New York State
Department of Environmental Conservation

FINAL
Supplemental Environmental Impact Statement

That Portion of the 2005 Gore UMP Amendment Associated with the Interconnect between Gore Mountain Ski Center and the Historic North Creek Ski Bowl

Town of Johnsburg, Warren County, NY

September 2008

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New York State Department of Environmental Conservation
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Commissioner

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GOVERNOR

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

ALEXANDER B. GRANNIS
COMMISSIONER

M E M O R A N D U M

TO: The Record

FROM: Alexander B. Grannis, Commissioner

DATE: OCT 27 2008

SUBJECT: Gore Mountain Ski Center Intensive Use Area and the Historic North Creek Ski Bowl Ski Trails and Lifts Interconnect

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The New York State Department of Environmental Conservation (the Department), as lead agency, and in coordination with Olympic Regional Development Authority (ORDA) and Adirondack Park Agency (Agency), finalized the Supplemental Environmental Impact Statement (SEIS), assessing the potential cumulative impacts associated with the ski trails and lifts interconnect between the Gore Mountain Ski Center Intensive Use Area (Gore Mountain) and the Historic North Creek Ski Bowl (Ski Bowl), Town of Johnsburg, Warren County, New York. This SEIS was noticed as final in the September 17, 2008 issue of the Environmental Notice Bulletin (ENB) pursuant to the State Environmental Quality Review Act (SEQRA).

This proposed interconnection is shown on maps contained in Appendix 1 of this SEIS and was originally proposed in the 2005 Amendment of the 2002-2007 Unit Management Plan (UMP) and Generic Environmental Impact Statement (GEIS) for Gore Mountain (2005 UMP Amendment). Specifically, this interconnection consists of the proposed ski trails and lifts identified as lifts #12 and #14 and trails #12-b through #12-j in Figure 1-1 of the 2005 Amendment (map attached). This SEIS and that portion of the 2005 UMP Amendment associated with the ski trails and ski lifts interconnect was approved by the Agency at its October 10, 2008 meeting, whereby the Agency found them to be consistent with guidelines and criteria for the Adirondack Park State Land Master Plan, the State Constitution, Environmental Conservation Law, and Department Rules, Regulations and Policies.

Having fully considered potential cumulative impacts assessment of this SEIS, and documents incorporate therein,
I HEREBY ADOPT the SEQRA findings set forth below and,
I HEREBY APPROVE that portion of the 2005 UMP Amendment associated with the above described Gore Mountain Interconnect.

OCT 27 2008
Date

Alexander B. Grannis

Attachments: SEQRA Findings, Final SEIS, 2005 UMP Amendment
cc w/o attachments: Ted Blazer, CEO ORDA
Mike Pratt, GM Gore Mountain

RESOLUTION
ADOPTED BY THE ADIRONDACK PARK AGENCY
WITH RESPECT TO THE
GORE MOUNTAIN SKI CENTER INTENSIVE USE AREA
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT
PERTAINING TO THAT PORTION OF THE 2005 UMP AMENDMENT
ASSOCIATED WITH THE INTERCONNECT TO THE HISTORIC
NORTH CREEK SKI BOWL

October 10, 2008

WHEREAS, Section 816 of the Adirondack Park Agency Act directs the Olympic Regional Development Authority (ORDA) and the Department of Environmental Conservation (DEC) to develop, in consultation with the Adirondack Park Agency, individual management plans for units of land classified in the Master Plan for Management of State Lands, and requires such management plans to conform to the guidelines and criteria of the Master Plan; and

WHEREAS, in addition to such guidelines and criteria, the Adirondack Park State Land Master Plan prescribes the contents of unit management plans and provides that the Adirondack Park Agency will determine whether a proposed individual unit management plan complies with such guidelines and criteria; and

WHEREAS, ORDA prepared a unit management plan amendment for the Gore Mountain Ski Center Intensive Use Area, dated November, 2005; and

WHEREAS, ORDA approved the 2005 unit management plan on March 22, 2006 and DEC subsequently adopted the unit plan on June 6, 2006; and

WHEREAS, DEC recognized that the approved 2005 unit management plan did not fully address the potential cumulative impacts associated with the interconnection between the Gore Mountain Ski Center Intensive Use Area and the private land project known as Front Street Mountain Development located at the Historic North Creek Ski Bowl; and

WHEREAS, DEC and ORDA rescinded the portion of the 2005 unit management plan authorizing the interconnection on August 12 and August 14, 2006 respectively; and

WHEREAS, the remainder of the 2005 unit management plan amendment, as adopted by DEC on June 6, 2006, was not affected by the rescinded approvals; and

WHEREAS, the Commissioner of Environmental Conservation directed the development of a supplemental SEQRA review of the potential impacts associated with the connecting ski trails and lifts in conjunction with the Ski Bowl Village project, APA Project Number 2006-123, submitted to the Adirondack Park Agency in May 2006; and

WHEREAS, this action is a Type I action pursuant to 6 NYCRR Part 617 for which DEC is the lead agency and ORDA and the Adirondack Park Agency are involved agencies; and

WHEREAS, this action addresses the environmental impact assessment and State Land Master Plan consistency pertaining to the interconnection between the Gore Mountain Ski Center Intensive Use Area and the Historic North Creek Ski Bowl; and

WHEREAS, the Final Supplemental Environmental Impact Statement (FSEIS) addresses potential induced growth and cumulative impacts related to the proposed interconnect; and

WHEREAS, a notice of acceptance of a Draft Supplemental Environmental Impact Statement (DSEIS) and public hearing was filed in the Environmental Notice Bulletin (ENB) on February 13, 2008; and

WHEREAS, DEC as lead agency filed its acceptance of the FSEIS in the ENB on September 17, 2008; and

WHEREAS, the Adirondack Park Agency has completed its review of the Class A Regional Project authorizing the activities located on portions of Town-owned and private lands of the Ski Bowl Village project, APA Project Number 2006-123, approved by the Agency on April 16, 2008, and set forth conditions to mitigate potential adverse impacts; and

WHEREAS, the Adirondack Park Agency has reviewed the proposed Gore Mountain Ski Center Intensive Use Area Unit Management Plan Amendment;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 816 of the Adirondack Park Agency Act, the Adirondack Park Agency finds the Gore Mountain Ski Center Intensive Use Area Unit Management Plan Amendment/FSEIS, dated February, 2006, conforms with the guidelines and criteria of the Adirondack State Land Master Plan; and

BE IT FURTHER RESOLVED, that the Adirondack Park Agency finds pursuant to 6 NYCRR Part 617.11 that the management actions contained therein are:

1. Intended to address the potential cumulative and induced growth impacts associated with the connecting ski trails and lifts, and related impacts from the Front Street Ski Bowl Village Project and the Town of Johnsburg's Historic Ski Bowl development projects collectively (see FSEIS, September 17, 2008; Agency Order P2006-123, April 16, 2008).

2. Intended to protect the unit's natural resources, character and recreational use according to the provisions of the Adirondack Park State Land Master Plan.

3. Intended to preserve and protect freshwater wetlands.

4. Intended to minimize extensive topographic alterations, limit vegetative clearing and limit potential cumulative water quality impacts (page 82, FSEIS).

5. Intended to protect species and ecological communities identified as rare, threatened or endangered.

6. Intended to accommodate public recreational needs including skiing, snowboarding and other activities permitted in the Gore Mountain Ski Center Intensive Use Area (page 86, FSEIS).

7. Intended to expand a more comprehensive water quality monitoring program to mitigate potential cumulative water quality impacts of the combined project (page 82, FSEIS).

8. Intended to avoid excessive air quality impacts due to vehicle idling by recommending a widening of a right-turn lane on NYS Route 28 (page 8, FSEIS).

9. Intended to avoid cumulative impacts to groundwater quality by implementing an enhanced golf course management protocol (page 85, FSEIS).

10. Intended to avoid unanticipated impacts due to potential increased recreational use through the implementation of the Permit Compliance Officer (page 85, FSEIS).

BE IT FURTHER RESOLVED, that consistent with the social, economic and other essential considerations, from among the reasonable alternatives, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the environmental impact statement; and

BE IT FINALLY RESOLVED, that the Adirondack Park Agency authorizes its Executive Director to advise the Commissioner of Environmental Conservation and Executive Director of ORDA of the Agency’s determination in this matter.

Ayes: R. Booth, R. Elliott (DOS), E. Lowe (DEC), A. Lussi, F. Mezzano, C. Stiles, J. Townsend, L. Ulrich, C. Walsh (DED), C. Wray

Nays: None

Abstentions: W. Thomas

Absent: None

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Appendix 3: Traffic and Air Quality Analysis, Creighton-Manning Engineering, LLP, October 3, 2007.

LIST OF ABBREVIATIONS

ACOE	(United States) Army Corps of Engineers
AMSL	Above mean sea level
APA	Adirondack Park Agency
APE	Areas of potential effect
APLUDP	Adirondack Park Land Use and Development Plan
APSLMP	Adirondack Park State Land Master Plan
ATV	All-terrain vehicle
BMP	Best Management Practice
CCC	Comfortable carrying capacity
CME	Creighton Manning Engineering, LLP
DAP	Development in the Adirondack Park
DEC	(New York State) Department of Environmental Conservation
Delaware	Delaware Engineering, P.C.
ED/RR	Early Detection/Rapid Response
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency

EPM	Environmental Procedures Manual
FrontStreet	FrontStreet Mountain Development, LLC
FSMHOA	FrontStreet Mountain Homeowners' Association
FTE	Full-time equivalent
GCI	Greenhouse Consultants, Inc.
gpd	Gallons per day
gpm	Gallons per minute
GPS	Global positioning system
HMAC	Hudson Mohawk Archaeological Consultants, LLC.
JCS	Johnsburg Central School
JPLUP	Johnsburg Proposed Land Use Program
LASAR	Lower Adirondack Search and Rescue
LLC	Limited Liability Company
MDS	Map documented structures
MOU	Memorandum of Understanding
NCVFD	North Creek Volunteer Fire Department
NCWD	North Creek Water District
NIPA	Notice of Incomplete Permit Application
NRCS	(USDA) Natural Resources Conservation Service
NYMS	New York Main Street Program
NYNHP	New York Natural Heritage Program
NYS	New York State
NYSEF	New York Ski Educational Foundation
NYSDEC	New York State Department of Environmental Conservation
NYSDOT	New York State Department of Transportation
NYSDOH	New York State Department of Health
OPRHP	(New York State) Office of Parks, Recreation, and Historic Preservation
ORDA	Olympic Regional Development Authority
Park	(Adirondack) Park
Pioneer	Pioneer Environmental Associates, LLC.
PM	Particulate Matter
SAOT	Skiers at one time
SASS	Scenic Areas of Statewide Significance
SBR	Sequencing Batch Reactor
SEIS	Supplemental Environmental Impact Statement
SEQRA	State Environmental Quality Review Act
SPDES	State Pollution Discharge Elimination System
SPW	Siamese Ponds Wilderness Area
SWPPP	Stormwater Pollution Prevention Plan
The LA Group	The LA Group, Landscape Architecture and Engineering, P.C.
TJCP	Town of Johnsburg Comprehensive Plan
Town	Town of Johnsburg
UMP	Unit Management Plan
USACOE	United States Army Corps of Engineers
USN	Unique Site Number
VMWF	Vanderwhacker Mountain Wild Forest
WCLDC	Warren County Local Development Corporation
WWTP	Wastewater treatment plant

FINAL
Supplemental Environmental Impact Statement

That Portion of the 2005 Gore UMP Amendment Associated with the Interconnect between Gore Mountain Ski Center and the Historic North Creek Ski Bowl

Johnsburg, New York

SECTION 1: INTRODUCTION

A. Background

The New York State Department of Environmental Conservation (NYSDEC), serving as lead agency and in coordination with the Olympic Regional Development Authority (ORDA), prepared this Supplemental Environmental Impact Statement (SEIS) to assess the potential cumulative impacts associated with the ski trails and lifts interconnect between the Gore Mountain Ski Center and the Historic North Creek Ski Bowl (Ski Bowl). This interconnect consists of the proposed ski trails and lifts identified as lifts #12 and #14 and trails #12-b through #12-j in Figure 1-1 of the 2005 Amendment of the 2002-2007 Unit Management Plan (UMP) and Generic Environmental Impact Statement (GEIS) for Gore Mountain Ski Center (2005 UMP Amendment) in North Creek, Town of Johnsburg, Warren County, New York. This SEIS further amends the 2005 UMP Amendment to address the potential cumulative impacts associated with the above-mentioned interconnect, which is intended to expand skiing opportunities at Gore Mountain and revitalize the Ski Bowl. As can be seen on the maps in Appendix 1 of this SEIS, the interconnect will allow visitors to Gore Mountain and Ski Bowl to ski or walk to the Hamlet of North Creek and the yet to be constructed private "Ski Bowl Village Project" proposed by the FrontStreet Mountain Development, LLC (FrontStreet) and permitted by the Adirondack Park Agency (APA) in April 2008. This SEIS analyzes the potential cumulative impacts to the shared environmental resources of these projects to be connected geographically by the above-mentioned ski trails and lifts.

One of the primary purposes of the 2005 UMP Amendment is to provide for a stronger interconnect between Gore Mountain Ski Center and the Historic North Creek Ski Bowl and the hamlet of North Creek. The 2002 UMP included the construction of new ski trails and lifts in the Gore Mountain Ski Center Intensive Use Area that connected with the existing Town of Johnsburg Ski Bowl Park. The 2005 UMP Amendment strengthened this connection through: (1) modifying the alignment of some of these previously approved lifts and trails, (2) adding ski trails and lifts in this part of the site, and (3) eliminating some of the previously approved trails. This strengthened interconnection is shown on the maps provided in Appendix 1 of this SEIS.

The 2005 UMP Amendment proposes additional ski trails on land that is presently privately-owned by FrontStreet, which was formerly part of the Historic North Creek Ski Bowl. An August 9, 2005 Town Board resolution and a November 3, 2005 agreement between FrontStreet and the Town provides for the transfer of this property to the Town of Johnsburg (Town), subject to the approval of APA of FrontStreet's Ski Bowl Village Project. In April 2008 APA approved the permit applications for FrontStreet's Ski Bowl Village Project.

ORDA initially approved the 2005 UMP Amendment on March 22, 2006. NYSDEC initially approved the 2005 UMP Amendment on June 6, 2006. The 2005 UMP Amendment did not fully address the cumulative impacts associated with the interconnection, because it had already been prepared and was awaiting approval prior to FrontStreet's permit application submittals to APA in May of 2006. Upon being apprised of FrontStreet's permit applications, NYSDEC and ORDA rescinded that part of the 2005 UMP Amendment authorizing the interconnection on July 12 and August 14, 2006, respectively. The remainder of the 2005 UMP Amendment for Gore Mountain, as approved by NYSDEC on June 6, 2006, was not affected by NYSDEC's and ORDA's revised approvals.

