Green groups plan to sue over NYCO Adirondack mining

by Brian Mann, in Willsboro, NY
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NYCO’s Mark Buckley points to the border between mine-owned lands and the state forest preserve. Photo: Brian Mann

A coalition of green groups, including two based in the Adirondacks, say they will file legal action to block "exploratory drilling" in the forest preserve.

The groups planned to hold a press conference Friday afternoon in Albany to detail their concerns. According to a statement issued this morning, the pending suit aims to "stop the mining exploration in the Jay Mountain Wilderness until lawful procedures are observed and until non-constitutional laws are amended or repealed."

Last November, voters across New York state approved a constitutional amendment allowing a parcel of land in the Jay Mountain wilderness to be mined by NYCO for a mineral known as Wollastonite.

The project in the Essex County town of Lewis would also feed raw
material to the company's plant in Willsboro. Local leaders have said it is essential to preserve local jobs.

This 200-acre parcel of forest preserve land known as Lot 8 is likely to be mined under a deal that approved by voters in November. Photo: Dan Plumley, Adirondack Wild

Some environmental activists have argued, however, that the state has failed to follow laws and regulations that would shape that project and perhaps limit its scope.

In June, the Adirondack Park Agency unanimously approved an amendment to the Jay Wilderness unit management plan to allow the project to move forward.

At the time, APA commissioner Richard Booth — who has strong connections to the environmental community — voted to allow the operation. But he also predicted that litigation might occur.

"This may well get litigated, and that's not a surprise," Booth said. "But I think, given the vote of the public, this is what the public anticipated would happen."

Speaking in June, David Gibson with the group Adirondack Wild said that the APA had not followed proper legal procedure.

"You have all sorts of layers of law that are being cast aside here, and that creates a legal vaccum," Gibson said. "Their legal foundation for making these determinations has been swept away."

Groups involved in the suit also include Protect the Adirondacks, the Sierra Club's Atlantic Chapter, Earthjustice, and the Atlantic States Legal Foundation.
Notable for their absence in the suit are two prominent Adirondack green groups that supported the NYCO project, the Adirondack Council and the Adirondack Mountain Club.