



The mission of the ADIRONDACK COUNCIL is to ensure the ecological integrity and wild character of the ADIRONDACK PARK for current and future generations.

December 3, 2014

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Ms. Kathy Regan
APA Deputy Director - Planning
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

Re: Possible Amendments to the Adirondack Park State Land Master Plan, including those identified as Essex Chain Lakes classification commitments.

Dear Ms. Regan:

On behalf of the Adirondack Council, I want to thank you for the opportunity to provide additional comments on the possible amendments to the Adirondack Park State Land Master Plan (SLMP or Master Plan), including the proposals committed to as part of the Essex Chain Lakes Complex classification. Throughout the listening sessions, the Council has appreciated the effort of Adirondack Park Agency (APA) staff to actively engage and educate the public on the complexity involved with possible amendments to the Master Plan. This approach, while informal and outside of the normal SEQRA process, has allowed for a high level of public involvement and civil discourse across a broad spectrum of stakeholders.

In supporting our verbal comments delivered throughout the listening sessions, the Council would like to reiterate our concern that blending these sessions to address two different amendment processes has the potential to be confusing and frustrating to the general public at large. While almost all stakeholders agree that there are elements to the Master Plan that need to be updated or reviewed, blending the specific amendments needed to accommodate the Essex Tract classification with broader public input on major Master Plan changes has the potential to slow and complicate moving either course of action forward.

The Adirondack Council long advocated for the preservation of the Essex Chain of Lakes and its surrounding environment in a manner that would provide the greatest protection for this unique and ecologically rich landscape, and provide real and lasting benefits to the communities. Given the importance of these lands, the amount of work that went into the classification process, the hard decisions that each stakeholder made, and the success of the final outcome, the Council feels that the Essex Tract amendments need to move forward in a timely manner without the distraction that would be involved with simultaneous consideration of unrelated controversial amendments.

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As we noted throughout the comment period, the Adirondack Council would like to emphasize that the overriding priority of the Master Plan is that “the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded...” This principle still remains as appropriate today as it was 40 years ago when the Master Plan was first drafted. Given the interest in amending the plan, the APA must be diligent in retaining this core principle as it weighs the multitude of suggestions and recreational uses that were included as part of these listening sessions.

Essex Chain Lakes Tract Amendments

The Council firmly believes that in determining a Primitive Classification for the Essex Tract, the APA clearly sought to balance the critical environmental protection these lands deserved with the appropriate access and recreational opportunities that would support local communities and make this region a signature Adirondack destination. We appreciate that the APA is moving ahead with the elements within the 2013 resolution that protected the Essex Chain and adjoining Hudson Gorge lands and waters as motor free, while providing for key local community priorities. With respect to the matter of the two individual amendments concerning the classification package for the Essex Chain Lakes Tract, the Council offers the following specific comments and recommendations:

1. *The Use of All-Terrain Bicycles in the Primitive Areas of the Unit:* As listed, the Adirondack Council supports the use of All-Terrain Bicycles (ATBs) on appropriate all-season roads able to withstand such use **only** on the Essex Chain Lakes Tract west of the Hudson River. These roads need to be designated for Administrative Use only and should not allow for general motorized public access. Beyond the Essex Tract, the Council believes that ATB use in Primitive Areas needs to be in keeping with the current definitions of the Master Plan and made on a case-by-case basis that carefully evaluates impacts to the surrounding natural resources, avoids remote interior locations, avoids impacting other user’s experiences, and is permitted only when there is appropriate pre-existing infrastructure.
2. *Consideration of Guidelines to Allow for the Use of Non-Natural Materials for Bridge Construction on the Cedar River:* The Council supports the use of non-native materials to be used in the construction of a bridge over the Cedar River **but only** if an appropriate surgical regulatory change is made to the Wild and Scenic Rivers Act (WSRA) to accommodate this single bridge that would be used for non-motorized and possible snowmobile use over the Scenic Cedar River.
3. The Council would also support a map amendment if necessary to relocate the site of the proposed bridge to a more appropriate crossing point that minimized physical disturbance and reduced the overall bridge size and scale, as long as the move results in zero net loss of Wilderness or motor-free acres.

