

APPENDIX A

SUMMARY BY PARCEL OF THE LASSITER ACQUISITION

LOCATION: Luther School District Lot (Eastern Part)

ACQUIRED: Fee Title - 681.84 acres of land

CONVEYED TO THE STATE OF NEW YORK: All of Lots 94, 97 and 104 and that portion of Lot 96 lying west of the Kalurah-Pitcairn Road, Township 11, Great Tract 3, Macomb's Purchase, Town of Pitcairn.

RESERVED BY LASSITER:

1. Exclusive hunting rights from 9/1 to 12/31 for the years 1989 thru and including 1999.
2. Hunting Camp No. 48.
3. The exclusive right to occupy, use, repair, maintain, but not expand or extend structures, outbuildings, facilities and dams that now exist. This reservation terminates when the Hunting Rights Reservation terminates in 1999.

LOCATION: Main Section (Southern Part - St. Lawrence County)

ACQUIRED: Fee Title - 2,987 acres

CONVEYED TO THE STATE OF NEW YORK: Fee title to 2,987 acre tract, west side of Township 14, south half Great Tract 3, Macomb's Purchase, Town of Fine.

RESERVED BY LASSITER:

1. Exclusive hunting rights from 9/1 to 12/31 for the years 1989 thru and including 1999.
2. Hunting camps Nos. 57 thru 63 and 67 thru 69.
3. The exclusive right to occupy, use, repair, maintain, but not expand or extend structures, outbuildings, facilities and dams that now exist; reservation expires with the termination of the Hunting Rights in 1999.

LOCATION: Main Section (Southern Part - Herkimer County)

ACQUIRED: Fee Title - 3,750 acres

CONVEYED TO THE STATE OF NEW YORK: Fee title to 3,750 acres,

Macomb's Purchase, Great Tract 4, Triangle Lots No. 20, 23, 24, 25, 26, and 27.

RESERVED BY LASSITER:

1. Exclusive hunting rights from 9/1 to 12/31 for the years 1989 thru and including 1999.
2. Hunting camp No. 56.
3. The exclusive right to occupy, use, repair, maintain, but not expand or extend structures, outbuildings, facilities and dams that now exist. This reservation terminates with the expiration of the Hunting Rights Reservation.

LOCATION: Main Section (Northern Part)

ACQUIRED: Conservation Easement - 355.04 acres of land

CONVEYED TO THE STATE OF NEW YORK: Recreation and Development Rights on all of Lots 73 and 80, Township 8, Great Tract 3, Macomb's Purchase, Town of Fine.

RESERVED BY LASSITER:

1. Exclusive hunting rights from 9/1 to 12/31 for the years 1989 thru and including 2019.
2. The exclusive right to occupy, use, repair, maintain, but not expand or extend structures, outbuildings, facilities and dams that now exist.
(Note: There are no hunting camps on this parcel)
3. Fee title, timber rights and mineral rights.

LOCATION: Southwest of main section

ACQUIRED: Conservation Easement - 6,473 acres, Lots 13, 17, 18, 19, 20, 21, 22, 23, 24, 26, Great Tract 4, Macomb's Purchase, Town of Diana.

CONVEYED TO THE STATE OF NEW YORK:

1. Conservation Easement consisting of Recreation and Development Rights.
2. Public easement to canoe the Oswegatchie River from Herkimer-Lewis County line downstream to Bryant's Bridge.
3. Public easement for ingress and egress over easterly

extension of Bryant's Bridge Road for purposes of canoe access only.

RESERVED BY LASSITER:

1. Exclusive hunting rights from 9/1 to 12/31 for the years 1989 thru and including 2019.
2. Hunting Camps Nos. 54, 55, 64, 65, 66 and 74.
3. The exclusive right to occupy, use, repair, maintain, but not expand or extend structures, outbuildings, facilities and dams that now exist.
4. Fee title, timber rights and mineral rights.

**THE LASSITER TRACT
LEWIS, HERKIMER AND
ST. LAWRENCE COUNTIES
D.E.C. FOREST PRESERVE AND
CONSERVATION EASEMENTS**

①

LEWIS COUNTY EASEMENT - 10,896 ac.
Bald Mt. / Blue Swamp Tracts, Tn. of Croghan
Hunting Prohibited Sept.-Dec. Until 12/31/2019

②

LEWIS COUNTY EASEMENT - 6853 ac.
Aldrich Tract, Tn. of Diana
Hunting Prohibited Sept.-Dec. Until 12/31/2019

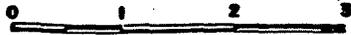
③

ST. LAWRENCE COUNTY FEE - 2987 ac.
Tn. of Fine
Hunting Prohibited Sept.-Dec. Until 12/31/99

④

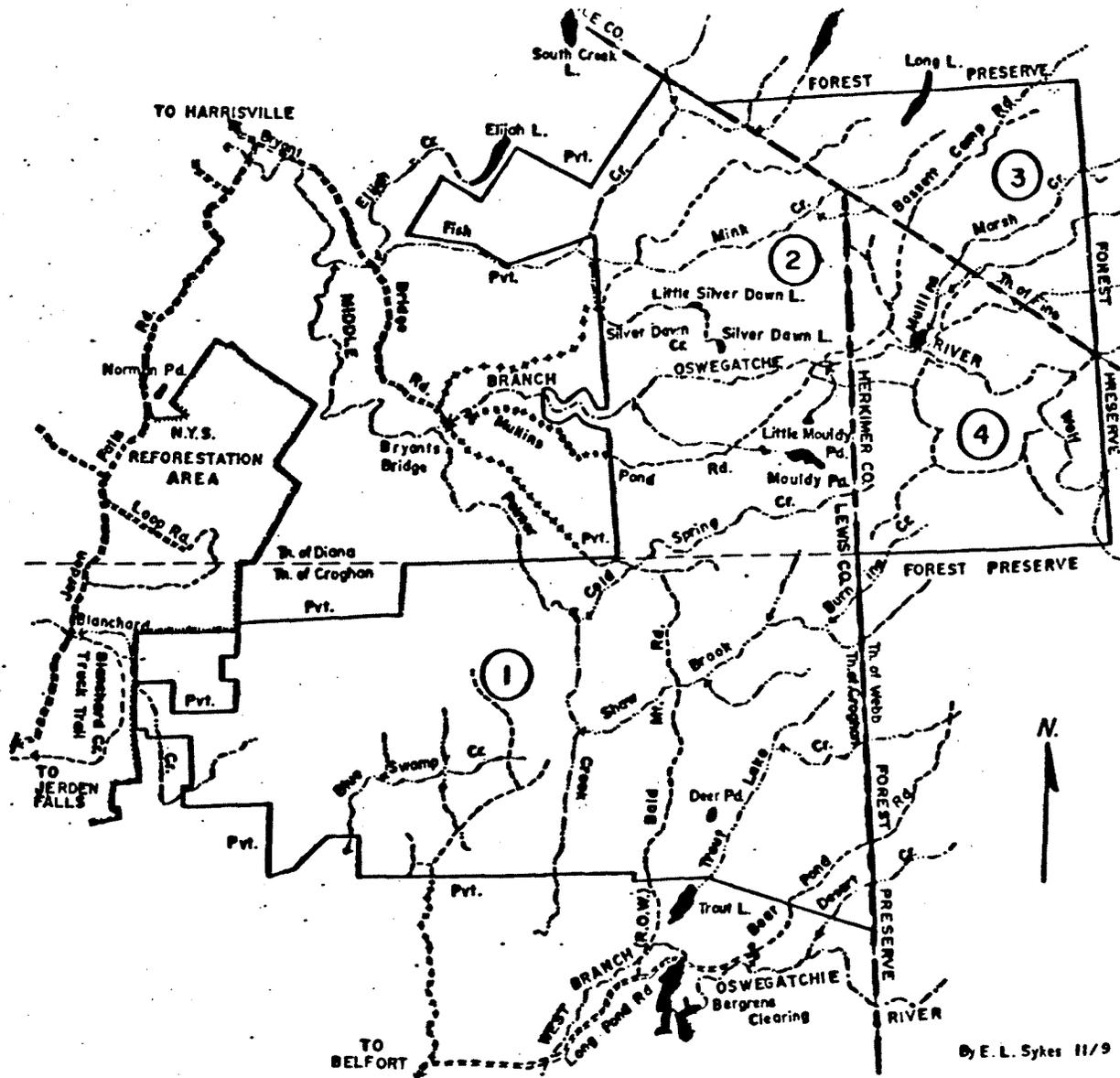
HERKIMER COUNTY FEE - 3750 ac.
Tn. of Webb
Hunting Prohibited Sept.-Dec. Until 12/31/99

SCALE OF MILES



LEGEND

- COUNTY LINE
- - - TOWN LINE
- ▬▬▬ STATE REFORESTATION AREA
- PUBLIC ROAD
- TOWN ROAD
- ◆◆◆◆◆ ACCESS ROAD FOR CANOEIST ONLY
- ◆◆◆◆◆ PRIVATE ROAD, NO PUBLIC ACCESS
- ◆◆◆◆◆ SNOMOBILE TRAIL
- SEASONAL GATE
- POND/LAKE
- RIVER
- STREAM



By E. L. Sykes 11/9

Public Use Guides - The Lassiter Tracts
LEWIS, HERKIMER AND ST. LAWRENCE COUNTIES
DEC FOREST PRESERVE AND CONSERVATION EASEMENTS

The 1986 Environmental Quality Bond Act provided funds to purchase 6,737 acres of Forest Preserve in St. Lawrence and Herkimer Counties, and 17,749 acres of contiguous Conservation Easements in the Northeast corner of Lewis County, from Lassiter Properties Inc. On both of these categories, the following public rights exist:

I. Getting to the Lands

Public access to the properties may be gained by foot from the adjacent New York State Reforestation Area, east of the Jerden Falls Road and Blanchard Creek truck trail and New York State Forest Preserve lands. Additionally, foot and vehicle access may be gained by utilizing the Bald Mountain or Bear Pond Roads. Restricted motor vehicle and foot access for recreational canoeing only is allowable along the Mullins Flow Road, an extension of the Bryant's Bridge Road. The Mullins Flow Road will be gated closed in the spring (as will the Bear Pond Road) until frost-out to protect it from damage, but will then be open throughout the recreational canoeing season. The easement property begins at 1.5 miles inside the Mullins Flow Road gate and no parking is permitted until you enter the easement lands.

II. Public Use on the Lands

a. Public access across the properties by foot, snowshoes, skis and horses unrestricted.

b. Vehicular Use

1) On the Easement, vehicular access is allowed only over presently established roads. Access from the south along the Bald Mountain Road ends at the Croghan-Diana Town line. No off road use by vehicles is permitted.

2) Vehicles are defined as all motor vehicles, bicycles, snowmobiles, all terrain vehicles, and similar forms of transport.

c. Travel on any navigable stream crossing the properties is allowed by canoe and other means of non-motorized travel and access. Canoeing (including the right to portage around obstacles when necessary) is allowed on the Middle Branch of the Oswegatchie between the western edge of the easement and Bryants Bridge.

d. Camping is allowed at sites at least 150' from any road, trail spring, stream, pond or any body of water. Camping at one location four or more nights or in a group of 10 or more requires a permit from the local forest ranger - Michael W. Lewis, Convent Street, Croghan, New York 13327, phone 315-346-1040.

e. Fishing and Trapping are allowed on the property.

f. Hunting

1) Hunting on the Herkimer and St. Lawrence portions of this property is allowed only between January 1st thru August 31 of each year through 2000. Hunting rights from September through December are reserved by Lassiter Properties, Inc. until December 31, 1999.

2) Hunting on the Lewis County easement portions of this property is allowed only between January 1 thru August 31 of each year until 2020. Hunting rights from September through December are reserved by Lassiter Properties, Inc. until December 31, 2019.

3) All hunting, fishing and trapping must be in accordance with D.E.C. regulations.

g. Firewood may be gathered only from dead and downed trees, and only for on-site use, for cooking and warmth.

h. Littering is prohibited.

i. Lassiter Properties, Inc. retains the right to harvest timber on easements. Areas in Lewis County undergoing active harvest or road construction may be signed as closed by Lassiter, in the interests of public safety.

FOR ADDITIONAL DETAILS,
NYS D.E.C. RD 3, Rte. #12, Box 22A
Lowville, New York 13367
Phone: 315-376-3521

11/14/90

DEC COMMON LOON SURVEYS

LAKE	POND#	Nonbreeding Adults		Chicks 1/2 Adult Size	
		1979	1985	1979	1985
Streeter Lake	04-0285	0	2	0	0
Long Lake	04-0162	0	4	0	0
Round Lake	04-0161	2	1*	0	2
Twin Lakes (S)	04-0268	0	2	0	0
South Ck. Lake	04-0146	0	0	0	0
Sucker Lake	04-0274	0	0	0	0
Star Lake	04-0281	0	0	0	0
Total		2	9	0	2

*In addition to at least one breeding pair.

SIGNIFICANT HABITATS-NATURAL HERITAGE

#			
44 075 11 #2	Aster nemoralis		
44 075 12 #1	Rock Lake - Loon Nesting		
44 075 12 #2	Round Lake - Loon Nesting		

DEER WINTERING AREAS

Number	Name	County
45-156	Dry Timber Lake	St. Lawrence
45-157	Aldrich Pond	St. Lawrence
45-159	Crystal Lake	St. Lawrence
45-160	Little River	St. Lawrence
25-105	Cedar Swamp	Lewis
25-106	Fish Creek	Lewis
22-176	Oswegatchie	Herkimer
22-104	The Tunnel	Herkimer

APPENDIX B-2

CALCULATED DEER KILL FOR ALDRICH POND WILD FOREST
 LAND AREA (SQUARE MILES): 42.9

YEAR	-----APPROXIMATE CALCULATED KILL-----					AD FEMA/ ADMALE	
	AD MALE	FN MALE	AD FEMA	FN FEMA	TOTAL	AD MALE	SQ MI
1954	74	3	11	3	91	0.15	1.7
1955	47	0	0	0	47	0.00	1.1
1956	47	0	0	0	47	0.00	1.1
1957	60	3	8	3	74	0.13	1.4
1958	51	2	7	2	62	0.13	1.2
1959	52	13	38	12	115	0.73	1.2
1960	54	4	30	3	91	0.56	1.3
1961	46	6	28	6	86	0.62	1.1
1962	49	6	34	5	94	0.70	1.1
1963	41	6	28	6	81	0.68	0.9
1964	49	7	28	6	90	0.58	1.1
1965	61	7	28	7	103	0.46	1.4
1966	54	8	36	8	106	0.67	1.3
1967	68	10	40	10	128	0.58	1.6
1968	62	11	40	10	123	0.65	1.4
1969	43	9	35	8	95	0.82	1.0
1970	21	3	14	3	41	0.69	0.5
1971	15	0	0	0	15	0.00	0.3
1972	19	0	0	0	19	0.00	0.4
1973	25	0	0	0	25	0.00	0.6
1974	28	0	0	0	28	0.01	0.7
1975	38	0	0	0	38	0.00	0.9
1976	40	0	0	0	40	0.00	0.9
1977	36	0	0	0	36	0.00	0.8
1978	28	0	0	0	28	0.00	0.7
1979	22	0	0	0	22	0.01	0.5
1980	39	0	1	0	40	0.02	0.9
1981	43	0	0	0	43	0.00	1.0
1982	43	1	1	1	46	0.02	1.0
1983	46	1	1	0	48	0.02	1.1
1984	55	1	1	1	58	0.02	1.3
1985	63	1	1	1	66	0.01	1.5
1986	62	1	2	1	66	0.03	1.5
1987	67	1	2	1	71	0.03	1.6
1988	86	1	4	2	93	0.05	2.0
1989	70	1	4	1	76	0.05	1.6
1990	63	1	3	1	68	0.05	1.5
1991	69	2	10	2	83	0.14	1.6
1992	60	3	16	2	81	0.26	1.5
1993	56	2	16	2	76	0.38	1.4

APPENDIX B-3

REPORTED FURBEARER TAKE FOR ALDRICH POND WILD FOREST
 LAND AREA (SQUARE MILES): 42.9

-----APPROXIMATE REPORTED TAKE-----					
YEAR	BEAVER	BOBCAT	COYOTE	FISHER	OTTER
1958	59	0	0	3	3
1959	0	0	0	2	1
1960	0	0	0	0	2
1961	0	0	0	5	2
1962	0	0	0	3	1
1963	0	0	0	1	2
1964	0	0	0	0	2
1965	0	0	0	5	1
1966	31	0	0	4	1
1967	26	0	0	4	1
1968	54	0	0	3	2
1969	17	0	0	3	1
1970	8	0	0	5	1
1971	26	0	0	7	1
1972	60	0	0	5	1
1973	27	0	0	4	2
1974	50	0	0	6	4
1975	80	0	0	9	4
1976	58	0	0	2	4
1977	34	0	0	0	1
1978	68	1	0	6	4
1979	72	0	3	13	3
1980	44	0	1	4	3
1981	23	0	1	3	1
1982	40	0	1	3	2
1983	22	0	1	0	2
1984	18	0	0	0	1
1985	40	0	0	6	2
1986	33	0	0	4	6
1987	48	1	1	2	3
1988	40	1	1	3	3
1989	44	0	1	2	4
1990	31	0	0	0	2
1991	19	0	3	0	2
1992	38	1	0	2	2

