



4 May 2017

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(585) 466-3241
Via Email: r9.ump@dec.ny.gov

Conservation
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Education
*
Recreation
Since 1922

RE: draft Allegany County Unit Management Plan (UMP)

Dear Nathaniel,

The Adirondack Mountain Club (ADK) appreciates the opportunity to comment on the draft Allegany County Unit Management Plan (UMP).

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We respectfully request that you consider the following concerns and comments outlined below.

Manage the Finger Lakes Trail (FLT) Corridor as a Single-Use Foot Trail. Protect the FLT with a Special Management Zone (SMZ) and a Memorandum of Understanding (MOU) with the Finger Lakes Trail Conference (FLTC).

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We are disappointed not to see the Finger Lakes Trail (FLT) recognized as a single-use Foot Trail as outlined in the Strategic Plan for State Forest Management (SPSFM) on pages 201 and 202.¹ The Finger Lakes Trail is an important asset in this unit and occurs in the following State Forests within this unit: Bully Hill-Allegany 3, Klipnocky-Allegany 6, Gas Springs-Allegany 10, Swift Hill-Allegany 19, and Slader Creek-Allegany 21.

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We are very concerned that the maps in Figures 2 and 3 show that portions of the FLT corridor in the Bully Hill-Allegany 3 (approx. 1 mile), Gas Springs-Allegany 10 (approx. 0.25 miles), Swift Hill-Allegany 19 (approx. 1 mile), and Slader Creek-Allegany 21 (approx. 0.5 miles) will be impacted by logging in the next 10 years. This logging will impact at least 2.75 miles of the FLT corridor.

The FLT and a buffer around the trail must be protected by a Special Management Zone (SMZ) along the length of the trail in areas not otherwise protected

from logging. **The FLT should also be protected through an MOU between the Finger Lakes Trails Conference and DEC** which would meet Objective PRT II in Table III.D (p.87) of this UMP. Developing this MOU should be included as a Unit-wide Action under the Ten-Year List of Management Actions (p.94-95).

The FLT is not always represented on the management maps in the UMP, which should be corrected.

Protect Forest Ecosystems By Prohibiting Drilling and Mining. Please Test Water Resources Near Active and Legacy Drilling Sites.

DEC should remove Objective MR I from Table III.D in this UMP. Oil and gas drilling and mineral development creates an unacceptable impact on state lands and should be prohibited.

We note that there is one active well on the Bully Hill State Forest, a vertical well in the Marcellus Formation that was drilled in the 1980s. This well should be closed and plugged and surface impacts mitigated by the operator.

It is essential that DEC protect the forest ecosystems that it stewards and guard against resource extraction that harms natural habitats and human communities. DEC must not provide access through lease or other means to its mineral estate for vertical or horizontal oil and gas drilling. Given the numerous abandoned wells on the unit (including on the Allen Coyle, Bullyhill, Plumbottom, and Vandermark State Forests), and the proximity of legacy drilling and active drilling sites in the area, DEC should test water resources for contamination from drilling activity in this state forest unit.

Oil and gas pipeline construction should also be prohibited on State Forests. Existing pipelines should be phased out and impacted areas should be mitigated.

We strongly urge DEC to prohibit oil and gas drilling on or under state forests.

Prohibit ATVs. Establish Baseline Data of Illegal Motorized Use.

We are pleased to see on page 46, under *Off-Highway and All-Terrain Vehicle Use* the statement, “There are currently no official ATV Trails on or near the Allegany Unit.”

ADK does not support the use of ATVs on New York State Land. **DEC should remove from this UMP Objective ATV II of Table III.D (p.89)**, which states, “Consider requests for ATV connector routes across the unit.”

Increasingly DEC is under pressure to allow ATV access on state lands in conjunction with local road openings for connections between legal riding areas as defined in NYS Vehicle and Traffic Law 2405. The use of ATVs on public roads is governed by Title 11, Article 48C, Section 2405 of the New York State Vehicle and Traffic Law.