As we have noted throughout the classification process, the creation of the Essex Chain of Lakes Primitive Area and the reclassification of the Hudson Gorge Wilderness Area is one of the great Forest Preserve success stories of our time. Amending the Master Plan to allow for the potential inclusion of All-Terrain Bicycles within the Primitive Area and for the building of an appropriately sited bridge over the Cedar River must go hand in hand with the appropriate regulatory modifications of the WSRA regulations and environmental analysis of the proposed snowmobile trails to make these solutions work.

In moving forward, the Adirondack Council urges the Agency to keep the Essex Tract amendments separate from any larger Master Plan discussion that would slow down or complicate the approval of these surgical changes. If the Agency decides to include any broader amendments they should be limited to those that are non-controversial and not opposed by environmental, local government or other stakeholder interests. An example of a potential non-controversial amendment is:

1. Remsen to Lake Placid Travel Corridor Definition: Retain the status of the Remsen-to-Lake Placid travel corridor as a single separate land management unit regardless of the presence or absence of rails.

The Adirondack Council supports this amendment to the Travel Corridor definition (really a clarification addressing a legal ambiguity) if it is not likely to slow down the amendment process for the commitments made as part of the Essex Classification.

Broader State Land Master Plan Recommendations:

The State Land Master Plan has been at the forefront of landscape-scale conservation planning for 42 years. And as such, the Adirondack and Catskill Parks are now a regional biozone of global importance and a unique success story of how the environmental and human communities are connected. While there are elements within the plan that clearly need to be updated to reflect changes in the science and planning components, we note that the Master Plan has been largely effective and pivotal in elevating the Adirondack Park to a national treasure and international model of conservation success.

We urge the APA to be judicious in their review of proposed amendments to the Master Plan and to not forsake the guiding principles that keep resource protection paramount. Any opportunity to amend the Master Plan should result in a net strengthening of the protection of the Forest Preserve, while incorporating compatible recreational uses.

The Council believes the following proposed changes to the Master Plan would help protect and enhance the environmental health and scenic beauty of the Forest Preserve, so it can remain the primary economic engine for the Adirondack Park's 130 villages and hamlets. Upon completion of the above Essex Chain of Lakes amendments (and any simple non-controversial amendments that don't delay completion of the Essex amendments) there is an opportunity to engage all interested

parties in a thoughtful and constructive dialog about additional improvements or amendments that strengthen the Master Plan consistent with the current plan's core principles and long-term ecological protection of the Adirondack Park Forest Preserve, the Adirondack Park, and sustainable vibrant communities:

1. *Enhance and prioritize ecological restoration and wildlife management.* This should include a broad analysis of the key ecological metrics, ie. flora, fauna, water and air quality, invasive species, wildlife corridors and habitat, etc. that will form the benchmark indices for future decision making.
2. *Connect and expand Wilderness Areas.* Wilderness is rare and is growing more valuable every day. The Adirondack Park's 1.1 million acres of motor-free Wilderness Areas comprises 90 percent of all motor-free lands and waters east of the Mississippi River and north of the Florida Everglades. It will have more value ecologically, for public health, and economically, if it is expanded and Wilderness areas throughout the Park are, where possible, less fragmented from each other.
3. *Formally define and incorporate "Complex Planning" for large landscape-scale management into the Master Plan, transitioning from 100 plus individual Unit Management Plans to a consolidated "Wildlands Complex" planning approach.* This would allow for a single integrated management plan for large blocks of public lands across classifications, as well as adjoining lands under conservation easement. For example, the Five Ponds, Pepperbox, Pigeon Lake, Ha-De-Ron-Dah, Round Lake and William C. Whitney wilderness areas could be combined with the Independence River, Watson's East Triangle, Aldrich Pond, Cranberry Lake, Fulton Chain, Sergeant Ponds and Aldrich Ponds Wild Forest areas, plus the intervening conservation easements into a single, Bob Marshall Wild Lands Complex of more than 600,000 acres.
4. *Codify the prohibition of off-road or trail use of motorized vehicles.* Amend the permitted motorized vehicle language within the Wild Forest areas of the Master Plan to formally restrict All Terrain Vehicles (ATVs) and Utility Task Vehicles (UTVs) from the Forest Preserve. Maintain the limited use of float planes to access the Forest Preserve where that access will not impact user experiences in designated Wilderness, Primitive, or Canoe areas.
5. *Define and incorporate appropriate natural resource guidelines for current and future Conservation Easement lands.* Given the large acreages now found within the Adirondack and Catskill Parks (over 900,000-acres), guidelines for easements need to be accommodated within the Master Plan.
6. *Using current Geographic Information System mapping and data, analyze and update the inventory of all snowmobile trails and roads found on the Forest Preserve.* Given the technological advances that currently exist, a full analysis of the existing snowmobile trail and

