

STATEMENT OF FINDINGS

State Environmental Quality Review Act

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the New York State Environmental Conservation Law (ECL) and the implementing regulations in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR), the Department of Environmental Conservation (DEC or the Department) as the lead agency makes the following findings and conclusions of fact and law:

Name of Action:

Essex Chain Lakes Management Complex Plan (Complex Plan) and Final Environmental Impact Statement (FEIS)

Location:

The project is located within the Towns of Newcomb and Minerva in Essex County, and Town of Indian Lake in Hamilton County.

Acceptance Date of the FEIS:

October 28, 2015

Date of Adirondack Park Agency (APA) determination of Compliance with the Adirondack Park State Land Master Plan:

November 13, 2015

CONTENTS

I. DESCRIPTION OF THE ACTION

- A. Background
- B. Proposed Management Objectives (Actions)
- C. Public Needs and Benefits
- D. Department Jurisdiction

II. FACTS AND CONCLUSIONS IN THE COMPLEX PLAN RELIED UPON TO SUPPORT THE DECISION

- A. Soils, Wetlands and Drainage
- B. Noise
- C. Wildlife and Habitat
- D. Water
- E. Vegetation
- F. Historic Resources
- G. River Resources
- H. Cumulative Impacts

III. ALTERNATIVES

- A. Rejected Alternatives
- B. Findings of Preferred Alternatives

IV. SOCIAL, ECONOMIC AND OTHER ESSENTIAL CONSIDERATIONS

V. CERTIFICATION OF FINDINGS TO APPROVE

I. DESCRIPTION OF THE ACTION

The Department is proposing to approve and adopt the following components of the Complex Plan: (1) unit management plan (UMP) for the Essex Chain Lakes and Pine Lake Primitive Areas; (2) amendments to the 1995 Blue Mountain Wild Forest UMP and 2005 Vanderwacker Mountain Wild Forest UMP; (3) river area management plans (RMPs) for the Hudson and Cedar Rivers; and (4) FEIS for the above actions.

A. BACKGROUND

The Complex Plan has been prepared in order for the Department to allow for appropriate public access to the lands within the Essex Chain Complex Area (Complex Area) in a manner which is consistent with the directive in the Adirondack Park State Land Master Plan (APSLMP) that resource protection is paramount. This Complex Plan addresses the development of potential future public uses and facilities such as bicycling, creation of additional recreational opportunities for people with disabilities,

additional primitive tent sites along the Hudson River, construction of a bridge over the Cedar River for recreational access north and south through the Complex Area, the disposition of the Iron (Polaris) Bridge over the Hudson River, and analysis of alternatives for a year-round, multiple use, community connector trail, designated as open for snowmobile travel, to connect the communities of Indian Lake and Minerva.

In late 2012 and early 2013, the State acquired the 18,100-acre Essex Chain Lakes Tract and the 960-acre Indian River Tract from The Nature Conservancy. In the spring of 2013, the State adopted an Interim Access Plan. The Interim Access Plan facilitated immediate public access of the area, and the Department designated two access points with parking—one along the Chain Lakes Road (South) just outside the Indian River Tract, and one at an existing clearing on the Chain Lakes Road (North)—for those wishing to access the property before the development of any official facilities. At the time of the Interim Access Plan, much of the property was still subject to exclusive leases and closed to the public.

The exclusive leases that applied to most of the recently acquired lands expired in September 2013. New leases were signed, and the exclusivity shrank to one-acre parcels around camp buildings, and a 7-acre envelope around the Inner Gooley camp structures. In order to facilitate the appropriate amount of public use of these new lands, the Department released a second Interim Access Plan in the fall of 2013. This Plan proposed the establishment of a parking area just north of Deer Pond for recreational access to the Essex Chain Lakes, established a paddling/rafting takeout near the Polaris Bridge, and designated several canoe carries to facilitate access between the Essex Chain Lakes.

The lands were then classified by the APA in early 2014, and some adjoining Forest Preserve lands were reclassified consistent with the classification of the newly acquired lands. The Department was then able to develop a draft UMP proposing recreational uses and facilities consistent with both the land's classifications and its ability to withstand such uses. The development of the draft UMP, as mandated by Article 27, section 816 of the New York State Executive Law, was driven by the need to appropriately locate public uses and facilities in response to the high public interest in

these newly acquired lands. Certain uses, in particular snowmobiling and mountain biking, required additional planning before being proposed in the Complex Area and were therefore not included in the draft UMP. The Department decided to withdraw the 2014 Draft UMP based on the nature of the public comments received, and the need to supplement the analysis of the alternatives for snowmobile and bicycle uses.

In order to facilitate appropriate public access and natural resource protection of the Complex Area prior to the release of a Complex Plan, the DEC released a Stewardship Plan in the fall of 2014 that authorized the implementation of certain recreational uses and facilities prior to the adoption of a UMP. In July of 2015 the Stewardship Plan was amended to identify state truck trails (administrative roads) in the Complex Area and designate a subset of those roads as open for bicycle use.

In July of 2015 the Department adopted a Final Community Connector Trail Plan (Trail Plan). As approved by the Commissioner, the Trail Plan amended the Vanderwhacker Mountain Wild Forest UMP. The Trail Plan establishes a year-round, multiple use, community connector trail between the communities of Newcomb, Minerva, and North Hudson. The draft version of this Plan, which was released for public comment in June 2014, contained a trail segment between the Polaris Bridge and Route 28N in Minerva, recognizing that this trail connection is important to connecting Indian Lake to Minerva through the Vanderwacker Mountain Wild Forest. Conceding that this community connection relies on travel within the Essex Chain Complex, the proposal for that trail segment was removed from the Trail Plan and has been put forth as a proposal in this Complex Plan.

Pursuant to the Memorandum of Understanding Between the Adirondack Park Agency and the Department of Environmental Conservation Concerning Implementation of the State Land Master Plan for the Adirondack Park (APA/DEC MOU), the Department assumed SEQR lead agency for the adoption of the Complex Plan. The Department issued a positive declaration under SEQR requiring the preparation of a draft environmental impact statement (DEIS). A SEQR Final Scope was accepted, and the Department publicly noticed the DEIS. After the receipt of public comment, preparation

of responses to those comments, and changes made to the DEIS in response to the comments, the Department adopted a FEIS.

B. PROPOSED MANAGEMENT OBJECTIVES (ACTIONS)

This Complex Plan addresses the development of potential future public uses and facilities, and the implementation of measures to protect the natural resources of the Complex Area. The development of public uses within the Complex Area will include providing recreational opportunities for people with disabilities. The proposed management actions for trails include the design and siting of all trails in accordance with applicable law, regulation, DEC policy and guidance and trail best management practices that minimize environmental impacts. Department staff will maintain trails to appropriate standards, which minimize resource degradation and provide safe public access. The Complex Plan will add and enhance hiking, cross-country ski and snowshoe trail opportunities, as appropriate throughout the Complex Area.

The Complex Plan will allow natural processes to play out their roles to ensure that the succession of plant communities is not further altered by human impacts, enhance programs to identify and map rare species, and increase public awareness and advocacy for the spread prevention and early identification of terrestrial and aquatic invasive species. For wildlife, the Complex Plan will perpetuate, support, and expand a variety of wildlife recreational opportunities, including sustainable hunting and trapping and wildlife observation and photography as desirable uses of wildlife resources. Management actions will attempt to assure that wildlife populations are of appropriate size to meet the demands placed on them, including consumptive and non-consumptive uses, and increase understanding of the occurrence, distribution, and ecology of game and nongame wildlife species and their habitats.

The Complex Plan will seek to restore native fish communities with emphasis on native species that have declined due to man's influences consistent with the primary wilderness management guideline in the APSLMP. Implementation may include

reclamations, liming, stocking and other activities as per the “Fishery Management Policy in Wilderness, Primitive, and Canoe Areas.” The Complex Plan recognizes the impacts resulting from invasive species and climate change, and every effort will be made to make suitable habitat available for native strains of fish historic to the Adirondacks. Department staff will maintain Adirondack brook trout populations in Eighth Lake, Jackson Pond, Deer Pond, Mud Pond, Grassy Pond, Little Grassy Pond and Pine Pond, and maintain the diversity of cold-water fish populations in the Complex Area.

The Complex Plan will provide an adequate configuration of access points to the Complex Area for people of all ages and abilities, with adequate parking areas and facilities that accommodate visitor needs while protecting the natural resources. The Plan will maintain safe public motorized access to designated parking areas, in compliance with requirements of all applicable laws, regulations, and policies. The Complex Plan will also continue to provide public motorized use of designated roads in Wild Forest to accommodate access for recreational opportunities consistent with the APSLMP guidelines. This Complex Plan allows for adequate maintenance of former all-season roads that are designated for non-motorized recreational trail use in compliance with the APSLMP.

Bridges in the unit will continue to provide recreational access to State lands on the east side of the Hudson River, and will re-establish a recreational link across the Cedar River, allowing for a year-round, multiple use, community connector trail between Indian Lake and Minerva. The Complex Plan also proposes to eliminate the “Tube” culvert and re-establish a more natural hydrology between Fourth and Fifth Lakes.

The Complex Plan will attempt to reduce, eliminate, or mitigate any adverse impacts on natural resources from camping, and will comply with the APSLMP primitive tent site and lean-to guidelines. Development of canoe carries will facilitate safe public access between nearby waterbodies that are not connected via waterway, and will allow for safe traverse around two rapid sections on the Hudson River between the Town of Newcomb (Lake Harris) and the Polaris Bridge. Hunting and fishing opportunities will be promoted, and seasonal access for hunting will be maintained.