In response to FrontStreet's May 2006 permit application before the APA, NYSDEC committed to analyze the potential cumulative impacts of the related projects due to their geographical proximity and potential to impact the same environmental resources.

B. Purpose of Present SEIS

Former NYSDEC Commissioner Sheehan, in her July 12, 2006 revised determination, directed NYSDEC staff to conduct a supplemental State Environmental Quality Review Act (SEQRA) review of the potential impacts associated with the connecting ski trails and lifts in conjunction with the Ski Bowl Village Project application that had been submitted to APA in May 2006. This SEIS document serves as the supplemental SEQRA review. In accordance with 6 NYCRR 617.9(b)(5)(iii)('a'), this document ensures that the potential cumulative environmental impacts, associated with the connecting ski trails and lifts (the interconnect), FrontStreet's Ski Bowl Village Project, and the Town's Historic Ski Bowl development (collectively "the projects"), have been addressed. As required by 6 NYCRR 617.9(b)(5)(iv)(v), this SEIS describes the mitigation measures and reasonable alternatives to address the potential cumulative impacts identified for the projects.

SECTION 2: SUMMARY OF CONTENT

A. Description of Environmental Assessment Process

The cumulative impact analysis was completed as follows:

- Review of all project proposals in terms of development components and potential phasing;

- A complete review of available documents addressing the potential impacts of the projects including a critical review of impact analysis methodologies utilized, databases, and other documentation
- Collection of additional/updated data to augment the available information
- Independent assessment of the potential *cumulative* impacts of the combined projects
- Preparation of this summary document.

This document does not replicate the full body of data and analyses already produced in connection with these project proposals. Rather, the summary assessment *incorporates major sections of these documents by reference*. The review of existing documents indicates that the potential impacts of the Gore Mountain Ski Center and Ski Bowl Village projects have already been addressed in substantial detail. Moreover, a number of the potential cumulative impacts of the two major projects are already addressed in these documents.

The primary goals of the cumulative impact assessment are:

- Review and evaluate existing documents
- Provision of updated/augmented background data as appropriate
- Commentary, and where warranted, alternative analyses of potential impacts
- Findings regarding the cumulative impacts of the projects.

The cumulative environmental, natural, and cultural resource analysis component of the SEIS summarizes the findings of a cumulative impact analysis intended to assess the potential impacts of combined implementation of the Gore Mountain–Ski Bowl Interconnect and the FrontStreet Ski Bowl Village project, which would not occur as a result of the implementation of either project individually. The projects are described in Section 3 (Project Description) of this SEIS.

The major focus of this portion of the cumulative impact assessment involves the following determinations:

- Environmental and Natural Resource Impacts – the potential for the projects to result in additional impacts to existing resources in the overall project vicinity which would not occur from the individual projects, due to combinations of impacts.
- Cultural Resource Impacts – the potential for the combined projects to cumulatively impact features that would not be impacted by the individual projects.

The cumulative economic, growth, and fiscal impact analysis component of this SEIS summarizes the findings of a cumulative impact analysis intended to assess the impacts of several development projects concurrently being planned in Johnsburg, New York. While the projects have been proposed separately, their geographic proximity and mutual interdependence require an assessment of the potential for cumulative impacts locally and regionally. As such, their combined impacts have been addressed in background studies – and summarized in this report.

The major focus of the analytical components of this cumulative impact assessment involves:

- Economic Impacts – the potential for the projects to generate dollar flows and regional economic impacts of the completed projects – focus on the private sector.
- Growth Impacts – the potential for the projects to cumulatively generate growth (population, housing, etc.) both locally and regionally.
- Fiscal Impacts – the potential, cumulative impact of the projects on the public sectors; An assessment of the potential for the projects to generate new tax revenues and the costs associated with the projects' demands on local service systems.

B. Chronology of Historical Reviews

The environmental review of the project areas has been an ongoing process which has spanned several decades. The Gore Mountain Ski Center submitted environmental reviews as part of the original UMP for the Gore Mountain Ski Center Intensive Use Area, submitted in 1987 (UMP 1987). An update and amendment to this plan which required additional environmental review was provided in 1995 (UMP 1995). Further environmental reviews were conducted as part of preparations for the 2002 Supplemental Unit Management Plan (UMP 2002), and also for the 2005 Amendment to that plan (2005 UMP Amendment).

Environmental reviews specific to the Ski Bowl Village at Gore Mountain project were submitted as part of the APA permit application in May 2006 (FrontStreet 2006). Subsequent reviews addressing specific environmental issues for these areas were submitted in the multi-volume Responses to Notice of Incomplete Permit Application (NIPA) in September 2006 (NIPA I, IA, II, 2006).

Significantly, the potential, cumulative economic, growth, and fiscal impacts of the Gore Mountain Interconnect and Ski Bowl Village projects have been assessed in great detail by their proponents. Existing documents cover the full range of potential impacts of both of these projects. (see 2007 LandVest report in Appendix 2 of this report). No growth impact analyses have been completed for the individual residential projects proposed in the North Creek/Johnsburg area. While these major projects have already been assessed in great detail, NYSDEC determined that their combined potential for generating cumulative impacts - over and above their individual potential for creating impacts - warranted an assessment that would take all projects into account.

As noted, a substantial body of data and analyses has been produced regarding the Gore Mountain and Ski Bowl Village projects. The cumulative analysis included a summary review of all of these materials. In particular, with respect to cumulative growth and fiscal impacts, the majority of the review - and commentary – is directed toward three documents:

- Economic Impact of the N.Y. Olympic Regional Development Authority, 2004-2005 Fiscal Year[1] - this analysis was completed to estimate the 'total economic contribution' of all of the facilities operated by ORDA. Gore Mountain is one of a number of recreation-oriented facilities owned and operated by ORDA. Although the study is not focused specifically on the potential impacts of Gore Mountain's expansion program, it does provide background information on the type and scope of economic impacts generated by recreational facilities in the Adirondack region.

- Economic Impact Study of the Gore Mountain Interconnect[2] - this analysis was completed to "evaluate the economic impact of the construction and development of the ski lifts and trails that will, in effect, 'interconnect' the Hamlet of North Creek, N.Y. with the main trail network of Gore Mountain Ski Center." This study is focused on the monetary impacts of the Gore Mountain project; but gives consideration to the impact that the development of the Ski Bowl Village could have on skier visits at Gore – and provides a range of data and findings with respect to the regional economic impact of the potential for additional visitation at Gore. To the extent that the report addresses the interrelationship between Gore and Ski Bowl Village, there are cumulative elements to the study.

- Economic and Fiscal Impact Analysis Ski Bowl Village at Gore Mountain[3] - this document is a broad ranging assessment of the full range of growth, economic, and fiscal impacts projected to be generated by the Ski Bowl Village project. In addition, we note that the document addresses many of the impacts of the Gore Mountain Interconnect project – and thus represents a cumulative assessment of these two major projects. Much of the background data for this cumulative assessment – as well as the commentary regarding potential impacts – are directed toward this document.

SECTION 3: PROJECT DESCRIPTION

A. History of Ski Center/Ski Bowl

A summary of the history, gradual expansion, and improvement of the Gore Mountain Ski Center facilities is provided below:[4]

> Located in the Adirondack Park, the largest protected wilderness area in Continental United States other than Alaska, Gore Mountain Ski Center has brought skiing to the southern Adirondack region for the past 40 years. Opened in 1964 and

[1] Prepared by Technical Assistance Center, SUNY Plattsburgh, February 28, 2006.
[2] Prepared by Office of the New York State Comptroller, Division of Local Government Services & Economic Development, Undated.
[3] Prepared for: FrontStreet Mountain Development, LLC, Prepared by: the LA Group, March 2006 and Revised March 2007.
[4] From: *Economic and Fiscal Impact Analysis, Snow Bowl Village*, the LA Group, p. V-1.

> initially operated by the [NYSDEC], Gore Mountain has been operated by ORDA since 1984. Under State legislation enacted in 1981, ORDA was mandated to operate and market the resort facilities used to host the 1980 Olympic Winter Games including the Olympic Center, Whiteface Mountain, and the Verizon Sports Complex at Mt. Van Hoevenberg; the Ski Jumping Complex; the ORDA store; and in 1984, Gore Mountain.
>
> Investments since the 1995 UMP have enabled Gore to vastly improve the ski area. Under the 1995 UMP, Gore installed a new high-speed eight-passenger gondola. The new gondola likely contributed to the 26.2 percent increase in skier visits and the 14.7 percent increase in skiing revenue in the 2000-01 ski season. As a follow-up, Gore expanded its skiing terrain in the fall of 2002, which allowed for more efficient use of the mountain. It also included a number of new trails, which decreased the congestion on the mountain, resulting in improved skiing conditions and increased safety.
>
> Another notable improvement to the mountain was the installation of the Hudson River Pipeline. The new pipeline, which runs directly from the river to Gore, provides the resort with nearly 100 percent snowmaking coverage, giving Gore a competitive advantage over other Northeast ski resorts. Since weather has been an unpredictable factor for the ski industry and presents a constant challenge to ski resorts across the nation, unlimited access to snowmaking water hedges the risk of insufficient snowfall.

The North Creek Ski Bowl has a long history, and the concept of an interconnect with Gore Mountain is not a recent one, as described in FrontStreet 2006 (Sec. 1, p. 1-10):

> The former Ski Bowl at North Creek opened in 1932 and had a vertical drop of approximately 800 vertical feet. The ski area was one of the first commercially operated ski areas in the United States. Through the 1950s, the ski area was commonly reached by rail passenger cars or "ski trains," which provided access for skiers from major metropolitan areas like New York City. However, due to competition from popular Gore Mountain, located just to the west, the Ski Bowl closed in 1976.
>
> The Ski Bowl was popular among local residents, and interest in reopening the ski area and linking the ski terrain to Gore Mountain has been planned for over 20 years. Another developer proposed a resort area with reestablished skiing in the early 1980s. The prior project, which represented a more intensive use of the site, was issued a permit by the APA in April of 1982. The prior project, however, was free-standing and not connected to Gore Mountain. The prior project was never implemented and the permit has since lapsed.

B. Project Site and Components

The Gore Mountain Interconnect, the Ski Bowl Village, and Ski Bowl Trails projects are identified on a site location map provided on page 1 of Appendix 1. An overall Project Relation Map on page 2 of Appendix 1 shows the relationship between these project elements and surrounding community facilities in North Creek. In addition, several unrelated residential projects in the Town of Johnsburg have a number of implications from growth and fiscal impact perspectives, and thus, their potential impacts have been assessed on a cumulative impact basis. The projects – and their potential for impact - are summarized below:

Gore Mountain Interconnect

The Gore Mountain interconnect is described in great detail in a number of documents already entered into the record, both with respect to Gore and the Ski Bowl Village. The 2005 UMP Amendment includes expanded and improved trail interconnections to existing Gore Mountain ski trails, by adding eight trails and two ski lifts on the east slope of Gore Mountain, and installation of new lifts from the base area of the former North Creek Ski Bowl to the base of Gore Mountain. New ski amenities would include restored and reconfigured ski terrain, which includes lands of the former North Creek Ski Bowl. The new area of skiing, the Ski Bowl Area, would include a new 3,470 linear foot (lf) quad chair, a 1,200 lf triple chair and would re-establish several trails of the former North Creek Ski Bowl, with a total skiable area of 40 acres. The Ski Bowl Area would connect with existing trails of Gore Mountain through the Burnt Ridge lift, a 6,500 lf quad chair. ORDA would manage and staff both areas. Overall, it is expected that completion of these projects (from a construction perspective) would occur over a five year period.

Ski Bowl Village

The major elements of the Ski Bowl Village project are summarized in Table 3-1 below. The table also shows the projected "market value" of the project. [5] Overall, it is expected that completion of these projects (from a construction perspective) would occur over an eight to ten year period.

Table 3-1: Ski Bowl Village – Project S

Type of Improvement	Number of Units	Estimated Aggregate Market Value
Residential Components:		
Single Family Units	17 Mountain Lots 1 Owner's Lodge	
Townhouses	131 Units in 2 and 3 unit structures	

[5] From; *Economic and Fiscal Impact Analysis, Snow Bowl Village, Revised,* the LA Group, p. V-4.

Table 3-1: Ski Bowl Village – Project S		
Type of Improvement	**Number of Units**	**Estimated Aggregate Market Value**
Workforce Housing	10 Units	
Artist's Apartments	4 Units	
Residential Summary	**163 Total Units @ $550,000/unit average cost**	**$89,650,000**
Non-Residential Components:		
Lodging Components:		
Luxury Hotels (2 @ 40 rooms each)	80 Rooms	
Inn	34 Rooms	
Boutique Hotel	60 Rooms	
Hotel	120 Rooms	
Lodging Summary	**294 Rooms**	
Other Components:		
Restaurant with Tavern	150 Seats	
Hudson Lodge		
Owner's Clubhouse		
Retail Facility		
Spa/Pool Complex		
Equestrian Center		
Warming Hut		
Sewer Treatment Plant		
Facilities & Storage Buildings		
Total Nonresidential Cost:		**$73,984,365***
	Total:	**$163,634,365**

Effectively, Ski Bowl Village would operate as a small resort village, offering a variety of lodging, vacation unit ownership and, on a small scale, year-round living opportunities. Further, the project would offer a number of on-site recreational, service, and commercial facilities, designed to provide activities for resort village visitors and owners. Most significantly, the expansion and direct link with the North Creek Ski Bowl would provide village visitors with direct access to the expanded Gore/North Creek Ski Bowl skiing facility. It is apparent that the project's location is directly related to the presence of the North Creek Ski Bowl and the proposed Gore Interconnect.

Johnsburg Vacation-Oriented Residential Projects

The vacation-oriented residential projects are summarized in Table 3-2 below. It is important to stress that these data are not definitive and that the metrics of the individual project could change. This is particularly true for the projects that remain in the approval

process.[6] Given the number of individual project involved, there is no clear timeline for completion. As such, the analysis assumes that the projects would be completed over an eight to ten year period – similar to Ski Bowl Village.

