hearings.
- §813 - Penalties and enforcement.
- §814 - State agency projects.
- §815 - Interim development controls.
- §816 - Master plan for management of state lands.
- §817 - Activities of the United States in the Adirondack.
- §818 - Judicial review.
- §819 - Applicability.
- §820 - Severability.

State Finance Law, Article 6
§97-E, Forest preserve expansion fund.

State Law, Article 4
Purchase and Acquisition of Land by the United States

- §50, Consent of state to purchase of land; authority to
- §51, Proceedings for acquiring title.
- §52, Governor may execute deed or release.
- §57-A, Application of article to Adirondack park.

© 2007, Jack McNeill, Pace Law Library

Environmental Conservation Law, Article 1

1-0101, Declaration of policy.

Environmental Conservation Law, Article 3

3-0115, Establishment of forestry and wildlife management areas by United States; consent of state.

Environmental Conservation Law Article 9

Lands and Forests

Title 1 – (9-0101 - 9-0113) General Provisions

9-0101 - Definitions.
9-0105 - General powers and duties.
9-0107 - Acceptance by department of lands for parks and for silvicultural research.
9-0109 - Acquisition of lands within the Adirondack or Catskill parks.
9-0111 - Delegation of authority to license guides.
9-0113 - Adopt-a-natural resource stewardship program. (9-0101 - 9-0113) General Provisions

Title 3 - (9-0301 - 9-0307) Use of Lands and Forests

9-0301 - Use and diminution of Adirondack and Catskill parks.
9-0303 - Restrictions on use of state lands.
9-0305 - Signs and advertising in Adirondack and Catskill parks.
9-0307 - Forest preserve lands; detached parcels outside Adirondack and Catskill parks.

Title 5 - (9-0501 - 9-0509) Reforestation Areas

9-0501 - Power to acquire reforestation areas; prohibition against compensation or gratuity.
9-0503 - Certificate of purchase; exemption from taxation.
9-0505 - Sale of products from reforestation areas.
9-0507 - Leasing of oil and gas rights on reforestation areas.
9-0509 - Lease of land to federal government for use by the federal aviation agency.

Title 7 - (9-0701 - 9-0717) Cooperative Forest Management Program

9-0701 - Purpose of program.
9-0703 - Forest regions.
9-0705 - Regional forest practice boards.
9-0707 - State forest practice board.
9-0709 - Duties of regional forest practice boards.
9-0711 - Duties of state forest practice board.
9-0713 - State assistance.
9-0715 - Cooperating owner.
9-0717 - Community forests.

© 2007, Jack McNeill, Pace Law Library

Title 8 - (9-0801 - 9-0815) Forest Resources Planning
- 9-0801 - Legislative purpose and findings.
- 9-0803 - Forest resources assessment.
- 9-0805 - Forest resources plan.
- 9-0807 - Committees.
- 9-0809 - Public participation.
- 9-0811 - Cooperation with federal agencies.
- 9-0813 - Assistance from state agencies.
- 9-0815 - Request for comment on local laws or ordinances pertaining to the practice of forestry.

Title 9 - (9-0901 - 9-0903) Recreation
- 9-0901 - Jurisdiction of certain parks and reservations.
- 9-0903 - Recreation facilities.

Title 11 - (9-1101 - 9-1123) Forest Fire Control
- 9-1101 - Proclamation by Governor.
- 9-1103 - Additional powers of the department.
- 9-1105 - General prohibitions.
- 9-1107 - Fire towns.
- 9-1109 - Fire protection areas.
- 9-1111 - Forest fire protection.
- 9-1113 - Top lopping evergreen trees.
- 9-1115 - Railroad patrol.
- 9-1117 - Condition of rights of way.
- 9-1119 - Use of protective devices.
- 9-1121 - Fire moneys and accounts.
- 9-1123 - Northeastern Interstate Forest Fire Protection Compact.

Title 13 - (9-1301 - 9-1303) Forest Insect and Disease Control
- 9-1301 - White pine blister rust and currant rust.
- 9-1303 - Forest insects and other forest tree diseases.

Title 15 - (9-1501 - 9-1503) Removal of Trees and Protected Plants
- 9-1501 - Removal of trees.
- 9-1503 - Removal of protected plants.

Environmental Conservation Law: Article 71

Enforcement of Article 9
- 71-0701. Applicability of title.
- 71-0703. Penalties.
- 71-0705. Enforcement.
- 71-0707. Resisting or obstructing departmental agent or employee.
- 71-0709. Injury to state lands.
- 71-0711. Injury to municipal or private lands.

© 2007, Jack McNeill, Pace Law Library

71-0712. Timber theft and trespass education-training.
71-0713. Recovery for damages from fires.
71-0715. Rules of evidence applicable to forest fire cases.

Environmental Conservation Law Article 11
Fish and Wildlife
11-2103, Acquisition and use of property.
11-2105, State game refuges.

0503, Protection of water bodies; permit.

Environmental Conservation Law Article 15
1729, Eminent domain.

Environmental Conservation Law Article 15, Title 27
Wild, Scenic and Recreational Rivers System
15-2701 - Statement of policy and legislative findings.
15-2703 - Definitions.
15-2705 - Jurisdiction of the commissioner and the Adirondack park agency.
15-2707 - Classes of river areas includable in system, criteria; management objectives.
15-2709 - Administration of the system.
15-2711 - Establishing boundaries.
15-2713 - Initial designations.
15-2714 - Additional designations.
15-2715 - Designation of additions to the system.
15-2717 - Cooperation with the federal government.
15-2719 - Cooperation clause.
15-2721 - Conflict with other laws.
15-2723 - Penalties and enforcement.

Environmental Conservation Law Article 24
Freshwater Wetlands Title 8, Regulation of Wetlands in the Adirondack Park
24-0801 - Permits for wetlands in the Adirondack Park.
24-0803 - Transfer of jurisdiction to local government.
24-0805 - Land use regulations for freshwater wetlands in the Adirondack park.

Environmental Conservation Law Article 24
Title 5, Local Implementation
24-0511 - Local freshwater wetlands protection procedures in the Adirondack park.

Environmental Conservation Law Article 24
Title 9, 24-0903, Land use regulations for freshwater wetlands.

Environmental Conservation Law Article 41
Sixth Park Region

41-0101 - Sixth park region; definition.
41-0103 - Regulation of navigation.
41-0105 - Acquisition, maintenance and operation of parks, state recreational and historic facilities and services.
41-0107 - Approval of certain applications and projects.

Environmental Conservation Law , Article 43

43-0101 - Legislative intent.
43-0103 - Definitions.
43-0105 - Lake George park commission; continuation.
43-0107 - Powers.
43-0109 - Expenses; employees.
43-0110 - Wastewater management.
43-0111 - Commercial use in zones.
43-0112 - Stormwater management and stream corridor management.
43-0113 - Appropriations by municipalities in certain counties.
43-0115 - Restrictions on use of signs and advertising devices.
43-0117 - Operation of ferries and certain other boats, barges and vessels restricted.
43-0119 - Land use restrictions within Lake George park.
43-0121 - Compliance with sewage disposal requirements.
43-0123 - Environmental review.
43-0125 - Regulatory and user fees.

Public Lands Law, Article 2

§24, Sale or exchange of certain detached parcels of forest preserve lands.

New York Agency Regulations

Adirondack Park Agency
http://www.apa.state.ny.us/Documents/Laws_Regs/RulesRegs200510_2.pdf

Department of Environmental Conservation

http://www.dec.state.ny.us/website/regs/index.html
Chapter I - Fish and Wildlife Parts 1-189
Chapter II - Lands and Forests Parts 190-199
Chapter III- Air Resources Parts 200-317
Chapter IV- Quality Services Parts 320-486
Chapter V - Resource Management Services Parts 500-614
Chapter VI - General Regulations Parts 615-624
Chapter VII - State Aid Parts 625-637
Chapter VIII- Law Enforcement Parts 640-642
Chapter IX - Independent Agencies within the Department Parts 645-648
Chapter X - Division of Water Resources Parts 649-941

Proposed Regulations: http://www.dec.state.ny.us/website/regs/proposed.html

New York Case Law

Forest preserve lands

"Wild forest lands," might include lands owned by the state adjoining such "wild forest lands," it does not include other lands located at a distance from any forest. Long Sault Development Co v. Kennedy, State Treasurer People ex rel. Ball (3 Dept. 1913) 158 A.D. 398, 143 N.Y.S. 454, affirmed 212 N.Y. 1, 105 N.E. 849, error dismissed 37 S.Ct. 79, 242 U.S. 272, 61 L.Ed. 294.