Bicycle trails will be established consistent with the APSLMP, and the Plan calls for recreational opportunities for equestrian trail riders in suitable locations. The Complex Plan will establish a year-round, multiple use, community connector trail between the communities of Indian Lake and Minerva, and the Complex Plan will classify existing trails designated as open for snowmobile travel in the Blue Mountain Wild Forest, both within and outside of the Complex Area, to bring the unit into compliance with the *Management Guidance: Snowmobile Trail Siting, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park*, November 13, 2009 (2009 Management Guidance). Floatplane operations will be regulated on First and Pine Lakes through the issuance of TRPs to the Towns of Indian Lake and Newcomb, which have deeded floatplane access rights, and float plane operators. The Complex Plan complies with the State Historic Preservation Act (SHPA) on the disposition of the Outer Gooley Club Farmhouse, and the Inner Gooley area structures.

Finally, the Complex Plan requires Department staff to adhere to applicable law, regulations, policy and guidance by preparing work plans for each construction or major maintenance project. The Complex Plan calls for the Department to continue to develop long-term partnerships with communities and other stakeholders for the stewardship of the Complex Area.

The action provides for opportunities to access the interior of the unit. This will be accomplished by the preservation and use of existing trails, and the construction of new trails. The trail network is designed to support multiple user groups, but with a main goal of managing that access to preserve and protect the area's natural resources.

C. PUBLIC NEED AND BENEFITS

This Complex Plan has been prepared in order for the Department to provide for appropriate public access within these lands in compliance with the APSLMP and to preserve and protect the area's natural resources. The Complex Plan includes management actions which are specific to guiding public access and use for recreation. Specific actions include establishing gates to control traffic, designation of trails and

canoe carries, and administrative study of appropriate structures and improvements for the future use and protection of the Area.

The establishment of multiple use trails and primitive tent sites with support facilities such as parking and water access will benefit the public and improve access to the natural resources of New York State. Additionally, it is the purpose of specific management actions in the Complex Plan to further connect the communities of the Adirondack Park and to allow for economically sustainable recreation opportunities.

New York State is committed to enhancing the public enjoyment of the outdoors. Many of the facilities in this Complex are designed for “Universal Access,” providing recreation opportunities for all ages and for people with disabilities. Visitors to New York’s accessible facilities can enjoy fishing, boating, hunting, canoeing, picnicking, horseback riding, hiking, visiting historic assets, wildlife observation and camping. Visitors of all abilities are welcome to explore outdoor recreation on state lands and New York is committed to providing an ever-increasing range of accessible opportunities which support a healthy quality of life. By building new ramps, fishing piers, trails with gentle slopes, walkways, parking facilities, horse mounting platforms, privies, campsites and water access, New York is making outdoor activities readily accessible for people of all ages and abilities. DEC has designated Access Coordinators who are available to discuss individual needs and recreational pursuits.

Many such accessible facilities are already in place within the Complex Area pursuant to the 2013 Interim Access Plan and the 2014 Stewardship Plan. This Complex Plan continues and expands on those accessible facilities.

New York State is similarly committed to assisting the communities of the Adirondacks in creating sustainable economies and has provided assistance in the form of providing recreational and business grants to the communities.

It is important to note that the communities that are proposed to be connected also have existing and proposed recreational facilities which will support use of the proposed multiple-use trails. Each of the towns has public beaches, hiking, mountain biking,

cross-country and alpine ski trails, camping and picnic areas, playgrounds, fishing and canoe access, historic sites, visitor's centers and golf courses, among many other recreational and cultural opportunities.

The 2012 New York State Snowmobile Association (NYSSA) report entitled "Economic Impact of the Snowmobile Industry in New York State – 2010-2011" states that the total economic impact of the snowmobile industry in New York State is estimated to be \$868 million. This figure was calculated by estimating the expenditures of the statewide snowmobiling community from data collected from the random sample group of snowmobile owners conducted by the Potsdam Institute for Applied Research at SUNY Potsdam.

The report notes that the largest percentage of the days spent snowmobiling was in the Adirondack region (28.3%), followed by the Tug Hill Plateau region (19.0%) and the Central New York region (18.8%). The report states that with a full 28 percent of snowmobile person/days occurring within the Adirondack Park it should be a reminder of the importance of public trails within that area and the role snowmobiling plays in the small communities of the Adirondack Park.

Despite its position in the center of the Adirondacks, the Town of Newcomb is relatively isolated from the regional snowmobile trail system. Snowmobile access to communities in Essex and Warren Counties to the south and east is difficult and extremely roundabout. The town's only connection to the larger regional system is via a single trail leading roughly 15 miles west across private lands to the hamlet of Long Lake, from where snowmobilers can access the Hamilton County system. The Department is currently constructing a year-round, multiple use, community connector trail that will connect the communities Newcomb and Minerva. This community connector trail will complement the preferred alternative in this Complex Plan and support the State's goal of connecting the five communities of Indian Lake, Long Lake, Newcomb, North Hudson and Minerva.

From the Town of Minerva, approximately 16 miles southeast of Newcomb, it is equally difficult to access the larger snowmobile trail system. Local snowmobile clubs have established routes to the southeast across private land to connect Minerva to

Pottersville in northern Warren County. Once in Pottersville, snowmobilers can access the Warren County trail system to the south. However, snowmobile access from Minerva to communities to the north and west in Essex and Hamilton Counties is extremely circuitous. For example, snowmobile access to Newcomb, less than 20 miles away, entails a roughly 175-mile trip by way of Pottersville, Chestertown, Warrensburg, Thurman, Wells, Speculator, Indian Lake (via the lake itself), Inlet, Raquette Lake and eventually to Long Lake and Newcomb.

Snowmobile clubs in the towns and in surrounding communities have sought to improve snowmobile access between these communities for the benefit of local residents, as well as tourists. They assert that improving and expanding recreational opportunities in the Adirondack Park, in particular through improved snowmobile trail systems facilitating access between communities, has the potential to improve the economic situation in those communities. They argue not only do opportunities for snowmobiling draw visitors during a season traditionally slow for tourism, they also draw a group apt to spend considerable amounts of money for goods and services like gas, meals, and overnight accommodations. Many local business owners echo these sentiments.

Information from the Adirondack Park Mountain Biking Initiative states that consideration should be given to offering inn-to-inn (or hotel-to-hotel) riding possibilities. This would also apply to snowmobiling and equestrian use of the trails. Inn-to-inn or hotel-to-hotel rides are especially appealing to cyclists and others because they allow people to ride freely and lightly, point-to-point, while the innkeeper(s) arrange for transfer of baggage. These venues are popular in other areas of the country, such as in Colorado. The grants from New York State and this Complex Plan support this recreational and business opportunity.

New York State is also committed to protecting the natural resources of the Complex Area. The Complex Plan proposes a number of management objectives and specific action steps designed to manage public access in a way that minimizes the potential for adverse impacts to natural resources. These include the installation of gates, barriers and associated signage to prevent motorized access and trespass onto unauthorized areas and adjacent private lands, the configuration of trails to avoid sensitive resources,

control of infestations of invasive species by using Best Management Practices, and utilizing minimum impact techniques in an effort to revegetate sites where concentrated use adversely effects natural vegetation and habitat. These are just examples of the measures staff will implement in an effort to minimize adverse environmental impacts to the Complex Area to the greatest extent practicable.

Aside from what is stated above, the benefits of the action include the following:

1. Management of the Complex Area in compliance with the guidelines of the APSLMP. All of the proposed actions are compliant with guidelines for management and use of Wilderness, Wild Forest, Primitive, Historic and Intensive Use areas. This includes the appropriate selection of primitive tent site locations, designation of equestrian and bicycling trails, establishing canoe carries, and design and construction of snowmobile trails.

2. Recreational use levels consistent with the protection of the area's character and natural and historic resources will be encouraged and permitted. Primitive tent sites will be created to encourage use of the area where appropriate. Trails will be constructed to facilitate enjoyment of the Forest Preserve in a manner that minimizes tree cutting, wetland disturbance, and bench cutting.

3. Preservation and protection of wetland vegetation will be accomplished by routing multiple-use trails around wetlands wherever possible, particularly for those uses that occur during the non-winter months when vegetation is present. When the disturbance of wetlands is unavoidable, the use of bog bridging will greatly limit the scope of disturbance to a linear corridor and will discourage disturbance beyond the trail itself.

4. Protection of species and ecological communities identified as rare, threatened and endangered.

5. Increased recreational opportunities for people of all abilities. The trails proposed in this plan will be able to facilitate many forms of recreation that will not only appeal to a

wide variety of users, but will also include specific trails which be available for use by people of all abilities, whether it is human powered activities like hiking and mountain biking, or alternative modes of transportation such as snowmobiling and horseback riding. All new primitive tent sites will be evaluated for their potential to meet guidelines for accessibility, and if possible, will be constructed in a manner to accommodate users with disabilities.

6. Perpetuation, support and expansion of a variety of recreational opportunities by the creation of 39 new primitive tent sites, and the creation of 15.2 miles of new multiple use trails that will be available for snowmobiling, bicycling, horseback riding, and hiking.

7. Management of snowmobile trails in a manner that is consistent with the 2009 Management Guidance.

D. DEPARTMENT JURISDICTION

DEC is empowered by ECL § 9-0105 to exercise care, custody and control of the Adirondack Forest Preserve. The APSLMP, developed pursuant to the mandate contained in Article 27, Section 816 of the Executive Law, known as the Adirondack Park Agency Act, is designed to provide a unified and comprehensive mandate on how these state lands within the Adirondack Park should be managed and used. Section 816 of the Executive Law further directs DEC to develop, in consultation with the APA, individual management plans for each unit of land under its jurisdiction classified by the APSLMP. Draft and final supplemental environmental impact statements were prepared pursuant to SEQR.