Table 3-2: Johnsburg Vacation-Oriented Residential Projects – Summaries

Project	Location	Description/Status	Total Units at Completion
Top Ridge	Peaceful Valley Rd. - Adjacent to Gore	3BR Townhouse Units in three phases. Close to final approvals	62 Units
The Preserve	Peaceful Valley Rd. - Three miles from Gore	Three phase project - first phase complete, on-site amenities.	55 Units
Beaver Townhouses	North Creek	Subdivision, Early Stages of planning.	Unknown
River's Edge	North Creek/in Chester	Permitted, 3-4BR Townhouses.	24 Units
Parrazzo Subdivision	Peaceful Valley Rd.	Approved - single family subdivision.	8 Units
Tall Timbers	North Creek	In permitting process - Subdivision, Townhouses, Inn.	73 Units 25 Inn Rooms
Burton-Ward Hill	Ward Hill	Single Family Subdivision.	11 Units
		Approximate Total -	**258**

Based on available plans, the combined projects could result in approximately 258 additional housing units/inn rooms in Johnsburg. It should be stressed that this is likely to take place over a number of years – and that the pace of development would be dependent on market conditions. Because the orientation of the projects is toward the vacation/seasonal market, it is expected that occupancy would occur only on a seasonal/sporadic basis. Realistically, the number of units that are actually constructed in most projects is typically smaller than the number of units initially envisioned in project plans. As such, it is estimated that the number of vacation-oriented units that would eventually result from these seven project plans would be approximately 200 to 225 units.

C. Project Purpose

The purpose of the projects is fully described in prior documents, as referenced below. With respect to the Gore Mountain Interconnect and re-establishment of ski trails, the primary purposes of the project and potential positive effects for the resort, as well as for the regional economy, are discussed in the 2005 UMP Amendment (Sec. 1, p. 1-1):

[6] Based on data from Mike Pratt of Gore Mountain and project developers.

> The Olympic Regional Development Authority (ORDA), in conjunction with the New York State Department of Environmental Conservation (NYSDEC) is amending the 2002-2007 Unit Management Plan (UMP) and Generic EIS for Gore Mountain Ski Center in North Creek, Town of Johnsburg, Warren County, New York. This document serves as an amendment to that 2002-2007 Unit Management Plan. As an amendment to the 2002-2007 Unit Management Plan, this document discusses changes to actions which have been previously approved, including any new information related to changes that satisfy State Environmental Quality Review Act (SEQRA) requirements, and will refer to the previously accepted and approved EIS for sections which have not changed as a result of this UMP Amendment. The document is organized so that it follows the sequence of the 2002-2007 UMP.
>
> The primary purposes of this Amendment are to improve public access to Gore Mountain and the Forest Preserve and to improve the skiing experience and provide for a stronger interconnect between Gore Mountain Ski Center and the Historic North Creek Ski Bowl and the hamlet of North Creek. The 2002 UMP included the construction of new ski trails and lifts in the Intensive Use Area that connected with the Town of Johnsburg Ski Bowl Park (Ski Bowl). This UMP Amendment (1) modifies the alignment of some of these previously approved lifts and trails, (2) provides additional ski trails and lifts in this part of the site, and (3) eliminates some of the previously approved trails.
>
> This interconnection between the Gore Mountain Ski Center and the Historic North Creek Ski Bowl to the Hamlet of North Creek, that would help to establish Gore as a destination ski area, was the subject of a recent study conducted by the Office of the New York State Comptroller. In its report the Comptroller's Office states that with the interconnect in place, the economic impact of Gore on the regional economy would be significant, and more than double revenues to the regional economy.
>
> Other important purposes of this UMP Amendment include creating a new novice rated trail connecting the summit of Bear Mountain (top of the gondola) with the Saddle Lodge, and expanding the [New York State Educational Foundation] (NYSEF) race training building. A new bus parking lot along the Ski Center entrance road is included in this UMP Amendment as a Conceptual Action. Other minor additions to the 2002 UMP are also included.
>
> The amendments put forth in this document are consistent with the specific goals identified in the 2002-2007 UMP - improve infrastructure reliability, reduce operation and maintenance costs, assure environmental compatibility, stabilize the local economy, trail safety improvements, improve trail selection, improve economic return, increase public access and improve overall skier satisfaction. In addition to meeting these specific goals, the proposed amendments to the 2002-2007 UMP continue to achieve the goal of balancing ski facilities on the mountain [sic].

The primary purpose of the Ski Bowl Village project, is described in FrontStreet 2006 (Sec. 1, p. 1-12):

The primary purpose of the Project is to construct a privately owned and run world-class year-round resort adjacent to Gore Mountain Ski Center. The Project will have the capacity to generate significant customers and consumers for Gore Mountain Ski Center and the businesses in and around the Hamlet of North Creek and Warren/Essex Counties. It is anticipated that at buildout, the number of visitors and residents will represent a critical mass that will have the impact of stimulating new business development as well as stabilizing existing businesses. The Project will successfully connect the mountain with the Hamlet of North Creek, which is identified in all local planning documents as a priority, and an action that will dramatically improve economic development activity throughout the region. The Project will generate people on the site over twelve months of the year thereby creating a sustainable economy for the immediate area.

D. Public Need

With respect to ski terrain, the 2005 UMP Amendment describes increasing skier days over time, which roughly doubled over a ten year period from 1994/5 to 2004/5 (p. 2-9). The increased use of ski trails and associated public demand for additional ski terrain at Gore is reflected in this document. In addition, the New York State (NYS) Comptroller's Division of Local Government Services and Economic Development prepared the "Economic Impact Study of the Gore Mountain Interconnect" in 2005 (Hevesi, 2005). The study details the impact of Gore Mountain on the local and regional economy and notes the high increase in skier visits to Gore Mountain as a direct result of the recent improvements made. The report concludes that the addition of the ski terrain associated with the connection to the former North Creek Ski Bowl would continue this trend.

With respect to the existing Town-owned Ski Bowl Park, several deficiencies and opportunities for enhancement are described in the Town of Johnsburg Comprehensive Plan (TJCP) of 2005:

> There remains significant recreational potential to be developed in this largely under-utilized park. In 2001 the town commissioned The Saratoga Associates to prepare a Ski Bowl Park Enhancement Plan that proposed the following improvements.
>
> - Reconstruction of the original ski hut building.
> - Rebuilding and expanding the existing pavilion.
> - Expanding parking and improving traffic flow.
> - Developing new recreational sports areas for snowboarding, dirt bikes, skateboards.
> - Providing a new ski slope for tobogganing, sledding and skiing near the new pavilion.
> - Construction of a covered ice hockey rink.
> - Constructing basketball and tennis courts.
>
> In addition, the park enhancement plan calls for the creation of trails and lifts connecting the Gore Ski Center and Ski Bowl Park (as does the Gore Ski Center Unit Management Plan). It proposes a shuttle van system to connect Ski Bowl Park with Main Street in North Creek:

> "This flexible system will provide skier access from the Train Station to both Ski Bowl Park and the housing condominium destinations in the hamlet."[16] It is hoped and anticipated that this connection will enhance businesses in the North Creek Main Street Business District, as well as tourist accommodations in the hamlet."

Specific to the Ski Bowl Village project, with respect to the project purpose, there is a documented need for economic development that would benefit the Hamlet of North Creek, to enable sustainable economic activity on a year round basis. The proposed project would provide a destination resort with lodging facilities for visitor occupancy. In addition, increased access to the Hamlet by skiers and other guests would be enabled. The proposed project therefore aims to meet this need.

E. Public Benefit

With respect to the interconnect, the project would result in several public benefits, consistent with specific goals that are identified in the 2002-2007 UMP: improve infrastructure reliability, reduce operation and maintenance costs, assure environmental compatibility, stabilize the local economy, trail safety improvements, improve trail selection, improve economic return, increase public access and improve overall skier satisfaction. The development of new ski trails would provide opportunities for increased non-motorized public access to state lands both during winter ski season and summer (walking, hiking, etc.) 2002 UMP 5-12, 5-13.

From the NYS Comptroller's report:

> The Hamlet of North Creek and Gore Mountain have a rich skiing history. Many of the first ski trails were created from the old tote roads used to extract lumber and garnet ore on the area now referred to as the "Ski Bowl." This section of the mountain, opening in 1932, became one of the first ski areas in the country…
>
> Reconnecting Gore to the Ski Bowl in North Creek would help restore the Hamlet's downtown commercial district by providing skiers direct mountain access, as well as access to dining, retail, lodging and entertainment venues. Although "The Village Concept"—a self-contained base village at the foot of a ski mountain – would be unique to a New York ski resort, it is an established practice throughout the ski industry. While providing an economic stimulus to the area, the "village concept" is also beneficial to the local environment, as it tends to concentrate development efforts into a confine area, thus mitigating the chance for sprawl…
>
> …The Ski Bowl Interconnect project is a part of Gore's 2002 UMP to improve the mountain and establish it as a destination ski resort. The Ski Bowl existed back in the 1930s, so this project is simply re-opening and updating the mountain, trails, and overall area…
>
> …With the direct line from the Saratoga Amtrak station, Gore Mountain will be more readily accessible to skiers from the New York metropolitan area via Penn Station.

> Upgrading Gore to a destination ski resort will position Gore to more favorably compete with Vermont destination ski resorts, recapturing a portion of the $100 million spent annually by New York residents at Vermont ski venues.

From the 2002 UMP (p. 5-14 to 5-15):

> The UMP cites specific commitments to the community so as to foster a stronger link between the Gore Mountain Ski Center and the Town of Johnsburg, especially the Hamlet of North Creek. The UMP suggests the establishment of a shuttle bus to be operated between the train station and the ski area stopping at various business locations. The UMP has identified on-site space for the local Chamber of Commerce to use for disbursement of information on area lodging, attractions and services. Gore Mountain has also developed a vacation planning brochure that includes a listing of area tourism and support services.
>
> ORDA has cooperated with North Creek in developing hiking, cross-country ski and mountain bike trails with the goal of connecting with trails between Ski Bowl Park and Gore Mountain lands. Part of this plan includes trail markers and the design of an interpretive trail system. This 2002 UMP also includes a management action to physically link Gore Mountain Ski trails to Ski Bowl Park and to update the Ski Bowl facility by Gore.

With respect to the Ski Bowl Village, as shown on the Project Relation Map (see Appendix 1, page 2), the proposed project is in very close proximity to the numerous existing community facilities, including:

- Shops and businesses of North Creek Hamlet
- Carol A. Thomas Memorial walking trail
- Senior Citizens Center
- Grunblatt Town Beach
- North Creek Health Center
- Upper Hudson River Railroad station
- Johnsburg Town Hall and Library
- Tannery Pond Community Center

In addition, extensive language is contained in the FrontStreet 2006 and in other documents regarding fiscal and economic benefits to the public resulting from the interrelated benefits of these development projects. Examples of some of the major short-term and long-term benefits to the community are described in the following excerpt from FrontStreet 2006 (Sec. 1, p. 1-12):

> The Project will result in multiple short-term and long-term community benefits.
>
> It is estimated that total skier visits will increase by 79,000 skiers from 210,000 to approximately 289,000 skiers, representing a 39 percent increase at buildout. The availability of the proposed resort and seasonal housing development will be an essential component of this total buildout capacity It will give previous "day use skiers" an alternative and opportunity to stay overnight or longer. The increase in skier visits related

> to the increased lodging capacity and seasonal housing occupants will generate additional spending in the local and regional economies. It is estimated that off-mountain expenditures will approach approximately $8.5 million (annual), a portion of which will be captured by area businesses.

Another public benefit of the project is the development of supplemental excess water capacity for the North Creek Water District which is owned and operated by the Town of Johnsburg. The water district and current service area boundaries of the NCWD as well as existing wells which are part of the system are shown on the Water Supply Base Map (See Appendix 1, page 5). The additional capacity would address current system yield deficiencies. This and other water system improvements would be completed by FrontStreet. As described in greater detail in Addendum #1 to Preliminary Water Supply Report (LA Group 2006a):

> The initial stages of the proposal [sic] development will need about 10,000-12,000 gallons per day. Presently the North Creek Water District does not have that potential as there are only two active wells. With well #4 redeveloped the District would have 3 wells, each of which could produce 100+ [gallons per minute] (gpm).
>
> With that capacity the North Creek Water District would have 200 gpm with one well out of service, or about 290,000 gallons per day. This daily maximum will meet current needs and goes well beyond the 10,000-12,000 gallon needs for phase 1 and phase 2 of the Gore Mountain Ski Bowl Project.
>
> Making well #4 a productive well would actually give the District some reserve capacity, as current maximum daily flow is around 200,000 per day.

It is anticipated that the total excess water capacity that would be developed for NCWD would be 80,000 gpd. See FrontStreet 2006 for further description of public benefits.

F. Natural Resource Considerations

The responsibility to ensure that natural resource considerations are taken into account and addressed during the planning and implementation of these projects falls upon several local, state, and federal agencies.

With respect to Gore Mountain Ski Center and consideration of the responsibility for its natural resources, the guidelines for management of State owned lands which lie within the Adirondack Park, as well as the successive history of the management of the resort, are as follows (2005 UMP, Sec. 1, p. 1-3):

> The Adirondack Park State Land Master Plan, adopted in 1971, provides guidelines for the preservation, management and use of State-owned lands by State agencies in the Adirondack Park. Gore Mountain Ski Center land is classified under the plans as an "Intensive Use Area." The plan provides that the primary management guideline for Intensive Use Areas is to provide the public opportunities for a variety of outdoor

recreational pursuits in a setting and on a scale in harmony with the relatively wild and undeveloped character of the Adirondack Park.

Unit Management Plans must conform to the guidelines and criteria set forth in the State Land Master Plan. The Adirondack Park Agency Act (Section 816) directs the NYSDEC to develop, in consultation with the Agency, individual unit management plans (UMPs) for each unit of land under its jurisdiction that is classified in the Adirondack Park State Land Master Plan. Unit Management Plans are prepared by the NYSDEC in consultation with the Adirondack Park Agency (APA).

Gore Mountain Ski Center opened in 1964 and early management was under the direction of the NYSDEC. Management was delegated to the Olympic Regional Development Authority (ORDA) on April 1, 1984 through an agreement with NYSDEC which was authorized by Chapter 99 of the Laws of 1984 (Article 8, Title 28, Section 2614, Public Authorities Law). This agreement transferred to ORDA the responsibility for the use, operation, maintenance, and management of the ski area and remains in effect until March 31, 2012. Under the agreement, ORDA is to cooperate with NYSDEC to complete and periodically update the UMP for the ski area. A UMP for Gore was completed in 1987, and was updated in 1995 and again in 2002. This 2002 UMP is still in effect as the document by which Gore is managed and is implemented pursuant to a 1991 Memorandum of Understanding (MOU) between the NYSDEC and ORDA.

2005 UMP (Sec. 1, p. 1-10):

ORDA currently operates the skiing and tubing portions of Ski Bowl Park that is owned by the Town of Johnsburg. ORDA's operation of these facilities is authorized under New York State's Public Authorities Law. ORDA's operation of Ski Bowl Park facilities is also authorized under a Lease Agreement between the Town of Johnsburg and ORDA, most recently renewed in September 2003.