Lease, sale or exchange of preserve lands

Reversionary interest in land held by the State Department of Environmental Conservation would not prohibit use of land for construction of telecommunications tower. Moncure v. New York State Dept. of Environmental Conservation (3 Dept. 1996) 218 A.D.2d 262, 639 N.Y.S.2d 859.

If a stipulation in an action of ejectment attempted to dispose of lands belonging to the forest preserve was prohibited. People v. Witherbee (3 Dept. 1917) 178 A.D. 368, 164 N.Y.S. 915, reversed 179 A.D. 964, 166 N.Y.S. 1108, affirmed 228 N.Y. 535, 126 N.E. 918.

Agreement to manage ski center was lawful, where the agreement did not constitute the lease, sale, or exchange of lands and pertinent facilities. Slutzky v. Cuomo, 1985, 128 Misc.2d 365, 490 N.Y.S.2d 427.

When title to premises within the forest preserve was once acquired by the people, no act of any officer or agency of the state or no judgment of any court could divest the state of ownership therein. Hazkate Holding Corporation v. People, 1927, 130 Misc. 409, 224 N.Y.S. 22.

Corporate acquisition

Lands which had once become a part of the forest may not be acquired by any corporation, private or public. People v. Adirondack Ry. Co., 1899, 160 N.Y. 225, 54 N.E. 689, affirmed 20 S.Ct. 460, 176 U.S. 335, 44 L.Ed. 492. See, also, Adirondack R. Co. v. Indian River Co., 1898, 27 A.D. 326, 50 N.Y.S. 245.

Timber removal

The Constitution reserves to the people the title to the lands and timber within the forest preserve, and prohibits the legislature and state officers and departments from disposing of them. People v. Santa Clara Lumber Co., 1914, 213 N.Y. 61, 106 N.E. 927. See, also, People v. Kelsey, 1904, 180 N.Y. 24, 72 N.E. 524; People v. Pulver, 1929, 226 A.D. 416, 235 N.Y.S. 655.

Addition of five new parking areas to forest preserve and construction of trails did not involve unconstitutional amount of tree cutting or improper use of forest preserve. Balsam Lake Anglers Club v. Department of Environmental Conservation (3 Dept. 1993) 199 A.D.2d 852, 605 N.Y.S.2d 795, appeal withdrawn 83 N.Y.2d 907, 614 N.Y.S.2d 389, 637 N.E.2d 280.

Constitutional provision does not prohibit all cutting or removal of timber from forest preserves but prohibits cutting and removal of timber to a substantial extent. Balsam Lake Anglers Club v. Department of Environmental Conservation (3 Dept. 1993) 199 A.D.2d 852, 605 N.Y.S.2d 795, appeal withdrawn 83 N.Y.2d 907, 614 N.Y.S.2d 389, 637 N.E.2d 280.

A deed to the state in settlement of the action which reserved to defendants the right to enter upon the land and remove certain timber within ten years was not a violation of former section 7 of Article 7. People v. Finch, Pruyn & Co. (3 Dept. 1923) 207 A.D. 76, 202 N.Y.S. 582, affirmed 238 N.Y. 584, 144 N.E. 902.

Trees standing upon the forest preserve were property within the meaning of Penal Law governing larceny. People v. Gaylord (4 Dept. 1910) 139 A.D. 814, 124 N.Y.S. 517.

No fish and game protector and forester, or the chief game protector of the state of New York, has authority to sell timber and logs from the forest preserve and the purchaser would not acquire title that would enable him to maintain an action for conversion. Pashley v. Bennett (3 Dept. 1905) 108 A.D. 102, 95 N.Y.S. 384.

Insubstantial and immaterial cutting of timber-sized trees in state forest preserve was constitutionally authorized in order to facilitate public use of forest preserve, so long as such use was consistent with wild forest lands. Balsam Lake Anglers Club v. Department of Environmental Conservation, 1991, 153 Misc.2d 606, 583 N.Y.S.2d 119, affirmed in part, reversed in part on other grounds 199 A.D.2d 852, 605 N.Y.S.2d 795, appeal withdrawn 83 N.Y.2d 907, 614 N.Y.S.2d 389, 637 N.E.2d 280.

Highways, timber removal

The removal of reasonable amount of growing timber for the construction of a state highway was proper exercise of authority by State Department of Public Works. D'Angelo v. State, 1951, 200 Misc. 657, 106 N.Y.S.2d 350.

Recreational purposes, timber removal

Chapter 417 of the Laws of 1929, which authorized the Conservation Commissioner to construct and maintain a bobsleigh run or slide on state lands in the Forest Preserve in the town of North Elba, and necessitated the removal of a substantial number of trees from the land set was unconstitutional. Adirondacks, Association for Protection of v. MacDonald, 1930, 253 N.Y. 234, 170 N.E. 902.

Roads and trails, highways
Construction of new trails in state forest preserve did not violate provision of State Constitution requiring that forest preserve lands be forever kept as wild forest lands by increasing human activity; framers of State Constitution intended not to prevent or hinder public use of forest, but to allow forested areas to revert to their natural or wild state without human interference with natural succession of different types of trees, selective cutting or thinning to improve timber, or harvesting of any mature timber. Balsam Lake Anglers Club v. Department of Environmental Conservation, 1991, 153 Misc.2d 606, 583 N.Y.S.2d 119, affirmed in part, reversed in part on other grounds 199 A.D.2d 852, 605 N.Y.S.2d 795, appeal withdrawn 83 N.Y.2d 907, 614 N.Y.S.2d 389, 637 N.E.2d 280.

Ski trails
Agreement to operate ski trails on lands owned by the state which are part of Adirondack Park forest preserve was not a lease of forest preserve lands in violation of article of the Constitution.. Slutzky v. Cuomo (3 Dept. 1986) 114 A.D.2d 116, 498 N.Y.S.2d 550, appeal dismissed 68 N.Y.2d 663, 505 N.Y.S.2d 1027, 496 N.E.2d 240.

Adverse possession
The lands of the Forest Preserve created by Laws 1885, c. 283, and former section 7 of Article 7 were held by the state in her sovereign capacity in trust for a public purpose and could not be acquired by adverse possession. People v. Baldwin (3 Dept. 1921) 197 A.D. 285, 188 N.Y.S. 542, affirmed 233 N.Y. 672, 135 N.E. 964. See, also, People v. Douglass, 1926, 217 A.D. 328, 216 N.Y.S. 785.

Eminent domain
Where the special condemnation proceedings instituted under the Adirondack Park Act of 1897, Laws 1897, c. 220, by the forest preserve board against lands of a private owner within the territory of the Adirondack park, were fully completed by service of the certificate of condemnation on the owner before the Adirondack Railway Company, which had previously filed a map and profile for an extension of its road through the same lands, commenced condemnation proceedings on its part, the land became a part of the forest preserve, and thereupon former section 7 of Article 7 intervened against the railway company. People v. Adirondack Ry. Co., 1899, 160 N.Y. 225, 54 N.E. 689, affirmed 20 S.Ct. 460, 176 U.S. 335, 44 L.Ed. 492.

When state takes property through eminent domain, it takes in fee simple absolute and extinguishes all easements. Thomas Gang, Inc. v. State (3 Dept. 2005) 19 A.D.3d 861, 797 N.Y.S.2d 583.

Owner of land that was inaccessible by motor vehicle was not entitled to easement over state's lot. Thomas Gang, Inc. v. State (3 Dept. 2005) 19 A.D.3d 861, 797 N.Y.S.2d 583.

Forever wild forest land applied only to the lands of the state "now owned or hereafter acquired," and a regulation of the use of the land after acquisition did not affect either the right of a public service corporation or of the state to acquire it. Ramapo Mountains Water, Power & Service Co. v. Commissioners of Palisades Interstate Park (2 Dept. 1917) 177 A.D. 700, 164 N.Y.S. 430.

A railroad could not acquire the right to operate through the forest preserve, hence, it followed as a fair deduction that the state should not take land for the forest preserve which was already subject to the rights of a railroad. Adirondack Ry. Co. v. Indian River Co. (3 Dept. 1898) 27 A.D. 326, 50 N.Y.S. 245.