This Statement of Findings is prepared in satisfaction of the requirements found in 6 NYCRR § 617.11. As explained in the SEQR Handbook (<http://www.dec.ny.gov/permits/56832.html>), “[f]indings provide a rationale for agency decisions, including any conditions to be attached to the agency's approval. Should an agency decision be challenged, findings also provide a record to help explain the agency's decision-making. The findings procedure allows each involved agency to

consider the relevant environmental factors presented in the final EIS, and balance and weigh essential considerations, including the economic and social factors, in reaching its decision on its underlying jurisdiction.” The Department must certify that, consistent with social, economic and other essential considerations from among the reasonable alternatives available, the preferred alternative is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable. This Findings Statement presents the Department’s consideration of potential significant, adverse environmental impacts associated with the adoption of the Complex Plan.

II. FACTS AND CONCLUSIONS IN THE COMPLEX PLAN RELIED UPON TO SUPPORT THE DECISION

In developing this findings statement, the Department has reviewed and considered the UMP and the FEIS of the Complex Plan. The following findings are based on the facts and conclusions set forth in the Complex Plan.

The Complex Plan documents the necessary information needed for its approval and adoption, consistent with the terms and conditions of the APSLMP, Article XIV, Section 1 of the New York State Constitution, the Environmental Conservation Law, and DEC rules, regulations and policy. The role of the Complex Plan is to guide the management of the Complex Area, including the development of a system of community connector trails, designate primitive tent sites, and construct a bridge in a manner that maintains and protects the intensive use, historic, and wild forest character of the area and accommodates reasonable current and future public use. The trails and primitive tent sites will be monitored to document condition of facilities within the unit and any environmental degradation. Future amendments to the Complex Plan may be made if resource and social conditions change significantly as identified through this monitoring process.

The Complex Plan sufficiently addresses issues identified by the public and describes the range of alternatives considered in preparing the final Complex Plan. It also discloses and analyzes their significant environmental impacts and the means by which to avoid or mitigate them.

A. SOILS, WETLANDS AND DRAINAGE

In the Complex Area, soil composition is different from the bedrock beneath, and soil characteristics are quite variable and fluctuate widely from location to location. The predominant soils are Tunbridge, Lyman, and Becket series, which are found mostly on middle elevation areas formed in glacial till. The broad array of soil conditions are punctuated by smaller discrete, smaller landscapes within the area. In addition to the various soil types, there are several significant wetland types within the Complex Area, including emergent marsh and deep-water marsh wetlands. The most valuable wetland resource areas are in the vicinity of the Essex Chain Lakes. Characteristics of this area include gently curved ridges and valleys, long winding eskers, numerous lakes and ponds and radial drainage patterns. The Department will use soil surveys and GIS data to analyze the durability of soils on the multiple-use and single-use trails. On-the-ground data and observations collected by field staff will also be used to assess the soil conditions.

1. Potential Impacts

The potential impacts to the soils of the Complex Area include erosion caused by construction-related activities, and possible use of steep terrain to support bridge construction. There is also the potential for short term impacts to soil resulting from soil compaction caused by construction-related activities such as use of heavy equipment, motor vehicle use of old woods roads, and snowmobile use on designated trails. There is also the potential for increased sedimentation and turbidity caused by runoff and erosion during construction. The use and maintenance of hardened trail surfaces could lead to stormwater discharges.

During the construction of trails, bridges and other related improvements, most wetland disturbances will be minor and temporary in nature. Trail construction, however, could

cause drainage patterns to shift, and could lead to the degradation of the local topographical features.

There is a potential impact from fuel leaks and spills during the operation of motorized vehicles and refueling of motorized equipment. There may be a very remote possibility for the need to store petroleum on site in 5 gallon containers, and the storage containers could fail. Spills can occur during the delivery of fuel, while refilling motorized equipment, or during the operation of vehicles and equipment. Spills would contaminate soil, and could possibly impact wetlands.

2. Discussion, Mitigation and Findings

Multiple-use trail siting and design is accomplished pursuant to applicable law, regulations, policy and guidance and inherent in the process is the avoidance of valuable natural resources such as wetlands and wildlife habitat and use of appropriate slopes, avoidance of trees and rocks and reuse of existing skid trails or old all-season roads or existing trails. This approach results in mitigation by design to avoid potential significant environmental impacts. Through the planning process, significant adverse environmental impacts of both a temporary and long-term nature are avoided or minimized by utilizing the established design criteria. In terms of trail design for the Complex Plan, using established design standards for the trails ensures that they will be sited and constructed to be sustainable for all of the proposed uses, including horseback riding, mountain biking, snowmobiling, cross-country skiing and show shoeing.

Erosion and sediment control measures will be implemented during construction to mitigate potential impacts on surface waters. Mitigation measures include perimeter controls such as silt fencing, structural controls, temporary and permanent stabilization of channel banks and slopes, and installation of sediment control barriers. In addition, best management practices would be used to control runoff and avoid any potential impacts. Department staff will undertake construction activities in a manner and time of year that minimizes the effects of wet conditions during construction. Other possible erosion control practices that shall be utilized include the use of water bars, rolled

erosion control products, turf reinforcement mats, stabilized construction entrances, temporary and permanent seeding, wood mulch and sod.

Trail and bridge construction will be conducted pursuant to an approved work plan, in consultation with APA, and construction activities will be monitored by Department and APA staff. Department staff will strive to follow natural drainage patterns in the construction of the trails, and bridges will be used where there are areas with poor drainage. Staff will utilize water bars, broad based dips and trail hardening to reduce the likelihood of stormwater discharges. Surface runoff intercepted by erosion control measures will be collected by drainage ways and discharged in stabilized areas or sediment basins. (Complex Plan, p. 149). Staff will avoid the placement of drainage ditches up slope from a trail, minimize or eliminate stream crossings, and will utilize rocks or logs as fill around trail anomalies in order to bring trail surface up to the level of the trail surface or bridge decks to allow for proper drainage (Complex Plan, p. 155)

Department staff will construct trails using best management practices. Trails will be located on well drained and stable soils, trail surfaces susceptible to rutting will be hardened, and bridges may be installed in order to allow water passage under the trail. Staff will further mitigate potential impacts by avoiding the placement of trails on steep slopes or steep uphill grades, and the slope on actual trails will be kept to a minimum. Soil stabilization practices on exposed soil will be utilized during bridge and trail construction. For multiple-use or non-winter use trails, whenever possible, staff will create or preserve buffer strips of undisturbed vegetation between trails and any streams or wetlands. Disturbed wetlands will be restored to pre-construction conditions through appropriate selection of vegetation without permanent impacts.

The Department will implement pollution prevention practices to minimize the potential for spills, and post-construction Department staff will monitor trails for any signs of trail erosion, unlawful trail manipulation, and trail building. Maintenance checks will include an inspection for the presence of invasive species. Post-construction impacts can be further mitigated by timely responses to information obtained from trail partners and

volunteer trail stewards. Collectively these measures will avoid or significantly minimize any potential significant impacts caused by trail siting and use.

B. NOISE

Noise is defined as any loud, discordant or disagreeable sound or sounds.¹ In the context of environmental impact reviews, noise is unwanted sound, and sounds can become noise due to the uses of the lands that are subject to the sounds. Noise becomes a concern when the sounds emanate from a source that has the potential to adversely affect nearby land owners or users of surrounding land. Many factors go into an analysis on whether a sound is considered noise. Ambient sound levels, the distance from the source of the sound, topography and natural characteristics of the surrounding area, and other meteorological elements affect the actual sound and how it carries. There are also other characteristics that are important in how an actual sound can have an effect on receptors such as the loudness, frequency, patterns and duration.

1. Potential Impacts

Potential impacts from noise will include construction related activities, and motorized open space recreational opportunities. Noise generated by construction activities are expected to be short-term and intermittent. The noise from construction activities will impact localized wildlife species, adjacent landowners, and non-motorized recreational users. Noise generated by the operation of motorized recreational uses will mainly come from the use of snowmobiles and floatplanes in the Complex Area.

2. Discussion, Mitigation and Findings

The Complex Plan discussed in detail those studies which examined the conflict between snowmobiles and an area's wildlife populations and humans. (Complex Plan, p. 131-133). Staff relied on these studies to conclude that no significant adverse long-term impacts will result from the proposed land uses within the Complex Area.

Regardless of this assessment, the Department intends to incorporate the appropriate

¹ Program Policy, New York State Department of Environmental Conservation, *Assessing and Mitigating Noise Impacts*, October 6, 2000.

best management practices for the control and mitigation of noise during the construction phase of the proposed management actions of the Complex Plan. These best management practices incorporate the principles of mitigation by design. Examples of these practices include, but are not limited to, siting trails in a manner that minimizes impacts to adjacent landowners by the consideration of terrain features and vegetation, and siting trails that avoids conflict between the various user groups.

Although noise from construction will be temporary, sporadic, isolated and intermittent, staff can take steps to mitigate further the effects of operating motorized vehicles and equipment. Department staff will minimize equipment use if within range of residential structures, establish natural or non-natural sound barriers, and consider limitations on the hours of operations. With best management practices in place, staff find that noise from the proposed activities will be mitigated to the greatest extent practicable.

In regard to noise generated from the use of snowmobiles and floatplanes, the Department has determined the noise level of the sounds, and the frequency, will not be significant. Snowmobile and floatplane use is intermittent, and the natural terrain features and presence of trees help to abate the effects of noise in the Complex Area.