NEW YORK STATE BREEDING BIRD ATLAS
 BREEDING SPECIES OF : ALDRICH POND WILD FOREST
 1980-1985 DATA - AOU CHECKLIST ORDER

COMMON NAME	SCIENTIFIC NAME	NEW YORK LEGAL STATUS	NATURAL HERITAGE PROGRAM STATE RANK
CONFIRMED BREEDERS			
Wood Duck	<i>Aix sponsa</i>	Game Species	S5
Hooded Merganser	<i>Lophodytes cucullatus</i>	Game Species	S4
Broad-winged Hawk	<i>Buteo platypterus</i>	Protected	S5
American Kestrel	<i>Falco sparverius</i>	Protected	S5
Ruffed Grouse	<i>Bonasa umbellus</i>	Game Species	S5
Killdeer	<i>Charadrius vociferus</i>	Protected	S5
Rock Dove	<i>Columba livia</i>	Unprotected	SE
Belted Kingfisher	<i>Ceryle alcyon</i>	Protected	S5
Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>	Protected	S5
Downy Woodpecker	<i>Picoides pubescens</i>	Protected	S5
Hairy Woodpecker	<i>Picoides villosus</i>	Protected	S5
Northern Flicker	<i>Colaptes auratus</i>	Protected	S5
Olive-sided Flycatcher	<i>Contopus borealis</i>	Protected	S5
Alder Flycatcher	<i>Empidonax alnorum</i>	Protected	S5
Least Flycatcher	<i>Empidonax minimus</i>	Protected	S5
Eastern Phoebe	<i>Sayornis phoebe</i>	Protected	S5
Great Crested Flycatcher	<i>Myiarchus crinitus</i>	Protected	S5
Eastern Kingbird	<i>Tyrannus tyrannus</i>	Protected	S5
Tree Swallow	<i>Tachycineta bicolor</i>	Protected	S5
Bank Swallow	<i>Riparia riparia</i>	Protected	S5
Barn Swallow	<i>Hirundo rustica</i>	Protected	S5
Black-capped Chickadee	<i>Parus atricapillus</i>	Protected	S5
White-breasted Nuthatch	<i>Sitta carolinensis</i>	Protected	S5
Brown Creeper	<i>Certhia americana</i>	Protected	S5
House Wren	<i>Troglodytes aedon</i>	Protected	S5
Winter Wren	<i>Troglodytes troglodytes</i>	Protected	S5
Golden-crowned Kinglet	<i>Regulus satrapa</i>	Protected	S5
Eastern Bluebird	<i>Sialia sialis</i>	Protected-Special Concern	S5
Veery	<i>Catharus fuscescens</i>	Protected	S5
Hermit Thrush	<i>Catharus guttatus</i>	Protected	S5

NEW YORK STATE BREEDING BIRD ATLAS
 BREEDING SPECIES OF : ALDRICH POND WILD FOREST
 1980-1985 DATA - AOU CHECKLIST ORDER

COMMON NAME	SCIENTIFIC NAME	NEW YORK LEGAL STATUS	NATURAL HERITAGE PROGRAM STATE RANK
Wood Thrush	<i>Hylocichla mustelina</i>	Protected	S5
American Robin	<i>Turdus migratorius</i>	Protected	S5
Gray Catbird	<i>Dumetella carolinensis</i>	Protected	S5
European Starling	<i>Sturnus vulgaris</i>	Unprotected	SE
Yellow-throated Vireo	<i>Vireo flavifrons</i>	Protected	S5
Red-eyed Vireo	<i>Vireo olivaceus</i>	Protected	S5
Northern Parula	<i>Parula americana</i>	Protected	S3S4
Yellow Warbler	<i>Dendroica petechia</i>	Protected	S5
Chestnut-sided Warbler	<i>Dendroica pensylvanica</i>	Protected	S5
Magnolia Warbler	<i>Dendroica magnolia</i>	Protected	S5
Black-throated Blue Warbler	<i>Dendroica caerulescens</i>	Protected	S5
Yellow-rumped Warbler	<i>Dendroica coronata</i>	Protected	S5
Black-throated Green Warbler	<i>Dendroica virens</i>	Protected	S5
Blackburnian Warbler	<i>Dendroica fusca</i>	Protected	S5
Black-and-white Warbler	<i>Mniotilta varia</i>	Protected	S5
American Redstart	<i>Setophaga ruticilla</i>	Protected	S5
Ovenbird	<i>Seiurus aurocapillus</i>	Protected	S5
Northern Waterthrush	<i>Seiurus noveboracensis</i>	Protected	S5
Common Yellowthroat	<i>Geothlypis trichas</i>	Protected	S5
Canada Warbler	<i>Wilsonia canadensis</i>	Protected	S5
Scarlet Tanager	<i>Piranga olivacea</i>	Protected	S5
Rose-breasted Grosbeak	<i>Pheucticus ludovicianus</i>	Protected	S5
Rufous-sided Towhee	<i>Pipilo erythrophthalmus</i>	Protected	S5
Chipping Sparrow	<i>Spizella passerina</i>	Protected	S5
Song Sparrow	<i>Melospiza melodia</i>	Protected	S5
Lincoln's Sparrow	<i>Melospiza lincolni</i>	Protected	S4
Swamp Sparrow	<i>Melospiza georgiana</i>	Protected	S5
White-throated Sparrow	<i>Zonotrichia albicollis</i>	Protected	S5
Dark-eyed Junco	<i>Junco hyemalis</i>	Protected	S5
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	Protected	S5
Common Grackle	<i>Quiscalus quiscula</i>	Protected	S5
Brown-headed Cowbird	<i>Molothrus ater</i>	Protected	S5
Northern Oriole	<i>Icterus galbula</i>	Protected	S5

NEW YORK STATE BREEDING BIRD ATLAS
 BREEDING SPECIES OF : ALDRICH POND WILD FOREST
 1980-1985 DATA - AOU CHECKLIST ORDER

COMMON NAME	SCIENTIFIC NAME	NEW YORK LEGAL STATUS	NATURAL HERITAGE PROGRAM STATE RANK
PROBABLE BREEDERS			
Common Loon	<i>Gavia immer</i>	Protected-Special Concern	S4
American Bittern	<i>Botaurus lentiginosus</i>	Protected	S4
Red-shouldered Hawk	<i>Buteo lineatus</i>	Threatened	S4
American Crow	<i>Corvus brachyrhynchos</i>	Game Species	S5
Common Snipe	<i>Gallinago gallinago</i>	Game Species	S5
Mourning Dove	<i>Zenaida macroura</i>	Protected	S5
Whip-poor-will	<i>Caprimulgus vociferus</i>	Protected	S4
Ruby-throated Hummingbird	<i>Archilochus colubris</i>	Protected	S5
Eastern Wood-Pewee	<i>Contopus virens</i>	Protected	S5
Yellow-bellied Flycatcher	<i>Empidonax flaviventris</i>	Protected	S3
Blue Jay	<i>Cyanocitta cristata</i>	Protected	S5
Common Raven	<i>Corvus corax</i>	Protected-Special Concern	S4
Red-breasted Nuthatch	<i>Sitta canadensis</i>	Protected	S5
Ruby-crowned Kinglet	<i>Regulus calendula</i>	Protected	S3
Swainson's Thrush	<i>Catharus ustulatus</i>	Protected	S5
Brown Thrasher	<i>Toxostoma rufum</i>	Protected	S5
Cedar Waxwing	<i>Bombycilla cedrorum</i>	Protected	S5
Solitary Vireo	<i>Vireo solitarius</i>	Protected	S5
Nashville Warbler	<i>Vermivora ruficapilla</i>	Protected	S5
Mourning Warbler	<i>Oporornis philadelphia</i>	Protected	S5
Indigo Bunting	<i>Passerina cyanea</i>	Protected	S5
Field Sparrow	<i>Spizella pusilla</i>	Protected	S5
Bobolink	<i>Dolichonyx oryzivorus</i>	Protected	S5
Purple Finch	<i>Carpodacus purpureus</i>	Protected	S5
American Goldfinch	<i>Carduelis tristis</i>	Protected	S5
POSSIBLE BREEDERS			
Great Blue Heron	<i>Ardea herodias</i>	Protected	S5
American Black Duck	<i>Anas rubripes</i>	Game Species	S4

NEW YORK STATE BREEDING BIRD ATLAS
 BREEDING SPECIES OF : ALDRICH POND WILD FOREST
 1980-1985 DATA - AOU CHECKLIST ORDER

COMMON NAME	SCIENTIFIC NAME	NEW YORK LEGAL STATUS	NATURAL HERITAGE PROGRAM STATE RANK
Mallard	<i>Anas platyrhynchos</i>	Game Species	S5
Common Merganser	<i>Mergus merganser</i>	Game Species	S5
Turkey Vulture	<i>Cathartes aura</i>	Protected	S4
Sharp-shinned Hawk	<i>Accipiter striatus</i>	Protected	S4
Northern Goshawk	<i>Accipiter gentilis</i>	Protected	S4
Red-tailed Hawk	<i>Buteo jamaicensis</i>	Protected	S5
Wild Turkey	<i>Meleagris gallopavo</i>	Game Species	S5
American Woodcock	<i>Scolopax minor</i>	Game Species	S5
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	Protected	S5
Barred Owl	<i>Strix varia</i>	Protected	S5
Long-eared Owl	<i>Asio otus</i>	Protected	S3
Northern Saw-whet Owl	<i>Aegolius acadicus</i>	Protected	S3
Chimney Swift	<i>Chaetura pelagica</i>	Protected	S5
Black-backed Woodpecker	<i>Picoides arcticus</i>	Protected	S3
Pileated Woodpecker	<i>Dryocopus pileatus</i>	Protected	S5
Cliff Swallow	<i>Hirundo pyrrhonota</i>	Protected	S5
Warbling Vireo	<i>Vireo gilvus</i>	Protected	S5
Pine Warbler	<i>Dendroica pinus</i>	Protected	S5
Northern Cardinal	<i>Cardinalis cardinalis</i>	Protected	S5
Savannah Sparrow	<i>Passerculus sandwichensis</i>	Protected	S5
Eastern Meadowlark	<i>Sturnella magna</i>	Protected	S5
Rusty Blackbird	<i>Euphagus carolinus</i>	Protected	S3
White-winged Crossbill	<i>Loxia leucoptera</i>	Protected	S2S3
House Sparrow	<i>Passer domesticus</i>	Unprotected	SE

SCHEDULE FOR PUBLIC FISHING RIGHTS

1994-95 (97-98)

St. Regis River	3.78 miles
Deer River	.05 miles
sub-total	3.83 miles

1995-96 (98-99)

Plumb Brook	4.09 miles
Trib. 2	.66 miles
Little River (North Russell)	.07 miles
sub-total	4.82 miles

1993-94 (96-97)

Twin Lake Outlets	1.54 miles
Black Creek	.31 miles
Little River (trib. of Oswegatchie)	4.70 miles
Sucker Lake Outlet	.65 miles
Trib. 12	.25 miles
sub-total	7.45 miles

Total	16.10 miles
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ALDRICH POND WILD FOREST
FISH SPECIES

Common Name	Scientific Name	Abbrev.
Blacknose dace	<i>Rhinichthys atratulus</i>	Blkd
Brook trout	<i>Salvelinus fontinalis</i>	ST
Brown bullhead	<i>Ameiurus nebulosus</i>	BB
Brown trout	<i>Salmo trutta</i>	BT
Common shiner	<i>Luxilus cornutus</i>	CS
Creek chub	<i>Semotilus atromaculatus</i>	CC
Fathead minnow	<i>Pimephales promelas</i>	FHM
Golden shiner	<i>Notemigonus crysoleucas</i>	GS
Kokanee salmon	<i>Oncorhynchus nerka</i>	KS
Lake trout	<i>Salvelinus namaycush</i>	LT
Largemouth bass	<i>Micropterus salmoides</i>	LMB
Longnose dace	<i>Rhinichthys cataractae</i>	LnD
Northern pike	<i>Esox lucius</i>	NP
Northern redbelly dace	<i>Phoxinus eos</i>	RbD
Pearl dace	<i>Margariscus margarita</i>	PD
Pumpkinseed	<i>Lepomis gibbosus</i>	PS
Rainbow smelt	<i>Osmerus mordax</i>	RS
Rainbow trout	<i>Oncorhynchus mykiss</i>	RT
Rock bass	<i>Ambloplites rupestris</i>	RB
Slimy sculpin	<i>Cottus cognatus</i>	SS
Smallmouth bass	<i>Micropterus dolomieu</i>	SMB
Splake	<i>Salvelinus fontinalis</i> X <i>S. namaycush</i>	SPL
White sucker	<i>Catostomus commersoni</i>	WS
Yellow perch	<i>Perca flavescens</i>	YP

ALDRICH POND WILD FOREST - LAKE AND POND INVENTORY October 1993

KEY N & WATERSHED	POND NAME	ACRES	WATER QUALITY	FISH SPECIES PRESENT	MANAGEMENT		
					PAST	PRESENT	FUTURE
P161 OW	Round Lake	78	Fair, pH 5.54	ST,BB,GS	1990 DEC Stocked	Same	Same
P162 OW	Long Lake	68	Good, pH 6.09	ST,BB,GS	1987 DEC Stocked Lined 1987	Same	Line 1994
P168 OW	Mullins Flow	13	Acid, pH 4.6	ST,BB,CC	1986 ALSC Stocked until 1982	NSA ST	Same
P267 OW	Twin Lakes North	32	Good, pH 6.7	ST,RT,RS,BB,CC,FHM	1985 ALSC Privately stocked Reclaimed 1960 & 70	Private	Reestablish public access
P268 OW	Twin Lakes South	14	Good, pH 6.7	ST,RT,RS,BB,CC,FHM	1986 ALSC Same as P267	Same as P267	Same as P267
P274 OW	Sucker Lake	100	Good, pH 5.5	ST,BT,BB,CC,PS,WS	1978 DEC Stocked Reclaimed 1968 & 73	Private	Reestablish public access, stocking
P280 OW	Readway Pond	3	Unknown	Unknown	None	None	
P281 OW	Star Lake	208	Good, pH 6.4	BT,LT,RT,RS,BB,RB,PS,YP, LMB,WS	1990 DEC Stocked	Private, coldwater & warmwater,stocked	Same, maintain public access
P282* OW	Unnamed Pond	1	Bog,acid,pH 4.5	None	1986 ALSC	None	
P283* OW	Unnamed Pond	1	Unknown	Unknown	None	None	
P284* OW	Unnamed Pond	7.5	Unknown	Unknown	None	None	

ALDRICH POND WILD FOREST - LAKE AND POND INVENTORY October 1993

KEY W & WATERSHED	POND NAME	ACRES	WATER QUALITY	FISH SPECIES PRESENT	MANAGEMENT		
					PAST	PRESENT	FUTURE
P118 OW	Hills Pond	3	Fair, pH 5.4	PD, BB	1984 ALSC	None	Possible stock ST
P130 OW	Long Lake	21	Good, pH 6.0	ST(rare), CC, RbD, BB, WS, GS, PS	1984 ALSC	None	Possible stock ST
P131 OW	Twin Pond East	3	Fair, pH 5.5	ST, GS, RbD, GS, BB, WS, PS, CC	1991 DEC Stocked until 1971	NSA resident species	Same
P132 OW	Twin Pond West	16	Fair, pH 5.5	ST, GS, RbD, GS, BB, WS, PS, CC	Same as P131	Same as P131	Same as P131
P133 OW	Spider Pond	1	Bog, pH 5.5	BB, PS	1986 ALSC	None	
P135 OW	The Gulf	2.5	Good, pH 5.9	ST, BB, CC	1984 ALSC	NSA ST	Possible stock
P136 OW	Dry Timber Lake	21	Bog, fair, pH 5.2 pH 5.2	None	1984 ALSC Stocked until 1967	None	
P138 OW	Jenny Lake	21	Good, pH 6.3	ST, PS, WS, BB, CC	1984 ALSC Stocked until 1953	Private, NSA ST	Secure public access
P144b OW	Unnamed Pond	58	Unknown	Unknown	None	None	Needs survey
P146 OW	South Creek Lake	57	Good, pH 6.4	BT, BB, LWB	1984 ALSC Stocked until 1966	NSA resident species	Same
P153 OW	Little Silver Dawn Lake	6	Good, pH 5.6	ST	1986 ALSC Stocked in 1950's	None	Stock
P154 OW	Silver Dawn Lake	8	Good, pH 5.8	ST, RbD	1986 ALSC Stocked	Stocked	Line 1995
P157 OW	Lower Scuttlehole Pond	13	Good, pH 6.3	BB, GS, CC, RbD, ST reported	1984 ALSC	NSA resident species	Same

ALDRICH POND WILD FOREST - LAKE AND POND INVENTORY October 1993

KEY # & WATERSHED	POND NAME	ACRES	WATER QUALITY	FISH SPECIES PRESENT	MANAGEMENT		
					PAST	PRESENT	FUTURE
P285 OW	Streeter Lake	68	Good, pH 6.4	ST,WS,BB	1992 DEC Stocked	Stocked ST (Little Tupper Strain)	Same
P288 OW	Pansy Pond	2	Acid, pH 4.4	BB	1984 ALSC	None	
P289 OW	Crystal Lake	14	Acid, pH 4.4	None	1984 ALSC	None	
P5146 OW	Unnamed Pond	6	Unknown	Unknown	None	None Partly private	Survey 1993

KEY: OW - Oswegatchie River watershed, NSA - Natural spawning adequate; *Ponds 282, 283 & 284 are connected and make up one water body.