Every pilot ATV program on NY state lands has been shut down because of environmental damage caused by ATVs. For example, the *Strategic Plan for State Forest Management* outlines several case studies in which ATV trail systems were implemented on State Forest Lands, including New Michigan State Forest, Anderson Hill State Forest, Brasher State Forest, Morgan Hill and Taylor Valley State Forests. All of these trail systems were all closed due to the environmental impacts by ATVs on these state forest lands.² In NYS there has been a significant increase in pressure on the state legislature to pass bills, which would increase the current allowable weight of all-terrain-vehicles (ATVs), from 1,000 lbs to 1500 lbs. There is also pressure to allow ATV riding on roads throughout the state that have been opened by local law in violation of New York State Vehicle and Traffic Law, and contrary to NYS Attorney General Opinion 2005-21² and NYS Department of Environmental Conservation (DEC) legal opinion.³ ATV manufacturers expressly define that their vehicles are not designed for road or highway use.⁴ Documentation by the U.S Consumer Product Safety Commission and the National Highway Transportation Safety Administration’s (NHTSA) Fatality Analysis Reporting System (FARS) that a majority of ATV deaths take place on roads.⁵

Support CP3: Prohibit Motorized Use for Universal Access Sites.

ADK supports the CP3 policy. However, we do not support motorized Universal Access Trails which undermine the CP3 program by providing motorized access to individuals who do not qualify for the CP3 program.

Motorized “Universal Access” for the general public undermines the successful CP3 program by destroying the goal of the program which is uncommon access for people

with disabilities who may be seeking "...solitude, connection to nature, undisturbed wildlife habitat, and inclusion with fellow sportspeople."³ DEC should create areas and trails that take into consideration the different mobility abilities and accessibility needs of individuals and families, but these should be accomplished through non-motorized means.

Develop Early Detection and Rapid Response Plans for Invasive Species NOW.

Invasive species are spreading at rapid rate, reducing water quality, property values, and recreational opportunities along the way. New York State has enacted numerous regulations and laws that will prove vital to stopping the spread of aquatic and terrestrial invasive species, but public education, spread prevention, and mitigation are needed before the impacts become insurmountable. We are pleased to see that the UMP includes an inventory of existing known invasives, and a consideration of likely threats from invasives, such as Hemlock Woolly Adelgid (see below). However, the UMP should include or reference early detection and rapid response and spread prevention plans, and best management practices.

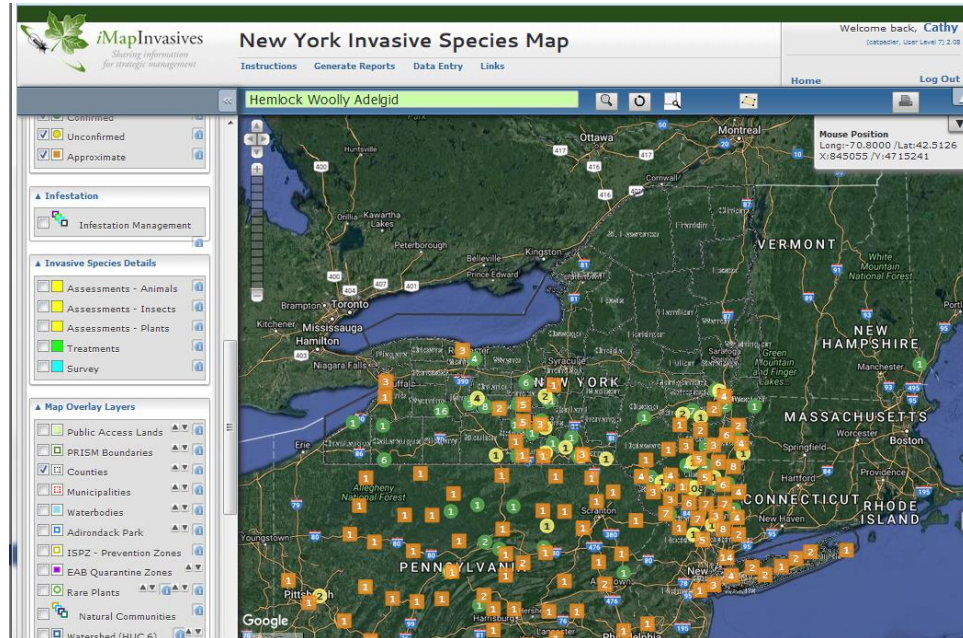
Thank You for Recognizing the Threat of Hemlock Woolly. Adelgid Consider Potential of Bio-Control. Protect, Do Not Log Hemlock Stands.