C. WILDLIFE AND HABITAT

Wildlife communities in the unit reflect those species commonly associated with northern hardwood and mixed hardwood/softwood forests that are transitional to the boreal forests of higher latitudes. (Complex Plan, p. 14). The Complex Area is comprised mainly of deciduous forest, and the terrestrial fauna are represented by a variety of bird, mammal, and invertebrate species. Amphibians and reptiles are also present, although according to staff the species diversity is relatively low as compared with other vertebrates. The distribution and abundance of wildlife species on the unit is determined by physical (e.g., elevation, topography, climate), biological (e.g., forest composition, structure, and disturbance regimes, available habitat, population dynamics, species' habitat requirements), and social factors (e.g., land use.) (Complex Plan, p.14). Wildlife populations occurring on the unit do not exist in isolation from other

forest preserve units or private lands, and the physical, biological, social, and historical factors that exist on these other lands can and do influence the abundance and distribution of wildlife species in the Complex Area.

There are a number of protected species in the Complex Area. (Complex Plan, p. 19-20). Staff conducted targeted surveys for these threatened and special concern bird, reptile, and amphibian species.

1. Potential Impacts

The potential impacts to wildlife in the Complex Area stem mainly from short-term construction activities, and long-term user conflicts. There is the potential for damage to habitat that is caused by the construction of bridges, trails and other improvements. Impacts resulting from the possibility of forest fragmentation during the creation of new trails, disruption of the movement of wildlife from construction and recreational uses, and the introduction of invasive species have been considered in the drafting of the Complex Plan. The reduction in suitable habitat could result in a reduction in population levels of certain wildlife species, but due to on-site habitat conditions that are similar to much of the habitat available in the immediate area, the proposed action is unlikely to result in a reduction in local or regional species abundance.

Potential impacts to some birds would result from the loss of trees. Because the proposed management actions contemplate use of existing old woods roads and existing trails, and the amount of possible trees that will be cut to establish trails and improvements will be minimal. Consequently, impacts to forest-dwelling birds will not be significant. Likewise, the potential impact to amphibians and bats are not significant due to the limited degree in which the proposed management actions will affect their habitat.

Mammals would likely see an impact to their habitat resulting from the creation of trails, and the possibility of conflicts with the general public. Larger-sized mammals would potentially be impacted by the linear feature of the multiple-use trail, but larger

mammals are in abundance in the Complex Area. No significant long term impact on species abundance is anticipated as a result of the development of the project.

Another potential impact resulting from the Complex Plan would be an increase in populations of nuisance or invasive species. However, Department staff intend to implement the best management practices found in the *Interagency Guidelines for Implementing Best Management Practices for the Control of Terrestrial and Aquatic Invasive Species on Forest Preserve Lands in the Adirondack Park – 2015*. (Complex Plan, Appendix C, p. 97).

2. Discussion, Mitigation and Findings

The Department has used existing wildlife information, Natural Heritage biologists and databases, and existing reports documenting the locations of rare, threatened, or endangered species to examine the potential impacts of operation and construction activities in the Complex Area. Department staff will employ best management practices to minimize impacts to wildlife and habitat during trail and bridge construction. On-site inspections will serve to better inform decisions on trail siting and the avoidance of deer wintering yards. Staff will also limit construction activities to specific time periods of the year so as to avoid impacting the nesting and breeding periods of any rare, threatened or endangered species within the Complex Area. Consequently, any potential impacts will be further minimized by these practices.

D. WATER

The surface waters of the Complex Area are part of the Upper Hudson River watershed, and the Essex Chain Lakes and various smaller waterbodies are located in the approximate center of the unit. There are a total of 18 lakes and ponds within or next to the unit. All of these surface waters are shown on the current USGS 7.5 minute topographic maps. (Complex Plan, p. 8). The surface waters are dispersed throughout the Complex Area, and range in size from the 3-acre Chub Pond to the 262 acre Third Lake. There are also Pond narratives for the Complex Area in Appendix D of the Complex Plan, p. 111.

The Department has used soils and wetland data bases, trail construction guidance, bridge design plans, water quality classification data, fisheries inventory and use of water resources by recreationists to examine the potential impacts to water within the Complex Area.

1. Potential Impacts

Potential impacts on water quality include: impacts resulting from exposure of soil during construction that increases the potential for erosion and sediment deposition outside the areas of construction; potential impacts to water quality from sedimentation caused by soil erosion of trails and at water access sites; and stormwater from hardened surfaces. Other potential impacts related to trail and bridge work include disturbance of the bed and banks, and increased turbidity due to sediment-laden run off from construction activities.

2. Discussion, Mitigation and Findings

Department staff will implement best management practices to minimize cut and fill operations during the construction of the proposed trails and bridges, and to locate trails away from waterbodies and watercourses, where possible, in locations susceptible to erosion. Staff will seek to limit construction to periods of low or normal rainfall. The use of waterbars and broad-based dips will be used during the construction of trail in order to divert water from trails, and staff will locate trails to minimize grade in an effort to offset any drainage problems. Where possible, Department staff will leave wooded buffers between trails and adjacent waterbodies and watercourses.

Department staff will also limit stream-crossing construction to periods of low or normal flow, and will utilize stream bank stabilizing structures made of natural materials such as rock or wooden timbers. Staff will employ silt fencing on trail and bridge construction projects. A stormwater pollution prevention plan (SWPPP) will be adopted to implement best management practices, and provide staff with an extensive and detailed set of avoidance and mitigation measures. These measures will collectively avoid or minimize potential significant impacts to water resources.

E. VEGETATION

The vegetation of the unit has been shaped over the years through the effects of wind, fire, logging, and settlement, and influenced by soils, elevation, aspect, hydrological regimes, and many other processes. The historical management of this area for a sustainable supply of timber is apparent throughout. The vast majority of the Complex Area is covered by varying successional stages of northern hardwood forest.

The Complex Area lies in the ecological transition zone between the temperate deciduous forest and the true boreal forest. The predominant, broad naturally occurring vegetative types include northern hardwood forests, hardwood-dominated mixed forests, conifer forests (mostly near waterbodies), and spruce flats. The influence of past logging has visible effects on the vegetative cover, and forest stands in a spectrum of (mostly hardwood) successional stages can be found throughout the Complex Area.

The Complex Area will be managed consistent with the New York State Constitution's (Constitution) directives that Forest Preserve lands must be forever kept as wild forest land and that the timber situated thereon may not be sold, removed or destroyed. When trees are cut for the development of trails or other structures and improvements, such cutting will be minimized consistent with court decisions interpreting the Constitution's directives. Trees will only be cut pursuant to applicable law, regulations, policy and guidance pertaining to the management of the Forest Preserve.

The Department has used current landcover information, tree tallies, Natural Heritage biologists and databases, and existing reports documenting the locations of rare, threatened, or endangered species to examine the potential impacts to vegetation within the Complex Area.

1. Potential Impacts

Tree and brush cutting during construction of trails and bridges, and impacts to rare, threatened or endangered species during the construction period.

2. Discussion, Mitigation and Findings

Best management practices will guide staff in locating trails so as to avoid tree cutting where possible, and avoiding the siting of trails and bridges in locations known to have rare, threatened, or endangered species.

F. HISTORIC RESOURCES

Cultural, archaeological and historic resources include buildings, structures, sites, objects and districts that are significant in the history of the community, the state or the nation. New York State's inventory of such resources is large, but this inventory is incomplete, especially with respect to archaeological resources. The major threat to archaeological resources is ground disturbance associated with construction activities. The ground disturbance resulting from the majority of activities associated with this proposed action are of a nature and scale that they would not likely result in a significant adverse impact to archaeological resources.

The main cultural and historic resources identified in the Complex Area are the Outer Gooley Farmhouse, and the Inner Gooley area complex of buildings and associated structures. The Outer Gooley farmhouse is located in the former Indian River Tract, along the Chain Lakes Road (South), northwest of the confluence with the Indian and Hudson Rivers. The site also formerly included a woodshed, a cabin, an open garage, and an outhouse. The farmhouse is the only remaining structure on site. The Inner Gooley area is located on the south shore of Third Lake in the Essex Chain. There are 7 buildings and several small sheds located in the Inner Gooley Complex.

1. Potential Impacts

An adverse effect on a historic structure occurs when an action directly or in-directly diminishes the integrity and context of an historic property by altering the characteristics that make the property eligible for listing on state or national historic registries. An adverse effect occurs when the action diminishes the property's location, design, setting, materials, and association with the existing environs. Short-term impacts from the construction of trails and bridges are expected to be minimal due to the present use

of motor vehicles and snowmobiles within the vicinity of the historic resources. There will be long-term impacts to the Inner Gooley area when the buildings and associated structures are removed. The removal of the buildings will extinguish the relationship of these historic structures with the time period in which they were used. These camp buildings represent a link to an earlier time in history when guided services for hunting and fishing expeditions took place, and generations of families enjoyed the remote setting while participating on these activities.

2. Discussion, Mitigation and Findings

Both the Inner Gooley area and the Outer Gooley Farmhouse meet the eligibility criteria for listing on the State and National Registers of Historic Places, and as such the Department is required to adhere to section 14.09 of SHPA. As such, the Department is required to examine all feasible and prudent alternatives, and explore alternatives that avoid or mitigate adverse impacts to the resource. In accordance with the APSLMP guidelines for areas classified as Primitive, non-conforming uses shall be removed as soon as possible after classification. (APSLMP, pg. 27). Moreover, the Leasehold Agreement specifies the requirement for structure removal upon expiration of the lease in 2018. Therefore, the Department proposes to remove the camp structures due to their remote location in the Primitive Area.

To mitigate the loss of the structures, the Department commits to recording the buildings of the Inner Gooley area to the appropriate Historic American Building Survey/Historic American Engineering Record (HABS/HAER) standards. The Department will explore the feasibility of relocating one or more of the Inner Gooley Club buildings to an alternate site, either to the Outer Gooley Club or another site. If relocation proves feasible, the Department will undertake relocation within a reasonable time frame. If relocation proves infeasible, the Department will continue to consult with OPRHP on possible alternate mitigation measures.