Under the terms of ORDA's lease with the Town of Johnsburg, ORDA exclusively operates the tubing park and ski facilities at the Ski Bowl on Town property (tax map parcel 66-1-14). ORDA is entitled to construct, develop and maintain the tubing park and ski trails in the manner they deem to be appropriate. ORDA also has the right to develop a lift and all facilities incident to operating a snowmaking facility with the tubing park and ski trail.

…The FrontStreet Mountain Development, or resort development area includes lands that are currently privately owned and also lands that are owned by the Town of Johnsburg. The resort development plan would involve the Town of Johnsburg providing some Town-owned land to the private developer in exchange for the Town taking the ownership of the lands containing the proposed ski trails and lift that will become part of the Ski Bowl.

Under this scenario, and the Town owning the lands for the new trails and lift, ORDA will be authorized to construct and operate the new trails and lift under the provisions of

> the New York State Olympic Regional Development Authority Act and its Lease Agreement with the Town of Johnsburg.
>
> On November 3, 2005 the Town of Johnsburg and FronStreet [sic] Mountain Development entered into a Master Agreement (See Appendix 2) that commits the Town and FrontStreet to an exchange of lands, including lands for ski slopes on lands that will become Town lands).

Specifically, the Ski Bowl Village development falls under the jurisdiction of the Adirondack Park Agency and must meet the requirements set forth in the Adirondack Park Land Use and Development Plan (APLUDP). The APA's document "Development in the Adirondack Park, Objectives and Guidelines for Planning and Review" (DAP, updated through 1991) also provides relevant guidelines. Additional governmental review on the local, state, and federal levels is required in the form of various permits and approvals. Regarding the APA requirements, from FrontStreet 2006 (Sec. 1, p. 1-13):

> The entire Project is located within the Adirondack Park (Park) and is subject to regulatory control by the Adirondack Park Agency (APA). Lands in the Park are classified via the Adirondack Park Land Use and Development Plan (APLUDP). Under Section 809 of the APLUDP, the APA has jurisdiction to review all Class A and B Regional Projects within the Adirondack Park. The Project site straddles two land classification boundaries of the APLUDP Map, Hamlet, and Low Intensity use (see Figure 1-6, "Project Area APLUDP Land Classification Map").
>
> …Approximately 52.29 acres of the Project is within APA land classification Hamlet. The Hamlet areas of the Adirondack Park are intended to serve as the Park's growth and service areas for new commercial, residential and industrial growth. As such, the proposed Ski Bowl Village is in accordance with the goals and intent of the APLUDP. The majority of the commercial components of the Project, including the three commercial lodging options, retail gallery, spa, and convenience retail building are all located within the area designated as Hamlet.
>
> …The majority of the parcel, 379.91 acres, is located within a land area designated as Low Intensity by the APLUDP. Low Intensity areas within the Adirondack Park are normally adjacent to hamlet areas and provide development opportunities for residential housing growth. The Low Intensity area of the Project will primarily include the townhouse and single-family residential units in a clustered development pattern, which are considered a primary use in low intensity areas. Other Project components, including the Hudson Lodge, restaurant, golf course and equestrian center are secondary uses in Low Intensity areas. As secondary compatible uses, those elements can be permitted to be constructed when it is determined, due to the nature and intensity of the uses, that it does not affect the resources of the Park. The resources of the Park are all lands, land uses, and activities that take place within the boundary of the Park, and, that, by their variety and interrelationships make the Park unique. To be compatible with the park setting, the Hudson Lodge, restaurant, golf course, and equestrian center, cannot make a significant change in the visual setting that would impact the open space character or change the intensity of land use. To accomplish this, the buildings will be strategically

> located in topographically low elevation points and will be visually screened by existing naturally occurring hills, trees and other vegetation. In terms of architectural appearances, the buildings will be constructed with natural materials to blend in with the natural characteristics of the environment. The golf course fairways will follow ski trails with the tees and greens tucked into the tree lines adjacent to the ski trails to avoid damage during the winter months. Fairway conditions will be natural and will not be developed or maintained as fine-groomed, grassed surfaces.

An APA Land Classification map showing the three project areas and associated APLUDP classifications for the overall area has been prepared (see Appendix 1, page 3). FrontStreet 2006 also discusses the APA's DAP document, which provides general guidelines for development and treatment of natural resources in APA lands. FrontStreet has completed most, if not all, of these following additional permit processes (FrontStreet 2006, Sec. 1, p. 1-17):

> Approvals will be required by the New York State Department of Environmental Conservation (NYSDEC), New York State Department of Transportation (NYSDOT), New York State Department of Health (NYSDOH), and the US Army Corps of Engineers (ACOE).
>
> This project is required to comply with NYSDEC's General State Pollution Discharge Elimination System (SPDES) Permit for management of stormwater during construction. NYSDEC must also issue Water Quality Certification for activities within Federal wetlands. A formal permit application will be filed with the NYSDEC immediately following the submission of this permit application to the APA. Work completed within the State right-of-way will require issuance of a NYS Highway Work Permit from the NYSDOT.
>
> Approval will be required from the NYSDOT for new or altered highway access from NYS Route 28 into the Project Site. A Traffic Impact Study has been prepared for this Project (see Attachment Q, "Traffic Impact Study") and has already been submitted to NYSDOT for their review and approval. Approval will be required for the water system by NYSDOH and the wastewater treatment facility must be approved by the NYSDEC.
>
> The method of connection to the Town water system will need to be reviewed by the New York State Department of Health as part of the review of the application for subdivision of lots and site plan review.
> The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will review the Phase 1A and 1B Cultural Resources Reports completed for the Project.
>
> Wetlands on the site also fall under jurisdiction of the [United States Army Corps of Engineers] USACOE. Permits will be required from the USACOE for activities within these Federal jurisdictional wetlands. Wetland delineation maps have been filed with the USACOE's New York District's Albany Field Office. Pre-application discussions and site visits with the staff of the New York District Office have taken place.

Site Plan Review and subdivision approval will be required from the Town of Johnsburg Planning Board. Local Project compliance is described in detail in Section 3.2.1, Section 4.2.1, and Section 5.2.1.

The Project will be referred by the Town of Johnsburg to the Warren County Planning Department (239M Review) for an advisory recommendation as part of the special permit and subdivision review process.

The Project will require an APA Class A Regional Project approval, which is the subject of this permit application.

Work completed on County roads will require permits issued by Warren County Department of Public Works, and work completed on local Town roads will require a permit from the Town of Johnsburg Highway Department.

G. Economic/Social Considerations

Gore's planned expansion can be viewed as a primary generator of growth, economic, and fiscal impacts. The potential impacts of Gore's expansion proposal are interrelated with those of the Ski Bowl Village and the other proposed vacation/residential projects in Johnsburg. For instance, a number of the added skier visits at Gore Mountain would be persons staying overnight in the Ski Bowl Village and other projects. However, both the Ski Bowl Village and other projects can be expected to generate visitors (and expenditures) unrelated to skiing.

Therefore, both Gore's planned expansion and the construction and operation of Ski Bowl Village can be viewed as primary generators of growth, economic, and fiscal impacts. In simple terms, these impacts can be expressed sequentially as follows:

Short-Term

- The construction activities associated with implementing the interconnect plan and the Ski Bowl Village plan would create a short-term economic impact as a result of expenditures for goods and construction-related employment.

Long-Term

- The expansion of the ski facility can be expected to draw additional visitation to the ski area.
- The creation of the village would generate additional visitation: 1) Unit owners/renters utilizing the housing units; 2) Lodging visitors and; 3) Recreational visitors. A significant segment of these visits would also be included in projected increases in ski area visitation.
- New visitors make expenditures at the ski area – supporting increased employment and business related expenditures by the ski area.

- New visitors also make expenditures at other local/regional businesses (lodging establishments, restaurants, gas, etc.) thereby supporting increased employment and business related expenditures by these businesses.
- Employment and business expenditures supported by increased ski area visitation have secondary economic impacts locally and regionally.
- Locally – the expanded ski area and the increased activity it produces generate additional tax revenues and generate need for public services.

Cumulatively, the projects will have a positive economic impact on the North Creek Hamlet. North Creek's commercial sector has historically been oriented toward attracting business from the travel, tourism and recreation sector. As such, North Creek businesses include lodging facilities, restaurants, retail shops and services that can serve non-local visitors. In recent years, the hamlet's commercial sector has suffered – including the loss of several businesses and difficult operating conditions for other business operators.

One of the significant cumulative impacts of the projects will be to generate an increase in the number of non-local visitors to the North Creek area – including both day and overnight visitors. In particular, the projects have the potential to generate new visits by overnight visitors, who have relatively high expenditure patterns. These visitors will increase expenditure levels in North Creek and the surrounding area and provide support for travel, tourism and recreation-oriented businesses. These visits and expenditures will facilitate and enhance potentials for revitalization of North Creek's commercial sector. This enhanced economic activity will bolster existing businesses and create opportunities for the creation of new businesses. This activity will, in turn, create new employment and income for residents of the North Creek area.

The potential impacts of the Ski Bowl Village proposal are interrelated with those of Gore. Ski Bowl Village visitors would be Gore skiers. Similarly, Gore skiers would use Ski Bowl Village for lodging and alternative recreation. Ski Bowl Village would have no direct link with other, proposed vacation-oriented residential projects in Johnsburg. However they would, to some extent, compete for the same market.

SECTION 4: DESCRIPTION OF ENVIRONMENTAL SETTING

A. Natural Resources

1. Physical

a. Geology and Groundwater

The geology and groundwater of the project areas are described in detail in FrontStreet 2006, (Sec. 3.1.2), UMP 1987 (p. 13), and UMP 1995 (Sec. 2, p. 9). FrontStreet 2006 provides the

following description of the overall geologic and groundwater conditions in the area of the projects:

> This site is in the Adirondack Highlands Physiographic Province of new York State. The topography of the Adirondack Highlands is characterized by mature mountain ranges composed of bedrock that is highly resistant to erosion. The highest mountains in New York State, Mt. Marcy and Mt. Algonquin, each over 5,000 feet, occur in this province. The elevations in Warren County range from 300 feet above mean sea level (AMSL) at the Warren County Airport to 3,583 feet AMSL at the top of Gore Mountain (Maine, 1989). The Adirondack Mountains form a circular dome that is approximately 160 miles wide and one mile high. They are underlain by different types of crystalline bedrock that is approximately 600 million years old or older. The bedrock is composed of granitic and quartz syenitic gneiss, which contains various amounts of minerals such as hornblende, pyroxene, garnet, and micas. The depth to bedrock is typically from one meter deep to outcropping at the surface (Maine, 1989).

With respect to groundwater, which is used as the primary source of potable water in the project area, the following has been previously described.

> The dominant groundwater source of this area is deep bedrock wells that can produce from one to ten gallons per minute. Faults and fracture zones are the primary conductors of groundwater in Adirondack bedrock aquifers…
>
> The largest aquifer in the North Creek area is located in Peaceful Valley, and extends from just north of Sodom northward along Peaceful Valley Road (Country Route 29) to the hamlet of North Creek. The public water supply for the Hamlet of North Creek is drawn from the Peaceful Valley Aquifer through wells located near the hamlet.

Complete descriptions may be found in the documents referenced above.

b. Soils

Detailed soil surveys have been conducted over the years for the project sites. Brief descriptions of the predominant soil types in both the Gore Mountain and Ski Bowl Village project sites follows (UMP 1987):

> The ski area is covered predominantly by soils of the Hermon-Lyman Complex, Hermon soils, Lyman Rock Outcrop, and Marlow soils. Also found on the site are Hinckley-Plainfield Complex, Plainfield, Hinckley and Bice soils. Inclusions, or areas of soil smaller than the minimum mapping size, may also be present on the site.
>
> The Ski Bowl Village site is occupied by a variety of soils including Bice, Hinckley, Plainfield, Schroon, Herman-Lyman complex, and Fluvaquents-Udifluvents complex. The majority of the soil cover for the project site is not Bice. Delaware Engineering Inc. [Delaware] prepared a water supply report, in April 2006, which was included as part of the Ski Bowl Village at Gore Mountain Response Document Attachment Schedules

> Volume 1A, which FrontStreet submitted in September of 2006. The Delaware report further discusses soils found in the area specific to Ski Bowl Village development (Delaware 2006a, 1.2-1.3). Soils in the area consist mainly of sand, cobbles, and loam; bedrock depths range from 3ft to greater than 20 ft. Soil unit names and descriptions based on USDA Natural Resources Conservation Service (NRCS) classifications include: Hinckley Cobbly Sandy Loam (Hn), Hinckley – Plainfield (Hp) and Udorthents (Ud). Appendix E (Soils Data) contains results from twelve test pits performed by the LA Group, and excerpts from the August 2001 Hamlet of North Creek Sewer Feasibility study by CHA essentially confirms the NRCS classifications and indicates a sandy, gravel, loam mix. Generally, the test pits indicate that there is about 0-6 inches of topsoil and 30-80 inches of sand and gravel with boulders.

Description of soils in the project area, also occurs in both UMP 1995 (Sec. 2, p. 9-10) and FrontStreet 2006 (Sec. 3.1.5). FrontStreet 2006 contains extensive soil characteristics, as well as a soil evaluation of that project site titled, *Existing Soil Inventory (S-1 to S-3)*. Detailed description is also contained in UMP 1987 "Terrain, Geology and Soils" section (p. 14-16 pertain to soils, Table 2, "Gore Mountain Soil Types" includes mapping unit names, and Figure 13, "Soils Map" shows the location of these soil types).

An overall Soils Map, which shows NRCS soil units within the area of the three projects is provided on page 4 of Appendix 1.

c. Topography and Slope

Topography and slope is discussed in UMP 1995 (Sec. 2, p. 11-12) and FrontStreet 2006 (Sec. 3.1.1). UMP 1995 describes both On Mountain and Off Mountain conditions separately, while FrontStreet 2006 provides a concise summary, which follows:

> The Town of Johnsburg is characterized by predominantly rugged terrain with patches of more level land in the valley. Most of the higher elevations in the Town lie on State lands. Relief ranges from a high of 3,683 feet above mean sea level (AMSL) at Gore Mountain, to a low of less than 800 feet AMSL along the Hudson River.
>
> The topography at the Ski Bowl Village at Gore Mountain site is dominated by a northeastern side slope of Gore Mountain that faces the Hudson River. The topography can be described as generally steep with high ridges and valleys usually containing streams and drainways. Elevations on the site itself range from approximately 1,000 feet AMSL, where the property is nearest to the Hudson River, to approximately 2,000 feet AMSL at the highest point.
>
> [...]
>
> The Ski Bowl Park property contains areas where slopes range from approximately five to eight percent at the bottom of the ski area and up to 40 percent at the top of the proposed ski trails...

d. Water

All surface waters in the project areas are within the Hudson River drainage basin. Existing surface water resources in the vicinity of Gore Mountain Ski Center are discussed in UMP 1987 (p. 16-17). Additional discussion is found in UMP 1995 (Sec. 2, p. 12-13), to include both On- and Off-Mountain resources. In addition, both UMP 2002 and 2005 contain descriptions (Sec. 2, p. 2-1 to 2-2 for both documents), while FrontStreet 2006 (Sec. 3.1.3) briefly outlines water resources. The Gore Mountain Watersheds and Water Quality Monitoring Locations Map (see page 6 of Appendix 1) graphically displays streams and associated drainage areas within the subject project areas.