Attorney General Opinions

Forest preserve lands

Forest land in a Forest Preserve county, acquired by the State for the specific uses and purposes of the New York State College of Forestry at Syracuse University, does not become part of the Forest Preserve since it is acquired for uses and purposes wholly inconsistent with its preservation as wild forest. 1957, Op.Atty.Gen. 299.

State-owned land adjacent to Old Forge dam was not part of forest preserve. 1927, Op.Atty.Gen., 37 State Dept.Rep. 149.

Revocable permits

The Conservation Department may grant a revocable permit to use an abandoned cement mine on forest preserve lands for food storage experiments. 1954, Op.Atty.Gen. 156.

Timber removal

Selective cutting of those few scattered trees necessary to maintain trails and to lesson soil compaction, erosion and destruction of vegetation does not violate the "forever wild" provisions of the state constitution, if done in strict conformance with a management plan. Op.Atty.Gen. 86-F3.

The cutting of browse in the forest preserve by the Conservation Department for the purpose of feeding wild deer does not constitute a violation of the constitutional prohibition of the removal or destruction of timber. 1948, Op.Atty.Gen. 159.

Pruning and removal of trees in Forest Preserve was permissible as far as good forestry demanded. 1927, Op.Atty.Gen. 252, 37 St.Dept.Rep. 390.

The conservation commission had no power to authorize the cutting and removal of living trees to be used in the repair or reconstruction of dams on streams in the forest preserve. 1921, Op.Atty.Gen., 26 St.Dept.Rep. 281.

The prohibition of former section 7 of Article 7 would be presumed to be limited to the exploitation of timber for commercial or manufacturing, and was not intended to prevent such incidental cutting and removal of trees as might be deemed necessary in establishing roads or paths or in promoting the pleasure and convenience of visitors. 1919, Op.Atty.Gen., 21 St.Dept.Rep. 412.

Former section 7 of Article 7 did not prevent the removal of an immaterial amount of tree growth for the purpose of opening vistas or views in connection with the building of pedestrian trails in the Forest Preserve. 1935, Op.Atty.Gen. 274.

Removal of dead trees for aesthetic reasons alone was unauthorized. 1933, Op.Atty.Gen., 48 St.Dept.Rep. 589.

Fire protection, timber removal

Trees in the forest preserve destroyed by a hurricane may be removed for the purpose of eliminating the fire hazard created thereby, but sale or other disposition of the salvaged trees cannot be made without legislative authority. See L.1951, c. 6. 1950, Op.Atty.Gen. 154.

It was not only the right but the duty of the Conservation Department to remove dead stubs in the Forest Preserve when they were a menace to safety and life. 1935, Op.Atty.Gen. 308.

Reasonable cutting and removal of timber for the building of a road necessary for the protection of the Forest Preserve from fire was not a violation of former section 7 of Article 7, and might be done when such destruction was not to any material degree. 1933, Op.Atty.Gen. 369.

Highways

In the construction of a memorial highway authorized by former section 7 of Article 7 through the Forest Preserve, the construction of toll facilities at one portion of the highway was within the scope of the authorized highway. 1933, Op.Atty.Gen. 382.

Under the provisions of Laws 1924, c. 275, the state commissioner of highways might occupy state-owned lands in the forest preserve for the reconstruction of state and county highways which had been heretofore improved or which might hereafter be designated by law for improvement by the state, without violating former section 7 of Article 7. 1931, Op.Atty.Gen. 142.

Former section 7 of Article 7 did not by implication deprive the legislature of power to authorize the state commission of highways to construct highways on rights of way dedicated for that purpose over forest preserve land by chapter 330 of the Laws of 1908; nor did that section of the Constitution deprive the legislature of power to authorize the use of stone, sand and gravel, to be taken from forest preserve land, in the construction of said highways and the use of land for spoil banks, to the end that the cost of construction might thereby be properly reduced. 1921, Op.Atty.Gen. 130.

Former section 7 of Article 7 was never intended to prevent the state from constructing a needed highway across its own land. Op.Conservation Commission, 1918, 17 St.Dept.Rep. 567.

Sand and gravel removal, highways

Taking sand and gravel from land in forest preserve for maintaining State highway within such preserve was permissible provided such taking did not impair the preservation of its character as a "wild forest" area. 1936, Op.Atty.Gen. 251.

The provisions of former section 7 of Article 7 prohibited the Conservation Commission from allowing contractors improving highway routes through parts of the State Forest Preserve, to take rock and stone from said preserve adjacent to said highways for the construction thereof, but as the land within the limits of said highways was not a part of the Forest Preserve, it was not subject to this prohibition. 1920 Op.Atty.Gen., 22 St.Dept.Rep. 689.

Highways, timber removal

The Conservation Department may not permit the cutting of 5,000 trees in the forest preserve for the purpose of relocating or reconstructing an existing State highway therein. 1954, Op.Atty.Gen. 157.

Under the provisions of this section, Laws 1921, c. 401, as amended by Laws 1924, c. 275, Laws 1937, c. 488, is ineffective to authorize the State Superintendent of Public Works to occupy a right of way for relocation of highway, if such relocation involves the removal or destruction of a considerable number of trees. 1948, Op.Atty.Gen. 166.

Laws 1924, c. 275 did not confer authority upon the Conservation Department and the State Department of Public Works to construct the Saranac Lake-Raybrook and Lake Placid-Raybrook highways in Essex County over State Forest Preserve land, causing the removal in the former case of approximately four thousand trees and in the latter of about two thousand seven hundred trees. 1933, Op.Atty.Gen. 395.

Former section 7 of Article 7 gave implied power to remove timber necessary for building a highway from Seventh Lake to Raquette Lake village through the forest preserve. 1925, Op.Atty.Gen., 35 St.Dept.Rep. 171.

© 2007, Jack McNeill, Pace Law Library

The state highway department could not, under the limitations contained in former section 7 of Article 7, deviate or change the route of a highway in the forest preserve, if such change necessitated the cutting and removal of any of the standing timber outside of the limits of an old established highway. 1915, Op.Atty.Gen. 190.

Roads and trails, highways

Roads constructed or improved through the forest preserve for fire protection purposes do not become highways, but the Conservation Department had authority to grant permits for the temporary use for private purposes of such a road, provided the same would not damage the road, interfere with its use by the Department for the purposes for which it was constructed, or tend to a substantial extent to destroy the wild forest character of the preserve. 1955, Op.Atty.Gen. 185.

A truck trail, constructed by the Conservation Department on forest preserve lands, may not be used by the owners of adjacent private lands for vehicular traffic. 1947, Op.Atty.Gen. 179.

Where the owner of private lands in one of the Forest Preserve counties has heretofore been permitted to use an unimproved tote-road passing over state lands, by the employment thereupon of horse-drawn vehicles, for the purpose of transporting hardwood timber cut by him on his own lands, the Conservation Department may in its discretion permit the improvement by him of such road to the extent of making it usable by motor vehicles throughout the year, under certain conditions. 1947, Op.Atty.Gen. 174.

The Conservation Commissioner had the authority to construct dirt roads or truck trails in the forest preserve for the purpose of aiding and protecting it from fire hazards, but such roads were not public highways and public use thereof was not allowable. 1935, Op.Atty.Gen. 300.

Ski trails

This section was intended and must be interpreted to authorize a ski trail development in the fullest sense. 1957, Op.Atty.Gen. 197.

The Conservation Department, under L.1948, c. 468, must confine itself to such study of the proposed ski development in Warren county as may be conducted without clearing, grading and basic improvement, and may not proceed to construct experimental ski trails for the purpose of observing effect of sun and wind thereupon. 1948, Op.Atty.Gen. 169.

Additional legislation is necessary in order to implement the constitutional amendment of 1947, providing authority to construct and maintain ski trails and appurtenances on certain mountains in the forest preserve and to impose charges in connection therewith. 1948, Op.Atty.Gen. 166.

If and when the proposed "ski amendment" to this section is approved at the 1947 general election such trails and appurtenances as are located on forest preserve lands must be constructed by a state agency; it is immaterial whether such construction is auxiliary to a main development now existing on private land; under existing law the Catskill portion of such proposed development may not be so operated that the people are charged a fee for the use thereof; neither the Adirondack nor the Catskill development may be operated by others, except as agents of the state; and it seems that this section after the proposed amendment will not authorize the construction on forest preserve lands of such facilities, if they are intended primarily to supplement or complement essentially private enterprises of the same nature located on adjacent private lands. 1947, Op.Atty.Gen. 171.

