

VOTE YES ON PROPOSITION 4

On November 5, 2013

Fact Sheet



Raquette Lake

This amendment to Article 14 will appear as Proposition 4 on the November 5, 2013 ballot. It finally settles 150 year-old land disputes between the state and private parties along the shoreline of Raquette Lake, the 5th largest lake in the Adirondack Park.

Over 200 parcels of land have unsettled land titles because in the late 19th century they reverted to the state for unpaid taxes when, in fact, many of those taxes were actually paid. Poor record-keeping added to the problems. The state's highest court later ruled many of the tax sales invalid, yet the state and private parties have spent decades in court attempting to resolve ownership of specific parcels. The state has won some of the cases, but lost many others.

Seven years of arduous negotiation among the shoreline owners, environmental groups, the NYS Dept of Environmental Conservation, the Attorney General's staff, Assemblywoman Theresa Sayward and Senator Betty Little have led us to this point. Now, two separately-elected state legislatures have approved an amendment to Article 14 and implementing legislation which calls for:

1. a clear, time-limited process by which private parties may gain title to their shoreline properties, and by which the state would relinquish all claims;
2. in order to obtain clear title, private parties would contribute to a fund based on the proportionate taxable assessed value of their shoreline, a fund which would partially pay for land to be acquired for the forest preserve nearby and for all administrative costs;
3. The parcel to be acquired for the state through this funding mechanism is likely to be a 200+ acre parcel along the historic Marion River Carry between Raquette Lake and the Eckford Chain of Lakes leading to Blue Mountain Lake. This is an important new acquisition for the forest preserve;
4. Private parties along the shoreline may reduce their monetary contribution to the fund by donating a portion of their shoreline as a conservation easement to the Town of Long Lake, or as forest

preserve to the State of New York. Conservation-minded people will thus have an incentive to better protect the shores of Raquette Lake than they have today, lacking certainty about their ownership.

5. Private parties can opt out of the process and attempt to win clear title in the courts, but that process, as history has clearly shown, is uncertain in the extreme.

This amendment to Article 14 meets key tests for:

1. site specificity;
2. limited scope;
3. clear public benefits and purposes, both locally and statewide.

It is also fair to all parties. Through such an amendment the State will be gaining lands that provide a net benefit to the forest preserve. The Department of Environmental Conservation will identify the lands to be come into the Forest Preserve in exchange, and that such exchange lands would be conveyed directly from the owner to New York State.

Landowners along Raquette Lake stand to gain clear title to their properties, and all the benefits such status confers on them, succeeding generations, the Town of Long Lake and Hamilton County. Some of those who would benefit from clear title achieved through this legislation are very interested in conserving their shoreline properties through good private land stewardship, conveyance of a conservation easement or fee title to the State. Through this proposal there stands a good chance that over time there will be enhanced shoreline protection gained along this magnificent lake, thus promising enhanced wild character along the shore and improved water quality.

Thus, there are clear public purposes and benefits to be gained by this amendment to Article 14, Section 1. Adirondack Wild: Friends of the Forest Preserve encourages a YES vote on Proposition 4.

