

New York State Department of Environmental Conservation

Regional Director, Region 5

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Alexander B. Grannis
Commissioner

November 4, 2009

Mr. Roger Gray, Co-Chairman, Adirondack Committee
Mr. John Nemjo, Co-Chair, Adirondack Committee
Mr. Charles C. Morrison, Adirondack Committee, Public Navigation
Rights Project Coordinator
Sierra Club, Atlantic Chapter
353 Hamilton Street
Albany, New York 12210

RE: Shingle Shanty Brook, Mud Pond

Gentlemen:

I am responding on behalf of Commissioner Grannis to your correspondence dated August 27, 2009 wherein you request that the Department of Environmental Conservation take action to remove a steel cable installed across Shingle Shanty Brook and enforce a public right of navigation at said location, among other items. The waterbodies are located on private lands now or formerly of Friends of Thayer Lake, LLC; however, it is your opinion that certain portions of Shingle Shanty Brook and Mud Pond, though located on private lands, are impressed with a public right of navigation.

The Department is committed to preparing a comprehensive response to your letter. As you can imagine, this will take some time given the careful consideration required by the Department's technical and legal staff, possible coordination with the State Office of the Attorney General, and the need to balance a variety of demands with limited resources.

The Department's lead contact at this time will be Kenneth Hamm from our Office of General Counsel. He can be reached at 518-402-9521, should you have questions.

I appreciate the time and effort the Sierra Club invested in preparing this letter and associated attachments as well as your interest in public access to waterways in the Adirondack Park.

Sincerely,

Elizabeth M. Lowe
Regional Director - Region 5

EML:lb

cc: T. Martino (APA)
K. Hamm