The Conservation Commissioner may authorize construction of ski trails in the Forest Preserve with a minimum of timber removal, where such trails will increase the use of said lands for their true purpose without affecting their true natural character. 1934, Op.Atty.Gen. 268.

Mineral, gas, and oil extraction

This article prohibits the searching for and the taking of gas and oil within the forest preserve, and the Conservation Department has no power or authority to permit the same. 1954, Op.Atty.Gen. 170.

The Commissioners of Allegany State Park have no present statutory authority to make a lease of state lands in such park under which the lessee would be empowered to withdraw therefrom underlying deposits of oil and gas. 1943, Op.Atty.Gen. 428.

The Conservation Department had no authority to issue a permit for the mining of gold on forest preserve land, and the fact that no trees would be cut or destroyed did not alter the situation. 1934, Op.Atty.Gen. 282.

Pipe lines

The laying of a water supply pipe line without removal of timber or in any manner affecting the character of the forest preserve as "wild forest land" was permissible. 1936, Op.Atty.Gen. 251.

The Department of Conservation had power to grant revocable permission for the laying and maintenance of a gas pipe line across certain state owned lands under its control. 1936, Op.Atty.Gen. 248.

There was no power in conservation commission to authorize the laying of a pipe across forest preserve land for piping water. 1925, Op.Atty.Gen., 35 St.Dept.Rep. 353.

Power and telephone lines
Where permission for the occupation and use of forest preserve lands adjoining an old highway has been granted by the Conservation Department to the Department of Public Works without transfer of jurisdiction, consent of both departments is required for the construction and maintenance of electric power transmission line thereon. 1950, Op.Atty.Gen. 153.

Where the construction of an additional transmission line along a public highway which would entail the present removal from Forest Preserve lands of approximately ninety trees within a distance of approximately two miles, the trimming of many other trees and additional removals in the future, a revocable permit for such construction will be denied. 1950, Op.Atty.Gen. 149.

The Conservation Department may grant a revocable permit for the erection and maintenance of an electric power line and a telephone line crossing forest preserve lands, if it determines that the wild forest character of the forest preserve will not be thereby impaired. 1949, Op.Atty.Gen. 132.

The State Conservation Commissioner has authority to grant a revocable permit for the installation of an aerial or an underground electric transmission line across forest preserve lands used as a public camp site if upon a survey of the physical situation it appears that the installation would not impair the character of wilderness of the forest preserve. 1945, Op.Atty.Gen. 168.

Camps and campsites
The authority of Conservation Commissioner to grant permits for temporary use of forest preserve and use and maintenance of buildings thereon is limited by the provisions of this section, and no authority exists for permitting a private organization to continue to use buildings on land acquired for forest preserve for the operation of a Boys' camp. 1941, Op.Atty.Gen. 280.

There is no bar in this section to the exaction of a reasonable fee for the use of the public campsites in the forest preserve. 1940, Op.Atty.Gen. 315.

Land acquired by the State in a Forest Preserve county to be improved and developed as a park and campsite for the use of the public, with monies appropriated for that purpose, in a section not wild and forest lands as the same is generally understood, does not come within the constitutional provisions relating to the forest preserve. 1940, Op.Atty.Gen. 313.

The maintenance of CCC camps in the Forest Preserve, of a temporary character and with no destruction of trees or lands, when necessary for the protection of the forests, was not a violation of former section 7 of Article 7. 1935, Op.Atty.Gen. 325.

The right of the State Conservation Department to build shelters and furnish food for the cost of operation in remote sections of the forest preserve was of doubtful constitutionality. 1934, Op.Atty.Gen. 279.

Easements
An essential element of a right of way by necessity is unity of title between the dominant and servient estates, so that the mere fact that a privately-owned parcel of land is enclosed on three of its four sides by forest preserve land does not necessarily mean that there exists a right of way by necessity over the State-owned land. 1955, Op.Atty.Gen. 185.

The Conservation Department has authority to grant right of way occupation over forest preserve lands to the Department of Public Works. 1946, Op.Atty.Gen. 175.

Where first easement to Adirondack Mountain Club failed because club neglected to improve right of way into a roadway, with the fee passing to the state in grant for forest preserve prior to expiration of period in which condition subsequent could be performed, and the right of re-entry being established by the state because of special facts, the state could not impose a second easement on the land because of limitations of this section. 1941, Op.Atty.Gen. 280.

Residence within preserve
A right reserved by the state's grantor of forest preserve lands to maintain, use, control and operate a dam at the outlet of a lake on the lands conveyed and to enter upon such lands for the purpose of constructing, repairing, maintaining and operating the dam does not entitle the gate tender of the dam to live upon the lands conveyed or to cut fire wood thereon or cultivate a portion thereof. 1949, Op.Atty.Gen. 128.

Top soil
Authority to remove top soil and trees from open field to another portion of Forest Preserve may be granted by the Department of Conservation, if such removal does not impair the "wild forest" character. 1937, Op.Atty.Gen. 242.

Articles

Banta, John S. *Whiteface Mountain Ski Center: Land Use Policy and Direction* (Symposium: Mountain Resorts; Ecology and the Law). 26 VERMONT L. REV. 641-662 (2002).

Book Review (Protecting Open Space: Land Use Control in the Adirondack Park, by Richard A. Liroff). 22 SANTA CLARA L. REV. 1206 (1982).

Booth, Richard S. and Harvey M. Jacobs. *Book Review* (Protecting Open Space: Land Use Control in the Adirondack Park, by Richard A. Liroff). 70 CORNELL L. REV. 361-379 (1985)

Booth, R. S. *Developing Institutions for Regional Land Use Planning and Control: The Adirondack Experience.* 28 BUFFALO. L. REV. 645-709 (1979).

Booth, R. S. *Adirondack Park Agency Act: A Challenge in Regional Land Use Planning.* 43 GEO. WASH. L. REV. 612-34 (1975).

Davis, G. G. *Land Use Control and Environmental Protection in the Adirondacks.* 47 N.Y. STATE B. J. 189-91 (April 1975).

Gegen, Sheryl. *Book Review* (The Adirondack Park: A Political History, by Frank Graham, Jr.). 17 URBAN LAW. 644-645 (1985).

Halper, Louise A. *The Adirondack Park and the Northern Forest: An Essay on Preservation and Conservation* (Symposium: The Northern Forest Lands and the Law). 19 VERMONT L. REV. 335-362 (1995).

Halper, Louise A. *'A Rich Man's Paradise': Constitutional Preservation of New York State's Adirondack Forest: A Centenary Consideration.* 19 ECOLOGY L. Q. 193-267 (1992).

Home Rule: Constitutionally Granted Planning and Zoning Powers vs. State Concern for Preservation of the Adirondacks. 16 URBAN L. ANN. 389-403 (1979).

Horn, A. F. *Questions Concerning the Proposed Private Land Use and Development Plan for the Adirondack Park.* 24 SYRACUSE L. REV. 989-1016 (1973).

Melewski, Bernard C. *Acid Rain and the Adirondacks: A Legislative History.* 66 ALBANY L. R. 171 (2002).

Preserving Scenic Areas: The Adirondack Land Use Program. 84 YALE L. J. 1705-21 (1975).

Savage, A. V. and J. Sierchio. *Adirondack Park Agency Act: A Regional Land Use Plan Confronts the Taking Issue.* 40 ALBANY L. REV. 447-82 (1976).

Shea, John F. III and William R. Ginsberg. *Environmental Law and Regulation in New York.* 9 FORDHAM ENVTL.L.J. 223 (1997).

Symposium on Recreational Land Use. 24 SYRACUSE L. REV. 927-1066 (1973).

Books

Adirondack Park Agency

Adirondack Council. AFTER THE FACT: THE TRUTH ABOUT ENVIRONMENTAL ENFORCEMENT IN THE ADIRONDACK PARK: AN ANALYSIS OF THE ADIRONDACK PARK AGENCY'S ENFORCEMENT PROGRAMS. Elizabethtown, NY: The Council, 1999.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY RULES AND REGULATIONS: IMPLEMENTING THE ADIRONDACK PARK AGENCY ACT (EXECUTIVE LAW, ARTICLE 27), WILD, SCENIC AND RECREATIONAL RIVER SYSTEM ACT (ENVIRONMENTAL CONSERVATION LAW, ARTICLE 15, TITLE 27) AND FRESHWATER WETLANDS ACT (ENVIRONMENTAL CONSERVATION LAW, ARTICLE 24); SUBTITLE Q OF THE TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK. Ray Brook, NY: Adirondack Park Agency, 2000.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY ACT: AS AMENDED THROUGH THE CLOSE OF THE 1998 LEGISLATIVE SESSION. Ray Brook, NY: Adirondack Park Agency, 1999.

