

Committee on Resources

Witness Testimony

Testimony of
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Submitted to
The Committee on Resources
United States House of Representatives
May 5, 1997

Mr. Chairman,

Thank you for the privilege of testifying today. I am Carol LaGrasse, the president of the Property Rights Foundation of America, Inc., a Stony Creek, New York-based organization dedicated to the defense and enhancement of private property rights as guaranteed in the United States Constitution. I am also a retired Stony Creek town councilman and a retired civil engineer, having spent some years in the environmental field. Stony Creek, where I reside, is located in the Adirondack Mountains within the UNESCO Champlain-Adirondack Biosphere Reserve.

It was precisely in the middle of my nine-year term of office on the Stony Creek Town Board when the UN designation took place in 1989. Neither the town board nor anyone else I know, either officials or private citizens, had heard about the designation.

People got riled up against the Biosphere Reserve designation when it was announced, unwittingly, I believe, in fine print, in a 1990 set of recommendations to bring about extremely onerous regulations over the three million acres of private land in the six million Adirondack acre region. The Commission on the Adirondacks in Twenty-First Century, chaired by Peter A. A. Berle, then president of the National Audubon Society, and directed by George Davis, a New York environmental planner who cut his teeth on the original study that precipitated the Adirondack Park Agency law in 1973 and since has practiced preservation planning internationally, recommended 2,000 acre per house zoning, the isolation and separation of each state bureaucracy from welfare to police in a separate Adirondack division, the screening or removal of houses that were visible from highways, the combining of the two strictest zones comprising 87% of the private land into one new zone called "backcountry," the government acquisition of another two-thirds million acres of land and many other schemes to increase the power of the Adirondack Park Agency (APA) that would have foreclosed the future of the region. The final three of 245 recommendations were for a "Transition Zone."

The final recommendation stated:

"The Park transition zone boundary should coincide with town boundaries and include the entire New York State portion of the Champlain-Adirondack Biosphere Reserve, the Adirondack Boundary Rivers Tourway, and land bridges for wildlife movement between the Park and the Tug Hill region, Vermont and Canada."

The Commission also foolishly circulated a land acquisition map, which furnished ammunition for protests. The map showed the precise proposed "transition zone," which generally followed the Biosphere Reserve boundaries, which were apparently schematically, rather than strictly, defined.

Neither the transition zone nor the Biosphere Reserve designation were popular. The commission report was bad enough - for two years people protested angrily - including two slow motorcades blocking I-87 between Albany and Montreal. People in the two nearby cities of Plattsburgh and Glens Falls who heard of the "transition zone" didn't like being included in anything related to the Adirondack Park.

The plan to add more Adirondack rules was rejected but the U.N. designation was already in place. At the time I was writing for a newspaper, the Adirondack Journal. I covered a confrontation over the State's closing of an old highway, Crane Pond Road. College students had come in cars with license plates from several other states to protest against use of the road. Local residents were facing them off. I asked the out-of-towners why they were there. A young woman told me that she had come to defend the Biosphere Reserve.

Environmentalists who supported the Twenty-First Century Commission recommendations attacked people who were concerned about the U.N.'s involvement. The environmentalists said the Biosphere Reserve designation was for education and research only. Or environmentalists would make a speech or give a televised interview to the effect that the international significance of the area, because it was a U.N. Biosphere reserve, was an argument for the Legislature to pass the strict Twenty-First Century Commission recommendations. But when Ed Hood, the APA official who coordinates the Biosphere Reserve in New York was confronted, he said that it had no connection to the plan to make stricter land use controls or to the "transition zone."

Basic elements of Biosphere Reserve hostile to use of land in Adirondacks

The education and research agenda for Biosphere Reserves turns out to be in a context that is hostile to human population and use of land. For instance, in her seminal paper presented in 1987 at the Estes Park, Colorado, Worldwide Symposium on Biosphere Reserves, UNESCO program specialist Jane Robertson Vernhes of Paris, France, described the ideal biosphere zonation - the core, buffer and transition zones.

