

Warren County Board of Supervisors

RESOLUTION NO. 391 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, LEGGETT, BRAYMER, WILD, MCDEVITT, DIAMOND, DICKINSON, GERAGHTY, MAGOWAN, SOKOL AND DRISCOLL

AUTHORIZING APPRECIATION AND SUPPORT OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE NEW YORK STATE ATTORNEY GENERAL'S OFFICE FOR APPEALING THE JULY 3, 2019, NEW YORK STATE APPELLATE DIVISION THIRD DEPARTMENT'S DECISION REGARDING TREE CUTTING WITHIN "FOREVER WILD" FOREST LAND INSIDE THE ADIRONDACK PARK AND ENCOURAGING THE NYS DEC TO PLACE A HOLD ON TREE CUTTING ON PUBLIC LANDS IN THE ADIRONDACK PARK UNTIL SUCH TIME THAT THE COURTS HAVE DEFINED WHAT THE REQUIREMENTS WILL BE

WHEREAS, by a decision dated July 3, 2019, the New York State Supreme Court, Appellate Division, Third Department has determined that the cutting of any size diameter trees in the Adirondacks is unconstitutional and in violation of the "Forever Wild" section of the New York State Constitution, and

WHEREAS, this Board has learned that the New York State Department of Environmental Conservation and the Attorney General's Office intends to appeal the decision to the New York State Court of Appeals for a more definite ruling and determination on the issues, and

WHEREAS, this Board is completely in support of the ability to cut certain trees within the Adirondack Park and supports the NYS DEC and the New York State Attorney General's Office in their appeal in order to delineate and designate exactly the height and diameter of tree, type of tree or location of various trees that may be cut within the forest preserve without violating the "Forever Wild" designation of the New York State Constitution, and

WHEREAS, this Board further supports a halting by the NYS DEC of the cutting on public lands until such case has been further resolved, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors appreciates and supports the New York State Department of Environmental Conservation and the New York State Attorney General's Office for appealing the July 3, 2019, New York State Appellate Division, Third Department's decision regarding tree

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cutting within “Forever Wild” forest land inside the Adirondack Park and encouraging the NYS DEC to place a hold on tree cutting on public lands in the Adirondack Park until such time that the courts have defined what the requirements will be, and be it further

RESOLVED, that a copy of this resolution be forwarded to: Governor Andrew Cuomo, Senator Elizabeth O’C. Little, Assemblyman Dan Stec, and New York State Department of Environmental Conservation.