

THE FOREST PRESERVE IS NOT FOR CARVING

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The 75th anniversary of New York State's Forest Preserve, 2,485,170 acres in the Adirondacks and Catskills being kept forever wild, was celebrated in June with a banquet at Saranac Lake. However, it developed it was the Preserve that was on the platter and the oratory was directed towards the better means of carving.

"Speaker after speaker," the Adirondack Enterprise reported, "spoke of the need for broader use of the Preserve." This "fresh look at the situation" was made palatable with that old seasoning, "multiple use." Assemblyman Leo A. Lawrence, chairman of the Joint Legislative Committee on Revision of the Conservation Law, declared "The Forest Preserve must be put to intelligent multiple use."

Former state Conservation Commissioner Perry B. Duryea sharpened the utensils with a rezoning plan that would leave part of the Preserve wild, utilize a part for recreation, and set aside another "where forestry can be practiced." The rezoning concept was supported in general by Mr. Duryea's predecessor in office, Lithgow Osborne. However, a few days later Mr. Osborne issued a qualifying statement describing Mr. Duryea's plan as "too far reaching and above all pre-mature" and called for two safeguards: 1. that a survey be made to determine the most desirable uses for the Preserve lands; 2. that land be acquired for the Preserve to more than compensate for the land diverted to other purposes.

Then there are those who would oppose the plan totally — who, according to the editorial in the Adirondack Enterprise supporting the proposal, "would again try to block what many consider to be essential progress." It is interesting to note that those who fought — and successfully so — in 1894 for constitutional protection of the Preserve lands were called "The Forest Bigots." They were motivated by the "loopholing" engaged in by the state's attorneys who were having titles under the Act of 1885 (establishing the Preserve and which was the basis for this year's "commemoration") questioned and eventually turned over to private indulgence to the toll of 100,000 acres.

When one thinks of all the attacks and encroachments to which the Preserve has been subjected, and the fact that it remains — singed, but standing — one is led to consider this a miracle. It is probably true, however, to say that it reflects the enduring need for some refuge untouched in the "hurlyburly" of society — "a cool refuge for man from the heat of the paved and bricked-up cities, and the home of the wild species of which they are the habitat," declared The Association for the Protection of the Adirondacks in 1903.

Probably the fate of few conservationist trusts — if any — has been given to the responsibility of the voters as many times as the Forest Preserve. One would have thought this would have led to early oblivion. It must be said that the voting record is not consistent. In 1913 the elec-

torate approved a constitutional amendment allowing use of up to three percent of the Preserve for municipal water supply, canals and stream regulation. But ten years later they overwhelmingly refused permission to power companies for construction of transmission lines within the three percent limitation. Then in 1953 the voters, through approval of the Ostrander amendment, reserved to themselves final consideration of any proposed reservoir or related project in the Preserve. Two years later they repudiated the proposed Panther Mountain Dam which would have been operated commercially by private interests.

The public has approved roads — as early as 1918. This was a road from Saranac Lake to Old Forge. In 1927 the people allowed construction of a road to the top of Whiteface Mountain, now used for skiing. Approval was given in 1933 for a roadway from Indian Lake to Speculator. Of course, there is the Northway for which permission was granted in 1959. However, since construction on this federal highway from Albany to Canada had not started as of earlier this year, and the state was under no legal obligation to allow it, groups such as the Citizens' Northway Committee were working to eventually have the alternate Champlain Valley route utilized.

However, the voters' approval had made proponents of multiple use of the Forest Preserve heady. This was evident in the Adirondack Enterprise editorial, which one can assume to be the feeling of a good many influential individuals since the editor and publisher, Roger W. Tubby, was formerly press secretary to President Truman. The editorial, initialed "R. W. T.", inveighing against a Forest Preserve policy "fixed and firm and untouchable" said "the days of abject quaking in Albany and elsewhere when the extreme conservationists intone are over . . . we must confess we are not as deeply concerned as we were on the Northway fight. After all that fight was won."

Part of the Saranac Lake gathering (which was also attended by Governor Nelson Rockefeller, Conservation Commissioner Harold G. Wilm and several legislators) was devoted to discussion of activities to commemorate the anniversary. Mr. Tubby suggested a speakers' bureau "to get the story of the Forest Preserve before service clubs and other groups around the state." Ronald Peterson, Deputy Commerce Commissioner, pledged his department's aid in arranging free radio and television time. Dr. Albert Corey, State Historian, recommended programs for school children and suggested library and college exhibits. Thomas Carroll, in charge of public relations for the commemorative program, said the Conservation Department was contemplating a traveling display. Certainly a large battery of official communications was available and judging from the tenor of the evening's speeches, one could wonder about the content of the material —or indeed, how long such educational efforts could be extended if needed.

Th rezoning proposals, requiring constitutional amendment, would have to be passed by two consecutively elected legislatures. Conceivably a bill could be introduced this January, again in 1963 and presented to the voters in the fall of that year.

In any case, at least two items immediately pertaining to the Preserve,

are pretty definitely on the schedule for the 1961 session. One involves the recodification passed last year of the Water Resources Act. This act includes authorization for flooding Forest Preserve lands for stream regulation and conflicts with the Ostrander amendment giving the voters the right to pass on such proposed projects. The conflict had been brought to the attention of the late Speaker Oswald D. Heck as far back as 1956. An aid had given assurances that the conflict would be resolved. But the recodification has continued it without change. Assemblyman Lawrence has been urged to introduce legislation correcting this situation.

Up for its second legislative approval before going to the electorate in the fall of 1961 will be the Brady-Bush bill providing for the leasing of Preserve land on Hunter Mountain for ski slopes. This only compounds the precedent established with the ski facilities at Whiteface Mountain. These are state operated. But the Hunter Mountain operation would be for private gain.

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