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# 2019 Joint Legislative Environmental Conservation Hearing Testimony

Submitted on behalf of the Police Benevolent Association of New York State

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Testimony by: Scott van Laer  
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Environmental Conservation

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Good morning, my name is Forest Ranger Scott van Laer. I come before you today, and I very much thank you for the opportunity to do so, on behalf of the PBA of NYS in support of increasing the State Forest Ranger force. I have been a forest ranger for 23 years, my first 3 years were patrolling the Long Island Pine Barrens, and for the last 20 years I have been stationed in the High Peaks Wilderness in the Adirondack Park. I grew up the son of a forest ranger and developed a great appreciation for the Forest Preserve and the role rangers play in protecting it. My father patrolled the Slide Mountain Wilderness in the Catskills for most of the 1980's before transferring to the Adirondacks. Because of this experience I often say I became a ranger in 1977, the year my father started, rather than 1996 when I formally began my career. I have participated in over 600 search and rescue missions and was awarded the Colonel Fox award (father of the forest rangers) in 2018 for my service, one of the division's most prestigious honors.

As I sought to prepare for today, I realized you are always bombarded with what frankly boils down to "give me more" and "here are some numbers in support of my request."

I can and will easily do that, of course, and if any agency needs more personnel we do; the statistics overwhelmingly support such a conclusion, but first let me tell you about the three day search and subsequent rescue of Madison Popolizio and Blake Alois of Niskayuna in December of 2016.

Hope, optimism and anxiety were the emotions felt by all the rangers searching Algonquin peak on the morning of December 13th, 2016. Having planned for a day hike on the state's second highest peak, the young couple had now spent two unplanned nights somewhere in the wilderness. We had hope because we knew from photos they posted to friends the day of their hike, December 11<sup>th</sup>, that they had good gear. We were optimistic because the temperature had been mild for Algonquin, above zero each night. If they found some protection from the wind we knew they

would be alive. Our nervousness and unease lay in the fact that few believed they would survive a third night, as the forecasted temperature was -30.

For two restless days and nights rangers combed the summit area and steep drainages that can collect lost hikers, without success. Algonquin had been gripped in a summit-covering fog continuously since the search began. Helicopters could not fly over the search area, ground crews in the alpine zone experienced visibility limited to 30 feet, and winds were louder than human voices. The probability of detection was low. I had searched the summit area the first night they were reported overdue. When I reached the summit all tracks in the snow had been erased. I even struggled to safely find my way off the summit. My own tracks had been blown away.

Approximately twenty hours after descending the peak that first night I began hiking up again before dawn. Two search crews of four would sweep opposite sides of the summit. The NYSP helicopter was on standby awaiting any break in the clouds to search and also to insert more searchers on the summit, saving time and energy as the hike to our search area alone took 3-4 hours. Those flights never materialized. My crew arrived on the north side of the summit before 10AM and aligned into a grid pattern. We began systematically sweeping the east side of the summit cone, each searcher about 50 feet apart in a line. The summit was still blanketed in fog. Light snow battered our faces, aided by 20 MPH winds. At times I could not see the ranger to my side.

Our search pattern put us several hundred feet off the summit, where no trees grow, and also into the subalpine zone, where stunted and deformed trees persist. Here, in what we call krummholz, it is extremely difficult to navigate in winter. The area is loaded with snow blown off the summit, collecting and covering the area around the dwarfed trees. At times we were walking on six feet of unconsolidated snow and sinking down 1-2 feet with each step, even while wearing extra-large snowshoes for additional loft. Periodically you step on an air pocket and plunge 4 feet or more down into the snow. We call these spruce traps. They can take several minutes to escape from and sometimes require assistance from a fellow searcher. As we struggled we would also pause every minute and yell out their names and blow a whistle, pausing in unison, hoping to hear a response.

We remained in this methodical formation for about an hour when we noted the sound of the helicopter in the distance. We could even see it for a moment as the summit fog cleared for an instant before again rolling back in. The sound was steady and unmistakable. The lower valleys had cleared enough for the helicopter to fly

down low and it was now dropping off additional searchers at Lake Colden. We were not the only ones who heard the helicopter. Suddenly a woman's voice pierced through the fog yelling for the helicopter. I yelled back. The response was louder this time with tones of joy and elation from both a man and woman's voice. I called out on the radio to advise that we had voice contact. When I got to them they were both shaking dramatically, almost violently. I have never been more relieved to see someone at such a level of hypothermia. This meant their core body temperature was likely at 90 degrees or more, much better than anticipated. They were alert and ecstatic. Blake was even standing. Maddie could not. Before delving into any medical questions I simply asked if they wanted to get off the mountain and they smiled and answered in unison, "Yes!"