Within the Gore Mountain Ski Center, there are three primary streams on-site which flow to the east and feed into North Creek. Straight Brook, also known as Tributary 3 of North Creek is located along the southern edge of the ski area's intensive use classification area. Roaring Brook is located along the northern extent of the ski area, and is also known as Tributary 1 of North Creek. An unnamed brook, or Tributary 2 of North Creek, is located roughly midway between Tributary 1 and Tributary 3, and is currently crossed by the ski center entry road. North Creek is located to the east of the ski area and flows northerly to its confluence with the Hudson River within the village of North Creek.

Lands of the Ski Bowl and Ski Bowl Village are within the watershed of a small unnamed perennial tributary of the Hudson River. It generally flows in an easterly direction through the project site. It is classified as C(T), supportive of trout habitat, by the NYSDEC. Many other small intermittent stream channels flow into this main perennial channel within the vicinity of the project area.

Pioneer conducted a reconnaissance inspection of the North Creek and its tributaries within the project area during July 2007. With the exception of a significant extent of attached algal growth within the reach of Roaring Brook immediately adjacent to Peaceful Valley Road, stream observations did not differ from those previously reported.

The portion of Straight Brook that lies outside of State Forest Preserve lands has a stream classification of A with A(T) standards, indicating that the water is suitable for use as a potable water source and is a well established trout habitat. The parts of Roaring Brook and tributary 2 of North Creek that lie outside of the State Forest Preserve are assigned class C with C(T) standards (WIN# H-419-2). C(T) waters are suitable for swimming and fishing but not for use as a water source, and are a suitable trout habitat. (Section 2-2 UMP 2002.) Stream segments lying within State-owned forest preserve lands are excluded from classification for standards of water quality and purity (see 6NYCRR941.4(c)). (Section 2-1 UMP 2002.)

According to UMP 2002, in response to on-mountain improvement concerns expressed during the public review process of UMP 1995, water quality testing was performed for Straight Brook and Roaring Brook. Findings from the time period between 1995 and 1999 showed that there were no significant increases in sediment or nutrient loading to the streams in and around Gore Mountain.

A water quality monitoring summary was prepared on behalf of ORDA in March 2007, evaluating data collected during the period 1995 – 2006. The data were collected with the intent of assessing changes in water quality "as it relates to construction activities and changes in vegetation cover types following construction" (Franke, Kevin J., 2007). The conclusions of that report are restated in pertinent part below:

- Based on the analysis of storm-event conductivity data from the two streams, construction activities at Gore Mountain for the period analyzed do not appear to be affecting local surface water quality.
- The location of construction activities and their proximity to surface water resources does not appear to be a factor affecting water quality in the streams that drain Gore Mountain.
- Consideration should be given to increasing the number of baseline samples that are taken and analyzed for conductivity and phosphorus levels. This would provide a more robust data set which may be helpful in elucidating any trends in water quality.

TJCP 2005 identifies soil erosion during the construction phase of land development projects as a particular concern since soil erosion can increase turbidity and result in excessive sediment deposition within receiving waters, thus impacting trout spawning habitat and aquatic insects. An expanded water quality monitoring program has been developed as part of a mitigation plan for the Gore Mountain-Ski Bowl Interconnect and is presented in greater detail below under Section 6. The program would increase the number of stations as well as the number of parameters evaluated within the Gore Mountain Ski Center. It also includes a comprehensive surface water quality monitoring effort within the Ski Bowl watershed area.

e. Wetlands

Wetlands are discussed and a map provided in UMP 1987 (p. 18, and Fig. 16, Fresh Water Wetlands). UMP 1995 describes identified wetlands in Sec. 2, p. 13-14. A survey was conducted using aerial photography and the New York State wetland map to identify wetlands located on the Gore Ski Center property in 1995. A map of these wetlands is available in the 1995 UMP (Fig. 13). Site investigations followed this preliminary mapping. Several boggy wetlands ranging in size from under an acre to five acres were present on Gore Mountain where water was at or near the surface throughout the year. Additionally, a large wetland was found just above the reservoir that was thought to be caused by beaver activity.

On the Ski Bowl Village site, wetlands delineated during Summer and Fall 2005 by LA Group, are described in FrontStreet 2006 (Sec. 3.1.4, with map Fig. 3-2). Wetlands covering a total of 8.83 acres were delineated on-site. A survey map is included in Attachment K of the Ski Bowl Village at Gore Mountain APA Permit Application. From the LA Group Wetland Delineation Report of September 2006 (LA Group 2006b):

Wetlands mainly consisted of low-lying areas that are in the active floodplain of streams, or within ephemeral drainage ways that hold water. Wetland 1 is a large bottomland forested wetland with a perennial channel located in its boundaries. It contains a mix of evergreen and deciduous trees and lush herbaceous plants with some areas of inundation. Wetlands 2 and 3 are

bottomland forest wetlands located with the drainage way of ephemeral streams. They also contain mixed evergreen and deciduous trees and an herbaceous understory. Wetland 4 is a headwater bottomland forest wetland that is located alongside the large perennial channel that crosses the property. This area contains mixed evergreen and deciduous trees with an herbaceous understory. Wetland 5 is a bottomland forest wetland located within the drainage way of an intermittent stream that flows to the large perennial channel on the property. These areas contain evergreen and deciduous trees mixed with a lush herbaceous understory. Wetland 6 is a large wetland that contains large areas of open water with some herbaceous material along the inundated edges. This area is a confined by bedrock and contains trees and emergent herbaceous plants. Beaver activity has shaped the wetland by numerous beaver dams giving this wetland an important value as wildlife habitat. Wetland 7 is a small headwater forested wetland located at the head of an intermittent stream. This area contains mixed evergreen and deciduous trees with herbaceous plant material. Wetland 8 and 9 are both linear wetlands that are located at the base of the ridgetop on this sideslope. These wetlands are confined by a linear ditch-like feature that was cut out of the bedrock in the sideslope. These wetlands are not connected, are isolated, and wetland 8 has an ephemeral stream that extends southeast away from the wetland, which eventually disappears. These areas contain standing water and hydric soils, but little hydrophytic vegetation. Wetlands 10 and 11 are both open water wetlands that are isolated but are important because they contain habitat for herpetological species. These wetlands contain shrub and herbaceous plants along the open water portions. Wetland 13 is a small isolated wetland, (BK1-9) located in a small valley that broadens and eventually disappears to the northwest. The southwestern portion of this wetland is in a mixed forested forest of *Tsuga canadensis* (eastern hemlock), while the northwestern portion is in a mixed forest that has been logged and is full of *Rubus alleghaniensis* (Alleghany blackberry). Wetland 12 is a bottomland forested wetland that is divided into two segments that are connected by a narrow strip of wetland. Some old spring well houses and water seeping out of the hillside feed the wetland and two streams. This wetland contains small trees, shrub material along with many herbaceous plants. The intermittent streams in this wetland disappear underground as they approach NYS Route 28. (LA Group 2006e)

Pioneer conducted a supplemental wetlands investigation in August 2007 within the area of the proposed Ski Bowl ski trails. Other than minor isolated wetlands and ephemeral flow paths, which are not regulated by local, state or federal agencies, no wetland or stream resources were identified.

f. Climate and Air Quality

Climate and air quality are discussed in UMP 1987 (p. 13), UMP 1995 (Sec. 2, p. 14-15; table 3 referenced), and also UMP 2002 (Sec. 2, p. 2-2 to 2-4, Tables 2-1 and 2-2 included in text). FrontStreet 2006 outlines climate and air resources in Sec. 3.1.7, with Tables 3-2 and 3-3 included in text. An excerpt from the FrontStreet 2006 section follows:

> The weather in the Adirondack region can be variable. There are four distinct seasons. Winters are marked by consistent snowfall and crisp, cold days. Summers are generally warm and pleasant with temperatures in the 70s and 80s, and cool evenings with low

> humidity. There is no "rainy" season in the Adirondacks, rather, each season has both wet and dry spells. Rain and snow in the mountains has uneven patterns; it can rain in one spot, and be dry ten miles away.
>
> Glens Falls is the nearest climatological metering center. The total annual rainfall is 35 inches and the annual snowfall is 66 inches for Glens Falls…

Creighton Manning Engineering, LLP (CME) conducted a traffic and air quality analysis in 2007, relative to the increased traffic generated by the proposed Ski Bowl Village project located on the northeast side of Gore Mountain, to determine if the findings in previous UMPs are still valid (CME 2007). A description of existing air quality conditions excerpted from this report states:

> This project is located in Warren County, which is classified as an attainment area for ozone and carbon monoxide. New York State collects air quality data for numerous pollutants at monitoring stations in counties through a program operated by the Bureau of Air Quality Surveillance. The Environmental Protection Agency (EPA) prescribes what pollutants are required to be monitored at different locations based on the characteristics of each region. Therefore, monitoring stations are disbursed throughout New York State with each station monitoring certain pollutants. In addition to the continuous and manual monitors in each county, ambient air quality data from private networks (utilities) is also an integral part of the state database for pollutants. The data from each monitoring station is recorded and summarized in the *New York State Air Quality Report, Air Monitoring System*. The latest data tables available are for the year 2006.
>
> There are no monitoring stations located in Warren County. The closest monitoring stations within NYSDEC Region 5 are located at Piseco Lake in Hamilton County, at Whiteface Mountain in Essex County, and in the Town of Stillwater in Saratoga County. All three stations monitor ozone and were in compliance with the New York State and National Ambient Air Quality Standards for the 8-hour average period for the last three years and for the 1-hour average period in 2006. The closest station monitoring carbon monoxide is located in NYSDEC Region 4 in Loudonville, Albany County. This station was in compliance with the one-hour and eight-hour averages for carbon monoxide for 2006. The monitoring stations at Piseco Lake and Whiteface also monitor sulfur dioxide and were in compliance with the 3-hour averages and 24-hour averages for 2006. The station at Whiteface also monitors 2.5-micron diameter particulate matter ($PM_{2.5}$) and was in compliance with the average annual mean and average 98th percentile for the last three years.[7]

CME's detailed analysis and resultant projection of the effect of the proposed Ski Bowl Village project on existing air quality conditions are provided in Section 5.D (excerpted from CME Traffic and Air Quality Analysis, which is provided in its entirety in Appendix 3).

[7] Creighton Manning Engineering, Traffic and Air Quality Analysis report, dated October 3, 2007 (see Appendix 3)

2. Biological

a. Vegetation

Descriptions of vegetation present are introduced in the UMP 1987 (p. 17), and that information is expanded upon in the UMP 1995 (Sec. 2, p. 15 to 17), and FrontStreet 2006 (3.1.6 A, with Table 3-1, Flora of the Ski Bowl Village). According to all the UMP documents (including 2002 and 2005), searches of the New York Natural Heritage Program (NYNHP) files did not identify any rare, threatened, or endangered species of plants. UMP 2002 refers to July 17, 2000 letter from NYSDEC provided in Appendix 2. From the UMP 1987:

> The forested portions of the Gore Mountain Ski Center support a mixture of vegetation typical to the forest types found throughout the Adirondack Park. The northern hardwood beech-birch-maple forest type is common, grading into mixtures with spruce and balsam at the higher elevations, and with hemlock, spruce and white pine at the lower elevations. Pure hardwood stands between these two forest types are not uncommon. Forest cover types will vary in age and composition on any site depending upon (but not limited to) an area's history of disturbance, soil type, elevation and past vegetative communities. Stands of pioneer species such as aspen, gray and paper birch may fill in areas created by large natural or human disturbance. Above the 2,900 foot elevation at Gore Mountain, spruce and balsam are found. There are no alpine meadows or other unique vegetative communities at the summit.
>
> A mixed hardwood/conifer forest covers the majority of the Ski Bowl Village project site. Such species aspen, white pine, and sugar maple exist in the upland reaches of the property with lowlands being dominated by species such as red maple, green ash, red spruce, and hemlock.
>
> The LA Group prepared a report titled, *Wildlife, Ecological Communities, and Invasive Plants on the Proposed Site of Ski Bowl Village at Gore Mountain*, which provides data on field studies conducted during the summers of 2005 and 2006. Existing forest communities and the identification of any invasive plant species existing on the Ski Bowl Village at Gore Mountain site, based on these field studies are as follows (LA Group 2006c):
>
>> The project site offers a substantial amount of undisturbed wildlife habitat. However, the variety of habitats is not great… it is dominated by three forest communities. Beech-maple mesic forest, which is dominated by American beech and sugar maple, along with some red maple, yellow birch, paper birch, hemlock, and black cherry, is the most widespread, covering approximately 193 acres. Hemlock-hardwood forest, which is similar in composition to the preceding, except that a third or more of the canopy is composed of eastern hemlock, occupies about 174 acres. Leas abundant, covering about 63 acres, is pine-northern hardwood forest, in which white pine and red pine are the dominants, with lesser amounts of bigtooth and quaking aspens, paper birch, maples, and other hardwoods. The communities in which conifers (pines and hemlock) are

> dominant occupy about 55% of the area, compared to 45% for the beech-maple forest, which has no conifers in its canopy at most locations.
>
> […]
>
> No individuals of the four target species (Japanese knotweed, purple loosestrife, common reed grass, and garlic mustard) were observed. However, individuals of three other invasive species were observed. These species are Japanese barberry (*Berberis thunbergii*), Tartarian honeysuckle (*Lonicera tatarica*) and autumn olive or Russian olive (*Elaeagnus umbellate* or *E. angustifolia*). Locations and numbers of the invasive plant species were so small and in such locations that eradication efforts would be plausible.

b. Wildlife

UMP 1987 describes both fish and wildlife presence in the area (p. 17-18), and UMP 1995 (Sec. 2, p. 18) provides discussion of the wildlife present (Sec. 2, p. 17). Additionally, the potential for marginal Bicknell's Thrush habitat was identified in the 2005 UMP Amendment (Sec. 2, p. 2-3, with Figure 2-2). Below is a summary of field observations made during the wildlife survey:.

> Surveys involving playbacks conducted in 2004 and 2005 did not detect presence of Bicknell's thrush at Gore Mountain. In 2005, one white-throated Sparrow, one winter wren, and one Swainson's thrush were detected during the survey… Field observations suggest that, although this area is above the elevation threshold for Bicknell's thrush to breed, the forest type is such that the habitat quality to Bicknell's thrush is probably marginal.