We are very encouraged to see that HWA has been identified in the UMP as a threat. We are also pleased to see that DEC recognizes that eastern hemlock plays an important role in the Unit given that that eastern hemlock is a keystone/foundation species.

DEC should consider not logging hemlock which, as noted in the UMP, are currently under a severe threat from HWA. Adding logging impacts to stands, removing old trees (i.e., successful and resilient trees) from the gene pool of this species under threat will decrease the chances of survival and risk extirpation of eastern hemlock in this area. Further, DEC should identify mature trees and stands, coordinate monitoring, and develop a prioritization and treatment regime to protect hemlocks in this forest unit.

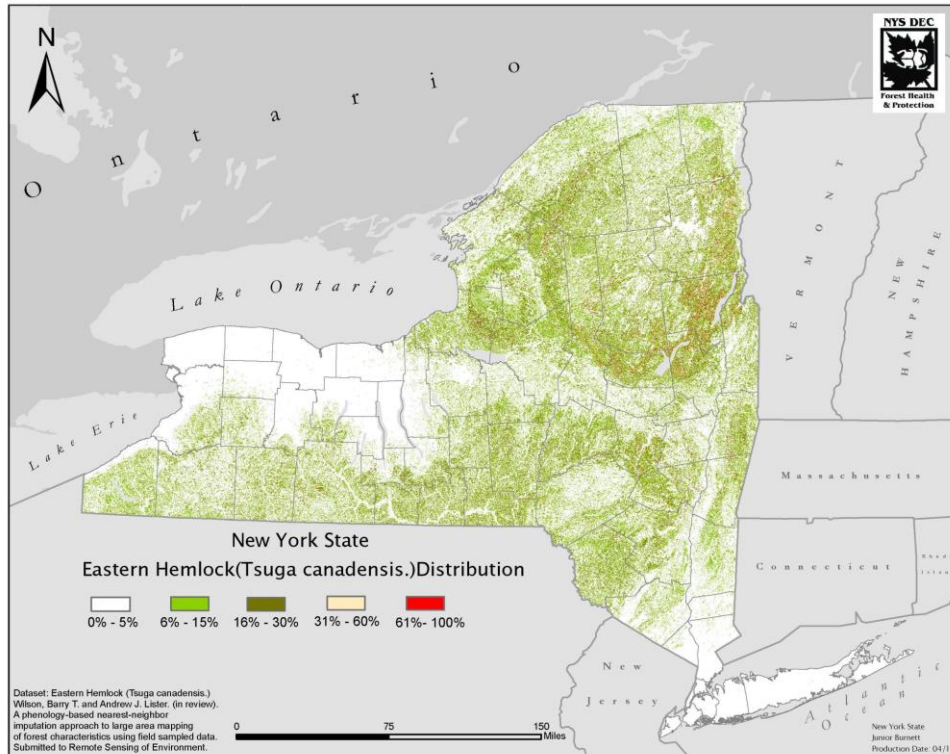
Additional funding will be needed to continue to combat invasive species. New York faces potential decimation of eastern hemlock (*Tsuga canadensis*) from hemlock woolly adelgid (*Adelges tsugae*) (HWA),⁴ which has not yet been identified in the Allegany County Forest Unit or in Allegany County (see figure below from

<http://www.nyimainvasives.org/>), but has already caused significant decline in the Catskill Park, and has been identified in Letchworth State Park, and Zoar Valley, and Allegany State Park (where our members helped identify HWA under a *citizen science* project run by OPRHP).