"The core area consists of examples of minimally disturbed ecosystems characteristic of the world's terrestrial or coastal/marine regions. A core area has secure legal protection, for example, as a strict nature preserve... Although natural processes normally operate unimpeded by human intervention, active human intervention, such as by prescribed fire or controlled grazing, may be needed in certain subclimax ecosystems to maintain the natural characteristics of the site." (1)

In the Adirondacks, the core area would encompass the State-owned land but the core designation is inconsistent with the continued existence of the many essential highways; the continued use of the vast State holdings for hunting, off-road vehicle use, cross country skiing and many other activities; the continuance of the system of improvements for some purposes, such as hiking, camping and boating; and fire suppression.

"The second zone, the buffer zone, adjoins or surrounds the core area." Its outer limits correspond with those of a protected area such as a national park. Its function is to buffer the core from any harmful outside disturbance. The activities allowed "serve the multiple objectives of the biosphere reserve and can include basic and applied research, environmental monitoring, traditional land use, recreation and tourism, general

environmental education, and specialist training." (2)

These buffer area uses are basically non-uses of land except by environmental researchers who get the privilege of vacationing in the pristine surroundings. Of interest is the allowance for "traditional land use." The local population types listed on the standard Biosphere Reserve application form in 1994 were "agricultural," "artisanal," "fishing/shellfishing," "forest-dwelling," "hunter-gatherer," "nomadic," "pastoral," and, last, "urban or suburban." (3)

The area of private land within the current Adirondack Park bounds was to be the "buffer zone." The variety of the 100-odd towns and villages, the many highways, and the variety of industries in the region enclosed by the "Blue-line" are not consistent with the classification, yet it was accomplished amid a hostile push to severely regulate the private property in the region in ways that bring its management more in line with the buffer zone concept.

The outermost ring of a Biosphere Reserve is the "transition zone." This is to be an "ever-expanding cooperation zone where the work of the biosphere reserve is applied to the needs of the local communities in the region." (4)

The transition zone designated for the Champlain-Adirondack Biosphere Reserve includes cities and industrial centers, and is intensely in conflict with the official description of transition zones. Jane Robertson Vernhes' description, which agrees with official MAB (U.S. Department of State Man and Biosphere program) publications, states: "The transition zone may contain settlements, fields, pastures, forests and other economic activities which are in harmony with the natural environment and the biosphere reserve. This zone of cooperation is particularly useful in helping the biosphere reserve to integrate into the planning process of its surrounding region." (5)

Adirondack planners in Russia

George Davis, the executive director of the defeated Twenty-First Century Commission Plan for the Adirondacks, next went to Lake Baikal in Russia to set up a land use planning system there. He found it relatively easy applying his philosophy there.

In an interview late in 1990, he was quoted:

"Here we are used to people having conniptions over their land. But over there, they don't mind the land-use regulations because they are just getting their own land." (6)

George Davis also told the press about conducting public hearings on his land-use plans in Russia. But in the U.S. there were no hearings before his Twenty-First Century Commission plan was finalized or before the related U.N. Champlain-Adirondack Biosphere Reserve application was sent to the Department of State and UNESCO.

Need for secrecy

The secrecy of these applications is necessary because the Biosphere Reserve designations are basically hostile to the local people as property owners and as citizens in a representative government designed to maximize freedom. The designations are avowedly built around existing land-use regulations of an excessive nature, such as the Adirondack Park Agency law and the New York City Catskill watershed rules,

and geared to bringing in more such regulations.

Dangers of Biosphere Reserve designations

1. More regulation

Although Biosphere Reserve proponents deny the impetus toward more regulation, the examples disproving their arguments are numerous. For instance, the US MAB published Biosphere Reserves in Action in 1995. In the chapter on the Champlain-Adirondack Biosphere Reserve, it states, "CABR designation helped persuade the U.S. Congress to pass the Lake Champlain Special Designation Act of 1990... The Basin Program has achieved many goals that CABR would have attempted. Its successes include bi-state cooperative regulatory review, establishment of uniform in-lake water quality standards, and coordination of an emergency response protocol. (7)

The MAB report points to the regional Northern Forest Lands Project for New York, Vermont, New Hampshire and Maine "to identify risks to 26 million acres of productive forest land and to develop protection strategies to ensure continuity of this regional resources. These and other projects will be building blocks of the BR program." (8)

2. Depopulation

If the scientific journals and internal MAB publications about Biosphere Reserves had not made crystal clear the intent at ultimate depopulation, reports of instances of Biosphere Reserves abroad would have raised eyebrows anyway.