Adirondack Park Agency (N.Y.). PROPOSAL TO REVISE ADIRONDACK PARK AGENCY RULES AND REGULATIONS: A DESCRIPTION OF THE PROCESS INCLUDING PLANS AND OPPORTUNITIES FOR PUBLIC INVOLVEMENT. Ray Brook, NY: The Agency, 1996.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY ACT AS AMENDED THROUGH THE CLOSE OF THE 1990 LEGISLATIVE SESSION. Ray Brook, NY: Adirondack Park Agency, 1991.

Adirondack Park Agency (N.Y.). THE ADIRONDACK PARK. Ray Brook, NY: The Agency, 1980-1987.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY RULES AND REGULATIONS: EFFECTIVE APRIL 1, 1979. Ray Brook, NY: The Agency, 1979.

Adirondack Park Agency (N.Y.) APA ACT AS AMENDED THROUGH THE CLOSE OF THE 1977 LEGISLATIVE SESSION. Ray Brook, NY: Adirondack Park Agency, 1977.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY ADMINISTRATION AND ENFORCEMENT OF THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN. Ray Brook, NY: The Agency, 1973.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN. Ray Brook, NY: The Agency, 1973.

Adirondack Park Agency (N.Y.). RULES & REGULATIONS FOR PUBLIC HEARING PURPOSES. Ray Brook, NY: The Agency, 1973.

Beamish, Richard, and Anita L. Riner, Adirondack Park Agency (N.Y.). COMPREHENSIVE REPORT. Ray Brook, NY: The Agency, 1976.

LaGrasse, Carol W. THE APA SHELL GAME: HOW NEW YORK'S ADIRONDACK PARK AGENCY IS BECOMING THE WORLD'S FOREMOST ENVIRONMENTAL SNOOP. Stony Creek, NY: Property Rights Foundation of America, 1994.

New York (State), Legislature, Legislative Commission on Expenditure Review. ADIRONDACK PARK PLANNING AND REGULATION. Albany, NY: Legislature, State of New York, Legislative Commission on Expenditure Review, 1978.

New York (State)., Office of the State Inspector General. INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY GREGORY CAMPBELL, CHAIRMAN OF THE ADIRONDACK PARK AGENCY: FINAL REPORT. Albany, NY: The Office, 1998.

PLANNING & DEVELOPMENT REFERENCE GUIDE. Albany, NY: New York Planning Federation; Ray Brook, NY: Adirondack Park Agency, 1988.

Ryder, Sarah Louise. THE ADIRONDACK PARK AGENCY: CAPTIVE OR CAPTOR? (Dissertation) Charlottesville, VA: University of Virginia, 1986.

Smith, Daniel T. and Task Force on Expediting Adirondack Park Agency Operations and Simplifying its Procedures (N.Y.). REPORT OF THE TASK FORCE ON EXPEDITING ADIRONDACK PARK AGENCY OPERATIONS AND SIMPLIFYING ITS PROCEDURES: FINDINGS AND RECOMMENDATIONS. Ray Brook, NY: The Task Force, 1994.

Conferences

ANNUAL CONFERENCE ON THE ADIRONDACKS: PROGRAM. Raquette Lake, NY: Adirondack Research Consortium, 1996.

Champagne, Linda M. and David S. Utterback. WILDERNESS AND PEOPLE: THE FUTURE OF THE ADIRONDACK PARK (Proceedings of Visions for the Adirondack Park's Second Century, 1992: Raquette Lake, NY). Schenectady, NY: Association for the Protection of the Adirondacks, 1993.

Cobb, Thomas L. HISTORIC PRESERVATION ISSUES IN THE ADIRONDACK PARK: COLLOQUIUM PROCEEDINGS, DECEMBER 4, 1982, UNION COLLEGE, SCHENECTADY, NY. Saranac Lake, NY: North Country Community College, 1983.

Splete, Allen P. and Paul F. Jamieson. ELEVENTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 11-13, 1981. Canton, NY: St. Lawrence University, 1982.

Splete, Allen P. and Paul F. Jamieson. TENTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 26-28, 1980. Canton, NY: St. Lawrence University, 1981.

Splete, Allen P. and Paul F. Jamieson. NINTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 7-9, 1979. Canton, NY: St. Lawrence University, 1980.

Splete, Allen P. and Paul F. Jamieson. EIGHTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 8-11, 1978. Canton, NY: St. Lawrence University, 1980.

Splete, Allen P. and Paul F. Jamieson. SEVENTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 16-18, 1977. Canton, NY: St. Lawrence University, 1980.

Splete, Allen P. and Neal S. Burdick. SIXTH CONFERENCE ON THE ADIRONDACK PARK, ST. LAWRENCE UNIVERSITY, JUNE 10-12, 1976. Canton, NY: St. Lawrence University, 1980.

Splete, Allen P. and Neal S. Burdick. FIFTH CONFERENCE ON THE ADIRONDACK PARK. Canton, NY: St. Lawrence University, 1980.

Splete, Allen P. and Robert A. Clark. FOURTH CONFERENCE ON THE ADIRONDACK PARK: PROCEEDINGS. Canton, NY: St. Lawrence University, 1976.

Splete, Allen P. and Judith DeGraff. THIRD CONFERENCE ON THE ADIRONDACK PARK, JUNE 15-16, 1973 PROCEEDINGS. Canton, NY: St. Lawrence University, 1974.

Splete, Allen P. and William K. Verner. SECOND CONFERENCE ON THE ADIRONDACK PARK: PROCEEDINGS. Canton, NY: St. Lawrence University, 1973.

Economics

Andersen, David F. BALANCING ENVIRONMENTAL QUALITY AND ECONOMIC VITALITY IN THE ADIRONDACK PARK. Albany, NY: Center for Technology in Government, University at Albany, SUNY, 1995.

Bauer, Peter. And Todd Thomas, Peter Sterling. GROWTH IN THE ADIRONDACK PARK: ANALYSIS OF RATES AND PATTERNS OF DEVELOPMENT. North Creek, NY: The Committee, 2001.

Brown, Jeffrey Simon. TOP O' THE WORLD RESORT: A CASE STUDY OF DEVELOPMENT WITHIN THE ADIRONDACK PARK. 1993.

Cochran, Ronald Perry. SOCIOECONOMIC IMPACT OF CONSERVATION LEGISLATION: AN ANALYSIS OF THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN (Dissertation). Syracuse, NY: Syracuse University, 1979.

Maturi, Donna G. CURRENT THREATS TO OPEN SPACE IN THE ADIRONDACK PARK: PRIVATE FOREST LANDS AND THE REAL PROPERTY TAX. (Dissertation), 1979.

Roczen, Dean Edward. PARTICIPATION AND IMPACT OF NEW YORK STATE'S REAL PROPERTY TAX LAW SECTION 480-A IN THE ADIRONDACK PARK (Dissertation). Syracuse, NY: State University of New York. College of Environmental Science and Forestry, Syracuse, NY, 1999.

Thomas, Todd Matthew. COMMUNITY AND SUSTAINABILITY WITHIN THE ADIRONDACK PARK: A QUALITATIVE INQUIRY INTO THE TOWNS OF CLIFTON AND FINE (Dissertation). State University of New York. College of Environmental Science and Forestry, Syracuse, NY, 1999. 1999.

WORKING TOWARD SUSTAINABLE ECONOMIC DEVELOPMENT AND RESOURCE CONSERVATION IN THE ADIRONDACK PARK: ANALYSIS AND CASE STUDIES. Middlebury, VT: Middlebury College, Program in Environmental Studies, 1992.

Wissel, Peter A. and Donald J. Reeb, Roman Hedges. ADIRONDACK PARK ZONING PROPERTY VALUES AND TAX BASES, 1963-1983. Albany, NY: State Board of Equalization and Assessment, State of New York, 1988.

Wissel, Peter A. and Donald J. Reeb, Roman Hedges. NEW YORK'S ADIRONDACK PARK: A STUDY OF LAND PRICE EFFECTS FROM DEVELOPMENTAL RESTRICTIONS. Albany, NY: Nelson A. Rockefeller Institute of Government, State University of New York, 1986.

