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2020 Joint Legislative Hearing

Environmental Conservation Testimony

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

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DEC Region 5 – Zone C – Essex and Franklin Counties

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Introduction

Good afternoon respected members of the joint committee. My name is Scott van Laer, and I am a New York State Forest Ranger and the Director of the Police Benevolent Association of New York State ("PBA of NYS") representing 116 Forest Rangers. As well, I serve on the PBA of NYS Board of Directors as the Vice President and Chief Communications Officer.

My testimony today will focus on the budget priorities of the New York State Forest Rangers for 2020-2021.

The mission of the New York State Forest Rangers is to provide public safety and state land protection through expertise in wildland search, rescue, fire response, law enforcement and incident management throughout the state of New York. The division protects five million acres of state-owned, department-managed lands and easements as well as the people who use these lands. For 133 years, New York State Forest Rangers have extinguished wildfires, found and rescued the lost and injured, and enforced state land use and wildfire prevention laws. Over three million acres of lands and easements managed by DEC are in the Adirondack Park, but every region has substantial state land resources that support public recreational use, habitat protection and open space.

I have been a forest ranger for 24 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.

Current Staffing Levels & Search and Rescue

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 certainly do; the statistics overwhelmingly support such a conclusion. First, let me tell you about one of the most difficult rescue operations I have ever been on; the rescue of a hiker who fell on the Saddleback Ledges in the High Peaks Wilderness in February 2018.

The ledges on Saddleback Mountain are widely regarded as the most dangerous trail in the Adirondacks. It is essentially a “scramble” which requires pulling yourself up and over numerous ledges using handholds in the rock. In the winter, the ice encased escarpment requires technical ice climbing gear. Unfortunately, some hikers venture into the wilderness and attempt this route without the proper gear.

When I was notified by Ray Brook Dispatch that a hiker had fallen off these ledges and broken his leg, I knew immediately this hiker’s life was at risk. There is no location more remote and the weather was severe. It was below zero and snowing in the mountains. There would be no air support. This would be a mission, where a hiker’s life hung in the balance and would depend on the experience, training and the guile of just a few Forest Rangers, because there aren’t enough of us.

We gathered up our equipment and began on snowmobiles, riding across frozen lakes, navigating narrow hiking trails loaded with several feet of fresh powder, which required us to wrestle the machines as we drove up steep slopes. Once we reached a point where the machines became too cumbersome to operate, we started on foot, five of us dragging hundreds of pounds of gear on our backs and behind us in specially designed pull-behind sleds.

As we approached the summit of Basin Mountain, around 2A.M., a ranger on our team sustained an injury. This is what is referred to as an “Incident within an Incident”, when an unforeseen accident occurs. It can derail a mission, delaying an emergency response and put the lives of first responders at risk. The first course of action was to take

care of my fellow ranger. We set up our tent, which was intended for the victim, and placed the injured ranger in a sleeping bag. We then debated what to do as the snow and cold zapped our strength. We were already 10 hours into the mission. I looked at my long-time coworker, Ranger Praczkajilo and said, "We have to go, he will die if we don't". He looked at me and said simply, "Of course we are going."

Now, having to use gear intended for the patient on our team we pushed ahead, just the two of us with one sleeping bag and one bivouac (bivy) sack each; a personal waterproof shelter. For the next two hours we pushed through the rapidly accumulating snow. As night gave way to dawn, we arrived upon the victim at the bottom of the Saddleback Ledges. He was in bad shape. Besides the broken leg he was battling the elements and shivering uncontrollably. His partner did the best he could with what he had. We tended to his leg then placed both men in heated blankets inside winter sleeping bags and the bivy sacks. While his partner had no injuries the frigid conditions and remote location really meant we had two victims to take care of, hopefully not four. We gave them everything we had. With no other gear Ranger Praczkajilo and I remained, struggling to stay warm in the arctic conditions. While the victims warmed in the sleeping bags and heating pads, we provided them, weather and hypothermia was now gripping us.

A second wave of Rangers was on their way but still many hours away as they are stationed in other areas of the Adirondacks, known as one of the most rural areas east of the Mississippi. Half way through the morning I looked at my fellow ranger and told him I needed to move as I was at risk of becoming a victim myself. I was going to be "Mission Ineffective" as I had lost feeling in my feet. We made the fateful decision to leave the scene prior to our backup arriving. The victims were doing better. They were warm now; the cold challenge being averted by giving them all of our gear.

We began hiking off the Mountain with remorse but knowing we were making the right decision. The second crew of rangers to affect the rescue was near. We completed our mission, keeping them alive through the night. We passed that next crew on our way out and told them what to expect. What they accomplished was miraculous. They loaded the injured man in a rescue sled and performed a high angle rope rescue off trail, on a slide of Saddleback Mountain, the most direct downhill route available. The subject with the broken leg was finally admitted to a hospital on the third day of the operation at 1:00AM.

Another life was saved by the overtaxed Forest Ranger force. The incident was one of the most difficult ever executed in the 100+ year history of the New York State Forest Rangers. The injured ranger recovered. I sustained frostbite on my toes but recovered quickly and very soon able to return to work.

That's one story of many. That's one hiker who came, most seriously, to perishing in the Adirondacks. They were dangerously close but were saved by Forest Rangers. That is 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 per 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 to patrol was 28,516. Today that number is 53,752!

Today 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 that same period, the number of hikers to Cascade Mountain more than doubled to more than 33,000 per year.

More users equate to more emergency incidents. A recent scientific study in the Adirondack Journal of Environmental Studies found that staffing has not kept pace with the number of search and rescue incidents. "The issue lies in the staffing," said author Ethan Collins, "if you have twice as many people in the woods, you're going to have twice as many calls." This has put the public and emergency personnel at risk.

Recently, a Forest Ranger who worked 24 consecutive hours, responding to multiple incidents, crashed their vehicle after falling asleep at the wheel due to fatigue. The staffing situation is unsustainable and untenable.

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 New York State 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 each.

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 cannot 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. 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 an area they were neither equipped nor experienced enough to travel.

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 do not 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 New York State 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 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 adequate aid to our western states beleaguered by fire, speaks volumes. Throughout the summer of 2019 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 adequately aid other states during an unparalleled fire year says something the DEC refuses to admit. It is a silent admission that we do not have enough Forest Rangers in New York.

Conclusion

In closing, the New York State Forest Rangers ask the Legislature to increase staffing levels in the 2020-2021 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.