

Kathy Regan, Deputy Director, Planning
Adirondack Park Agency
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Dear Ms Regan,

The Adirondack Mountain Club appreciates the opportunity to comment on the proposed amendments to the Adirondack Park State Land Master Plan (APSLMP). Two major amendments involve revisions which would allow bicycle use on pre-existing dirt roadways in the *Primitive* Classification Areas of the Essex Chain Lakes Tract, and the use of non-natural materials to build a bridge in a *Wild Forest* Classification Area corridor across the Cedar River, also in the Essex Chain Lakes Tract.

Regarding the use of **bicycles** in the Essex Chain Lakes Tract, **ADK supports proposed Alternative 2A (in Appendix 2A of the DSEIS)** which states,

"Amend *Primitive* Guidelines to Allow Bicycle Trails on Former All-Season Roads in Essex Chain Lakes and Pine Lake Primitive Areas without Using Motor Vehicles for Maintenance."

ADK does not support any of the other alternatives proposed for the use of bicycles. ADK does not support alternatives 2B, 3A, or 3B. ADK does not support a blanket amendment permitting the use of bicycles in all primitive areas and does not support the use of motorized vehicles for maintenance of trails in any instance.

Regarding the use of non-natural materials I encourage the APA to develop a new amendment alternative which would utilize a Minimum Requirement Approach and analysis for non-natural materials for bridges in all Classification Areas, including *Wild Forest* and *Wilderness*. I also encourage the APA to consider the use of non-natural materials and a Minimum Requirement Approach and analysis for privies in all Classification Areas.

ADK suggests the following amendment:

"Amend all land classification guidelines to allow for the possible use of non-natural materials for bridges following a Minimum Requirement Approach which gives appropriate weight to environmental impacts, longevity, practicality, cost, aesthetics, and which identifies and mitigates adverse impacts and conditions."

There is currently a ubiquity of the steel cable deck and cable suspension bridges on hiking trails in *Wilderness Areas*, including but not limited to the cable deck over Johns Brook in the High Peaks Wilderness Area (HPWA), the suspension bridge over Cold River in the HPWA on the Northville-Placid Trail (NPT), and the suspension bridge over Hamilton Lake Stream in the Silver Lake Wilderness Area on the NPT.

Another potential amendment to classification guidelines involves the use of non-natural materials in privies. ADK suggests the following amendment be considered,

"Amend all land classification guidelines to allow for the possible use of non-natural materials such as fiberglass or plastic for the components of composting privies where there is a demonstrated environmental need in high traffic locations like Marcy Dam, Lake Colden, or Indian Falls in the Eastern High Peaks. A Minimum Requirement Approach should be followed which gives appropriate weight to environmental impacts, practicality, longevity, cost, aesthetics, and which identifies and mitigates adverse impacts and conditions."

Additionally, ADK is extremely concerned with certain changes to the APSLMP in Appendix 1 of the DSEIS. The APA may consider these minor changes, but a significant number of these would result in substantive change and must be analyzed in a process that would consider the impact of these actions on the Forest Preserve. Our concerns with the changes referenced in Appendix 1 are outlined below.

- Regarding the changes to the language under *Conservation Easement Lands* on p. 3 and 4, what is the purpose of removing “*providing public access to state lands*” as an important role of conservation easements? We suspect this change is connected to the State’s desire to relinquish certain public rights to these lands, which have been purchased by all New Yorkers. This is a substantive change. ADK strongly opposes this proposed change.

- A substantive change under *Wilderness* on p.24, in effect, opens all *Wilderness* areas to horse use anywhere (that is able to withstand use), not just on “appropriate abandoned roads” as the current version in the APSLMP reads. This action is highly likely to result in user conflict as more trails are designated *multi-use* to accommodate horses. Also, unlike other forms of non-motorized recreation, horse trails require a much higher level of tread construction and maintenance to support the heavy weight of the animal and the impact that occurs from the very small surface area of its hoof. ADK does not support this proposed change.
- Also under *Wilderness* on p. 24, there is an elimination of the deadline, consequently the requirement, to remove non-conforming structures in *Wilderness*. This is a substantive change. The remaining text under basic guidelines could be interpreted to allow non-conforming structures that currently exist on *Wilderness* areas that have been classified prior to three years ago. Does this action in effect grandfather existing non-conforming structures in *Wilderness* Areas? This change does not adhere to the intent of the APSLMP as originally drafted. The three-year deadline must be retained as per the 1988 Perkins Clearing/ Whitney Lake Case¹ (Adirondack Council et al. v. APA and DEC).² In this case the APA attempted to extend the use of floatplanes for a 10 year period in a Wilderness Area. The decision in this case was that the APA does not have the authority to change the time frame for phasing out or removing a non-conforming use, which we assume is why the APA is now attempting to change the time frame in the APSLMP. **We strongly oppose this change.** Regarding this same issue in the subsequent sections of *Primitive*, *Canoe*, and *Wild Forest* the old deadline is removed and replaced with “as soon as possible” which could be interpreted to mean *never*. In all classification areas there must be a time limit set for the removal of non-conforming uses, or the prohibition of non-conforming structures becomes meaningless. **ADK strongly opposes this proposed change.**
- Under *Wilderness* on p. 26, changes made to *Roads Snowmobiles, Trails, and Administrative Roads* propose a change in policy in allowing gates to block roads—an action that was previously prohibited. This is a substantive change. This action must be explained given that this change would permit roads in Wilderness areas the potential to be temporarily closed and opened by gate to motor vehicles. There must be an analysis and explanation of this action. At this time ADK does not support this proposed change.

