What Should Guide APA Nominations?

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The view from Owl’s Head in Keene highlights the open space character of the Adirondack Park. Photo by Dave Gibson

Recently someone asked me about how I was following through on Adirondack Wild’s 2015 report Adirondack Park at a Crossroad: A Road Map for Action. When I launched into some of the report’s recommendations for legislative and policy changes, they focused on that portion of the report dealing with appointments to the Adirondack Park Agency.

They felt the quality of those gubernatorial nominations and the decisions made each month at the APA have a persistent impact on the Adirondack Park and deserved priority over other issues. I agree.

Shining a spotlight on any gubernatorial appointment can be the kiss of death. Consider how badly Minerva boat-builder Peter Hornbeck was treated after being nominated to the APA in 2010. State Senator Betty Little deemed him guilty by association with the Residents Committee to Protect the Adirondacks and Protect the Adirondacks. His nomination dangled for weeks. The Senate Finance Committee on which Senator Little served refused to vote for his confirmation, and then-Governor David Paterson did not exercise political
leverage. Simply put, Senator Little wanted Hornbeck off the APA more than the Governor wanted him on.

Hornbeck could have been really good. The point he publicly made while his nomination twisted in the wind was that he wanted to give back and serve the beautiful territory that he lived in, worked in, recreated in, and which supported his business and employees. His board presence on Protect the Adirondacks should have been an additional APA qualifier. He had a proven ability to sit on a board, conduct informed debate, vote his conscience, and not always end-up on the winning side.

All APA members are talented, successful people doing difficult work requiring long hours, of reading and preparation. Many otherwise excellent candidates might not want the additional workload, the year-round Adirondack travel, or the spotlight and vetting that takes place even before a nomination.

Still, candidates who would be willing to serve the Park and survive the vetting process, should – at minimum – strongly believe in the APA’s mission. *Adirondack Park at a Crossroad* quotes historian Frank Graham’s 1978 book *The Adirondack Park: A Political History*:

“If either the agency’s members or the staff undergoes a rapid turnover and becomes susceptible to political and social pressures, the framework of the land use plan will be nibbled away. Decisions will inevitably be based on expediency rather than on the long-range needs of the land. In the future, a governor of a certain political persuasion could, by exercising the executive right of appointment, change the public-spirited nature of the Adirondack Park Agency to the park’s detriment.”

Unfortunately, expediency rules the day, and “Contrary to its legislative charter,” as the *Adirondack Park at a Crossroad* report states, “the lead agency for planning, protection and administration of the Park, has become a politically reactive and compliant permitting agency and not the proactive guardian of Park resources that it was intended to be, and actually was in prior years.”

What qualifications should guide nominations of APA members? The report does not advocate a litmus test. Any person of any background and vocation has in the past, and should have in the future, the ability to contribute to the legislated purposes of the APA. The report cites these basic characteristics:

- a grounding in the legislative purposes of the APA Act and other laws protective of the Park;
- a passion to use those legislative tools for their intended purposes;
- an awareness that he or she is representing all the citizens of New York concerned about the Park’s status and future;
- a critical, independent mind;
• a willingness to raise, articulate and debate key policy matters;
• the courage of convictions during difficult votes.

Nominees can too easily be misjudged. In 1984, the Adirondack Council urged phone calls to the State Senate to reject Governor Mario Cuomo’s nominee as APA Chair, Herman F. (Woody) Cole. As I recall, the Adirondack Council felt his work with the Olympic Regional Development Authority would prejudice his ability to protect the Park’s open space. Over the next eight years I had many reasons to observe, admire and be grateful for Woody Cole’s remarkable service and qualities. I didn’t always agree with his votes, but Woody certainly possessed the above characteristics. So do many others around the APA table, past and present.

And so, the Adirondack Council turned out to be wrong in 1984, just as I believe that Senator Little would have been proved wrong in the case of Peter Hornbeck. Guilt by association was the culprit in both cases.

There are eight citizen members on the APA and three state agency designees, one each from DEC, the NYS Dept. of State and NYS Economic Development. Five of the eight citizen members must reside within the boundaries of the Adirondack Park, and three must live outside the Park, symbolic of the statewide interest in the Park. No two in-Park members can reside in the same county, and no more than five of the eight can be of the same political party. Agency members serve four-year terms. If their terms expire, they can serve until renominated or replaced. Currently, there is one open seat at the APA and at least one member serving after an expired term. Come June 30th other terms will expire, including that of the chair.

So what can I do with respect to APA nominations in 2016? Perhaps the best I (and others) can do is speak out, articulate the urgency of strengthening the environmental backbone of the APA, talk up the importance of the legislated mission, espouse characteristics outlined above, and not fall prey to guilt by association.