The land-use planning group, Lincoln Institute of Land Policy, reported in 1995 that peasants and woodcutters in the central highlands of Mexico had a big problem with a biosphere reserve for the monarch butterfly.

"In response to outside demands, vast areas have been incorporated into a biosphere reserve and logging has been banned. As hundreds of thousands of tourists delight in the spectacle of millions of over-wintering-monarchs, tens of thousands of local residents suffer the hardships of imposed idleness and poverty." (9)

Gordon Davis, an influential early Adirondack Park Agency figure, was invited to do land-use regulations for the Wolong Nature Preserve near the Tibetan Plateau by the People's Republic of China. Back in New York, he commented to the press that the Wolong Nature Preserve is a U.N. Biosphere Reserve. He told the Glens Falls Post Star that some of the 4,000 Tibetans who live in the reserve are having a hard time with the new government controls, which include plans to relocate the people, who have worked the land for hundreds of years.

"The panda and people are totally incompatible," Davis said, "The problem is similar to that in the Adirondacks," Davis said, speaking of "the resistance to government intervention." (10)

3. Diffuse the sense of local representative government, obfuscate the citizens' sense of clear lines of governmental authority, and involve international influences in local land-use planning.

People do not understand the various levels of government and regional interactions at a government level which affect their personal rights such as the fundamental human right of private property ownership. The

mere threat of intervention by an international authority undermines the citizens' respect for and confidence in government. The real exploitation of such international designations, such as was used in the Adirondacks to lobby to increase state zoning powers, is a bad-faith use of a scheme of high credibility to certain urban environmentalists to make government harder on rural people. One never knows whether it can happen, as in the New World Mine controversy in Yellowstone, that even the President or the U.N. will step in to stop a project because an internationally recognized site is in danger. All of these diminish the confidence of people bring in these Biosphere Reserves and World Heritage Sites in the justice and responsiveness they can expect from government.

4. Create an Atmosphere for the Future

The most important argument against continuing to allow the U.S. Department of State and the Secretary of Interior to unilaterally make these designations of Biosphere Reserves and World Heritage Sites without review and approval by Congress, is that the designations create an atmosphere for the future.

Like any prominent honorary recognition, but more so because it is backed by the multi-billion dollar U.S. environmental lobbying force, the designation of a Biosphere Reserve or World Heritage Site adds an overlay of almost a spiritual quality, a sense of the significant, which generates a movement toward preservation and a sense that modern home-life, normal farming, forestry, mining, industry and commerce are somehow incongruous. Our freedoms and our economy, both in rural America and nationally, are being damaged by this cultivation of the irrational impulse toward nature. The long-term impact of this atmosphere is unknowable. The Biosphere Reserve and World Heritage Sites designations, in cultivating this atmosphere, can ultimately have momentous impact, which is inhospitable to the rural life and toward our country's tradition of representative local government and private property ownership.

The fact that once the cloak of secrecy is lifted Biosphere Reserve designations cannot be implemented and applications must be withdrawn, argues heavily against the acceptability of these designations to American citizens. Congressional scrutiny is essential to open up the U.N. Biosphere Reserve and World Heritage Site nomination process so that the decision of whether to designate these sites is made on the basis of representative government, not by secret elites.

Mr. Chairman, thank you for the opportunity to appear before you today in support of your important bill, the American Land Sovereignty Protection Act to eliminate secrecy accompanying important land designation programs and allow participation by representative government, and preserve private property rights.

It is precisely because of the designation of the U.N. Champlain-Adirondack Biosphere Reserve and similar programs that would ultimately diminish personal rights that I founded the Property Rights Foundation of America in 1994. I have spent many years of my life researching and observing what these designations are about.