G. RIVER RESOURCES

The river resources of the Complex Area are those rivers designated under the Wild, Scenic and Recreational Rivers System Act² (Rivers Act). Staff have examined the historic use of existing trails, woods roads, parking areas, and bridges within the protected river area corridors in order to assess the potential for adverse environmental impacts to the designated rivers and river area corridors. This Complex Plan proposes to permit the continued use of some existing structures and improvements, including roads, within river area corridors, and will allow staff to maintain existing and newly constructed improvements. The Complex Plan also serves as River Area Management Plans for the designated rivers within the Complex Area.

The purpose of the Rivers Act is to preserve the “designated rivers of the state and their immediate environs” for the “benefit and enjoyment of present and future generations.”³ The objectives of the statute were to guard against unchecked and “[i]mprovident development” near the designated rivers of the state.⁴ The Complex Plan is designed to foster more public access and allow the general public the ability to enjoy these natural resources in a manner that does not compromise the goals and purposes of the Rivers Act. Specifically, the proposed management actions are designed to complement historical uses within the Complex Area, while managing access in a way that protects the natural resources. The management actions implemented by the Department pursuant to the Interim Access Plan and Stewardship Plan are consistent with the goals and purposes of the Rivers Act and its implementing regulations.

1. Potential Impacts

The management actions proposed in the Complex Plan that may result in significant adverse environmental impacts include the construction of a bridge for a multiple-use trail over a river designated as scenic under the Rivers Act; the use of an existing bridge over a river designated as scenic under the Rivers Act; and the use of an existing roadway and trail through the corridor of a river that is designated as a wild river under the Rivers Act. The Complex Plan also acknowledges the right to the continued use of

² Title 27 of Article 15 of the Environmental Conservation Law.

³ 6 NYCRR section 666.1

⁴ Id.

floatplanes landing on lakes within a wild river corridor, and establish a new boundary for a river designated wild under the Rivers Act to allow snowmobiles to continue using an existing multiple use trail. Because these management actions largely represent a continuation of prior use, the Action does not substantially create any new potential impacts that did not already exist.

Potential adverse effects associated with these proposed management actions include impacts to the actual rivers and river areas, visual impacts to the recreational users of the river resources, noise associated with permitted activities that will be allowed within the river corridors, and noise associated with the construction activity to build a bridge. The proposed uses may also impair the remote, natural and aesthetic qualities of the river. Siting trails in a river area corridor, constructing a bridge over a river, and the continued floatplane use within the river corridor may also result in visual, noise, erosion and sedimentation impacts to the designated rivers.

2. Discussion, Mitigation and Findings

The Rivers Act provides, among other provisions, that scenic river areas are “partially or predominantly used for...dispersed human activities which do not substantially interfere with public use and enjoyment of the rivers and their shores.”⁵ The Act also recognizes existing land uses within classified river areas may continue regardless of whether the river is classified as wild or scenic⁶ and notes that in administering designated rivers “primary emphasis shall be given to protecting ecological, recreational, aesthetic, botanical, scenic, geological, fish and wildlife, historical, cultural, archeological and scientific features of the area.”⁷ In the Act’s statement of policy and legislative findings, the legislature found that “many rivers of the state, with their immediate environs, possess outstanding natural, scenic, historic, ecological and recreational values.”⁸ The Department acknowledges the potential conflict between the goals of protecting the recreational features and historical values of designated river areas while protecting their ecological and scenic values. Based on its interpretation of

⁵ ECL 15-2707.2[b].

⁶ ECL 15-2709.2.

⁷ ECL 15-2709.1

⁸ ECL 15-2701.1

these somewhat conflicting provisions of the Act, Department staff's proposed Complex Plan will allow the continued use of the Polaris Bridge for the multiple-use trail that connects the hamlet of Indian Lake with the hamlet of Minerva pursuant to issuance of a permit under 6 NYCRR section 666.8.⁹ Specifically, as a result of public comment, the Department has decided that the use of the bridge as part of the community connector trail between Indian Lake and Minerva should also be authorized by the issuance of a permit under the Rivers Act implementing regulations found in 6 NYCRR Part 666. The continued use of the existing Polaris Bridge will mitigate the necessity to construct a new bridge over the Hudson River for hiking, and other potential recreational uses including horseback riding, bicycling, cross-country skiing, snowmobiling and access for people with disabilities. (Complex Plan, pgs. 33, 42). It is expected that these future recreational opportunities will be contemplated after the lease with the Polaris Mountain Club expires on September 30, 2018.

By utilizing the existing Polaris Bridge, the Action avoids potential adverse impacts to the Hudson River and the river area corridor resulting from the construction of a new bridge. These potential impacts would include the erosion of soils caused by construction-related activities, soil compaction caused by the use of heavy construction equipment and vehicles, and an increase in sedimentation and turbidity caused by stormwater runoff during construction. The potential for fuel leaks and spills from construction equipment and vehicles will be avoided, as well as construction noise and short term damage to habitat, flora and fauna.

Using the Polaris Bridge for the proposed year-round, multiple use, community connector trail will also mitigate potential impacts to the Hudson River from the placement of the trail along the river. Alternative 2B of Snowmobile Trail Alternative 2 utilizes a portion of the recently designated Upper Hudson Ski Loop Trail, then follows a herd path along the Hudson River. This alternative was rejected due to the long distance the trail would run in close proximity to the river. (Complex Plan, p. 121). Potential conflicts with private land owners near the Goodnow Flow will also be avoided.

⁹ The Department believes existing statutory and regulatory authority allows continued use of the Polaris Bridge for the proposed multiple-use trail without the need for a permit.

The Department's determination to maintain the Polaris Bridge and provide access to areas east of the Hudson River recognizes the unique circumstances presented in this Complex Plan. Taking into consideration the unique context of how these structures and improvements will be used in this Complex Plan, the Department does not intend to repeat the proposed management actions of this unit elsewhere in the park. Here, the existing infrastructure historically supported active, recreational use of the area. The existing roads and bridges are hardened surfaces improved with gravel and can withstand four season, heavy, industrial motor vehicle use. They were historically used not only for the harvesting of timber, but as evidenced by the existence of leases with local clubs, the area was also extensively used for recreational opportunities. Such historical use is unique to this particular Forest Preserve property that is not often seen throughout the remainder of the Park. The Department weighed the benefits of using these existing structures and improvements, including roads and the Polaris Bridge, and determined that continued recreational use of these structures and improvements achieved a reasonable balance between recreational, social and economic considerations while preserving and protecting to the greatest extent practicable the natural resources of the Complex Area.

Similar to the Polaris Bridge, the continued use of the existing Chain Lakes Road (South) will also mitigate the need for new trail construction, and will result in the creation of a larger area classified as Primitive. The Chains Lakes Road (South) is a hardened road surface improved with gravel approximately 6.6 miles in length, and extends from Route 28 in the hamlet of Indian Lake north to the site of the proposed bridge over the Cedar River. One stretch of the road, approximately one mile in length, passes within one-quarter mile of the Hudson River where it is classified as a wild river under the Rivers Act.¹⁰ While the APSLMP requires wild river corridors to be managed in accordance with wilderness guidelines, it also must be read in conjunction with the Rivers Act.¹¹ Here consistent with the Rivers Act, the use of the road represents a permissible, preexisting recreational use. In this respect, the Department relied upon historical records and accounts to conclude that this road has been used for

¹⁰ ECL 15-2713.1[c].

¹¹ APSLMP, p. 45.

recreational access to the area since at least 1866, and was once maintained as a town highway.¹² And, the Rivers Act allows existing uses to continue without alteration or expansion. The Department's proposed management actions recognize these historical uses. Therefore, the Department finds that the Chain Lakes Road (South) constitutes an existing use and the Complex Plan allows, consistent with historical and more recent uses, access within the river corridor by snowmobiles and motor vehicles.

The Complex Plan provides for the use of the existing road network, to the extent feasible, to reduce the need for new trail construction. By using the Chain Lakes Road (South) for a year-round, multiple use, community connector snowmobile trail, the Department will not have to construct new snowmobile trails consistent with Snowmobile Trail Alternatives 2 & 3. (Complex Plan, pgs. 120-121). The use of the existing road network for the multiple use trail will avoid the cutting of trees and other associated impacts with the construction of a trail.

The Department's use of the road and trail network is further mitigated by abandoning the use of a portion of the existing roads. Of the 53 miles of former woods roads within the Complex Area, approximately 30 miles will be retained and maintained for use as administrative roads and trails. (Complex Plan, p. 30). Approximately 23 miles of existing roads will be closed to all types of public motorized access.

Using the Chain Lakes Road (South) will also allow for the size of the existing Primitive area to be increased. The unclassified corridor between the two areas classified as Primitive, depicted in Snowmobile Trail Alternative 3, will no longer be needed to support the community connector multiple use trail. The unclassified corridor will then be ripe for classification by the APA, and a larger Primitive area could be formed through the consolidation of the Essex Chain Lakes and Pine Lake Primitive Areas.

¹² See Town of Indian Lake Certified Records found in the Official Surveys of Highways Book #5 dated 1901, Town of Indian Lake Certified Records found in the Official Records Book #3 dated from 1896-1907, and Town of Indian Lake Certified Records found in the Official Minutes Book dated from April 1, 1907 – January 1931.

The Complex Plan also proposes the construction of a bridge over the Cedar River to connect the two sections of the unit, and will allow the multiple-use trail to connect the communities of Indian Lake and Minerva. By constructing this bridge, the Department will avoid the construction of a new trail that would dissect two Primitive Areas in an area that is characterized by its remoteness. The Cedar River Bridge would allow both non-motorized and motorized open-space recreational opportunities to travel shorter distances to access the various areas of the unit, and will eliminate more direct, potential adverse impacts to the river resulting from fording the river west of the bridge site by people or horses.