Zinser, Charles I. THE ECONOMIC IMPACT OF THE ADIRONDACK PARK PRIVATE LAND USE AND DEVELOPMENT PLAN. Albany, NY: State University of New York Press, 1980.

Zinser, Charles I. THE IMPACT OF LEISURE HOMES ON THE ECONOMY OF THE AREA WITHIN THE "BLUE LINE" OF THE ADIRONDACK PARK (Dissertation). Urbana, IL: University of Illinois at Urbana-Champaign, 1974.

General

Adirondack Council. STATE OF THE PARK: 1996. Elizabethtown, NY: The Council, 1996.

Adirondack Council. STATE OF THE PARK: ADIRONDACK PARK: CENTENNIAL EDITION, 1892-1992. Elizabethtown, NY: The Council, 1992.

THE ADIRONDACK COUNCIL: A SPECIAL REPORT: STATE OF THE PARK 1987; A REVIEW OF ACTIONS AND TRENDS AFFECTING THE ADIRONDACK PARK. Elizabethtown, NY: Adirondack Council, 1987.

Brodsky, Richard L. and New York (State)., Legislature., Assembly., Committee on Environmental Conservation. PUBLIC HEARING, ADIRONDACK ISSUES. Lake Placid, NY: Associated Reporters Int'l., 1997.

Cuomo, Mario Matthew. 1993 ADIRONDACK PROPOSAL: INFORMATION PACKET. Albany, NY: New York State Dept. of Environmental Conservation, 1993.

Flagg, Jeffrey B. THE ROAD TO WISDOM: THE EVOLUTION OF LAND ETHICAL ATTITUDES IN THE ADIRONDACK STATE PARK (Dissertation). Bowling Green State University, 1999.

Forsyth, Alfred S. and Norman J. Van Valkenburgh. THE FOREST AND THE LAW II. Schenectady, NY: The Association for the Protection of the Adirondacks, 1996.

Forsyth, Alfred S. THE FOREST AND THE LAW. New York: Sierra Club, 1970.

Glynn, Carroll J. and Joe D. Francis. COMMUNICATION AND SCIENCE POLICY DECISION MAKING: PERCEPTIONS OF ADIRONDACK COMMUNITY RESIDENTS. Albany, NY: Nelson A. Rockefeller Institute of Government, State University of New York, 1987.

Halper, Louise A. 'A RICH MAN'S PARADISE': CONSTITUTIONAL PRESERVATION OF NEW YORK STATE'S ADIRONDACK FOREST, A CENTENARY CONSIDERATION. Berkeley, CA: Boalt Hall School of Law, 1992.

Hiraoka, Rie. THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN: MIGRANTS AND TRANSFORMATION OF THE CONTROVERSIAL STRUCTURE (Dissertation). Ithaca, NY: Cornell University, 1988.

Holmes, Timothy P. THE FUTURE OF THE ADIRONDACKS: A SURVEY OF ATTITUDES, A REPORT ON THE FINDINGS OF THE RESEARCH. Saranac Lake, NY: Holmes & Associates, 1990.

Lowe, Elizabeth M. SHOULD THERE BE A FEDERAL ROLE IN MANAGEMENT OF THE ADIRONDACK PARK? (Dissertation). Ithaca, NY: Cornell University, 1980.

McMartin, Barbara. CITIZEN'S GUIDE TO THE ADIRONDACK FOREST PRESERVE. Ray Brook, NY: State of New York, Adirondack Park Agency, 1985.

Nelson, Holly and Alan J. Hahn. STATE POLICY AND LOCAL INFLUENCE IN THE ADIRONDACKS. Ithaca, NY: Cornell University, Center for Environmental Research, the Water Resources Research Institute for the State of New York, 1980.

New York (State). Dept. of Environmental Conservation. THE ADIRONDACK PARK. Albany, NY: The Department, 1977.

New York (State), Governor (1983-1994: Cuomo). GOVERNOR MARIO M. CUOMO'S PROPOSALS FOR THE ADIRONDACKS. Albany, NY: The Governor, 1991.

Ortloff, Chris and Neil Kelleherl. GOVERNOR'S PROGRAM BILL PROPOSALS FOR CHANGES TO THE ADIRONDACK PARK LAWS: A REPORT. Albany, NY: New York State Assembly, 1991.

Robertson, Hammond and Adirondack Planning Commission (N.Y.). POSITION STATEMENTS ON ADIRONDACK ISSUES. Ray Brook, NY: The Commission, 1991.

Sheehan, John F. MANAGING GROWTH AND DEVELOPMENT IN UNIQUE, NATURAL SETTINGS. Elizabethan, NY: Adirondack Council, 1990-1992.

Thompson, Roger C. THE DOCTRINE OF WILDERNESS: A STUDY OF THE POLICY AND POLITICS OF THE ADIRONDACK PRESERVE-PARK (Dissertation). Syracuse, NY: State University College of Forestry at Syracuse University, 1962.

Wirth, Conrad Louis, and Ben H. Thompson, Roger C. Thompson. A REPORT ON A PROPOSED ADIRONDACK MOUNTAINS NATIONAL PARK. New York: 1967.

Historical Documents

THE ADIRONDACK PARK: A SKETCH OF THE ORIGIN, THE ROMANTIC CHARMS AND THE PRACTICAL USES OF THE ADIRONDACK PARK, AND SOME REASONS FOR THE ACQUISITION OF LAND AND REFORESTATION BY THE STATE OF NEW YORK. New York: Association for the Protection of the Adirondacks, 1903.

Association for the Protection of the Adirondacks. THE FUTURE OF THE FOREST PRESERVE: REPORT OF THE PRESIDENT OF THE ASSOCIATION FOR THE PROTECTION OF THE ADIRONDACKS, PRESENTED AT THE ANNUAL MEETING, APRIL 12, 1932. New York: Association for the Preservation of the Adirondacks, 1932.

Association for the Protection of the Adirondacks. A LETTER TO THE MEMBERS OF THE LEGISLATURE OF THE STATE OF NEW YORK FOR 1907, CONCERNING THE PROPOSED AMENDMENT TO SECTION 7 OF ARTICLE VII OF THE CONSTITUTION RELATING TO THE FOREST PRESERVE. New York: The Association, 1907.

Association for the Protection of the Adirondacks. A PLEA FOR THE ADIRONDACK AND CATSKILL PARKS: AN ARGUMENT FOR THE RESUMPTION, BY THE STATE OF NEW YORK, OF THE POLICY OF ACQUIRING LANDS FOR THE PUBLIC BENEFIT WITHIN THE LIMITS OF THE FOREST PRESERVE. New York: The Association, 1903.

New York (State), Forest Commission. SPECIAL REPORT OF THE NEW YORK FOREST COMMISSION ON THE ESTABLISHMENT OF AN ADIRONDACK STATE PARK. Albany, NY: Brandow Print. Co., 1891.

Wagstaff, Thomas H. and New York (State), Legislature, Assembly, Special Committee Appointed to Conduct an Investigation as to What Lands Should be Acquired Within the Forest Preserve, in Order to Protect the Watershed. REPORT OF THE SPECIAL COMMITTEE OF THE ASSEMBLY APPOINTED TO CONDUCT AN INVESTIGATION AS TO WHAT LANDS SHOULD BE ACQUIRED WITHIN THE FOREST PRESERVE, IN ORDER TO PROTECT THE WATERSHED. Albany, NY: Wynkoop Hallenbeck Crawford, 1897.

History

Barnes, Robert B. THE FOREST PRESERVE AND ADIRONDACK PARK: A LEGAL HISTORY. Ithaca, NY, 1972.

D'Elia, Anthony N. THE ADIRONDACK REBELLION. Onchiota, NY: Onchiota Books, 1979.

Graham, Frank. THE ADIRONDACK PARK: A POLITICAL HISTORY. New York: Knopf, 1978.

McMartin, Barbara. PERSPECTIVES ON THE ADIRONDACKS: A THIRTY-YEAR STRUGGLE BY PEOPLE. Syracuse, NY: Syracuse University Press, 2002

Sand, David Franklin. THE PRESERVATIONIST ETHIC AND THE ORIGINS OF THE ADIRONDACK PARK: 1837-1895 (Dissertation). Princeton, NJ: Dept. of History, Princeton University, 1979.

Schneider, Paul. THE ADIRONDACKS: A HISTORY OF AMERICA'S FIRST WILDERNESS. New York: H. Holt and Co., 1997.