With regard to existing wildlife on the Ski Bowl Village at Gore Mountain site, LA Group's report on Wildlife, Ecological Communities, and Invasive Plants included in the NIPA II 2006, provides general description of birds, mammals, and reptiles and amphibians located on the site and also notes (LA Group 2006c):

> Most of the birds in this table are ones that could find suitable habitat on the project site. Although most could make use of the on-site habitats for foraging, not all of them would be able to find suitable nesting habitat there. For example, there are no buildings on the site, so barn swallows would have no nesting sites, and there are no banks of exposed soft soil that could provide nest sites for bank swallows. Bicknell's thrush is unlikely to nest on the site or even to visit it, except during migration, because it prefers the spruce-fir forests above elevations of 3,000 feet.
>
> […]
>
> Direct observations of mammals on the project site have been limited to a few species, including white-tailed deer, eastern chipmunk, and gray squirrel. Recent activity of beavers, in the form of new dams and freshly gnawed trees, indicates their presence,

> although the animals themselves were not seen. Also, the potential scat of black bears has been seen on several occasions.
>
> The Adirondack Park Agency has requested that a survey of the site be made for summer-roosting Indiana bats…Mr. Alan Hicks, the mammal specialist with the Endangered Species Unit of the NYS Department of Environmental Conservation, said that all of the known Indiana bat roosting sites in New York have been found at elevations below 900 feet. The Ski Bowl Village site lies at elevations above 1000 feet… Mr. Hicks said that there is no reason to believe that Indiana bats make use of this site, and that searching for them or their roosting habitat need not be done, in his opinion. He said that the letter from US Fish and Wildlife Service that identified this as a potential habitat of the Indiana bat, and prompted the discussion of this issue, was sent as a formality because it fell within a certain radius from a known hibernaculum.
>
> The project site does offer potential breeding habitat for various species of reptiles and amphibians. No species of reptiles were observed during field studies. Only five species of amphibians were observed: eastern newt (*Notophthalmus viridescens*), American toad (*Bufo americanus*), wood frog (*Rana sylvatica*), green frog (*Rana clamitans*), and pickerel frog (*Rana palustris*). Also, young individuals of a species of salamander were observed in a beaver pond in April, but they could not be identified.

c. Unique Sites

The only unique sites identified within the project area are the presence of riverside ice meadows located along the Hudson River downriver, in the vicinity of the Glen (UMP 1995, Sec. 2, p. 18-19):

> A rare plant community has been identified at various downriver locations along the Hudson River. Riverside ice meadows (Reschke, 1990) is a natural community described as a meadow that occurs on gently sloping cobble shores and rock outcrops along large rivers… The locations of riverside ice meadows generally correspond to the areas where winter ice floes are pushed up onto the shores, scouring the shores during spring runoff and forming an icepack that remains until late spring (Reschke, 1990)…
>
> …the exact variables influencing the formation and perpetuation of ice meadows have not been determined…
> …Regardless of the exact factors responsible for the occurrences of riverside ice meadows, the community is considered to be rare on a global scale (G2G3) and support a number of rare plant species. In New York State the community has been given a ranking indicating that there are typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or especially vulnerable to extirpation in New York State for other reasons… The best example of this natural community occurs south of The Glen on the Upper Hudson River, and it estimated to be 115 acres in size. Eight rare plant species are known to inhabit riverside ice meadows in New York: whip nutrush, sand cherry, brown bog sedge, and dwarf blueberry. Many of the plant species found in this habitat are at the edge of their natural ranges.

The Adirondack Nature Conservancy is currently (September, 1994) in the process of buying 195 acres of Hudson River shoreline between North Creek and Warrensburg from Niagara Mohawk Power Corporation. It is the Nature Conservancy's intent to establish a nature preserve available for public access and also for further study to better determine the dynamics responsible for the creation and continued existence of the riverside ice meadow community.

d. Critical Habitat

Most plant communities located within the vicinity of Gore Mountain are rated as either apparently or demonstrably secure in New York State. The mountain Spruce-Fir forest is ranked as being S1, meaning that there are typically five or fewer occurrences. This is thought to be caused by a pathological condition of unknown causes called "Spruce Decline". A more in depth discussion of the critical habit is found in UMP 1995 (Sec. 2, p. 19).

The Critical Environmental Areas of closest proximity to Gore Mountain, as identified by the NYSDEC, are the waters and wetlands of Lake George located approximately 18 miles away, Round Pond, Rush Pond and Glen Lake that are all located in the town of Queensbury, NY nearly 23 miles away.

3. Visual Resources

The project area is located within the eastern part of the Adirondack Park. This area is categorized by predominantly rugged terrain within patches of level land in the valley. Relief ranges from the peak of Gore Mountain at 3,683 feet AMSL, to a low of less than 800 feet AMSL along the banks of the Hudson River.

The Adirondack Park is a mix of private and public lands. Much of the surrounding area is heavily wooded, and sparsely developed to undeveloped. Residential homes and sporadic businesses are located along NYS Route 28, north and south of the Project area. The Hamlet of North Creek, a densely populated village, is directly east of the Ski Bowl area, across NYS Route 28. The Gore Mountain Ski Center and the Johnsburg Town Park are located adjacent to the Project on the south. Much of the surrounding area is heavily wooded and sparsely developed to undeveloped. The Ski Center is partially visible from local roadways: clearly at times, but frequently filtered by topography and mature trees.

There are two National Register Sites located within the project study area. These sites are:

- The Adirondack Forest Preserve: the project site is located entirely within the Preserve.
- The North Creek Railroad Depot Museum, Railroad Place, North Creek: located approximately one to two miles northeast of the project site.

The Ski Center is bordered to the north by state lands classified as "Wild Forest" under the Adirondack Park State Land Use Master Plan. These lands include the Vanderwhacker

Mountain Wild Forest Area. In addition, the Siamese Ponds Wilderness area adjoins the Ski Center to the west. (see APA Land Classification map on page 3 of Appendix 1). Within the Forest Preserve, the project site is located within a State designated "intensive use area".

The Hudson River is included in the New York State Wild, Scenic, Recreational River system, and is specifically designated as a recreational river within the study area. The river is designated as recreational from approximately six miles upgradient of the mouth of North Creek downgradient to Lake Luzerne.

The Central Adirondack Trail (Route 28) and the Roosevelt-Marcy By-way (including the North Creek Railroad Depot Museum) are located within the study area.

No Scenic Areas of Statewide Significance (SASS) are located within the project study area.

There are NYSDEC hiking trails throughout the Adirondack Park, including trails within the study area. The Schaefer Trail is a 4.5-mile long trail that loops around the ski center at Gore Mountain, making use of some of the ski trails, as it climbs to the mountain's summit. The trail crisscrosses parts of the project site.

There is one scenic vista located within the project study area. It is located on Peaceful Valley Road, to the north of the crossroads at Sodom. The project site, however, is not visible from the scenic vista point; the view is of the peaks to the north/northeast, and the project is located to the west.

A selection of viewpoints was identified and full assessment was made. See the 2005 UMP Amendment for the full descriptions. The full Visual Impact Assessment performed for the project may be found as Attachment S to the 2005 UMP Amendment. The NIPA II 2006 includes visibility maps and photos of existing visual conditions.

B. Human Resources

1. Land Uses/Land Use Plans

The TJCP, Johnsburg Proposed Land Use Program (JPLUP) (in draft form), the Hamlet Revitalization Plan, and the Warren County LDC (WC LDC) New York Main Street Administrative Plan all provide extensive guidance as to the local development and land use plans for the project areas. In addition, nearby State Lands are managed pursuant to UMPs that have been developed for these areas by NYSDEC.

The TJCP not only provides guidelines for public land use, but also takes into account economic and community development F (TJCP 2005):

> The comprehensive plan is intended to serve as a guide for future growth, development, and preservation in the Town of Johnsburg. It describes the town's environmental resources and community infrastructure, examines current land use patterns, analyses

> growth trends, discusses future needs, establishes goals, and sets forth policies and a plan to achieve the goals.
>
> The plan focuses upon land use issues, but takes into account economic and community development concerns. It establishes specific goals and policies with regard to land use, and general goals and policies in regard to economic and community development. It is intended that specific plans for economic and community development be prepared as a follow-up, or corollary, to this comprehensive plan.
> New York State zoning statutes require that a zoning ordinance or law be based upon a comprehensive plan. Accordingly, this plan establishes the rationale for proposed changes in the town's zoning and land subdivision regulations.
>
> This plan is also intended to serve as the basis for requests for any requests to amend the Adirondack Park Land Use and Development Plan Map pursuant to Section 805, part 2, c, (3) of the Adirondack Park Agency (APA) Act. Specifically, it is meant to serve as the "comprehensive inventory and analysis of the natural resource, public, economic and other land use factors as may reflect the relative development amenability and limitations of the lands within the entire jurisdiction," as well as the formally adopted comprehensive master plan cited in the aforementioned section and part of the APA Act.
>
> In addition, should the Town of Johnsburg choose to make application to the Adirondack Park Agency for an Approved Local Land Use Program pursuant to Section 807, part 2 of the APA Act, this plan is intended to support such application.
>
> Preparation of the plan has been a joint responsibility of the Town of Johnsburg Comprehensive Plan Committee, composed of Town residents, and Dr. Richard Lamb of the State University of New York at Plattsburgh, a planning consultant retained by the town to assist the Committee in their task. The consultant wrote the documents, prepared all maps, and served as an advisor and facilitator in the committee's deliberations. The committee met over the course of several months to review relevant information, determine goals and objectives, and establish the plans and regulatory changes proposed in Part 3 of the plan.

The Johnsburg Proposed Land Use Program's purpose is not only to apply the policies of the TJCP, but also serves as a guide to the regulation of population and development (JPLUP, 2007):

> The overall purpose of this law is to promote the health, safety, and general welfare by regulating the density of population; and the location, intensity and use of buildings, structures and land; for trade, residence, recreation or other purposes. Further purposes of this law are to implement the goals and policies of the Town of Johnsburg Comprehensive Plan adopted on July 19, 2005 and any amendments thereto.
>
> It is the further purpose and objective of this law to ensure optimum overall conservation, protection, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological and natural resources of the Adirondack Park and to preserve the beauty and character of the Adirondack Park setting to the benefit of the town residents and visitors to the community.

The JPLUP provides detailed information on its general provisions, requirements of permits and procedures, regulations for the zoning district and the commercial-industrial floating zone, along with additional regulations for supplemental, signage, and certain other uses. It provides further information for site plan review and approval, special use permits, class A and class B regional project reviews, appeals, administration, and enforcement of the JPLUP.

The Warren County Local Development Corporation (WC LDC) is in charge of conducting activities related to the New York Main Street Program. WC LDC responsibilities include:

> …conduct outreach in the target area to make all property owners aware of the availability of financial assistance through the New York Main Street (NYMS) Program. «Abbreviation» will develop and distribute informational materials to market program availability and explain requirements. These will be distributed to businesses and property owners in the target area and made available for distribution to local governments, libraries, chambers of commerce, business associations, and other local partners. Public informational meetings will be held at one or more locations within the community to present information and answer questions. Instructions on how to apply for assistance and required forms will be available at the offices of «Abbreviation» and other local partners. (WCLDC 2007)

WCLDC provides guidance for businesses throughout all phases of approved projects, including planning, development (including design), construction, financial management, and ongoing maintenance.

UMPs have been developed from State Forest Preserve Lands in the vicinity of the project area. These include the Siamese Ponds Wilderness Area (SPW 2005), and the Vanderwhacker Mountain Wild Forest (VMWF) (VMWF 2005). These plans provide inventories of resources, facilities and use of these areas, as well as management recommendations to ensure that these lands are managed in accordance with criteria and guidelines of the Adirondack Park State Land Master Plan.

2. Transportation

CME conducted a traffic and air quality analysis in 2007, relative to the increased traffic generated by the proposed Ski Bowl Village project located on the northeast side of Gore Mountain, to determine if the findings in previous UMPs are still valid. Existing traffic conditions are as follows (CME 2007):

> For existing traffic conditions, turning movement counts were conducted at the intersection of Route 28 at Peaceful Valley Road on Sunday, January 28, 2007 and Friday, February 2, 2007 from 3:00 p.m. to 5:00 p.m. as part of the Ski Bowl Village project. These times represent the peak period that includes the hour before the Gore Mountain Ski Area lifts shut down (4:00 p.m.) and the hour afterwards. It is expected that these periods would also coincide with skiers of the Ski Bowl Ski Area, commuters, guests of the hotels, and residents of the Ski Bowl Village project. The existing (winter) traffic volumes are shown on Figure 1 and the raw turning movement count data are included as Attachment A.

CME's detailed analysis and resultant projection of the effect of the proposed Ski Bowl Village project on existing traffic conditions are provided in Section 5.I of this SEIS.

3. Community Services

As summarized in TJCP 2005, and shown on the Project Relation map (see Appendix 1, page 2), community services within the hamlet of North Creek and Town of Johnsburg include:

Fire Protection

There are seven fire companies in the Town of Johnsburg: Bakers Mills/Sodom, Johnsburg, Garnet Lake, Weavertown, Riparius, North River, and North Creek. The first six are in the Johnsburg Fire Protection District; the last is in the North Creek Fire District.

The Johnsburg Fire District is governed by the Johnsburg Town Board, which funds the six volunteer departments through a contract agreement. The North Creek district is an independent taxing district. There is a strict policy of mutual aid among the fire companies.

Police Protection

The Town of Johnsburg is served by the County Sheriff Department based in Warrensburg and Brant Lake, and the New York State Police based in Chester and Bolton Landing. They are charged with upholding any enforceable local, county, and state ordinance or law.

Town Offices

The Johnsburg Town Hall, located in the hamlet of North Creek, provides office space for the Town Supervisor, Assessors, Town Clerk, and Tax Collectors, and a storage room for town records.

Tannery Pond Community Center

The recently constructed Tannery Pond Community Center serves as a venue for a variety of local and regional functions, including cultural events as well as town business. It is also the home of the Gore Mountain Chamber of Commerce.

Highway Department

The Town Highway Department garage is located at the north end of the North Creek Ski Bowl. The Highway Garage is a metal building with over 13,000 square feet of garage and storage space. The department maintains 94 miles of town roads, only a quarter of which has paved surfaces. There are a substantial number of short, dead-end roads which were included as part of the system in the early 1960's, when department equipment was generally smaller and maintenance requirements were less demanding. With the trend toward ever larger highway machinery, maintenance and especially plowing of these roads has become increasingly difficult and impractical.

Johnsburg Central School

In 1896, a school was built on the site where the current Johnsburg Central School (JCS) now sits. The school peaked in population in the 1970's with annual enrollment around 700. With the closing of National Lead, the numbers dropped dramatically and have stabilized in the 1990's around 400.