The other search crew came to our location to help and before long we were feeding them, providing hot tea and putting them in sleeping bags. A rescue team began coming up the mountain as soon as we found them but realistically we knew it would take them 3-4 hours before they even got to us as they were dragging two rescue sleds. While they were in surprisingly good condition, neither Maddie nor Blake would be able to walk off the mountain. A ground rescue would take 10-12 hours. The quickest way off the mountain was by helicopter. If the skies would clear just for a few minutes the helicopter could hover over us and we could extract both subjects with a cable hoist. It is an operation that we perform numerous times in the High Peaks for injured hikers every year. However, the method can only be done in reasonable winds and good visibility. We had neither of those at our location.

Rangers tied improvised harnesses on both Blake and Maddie in case the conditions allowed aerial rescue. If they did we were ready. The weather seemed to change minute to minute. I called out to the helicopter crew on the radio each time we had a moment of clear sky. It never lasted long. Six times the helicopter tried to make its way upslope to us and each time it had to turn back. For two hours we sat in the same snow hole that had sheltered Maddie and Blake for forty hours. Finally we had a weather window that was within parameters. The helicopter navigated an extremely narrow cloud ceiling and hovered just 40 feet in the air. Forest Ranger Ian Kerr was the crew chief on board and operated the hoist. He opened the door of the ship, leaned out and sent the cable down as rangers Robbi Mecus and Jamison Martin quickly snatched it up as it came within reach, attaching it to the harness on Maddie. Within seconds she was at the door of the helicopter being pulled in.

The helicopter was rocking and battling the winds. With one cycle complete, ranger Kerr sent down an empty cable, this time it was Blake who was hooked in and up he went. The helicopter continued its difficult dance in the wind as Blake was pulled inside. Before the door was even closed the ship was flying away, down slope to better visibility as the ground fog returned. I think all eight of the rescuers on the ground cheered but I yelled so loudly I could not hear anyone else. The hoist operation took less than 90 seconds to complete even though it was done in the worst of conditions. Fifteen minutes after being plucked from the mountainside Blake and Maddie were at the Saranac Lake Hospital and being treated for hypothermia. They survived, huddled together in a snow cave for 40 hours in the harshest environment we have in New York.

That's only one story, of many. That's one young couple who came close, most seriously, to perishing on Algonquin that day. If not for the forest rangers. That's what we do. Forest Rangers average a search and rescue incident, ONCE A DAY, EVERY DAY. During my father's era in the 1970's and 80's there were only 150 searches a year on average. Another startling fact, there were more rangers then! There were 10 more rangers patrolling DEC's region 5 than there are today, where the bulk of these searches occur.

Further compounding this predicament is that forest rangers patrol significantly more land than they did during my father's era. In the 1970's the average acreage a Forest Ranger was responsible for patrolling was 28,516. Today that number 53,752! And then there is the question of use; there are substantially more people recreating on state land than ever before.

In the last decade, the High Peaks Wilderness has been inundated with an unprecedented increase in visitors. Between 2005 and 2015, the number of hikers registering at the Van Hoevenberg Trail soared by 62 percent, to over 53,000 per year. During the same period, the number of hikers to Cascade Mountain more than doubled—to more than 33,000.

So how does our staffing compare to federal lands? A comparison of the National Park Service data on rangers and acreage statistics highlights the inadequacy of the current staffing levels in New York State. For instance, Yellowstone National Park is approximately 2.2 million acres of land and has 330 rangers assigned to it. Thus, Yellowstone Park, which is less than one half of the size of DEC administered land, has 60% more rangers than all of New York State. The national ratio of rangers to all National Park Service administered land is no different. Collectively, national

parks across the country equate to approximately 84.9 million acres. In total, there are 3,800 permanent rangers assigned to the national parks. This amounts to approximately one ranger for every 22,000 acres of national park land. By contrast, New York State Forest Rangers must currently cover approximately 40,000 acres.