ALDRICH POND WILD FOREST - STREAM INVENTORY

April 1993

KEY #	STREAM NAME	MILES	MAJOR FISH SPECIES	COMMENTS
SL-25-101	Little River ¹	5.3	St above Aldrich;BT,YP below	Serious oil pollution from J&L at Star Lake.
SL-25-101-5	Twin Lakes Stream ¹	1.0	BT,ST,WS,BB,SS,BlkD,YP	NSA BT and ST.
SL-25-101-8	Outlet of Sucker Lake ¹	1.0	ST	Needs survey.
SL-25-101-14	Unnamed Creek	0.3	Unknown	Intermittent, dry when last surveyed.
SL-25-101-15	Mud Creek	1.1	WS, Minnows	Small, warmwater.
SL-25-101-16	Unnamed Creek	1.9	ST	ST NSA, Needs fishery and chemistry surveys.
SL-25-101-17	Unnamed Creek	0.2	Unknown	Not surveyed.
SL-25-101-18	Unnamed Creek	1.0	Unknown	Not surveyed.
SL-25-101-19	Unnamed Creek	1.1	Unknown	Not surveyed.
SL-25-101-21	Unnamed Creek	0.4	Unknown	Not surveyed.
SL-25-101-24	Tamarack Creek	0.6	ST,BB	ST NSA, Needs fishery and chemistry surveys.
SL-25-101-24-5	Streeter Lake Outlet	0.9	ST	Needs fishery and chemistry surveys.
SL-25-101-24-8	Outlet of Pansy Pond	1.0	Unknown	Not surveyed, small.

All streams in Oswegatchie River watershed.

¹Not state owned, forms the northern boundary of the wild forest.

²The mileage shown on Scuttlehole Creek includes the Scuttlehole Ponds.

³Public Fishing Rights Easements (PFR) exist on these waters.

NSA - Natural Spawning Adequate.

Map and Description of Permanent Easement
 through Lots 114, 128, 129, 135 and 136
 Township 11, Great Tract No. 3,
 Macomb's Purchase, Town of
 Pitcairn, St. Lawrence County

(Clayton Powell, Charles Greiner and
 Diamond International Corp., reputed owner)

Pursuant to Section 1-0503 of the Conservation Law, I, R. Stewart Kilborne, Conservation Commissioner of the State of New York, have caused to be made and certified an accurate map and description prepared from an accurate survey of a parcel of land hereafter described, over which I deem it necessary to acquire a permanent easement for travel by the public on foot, snowshoes, skis and horseback or motor vehicles including the right to enter adjacent lands of the owners with teams, trucks and other equipment necessary to construct, improve and maintain a road over and across said premises and the right to remove trees, stumps, rocks and other materials which the State may deem hazardous to the public in the use of the easement herein acquired and the further right to use any and all such materials in the construction, improvement and maintenance of said road and the further right to make minor changes, from time to time as shall be deemed desirable.

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Pitcairn, St. Lawrence County being part of and running through Lots 114, 128, 129, 135 and 136 of Township 11, Great Tract No. 3, Macomb's Purchase, being a right-of-way 0.500 chains or 33 feet in width, lying 0.250 chains or 16.5 feet both sides of the centerline of an existing road, which centerline is bounded and described as follows:

BEGINNING at a point in the center of an old road known as the South Creek Lake Road where the same intersects the division line between the Town of Pitcairn on the North and Town of Fine on the South being also on the Northerly bounds of the lands of the State of New York and the Southerly line of Lot 136, Township 11, Great Tract No. 3, Macomb's Purchase, said point also being distant 0.060 chains on a course of N. 82° 20' W. from the common Southerly

corner of Lots 135 and 136 being marked by a Bathey Marker and runs thence along the centerline of said old road, as it runs across said Lot 135 and 136 the following nine (9) courses and distances:

1. N 16° 41' E - 1.446 chains
2. N 21° 36' E - 7.391 chains
3. N 36° 33' E - 9.679 chains
4. N 29° 54' E - 3.780 chains
5. N 28° 49' E - 4.918 chains
6. N 20° 09' E - 3.741 chains
7. N 28° 05' E - 6.166 chains
8. N 30° 51' E - 7.228 chains
9. N 35° 50' E - 0.536 chains to a point

on the line between Lots 128 and 135 in said Township 11, located on a course of S 80° 45' E, 16.548 chains from a Bathey Marker and stones marking the common corner of Lots 127, 128, 135 and 136; thence continuing along said centerline as it runs across said Lot 128 and Lot 114, the following twenty (20) courses and distances:

1. N 35° 50' E - 3.125 chains
2. N 38° 41' E - 3.919 chains
3. N 45° 53' E - 5.692 chains
4. N 37° 16' E - 3.346 chains
5. N 32° 11' E - 3.949 chains
6. N 16° 04' E - 2.502 chains
7. N 04° 18' E - 1.931 chains
8. N 08° 22' W - 3.005 chains
9. N 10° 06' W - 5.010 chains
10. N 02° 07' E - 3.754 chains
11. N 17° 17' E - 3.852 chains
12. N 57° 36' E - 1.053 chains
13. N 81° 15' E - 1.746 chains
14. N 50° 00' E - 1.785 chains

15. N 15° 18' E - 5.448 chains
16. N 29° 23' E - 4.068 chains
17. N 33° 44' E - 4.877 chains
18. S 78° 03' E - 3.122 chains
19. N 61° 24' E - 2.063 chains
20. S 80° 03' E - 1.505 chains to a point

where the said old road intersects another old road leading southeasterly to lands of the State of New York; thence leaving said South Creek Lake Road, following the centerline of said other old road leading southeasterly to lands of the State of New York as it winds and turns across Lots 114, 128 and 129 the following twenty-five (25) courses and distances:

1. S 17° 01' E - 2.169 chains
2. S 03° 19' E - 1.650 chains
3. S 12° 31' E - 2.409 chains
4. S 16° 28' W - 2.120 chains
5. S 39° 01' W - 2.104 chains
6. S 27° 50' E - 3.137 chains
7. S 07° 12' E - 6.568 chains
8. S 23° 14' E - 2.114 chains
9. S 46° 41' E - 1.631 chains
10. S 76° 35' E - 1.849 chains
11. S 17° 55' E - 2.275 chains
12. S 62° 16' E - 5.585 chains
13. S 33° 24' E - 2.743 chains
14. S 60° 19' E - 4.244 chains
15. S 25° 56' E - 1.183 chains
16. S 52° 58' E - 6.006 chains
17. S 25° 34' E - 2.063 chains
18. S 60° 15' E - 8.023 chains
19. S 75° 57' E - 2.738 chains
20. S 74° 40' E - 2.429 chains
21. S 43° 13' E - 1.465 chains
22. S 05° 09' E - 3.305 chains

23. S 25° 55' E - 0.471 chains

24. S 49° 40' E - 1.234 chains

25. S 40° 06' E - 1.492 chains to a point

on the line between Lots 129 and 130 of said Township 11, located on a course of N 05° 01' E, 10.822 chains from a 3/4" iron rod in a pile of stones marking the common corner of Lots 129, 130, 133 and 134.

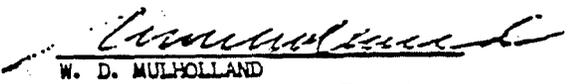
Bearings are with reference to Magnetic Meridian 1965.

As shown on a map entitled "Map of lands to be acquired under the Park and Recreation Land Acquisition Bond Act, By appropriation under Section 1-0503 of the Conservation Law, St. Lawrence Forest Preserve Access, Projects St. Lawrence 93 and 94, Easement over and across the road commonly known as South Creek Lake Road and an unnamed road, Clayton Powell, Charles Greiner and Diamond International Corp., reputed owners, situate in Lots 114, 128, 129, 135 and 136, Township 11, Great Tract No. 3, Macomb's Purchase, Town of Pitcairn, St. Lawrence County." dated March 7, 1967 by George A Cook, Forest Surveyor, Reg. No. 40509, and filed in the office of the Conservation Department at Albany, New York as Map No. 7177.

That pursuant to Section 1-0503 of the Conservation Law, this map and description of property to be acquired by the People of the State of New York and are hereby officially approved and this description and the original tracing of this map are officially filed in the office of the Conservation Department at Albany, New York on NOV 14 1967

R. STEWART KILBORNE
Conservation Commissioner

By


W. D. MULHOLLAND
Director of Lands and Forests

Dated: NOV 14 1967

STATE OF NEW YORK

Forest Preserve Board

Utica N. Y., July 3rd 1900
~~189~~

Report of J. G. McClintock, describing
 Lot No. 124; Tract or Patent, Brodie Township 11
 Town of Pitcairn County of St. Lawrence

Number of acres in the whole lot, _____

Number of acres offered for sale, State land 78 ⁵/₁₀₀ in South end -

Date when this lot was personally examined, Jan. 15th 1900

How timbered, thickly or partially? Partially

Any cleared land; if so, how many acres? None

Any swamp land; if so, how many acres? None

Any waste land, or land whose productiveness has been injured by fire? Yes

Any wild meadow land; if so, how many acres? About 10 acres in S. E. corner

Name the kinds of timber in the order of quantity. No timber left from lumbering
 and fire, only second growth in streaks

How much of this lot is virgin forest? None

How much is second growth? probably 15 acres

Has the lot been burned over; if so, how many acres were burned? probably 50

Has the lot been lumbered over? Yes

If so, what kind of timber was cut? Pine, Hemlock, Spruce, Birch, Maple.

Who is, at the present time, lumbering in that vicinity? Defender on lot 123

Is the timber there now, large, medium or small? Small

Is there any merchantable spruce on this lot; if so, how much to the acre? None

Is there any merchantable hemlock on this lot; if so, how much to the acre? None

Is there any merchantable white pine; if so, is it first or second growth? Second

How much white pine to the acre? a few around meadow

Are the corners of this lot plainly marked? _____

How are they marked? _____

Are the boundary lines marked, and how? _____

What kind of soil is on this lot? On about 1/2 the soil is all burned off

Is the ground rocky, or well covered? Burned part is rocky, balance well covered.

Is there any stream on this lot? if so, state the name, None

What is the average width and depth? _____

Is there any dam on this stream within this lot? None

Is there any back flow, or drowned land? None

If so, how large an area is flooded? _____

Do any roads cross this lot? Old road to Jayville, now abandoned, access
water front.

Are they highways or "wood roads"? what is left is wood road

Are there any buildings on this lot? Parkland's old logging camp on N. 1/2 of lot.

Describe the lay of the land on this lot? Meadow in South East corner and ridge

E. + W. through state land - probably 75-foot high - flat on top

If occupied by residents, give their names, None

Are there any camps on this lot? Logging Camp

Are the shanties in good condition? fair

Are the surrounding lands forest or farm lands? forest + bare burnings

Please add here any additional information which you may have, and which may be necessary to a full and complete description of this lot.

About 1/2 of lot is bare of soil which has been burned off by recent fire - Soil is good in spots. What little forest there is left - is in streaks with bare burnings between -

The woods include, Beech, H. maple, Birch, Elm, Hardhack, Spruce, Hemlock, White-ash, Black ash, Soft-Maple, Basswood, Pine and Pin Cherry. In places there are many fallen trees -

If fire was kept out the lot promises to reforest itself rapidly -

For details of growth see Field notes of Examination

Signature

J. G. McIntosh

Dated

1900
Examination by
John F. McClinton 1

Field Notes of examination of State lands from Harrisville Lewis Co. Jany. 13th. 1900; Tom Willbur, Agent of the International Paper Co. says that Johnson uses the saw mill of the I.P.Co. at Benson Mines to saw hardwood, of which he bought 800,000 feet from the Co. paying \$2. per M. stumpage, and \$1.25 per M. for use of mill. I.P.Co's lumbering contracts are let at prices ranging from \$2.05 per cord to \$2.50, cut and put in stream. One job is at 35 cts. per market. There is a Tannery in operation at Harrisville which pays 20 cts. per hundred for bark. Wilbur drove me out to see Gladsby who lives about 5 miles from village on lot 993. He was employed for 9 years in charge of lands and lumbering of the Remington Paper Co. He says they had their lines all plainly marked and the blades on the trees painted red.

(1) Jany. 15th. I employed Eugene Hathaway of Harrisville to help me. Starting from the hotel drove north a few hundred feet, thence easterly about 2 and one half miles to a school house on the north-west corner of lot 123, thence southerly about one mile to a hemlock tree on the county line and on the east corner of lot 337 and (2) the east corner of 52 acre lot belonging to Hathaway containing a maple orchard with 1200 trees. This corner is on the north bank of a stream about 30 feet wide and a few inches deep running N.W.

(3) Thence we went back north about three quarters of a mile to house of Martin Luther on lot 123. thence easterly about 2500 feet along abandoned Jayville road, through land lumbered clean and burned last (4) year. Some bushes left and blue beech and soft maple in low spots, but on the high ground it is burned clean to rocks.

This point is about on the line of lot 124. Thence on same course (5) 1000 feet to old board logging shanty of Payhud (Pyo) which is on the north part of lot. On the left it is burned clean, on the right is a streak of timber. Thence south in the timber up on to the ridge.

(6) Composition of forest;
56 beech 4" to 15" .. 8 birch 6". 28 hard maple 3" to 7".
thick brush of hard maple and beech. 28 hemlock stumps with logs
8 spruce stumps. one maple and one basswood blown over.
No marks of fire.

(7) Thence S.E. 500 feet to top of ridge. burned clean. In spots are clumps of hard and soft maple. Much fallen timber, mostly hemlock from peeling but some hard wood by fire.
Thence east 500 feet along top of ridge, in marks of light fire, with everything lumbered off.

(8) Composition of forest per acre; 60 hard maple 6" to 20". of which the small ones are good, 8 bastard elm 5" to 14", 12 ironwood 4"

4 spruce 4", 68 beech 3" to 14" straight and tall, the brush is birch. Some beech and maple is blown down, 8 beech stumps small.

The wood is in streaks with open burned ground between.

(10) Thence on same course 1000 feet down into a valley and up on to another ridge. Narrow strip of timber in valley with a few good water elm, black ash, basswood and hemlock.

From this point the north part of the lot looks pretty bare with streaks of brush and sparse timber.

There is a beaver meadow in the S.E. corner of lot of about 10 acres. This lot was called Pinehill marsh lot, from the pines standing about this marsh.

Thence North 1000 feet into belt of small timber in low ground.

Composition of forest per acre;

(11) 64 spruce 2" to 6" - 24 hemlock 2" to 4" - 44 birch 3" to 8" - 44 W. ash 2" to 5" - 48 B. ash 1" to 3" - 8 pin cherry 2" - 4 S. maple 5" - 4 basswood 14" and tall - 32 black beech 1" to 3" - Brush is all beech.

Thence on same course 200 feet to old pine stump 24" with 4 logs cut and piled and left.

Thence we circled round to the north and back to logging shanty.

There is some good young growth and some fine water elm tall and straight, worth at present \$8 per M. at the R. R.

I estimate more than one half of the lot to be bare of soil, which has been burned off by recent fires.

Thence we went back to M. Luther's house and ate our luncheon.

(12) Luther says there are a few pine left on the state land in spots and that they are 12" in diameter and tall. He says the logging shanty is on north half of lot 124 and about 30 rods from north line of state land.

Thence north about 1000 feet to the south line of lot 119 800 feet east from S.W. corner.

(13) The whole south part of lot is rough and hilly and is completely bare, with once in awhile a little bunch of brush.

Thence east 1000 feet many large old pine stumps

(14) From this point looking east to lot line, it is rough and hilly nearly clean of woods, with a few scattering spruce, hemlock, maple basswood and birch.

(15) Thence north 600 feet into narrow belt of timber.

Composition of forest per acre;

28 S. maple 7" to 20" - 40 birch 4" to 12" - 48 hemlock 2" to 8" -

28 B. ash 5" to 10"

56 spruce stumps 10" to 12" - 8 hemlock stumps 12", 8 B. ash stumps large -

all cut within 3 or 4 years, showing robbery of lot.
Luther must know who took this timber, as it necessarily came out by his house. There were also 8 old pine stumps.
Thence on same course 100 feet to soft maple, pine and birch stumps cut within 3 or 4 years.

Thence on same course 200 feet to edge of woods.
Thence on same course 300 feet.

(16) From this point looking east it is burned bare for half mile, looking west it appears bare for half a mile, ahead on left is timber, looking N.E. can see 11 large pine.

(17) Thence on same course 400 feet to small beaver meadow, cut this year. Thence on same course 300 feet. Here I counted in a bunch 104 large old pine stumps. Right here are 8 tall pine trees; except them it is all bare in every direction except west where some woods show. Stumps are all burned.

(18) Thence on same course 600 feet along old road to beaver meadow on left of about 4 acres, with brush picked up and piled. On west side of meadow is a clump of good sized spruce, with one tall pine, and west of there is a thick growth of timber.

Thence west across beaver meadow 500 feet into woods mentioned, with bare land to the north and south.

(19) Composition of forest;
24 birch 6" to 15" - 44 s. maple 8" to 14" - 20 spruce 4" to 14"
20 hemlock 4" to 15" - 1 pine 18"
many small hemlock, spruce, birch, S. maple and blue beech.