Mitigation measures will be implemented in an effort to minimize adverse impacts to river resources. With respect to the proposed Cedar River Bridge, the Department will continue to support APA's consideration of an APSLMP amendment that will authorize the use of non-natural materials for the construction of the bridge. The use of non-natural materials would greatly reduce the profile of the bridge which mitigates the visual impacts associated with the placement of the bridge over the river. The use of non-natural materials would also allow a bridge design that avoids the placement of any in-water structures to support the span of the bridge that could impact the hydrologic conditions and flow of the Cedar River. The Department will further mitigate the presence of the bridge by using a color scheme that allows the bridge to blend in with the local natural setting. Use of non-natural materials eliminates leaching of wood preservative chemicals into the surface and ground water and allows for longer useful life of the structure with less maintenance.

Trails will be sited in a manner that minimizes, to the greatest extent practicable, the presence of the trail within the view-shed from the rivers or river areas. Trees and other native vegetation will be planted when possible to screen existence of trails, parking areas and other structures. The use of natural screening of existing vegetation or terrain features will be maximized. Vegetation will be maintained in accordance with best management practices, and where appropriate, additional native species will be planted to further mitigate visual impacts with the siting of the trail within the view-shed of the river. Tree removal for trail construction will be minimized to the greatest extent

practicable in the river area corridors, and planting grass seed will stabilize disturbed areas. The Complex Plan calls for the use of existing, hardened woods roads for trails instead of constructing new trails through wooded areas in order to reduce the number of trees to be removed.

Potential impacts to rivers during construction of the Cedar River Bridge and multiple-use trails will be minimized through the use of stormwater management measures and erosion and sediment control methods designed to minimize impacts to water quality. Best management practices will be utilized to minimize the effects of stormwater runoff, and the use of turbidity curtains will minimize in-water impacts to the river. During construction, soils, slopes and river banks will be stabilized using best management practices, and silt fencing will be used to avoid stormwater runoff. Best management practices will be utilized for the use of motorized vehicles in support of construction activities to avoid or minimize the impacts from spills, and the effects of tire ruts on trails. Collectively these measures and the use of preexisting trails and roads will avoid or significantly minimize impacts to river resources.

H. CLIMATE CHANGE, NOISE, VISUAL AND CUMULATIVE IMPACTS

Cumulative impacts occur when multiple actions affect the same resource or resources. These impacts can occur when the incremental or increased impacts of an action, or actions, are added to other past, present and reasonably foreseeable future actions. Cumulative impacts can result from a single action or from a number of individually minor but collectively significant actions taking place over a period of time (See The SEQR Handbook, p. 205, published on the Department's website at <http://www.dec.ny.gov/permits/6188.html>). For the Complex Area, the Department analyzed potential impacts of the Complex Plan's proposed management actions that may affect the same resources identified in other unit management plans.

The main resources potentially impacted by the proposed management actions in this plan and other units are the rivers that traverse the many areas within the Adirondack Park. Historically, rivers were used as a means of transportation for mankind and wood

products, provided a source of freshwater for wildlife, humans and agriculture, supplied fish for consumption, and later supported industrial processes such as mills. The rivers today continue to support the environment in much the same way, but also provide additional benefits. Examples of these include recreational opportunities, such as paddling, swimming and sport fishing, supporting the generation of power, and providing a natural, scenic and aesthetic experience for those who live near or on, or visit, rivers and their environs.

1. Potential Impacts

Aside from the many benefits derived from these water resources, rivers are natural barriers. This can result in a direct conflict with the Department's goal of allowing reasonable public access to the remote areas of state-owned lands. This Complex Plan calls for the introduction of a man-made structure through the construction of a replacement bridge over the Cedar River. The Plan will also utilize the existing Polaris (Iron) Bridge over the Hudson River, allow the continued use of an existing road for motorized access, and permit the continued use of floatplanes. The trail and road network as a whole, including the construction of the Cedar River Bridge, the construction of new trails and the use of existing trails and roads, has the potential to cause cumulative impact the overall area and river.

The Cedar River is 38.5 miles long (according to the U.S. Geological Survey. National Hydrography Dataset high resolution flowline data. The National Map.), and currently there are 8 bridges that traverse the river: a snowmobile trail bridge near Indian Lake; 2 bridges for golf carts at the Cedar River Golf Course; Rt. 28 near Indian Lake; 2 spans for the Deer Valley Club Trail; Sprague Brook Road; and Cedar River Road.

The potential cumulative impacts from the placement of a bridge over the Cedar River include visual and noise impacts. Aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Significant aesthetic impacts are those that may cause a diminishment of the public enjoyment and appreciation of an inventoried resource, or one that impairs the character or quality of such a place. The

placement of a bridge over the Cedar River may diminish the experience of a paddler on the river, or a hiker who is hiking on a nearby trail. The placement of an additional bridge, in the context of having 8 other bridges spanning the river, may not appear to be significant, but when considering the proposed location of the preferred alternative the aesthetic impact could be significant. First, the location is in a remote site in the Complex Area. Second, the river is designated a Scenic River under the Rivers Act which carries with it a heightened level of protection. And finally, the existing improvements within the river corridor, mainly old woods roads, are screened from view by those traveling on the river by an abundance of vegetation along both banks of the river.

Department staff also analyzed the potential for cumulative impacts resulting from the use of existing structures. The Chain Lakes Road (South), in various forms, has been in existence as a roadway since the mid-nineteenth century. The use of the road by motorized vehicles and snowmobiles has been documented by the Department, mainly through a review of local public records and eyewitness accounts. The river area where the Chain Lakes Road (South) is sited is designated a Wild River under the Rivers Act. The Polaris (Iron) Bridge traverses the Hudson River at a location where the river is designated Scenic under the Rivers Act. The proposed use of the Chain Lakes Road (South) and the Polaris Bridge could result in potential visual and noise impacts.

It is reasonably foreseeable for the local community to have some minor growth inducing impacts from the success of the multiple-use trail as a snowmobile trail. Growth inducing impacts refer to the likelihood that the proposed action will cause significant increases in local population and trigger further development. The Department has not identified any potentially significant, adverse growth inducing impacts that would result from the proposed action.

Finally, the potential increase in volume of visitors traveling by car to the Complex area, and a potential increase in the number of snowmobiles utilizing the proposed community connector trail, may result in impacts on greenhouse gas (GHG) emissions and climate change. During construction and maintenance of trails and bridges, direct

GHG emissions would be produced from construction vehicles and equipment exhaust at variable rates. The use of snowmobiles could also lead to an increase in GHG emissions.

The management objectives, however, are also expected to have beneficial effects. New recreational opportunities in the Complex Area include fishing, hunting, hiking, wildlife viewing, camping, cross-country skiing, horseback riding, bicycling, paddling and snowmobiling. New areas will be opened for the general public to access, and there will be the possibility of conducting habitat and wildlife research. Additional beneficial effects resulting from the adoption of the plan include: economic impact on the local economy; connecting communities with a year-round, multiple use trail; other effects that further state's goals such as the preservation of forests and vegetation for watershed protection, soil stabilization and flood prevention ("Forests can also help buffer the impacts of drought by protecting soils from desiccation and erosion." DEC web page); ecosystem protection; furthering the goals of open space conservation; protection of wildlife habitat; scientific game management; protecting water supplies and providing for aquifer recharge; and the use of existing infrastructure that will lead to the retention of trees which provide natural cooling through shade and evaporative cooling through leaves, carbon sequestration in soil and wood, drought mitigation, steady source of oxygen from plant photosynthesis, and improved air quality by forests capturing small particulate matter.

2. Discussion, Mitigation and Findings

The Department will mitigate the potential for significant adverse visual and noise impacts when permitting the construction of a bridge over the Cedar River by minimizing the number of trees cut in the area, maintaining the existing vegetation screen, and utilizing a structure-finishing scheme to allow the bridge assembly to blend in with the immediate environ. The Department, in cooperation with the APA, will also seek approval to utilize non-natural materials for the construction of the Cedar River bridge. Currently, the APSLMP guidelines call for the use of natural materials when the Department constructs a bridge. A bridge constructed with non-natural materials will significantly reduce the physical profile of the structure.

With regard to the Chain Lakes Road (South), Department staff will mitigate the effects of the existence of the roadway by maintaining the vegetation buffer between the roadway and the river. The river corridor in the vicinity of the Chain Lakes Road (South) is currently lined with existing trees and vegetation that serve to screen the roadway from the river, and in areas where the vegetation had been removed to provide a clear view to the river, vegetation will be allowed to re-establish and serve as both a visual screen and sound buffer.

With regard to the construction of multiple use trails and other improvements, Department staff will coordinate with APA staff in the design and construction of all projects, and will adhere to rehabilitation and maintenance practices in compliance with applicable law, regulation, policy and guidance (assuring consistency with the APSLMP). Staff will monitor natural resources for signs of overuse and take appropriate action as necessary to remediate adverse effects. Department staff will implement the use of best management practices, including but not limited to locating multiple-use trails to minimize tree cutting; locating trails to minimize any necessary cut and fill; laying out trails on existing old roads or clear or partially cleared areas where their condition and location meet the goals of trail construction; locating trails away from streams, wetlands, and unstable slopes wherever possible; using proper drainage devices such as water bars and broad-based dips; locating trails to minimize grade; using stream crossings with low, stable banks, firm stream bottoms and gentle approach slopes; limiting stream-crossing construction to periods of low or normal flow; using stream bank stabilizing structures made of natural materials such as rock or wooden timbers; avoiding areas where habitats of threatened, endangered, and species of special concern are known to exist; and using natural materials to blend structures needed for resource protection into the natural surroundings. The Department will also close approximately 1.8 snowmobile trail miles in this unit as a further mitigation measure.