Health Care

The Hudson Headwaters Health Care Network, a regional organization, maintains a health care center in North Creek, and also in Chestertown, Warrensburg, Indian Lake, Bolton Landing, Schroon Lake, and Ticonderoga. The Network provides comprehensive primary care services, including treatment of chronic, acute and emergency illness in the office, nursing home, and hospital.

The Adirondack Tri-County Health Care Center, located on State Route 28 in North Creek, services the Town of Johnsburg as well as a wider region that includes portions of northern and central Warren County, southern Hamilton County, and south-western Essex County. It provides care for aged, disabled, and the chronically impaired.

Ambulance and Emergency Squad

The Town of Johnsburg has two full-time ambulances and one on a back-up basis, both staffed by volunteers. They respond to about 350 calls per year, with the busiest period being during the ski season. Many volunteers are trained as Emergency Medical Technician's and a few in Advanced Life Support (ALS). They are funded through the town and annual fundraising. The building is located at the end of Peaceful Valley Road in Sodom.

The town is also serviced by Empire, a private ambulance company that covers all of Warren County.

Lower Adirondack Search and Rescue, Inc. (LASAR), founded in 1990 in Warrensburg, assists the NYSDEC Forest Rangers and law enforcement agencies in searches for missing persons and in rescue missions.

Town of Johnsburg Library

The library is a free, public library, chartered to provide services to the people of the Town of Johnsburg and is housed at the rear of the town hall building on Main Street in North Creek. It opened in one room in 1996. A tremendous increase in the number of users and the collection it prompted a building expansion in 1998-99. The missions of the Town of Johnsburg Library are to: (1) promote reading and literacy in our service area, (2) collect, preserve and distribute printed and other materials to help meet the needs of the people of Johnsburg; and (3) serve as the cultural center of the township.

Ski Bowl Park

Existing facilities at Ski Bowl Park include:

- a covered pavilion that is flooded for ice skating in winter
- an adjacent heated recreation building
- three tennis courts and an outdoor basketball court
- Little League field
- an open hockey rink
- a tot lot
- a dam and swimming area
- a softball field
- a trailhead for a variety of marked hiking trails leading up through the old ski terrain to the summit of Gore Mountain.

A letter to the Town of Johnsburg Supervisor dated September 4, 2007, from FrontStreet acknowledges and confirms the agreements made on the subject of the North Creek Fire District matters between FrontStreet, the Town of Johnsburg, and the North Creek Fire District (see Appendix 1, pages 7 and 8). As per the letter, representatives of all three parties acknowledge and agree to the arrangements set forth within the FrontStreet APA NIPA. One response and the related Town letter to the APA dated September 2006, as follows:

> FSMD agrees to provide the funds needed for the purchase of a ladder truck and pay for the construction of the garage associated with housing the new ladder truck and equipment, and associated training for use of the equipment. These funds would be triggered by the NCVFD's [North Creek Volunteer Fire Department] review of the "approved stamped" architectural drawings for a FSMD building determined to be beyond the capabilities of the current NCVFD's equipment. A FrontStreet building is any building on the current FrontStreet property (including lands that may be acquired from the Town). These drawings are to be reviewed the same month they have been approved for construction. This assumes it will take about as long to get the equipment as to complete construction of the building that triggers the need for it.
>
> FSMD will immediately assist the NCVFD in applying for grants for a fully equipped ladder truck and associated garage housing. Further, FSMD will pay for the services of a professional grant writer to assist in drafting the applications for such grants.
>
> FMSD funds will equate to the difference between the cost of the ladder truck and associated garage housing and any grants obtained by NCVFD.
>
> In the event an unrelated party in the NCVFD fire district proposes a project that requires ladder truck support, then the Town of Johnsburg will take reasonable efforts to require that party to share in the funding. This agreement will be binding on any future owner of this site and any other site in the NCVFD district.
> The express intention of this agreement is that the subject equipment will come at no cost whatsoever to the Town of Johnsburg or the Fire District or Taxpaying members of the District.

4. Cultural Resources

Archaeological sites, historic buildings and structures, landscapes, and objects are collectively known as cultural resources. Since the inception of the proposed project, several studies have been conducted to identify and evaluate existing cultural resources on the site. Findings from these studies are excerpted below:

From the UMP 1995 (Sec. 5, p. 92):

> The NYS Office of Parks, Recreation and Historic Preservation (OPRHP) notes, in a letter of December 15, 1994 provided in Appendix 5, "Correspondence," that there are no concerns regarding archeological impacts of the UMP. The OPRHP has reviewed the proposed addition to the historic engine house in North Creek for the snowmaking water transmission line pump station and has approved a final design for the addition (refer to April 4, 1995 letter form OPRHP provided in Appendix 5, "Correspondence.")

Phase 1A and 1B Cultural Resources report and Architectural report may be found in the FrontStreet 2006 as Attachment P. Summary of findings in these document states:

> Phase 1A findings:
>
> The Ski Bowl Village parcels in North Creek are in the Totten and Crossfield Purchas (1771) "… of more than a million acres from the Mohawk Indians, a tract encompassing the heart of the Adirondacks" (Hudson River Interpretative Site Location 4 "Cultural Heritage" in North River on NYS Route 28). At that time, all of Johnsburg was part of the large Town of Thurman, which also included Bolton, Warrensburg, Stony Creek, and a part of Caldwell (now Lake George).
>
> North Creek, the largest hamlet in the Town of Johnsburg, evolved historically from an early logging camp. A tannery was established in 1852. The railroad arrived in the 1870s, and North Creek became a shipping center for lumber, wood products, and garnet from the mines.
>
> Phase 1B findings:
>
> A fifty foot grid pattern was established for subsurface Phase 1B testing. All soils recovered from shovel test excavation units were screened through ¼ inch steel hardware cloth mesh to aid in the recover of artifacts. Excavation extended to .5 feet (16 cm) of sterile subsoil. If any cultural materials were recovered, they were to be assigned to the soil stratum from with [sic] they were obtained. Stratitgraphy encountered during the shovel testing was recorded on standardized provenance forms. Soils were described by reference to Munsell colors and identified as to texture and inclusions. All shovel tests were immediately backfilled after each was recorded.
>
> The steepness of slope and disturbed areas limited testing to an area along the culvert (see Attachment P). A total of 104 shovel tests were excavated on a 50 foot grid. Forty-one

> (39.42 percent) of the shovels had three layers (topsoil, A horizon, B horizon), 56 (53.85 percent) of the tests had two layers, and 7 (6.73 percent) had only one layer. Sterile subsoil to the extent of 16 cm (0.5 feet) was not reached in 60 tests (57.69 percent) due to encountering bedrock in the shovel tests.
>
> No historic artifacts were encountered during the Phase 1B shovel testing. No prehistoric features observed. A cultural feature was encountered and some preliminary study was initiated to ascertain its identity. Traits were recorded based on observable data.
>
> In addition, a full phase 1 Archaeological Survey is included in the NIPA II 2006 at tab 70.

The Phase II study conducted and reported by Hudson Mohawk Archaeological Consultants, LLC., (HMAC) found the following (HMAC 2007, p. 1, 12, 14-15):

> During the Phase I surface walkover Greenhouse Consultants, Inc. (GCI) personnel noted "industrial remains" in the wooded area off of Ski Bowl Road. The Phase IB survey was conducted in October 2005 during which the structural remains was [sic] tested using a standard shovel testing program consisting of a 50 foot (15m) interval. At that time the structural remains were measured and sketched. The historic site consisted of structural remains comprised of thirty-four (34) concrete stanchions/piers and other related structural elements within an area of 50 feet wide by 150 feet long. During the Phase 1A research, no map documented structures (MDS) were identified within the project area and area of potential effect (APE) which totaled 399 acres. During the Phase IB, 150 shovel test pits were excavated by GCI personnel. No artifacts were recovered during the Phase IB survey.
>
> In June 2006, GCI determined that the structural elements may be the remains of a 19th century tannery. In October 2006, OPRHP review of the Phase I did not concur with this historic site determination and requested more information regarding the age and function of the structural remains. In March 2007, GCI amended its Phase I report to re-designate the structural remains as either a tannery or as possibly Waddell's Slaughter House, based on oral interviews and archival documentation provided by the Johnsburg historian, Doris Patton. OPRHP review in March 2007 again did not concur with this determination review of the historical documentation, which was not provided at the time of report submission. In June 2007, OPRHP, upon review of the historical documentation of the approximate location of the Waddell Slaughterhouse [sic], deemed that the site as [sic] potentially significant and eligible for potential listing on the State and National Register of Historic Places and given the Unique Site Number (USN) A11306.000090 (Appendix III). Based on this determination, OPRHP recommended that either a plan of avoidance be submitted to preserve the site or that a Phase II archaeological evaluation of the site be conducted to determine its significance and potential eligibility for the State and National Registers.
>
> …On June 18, a site visit was conducted in the project area by HMAC personnel. A surface walkover of the site area encompassing the structural remains was performed, noting the overall site plan and orientation of the elements, natural topography and

possible man-made alterations. During this site visit, the entire site was surface walked, photographs were taken and the coordinates of the major and outer most structural elements were recorded with a global positioning system (GPS) (Map 2)…

…The lack of material evidence does not support GCI's designation that the historic feature is the structural remains of Waddell's Slaughter House. Slaughter houses, through their normal operation, would produce waste materials in the form of cut, sawn or hacked bones and bone fragments. Not a single faunal bone fragment was recovered from the area around the structure or with the site plan of the structure indicating that no bone waste was deposited. The same would apply to a lesser degree for a tannery operation which would process animal hides using great amounts of water. No evidence of animal material was found in the site area. Also tanneries would require more then [sic] one vat. The nearest water source is a seasonal stream which runs approximately 100 feet to the north and east. In addition, historic map research shows no listing of Waddell's Slaughter House or a tannery in this area (or any structure for that matter). Archival documentation from local historians state that the slaughter house was possibly located 300 to 400 feet to the east of the site area, nearer to the present site of the Nursing Home and the Route 28 bypass. This archival evidence also states that Waddell's Slaughter House had been demolished in the early 1970s during road construction of Ski Bowl Road (William Waddell, Jr. 1973: np).

…The original designation of the site as a tannery was later amended to a tannery/slaughter house based on archival historical documentation. Based on the site plan and artifact evidence from the Phase II, it is now believed that the structural remains of an early 20th century steam powered sawmill which was constructed by the Waddell family to exploit the hardwood stands on their property. This saw mill may have been built and operated in conjunction with George Stearns, father-in-law to Roy Waddell, who owned the property during the early 20th century. There is no historic documentation of this enterprise. This saw mill may have been used for several years only until the hardwood stands on the mountain ran out. In the North Creek area, this occurred in the late 1920s. The saw mill was probably abandoned around that time, and like other mills (Stearns Saw Mill) in the area, the steam engine and machinery were salvaged for scrap, probably in the 1930's.

HMAC recommends that Waddell's Slaughter House Site be re-designated as Waddell's Saw Mill Site, based on evidence of design and organization of the site plan. Waddell's Saw Mill Site (former Slaughter House Site) has little or no significance for its research potential due to lack of integrity and significant artifact deposits. A paucity of artifacts was documented around the structure while no significant *in situ* artifact deposits were encountered. The lack of material evidence indicates limited use and/or a short period of occupation of the site, possibly a few years or less. This is corroborated by analyses of the few diagnostic architectural artifacts recovered which indicate a possible date of construction in the early 20th century. Analyses of datable artifacts recovered from post-depositional deposits recovered in the reservoir tank after site abandonment indicates a date range in the late 1920's.

> Based on its lack of archaeological integrity and limited research value, Waddell's Saw Mill Site (former Slaughter House Site) is not eligible for the State and National Register of Historic Places… We recommend no further work on this site.

The results of these studies indicate that there are no significant cultural resources on the site, and no further documentation or analysis is necessary.

5. Open Space/Recreation

The town of Johnsburg offers, and is known for, a wide range of outdoor recreational opportunities and represents a four season destination area. Existing recreational activities include downhill skiing at Gore Mountain, cross country skiing, and snowmobiling during the winter months. At other times of year, white water rafting on the Hudson River, hiking, swimming, fishing and hunting are offered. (TJCP 2005).

The primary season for tourism is the winter, with over 200,000 skier visits to Gore Mountain occurring during each of the past four ski seasons, as described in Section 4.C.5 of this document. Nonetheless, there are substantial recreational uses outside the ski season, as described in Section 2 of the 2005 UMP Amendment (page 2-11):

> Hikers, as well as sightseers, use the Ski Center lands in the off-season. Other non-ski season activities at the ski center include a fall foliage festival and mountain bike races which are held in the summer months. Gondola rides occur during the fall foliage season at Gore Mountain.
>
> Summer use for hiking and sightseeing is approximately 10,400 persons.
>
> Hunting, trapping and fishing are prohibited at the Gore Mountain Ski Center. Only non-consumptive use of wildlife resources is permitted on Ski Center lands.

Other examples of non-ski related recreational events located at or adjacent to Gore Mountain which are open to the public are described on the Gore Mountain Ski Center website, (http://www.goremountain.com/mountain/events.cfm; accessed September 18, 2007) including:

> Gore Mountain Leaf Cruncher: Get ready to run!
> The Leaf Cruncher is a challenging 5K trail run held during our Harvest Festival. The race is held on our base area cross-country trails.
>
> Lincoln Logs New Year's Eve Fireworks Spectacular: North Creek
> Amazing fireworks will illuminate the base area at dusk (approximately 5:15pm), kicked off by a fun torchlight parade!
> Free to the public, Happy New Year!
>
> Sunrise Service: Nondenominational Easter Service

> Welcome in Easter with music, service and beautiful Adirondack scenery. Upon completion of the service, guests may ski down a specified guided route, or take the gondola back to the base area.

As stated in section 4.B.3, the Siamese Pond Wilderness (SPW) adjoins the Gore Mountain Ski Center to the west. Vanderwhacker Mountain Wild Forest is adjacent to the Gore Mountain Ski Center to the north (VMWF 2005 UMP). SPW Unit Management Plan, adopted in 2005, focused on development of several key year-round recreational activities, many of which could be enjoyed by visitors to Gore Mountain and the Ski Bowl. The SPW UMP executive summary states that "popular points of interest include the Siamese Ponds that gave the area its name, Puffer Pond, Puffer Mountain, Chimney Mountain, Auger Falls, and Thirteenth Lake." Of special importance to the Ski Bowl development, in light of the addition of an equestrian center, is the plan to develop designated horse trails in the SPW. From SPW 2005 UMP:

> Currently there are no designated horse trails in the Siamese Ponds Wilderness, but the area does receive use from horses on non-designated trails… The use of horses is an excellent means by which persons with mobility impairments can access recreational programs in a wilderness setting. The use of horses in the SPW is a historical use that occurred long before the land came under public ownership. Therefore, this plan proposes the creation of several horse trails in the SPW at locations which can sustain such use and that meet the requirements of the APSLMP [Adirondack Park State Land Master Plan].
>
> …Thirteenth Lake provides a unique experience in that a wilderness-like lake is easily accessed from a public road. This is an excellent location to develop opportunities for mobility impaired individuals… this plan proposes that motorized use on Thirteenth Lake be limited to electric motors only… electric motors would still allow access to the late by those individuals who want the assistance of a motor, including persons with disabilities.