(20) Thence north 400 feet. Outside of the little meadows and narrow valleys with wood, the surface is ridgy with big detached rocks, and is burned clean. Looking west it is bare for one quarter of a mile with a little brush; east it is bare for a third of a mile with some small second growth.

Thence on same course 300 feet to beaver meadow 600 feet wide. T
Thence on same course 600 feet across meadow.

On east side of meadow is a fine growth of large tamarack. On west side it is all bare. On north side is a thick growth of large pine. The meadow is all carefully cleared up, showing that someone cuts it. On north edge of meadow noted one 18" pine stump cut this year.

We counted 56 large tall pine in a clump on north side of meadow. Thence west 200 feet to old road and pile off flat stones 4 by 6 by 4 feet high. Six small pine. Stream 100 feet to the north. Thence on same course 200 feet. From this point 1200 feet north

(21) is a barn, newly repaired, into which, probably, the hay from the meadow goes. West from the barn 500 feet is a fine clump of large pine. As nearly as I can judge, the meadow and many of the large pine are upon the state land. The lines should be run out and plainly marked.

Thence on same course 700 feet through bare burning, to top high rock.⁴

- 2) From here four fifths of lot appear to be bare with the woods in little streaks. At this point are a few acres of small poplar and pin cherry.

Thence on same course 300 feet to top of bare steep rock. From here it is burned bare west 2000 feet, and looking north it is 1000 feet to edge of woods.

- (23) Thence south 900 feet through clean burning, with nothing but small poplar, to a little clump of trees.

Composition of forest per acre;

24 birch 6" to 18" - 4 W. ash 14" - 36 basswood 4" to 15" -

4 B. ash 12" - 24 H. maple 3" to 5" - 16 beech 4" to 7"

4 W. elm 6"

Rough ground with great boulders.

- (24) Thence on same course 600 feet in thick small growth;
Composition of forest;

24 hemlock 2" to 12" - 16 spruce 2" to 8" - 12 S. maple 10" to 12" -

4 B. ash 10" - 20 birch 4" to 18" - 36 beech 4" to 8" -

12 hemlock stumps 12" cut within 4 years.

- (25) Thence on same course 900 feet through thick small growth of hard and soft maple, beech birch rock elm, pin cherry and hardhack.

32 hemlock stumps old and 8 hardwood stumps old.

Thence on same course 100 feet to edge of woods.

Thence on same course 800 feet to edge of cleared field 400 feet

- 26) wide and containing some 4 acres situated in the S. W. corner of lot

Thence on same course 400 feet to the south line of lot 119 and 300 feet east from corner.

From the school house the road runs south 1000 feet and thence east.

Going west along highway from the corner of lot by the schoolhouse

- 4.54 300 feet to house on cleared farm on the north. ~~200 feet~~

22.12 1500 feet to house on cleared farm on the south.

3.05 200 feet to a road on the right on west side of Goose Pond N. 15 E.

21.21 1400 feet to house on south side.

3.03 200 feet to apparent lot line

5.18 1200 feet to County line by big pointed boulder close to road on north side, and at corner of state land in lot 121.

M. Luther paid for stumps of beech and maple on lot 337 \$3 per M.

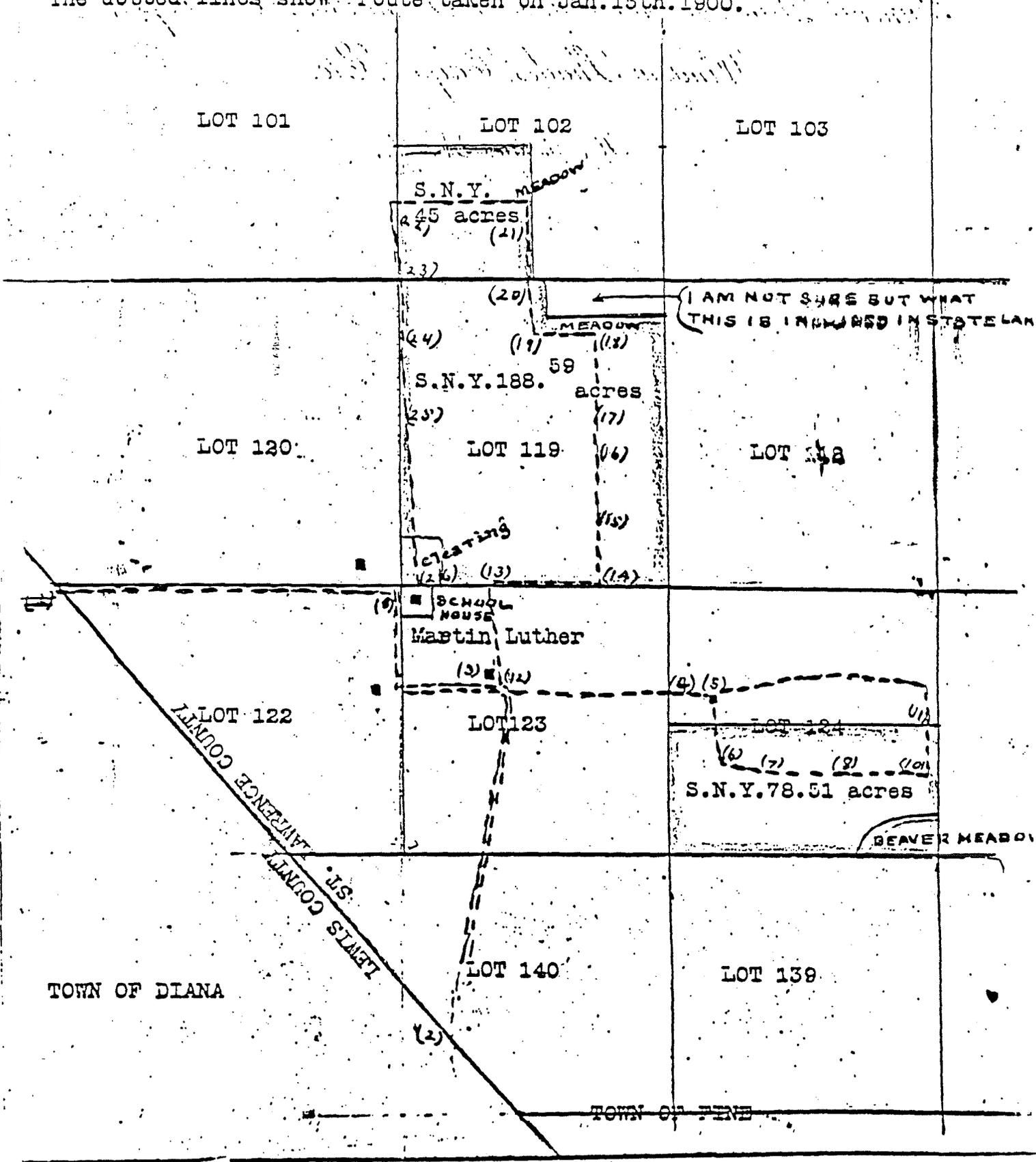
and offered Hathaway the same price for his maple orchard on lot 337.

Defendorf of Carthage is lumbering on lot 125.

James Brownell of Carthage made survey and map of Beach's land on lots 1 and 2, and also ran out the state land in lot 990.

STATE LAND IN PITCAIRN, ST. LAWRENCE CO. SCALE 1 INCH equal 20 CHAINS.

The dotted lines show route taken on Jan. 15th. 1900.



REGISTRATION OF ALL TERRAIN VEHICLES

Section 2280. Jurisdiction of department.

- 2281. Definitions.
- 2282. Registration and permit.
- 2283. Display of registration.
- 2284. Registration record.
- 2285. Certificate of registration.
- 2286. Licensing by municipalities.
- 2287. Special events.
- 2288. Responsibility for operation by minors.
- 2289. Refusal to renew registrations.
- 2290. Rules and regulations.
- 2291. Disposition of fees.

§2280. Jurisdiction of department. 1. The registration of all terrain vehicles shall be under the jurisdiction of the department of motor vehicles.

2. Except as otherwise expressly provided herein, all of the provisions of this chapter shall apply to all terrain vehicles.

§2281. Definitions. For the purposes of this article:

1. (a) "All terrain vehicle" or "ATV" means any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways providing that such vehicle does not exceed sixty inches in width, or eight hundred pounds dry weight. Provided, however, this definition shall not include a "snowmobile" or other self-propelled vehicles manufactured for off-highway use which utilize an endless belt tread.

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the term "all terrain vehicle" or "ATV" shall not include any vehicle used for agricultural purposes or for snowplowing, other than for hire, provided, however, that any such vehicle shall register as an "all terrain vehicle" or "ATV" pursuant to the provisions of this article if such vehicle is used or is intended to be used for any purpose other than agricultural purposes or for snowplowing and shall be regulated in accordance with provisions governing the operation of "all terrain vehicles" or "ATV's" while in such use.

2. "Dealer" means any person engaged in the business of selling ATVs at wholesale or retail.

§2282. Registration and permit. 1. Except as hereinafter provided, no person shall operate any ATV within the state unless such ATV has been registered and numbered in accordance with the provisions of this article, and the registration number for such ATV is in full force and effect and displayed as provided under this article and regulations promulgated thereunder.

2. The commissioner is authorized to register an ATV, issue a registration certificate and assign a registration number to such ATV. All such registrations shall be valid for a period prescribed by the commissioner unless, prior to expiration of the period prescribed by the commissioner, it is surrendered, cancelled, revoked or suspended pursuant to the provisions of this article.

3. Unless otherwise prescribed by regulation of the commissioner, a number once assigned under this section shall remain with the registered ATV until the ATV is destroyed, abandoned or permanently removed from the state, or until changed or terminated by the commissioner.

4. Fees. Fees for registration of ATVs to be collected by the commissioner under this article are as follows.

(a) An annual fee of ten dollars for each individual resident registration.

(b) An annual fee of ten dollars for each individual nonresident registration.

(c) An annual fee of twenty-five dollars for each dealer registration.

(d) An annual fee of five dollars for each additional dealer demonstrator registration number.

(e) A fee of three dollars for replacement of a lost, mutilated or destroyed certificate.

ARTICLE 48-C
RULES FOR OPERATION OF ALL TERRAIN VEHICLES

(Eff.1/1/87,Ch.402,L.1986)

Section	2400.	Legislative purpose.
	2401.	Definitions.
	2402.	Rules and regulations.
	2403.	Operation of ATVs; where permitted.
	2404.	Operating rules.
	2405.	Designation of highways and public lands for travel by ATVs.
	2406.	Equipment.
	2407.	Liability insurance.
	2408.	Special events.
	2409.	ATV safety course and safety certificate.
	2410.	Operation by minors.
	2411.	Liability for negligence.
	2412.	Service on nonresidents and certain residents, administrators or executors.
	2413.	Accidents; reports.

§2400. **Legislative purpose.** It is the purpose of this article to promote the safe and proper use of ATVs for recreation and commerce in this state, to ensure the safety and well-being of all persons concerning the use of ATVs, to minimize detrimental effects of such use upon the environment, and to provide a method whereby municipalities shall consider the designation of appropriate public lands for ATV use and regulation thereof.

§2401. **Definitions.** As used in this article, unless the context requires otherwise:

1. "Governmental agency" means any agency of the state of New York and all municipalities within the state.
2. "All terrain vehicle" or "ATV" means an all terrain vehicle or ATV as defined in section twenty-two hundred eighty-one of this chapter.
3. "Owner" means any person having a title to an ATV. If an ATV is sold under a contract of conditional sale whereby the title remains in the vendor, such vendor or his assignee shall not, after delivery of such ATV, be deemed an owner within the provisions of this section, but the vendee or his assignee, upon receipt of possession thereof, shall be deemed such owner notwithstanding the terms of such contract, until the vendor or his assignee shall retake possession. A person holding only a security interest in an ATV shall not be deemed an owner unless such person also has possession of such ATV.

4. "Operate" means to ride in or on, other than as a passenger, or use or control the operation of an ATV in any manner, whether or not said ATV is under way.

5. "Operator" means every person who operates or is in actual physical control of an ATV.

6. "Special event" shall mean an organized rally, race, exhibition or demonstration of limited duration which is conducted according to a prearranged schedule and in which general public interest is manifested.

7. "Authorized emergency ATV" shall mean an ATV designated as such in writing by the chief executive officer of any duly organized volunteer ambulance company, fire department, or paid fire department, operated by a member thereof and equipped with emergency lights as provided in section twenty-four hundred six of this article.

8. "Authorized police ATV" shall mean an ATV operated by a police or other peace officer while engaged in the performance of his official duties within the area of his territorial jurisdiction.

9. "Authorized civil defense ATV" shall mean an ATV designated as such in writing by the chief executive officer of a municipality and operated by a member of a civil defense organization of the municipality and equipped with emergency lights as provided in section twenty-four hundred six of this article.

10. "Operation as emergency vehicle" shall mean the operation or parking of an authorized emergency ATV, police or civil defense ATV, including attendant equipment, displaying emergency lights as provided in section twenty-four hundred six of this article and which ATV is engaged in transporting a sick or injured person to the nearest medical facility or appropriate site for transfer to an ambulance as defined in article thirty of the public health law, transporting emergency medical services, personnel and equipment to sick or injured persons, pursuing an actual or suspected violator of the law or responding to, or working or assisting at the scene of an accident, disaster, police call, alarm or other emergency but shall not include returning from such service.

§2402. Rules and regulations. With a view of achieving enjoyable and proper use of ATVs and minimizing the detrimental effect thereof upon the environment, rules and regulations relating to, but not limited to, the following may be adopted and promulgated as herein provided.

1. The commissioner may adopt rules and regulations:

(a) for conducting special events as provided in section twenty-four hundred eight of this article;

(b) for the administration and enforcement of the provisions of section twenty-four hundred seven of this article relating to liability insurance;

(c) establishing a comprehensive ATV information and safety education and training program or programs including provision for issuance of ATV safety certificates for operation of ATVs by youthful operators;

(d) with respect to uniform signs or markers to be used by governmental agencies which are necessary or desirable to control, direct or regulate the operation and use of ATVs. Such signs as may be designated for use on highways shall also be approved by the commissioner of transportation; and

(e) with respect to such other matters as may be necessary or desirable to provide for the effective administration and enforcement of the provisions of this article.

2. Any state agency may adopt rules and regulations not inconsistent with the provisions of the vehicle and traffic law in a manner appropriate to such agency to permit or regulate the use of ATVs on specifically designated land, including highways, under its jurisdiction.

§2403. Operation of ATVs; where permitted. 1. Highways. No person shall operate an ATV on a highway except as provided herein.

(a) An ATV may make a direct crossing on a highway other than an interstate highway or a controlled access highway, provided:

(i) the crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(ii) the vehicle is brought to a complete stop before crossing the shoulder or main travelled way of the highway;

(iii) the driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard;

(iv) in crossing a divided highway, the crossing is made only at an intersection of the highway with another public street or highway, and

(v) if the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are lighted.

(b) An ATV may be operated on any highway which has been designated and posted as open for travel by ATVs in accordance with the provisions of section twenty-four hundred five of this article.

2. Public lands other than highways. No person shall operate an ATV on any public lands, waters and property other than a highway, except that an ATV may be operated on any such lands which have been designated and posted for travel by ATVs in accordance with the provisions of section twenty-four hundred five of this article.

3. Private property. No person shall operate an ATV on the private property of another without the consent of the owner or lessee thereof.

§2404. Operating rules. 1. No person shall operate an ATV:

(a) at a rate of speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing;

(b) in a careless, reckless or negligent manner so as to unreasonably endanger the person or property of another or cause injury or damage thereto;

(c) on the tracks or right-of-way of an operating railroad;

(d) in any tree nursery or planting in a manner that damages or destroys growing stock, or creates a substantial risk thereto;

(e) while pulling a person on skis or drawing or towing a sleigh, sled, toboggan or trailer which carries or transports any person unless attached by a rigid support, connection or towbar;

(f) on the frozen surface of public waters: within one hundred feet of any person other than a person riding on an ATV except at the minimum speed required to maintain forward movement of the ATV, nor within one hundred feet of a fishing shanty or shelter except at the minimum speed required to maintain forward movement of the ATV nor on an area which has been cleared of snow for skating purposes unless the area is necessary for access to the public water;

(g) within one hundred feet of a dwelling between midnight and six a.m., at a speed greater than minimum required to maintain forward movement of the ATV;

(h) on public lands, other than highways, or on private property of another while in an intoxicated condition or under the influence of narcotics or drugs.

2. The operator of an ATV shall:

(a) stop and yield to an authorized ambulance, civil defense, or police ATV or police vehicle being operated as an emergency vehicle and approaching from any direction;

(b) comply with any lawful order or direction of any police officer or other person duly empowered to enforce the laws relating to ATVs.

3. No person shall ride on or in a sleigh, sled, toboggan or trailer which is being towed or trailed by an ATV unless attached by a rigid support, connection or towbar.

4. A person operating an ATV shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on an ATV unless such ATV is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the ATV at the rear or side of the operator.

5. For the purposes of title seven of this chapter, an ATV shall be a motor vehicle and the provisions of such title shall be applicable to ATVs.