In 1983, the Congress rejected the Biosphere Reserve bill, H.R. 2379. Not only do the Biosphere Reserves serve unconstitutional purposes of undermining local and state representative government and constitutionally protected private property rights, but it is unconstitutional, that the rejected 1983 bill, and more, are being implemented by administrative fiat.

This concludes my prepared remarks. I am happy to answer any of your questions.

Afternotes: The attacks on opponents of Biosphere Reserve designations in the Adirondacks, Catskills and Ozarks

The U.S. MAB's "case study" of the Champlain-Adirondack Biosphere Reserve was preoccupied with a concern for the "difficulties in developing a... BR program."

"The Adirondacks region has a history of conflict over the role of the state in regulating local land use in the park. These conflicts intensified, about the time the BR was nominated, when the state published a proposed vision statement (11) for the future of the park. A small and outspoken group of Adirondack residents is concerned about infringement of their property rights and believe the BR will increase government restrictions and regulations." (12)

Characterizing opposition as "small and outspoken" reflect the effort (by the US MAB and Ed Hood of the APA) to discredit opposition.

Sherret S. Chase, a prominent resident of Shokan and one of the founders of the Catskill Center for Conservation and Development, the non-profit land preservation group which submitted the application for the Catskill Region Biosphere Reserve, was also an advocate for the aborted effort in the 1970's to create a Catskill Park Agency modeled after the Adirondack Park Agency. In May 1995, when the Catskill Biosphere Reserve application had run into serious opposition, he circulated a letter (13) personally attacking those involved in its ultimate defeat.

He wrote of "hate groups of paramilitary structure" in the Catskills, before World War II, of "individuals who openly shared Hitler's paranoid hatred of all 'non-Aryan' people," " of "national stress" today, of resentment of government, militia in Utah and other states, and finally of "paramilitary gangs" in the Catskills. Then he derided the State Senator for the Catskill area and wrote of "falsehoods disseminated by a group from the Adirondacks and their mysterious 'connections' in Utah," then of a woman "well known in Prattsville" who "revealed as a threat that she had a lengthy dossier on me, provided, I believe, by her Utah friends."

"This scares me," Sherret Chase wrote. His letter, which defamed David Howard of the Alliance for America, based in the Adirondacks, and Evelyn Rikard of Prattsville, was published uncritically by a local weekly as was other libel falsely connecting the Property Rights Foundation of America to militia.

Similarly, after the Ozarks Highlands Biosphere Reserve scheme was withdrawn last year, an article in the Northwest Arkansas Times defamed the Property Rights Foundation of America as "formed to undermine the nation's public land and pollution laws."

The fact that such distortions and libel are so quickly resorted to by supporters of Biosphere Reserves when they cannot meet their goals, speaks to the lack of integrity of their objectives.

Footnotes

(1) Jane Robertson Vernhes, "Biosphere Reserves - The Beginnings, The Present and The Future Challenges," Proceedings of the Symposium on Biosphere Reserves, MAB, Sept. 14-17, 1987, p9

(2) Vernhes, p9

- (3) Biosphere Reserve Nomination Form, United States of America, Catskill Region Biosphere Reserve, December 16, 1994, p36
- (4) Vernhes, p9.
- (5) Vernhes, p9.
- (6) Larry Maxwell, "Sent to Siberia," Glens Falls Post Star, November 18, 1990, pA5 (cf. p1)
- (7) US MAB, Biosphere Reserves in Action - Case Studies of the American Experience (foreword by Dr. William Gregg), June 1995, p14
- (8) Biosphere Reserves in Action, p14
- (9) "Butterflies and Peasants: A Case Study for Sustainable Development in Mexico," Landlines (Lincoln Institute of Land Policy), May 1995, p7
- (10) Larry Maxwell, "Sent to Siberia," Glens Falls Post Star, November 18, 1990 pA-5
- (11) note - The Twenty-First Century Commission Report by Berle and Davis, commissioned by Governor Cuomo, referred to here as a "vision statement"
- (12) Biosphere Reserves in Action, pp14-15
- (13) Sherret S. Chase, May 12, 1995 "Dear Fellow Citizen of the Catskill Regional Community" open letter

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