Hemlocks are a foundation species.⁵ Foundation species are critical species in the habitats they help create.⁶ In the case of hemlocks they moderate stream water temperatures for trout and other animals, provide a buffer for nutrient inputs to maintain water quality, stabilize shallow soils especially in steep gorges, provide shelter for animals and plants which is especially important in winter, provide critical habitat for migrating neo-tropical birds, and provide acidic substrate for lichens.

Hemlock is very dense especially in Allegany County (see figure below).



Imagine the impact to the landscape in the state forest units represented in the Allegany County UMP from a severe decline of hemlock--a highly likely scenario without a significant increase in early detection efforts (like those our members are engaged in as citizen scientists), treatment and development of bio-controls, such as the predatory beetle (*Laricobius nigrinus*).⁷ We only need look to places such as the Great Smoky Mountains for an example of the devastation in store for the forests of New York State.⁸ HWA has been advancing quickly through New York State,⁹ is present west in Allegany State Park, north in Letchworth State Park, and, further north, is at the doorstep of the Adirondack Park. Decline of hemlocks is already well underway in the Catskills.¹⁰ Anyone who has hiked, paddled, or driven through the Adirondack Park should realize what we will lose. If we do not act quickly, we may lose the species.¹¹ We must stop or slow the advance of HWA in the state forests units represented in the Allegany County UMP.

We applaud the Governor Cuomo's foresight in addressing the hemlock woolly adelgid (HWA) threat with funding in the 2017 EPF for combating this pest through the work of the eight regional New York State PRISMs (Partnerships for Regional Invasive

Species Management),¹² as well as an additional funding to establish a lab at Cornell University to grow the predator beetle (*Laricobius nigrinus*) as a bio-control for HWA.

Addressing Global Climate Change: Manage for Late Successional Forests and Allow Old Growth Habitat to Develop.

Maximizing carbon sequestration should be a priority in our New York State Forests. The New York State Open Space Conservation Plan highlights the need to address global climate change. In addressing global climate change it is important to protect our coastlines, riparian corridors and wetlands; to maintain an interconnected network of protected lands and waters enabling flora and fauna to adapt to climate change; and to maintain and grow our state's forests. Forests play a large role in mitigating the effects of climate change by naturally storing carbon. Trees are typically about 50% carbon. More than 63% of New York State is forest land, amounting to 19 million acres of land covered by trees. Approximately 14.4 million acres are privately owned. How these forests are managed can play an important role in carbon sequestration and moderation of the heat and dryness impacts of climate change. Trees are unique in their ability to store large amounts of carbon in their wood and studies show that trees continue to add carbon as they grow. A study published recently in *Nature* shows that the “*Rate of tree carbon accumulation increases continuously with tree size.*”¹³

The USGS, a coauthor in the study further explains,

“This continuously increasing growth rate means that on an individual basis, large, old trees are better at absorbing carbon from the atmosphere. Carbon that is absorbed or "sequestered" through natural processes reduces the amount of carbon dioxide in the atmosphere, and can help counter-balance the amount of CO₂ people generate. However, [the study is] careful to note that the rapid absorption rate of individual trees does not necessarily translate into a net increase in carbon storage for an entire forest. ‘Old trees, after all, can die and lose carbon back into the atmosphere as they decompose,’ says Adrian Das, a USGS coauthor. "But our findings do suggest that while they are alive, large old trees play a disproportionately important role within a forest's carbon dynamics. It is as if the star players on your favorite sports team were a bunch of 90-year-olds.”¹⁴

New York's 19 million acres of trees hold a lot of carbon as do forest soils. ADK urges that NYS manage its state forests with the primary goal of combating climate change and improving its climate resiliency. DEC should also consider management of some state forest areas to promote stands of old growth mature trees to increase forest carbon stocks, help clean our air and water, preserve wildlife habitat, and provide a setting for outdoor recreation.

