

Court Blocks Massive Motorized Bridge Over Scenic River

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Contact:

David Gibson, Adirondack Wild, 518-469-4081

Peter Bauer, Protect the Adirondacks, 518-251-2700, or 518-796-0112

Lake George, NY – New York Supreme Court Judge Robert Muller on Friday issued a temporary restraining order blocking the NYS Department of Environmental Conservation from constructing a 140 foot, new motor vehicle steel bridge over the protected Cedar River in the heart of New York's Adirondack Park. The restraining order was issued in response to a lawsuit brought by *Adirondack Wild: Friends of the Forest Preserve* and *Protect the Adirondacks!* claiming that the new bridge violates the State's Wild, Scenic and Recreational Rivers System Act. The restraining order will remain in place until July 19, when the Court will hear arguments on a preliminary injunction motion.

"We're pleased that the Court agreed to temporarily halt construction while this lawsuit is pending, and recognized that there is no need for DEC to rush forward with the project." said the groups' attorney Christopher A. Amato.

"The Judge prevented DEC from beginning site preparation work this very week which included cutting trees, clearing the river bank, driving steel pilings and pouring cement in this scenic, tranquil and protected river environment six miles inside the 'forever wild' Adirondack Forest Preserve," said Adirondack Wild's David Gibson.

"The proposed bridge is redundant because several miles upstream there is already a motor vehicle bridge over the Cedar River which connects the communities of Indian Lake and Newcomb," said Peter Bauer, Executive Director of Protect the Adirondacks. "There are currently two other lawsuits which are pending in higher courts that would also prevent this bridge from being constructed. We see no valid demonstrated public need for the State to build this bridge at this time."

The Judge rejected DEC's argument that the Court lacked authority to issue the order because the Department had a statutory duty to build the bridge, ruling instead that constructing the bridge was discretionary. The Court

found that that the groups' interest in protecting the river would be immediately and irreparably injured if construction began because "trees will be cut down and vegetation removed in a scenic river corridor – precisely what petitioners sought to prevent in filing their petition."

The groups filed the lawsuit in January, claiming that DEC's December 2018 issuance of a permit to itself to construct the bridge and build new snowmobile trails on either side of the Cedar River would violate the Rivers Act. The groups also argued that in issuing itself a permit the DEC failed to first make legally required findings and failed to conduct an environmental review of the project.