6. Local laws and ordinances. Nothing contained in this article shall be deemed to limit the authority of a county, city, town or village from adopting or amending a local law or ordinance which imposes stricter restrictions and conditions on the operation of ATVs than are provided or authorized by this section so long as such local law or ordinance is consistent with its authority to protect the order, conduct, health, safety and general welfare of persons or property.

§2405. Designation of highways and public lands for travel by ATVs.

1. Highways. Except with respect to interstate highways or controlled access highways, the department of transportation with respect to state highways, maintained by the state and any other governmental agency with respect to highways, including bridge and culvert crossings, under its jurisdiction may designate and post any such public highway or portion thereof as open for travel by ATVs when in the determination of the governmental agency concerned, it is otherwise impossible for ATVs to gain access to areas or trails adjacent to the highway. Such designations by a state agency shall be by rule or regulation, and such designations by any municipality other than a state agency shall be by local law or ordinance.

2. Public lands other than highways. A governmental agency other than a municipality, by regulation or order, and a municipality, by ordinance or local law, may designate any appropriate public lands, waters and properties other than highways under its jurisdiction as a place open for travel by ATVs upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of ATVs on such public property, such as travel on designated trails and hours of operation. In addition thereto, such agency or municipality may not require the operator of an ATV to possess a motor vehicle operator's license. A municipality may charge a fee for use of ATVs on such public lands.

3. Signs and markers. (a) Such designated highways or portions thereof or designated lands shall be identified by markers in such manner as may be provided by rules and regulations of the commissioner.

(b) All signs or markers shall be erected at the expense of the state or municipality, provided, however, that the municipality may accept funds or contributions therefor from private persons, clubs or associations interested in the promotion of ATVs.

4. Any regulation, order, local law or ordinance which designates a highway or portion thereof or designated lands which may be used for ATV operations may include rules and impose restrictions and conditions for the regulation and safe operation of ATVs on the highways and lands so designated, such as travel on designated trails and hours of operation. Any restriction or condition not contained in this chapter must be posted.

5. Copies of orders, regulations, local laws or ordinances adopted by governmental agencies pursuant to this section shall be filed with the commissioner.

**OPERATION OF MOTORIZED VEHICLES, VESSELS AND
AIRCRAFT IN THE FOREST PRESERVE**

(Statutory authority: Environmental Conservation Law, §§ 1-0101, 3-0301, 9-0105)

Sec.		Sec.	
196.1	Operation of motorized vehicles in the forest preserve	196.4	Operation of mechanically propelled vessels and aircraft in the forest preserve
196.2	Use of snowmobiles on State lands within the forest preserve	196.5	Operation of mechanically propelled vessels on certain bodies of water
196.3	Operation of motor vehicles on the Limekiln Lake-Cedar River Road	196.6	Operation of mechanically propelled vessels on the Oswegatchie River

Historical Note

Part filed April 28, 1972; amds. filed: June 28, 1973; Feb. 11, 1977 eff. immediately.
Amended Part title.

Section 196.1 Operation of motorized vehicles in the forest preserve. (a) No person shall operate a motorized vehicle in the forest preserve except as permitted in subdivisions (b) and (c) of this section.

(b) Operation of motorized vehicles is permitted on roads:

(1) that are under the jurisdiction of the State Department of Transportation or a town or county highway department, in accordance with applicable State and local laws;

(2) where a temporary revocable permit has been issued by the department for motorized vehicle use by those persons to whom the permit has been issued and only in the accomplishment of the purpose of the permit;

(3) specifically marked by the department for motorized vehicle use;

(4) on public campgrounds operated by the department, in accordance with regulations for use of motorized vehicles at such facilities; or

(5) where a legal right-of-way exists for public or private use.

(c) Operation of motor vehicles is permitted on the Limekiln Lake - Cedar River Road in accordance with section 196.3 of this Part.

Historical Note

Sec. filed April 28, 1972; amds. filed: Feb. 11, 1977; Sept. 26, 1977; July 23, 1982; repealed, new filed June 6, 1985; amd. filed April 9, 1987 eff. April 9, 1987. Amended (b)(2).

196.2 Use of snowmobiles on State lands within the forest preserve. (a) The use of snowmobiles on State lands within the forest preserve is hereby permitted:

(1) on trails designated and marked by the Department of Environmental Conservation as a "SNOWMOBILE TRAIL," when the trail traveled is completely covered with snow or ice; and

(2) on frozen lakes and ponds, when access to same may be gained by public highways or by trails designated and marked by the Department of Environmental Conservation as a "SNOWMOBILE TRAIL."

(b) The use of snowmobiles on State lands within the forest preserve other than as set forth in subdivision (a) of this section is hereby prohibited.

(6) Local Government Mandates:

This rule making will not impose any programs, services, duties or responsibilities on any county, city, town, village, school district or fire district.

(7) Duplication:

The proposed rule is not the same as or inconsistent with any existing state or Federal regulations (50 CFR Part 652) in effect for the surf clam and ocean quahog fisheries in the EEZ.

(8) Alternatives:

A no action alternative was the only alternative considered relative to weekly harvest limits and quarterly quota amounts. A lack of action would result in a repeat of events experienced during the last quarter of 1993 when an annual quota and weekly per vessel harvest limits were first put into effect. The quota for the last quarter of 1993 was taken in little more than one month. As a result, the fishery could have been closed for the remaining two months of the quarter if the Department did not direct that a small additional quantity of 50,000 bushels be available to be taken at a greatly reduced weekly rate of harvest. A prolonged closure of two months duration, expected if no action is taken to reduce weekly per vessel harvest limits and distribute the annual quota evenly among quarters, would be disruptive to markets and disadvantageous to all those who derive a livelihood from the harvesting and processing of this resource.

(9) Federal Standards:

There are federal government standards for the surf clam and ocean quahog fisheries in effect for the Federal waters of the EEZ (50 CFR Part 652). There are no federal government standards in effect for the surf clam and ocean quahog fisheries in New York's territorial seas within three miles of the coastline.

(10) Compliance Schedule:

Compliance with the proposed regulation is required upon the effective date of the regulation.

Regulatory Flexibility Analysis

Effects On Small Business:

Shellfish harvesters utilizing mechanical means to undertake the harvest of surf clams from the waters of the Atlantic Ocean within three miles of shore and surf clam processors in New York will be affected. Under the terms of the rule making, weekly per vessel harvest limits will be decreased and the established annual quota will be evenly distributed among the four calendar quarters. The annual harvest quota will not be changed. Owners, Captains and crews of harvesting vessels will experience reduced weekly income as a result of decreased weekly harvest limits. However, annual income will not decrease, as fishing opportunity will continue through more of each calendar quarter before quotas are met. Some fishermen may be advantageously affected by the consistency provided by spreading the same income over a longer period of time, while others will be disadvantaged by being unable to most efficiently make use of longer periods of fishery closure to pursue other employment opportunities. Surf clam processing plants in New York State will be advantaged by being assured of a more even supply of surf clams through more of each quarter throughout the year. Such extension of the time in which fishing opportunity is available will be advantageous to employees of New York processing plants by maintaining jobs for a longer period, and of minimizing the time during which companies might lay off workers due to raw product for processing being unavailable.

Compliance Requirements:

Regulated parties wishing to harvest surf clams from New York's Atlantic Ocean will be required to comply with reduced weekly per vessel harvest limits.

Professional Services:

No professional services will be needed for small business to comply with the proposed rule.

Compliance Costs:

There is no capital cost associated with compliance with the proposed rule. Fishing interests will experience reduced weekly income, which will be offset by being afforded fishing opportunity through more of each calendar quarter. The duration of any fishery closures, during which time there is no revenue from harvest or processing operations, will be significantly reduced.

Small Business Participation:

Public comment received during the review of a related proposed rule-making to impose limits on the entry of new vessels into the fishery

overwhelmingly supports regulatory measures which will prolong the fishing season and minimize the duration of any fishery closures which may be necessary.

Minimizing Adverse Impact:

There will be no adverse impact on small businesses as a result of this rule making. A reduction in the quantity of surf clams which may be landed in a weekly period will serve to prolong the time during which surf clams may be harvested before quarterly quotas are met and fishing must be suspended until the next quarter. Surf clam harvesters, processing plant owners and processing plant employees will benefit by longer term employment resulting from extended harvesting time periods. The time period of unemployment which would result from fishery closure will be reduced by the extension of the fishing season resulting from this rule making that serves to slow down the harvest by reducing the quantity which may be taken in any weekly period.

NOTICE OF ADOPTION

Conservation Easement Lands

I.D. No. ENV-41-93-00020-A

Filing No. 643

Filing date: April 8, 1994

Effective date: April 27, 1994

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 190.0 and addition of section 190.12 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301(1)(d), 3-0301(2)(m) and 9-0105(1), (3) and (15)

Subject: Public use of conservation easement lands.

Purpose: To control public use of lands encumbered by Art. 49 conservation easements.

Text of final rule: Subdivision 190.0(a) is amended to read as follows:

Section 190.0 Introduction. (a) The provisions of this Part shall apply to all persons entering upon or using State lands which [is] are subject to the provisions of article 9, [or] article 45, or article 49 of the Environmental Conservation Law or defined as [an] "unique areas", [or] "environmentally sensitive lands" or "conservation easements" in this section.

A new paragraph 190.0(b)(10) is added to read as follows:

(10) "Conservation easement" means an easement, covenant, restriction or other interest in real property, which limits or restricts development, management or use of such real property for the purpose of preserving or maintaining the scenic, open, historic, archaeological, architectural, or natural condition, character, significance or amenities of the real property in a manner consistent with the public policy and purpose set forth in section 49-0301 of the Environmental Conservation Law.

A new section 190.12 is added to read as follows:

190.12 Conservation Easements. (a) Applicability. This section applies only to conservation easement lands to which the public has a right of access. Unless specified otherwise in this section, the following sections of Part 190 apply to persons using conservation easement lands under the jurisdiction of the Department's Lands and Forests Division: Sections 190.0, 190.1, 190.2, 190.3, 190.4 and 190.8.

(b) General. Unless specified otherwise in this section, the following regulations also apply to persons using conservation easement lands.

(1) No person shall deface, mutilate, remove or destroy any sign or structure of the landowner, lessee or the Department.

(2) No person shall erect any sign, structure, gate, barrier or other improvement unless specifically authorized in the conservation easement.

(3) No person other than the landowner, its invitees, or lessees, or the Department shall operate a motor vehicle or snowmobile on any roads or trails except those roads and trails posted for such use.

(4) No person other than the landowner, its invitees, or lessees, or the Department shall occupy any structure except in conjunction with temporary camping.

(c) Specific regulations for individual conservation easement lands are set forth in the following subdivisions of this section and supersede the above general regulations in subdivisions (a) and (b) of this section in the event of a conflict.

(d) Lyons Falls Pulp and Paper. Conservation easements have been acquired over the following three parcels of land as follows:

(1) North Lake Tract. Those lands located in the Town of Ohio, Herkimer County by indenture to the Nature Conservancy dated May 25, 1990 and recorded in Herkimer County on May 29, 1990 in Liber 775 of Deeds, Page 600, and subsequently assigned to The People of the State of New York acting through the Department by assignment dated December 19, 1990 and recorded in Herkimer County on January 17, 1991 in Liber 782 of Deeds, Page 668.

(2) John Brown Tract. Those lands located in the Town of Webb, Herkimer County and the Town of Croghan, Lewis County by indenture to The Nature Conservancy dated May 25, 1990 and recorded in Herkimer County on May 29, 1990 in Liber 775 of Deeds, Page 663, in Lewis County on May 25, 1990 in Liber 521 of Deeds, Page 209, and in Oneida County on May 29, 1990 in Liber 2528 of Deeds, Page 301, and subsequently assigned to The People of the State of New York acting through the Department by assignment dated December 19, 1990 and recorded in Herkimer County on January 17, 1991 in Liber 782 of Deeds, Page 668; in Lewis County on January 17, 1991 in Liber 531 of Deeds, Page 137, and in Oneida county of January 17, 1991 in Liber 2566 of Deeds, page 265.

(3) Three Lakes Tract. Those lands located in the Town of Webb, Herkimer County by indenture to the Nature Conservancy dated May 25, 1990 and recorded in Herkimer County on May 29, 1990 in Liber 775 of Deeds, Page 571, and subsequently assigned to The People of the State of New York acting through the Department by assignment dated December 19, 1990 and recorded in Herkimer County on January 17, 1991 in Liber 782 of Deeds, Page 668.

(4) Definitions

(i) "Landowner" shall mean Lyons Falls Pulp and Paper, Inc. or its successors or assigns.

(ii) "Motor Vehicle" shall mean automobiles, trucks, vans, jeeps, busses and mobile camping units but does not include all-terrain vehicles, snowmobiles, bulldozers, skidders, timber harvesters, or other mechanized devices used for the harvest of forest products.

(5) Prohibitions

(i) Parking is prohibited on these lands except at designated parking areas.

(ii) No person other than the Department or Landowner in conjunction with administrative duties shall operate an all-terrain vehicle or motorcycle on the lands described in this section at any time.

(iii) The use of aircraft or motorized watercraft for the purpose of ingress or egress on the following bodies of water is prohibited:

John Brown Tract		
USGS Quadrangle (15' Series) McKeever N43°30' W75°00'		
Town of Webb		
County of Herkimer		
"Name"	"Latitude"	"Longitude"
Gull Lake	43°40' N	75°05' W
"North Lake Tract"		
USGS Quadrangle (15' Series) Old Forge N43°30' W74°45'		
Town of Ohio		
County of Herkimer		
"Name"	"Latitude"	"Longitude"
Hardscrabble Lake	43°33' N	74°53' W
"Three Lakes Tract"		
USGS Quadrangle (15' Series) Number Four N43°45' W75°00'		
Town of Webb		
County of Herkimer		
"Name"	"Latitude"	"Longitude"
Hitchcock Pond	43°47' N	75°05' W
Grass Pond	43°47' N	75°04' W
Moose Pond	43°47' N	75°04' W
Blue Pond	43°48' N	75°06' W

(iv) No person shall enter into any area which is posted closed by the Landowner for the purpose of forest management activities, except:

(a) for traversing certain Department marked and maintained trails found in areas designated as buffer zones, or

(b) for walk-in camping in the buffer zones around Hardscrabble Lake on the North Lake Tract; Gull Lake on the John Brown Tract and Hitchcock Pond, Grass Pond, Moose Pond and Blue Pond on the Three Lakes Tract.

(v) The lessees on the five (5) acre reservation on the Three Lakes Tract and on the five (5) acre reservation on the J. P. Lewis Tract are subject to these regulations except that the lessees may engage in activities permitted by their lease.

(vi) Unless accompanied by a parent or guardian, no person under 21 years of age shall possess alcoholic beverages.

(vii) The occupancy of designated primitive campsites will be limited to a maximum of three tents and eight people.

(viii) Open fires for any purpose are prohibited in harvested areas for a period of three years following the completion of harvesting.

(e) Yorkshire Timber. A conservation easement has been acquired over the following land:

(1) Those lands located in the Towns of Piercesfield, Clifton and Colton, St. Lawrence County by deed from Yorkshire Timber to the People of the State of New York dated December 19, 1990 and recorded January 14, 1991 at Book 1046 of Deeds, Page 666 in the St. Lawrence County Clerks office.

(2) Definition. Landowner shall mean Yorkshire Timber Company or its successors assigns or lessees.

(3) Prohibitions

(i) No person other than the Landowner, its invitee or its lessee shall hunt during the period of September 1 through December 31 each year until after December 31, 2004.

(ii) No person other than the landowner, its invitee, its lessee or the Department shall operate a motor vehicle or snowmobile except on roads or trails specifically posted for such use; enter onto the property during the period beginning with the opening of the rifle season for deer and ending after December 31 each year until December 31, 2004; or enter into a closure zone posted by the landowner for logging purposes.

(f) Lassiter Properties. Conservation easements have been acquired over the following lands:

(1) "Aldrich East-Bald Mountain-Blue Swamp Tract." Those lands located in the Towns of Croghan and Diana, Lewis County by indenture to the Nature Conservancy by a deed dated December 23, 1988 and recorded December 30, 1988 in Book 504, Page 267 in the Lewis County Clerk's Office and by a subsequent Assignment from the Nature Conservancy to The People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 509 of Deeds, Page 310 in the Lewis County Clerk's office.

(2) "Kildare North and Kildare South." Those lands located in the Towns of Colton and Hopkinton, St. Lawrence County by indenture to The Nature Conservancy dated December 23, 1988 and recorded December 30, 1988 at Book 1025 of Deeds, Page 812 in the St. Lawrence County Clerk's Office and by the subsequent Assignment from the Nature Conservancy to The People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 1030, Page 16 in the St. Lawrence County Clerk's Office.

(3) "Roaring Brook Tract." Those lands located in the Town of Colton, St. Lawrence County by the Deed from Lassiter to The People of the State of New York dated December 23, 1988 and recorded December 30, 1988 at Book 1025 of Deeds, Page 874 in the St. Lawrence County Clerk's Office.

(4) "Aldrich Tract." Those lands located in the Town of Fine, St. Lawrence County by indenture to The Nature Conservancy dated December 23, 1988 and recorded December 30, 1988 at Book 1025 of Deeds, Page 814 in the St. Lawrence County Clerk's Office and by the subsequent Assignment of the Nature Conservancy to The People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 1030 of Deeds, Page 16 in the St. Lawrence County Clerk's Office.