road mileages to see if it meets, or exceeds, the 848-mile limit set by the Master Plan. Develop a schedule to achieve compliance and implement changes to enforce relocation of snowmobile trails out of remote interior Forest Preserve lands.

7. *Fully address the impacts of climate change and invasive species on Forest Preserve resources within the Master Plan.* Given the potential catastrophic impacts associated with climate change and invasive species, any amendment to the Master Plan needs to address how and how not to respond to both imminent threats, as well as how to manage and not manage for long term control, especially with regard to forest pests. Such forest pests could have significant negative impacts to forest ecology, as could reactionary forest management actions which might not be appropriate in the Park.
8. *Clean Up Non-Conforming Uses on Wild, Scenic & Recreational Rivers.* Eliminate navigational buoys for motorboats on rivers enrolled in the Wild, Scenic and Recreational Rivers System, including the Raquette River, and set a date by which the Polaris Bridge from the Hudson River south of Newcomb will be removed.
9. *Prohibit spot-zoning around non-conforming uses.* The recent classification of two Historic Areas to protect non-conforming structures that were identified within the Master Plan for removal did bring the structures into compliance with the Master Plan, but not as originally intended. This “back door” approach to compliance should be rare. The issues which lead to this should be expressly addressed within a comprehensive analysis of current non-conforming uses that still exist on the Forest Preserve and re-evaluation of their status, schedule for removal, and update of definitions.
10. *Provide a mechanism and process that would allow for currently undefined passive, non-motorized recreational uses to be incorporated into the Master Plan with confidence that changes are consistent with the “Forever Wild” clause (Article XIV) of the NYS Constitution.* The recent emergence of the powder skiers association and their call for inclusion as a defined use within the Master Plan underscores the need for a more expansive mechanism to address uses that are not currently addressed within the Master Plan.
11. *Revise and update the current Snowmobile Management Guidelines to codify within the Master Plan clear and protective guidelines on snowmobile trails.* Improve public safety and ecological protection for Wild Forests by creating a comprehensive plan to carry out the Department of Environmental Conservation’s stated policy of moving snowmobile trails away from the interior of Forest Preserve units and off of the unstable surfaces of lakes and rivers. Specify that any new snowmobile trails be built to meet the definition of the character of an Adirondack trail rather than resembling roads. Comply with the existing prohibition against constructing new roads on the Forest Preserve.

12. Finally, the Adirondack Council, without endorsing or supporting any specific point of view, would like the attached hardcopy of comments posted to the Adirondack Explorer website on the Master Plan amendments to be included in the formal record. There are valuable perspectives that should be included as part of the larger community dialogue on changes to the Master Plan.

In closing, the Adirondack Council appreciates the Agency is moving forward with the actions it identified in its classification resolution for the Essex Chain Lakes Primitive Area. We thank the staff for the opportunity to be engaged stakeholders throughout the listening sessions and look forward to moving forward to a formal SEQR process. Thank you for accepting and reviewing our comments.

Respectfully,



Rocci Aguirre
Conservation Director