Terrie, Philip G. ONE GRAND UNBROKEN DOMAIN: AMBIGUITIES AND LESSONS IN THE ORIGINS OF THE ADIRONDACK PARK. Schenectady, NY: Association for the Protection of the Adirondacks, 1988.

Land Use

Adirondack Park Agency (N.Y.). ADIRONDACK PARK STATE LAND MASTER PLAN. Ray Brook, NY: The Agency, 1979.

Booth, Richard S. DEVELOPING INSTITUTIONS FOR REGIONAL LAND USE PLANNING AND CONTROL: THE ADIRONDACK EXPERIENCE. Ithaca, NY: Dept. of City and Regional Planning in conjunction with the Program in Urban and Regional Studies, Cornell University, 1980.

Heiman, Michael Kenneth. AN EVALUATION OF STATE LAND USE PLANNING AND DEVELOPMENT CONTROL IN THE ADIRONDACKS: RESEARCH PROJECT TECHNICAL COMPLETION REPORT SUBMITTED TO OFFICE OF WATER RESEARCH AND TECHNOLOGY, U.S. DEPARTMENT OF THE INTERIOR. Ithaca, NY: Cornell University Water Resources and Marine Sciences Center, 1974.

Emery, Daniel W. THE ADIRONDACK PARK AGENCY: A STUDY OF STATE LAND USE PLANNING (Dissertation). Syracuse, NY: State University of New York. College of Environmental Science and Forestry, Syracuse, 1978.

Clapp, David L. CONTROVERSY AND CONFLICT IN THE ADIRONDACKS: A CASE-STUDY OF THE ADIRONDACK PARK PRIVATE LAND USE AND DEVELOPMENT PLAN (Dissertation). Sage Colleges, 1980.

Kenney, Susan M. THE ADIRONDACK PARK PRIVATE LAND USE AND DEVELOPMENT PLAN: HAS THERE BEEN A TAKING? (Dissertation). Ithaca, NY: Cornell University, Aug., 1985.

Adirondack Park Agency (N.Y.). ADMINISTRATION OF LOCAL LAND USE CONTROLS IN THE ADIRONDACK PARK. Ray Brook, NY: Adirondack Park Agency, 1983.

Silverman, Michael Robert. THE IMPACT OF COMPETING PRESSURE GROUPS ON THE PASSAGE OF THE NEW YORK STATE ADIRONDACK PARK LAND USE BILL OF 1973 (Dissertation). New York: New York University 1979.

Adirondack Park Agency (N.Y.). LAND USE AND DEVELOPMENT PLAN FOR PRIVATE LANDS OF ADIRONDACK PARK, SUMMARY OF SOME MAJOR CONSIDERATIONS. Ray Brook, NY: The Agency, 1973.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK AGENCY ADMINISTRATION AND ENFORCEMENT OF THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN. Ray Brook, NY: The Agency, 1973.

Davis, G. Gordon and Richard A. Liroff. CONFLICT IN THE NORTH COUNTRY: A STUDY OF THE IMPLEMENTATION OF REGIONAL LAND USE CONTROLS BY THE ADIRONDACK PARK AGENCY. Washington, DC: Environmental Law Institute, 1979.

Liroff, Richard A. and G. Gordon Davis, F. Frank Lyman. PROTECTING OPEN SPACE: LAND USE CONTROL IN THE ADIRONDACK PARK. Cambridge, MA: Ballinger Pub. Co., 1981.

Adirondack Park Agency (N.Y.). MODEL LOCAL LAND USE CONTROLS FOR USE BY TOWNS AND VILLAGES WITHIN THE ADIRONDACK PARK. Ray Brook, NY: Adirondack Park Agency, 1974.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK STATE LAND MASTER PLAN. Ray Brook, NY: The Agency, 1989.

Adirondack Park Agency (N.Y.). A CITIZEN'S GUIDE TO ADIRONDACK PARK AGENCY LAND USE REGULATIONS. Ray Brook, NY: The Agency, 1980.

Adirondack Park Agency (N.Y.). LOCAL PLANNING AND LAND USE CONTROLS IN THE ADIRONDACK PARK: A HANDBOOK FOR LOCAL GOVERNMENTS, WORKING DRAFT. Ray Brook, NY: The Agency, 1975.

Adirondack Park Agency (N.Y.). CITIZEN'S GUIDE TO ADIRONDACK PARK AGENCY LAND USE REGULATIONS. Ray Brook, NY: The Agency, 2001.

Adirondack Park Agency (N.Y.). STATE OF NEW YORK ADIRONDACK PARK STATE LAND MASTER PLAN: APPROVED NOVEMBER 1987, UPDATED 2001. Ray Brook, NY: The Agency, 2001.

Morton, Nancy L. ENVIRONMENTAL CONSIDERATIONS FOR DEVELOPMENT IN THE ADIRONDACK PARK (Dissertation). Amherst, MA: Amherst College, 1975.

Knott, Cataherine Henshaw. VIEWS OF THE FOREST: LOCAL PEOPLE AND INDIGENOUS KNOWLEDGE IN THE ADIRONDACK PARKS LAND USE CONFLICT (Dissertation). Ithaca, NY: Cornell Univ., 1995.

Adirondack Park Agency (N.Y.). STATE OF NEW YORK ADIRONDACK PARK STATE LAND MASTER PLAN: APPROVED NOVEMBER 1987. Ray Brook, NY: The Agency, 1989.

Adirondack Park Agency. ADMINISTRATION OF LOCAL LAND USE CONTROLS IN THE ADIRONDACK PARK. Ray Brook, NY: The Agency, 1983.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN: QUESTIONS & ANSWERS. Ray Brook, NY: The Agency, 1973.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN AND RECOMMENDATIONS FOR IMPLEMENTATION. Ray Brook, NY: The Agency, 1973.

Adirondack Park Agency (N.Y.) PRELIMINARY PRIVATE LAND USE AND DEVELOPMENT PLAN FOR THE ADIRONDACK PARK. Ray Brook, NY: The Agency, 1972.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK: STATE LAND MASTER PLAN. Ray Brook, NY: The Agency, 1979.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK: STATE LAND MASTER PLAN. Ray Brook NY: The Agency, 1972.

Adirondack Park Agency (N.Y.). ADIRONDACK PARK STATE LAND MASTER PLAN. Ray Brook, NY: The Agency, 1985.

Planning

Adirondack Park Agency (N.Y.). DEVELOPMENT IN THE ADIRONDACK PARK: OBJECTIVES AND GUIDELINES FOR PLANNING AND REVIEW. Ray Brook, NY: Adirondack Park Agency, 1977.

Fitts, Daniel T. A LEGISLATIVE VIEW OF THE PLANNING PROCESS (Dissertation). Syracuse, NY: State University of New York. College of Environmental Science and Forestry, Syracuse, New York, 1981.

Berle, Peter A. A. and New York (State), Commission on the Adirondacks in the Twenty-First Century. THE ADIRONDACK PARK IN THE TWENTY-FIRST CENTURY: TECHNICAL REPORTS. Albany, NY: State of New York, 1990.

Berle, Peter A. A. and New York (State)., Commission on the Adirondacks in the Twenty-First Century. THE ADIRONDACK PARK IN THE TWENTY-FIRST CENTURY: SUMMARY. Albany, NY: The Commission, 1990.

Berle, Peter A. A. ADIRONDACK PARK UPDATE: A REPORT FROM THE COMMISSION ON THE ADIRONDACKS IN THE TWENTY-FIRST CENTURY. Albany, NY: The Commission, 1989.

New York (State). Temporary Commission of the Future of the Adirondacks. FINAL DRAFT OF THE FUTURE OF THE ADIRONDACK PARK. Albany, NY: The Commission, 1970.

De Rege, Carlo A. PLANNING FOR THE ADIRONDACK PARK: ISSUES AND CONFLICTS (Dissertation). New York: New York University, 1972.

Sheehan, John F.; Davis, George D. 2020 VISION: A SUMMARY OF THE THREE-VOLUME SERIES. Elizabethtown, NY: Adirondack Council, 1992.

Colchamiro, David. TRANSPORTATION IN THE ADIRONDACKS: AN INVESTIGATION OF TRANSPORTATION NEEDS AND ISSUES IN THE ADIRONDACK PARK: A REPORT TO THE STATE OF NEW YORK COMMISSION ON THE ADIRONDACKS IN THE TWENTY FIRST CENTURY. Albany, NY: New York State Dept. of Transportation, 1989.