With regard to climate change, construction emissions would be temporary and emission sources would be distributed throughout the project areas because they are primarily mobile. Construction emissions would cease when construction is completed,

and consequently the minor cumulative impacts on air quality would also cease. The dispersed nature and short-term impacts from construction emissions do not represent a significant cumulative adverse impact. GHG emission mitigation measures for mobile sources and equipment will include construction emissions mitigation using best management practices aimed to maximize fuel efficiency such as using fuel-efficient vehicles, using clean fuel electric generators rather than diesel-powered electric generators, ensuring that all equipment is properly maintained, and minimizing idling of construction vehicles and equipment. Similarly, GHG emissions from snowmobile use would be dispersed and intermittent. The expected increase in the number of snowmobiles and the concomitant emissions will be offset by stricter emission standards imposed on the snowmobile manufacturing industry. GHG mitigation measures include minimizing idling of snowmobiles when not in use.

III. ALTERNATIVES

A. CONSIDERATION OF ALTERNATIVES

The Complex Plan contains a description and evaluation of the range of reasonable alternatives. Alternatives were developed for (1) the construction of a year-round, multiple use, community connector trail which will be designated as open for snowmobile travel, (2) location of the proposed Cedar River Bridge, (3) retention of the Outer Gooley Farmhouse, (4) removal of the Inner Gooley Structures, (5) configuration of equestrian and bicycling trails, and (6) the administration of camping permits. Each alternative analysis included the consideration of the no action alternative.

Snowmobile trails

The Complex Plan examined 4 alternatives for a year-round, multiple use, community connector trail designated as open for snowmobiling. The first alternative was the preferred alternative, and it had two sub-alternatives. The sub-alternatives, Alternative 1A and 1B, examined separate locations for the siting of the year-round, multiple use, community connector trail through the Vanderwhacker Mountain unit. Alternative 1A was the preferred alternative. As with alternative 1A, alternative 1B would use old haul

roads near the Polaris Bridge, but new trail will be constructed for the majority of this segment. As some commenters noted, this segment provides a more direct route to Minerva from the Polaris Bridge (Response to Comments, Complex Plan, pgs. 190, 192), however, staff have identified greater issues with constructing and maintaining this trail mainly due to the lack of drainage and the presence of wet conditions throughout this area.

The trail under alternative 2 would be routed to the west of the Hudson River. It also has 2 sub-alternatives. Both were rejected because of the history of disputes with private land owners where the trail would be located, and the longer distance between the terminuses of the trail. Alternatives 3 and 4 were rejected for similar reasons. They were considered indirect and lengthy routes to Minerva, and also have the uncertainty of timber harvesting activities impacting the use of the trail where it traverses private lands subject to a State-owned conservation easement. Finally, the no action alternative was rejected for the same reasons as alternatives 2, 3 and 4. The no-action alternative would also not meet one of the Department's goals of providing recreational opportunities and public access to the Forest Preserve.

Cedar River bridge location

In addition to the no action alternative, two alternative locations for the siting of a replacement bridge over the Cedar River were rejected. The no action alternative does not further the goal of providing a feasible year-round, multiple use, community connector trail between Indian Lake and Minerva designated as open for snowmobile travel. By not constructing the bridge, the proposed trail would turn west and divide two areas classified as Primitive which would prevent the two areas becoming one contiguous area. Additionally, the lack of a crossing at the preferred bridge location would not allow hikers, cross-country skiers, horse and wagons, horseback riders and bicyclist's access to and from the Complex Area south of the Cedar River to the area north of the river. Although cross-country skiers could access one section from another if the Cedar River was frozen over, no means of crossing the river currently exists during the warmer months of the year when the river is flowing.

Alternative 2 is rejected because additional sections of trail would have to be constructed within the boundaries of the Hudson Gorge Wilderness Area which requires a change to the official Adirondack park land use and development a map¹³ (official map) or reclassification to allow snowmobiles to travel on the trail. Alternative 3 is also rejected because an approximate 750 foot section of trail would need to be rehabilitated in order to access the river bank from the Chain Lakes Road (South). This short section of trail is within the 100 year floodplain, and within the boundaries of an area classified as Wilderness.

Outer Gooley Farmhouse

Three alternatives were examined with regard to the Outer Gooley Farmhouse. Alternative 1 was the no action alternative and was rejected because the building would deteriorate and lead to an adverse impact under the State Historic Preservation Act (SHPA). Leaving the building to deteriorate would also result in a public health and safety hazard. Staff also considered removing the facility, but the building meets eligibility criteria for listing on the State and National Registers of Historic Places and the Wild Forest classification allows for the structure to remain.

Inner Gooley Structures

The no action alternative was rejected because it would mean allowing buildings to remain without necessary maintenance after they are abandoned in 2018. This deterioration is an adverse impact according to the SHPA, and would result in a public health and safety hazard. Alternative 2 called for the creation of an interior outpost akin to other existing structures within the Forest Preserve such as in Lake Colden or John's Brook Lodge. This would provide a DEC presence in a relatively remote area, but would require significant and ongoing budgetary and maintenance allocations. These structures are non-conforming in Primitive areas, therefore this alternative is not considered viable.

¹³ Article 27, Section 805.2 of the New York State Executive Law.

Equestrian and Bicycle Trail Configuration

Alternative 2 is the no action alternative and is rejected because it would not designate any horse or bicycle trails in the Complex Area. Statements received during the public comment period indicated a strong preference to allow horseback and bicycling opportunities in the Essex Chain Area. Alternative 3 is also rejected because it would open all former all-season roads in the Complex Area to horse and bicycle use, regardless of the actual on-the-ground conditions. Alternative 3 fails to take into consideration such conditions as deterioration of the trail surface due to poor drainage and siting, and reintroduction of overgrowth. This is in contrast to the preferred alternative which calls for the continued use of those existing, improved gravel roads that have withstood historic use.

Alternative 4 calls for the siting and construction of new trails without having to use any of the existing road network. This alternative is rejected due to the economic and natural resource costs involved with appropriately siting and constructing a new network of trails. With the extensive all-season road network already in existence, it would not make reasonable sense to abandon the use of the network in order to build new trails that would ultimately bring the user to the same points of interest. Similar to alternative 4, alternative 5 proposes to use the existing all-season road network, but would separate horse and bicycle uses. The Complex Plan rejected this because there are not enough all-season roads to separate the uses, and trails in other units have demonstrated that the uses can share the trail.

Administration of Camping Permits

The no action alternative calls for the discontinuance of the camping permit system that was established in 2014 as an aid to help the Department identify usage data. The Department believes it is prudent to collect more than one year's data to better inform decisions on the appropriate scale of public access. The results of the study could lead the Department to consider dropping the permit system altogether, but drawing such a conclusion based on only one year's data would be premature. Alternative 3 calls for the continuation of the permit system indefinitely. This alternative is rejected because

indefinite continuation of the permit system may prove to be unwarranted. Alternative 4 considered using other camping permit systems available to the Department and the general public, but these are rejected mainly due to drawbacks experienced in implementation of these systems. The Reserve America online system has overhead costs that are not sustainable, and a tag system proved ineffective in the Whitney Wilderness area. Implementing either of these alternatives could possibly lead to confusion among those camping.

The no-action alternatives for each of the proposed management actions were rejected because they would leave open the opportunity for the general public to access the area in a manner that could potentially lead to a degradation of the Complex Area's natural resources, and would not achieve the goals of the action. The preferred alternatives provide a well-planned, comprehensive approach to managing public access in order to protect natural resources. The plan calls for the implementation of control measures such as the use of gates on woods roads and trails, identifying the appropriate multiple-use trails for designated uses, and the placement of trail signs to direct the general public in the use of the area.

For several of the major management actions proposed in the Complex Plan, many alternatives were considered and rejected due to:

1. Failure to meet the requirements of the APSLMP;
2. Difficulty of implementation;
3. Greater impact on the wild forest character and natural resources of the unit;
4. Ineffectiveness in comparison to the preferred alternatives; and
5. Failure to achieve recreational goals for the area.

B. FINDINGS OF PREFERRED ALTERNATIVES

An environmental impact statement must address alternatives to the proposed action including the no action alternative. Under SEQR, the function of the consideration of alternatives is to avoid or mitigate significant, adverse impacts of the action while meeting the project sponsor's principal goal. The SEQR regulations provide that the

environmental impact statement must describe and evaluate the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The following section examines the benefits of the preferred alternatives for each of the proposed management actions within the Complex Plan.

Snowmobile trails

When considering all the alternatives for the siting of a year-round multiple use, community connector trail designated as open for snowmobile travel from Indian Lake to Minerva, the preferred alternative is the most direct route. It is also the route most favored by those who submitted public comments that identified themselves as snowmobile enthusiasts. (Complex Plan, Appendix H – Public Comment, pgs. 169-174). In consideration of the factual history of snowmobile use in the Complex Area, coupled with the proposed measures designed to minimize impacts to the natural resources of the unit, the Department finds the preferred alternative for the siting of the trail avoids or minimizes the significant adverse environmental impacts to the maximum extent practicable.

Some commenters have stated the existing, year-round, multiple use, community connector trail designated as open for snowmobile travel between the hamlet of Indian Lake, Blue Mountain Lake, Long Lake and Newcomb is duplicative of the trail proposed in the Complex Plan between Indian Lake and Minerva because both trails start in Indian Lake, and both trails connect to the *Community Connector Trail Plain*¹⁴- snowmobile trail in the vicinity of Newcomb. But this argument fails to recognize that the existing trail is a lengthy, circuitous route, and was also designed to connect the communities of Indian Lake, Blue Mountain Lake, and Long Lake, but not Minerva.

