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October 8, 2024

Via Email and Certified Mail

The Honorable Kathy Hochul
Governor of New York State
New York State Capitol Building
Albany, NY 12224

Re: Zoar Valley Unique Area and Multiple Use Area

Dear Governor Hochul:

As a leader in the stewardship of public lands in New York, we write to express our appreciation for your recent recognition of the need to conserve and expand New York's magnificent natural resources, particularly in light of the climate emergency, through New York's 30x30 initiative, tree planting initiative, and financial and program commitments to combat climate change. We look forward to opportunities to work cooperatively with your Administration to implement those visions.

We do, however, have many concerns about the logging planned by the DEC and the logging proposed by the CT/NY Chapter of The National Audubon Society that involves forest clearing for bird habitat on public forest land in the Zoar Valley Multiple Use Area. Of additional concern is Audubon's proposed slash wall deer exclusion fence and locked gate which would remove nearly 100 acres of public recreation land from public access and give it over to the control of a private organization.

We respectfully request an opportunity to meet with you or your representatives regarding our concerns about these proposals and regarding the future of Zoar Valley.

As we believe all citizens of New York deserve to be heard on the matter, we also respectfully request, by copy of this letter to Interim Commissioner Sean Mahar and Region 9 Director Julie Barrett-O'Neill, that:

1. The Interim or Acting DEC Commissioner issue an Administrative Order placing a moratorium on any commercial timber sales, logging, and forest clearing for non-forested habitat in Zoar Valley;
2. A public comment period be opened on the future of Zoar Valley and the 2021 Draft Niagara Frontier Unit Management Plan for Zoar Valley so the wishes of the People of the State of New York can be heard and taken into consideration;
3. Public meetings be conducted so New York's citizens can make inquiries regarding the logging proposals and habitat alterations in Zoar Valley;
4. New York State make public all proposed logging plans by The Audubon Society and the NYS DEC for Zoar Valley. The public must be given an opportunity to review, scientifically scrutinize, and comment on the proposals; and
5. The DEC take no Final Agency Action on the 2021 Draft Niagara Frontier Unit Management Plan until such time as a full public review and comment period takes place and the future Plan is rewritten to reflect (1) the wishes of the People of the State of New York, (2) accurate forest ecology considerations; and (3) current and accurate climate science.

In addition, we respectfully request consideration of the following:

6. Should a conflict of interest exist with regard to Interim Commissioner Sean Mahar's prior employment as Director of Government Relations and Communications for Audubon New York, that a consideration be made of recusal from decision making on all matters involving Audubon Society projects, such as Audubon's proposed logging and habitat alteration plan for Zoar Valley. As it was Mr. Mahar's role at Audubon to advance Audubon Society objectives as State policy, it is reasonable to request that conflict of interest issues be weighed and acted upon.

Zoar Valley has enjoyed a long history of stewardship by New York's Governors, and we look forward to working with your Administration to continue this long tradition. Governor George Pataki was instrumental in stewarding Zoar Valley towards permanent protections as part of the Forest Preserve, and in 2007 Governor Eliot Spitzer signed the legislation into law that dedicated the Zoar Valley Unique Area to the State Nature & Historic Preserve Trust/Forest Preserve. Governor David Paterson signed the Bruce S. Kershner Old-Growth

NYS Governor Kathy Hochul

October 8, 2024

Page 3

Forest Preservation and Protection Act in 2008, which afforded additional protections to the Old-Growth Forested ecosystems in Zoar Valley.

Herbert Darling, Sr. and the Darling family gifted much of Zoar Valley to the People of New York. It was Mr. Darling's express wish that Zoar Valley remain in its wild, natural state for the enjoyment of all. At the time, former DEC Commissioner Harold Wilm publicly gave Mr. Darling the State's written promise that his wishes would be honored.

We have already lost a portion of the legislatively protected Old Growth Forest in the Unique Area when the DEC removed approximately 100 Old Growth trees in the past year. This protected forest was also part of the Darling land gift. We hope to avoid further ill-advised actions by the DEC in the forests in Zoar Valley.

We thank you for your consideration of our requests. We look forward to being afforded an opportunity to present our specific and detailed concerns about the proposals to drastically alter and diminish the much-loved recreational areas and rare Old Growth Forest ecosystems of Zoar Valley.

Sincerely,

ZOAR VALLEY COALITION

By: Lynn Kenney

Lynn Kenney

cc (via email and certified mail):

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