- Under *Wild Forest*, Basic Guidelines, #5 p. 36 the language changes from “designate separate areas for incompatible uses” to “minimize conflict of incompatible uses.” This is a substantive change that seriously weakens the original intent of the APSLMP and is likely to result in considerable change in the experience of recreational users of the Forest Preserve as well as potential impact to the environment. This action must be analyzed in a process that would consider the impact of these actions on the Forest Preserve. At this time ADK does not support this proposed change.
- Under *Intensive Use*, Campgrounds #4, on p.44 the proposed change makes the statement meaningless. Is educational outreach important to Campgrounds in *Intensive Use* areas or not? If the original intent of the APSLMP was that educational outreach was important and appropriate in intensive use areas then this section should reflect that. The proposed wording gives no directive. Further, under *Intensive Use*, the original directive for *Visitor Centers* to provide interpretation is completely eliminated. This change is also made under *Acquisition Policy Recommendations*, #3(iii) on p.7. This is certainly a substantive change that must be analyzed in a process that would consider the impact of these actions on the Forest Preserve. These are substantive changes. At this time ADK does not support these proposed changes.
- Under *Unit Management Plan (UMP) Development* on p. 11, the following change is proposed: “-- the regulation or limitation of public use , including use of registration and/or day- use and camping permit systems for individual areas, such that the carrying capacity of the area is not exceeded and the types of measures necessary to achieve that objective.” While ADK supports actions that protect areas from exceeding the carrying capacity of public use, alternative measures other than limiting access must be employed first. The use of a camping permit system for rationing access should only be employed where less restrictive measures have failed to properly protect the resource. Less restrictive measures include, but are not limited to, group size limits, stove-only restrictions (AKA fire-bans), and closing damaged sites. ADK does not support the proposed change in its current form.
- Under *Unit Management Plan (UMP) Development*, on p.12, the proposed change, “Final plans will then be submitted by the Department to the Agency for a determination that the

plan conforms with the general guidelines and criteria set forth in the master plan,” requires a language change. ADK suggests the following language, “Final plans will then be submitted by the Department to the Agency for a determination that the plan conforms in every respect with the Adirondack Stateland Master Plan, including but not limited to conformance with the provisions, guidelines, criteria, definitions, and area descriptions set forth in the master plan.”

Finally, we have the following questions or concerns about the proposed changes, outlined below, to the APSLMP that occur in Appendix 1 of the DSEIS.

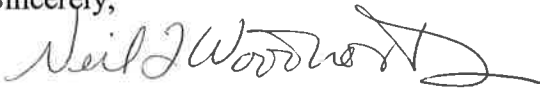
- In the new proposed added section on *Invasive Species* on p.12 the new section mentions adoption of “the guidelines.” Does this refer to the “Inter-Agency Guidelines for Implementing Best Management Practices to Control Terrestrial and Aquatic Invasive Species on DEC Administered Lands of the Adirondack Park” If so, this should be stated in this section.

Unit Management Plan Development

- On P.12, under the following change removes any kind of time frame requirement for the completion of UMPs: “This progress should be continued so that all unit management plans will be completed as soon as possible ~~before the next five year review of the master plan in 1989/90.~~” The APA and DEC must set a reasonable time frame for the completion and updating of UMPs with a schedule, plan, and budget so that the public, including the many conservation groups who work to protect and enhance the Forest Preserve, can advocate for the resources APA and DEC need to complete and update UMPs on a reasonable schedule.

Thank you for your consideration of these comments.

Sincerely,



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The Adirondack Mountain Club (ADK) is dedicated to the conservation, preservation, and responsible recreational use of the New York State Forest Preserve and other parks, wild lands, and waters vital to our members and chapters. ADK represents over 28,000 members who enjoy hiking, canoeing, kayaking, cross-country skiing, camping, backpacking, biking, mountaineering, snowshoeing, and other "muscle-powered" outdoor activities in New York. We sponsor programs that range from teaching people to hike and paddle safely to repairing our state's peerless hiking trail network. We are advocates for responsible recreation; and protection of the Forest Preserve, state parks and other wild lands.

¹ <http://www.nytimes.com/1984/04/29/nyregion/planes-on-wilderness-lake-disputed.html>

² bit.ly/1SO4zdR