(5) "Preston Lot." Those lands located in the Town of Parishville, St. Lawrence County by the conveyance to The Nature Conservancy dated December 23, 1988 and recorded December 30, 1988 at Book 1025, Page 812 in the St. Lawrence County Clerk's Office and by the subsequent Assignment from The Nature Conservancy to The People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 1030 of Deeds, Page 16 in the St. Lawrence County Clerk's Office.

(6) "Webb-Beers and Cool Brook Tract." Those lands located in the Town of Edwards, St. Lawrence County by indenture to The Nature

Conservancy dated December 23, 1988 and recorded December 30, 1988 at Book 1025 of Deeds, Page 812 in the St. Lawrence County Clerk's Office and by the subsequent Assignment by the Nature Conservancy to the People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 1030 of Deeds, Page 16 in the St. Lawrence County Clerk's Office.

(7) "Cranberry Pond Tract." Those lands located in the Town of Edwards, St. Lawrence County by indenture to The Nature Conservancy dated December 23, 1988 and recorded December 30, 1988 at Book 1025 of Deeds, Page 812 in the St. Lawrence County Clerk's Office and by the subsequent Assignment by the Nature Conservancy to the People of the State of New York dated June 12, 1989 and recorded June 15, 1989 at Book 1030 of Deeds, Page 16 in the St. Lawrence County Clerk's Office.

(8) Definitions:

(i) "Landowner" shall mean Lassiter Properties, Inc. or its successors or assigns, leasees or invitees.

(ii) "Vehicle" shall mean all motor vehicles, bicycles, snowmobiles, all-terrain vehicles and other similar forms of transport.

(9) Prohibitions

(i) No person shall expand or extend any existing structures, out-buildings, facilities, or dams or construct new ones.

(ii) No person shall operate a vehicle at any location other than on roads existing as of the date of the recording of the easement or roads constructed by the Department, except the Landowner when involved in business activities.

(iii) No person other than the Landowner, its invitee or its lessee shall hunt during the period of September 1 through December 31 each year until after December 31, 2019.

(iv) No person other than the Landowner, its invitee or its lessee or the Department shall enter onto a closure zone posted by the Landowner for logging purposes.

Final rule as compared with last published rule: Nonsubstantive revisions were made in Part 190.

Text of rule, the revised regulatory impact statement, if any, the revised regulatory flexibility analysis, if any, and the assessment of public comment, if any, may be obtained from: Tom Wolfe, Department of Environmental Conservation, 50 Wolf Rd., Rm. 412, Albany, NY 12233-4255, (518) 457-7433

Additional matter required by statute: A negative declaration has been prepared in compliance with Art. 8 of the Environmental Conservation Law.

Regulatory Impact Statement and Regulatory Flexibility Analysis

Minor changes were made in the text of the proposed regulation. These changes were made to clarify the intent of the proposed regulation. All changes are minor and do not materially change the substance of the proposed regulation. Therefore, it was not necessary to revise the regulatory impact statement. A regulatory flexibility analysis was not done because the regulation will not have any adverse economic impact on nor impose any record keeping requirements on small businesses.

Assessment of Public Comment

The Adirondack Fairness Coalition objected to the fact that the proposed regulations were derived from the terms of conservation easements that had been negotiated absent public input. The Fairness Coalition would have preferred that the conservation easements that are the subject of this regulation were negotiated in a public forum.

The Fairness Coalition maintains that this sort of public negotiation is required by the enabling legislation of the 1990 Environmental Quality Bond Act. The Fairness Coalition recognized, however, that the conservation easements that are the subject of this regulation were all negotiated and finalized prior to the passage of this legislation. Discussions with the organization's Executive Director confirmed that the organization's comments expressed what it would have preferred; the organization recognized that the department was under no obligation to negotiate the terms of the conservation easements in public.

NOTICE OF ADOPTION

Weekly Per Vessel Harvest of Surf Clams

I.D. No. ENV-02-94-00026-A

Filing No. 667

Filing date: April 12, 1994

Effective date: April 27, 1994

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Subpart 43-2 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, section 13-0309, subd. 12, as amended by ch. 218, L. 1993

Subject: Weekly per vessel harvest of surf clams.

Purpose: To provide for a more consistent surf clam fishery at a reduced rate of harvest which will minimize the duration of any fishery closure which might be necessary if quarterly quotas are met.

Text was published in the notice of emergency/proposed rule making, I.D. No. ENV-02-94-00026-EP, Issue of January 12, 1994.

Final rule as compared with last published rule: No changes.

Text of rule, the revised regulatory impact statement, if any, the revised regulatory flexibility analysis, if any, and the assessment of public comment, if any, may be obtained from: Richard E. Fox, Department of Environmental Conservation, Bldg. 40, State University of New York, Stony Brook, NY 11790-2356, (516) 444-0481

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Control and Eradication of Tuberculosis in White-Tailed Deer

I.D. No. ENV-05-94-00024-A

Filing No. 669

Filing date: April 12, 1994

Effective date: April 27, 1994

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 153 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, section 11-1905

Subject: Detection, control and eradication of the disease tuberculosis.

Purpose: To ensure that all captive deer herds held under a license issued by the department are in compliance with all regulations promulgated by the Department of Agriculture and Markets to detect, control or eradicate tuberculosis to protect the people, domestic livestock and wild white-tailed deer herd in New York.

Text was published in the notice of proposed rule making, I.D. No. ENV-05-94-00024-P, Issue of February 2, 1994.

Final rule as compared with last published rule: No changes.

Text of rule, the revised regulatory impact statement, if any, the revised regulatory flexibility analysis, if any, and the assessment of public comment, if any, may be obtained from: Mary Kerwin, Special Licenses Unit, Department of Environmental Conservation, 50 Wolf Rd., Albany, NY 12233-4752, (518) 457-0689

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Pesticide Products

I.D. No. ENV-17-94-00014-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed action: Amendment of Part 326 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, Art. 33, titles 3 and 7

Subject: Pesticide products.

Purpose: To enable applicants for pesticide product registration or exemptions from federal registration to know, prior to submitting an application, exactly what information is required by the department to adequately review the application.

Public hearing(s) will be held at: 1:00 p.m. on June 14, 1994, at Department of Environmental Conservation, Region 3 Sub-office, 200 White Plains Rd., 5th Fl., Tarrytown, NY; and 1:00 p.m. on June 15, 1994, at Colonie Town Library (William K. Sanford Library), 629 Albany-Shaker Rd., Loudonville, NY.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Interpreter Service: Interpreter services will be made available to deaf persons, at no charge, upon written request submitted within reasonable

MEMORANDUM FROM

HERBERT E. DOIG, Assistant Commissioner
Fish, Wildlife and Marine Resources

New York State
Department of Environmental Conservation

TO: Ken Wich, Gordon Colvin, Gregory Sovas, Robert Bathrick,
Gil Burns & Regional Supervisors of Natural Resources

SUBJECT: NR 90-1
Policy for the Administration of
Conservation Easements
FINAL POLICY

BACKGROUND

Conservation easements are a viable option for use by the State to acquire interests in real property. They are used when a fee purchase is not desired, not feasible or not negotiable.

Each easement is negotiated between the landowner and the State and subsequently each one is different in its own right. The 1986 Bond Act authorizes the purchase of easements and since its passage has resulted in 40,000 acres plus of conservation/development easements being purchased by DEC.

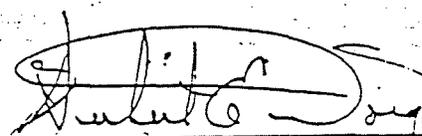
POLICY

Natural Resource Supervisors are responsible for the annual inspection of all lands under DEC jurisdiction over which DEC owns an easement. These inspections may be field inspections, aerial inspections or via other means deemed appropriate to record the land use at that point in time. More frequent inspections are authorized as needed.

Immediate local action must be taken on violations and the appropriate program Division Director must be simultaneously notified of the issue.

IMPLEMENTATION

Administrative procedures are attached as a supplement to this policy guideline.


Assistant Commissioner for Fish,
Wildlife & Marine Resources

Attachment

Procedure for the Administration of Conservation and Scenic Easements

1. The Director of the Division of Lands and Forests shall by January 31 of each year notify each landowner, upon whose lands the Department is the grantee of a conservation easement, that the regional staff will be contacting him/her to arrange for an easement inspection.
2. Copy of each notification will direct the Regional Supervisor of Natural Resources or his/her designee to cause an inspection to be performed of each property encumbered by a conservation or scenic easement.
3. Inspections to determine grantor adherence to affirmative rights, grantor compliance with declared restrictions and grantor activities that do not exceed the scope of his/her reserved rights, should generally be carried out by the Forest Ranger within whose district the encumbered property(ies) lay. The Regional land manager will provide the ranger with copies of the easement, original inspection with photos and with the name, address and phone number of the landowner contact.

4. Properties that are encumbered by easements calling for specific natural resource management activities shall be inspected for compliance, by the Regional Forestry/ Wildlife Manager or other appropriate person.

In the case of tidal wetlands, such inspection shall be performed by a person designated by the Division of Marine Resources.

5. The Regional Supervisor of Natural Resources shall prepare a report which summarizes the results of the easement inspection(s) and shall transmit said report to the Director of the Division of Lands and Forests no later than December 31 of the same year.

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TO: Regional Directors

RE: Natural Resources - NR-93-2 REVISION DRAFT
TOPIC: Public Motorized Access to State Lands
Under Jurisdiction of the Department of Environmental
Conservation for Mobility Impaired Persons

NOTE: text added is underlined; text deleted is in [brackets].

PURPOSE:

The purpose of this policy is to establish parameters under which mobility impaired individuals may access State lands under jurisdiction of the Department of Environmental Conservation.

BACKGROUND:

The issue of providing access for mobility impaired persons to State lands has been a subject of contention since the early 1970's. This issue arose in part as a result of the Adirondack Park State Land Master Plan's restrictions on mechanized access into forest preserve Wilderness, Primitive and Canoe areas. Additionally, the preceding two decades have been witness to increased social, political and legal efforts to mainstream people with disabilities into all aspects of society.

In the developed recreational facilities that it manages, such as campgrounds, the Department has been active in improving access for people with disabilities.

Generally speaking, on lands such as Reforestation and Multiple Use Areas, Wildlife Management Areas and the Forest Preserve, progress towards creating or improving recreational opportunities for people with disabilities has been achieved at a more gradual pace. To a large extent, this is due to two factors. The first is that the population of people with disabilities seeking recreational access to undeveloped Department lands is significantly smaller than that of people with disabilities wishing to avail themselves of the Department's developed facilities. Secondly, undeveloped Department lands present physical and, in the case of Forest Preserve lands, legal and policy conflicts in identifying and creating opportunities for enjoyment by people with disabilities.

Forest Preserve lands, due to their constitutional "forever wild" status, present a particular challenge when confronted with requests by mobility impaired individuals for access by motor vehicles. Forest Preserve lands classified as Wild Forest and Intensive Use, however, do offer selected opportunities to allow for this type of access.

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With this policy, the department is taking another step toward making those lands under its administration more accessible to all people and increasing the recreational opportunities for them. For both the department and the people for whom this policy is written, there is also an increase in the responsible stewardship of department lands. It should be understood by the applicant and the issuing department staff that all conditions of this policy and procedure are directed for the protection of the applicant, the staff of the department and the resource.

DEFINITIONS:

For the purposes of this document, the following definitions shall apply:

- a. Certification/Certified means a signed statement by a licensed physician, on his/her letterhead, or from a hospital, clinic or medical facility on its letterhead, certifying that the applicant has one or more impairments, disabilities or conditions which document the need for the [mobility impaired] applicant to use a motor vehicle [mechanized aid] and the nature, degree and term of the physical disability.

A physician's statement from out-of-state is acceptable provided it includes the physician's license or certification number and specifies the state in which the physician practices.

A photocopy of the physician's statement is acceptable.

All original and photocopies of original statements must be dated within one year prior to the date of application, unless previous letters or documents have proven that the disability is permanent.

At the discretion of the Regional land manager, the approval of the application and the issuance of the Temporary Revocable Permit may be made without a physician's certification of disability provided that

the disability is an obvious, visually identifiable permanent disability: for example, the loss of all or a portion of a leg. In this instance, a statement of compliance with certification requirements should be made by the Regional land manager.

The possession by the applicant of a Non-ambulatory Hunter Permit/Non-ambulatory Hunter Deer Permit is considered proof of certification. These documents are issued by the Special Licenses Unit of the department. See Appendix.

The possession of valid Disabled Person passenger vehicle license plates may also be considered proof of certification. This provision includes vans and pick-up trucks that are not used for commercial purposes. The vehicle must be registered in the name of the applicant.

- b. Department means the Department of Environmental Conservation.
- c. Mechanized Aid means a non-motorized or motorized wheelchair [or other mechanically powered assistance device] designed for indoor as well as outdoor use by an individual with mobility impairment.
- d. Motor Vehicle means every wheeled or tracked vehicle or other device, other than a mechanized aid as defined herein, operated by any power other than muscle power, and includes, but is not limited to, automobiles, trucks, motorcycles, tractors, recreational vehicles (RV's), all-terrain vehicles (ATV's), motorboats, snowmobiles, snow travelers, electric propelled carts and scooters whether licensed by the Department of Motor Vehicles or other state agency or not and operated either on or off the public highway.
- e. Mobility Impaired Person means an individual who is non-ambulatory, except with the use of a mechanized aid, or is permanently unable to move except for short distances (less than 50 feet) without assistance from another person or without the use of a mechanized aid, a motor vehicle, or other artificial aids. It also means "non-ambulatory", "handicapped" or "disabled" in this policy and procedure.

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POLICY

It shall be the policy of the department to allow certified mobility impaired individuals access by a motor vehicle or mechanized aid to lands outside the Forest Preserve under its jurisdiction and to certain Forest Preserve lands. Those persons who want to access State land by motor vehicle can do so only through the issuance of a Temporary Revocable Permit.

On lands outside the Forest Preserve and on Forest Preserve lands classified as Wild Forest or Intensive Use, such use shall only be allowed on roads and established trails where, in the opinion of the Regional land manager, the use of motor vehicles will not have a deleterious effect on the road or trail or the area's natural character, is not in opposition to the contents of the State Land Master Plan for the Adirondack Park or will not unnecessarily conflict with other uses.

A Temporary Revocable Permit is not required to access State lands under this department's jurisdiction by a mechanized aid, as defined herein.

Such use shall be allowed on Tidal Wetlands pursuant to a permit issued per 6NYCRR, Part 46.

The riders shall be limited to the mobility impaired person and one other individual where permitted by the vehicle's design and where safe, prudent and legal. In general, ATV's may not be ridden by more than one person.

If the intent is to drive a road vehicle licensed by the Department of Motor Vehicles, the vehicle must have valid handicapped person plates issued to the mobility impaired person or the mobility impaired person must have been issued a "Special Vehicle (Handicapped) Identification Parking Permit", MV664, pursuant to Section 1203a of the Vehicle and Traffic Law. The applicant must also present certification of their mobility impaired status. The operator of the vehicle must possess a valid driver's license.

The operators of other types of vehicles must possess proof that they have met the statutory requirements for their operation.

If the intent is to hunt from a motor vehicle, the applicant must have a permit issued under rules and regulations 6NYCRR 170.5 and Environmental Conservation Law, Section 11-0931(2) to possess a loaded firearm in or on a motor vehicle. He/she must also have a Non-ambulatory Hunter Permit, 41-10-2 and 82-20-162). If the individual also intends to take deer, a Non-ambulatory Hunter Deer Permit is required in addition to a Non-ambulatory

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Hunter Permit or a "Permit to Possess a Loaded Firearm in a Motor Vehicle".

The approved permit must be carried by the mobility impaired person. If appropriate, a copy must be displayed in the vehicle being used by the mobility impaired person or that which transported the mobility impaired person and the other motor vehicle or mechanized aid to be used by the mobility impaired person to the area described in the application.

If an ATV or mechanized aid is used to transport deer, only that deer legally obtained by the permittee shall be allowed. A permittee may not use an ATV to transport another person(s) (unless one other person is required to assist the mobility impaired person in movement off the ATV and where permitted by the vehicle's design and where safe, prudent and legal) and another person's goods. An ATV may not be used as a general purpose vehicle by another person(s) when operated by the mobility impaired person. An ATV may be used to transport a mobility impaired person and any deer he/she legally obtains. An ATV may not be operated without the presence of the permittee.

PROCEDURE:

1. A mobility impaired individual requesting permission to use a motor vehicle on Department lands, roadways or trails where such use is ordinarily not permitted must obtain a Temporary Revocable Permit.
2. The applicant must present certification of his/her mobility impairment. A copy of the certification or statement of compliance with certification shall be attached to the application and made a part of the Permit.[a copy of either a "Special Vehicle (Handicapped)" identification parking permit, its equivalent from another state or a mobility impaired hunter permit (82-20-162) and Card ID (41-10-2).]
3. The applicant must complete the Application for a Temporary Revocable Permit. In addition to the standard information required, the applicant will provide a description and [detailed] sketch map of the area in which the mobility impaired person wishes to travel. The applicant shall submit the application to the Regional land manager(s) for the area(s) on which the applicant wishes to travel.
4. The applicant fee and liability insurance required of usual recipients of Temporary Revocable Permits shall be waived by the Regional land manager, unless the

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applicant is involved in, promoting or managing a competitive event. In that case, the standard application fee for a Temporary Revocable Permit shall be charged.

