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## Working for Wilderness

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RE: Draft Amendment to the Five Mile Interim Recreation Management Plan and Conservation Easement Portion (Kildare and Five Mile Lands) of the Raquette Boreal Unit Management Plan (UMP)

Dear Peter,

The Adirondack Mountain Club (ADK) appreciates the opportunity to comment on the draft Amendment to the Five Mile Interim Recreation Management Plan and Conservation Easement Portion (Kildare and Five Mile Lands) of the Raquette Boreal Unit Management Plan (UMP).

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

We are very concerned that the Department of Environmental Conservation (DEC) is proposing to construct 1.25 miles of new road that will open 17.5 miles of new motorized public access that could impact the rare, high-value, low-elevation boreal ecosystem along the Jordan River and Cold Brook.

The 2006 Adirondack Park Agency (APA) Resolution to adopt the Raquette-Boreal UMP states that the Raquette-Jordan Boreal area was classified as Primitive “due to the presence of biological resources of Statewide significance as well as unique and significant resource values for its sense of remoteness and outstanding opportunities for solitude.”

The APSLMP on page 96 describes the Raquette-Jordan Boreal Primitive Area, “Certain ecological resources found here are considered to be critical on both a regional and global scale. These include one of the largest representative samples of the lowland boreal forest under protection in the Adirondack Park, old-growth forest, and rare animal species such as the spruce grouse and extra-striped snaketail dragonfly. Hunting, fishing,

canoeing and kayaking in a lowland boreal forest setting are some of the outstanding primitive recreational opportunities afforded here.”

The 2006 APA Resolution to adopt the Raquette-Boreal UMP also states that the UMP calls for the monitoring of public use and the reserved rights motorized use to address environmental impacts and to prevent illegal motorized use. The APA Resolution also states that the objective is “to provide visitors with a trail system that offers a range of opportunities, while minimizing resource impacts.”

The proposed draft amendment would, by building a 1.25 mile road connector through undisturbed forest, extend public motorized use from the West Branch St. Regis to 17.5 miles of roads to the south and west that extend directly to the edge of the Forest Preserve Primitive Area along the Jordan River. The UMP does not propose any buffers, gates, or seasonal restrictions to protect the sensitive, low-elevation boreal ecosystem of the Jordan River and Cold Brook. In fact, the proposed draft amendment even suggests that a future action could involve opening additional roads to public use within the adjacent Forest Preserve units of Raquette River Wild Forest and the Raquette-Jordan Boreal Primitive Area. Such a proposed action would not only violate the APSLMP which requires that Primitive Areas be managed as Wilderness by prohibiting public motorized use, but the action in this context, could also be considered segmentation and is contrary to the intent of SEQR.<sup>1</sup>

While we applaud DEC for working to ensure that our New York State easements are accessible to the public, accessibility must not be provided without protections in place for the preservation of natural resources as stated on page 1 of the APSLMP (see below). We are very concerned that there is no plan in this draft amendment to address illegal ATV use on these easement lands. Opening these areas to public motorized use without addressing existing illegal use and the potential for increased illegal use on the easements, the adjacent Forest Preserve, and the sensitive and rare ecological resources that are considered to be “critical on both a regional and global scale,” is irresponsible.

We are also very concerned that DEC has prepared a Full Environmental Assessment Form (FEAF) and Negative Declaration for this project without providing this documentation with the draft amendment. Clearly, the construction of a 1.25 miles of new road which opens 17.5 miles of road to new public motorized use will have a significant environmental impact given the proximity of what the APSLMP describes as “...the largest representative samples of the lowland boreal forest under protection in the Adirondack Park, old-growth forest, and rare animal species...” (APSLMP, Page 96).

The proposed action in the draft amendment meets the requirements of significance in 6CRR-NY 617.7 (c) (1) (i) (ii) (iii) (v) (viii) (ix) and (xii) New York State Codes, Rules, and Regulations, 6CRR-NY 617.7 *Determining Significance*, subdivision (c) *Criteria for determining significance*.<sup>2</sup> DEC must rescind the negative declaration and prepare an Environmental Impact Statement (EIS) for this project.

The Adirondack Park State Land Master Plan (APSLMP) states on page one,

If there is a unifying theme to the master plan, it 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 theme is drawn not only from the Adirondack Park Agency Act (Article 27 of the Executive Law - "The Act") and its legislative history, but also from a century of the public's demonstrated attitude toward the forest preserve and the Adirondack Park.<sup>3</sup>

To comply with this most important and foundational premise of the APSLMP, DEC **must not** move forward with plans to construct 1.25 mile of roadway to open up public access on this easement until DEC has prepared an EIS for the project and has undertaken the monitoring and evaluation of environmental impacts proposed in the 2006 Raquette Boreal UMP.

Thank you for considering the above comments.

Sincerely,



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<sup>1</sup> <http://www.dec.ny.gov/permits/45577.html>

<sup>2</sup>

[https://govt.westlaw.com/nycrr/Document/I4ec3ce62cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/nycrr/Document/I4ec3ce62cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1)

<sup>3</sup> [https://www.apa.ny.gov/Documents/Laws\\_Regs/APSLMP.pdf](https://www.apa.ny.gov/Documents/Laws_Regs/APSLMP.pdf)