The Department examined this issue of redundant trails, and took into account the standards and criteria set forth in the guidance document¹⁵ for the siting, construction and maintenance of snowmobile trails in the Adirondack Park (2009 Snowmobile

¹⁴ Community Connector Trail Plan Unit Management Plan, July 2015.

¹⁵ Management Guidance: Snowmobile Trail Siting, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park, November 13, 2009.

Guidance). The guidance addresses the issue of duplicative, or redundant, snowmobile trails twice in the document. The first is within the definition¹⁶ of class II community connector trails, and the second is found in the section on the redesignation or abandonment of trails.¹⁷ Aside from these two references, no other clarification is provided as to what constitutes a redundant trail. One other criteria for redesignating or abandoning a trail is whether the trail is “part of an unnecessarily dense, local snowmobile trail network.” (2009 Snowmobile Guidance, p. 5). The Department finds the proposed trail will not lead to a “dense” local trail network. To the contrary, the new trail will be the sole snowmobile trail proposed within the entire newly acquired Complex Area.

The preferred alternative has other benefits over the other alternatives considered in the Complex Plan. The preferred alternative utilizes an existing network of woods roads and trails for the majority of the proposed trail. This greatly reduces the impacts associated with constructing new trails. As stated previously, the proposed trail will also be the shortest route between Indian Lake and Minerva. When comparing distances, the preferred alternative trail is approximately 20 miles in length between Indian Lake and Newcomb, while the existing trail is approximately 31 miles, which translates into the existing trail being over 50% greater in length than the proposed trail. In addition to the length of trail, rider experiences have informed staff that the existing trail has terrain features that reduce the enjoyment of the trail.

Another drawback with the reliance of using the existing trail over the proposed trail is the potential for complications involving conflicts with the fee owner of conservation easement lands. Seventy-five percent of the existing trail relies on private lands subject to a State-owned conservation easement. Timber harvests, or some other use, could disrupt the public access of the snowmobile trail on conservation easement lands. The possibility exists that logging operations could impair the time frames when those lands are available.

¹⁶ 2009 Snowmobile Guidance, p. 3.

¹⁷ Id., p.5

The Department also finds the preferred alternative requires less modification to the land during construction, requires fewer bridges, and reduces maintenance needs and costs over the long-term. (Complex Plan, pgs. 119-121). As stated within the Complex Plan, less maintenance is important because the trail will be constructed to a width of nine feet. There is also a potential deer yard habitat along portions of the trail segment in the extensive softwood wetlands north of Vanderwhacker Mountain along the North Branch of Wolf Creek and the Hudson River. However, any impacts to this potential deer yard habitat will be mitigated by locating the trail on the outer edges of the deer yarding area, and by the presence of a relatively large area of potential habitat nearby.

Finally, the preferred alternative allows the construction of a year-round, multiple use, community connector trail that supports one of the stated goals of the 2009 Snowmobile Management Guidance by connecting communities in the Adirondack Park. This also allows for a wide variety of user groups to be able to use the connections throughout the year for various forms of recreation. By utilizing existing, formerly industrialized (hardened roads and bridges formerly used by heavy timber-harvesting vehicles and equipment) forest lands where possible, the Department avoids the placement of trails within wild forest areas that have seen little human impact.

The Department finds that the selection of the preferred alternative provides for environmental protection of the area's natural resources while allowing a reasonable amount of access for the general public to enjoy the Complex Area. Through the use of the existing infrastructure, the Department will minimize the disturbance of land while ensuring the safety of all user groups.

Cedar River Bridge

Alternative 4 was selected as the preferred alternative because, among other reasons, it avoids or minimizes adverse environmental impacts to the greatest extent practicable. Alternative 4 utilizes an existing trail that leads to the bank of the river, therefore ground disturbance and vegetation manipulation will be greatly reduced. The preferred alternative has a natural rock outcropping on the south side of the river that will support the anchoring of the bridge structure. There is also an existing woods road directly

across the Cedar River, on the north shore of the river that further reduces the amount of new trail to be constructed. The preferred bridge location is within the classified Wild Forest corridor, consequently the construction of the bridge is in conformance with the APSLMP.

Outer Gooley Farmhouse

The preferred alternative would retain the Outer Gooley farmhouse as a historic structure, and would allow for other compatible uses. The proposed uses of the farmhouse are varied, and the management of the facility may require assistance by local non-profit organizations, or local municipalities. As stated in the Complex Plan, another possibility is to consider transferring the day-to-day management of the facility to another State agency, such as ORPHP. The Department finds that the retention of the farmhouse furthers a legitimate state purpose by the preservation of a historical resource.

Inner Gooley Structures

The preferred alternative calls for the removal of the Inner Gooley camp buildings. This is due to their remote location in the Primitive Area, and the imminent expiration of the lease agreement. The lease requires that the structures be removed upon the expiration of the lease in 2018. This alternative is also consistent with the APSLMP which calls for the removal of non-conforming uses in newly classified primitive areas as “rapidly as possible.” (APSLMP, p. 27). The Inner Gooley camp buildings are small hunting camp structures, and the lack of ownership of the land they rest on is an indicator that the camps were intended to be allowed temporarily and on a year-to-year basis. The lease was negotiated every year, and the most recent lease agreement calls for the removal of the structures. Therefore, the Department finds that the benefit to the Complex Area provided by removal of the camp structures outweighs any adverse impact to the historical setting of the area.

Equestrian and Bicycle Trail Configuration

The preferred alternative proposed in the Complex Plan designates a subset of the former all season woods roads and/or state truck trails (administrative roads) as multiple-use trails for equestrian and bicycle use in conformance with the APSLMP. The trails selected will be those that have been historically utilized by motor vehicles and have been maintained to a higher standard than others. These roads/trails generally have better surfaces and better drainage than most other roads and trails in the area, but will require periodic maintenance to preserve favorable user experiences. They also provide access to the main points of interest within the Complex Area. The horse and bicycle trail systems will largely overlap, but there are a few segments that are designated for either equestrian or bicycle use. Equestrian trail riders can ford a section of washed out road near Fifth Lake to loop back into the main trail system. This fording opportunity has been enjoyed by several groups of equestrian riders in the last couple of years, and users have expressed interest in continuance of this unique riding opportunity. Bicycle trails will be designated in conformance with the APSLMP.

Administration of Camping Permits

The preferred alternative proposed in the UMP is to continue the existing camping permit system through 2018. This will provide five years of camping data and allow the Department to assess whether the system should be modified or discontinued altogether. If the number of campers utilizing the area overnight does not justify the administration of the permit system, the issuance of permits may be discontinued. Historical figures suggest that outings to the Complex Area were predominantly day use visitors. Staff attribute this to a number of factors including the prohibition on campfires, the relatively small area occupied by lakes and ponds, the current length and condition of the canoe carries, and the distance one must travel by foot in order to access the camp sites. In the event the camping permit system is discontinued, camping will be allowed at designated primitive tent sites only, and campfires within 500 feet of a lake or pond will continue to be prohibited.

The Department instituted the camping permit system in the Complex Area over concerns that overuse would impact the natural resources of the unit. It is worth noting that no other area in the Forest Preserve managed by the Department, with three minor exceptions, has a similar camping permit system in place. The three exceptions are the Taylor Pond campground, Putnam Pond campground, and the Stillwater Reservoir. In the Taylor Pond campground, there are two sites outside the campground that are reserved using Reserve America, in the same manner the sites within the campground are reserved. Likewise, there are several sites on Putnam Pond outside the Putnam Pond campground that are reserved using Reserve America. On Stillwater Reservoir there is a system where a spot can be “reserved” by indicating on the boat launch kiosk that one intends on staying at a site, but this is done on an honor system. The Complex Area permit system is not only unique due to the number of tent sites it administers, but also because of the manner in which the permits are issued. The SUNY College of Environmental Science and Forestry issues the camping permits from its Adirondack Interpretive Center located in Newcomb, New York, with oversight provided by Department staff. The management of this system does require Department staff time and resources, and the results so far have not indicated a need to continue the system. Therefore, the Department will evaluate the data on the overnight use in the next three years and then determine whether the permit system will continue.

The Department finds that prohibiting campfires in the Complex Area will protect the natural resources for the enjoyment of all users. Experience with other areas of the Adirondack Park have led staff to believe that campfires contribute to the removal of vegetation and underbrush that typically mask the presence of campsites. Campfires also have led to degradation of the area surrounding the tent site, and unburned refuse has led to an increase in the potential for conflicts between wildlife and humans.

These preferred alternatives avoid or mitigate adverse environmental impacts to the maximum extent practicable. The rejected alternatives are either not practicable or they are less protective of the environment.

IV. SOCIAL, ECONOMIC AND OTHER ESSENTIAL CONSIDERATIONS

In reaching a decision whether to approve, approve with conditions, or deny an action which is subject to an EIS, each involved agency must weigh and balance the public need and other social, economic and environmental benefits of the project against identified adverse environmental impacts. The Department finds the proposed action will benefit the State of New York by promoting the tourism industry within the state while ensuring the protection and preservation of natural resources. It will also provide reasonable access to members of the general public while helping to stimulate local economies which rely on tourism.

V. CERTIFICATION OF FINDINGS TO APPROVE:

Having considered the draft Complex Plan, DEIS, final Complex Plan, and FEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR § 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 implementing Article 8 of the ECL (SEQR) have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action chosen is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures which were identified as practicable; and
3. This action will achieve a reasonable balance between the protection of the environment and the need to accommodate essential social, recreational and economic considerations and, as such, will not contravene those limitations or standards prescribed by Article XIV, Section 1 of the New York State

Constitution, the APSLMP, the ECL, and DEC rules, regulations and policies for the care, custody and control of the Adirondack Forest Preserve.



Basil Seggos

Acting Commissioner

New York State Department of Environmental Conservation

3/31/16

Date