5. When hunting from a motor vehicle is the intent, the applicant will provide a copy of a Non-ambulatory Hunter Permit 82-20-162 and Card ID 41-10-2 see Appendix. The requirement for pictures will be waived when the applicant presents the card ID. When requested by the applicant's doctor, the applicant release (a liability release) must be completed.
6. Additional restrictions or stipulations may be imposed as necessary by the Regional land manager [office].
7. The Regional land manager shall forward the application package along with the appropriate recommendation to the Central Office for requests involving Forest Preserve lands. The application package for other lands shall be processed [approved] at the regional office.
8. If the applicant wishes to travel by mechanized aid or motor vehicle in more than one region on State land under the jurisdiction of the department and appropriate for such use, he/she shall obtain approval from each region in which the applicant wishes to travel. The initial regional office issuing a permit shall facilitate this process.
9. The Temporary Revocable Permit may be approved for a period not to exceed one year from date of issue.
10. The Temporary Revocable Permit may be renewed without re-certifying the disability provided that the disability has been documented as permanent or is within the term of the disability as described in the original certification. In both of these cases, the request for renewal must be made prior to the expiration date of the Permit.

Deputy Commissioner

cc: Natural Resources Division Directors
Regional Supervisors of Natural Resources

Addendum to
Memorandum of Understanding
Between the
Adirondack Park Agency
and the
Department of Environmental Conservation

WHEREAS, the Adirondack Park State Land Master Plan was amended in 1986 to include guidelines for use of all-terrain bicycles on State land classified Wilderness, Primitive, Canoe, and Wild Forest, and;

WHEREAS, uniform implementation of the guidelines was to be accomplished through the completion of unit management plans and promulgation of appropriate rules and regulations, and;

WHEREAS, the completion of Wild Forest Unit Management Plans has not progressed as fast as anticipated and thus designation of bicycle trails has also not progressed as fast as anticipated, and;

WHEREAS, the lack of specific guidelines or criteria for designation of bicycle trails will further delay unit management plan completion, and;

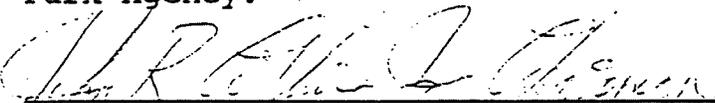
WHEREAS, there is a need to clarify to the public where bicycles can and cannot legally be used.

NOW, THEREFORE, THE AGENCY AND THE DEPARTMENT AGREE AS FOLLOWS:

1. The Department shall move forward with a regulation prohibiting bicycle use in Wilderness areas and limiting use in Primitive and Canoe areas to Unit Management Plan approved designated roads as per the requirement of the State Land Master Plan.
2. The Department shall publish a list of roadways on Forest Preserve land opened to motorized use and thus also open to use of bicycles.
3. The Department shall submit a combined Unit Management Plan amendment designating bicycle trails for those Wild Forest areas which have completed plans.
4. For Wild Forest areas without unit management plans, bicycles will be allowed on existing trails and roads unless specifically prohibited due to environmental damage, user conflicts or safety concerns for a period of three years ending December 31, 1995.

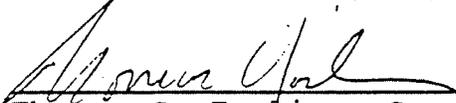
5. Such use will allow the Department to study bicycle use in the Adirondack Forest Preserve and fully assess the environmental and social impacts of bicycles, as well as the physical constraints on their safe use.
6. The Department will also assess use patterns, use level and user preferences.
7. The result of the study will be a set of guidelines or criteria for trail designation which will be jointly adopted by the Agency and the Department, and a network of trails which meet these criteria.
8. The work program for this study will be developed by the Department in consultation with Agency staff.
9. To the extent possible public, semi-public and private interest groups will be encouraged to assist the Department in undertaking this study.

This Addendum to the April 1985 MOU between the Adirondack Park Agency and the Department of Environmental Conservation will take effect upon its execution by the Commissioner of the Department of Environmental Conservation and the Chairman of the Adirondack Park Agency.



John R. Collins, Jr., Chairman
Adirondack Park Agency

January 25, 1993
Date



Thomas C. Jorling, Commissioner
Department of Environmental Conservation.

Feb. 11, 1993
Date

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PUBLIC COMMENTS

A considerable amount of public input was received as a result of the August 1992 draft plan. Although every relevant issue was considered in the preparation of this plan, the following comments need clarification beyond that which could be provided in the text of the plan. The replies are offered as a clarification of the reasoning underlying the decisionmaking process and should not be misconstrued as criticism.

Parking Lots/Deer Yards

Some concern was expressed concerning the location of the proposed new parking lots on the Streeter Lake Road (campsite 5) and at South Creek Lake as they are adjacent to or near deer yards. In the first instance the writer seemed concerned with a possible reduction of browse while no reason was given for the second.

Reply: In both cases, the small lots are located on unplowed roads which would negate any use of the facility during that part of the year when their use would be in conflict with deer survival. The reduction of browse would be minimal due to the mature overstory presently at each site, the small size of the lots (600 sq. ft. at the most) and the actual increase in available browse caused by the construction due to the creation of more edge. Using the generally accepted figure of 16 1/2 lbs. of necessary browse per adult deer per day puts this concern into perspective.

South Creek Lake Road

1. A cost analysis should be developed.

Reply: Projects included in a unit management plan are intended to meet management goals. The cost effectiveness of a project is more appropriately considered in the prioritization of projects in the budgetary process.

Although \$80,000 is a significant amount (plus \$10,000 each for the Dodds Road and Jayville Road), the proposal to perform this level of work at one time is meant to be more cost effective than a piecemeal approach. Once these roads are brought up to acceptable standards, annual maintenance should be possible within traditional budgetary limitations.

2. The road is not needed.

Reply: The development of motorized access to this part of the forest after 72 years of public ownership is intended to accomplish the following:

Administrative Uses

a. Law Enforcement. Curtailment of:

- illegal ATV use.
- further theft of firewood
- vandalism
- illegal camps
- fishing and hunting law violations

b. Maintenance

- boundary lines (an expensive resurvey of the boundary lines at South Creek Lake had to be undertaken in 1991-92 because the original 1920 survey was not kept up).
- repair acts of vandalism (in past years the gates at South Creek Lake and on the South Creek Lake Road were left damaged for long periods of time due to the difficult access).
- Scuttle Hole Snowmobile/ATV Trail.
- Round Lake Foot Trail.
- General cleanup.

c. Management

- DEC staff must have access to undertake fishery, wildlife and public use management activities.

Public Uses

- a. Provide fishing access to South Creek Lake, Round Lake, the Gulf, Scuttlehole Pond, Fish Creek and Gulf Stream.
- b. Provide hunting access to the interior of the area instead of along the periphery where the potential for conflict with adjacent owners is greater. This access will serve a much greater area when the reserved hunting rights expire on the Oswegatchie Easement Lands in 2019.
- c. Hiking access to Round Lake, the Gulf and the Oswegatchie Easement Lands.
- d. Canoe access to Round Lake and Fish Creek.

e. Camping, trapping, snowmobile and bicycle access to the Oswegatchie Easement Lands and Lassiter Purchase.

3. The risk of fire will be increased.

Replies: Probably not, because camping will become more supervised and law enforcement will increase with improved access.

Fire suppression will become possible.

4. Private camps will be subject to theft and vandalism.

Replies: Hopefully this probability will be diminished by the increased presence of witnesses and law enforcement personnel.

A gate will be installed at the turnoff to the camps at South Creek Lake to help screen them.

The road will be extended to the Scuttle Hole to lessen the congregation of users at South Creek Lake.

5. More trash will be left on the area.

Reply: With access, it can be removed.

6. South Creek Lake will be polluted.

Reply: With the concurrence of adjacent property owners, DEC would develop regulations to prohibit the use of motors on the lake to improve its overall quality.

7. South Creek Lake cannot withstand additional fishing pressure.

Reply: With public access to the lake it becomes more feasible to increase fish management in the lake.

8. The area will become overhunted.

Reply: Present game laws, properly enforced, should minimize this possibility.

9. The loons and ducks on South Creek Lake will be disrupted.

Replies: If the adjacent landowners concur with the prohibition on motors, this situation should improve.

(Refer to the Titus and VanDruff and McIntyre references in the bibliography for a definitive study of this subject).

10. Approximately thirty years ago this proposed road was closed by DEC because of the increased use of gasoline engines and their impact on the forest preserve, yet the number and types of vehicles that would be used today is much greater.

Replies: The closure of this road was more likely caused by a lack of maintenance funding as well as questionable public access rights which were clarified by appropriation in 1967.

Refer to the State Land Master Plan's basic guideline 6 for wild forests (page 26) which states: "When public access to and enjoyment of the wild forest areas are inadequate, appropriate measures may be undertaken to provide improved access to encourage public use consistent with the wild forest character."

11. The Kalurah Road is too unsafe to carry the additional traffic which the opening of this road will create.

Reply: It is hoped that the Town of Pitcairn will continue to upgrade this road to minimize this risk.

Foot Trails

Comments concerning the need for foot trails have been deferred until the five year revision of this plan as it was felt that the pattern of public motorized access had to be established before feasible foot trails could be located and constructed.

Canoeing

1. DEC really needs a recreation plan for use of the Middle Branch covering access and campsites. Then the UMP's would be written to conform to this plan.

Reply: Canoeing is presently a minor recreational activity within this forest. Access to the Middle Branch and campsite designation have been addressed within the context of overall management activities.

2. The management plan should specify some approximate dates when the Bryants Bridge gate will be opened/closed.

Reply: DEC does not control this private gate. The date for opening in the spring is determined by frost conditions and it is generally closed in the fall prior to the opening of big game season.

§15-2707. Classes of river areas includable in system, criteria; management objectives.

1. The following types of river areas are eligible for inclusion in the system. All state agencies are hereby directed to pursue policies with respect to their respective activities, functions, powers and duties which are designated to enhance the conditions of designated rivers in accordance with the criteria set forth for such rivers in this section.

2. All rivers in the system shall be relatively free of pollution and the water quality thereof of a standard sufficiently high to meet the primary management purposes enumerated herein.

a. Wild river. Those rivers or sections of rivers that are free of diversions and impoundments, inaccessible to the general public except by water, foot or horse trail, and with river areas primitive and undeveloped in nature and with development, if any, limited to forest management and foot bridges.

(1) The minimum length of any one section shall be five miles.

(2) In general, the minimum distance from the river shore to a public highway or a private road open to the public for motor vehicle use, shall be one-half mile except where a physical barrier exists which effectively screens the sight and sound of motor vehicles.

(3) Management of wild river areas shall be directed at perpetuating them in a wild condition as defined herein.

b. Scenic river. Those rivers, or sections of rivers, that are free of diversions or impoundments except for log dams, with limited road access and with river areas largely primitive and largely undeveloped or which are partially or predominantly used for agriculture, forest management and other dispersed human activities which do not substantially interfere with public use and enjoyment of the rivers and their shores.

(1) There shall be no minimum length of any one section.

(2) Management of scenic river areas shall be directed at preserving and restoring the natural scenic qualities of such rivers.

c. Recreational river. Those rivers, or sections of rivers, that are readily accessible by road or railroad, that may have development in their river area and that may have undergone some impoundment or diversion in the past.

(1) There shall be no minimum length of any one section.

(2) Management shall be directed at preserving and restoring the natural scenic and recreational qualities of such river areas.

d. Exceptions. Limited existing exceptions to the criteria for all three classes of rivers will not automatically exclude rivers from designation. Rather, the river area shall be examined as a whole with its overall worthiness for inclusion being the deciding factor.

§15-2709. Administration of the system.

1. The wild, scenic and recreational rivers system shall be administered in accordance with their respective jurisdictions by the commissioner or the agency according to policies and criteria set forth in this title upon establishment of the boundaries of each river area in accordance with section 15-2711 of this chapter. The commissioner or agency shall make and enforce regulations necessary for the management, protection, and enhancement of and control of land use and development in the wild, scenic and recreational river areas. No regulations shall be promulgated unless a publicized public hearing is held in the environmental conservation region encompassing the affected area by the commissioner or agency. In such administration, primary emphasis shall be given to protecting ecological, recreational, aesthetic, botanical, scenic, geological, fish and wild life, historical, cultural, archeological and scientific features of the area. In connection with such administration, the commissioner or the agency may provide for the preparation and

implementation of management plans for individual river areas or significant portions thereof.

2. After inclusion of any river in the wild, scenic and recreational rivers system, no dam or other structure or improvement impeding the natural flow thereof shall be constructed on such river except as expressly authorized in paragraphs b and c of this subdivision. Notwithstanding anything herein contained to the contrary, existing land uses within the respective classified river areas may continue, but may not be altered or expanded except as permitted by the respective classifications, unless the commissioner or agency orders the discontinuance of such existing land use. In the event any land use is so directed to be discontinued, adequate compensation therefor shall be paid by the state of New York either by agreement with the real property owner, or in accordance with condemnation proceedings thereon. The following land uses shall be allowed or prohibited within the exterior boundaries of designated river areas depending on the classification of such areas:

a. In wild river areas, no new structures or improvements, no development of any kind and no access by motor vehicles shall be permitted other than forest management pursuant to forest management standards duly promulgated by regulations.

b. In scenic river areas, the continuation of present agricultural practices, the propagation of crops, forest management pursuant to forest management standards duly promulgated by regulations, limited dispersed or cluster residential developments and stream improvement structures for fishery management purposes shall be permitted. There shall be no mining, excavation, or construction of roads, except private roads necessary for residential, agricultural or forest management purposes, and with the further exception that public access through new road construction may be allowed, provided that there is no other such access within two land miles in either direction.

c. In recreational river areas, the lands may be developed for the full range of agricultural uses, forest management pursuant to forest management standards duly promulgated by regulations, stream improvement structures for fishery management purposes, and may include small communities as well as dispersed or cluster residential developments and public recreational areas. In addition, these river areas may be readily accessible by roads or railroads on one or both banks of the river, and may also have several bridge crossing and numerous river access points.

3. In addition to the provisions of article 70 of this chapter and rules and regulations adopted thereunder, the rules and regulations adopted by the department pursuant to this title to implement its processing of permit applications, modifications, suspensions and revocations shall govern permit administration by the department under this title.

§15-2710. Moratorium on development along the Beaverdam Creek.

(REPEALED, Eff. 6/21/93, Ch. 119, L. 1993)

2. Scenic rivers

a. Ampersand brook--Approximately eight miles from Ampersand pond to the confluence with the Raquette river.

b. Ausable river--Approximately nine miles from Marcy swamp to St. Hubert's.

c. Boreas river--Approximately eleven and one-half miles from Cheney pond to the confluence with the Hudson river.

d. Bouquet river--Approximately six miles of the North Fork from the headwaters on Dial mountain to the bridge on route 73. Approximately five and one-half miles of the South Fork from the headwaters to the bridge on route 73.

e. Cedar river--Approximately five miles from the Hamilton County line to the confluence with the Hudson river.

f. Hudson river--Approximately nine miles from the hamlet of Newcomb to the confluence with the Cedar river and approximately four miles from the confluence with the Boreas river to a point one mile north of the hamlet of North river.

g. South branch of the Moose river--Approximately eighteen miles from the east boundary of the state land immediately west of Little Moose lake to the west boundary of state land near Rock Dam and approximately six and one-half miles from the east boundary of state land just north of Woodhull mountain downstream to the state land boundary near the confluence with the middle branch of the Moose river.

3. Recreational rivers

a. West branch of Ausable river--Approximately five miles from the state boundary along the River road east of Big Cherry Patch pond downstream to the state boundary immediately west of High Falls.

§15-2714. Additional designations.

In addition to the rivers designated in section 15-2713 of this chapter, the following rivers are included in the system, being classified by the criteria stated in section 15-2707:

1. Wild rivers

a. Cedar river - Approximately seven and three-tenths miles from the outlet of Cedar lakes to a point where a road crosses the river approximately one and one-half miles upstream of Cedar river flow.

b. Kunjamuk river - Approximately eight miles from the outlet of South pond to a fish barrier dam near the southwest boundary of lot 9, township 31, Gorton Tract.

c. Main branch of the Oswegatchie river - Approximately eighteen and one-half miles from the Partlow Mill dam to the southernmost boundary between private and state land at Inlet.

d. Middle branch of the Oswegatchie river - Approximately fourteen and one-half miles from the north boundary of lot 27, Watson's East Triangle to a point one mile downstream of the confluence with Wolf creek.

e. Piseco outlet - Approximately four and one-fifth miles from a point one-half mile east of the route 10 bridge crossing to the confluence with the West Branch of the Sacandaga river.

f. West branch of the Sacandaga river - Approximately nine miles from the source near Silver lake mountain to the Silver lake wilderness boundary near route 10 and approximately two and seven-tenths miles from the confluence with Cow creek to the confluence with Piseco outlet.

g. South branch of the West Canada creek - Approximately five and nine-tenths miles from the headwaters near T-Lake falls to a footbridge crossing located approximately one mile upstream of the Floe.

2. Scenic rivers

a. Black river - Approximately seven and eight-tenths miles from the point where Farr road crosses the river to the point where the river intersects the Adirondack park boundary.