Managing the Allegany County Unit forests for Late Successional Forests with the goal of old growth habitat would create high quality resilient habitat that would maximize carbon sequestration. **We encourage DEC to increase the acreage designated for management as late successional stage forest. Some of this increase could be accomplished SMZ along the Finger Lakes Trail proposed above and also by protecting existing hemlock stands in the unit.**

Carbon Sequestration should be considered a forest product with economic benefit for the purposes of management.

We fully support CS II of Table III.E, "Enhance carbon storage in existing stands." However, DEC should revisit CS III and CS IV and present data and sources that led to the development of these Objectives and Actions.

Prohibit Brine Application on All Roads in the Unit

DEC should protect the forest and streams on the Unit from impacts associated with brine application to roads. We encourage DEC to prohibit the application of brine on all town roads and Public Forest Access Roads that are on State land.

Provide Data in Accessible Format

Data tables should be provided on-line as CSV or excel spreadsheets, and also as GIS data files.

Thank You For Supporting Volunteer Stewardship Programs

We are pleased to see on page 47 that "The Finger Lakes Trail association has entered into a volunteer stewardship (VSA) agreement with the DEC to maintain the Finger

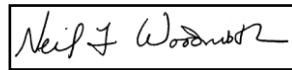
Lakes/North Country Trail throughout the Unit and across Region 9.” However, DEC should develop an MOU with the Finger Lakes Trail Conference (FLTC) to help protect and enhance the FLT in Region 9 and throughout the state.

Recreation and Tourism are an Economic Benefit Provided by State Forests

DEC should recognize (and state in this UMP) recreation and tourism as an economic benefit provided by State Forests.

Thank you for considering the above comments. We look forward to speaking with you about these issues and resolving these during the development of the Final UMP.

Sincerely,



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- ¹ <http://www.dec.ny.gov/lands/64567.html>
- ² <http://www.dec.ny.gov/lands/64567.html>
http://www.dec.ny.gov/docs/lands_forests_pdf/spsfmfinal.pdf (p. 215-218)
- ³ <http://www.dec.ny.gov/outdoor/2574.html>
- ⁴ <http://www.dec.ny.gov/animals/7250.html>
- ⁵ <http://www.lternet.edu/research/keyfindings/foundation-species-matter>
- ⁶ <http://adkinvasives.com/wp-content/uploads/2015/04/WHITMORE-Lk-Placid-28-Mar-15-1.pdf>
- ⁷ <https://www.nps.gov/grsm/learn/news/new-hwa-beetle.htm>
<http://www.news.cornell.edu/stories/2015/06/cornell-introduces-silver-flies-save-hemlock-forests>
<https://blogs.cornell.edu/nyshemlockinitiative/>
- ⁸ <http://www.lakeplacidnews.com/page/content.detail/id/523715/Flies-could-avert-hemlock-threat-in-New-York.html?nav=5005>
- ⁹ <http://www.dec.ny.gov/animals/95656.html>
- ¹⁰ https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=12&ved=0CFoQFjALahUKEwiqprXP5rLHAhVIXB4KHASmDG0&url=http%3A%2F%2Fwww.na.fs.fed.us%2Fnews%2Fstories%2FHWA-Study-FINAL-012915.pdf&ei=tzvTVepuyLh5pM2y6AY&usg=AFQjCNFRO6h3W_R1J2EKupOn32xQBBQLpQ&
- ¹¹ <http://www.lakeplacidnews.com/page/content.detail/id/523185/A-threat-to-hemlocks.html?nav=5005>
- ¹² <http://www.dec.ny.gov/animals/47433.html>
- ¹³ <http://www.usgs.gov/newsroom/article.asp?ID=3781#.VJBM0Hti-T8>
- ¹⁴ <http://www.usgs.gov/newsroom/article.asp?ID=3781#.VJBM0Hti-T8>