Castner, Mary S. LOCAL PARTICIPATION IN REGIONAL PLANNING: THE ADIRONDACK STORY (Dissertation). Ithaca, NY: Cornell University, 1996.

Hall, A. G. POSITION STATEMENT ON THE REPORT OF THE TEMPORARY STUDY COMMISSION ON THE FUTURE OF THE ADIRONDACKS. 1970.

Adirondack Park Agency (N.Y.). ADIRONDACK GOALS PROGRAM FINAL REPORT ON THE COMMUNITY WORKSHOPS: A SUMMARY OF PUBLIC COMMENT AND DISCUSSION. Ray Brook, NY: The Agency, 1985.

Hochschild, Harold K., and New York (State). Temporary Study Commission on the Future of the Adirondacks. TRANSPORTATION AND THE ECONOMY. Albany, NY: The Commission, 1970.

Hochschild, Harold K., and New York (State). TEMPORARY STUDY COMMISSION ON THE FUTURE OF THE ADIRONDACKS. FORESTS, MINERALS, WATER AND AIR. Albany, NY: The Commission, 1970.

Hochschild, Harold K., and New York (State). Temporary Study Commission on the Future of the Adirondacks. FINANCIAL IMPLEMENTATION. Albany, NY: The Commission, 1970.

Hochschild, Harold K., and New York (State). Temporary Study Commission on the Future of the Adirondacks. WILDLIFE. Albany, NY: The Commission, 1970.

Hochschild, Harold K. and New York (State). Temporary Study Commission on the Future of the Adirondacks. PRIVATE AND PUBLIC LAND. Albany, NY: The Commission, 1970.

New York (State), Legislature, Legislative Commission on Expenditure Review. ADIRONDACK PARK PLANNING AND REGULATION. Albany, NY: The Legislature, State of New York, Legislative Commission on Expenditure Review, 1978.

New York (State), Temporary Study Commission on the Future of the Adirondacks. THE FUTURE OF THE ADIRONDACK PARK. Albany, NY: Temporary Study Commission on the Future of the Adirondacks, 1970.

New York (State), Dept. of Environmental Conservation. SUMMARY OF THE DRAFT HIGH PEAKS WILDERNESS COMPLEX UNIT MANAGEMENT PLAN AND DRAFT ENVIRONMENTAL IMPACT STATEMENT: WILDERNESS MANAGEMENT FOR THE HIGH PEAKS OF THE ADIRONDACK PARK. Albany, NY: The Dept., 1995-09.

Division of Lands and Forests and Division of Fish and Wildlife Position Statement on the Report of the Temporary Study Commission on the Future of the Adirondacks. Albany, NY: The Division, 1970.

Adirondack Park Agency (N.Y.). ADIRONDACK GOALS PROGRAM: FINAL REPORT ON THE COMMUNITY WORKSHOPS: A SUMMARY OF PUBLIC COMMENT AND DISCUSSION. Ray Brook, NY: The Agency, 1985.

Adirondack Park Agency (N.Y.). DEVELOPMENT IN THE ADIRONDACK PARK: OBJECTIVES AND GUIDELINES FOR PLANNING AND REVIEW. Ray Brook, NY: The Agency, 1977.

Champagne, Linda M.; Utterback, David S. WILDERNESS AND PEOPLE: THE FUTURE OF THE ADIRONDACK PARK. Schenectady, NY: Association for the Protection of the Adirondacks, 1993.

New York (State), Legislature., LEGISLATIVE COMMISSION ON EXPENDITURE REVIEW. ADIRONDACK PARK PLANNING AND REGULATION: PROGRAM AUDIT 4.1.78. Albany, NY: The
Commission, 1978.

New York (State)., Dept. of Environmental Conservation. HIGH PEAKS WILDERNESS COMPLEX UNIT MANAGEMENT PLAN: WILDERNESS MANAGEMENT FOR THE HIGH PEAKS OF THE ADIRONDACK PARK. Albany, NY: New York State Dept. of Environmental Conservation, 1999.

Davis, George D. and Barbara McMartin. 2020 VISION: FULFILLING THE PROMISE OF THE ADIRONDACK PARK. Elizabethtown, NY: Adirondack Council, 1988.

Recreation

New York (State)., Dept. of Environmental Conservation. DRAFT COMPREHENSIVE SNOWMOBILE PLAN FOR THE ADIRONDACK PARK: DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT. Albany, NY: The Dept., 2003.

Adirondack Park Agency (N.Y.). REPORT OF THE ADIRONDACK PARK AGENCY TO THE NEW YORK STATE LEGISLATURE REGARDING THE INCLUSION OF ADDITIONAL RIVERS IN THE WILD, SCENIC AND RECREATIONAL RIVERS SYSTEM. Ray Brook, NY: The Agency, 1979.

Karasin, Leslie N. ALL-TERRAIN VEHICLES IN THE ADIRONDACKS: ISSUES AND OPTIONS. Bronx, NY: Wildlife Conservation Society, 2003.

Resources

Adirondack Park Agency (N.Y.). CLASSIFICATION OF LAND: WILD FOREST SIZE (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.). CLASSIFICATION OF LAND: HAMLET SIZE (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.) CLASSIFICATION OF LAND: TOWN STATE LANDS (by County): (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.). CLASSIFICATION OF LAND: STATE/PRIVATE/WATER (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.). CLASSIFICATION OF LAND: WATER SIZE (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.). Classification of Land: Resource Management Size (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Adirondack Park Agency (N.Y.) CLASSIFICATION OF LAND: TOWN PRIVATE LANDS (by County): (Land Classification Database). Ray Brook, NY: The Agency, 1984.

Joint Government-Industry Steering Committee on Intensive Timber Harvesting in the Adirondack Park. CLEARCUTTING IN THE ADIRONDACK PARK: REPORT OF THE JOINT GOVERNMENT-INDUSTRY STEERING COMMITTEE ON INTENSIVE TIMBER HARVESTING IN THE ADIRONDACK PARK, TO THE ADIRONDACK PARK AGENCY, MAY, 1981. Albany, NY: The Committee, 1981.

Adirondack Park Agency (N.Y.). REVISION OF THE ADIRONDACK PARK AGENCY'S RULES AND REGULATIONS IN REGARD TO TIMBER HARVESTING THAT INCLUDES CLEARCUTTING. Ray Brook, NY: The Agency, 1982.

Bedor, Melissa C. WETLAND REGULATION IN THE ADIRONDACK PARK (Dissertation). Syracuse, NY: State University of New York. College of Environmental Science and Forestry, Syracuse, March,1981.

New York (State). Dept. of Transportation. REMSEN-LAKE PLACID TRAVEL CORRIDOR FINAL MANAGEMENT PLAN/ENVIRONMENTAL IMPACT STATEMENT. Albany, NY: The Depts., 1996.

Morton, Nancy L. ENVIRONMENTAL CONSIDERATIONS FOR DEVELOPMENT IN THE ADIRONDACK PARK (Dissertation). Amherst, MA: Amherst College, 1975.

Verner, William K. and Adirondack Park Agency (N.Y.), Citizens' Advisory Task Force on Open Space. REPORT OF THE CITIZENS' ADVISORY TASK FORCE ON OPEN SPACE TO THE ADIRONDACK PARK AGENCY. Lake Placid, NY: The Task Force, 1980.

Bogucki, D. J.; Gruendling, Gerhard K. WETLANDS INTERPRETATION AND MAPPING PROJECT FOR THE ADIRONDACK PARK: FINAL REPORT. Ray Brook, NY: Adirondack Park Agency, 1982.

Web Sites

Adirondack Council
http://www.adirondackcouncil.org/index.html
Adirondack Park Agency
http://www.apa.state.ny.us/
Adirondack Park Agency Act
http://www.apa.state.ny.us/Documents/Laws_Regs/APAACT.PDF
Adirondack Park Agency Rules & Regulations
http://www.apa.state.ny.us/Documents/Laws_Regs/RulesRegs200510_2.pdf
New York Department of Environmental Conservation
http://www.dec.state.ny.us/
New York Department of Environmental Conservation Administrative Decisions regarding The Adirondack Park Agency
http://www.dec.state.ny.us/website/ohms/decis/indexapa.htm
New York State Legislature – Laws of New York
http://public.leginfo.state.ny.us/menugetf.cgi
New York State Register
http://www.dos.state.ny.us/info/register.htm

© 2007, Jack McNeill, Pace Law Library