

Code Breaker

By Erik Schlimmer

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* In this article specific locations are not mentioned and names and locations have been changed to protect key contributors, though all events are true.

Synonymous with untamed beauty, the Adirondack Park of New York State is the largest piece of public land in the Lower 48. Measuring 5.9-million acres, it's a unique quilt of private and public property 100 miles wide and more than 130 miles deep. With such impressive dimensions, many feel the "Big Sky" moniker is as applicable to New York as it is to Montana. Since bigger is often better, one could only assume the 230 downhill ski runs, 350 kilometers of maintained cross country ski routes, and 1,500 miles of foot trails inside the Adirondack Park would offer enough for every skier who brings their boards to New York. But, some skiers feel this Adirondack landscape is not good enough. Such was the case with an Adirondack backcountry skier named Terry Trudeau.

In October 2005, two men, yours truly and Jeff Rand, were hiking off-trail in the McKenzie Mountain Wilderness Area, a jumble of peaks nestled near the villages of Saranac Lake and Lake Placid. This same day, Terry Trudeau was in the McKenzie Mountain Wilderness Area moving off-trail just like Jeff and I. It was an extreme case of coincidence: to have two parties of off-trail navigators within the same Adirondack county, let alone the same clump of woods, is well nigh impossible.

As Jeff and I hiked off the north side of a peak, we entered an enormous birch glade. We paused as Jeff spoke. "Man, this is a pretty forest. Glad we decided to drop off the back side of this – " But Jeff's words were cut short, noticing the glade was not formed by nature, but by man. Stump after stump revealed someone had been falling trees at a feverish pace. We then noticed, only 300 feet in front of us, a man rolling a cut section of a large paper birch into a hole. This was Terry, oblivious we were above him.

Upon descending to him, Jeff asked a simple question. "Sooo... whatcha doin'?" Terry stood there silent, in disbelief someone stumbled upon him. When no answer was

given to Jeff's question, he stared at Terry with intense interest, squinting and thinking. Eventually he said slowly with a smile, "I know you. You're Terry Trudeau."

Terry's identity was confirmed by his own silence. "Man, Terry," Jeff surmised, "this just isn't your day. You might be in a heap of trouble here."

Going back and forth Jeff and Terry traded pointed questions for vague answers, Terry slowly revealing he'd been visiting the wilderness area for years with axes and handsaws in addition to his Stihl 036 chainsaw that lay half-hidden in the brush behind him. He had been cutting ski trails and backcountry glades; very illegal activities. In Terry's opinion, God's design of the Adirondacks and the skiing infrastructure put in place by humans were just not good enough. He had only one question for Jeff and I, an ace in the hole question.

"You guys backcountry skiers?" he asked. Terry received nods numbering two. Then, he smiled. "Great. Me, too. That means we can keep this just between us, right? I mean, there's no need to tell McKay about this," referring to the local forest ranger who Terry knew had a penchant for busting people who abused the Adirondacks. Terry looked around and then back at us. "This is fine skiing here, boys."

Obviously, Terry was employing the "skier's code." The this-is-our-dirty-little-secret wink. Fortunately, Jeff and I knew right from wrong. I retorted with a smile, "Like Jeff said, Terry, this just isn't your day." Then we walked away, leaving Terry to his worrisome expressions.

We continued our descent and scouted another peak before calling it a day. When we got back to my place in Lake Placid around dusk, I reached for the phone book and ran my finger down the M's. "MacKay, MacKay... MacKay. Here he is. Up on Ardsley Road? Pete?"

Jeff replied, "That's the man." Jeff knew MacKay better than I did, he made the call. He looked at me as the phone rang, then sat up straight when a voice on the other end greeted him. "Hi, is this Pete MacKay?" Jeff asked. Upon receiving a yes, he continued, "This is Jeff Rand. Okay, okay, how are you? Good. Hey, I'm glad I caught you. You got a moment? Great." Jeff lounged back on my couch with an optimistic look. Then he got to our story.

"Well, me and my buddy just met this guy way up in the McKenzies when we were out scouting for deer sign." Jeff then paused as Ranger MacKay jumped in. "Yeah," Jared said with a laugh, "Oh, I know. We didn't expect to see anyone up there either. What are the chances?"

After several minutes of narration, Jared reached the end of our story. "So when we got back here we picked up the phone."

Ranger MacKay had only one question: if we knew who the guy was. Jeff told him. After he heard the name, MacKay went silent. It was a bittersweet moment for him. Though it appeared a boat load of trees were cut down – trees set aside 120 years ago as "forever wild" in the New York State constitution – the good news was that Terry was the guy, *the* guy, a platoon of rangers had been trying to catch for a decade. Us stumbling upon Terry in the act was a huge score.

And true to what we told Terry that day, it really wasn't Terry's day. After the rangers investigated the cutting site, 500 counts of "cutting and/or injuring trees" were levied against Terry. The photos the rangers took of the glades didn't make Terry look so good either. When the dust settled, the squeaky wheels of justice rolled out a \$5,000 civil penalty for Terry's pruning binge.

However, many park residents think he got off easy. Others see Terry as a victim and a near martyr of the skiing community. From one Adirondacker came, "If he was an ATV'er? My God! The poor bastard would have been lynched. Everyone hates four-wheelers. This guy got off wicked easy." Here, though an ATV wasn't involved, the rider somewhat felt the victim for he knew he would have been nailed to the judge's bench. I have to be honest: the rider was right. He probably would've been lynched, unlike the skier.

But a backcountry skier countered, "Shit, there's nowhere to ski!" In this response, Terry is not to blame. No, it's the Department of Environmental Conservation; the agency that maintains park trails. According to many Adirondack backcountry skiers, Terry was actually the victim since hiking trails are not cut eight feet wide for skiers. They begged the question, 'What was he supposed to do?' as if skiing the 230 downhill runs, 350 kilometers of cross country ski trails, and 1,500 miles of foot trails in the Adirondack Park was an unreasonable option for Terry.

The blame game is as well-fed in the Adirondack Park as it is in Yellowstone, Glacier, the Great Smokies, or Grand Canyon. From contractors to climbers and Wal-Mart to the Wilderness Society, groups care more about criminalizing and debasing other user groups than they do about identifying environmental damage done by all and actually doing something about it. No one I interviewed said anything to the effect of "that's terrible" or "those poor trees." Case after case, people either went after the skier or defended their own pack.

Since I mentioned early in this article that Terry was a skier, you probably had a measured like or dislike for Terry even before I let you know the damage he caused or the penalty he received. I'll admit it though, I probably would have done the same as you. So I've made a pact with myself to be more objective. If I pick up the paper and read an article like this one here, I will not choose sides like the people I interviewed did. I will only ask a question: should I be defending someone who did wrong because I identify with them or should I defend the land that brings me so much joy? I will choose the latter.

It doesn't matter what part of the country this story took place in. Land is land. The important thing is that when you examine Terry's case objectively you'll be able to see him not as a backcountry skier, but as a man who thought public land wasn't good enough for him. And reminding ourselves of this – who Terry really was that day – Jeff and I never regret disobeying the skier's code and calling Pete MacKay the moment we got in my door. «« **E.S.** »»