A failure for decades to add more rangers has caused the state with the longest and proudest tradition of public land protection to fall far behind. Article XIV of the state constitution calls for these lands in the Adirondacks and Catskills to be “Forever Wild,” but that often repeated phrase does not ring true without forest rangers to patrol all corners of the Forest Preserve.

Forest Rangers symbolically and functionally represent the “Authority of the Resource”. Due largely to the location and context by which forest rangers interact with the public in outdoor settings, the message delivered by rangers is well received and highly memorable. I can’t tell you how many times I have encountered someone in the backcountry who will know my name and then follow that up with a story of when we met a decade earlier on the trails. They recall in detail the discussion we had, how I explained the importance of Leave No Trace principles, gear suggestions or insight into techniques or other recommendations.

While there are other messaging platforms, like social media, kiosks and non-ranger volunteers at trailheads, none of them are as effective as forest rangers. The best way to engage the public and have them remember the message is for it to be done by a forest ranger in the backcountry.

Part of the uniform consistent message given by forest rangers represents “Pre-Search and rescue” (PSAR), whereby rangers assess hikers’ gear and ability and provide feedback on their preparedness for the trip. Earlier in my testimony I relayed a story of saving people’s lives in a rather dramatic search and rescue incident. I have also shown that the number of these incidents has risen sharply. What is more difficult to quantify is the people whose lives I saved when I met them on the trail towards Marcy and through persuasion, convinced them to turn around and not proceed into areas they were neither equipped or experienced enough to travel. Imagine if I had been hiking Algonquin that winter day when Maddie and Blake were ascending into alpine conditions?

This proactive, preventative initiative has been lost. Now we are overwhelmed by not only the actual search and rescue incidents but also the possibility, or statistical inevitability that they will occur any given day. Supervisors don’t allow rangers into

the backcountry the way they once did in fear that they will be too far removed to respond to a rescue.

### **Forest Rangers Wildland Fire Response**

In the past, New York has made its forest ranger personnel available for service to other states when they are faced with severe wildland fires. While fulfilling a general mutual aid commitment, this arrangement has also been a tremendous benefit to New York and its forest rangers. The assignments are generally two weeks long and give invaluable experience not only on fire suppression but also on use of the Incident Command System (ICS) which forest rangers implement on search and rescue missions. I have been on three out-of-state fire crews during my career and gained more practical experience in that time than in all of my in-state firefighting experience combined. All of this experience comes at no cost to the NYS tax payer. When assigned out of state, all expenses including salaries, transportation, lodging, and food for the crew are paid through a mutual aid agreement with the U.S. Forest Service.

New York's Forest Ranger force was founded on fighting wildfires. You may have noticed how many of our remaining, although inactive fire towers celebrated centennials this year. New York first sent a crew of forest rangers west in 1979 during a time when our staffing levels in the state were higher. The fact remains, however, that with the addition of more public lands in this state and no additional rangers to compensate for the subsequent workload, we are less equipped to handle wildfire in this state or to provide mutual aid elsewhere than ever before. The forest rangers actually have fewer engines now than we did in 1934.

While the DEC continues to deflect with talking points when questioned about the appropriateness of the current number of forest rangers, New York State's failure to provide aid to our Western States beleaguered by fire speaks volumes. Throughout the summer of 2018 there were usually more than 20,000 personnel on dozens of large fires, as over 6 million acres burned in the western states. Resources came from as far away as New Zealand and Australia, yet New York remained idle. New York's failure to aid other states during an unparalleled fire year says something the DEC refuses to admit. It is a silent admission that we don't have enough forest rangers in New York.

## **Conclusion**

In closing, the New York State Forest Rangers ask that the Legislature to increase staffing levels in the 2019-2020 State Budget. Thank you for giving me the opportunity to testify before you today. We have met with many of you to explain these critical issues. We know you all believe that the People of New York State deserve the very best. They deserve a Ranger force of sufficient size that spends its days in the wildlands, ceaselessly training in every discipline of search and rescue and large incident management. We have made it our career and calling to help people in their hour of need. Today we are asking for your help. Please give us the staffing and funding to carry out our mission. The time for decisive action is now.

**THANK YOU**