ADIRONDACK PARK STATE LAND MASTER PLAN

GUIDELINES FOR MANAGEMENT AND USE**Basic guidelines**

1. No river or river area will be managed or used in a way that would be less restrictive in nature than the statutory requirements of the Wild, Scenic and Recreational Rivers Act, Article 15, title 27 of the Environmental Conservation Law, or than the guidelines for the management and use of the land classification within which the river area lies, but the river or river area may be administered in a more restrictive manner.

2. Rivers will be kept free of pollution and the water quality thereof kept sufficiently high to meet other management guidelines contained in this section.

3. No dam or other structure impeding the natural flow of a river will be constructed on a wild, scenic or recreational river, except for stream improvement structures for fisheries management purposes which are permissible on recreational and scenic rivers only.

4. The precise boundaries of the river area will be determined by the Department of Environmental Conservation, will be specified in the individual unit management plans for the river area or the unit of state land through which the river flows, and will normally be one-half mile from the mean high water mark of the river, but in any case will not be less than one-quarter mile.

Wild rivers

1. Wild rivers and their river areas will be managed in accordance with the guidelines for wilderness areas except that no new, reconstructed or relocated structures or improvements will be permitted other than: foot and horse trails, foot trail bridges constructed of natural materials, primitive tent sites with fire rings, and pit privies. Existing lean-tos in wild river areas may be maintained for the balance of their useful lives. Such lean-tos will not be reconstructed or replaced and will ultimate-

ly be phased out in favor of primitive tent sites as specified in individual unit management plans.

2. Such structures and improvements, other than foot and horse trails and foot trail bridges, will be located so as to be completely screened by vegetation or topography from view from the river itself.

3. The wild character of the river and its immediate shoreline will be preserved and enhanced.

4. Motorboat usage of wild rivers will be prohibited.

Scenic rivers

1. Scenic rivers and their river areas will be managed in accordance with the guidelines for the management of wild forest areas (except where such rivers flow through wilderness, primitive or canoe areas, where the more restrictive guidelines of the particular area will apply) and with the following additional guidelines.

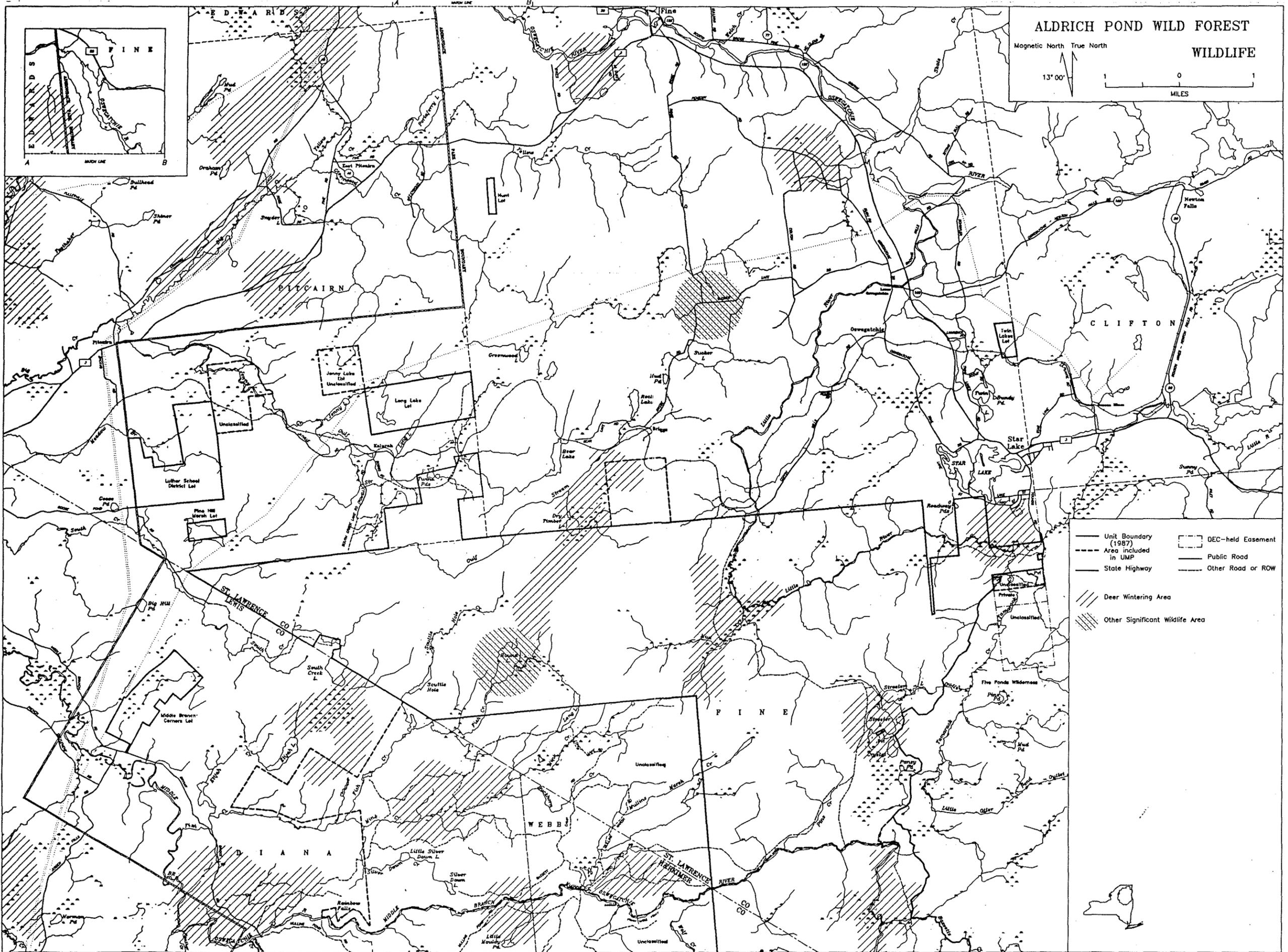
2. Access points to the river shore or crossings of the river by roads, fire truck trails or other trails open to motor vehicle use by the public or administrative personnel will normally be located at least two miles apart.

3. Other motor vehicle roads or trails in the river area will not be encouraged and, where permitted, will normally be kept at least 500 feet from the river shore and will be screened by vegetation or topography from view from the river itself.

4. The natural character of the river and its immediate shoreline will be preserved.

5. The following structures and improvements may be located so as to be visible from the river itself:

- fishing and waterway access sites;
- foot and horse trails and foot and horse trail bridges crossing the river; and,
- motor vehicle bridges crossing the river.



ALDRICH POND WILD FOREST
WILDLIFE

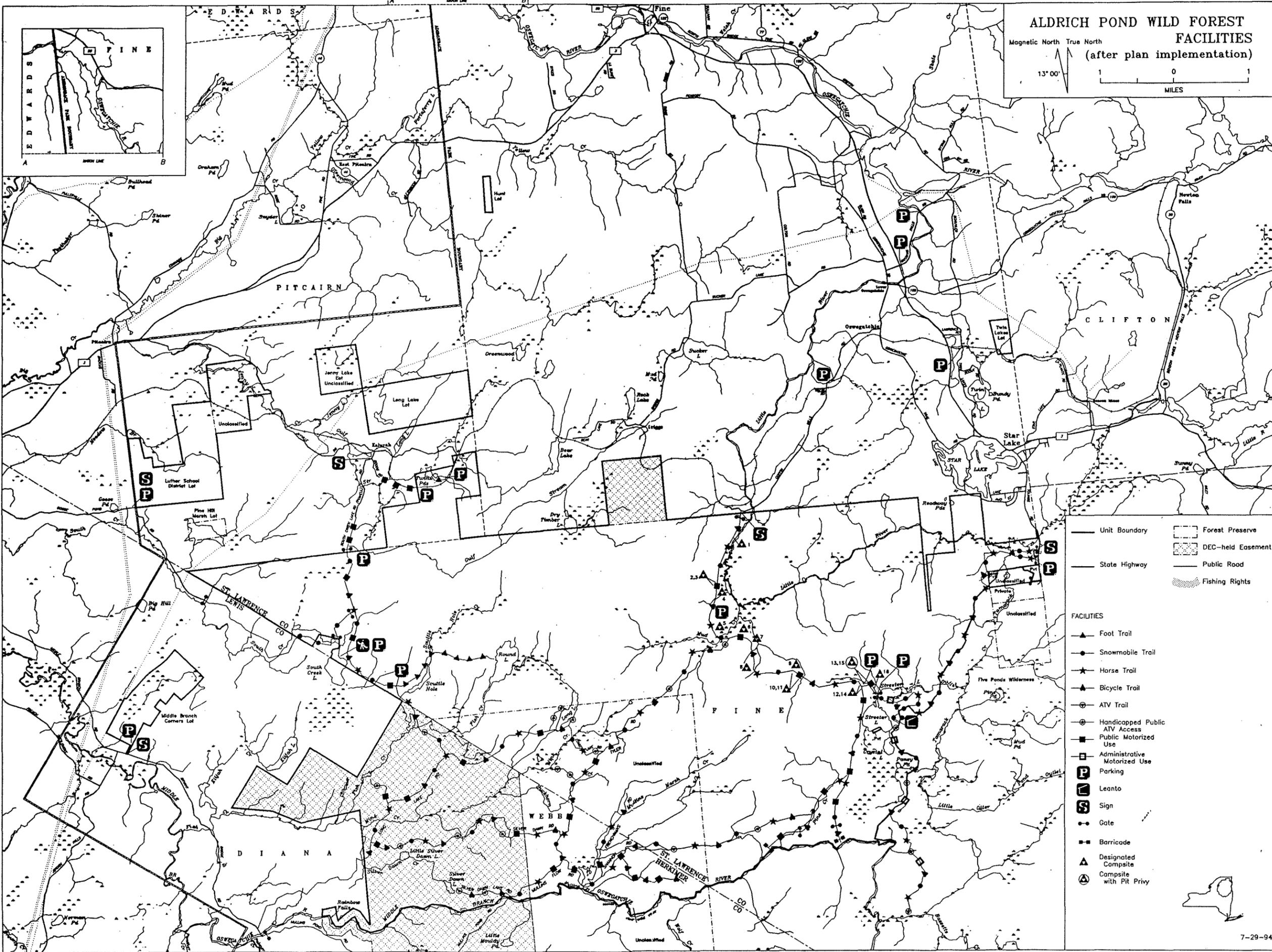
Magnetic North True North

13° 00'

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MILES

- Unit Boundary (1987)
- - - Area included in UMP
- State Highway
- Deer Wintering Area
- Other Significant Wildlife Area
- DEC-held Easement
- Public Road
- Other Road or ROW



ALDRICH POND WILD FOREST FACILITIES
 (after plan implementation)

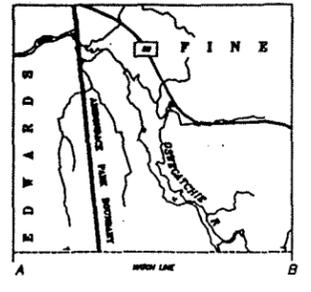
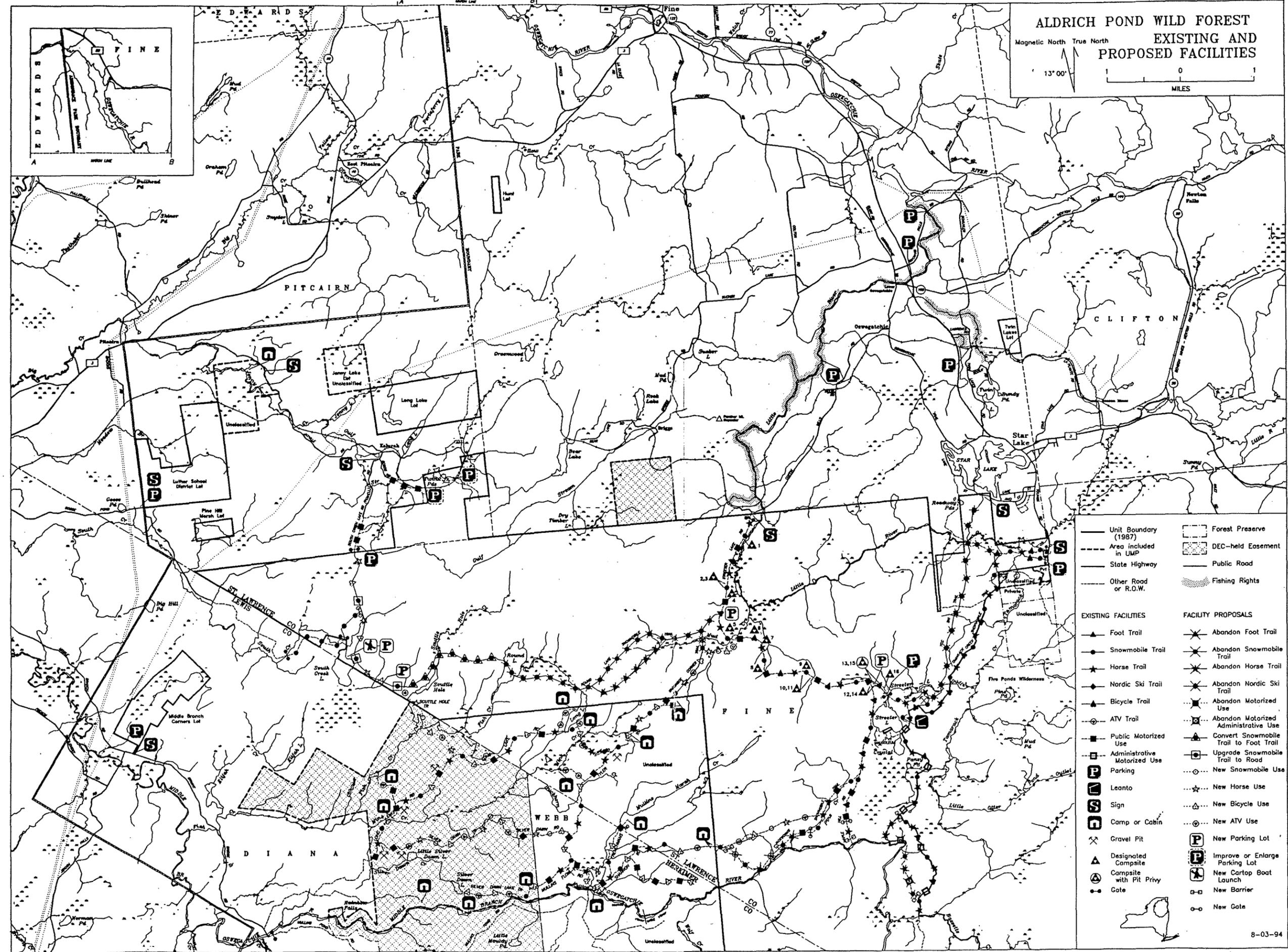
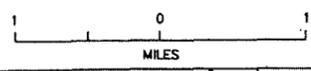
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 MILES

- | | |
|-----------------|---------------------|
| — Unit Boundary | ▭ Forest Preserve |
| — State Highway | ▨ DEC-held Easement |
| — Public Road | — Public Road |
| | ▨ Fishing Rights |
- FACILITIES**
- ▲ Foot Trail
 - Snowmobile Trail
 - ★ Horse Trail
 - ▲ Bicycle Trail
 - ⊙ ATV Trail
 - ⊕ Handicapped Public ATV Access
 - Public Motorized Use
 - Administrative Motorized Use
 - P Parking
 - Ⓛ Leanto
 - S Sign
 - ⊘ Gate
 - ⊘ Barricade
 - ▲ Designated Campsite
 - ⓐ Campsite with Pit Privy

ALDRICH POND WILD FOREST
EXISTING AND PROPOSED FACILITIES

Magnetic North True North
 13° 00'



- | | |
|----------------------------|---------------------|
| — Unit Boundary (1987) | ▭ Forest Preserve |
| - - - Area included in UMP | ▨ DEC-held Easement |
| — State Highway | — Public Road |
| - - - Other Road or R.O.W. | ▨ Fishing Rights |
-
- | EXISTING FACILITIES | FACILITY PROPOSALS |
|--------------------------------|--|
| ▲ Foot Trail | ✕ Abandon Foot Trail |
| ● Snowmobile Trail | ✕ Abandon Snowmobile Trail |
| ★ Horse Trail | ✕ Abandon Horse Trail |
| ◆ Nordic Ski Trail | ✕ Abandon Nordic Ski Trail |
| ▲ Bicycle Trail | ✕ Abandon Motorized Use |
| ○ ATV Trail | ✕ Abandon Motorized Administrative Use |
| ■ Public Motorized Use | ▲ Convert Snowmobile Trail to Foot Trail |
| □ Administrative Motorized Use | ▣ Upgrade Snowmobile Trail to Road |
| ⊙ Parking | ○ New Snowmobile Use |
| ⊙ Leanto | ★ New Horse Use |
| ⊙ Sign | ▲ New Bicycle Use |
| ⊙ Camp or Cabin | ○ New ATV Use |
| ⊙ Gravel Pit | ⊙ New Parking Lot |
| ▲ Designated Campsite | ⊙ Improve or Enlarge Parking Lot |
| ⊙ Campsite with Pit Privy | ⊙ New Cartop Boat Launch |
| ⊙ Gate | ⊙ New Barrier |
| | ⊙ New Gate |