Fishing, an activity which is prohibited on Gore Mountain Ski Center and Ski Bowl lands, is a possible recreation in SPW lands. The SPW UMP set forth plans to maintain and distribute certain populations of brook trout in order to disperse angling pressure on fisheries. Also proposed in the SPW UMP was development of additional primitive tent sites at the north end of Thirteenth Lake with access to a privy and fire ring, along with a picnic area with three picnic tables and three fire rings for day use only. There are currently foot and cross country ski trails in the SPW but the plan provides guidance for the addition of loop trails to increase the opportunities for short day trips within the area. There are additional campsites located at the Indian Lake, which were being brought into conformance with a 1979 reclassification to Wilderness areas, and in doing so connect to 35 campsites in the adjacent Jessup River Wild Forest.

From the NIPA Final Response as of 9-25-06 (NIPA 2006, p. 28):

> Private [ski] trails will be limited to residents of the project and will be signed at entry points to discourage public use. The practical effect of the restriction (public policy only) will be that non-resident public skiers will not be allowed to utilize the private chairlift.

> In reality, should a non-resident skier accidentally traverse such trails they will be accommodated on the private ski lift and instructed that it is not, however, open to the public.

From the NIPA Final Response as of 9-25-06 (NIPA 2006, p. 30):

> Golf course fairways (not on the primary ski trails) will not be offered to or used by skiers for glade skiing. There will be no snowmaking or grooming, the fairways will be somewhat horizontal to the downhill trails, and actions will be taken to protect the tee boxes and greens during winter months, such as erecting plastic fence barriers as used on ski trails during race events.

Additionally facilities would be open to the public, including a spa, restaurant, retail convenience store, and a retail gallery.

6. Socio-economics

Recent and ongoing growth trends serve as a benchmark in growth impact studies. A solid understanding of ongoing and expected trends is an aid in assessing the subject project proposal(s) in the context of growth that would occur with or without the proposed projects. The growth/economic/fiscal impact reports address the issue of background local/regional growth as follows:

- The ORDA study provides minimal data regarding the economy of Warren, Essex, Clinton and Franklin Counties. Rather, the report emphasizes tourism as a percentage of the economy.
- The New York State Comptroller's report is focused on skiing industry activity in the region – rather than background community growth.
- The Ski Bowl Village (FrontStreet) report contains extensive data and text profiling the local/regional area as well as indicators of growth/change over time. It is noted that the report contains extensive chapters regarding: 1) Socio-economic characteristics from demographic, housing and employment perspectives at the local and regional levels, as well as; 2) Socio-economic characteristics of the business community, at the local and regional levels.

The following data are provided to augment the existing database and analyses, as summarized above:

a. Population

Table 4-1 below summarizes historic population change for: New York State, Warren & Essex County, the combined impact region and the Town of Johnsburg. Percentage change is shown in each instance.[8]

[8] Sources: New York State, U.S. Bureau of the Census.

Table 4-1: Historic Population Change: New York State, Warren County, Essex County, Impact Region, Town of Johnsburg

	1960	1970	1980	1990	2000	2005	Change 1960-'05
New York	16,782,304	18,236,967	17,558,072	17,990,455	18,976,457	19,254,630	
% Change		+8.7%	-3.7%	+2.5%	+5.5%	+1.5%	14.7%
Warren County	44,002	49,402	54,854	59,209	63,303	65,548	
% Change		+12.3%	+11.0%	+7.9%	+6.9%	+3.5%	49.0%
Essex County	35,300	34,631	36,176	37,152	38,851	38,676	
% Change		-1.9%	+4.5%	+2.7%	+4.6%	-0.5%	9.6%
Impact Region	79,302	84,033	91,030	96,361	102,154	104,224	
% Change		+6.0%	+8.3%	+5.9%	+6.0%	+2.0%	31.4%
Johnsburg			2,173	2,352	2,450	2,639	
% Change				+8.2%	+4.2%	+7.7%	

The data make it clear that Johnsburg and the broader impact region have been growing at a faster rate than New York as a whole. Between 1960 and 2005, the Impact Region grew by 31.4 percent, while the state grew by only 14.7 percent. Growth in Warren County occurred at a faster pace than in Essex County. While Johnsburg remains a small community, population growth has been occurring at a solid pace.

Available population projections call for the Impact Region's population to continue to grow at a faster pace than New York as a whole. This is show in the Table 4-2 below.[9]

Table 4-2: Projected Population Change: New York State, Warren County, Essex County, Impact Region

	2005	2010	2015
New York	19,254,630	19,506,205	19,726,343
% Change		+1.3%	+1.1%
Warren County	65,548	66,037	66,891
% Change		+0.7%	+1.3%
Essex County	38,676	40,142	40,629
% Change		+3.8%	+1.2%
Impact Region	**104,224**	**106,179**	**107,520**
% Change		**+1.9%**	**+1.3%**

[9] Source: New York State Statistical Information Data.

Projections call for the Impact Region to continue to grow at a faster pace than the state. However, the projections show the rate of growth declining and the gap between Impact Region and statewide growth narrowing.

Year-round population data tell only part of the growth story in a community like Johnsburg. With a substantial stock of seasonal homes and lodging facilities, Johnsburg's population can vary significantly from season to season. While seasonal residents don't show up on local population statistics, they do create a demand for services in the host community. As such, 'destination' communities like Johnsburg must provide services to a larger group of persons than that represented in population statistics.

Thus, Johnsburg has both an official population (as represented by census statistics) and an 'effective' population, which includes both year-round and seasonal residents. Most notably, the number of persons in the community peaks at certain times of the year. Conversely, at off-peak periods (April-May, November-Early December), Johnsburg's population very closely approximates census figures.

The Ski Bowl Village report estimates Johnsburg's seasonal population to be 1,250 persons. From an impact perspective, it may be more effective to view this population from 'effective' perspectives: the average number of persons in the community over the course of a year and the peak population of the community. Current estimates are shown in Table 4-3 for the Town of Johnsburg.[10]

[10] *Effective Population* is a concept that attempts to provide a more realistic estimate of the real population of a travel/resort oriented community, particularly as it pertains to service levels that are required because of the presence of additional persons. Note that the figures in the table estimate the average number of persons in Johnsburg on a: year-round basis and; during peak periods. Effective population combines year-round residents and estimated average occupancies of second homes and lodging beds to derive an estimate of the average number of persons residing in a town during the course of a year and the peak period of persons residing in a town during the course of a year. The estimates assume the following: Average Annual Basis – Lodging beds have 40 percent occupancy rate with 50 percent of capacity utilized; Seasonal homes occupancy 25 percent by an average of 3.0 persons; Peak Period Basis – Lodging beds at 95 percent occupancy rate with 80 percent of capacity utilized; Seasonal homes 80 percent occupied by an average of 4.25 persons. The calculation is oriented toward estimating the number of persons staying overnight in the community – day visitor volumes (including many skiers) exceed these levels.

Table 4-3: Effective Population Estimates; Average and Peak Annual Levels		
	Average Level Effective Population	**Peak Level Effective Population**
Year-Round Residents	2,639	2,639
Seasonal Residents	511	2,279
Total Effective Population	3,150	4,918

While Johnsburg's year-round population is 2,639 persons, its average 'effective' population is estimated at 3,150 persons. During peak periods (10 to 15 times annually), the town's population expands to approximately 4,900 persons.

School Enrollment

Education is a major public cost. As such, school enrollments are significant fiscal indicators. Recent trends in enrollment for the Johnsburg Central School District are shown in Table 4-4.[11]

Table 4-4: School Enrollment Trend: Johnsburg Central School District						
					% Change	**% Change**
	1985	**1995**	**2000**	**2005**	**1985-'05**	**1995-'05**
Johnsburg Central School District Enrollment	513	417	407	432	-15.8%	3.6%
Change		-96	-10	25		
% Change		-18.7%	-2.4%	6.1%		

Overall, enrollment in Johnsburg schools declined during the past 20 years. However, total enrollment increased between 2000 and 2005.

b. Housing

Table 4-5 contains updated housing data for New York State, Warren and Essex Counties, and the Impact Region. The table shows change in total housing units, occupied housing units and seasonal housing units.[12]

[11] University of the State of New York. State Education Department. Elementary, Middle, Secondary, Continuing Education (NYSDEC EMSC) – via the LA Group.

Table 4-5: Housing Stock: New York State, Warren County, Essex County, Impact Region

	New York State			Warren County			Essex County			Impact Region		
	1990	2000	2005	1990	2000	2005	1990	2000	2005	1990	2000	2005
Housing Units	6,639,322	7,679,307	7,853,020	31,737	34,852	36,713	21,493	23,115	24,054	53,230	57,967	60,767
Total % Change		15.7%	2.3%		9.8%	5.3%		7.5%	4.1%		8.9%	4.8%
Annual Change		103,999	34,743		312	372		162	188		474	560
Occupied Units	6,051,753	7,056,860	7,216,493	22,559	25,726	27,100	13,721	15,028	15,638	36,280	40,754	42,723
Total % Change		16.6%	2.3%		14.0%	5.3%		9.5%	4.1%		12.3%	4.8%
Annual Change		100,511	31,927		317	275		131	122		447	394
As % of Total		91.9%	91.9%		73.8%	73.8%		65.0%	65.0%		70.3%	70.3%
Seasonal Units	212,625	235,043	240,360	6,942	7,234	7,620	5,929	6,118	6,367	12,871	13,352	13,997
Total % Change		10.5%	2.3%		4.2%	5.3%		3.2%	4.1%		3.7%	4.8%
Annual Change		2,242	1,063		29	77		19	50		48	129
As % of Total	3.2%	3.1%	3.1%	21.9%	20.8%	20.8%	27.6%	26.5%	26.5%	24.2%	23.0%	23.0%

Note: 2005 figures for Occupied and Seasonal Units estimated based on year 2000 ratios.

Not surprisingly, seasonal housing accounts for a substantial portion of the total housing stock in the Impact Region. However, it is significant to note that seasonal housing increase has fallen well below the rate of occupied housing change in recent years – in the Impact Region.

Similarly, updated data are shown for the Town of Johnsburg in Table 4-6.[13]

[12] Sources: New York State, U.S. Bureau of the Census.
[13] Sources: New York State, U.S. Bureau of the Census.

Table 4-6: Housing Stock: Town of Johnsburg

	1980	1990	2000
Housing Units	1,304	1,467	1,714
Total % Change		12.5%	16.8%
Annual Change		16	49
Occupied Units		860	999
Total % Change			16.2%
Annual Change			28
As % of Total			58.3%
Seasonal Units	202	526	604
Total % Change		160.4%	14.8%
Annual Change		32	16
As % of Total		35.9%	35.2%

Seasonal housing accounts for 35 percent of Johnsburg's housing stock, indicative of its role as a destination community. During the 1990 to 2000 period, the number of seasonal housing units in the community increased at an annual rate of approximately eight units. Between 1980 and 1990, the number of seasonal units increased at an annual rate of 32 units.

Residential building certificates are a good measure of recent housing development activity. These are shown for Warren and Essex Counties and the combined Impact Region in Table 4-7.[14]

[14] Source: HUD State of the Cities. Data not available for Town of Johnsburg. 2006 data through November only.

Table 4-7: Residential Building Permits: Warren County, Essex County, Impact Region

	Residential Building Permits Authorized											
	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*	*2006**	**Totals**	**% of Total**
Warren County												
Single-Family	232	278	287	321	250	408	428	442	451	306	3,403	85%
Multi-Family	46	25	29	57	32	54	74	88	83	130	618	15%
Totals	278	303	316	378	282	462	502	530	534	436	4,021	
Essex County											**Totals**	**% of Total**
Single-Family	96	96	166	136	246	282	193	292	292		1,799	98%
Multi-Family	0	0	4	12	6	6	6	0	0		34	2%
Totals	96	96	170	148	252	288	199	292	292		1,833	
Impact Region											**Totals**	**% of Total**
Single-Family	328	374	453	457	496	690	621	734	743	306	5,202	89%
Multi-Family	46	25	33	69	38	60	80	88	83	130	652	11%
Totals	374	399	486	526	534	750	701	822	826	436	5,854	

Overall, the Impact Region averaged 585 residential building permits annually during the past 10 years, with the great majority being in single family units. This is consistent with a generally rural region. 2006 data (through November) strongly suggest that the well publicized national housing slowdown has been a significant factor in the Impact Region.

c. Income & Employment

Combined, the three growth/impact reports provide a thorough profile of the region, both in terms of major economic indicators and in terms of the current business environment. In particular, the Ski Bowl Village report provides significant detail on these topics. As noted in that report:

> "The characteristics of the regional business environment are primarily influenced by their location within the Adirondack Park. The businesses are primarily associated with the tourism and seasonal activity stemming from the abundant recreation and tourism attractions of the natural setting. Other service-oriented businesses and light manufacturing provide goods, services, and employment opportunities for the year-

round population. The majority of manufacturing-oriented businesses are concentrated in southern Warren County outside the Adirondack Park boundary." [15]

Additional background data are provided below to provide updated indicators and additional depth to the database.

Table 4-8 shows employment and unemployment rate trends in the Impact Region.[16]

Table 4-8: Employment & Unemployment: Warren County, Essex County, Impact Region

	2000	2001	2002	2003	2004	2005	2006	% Change 2000-'06
Warren County								
Employment	31,900	32,000	32,100	32,800	33,400	33,900	34,283	+7.5%
% Change		+0.3%	+0.3%	+2.2%	+1.8%	+1.5%	+1.1%	
Unemployment Rate	4.1%	4.5%	5.0%	5.1%	4.9%	4.6%	4.6%	
Essex County								
Employment	17,700	17,900	17,800	17,400	17,600	17,800	17,767	+0.4%
% Change		+1.1%	-0.6%	-2.2%	+1.1%	+1.1%	-0.2%	
Unemployment Rate	4.7%	4.6%	5.2%	5.3%	5.5%	5.3%	5.6%	
Impact Region								
Employment	49,600	49,900	49,900	50,200	51,000	51,700	52,050	+4.9%
% Change		+0.6%	+0.0%	+0.6%	+1.6%	+1.4%	+0.7%	
Unemployment Rate	4.3%	4.5%	5.1%	5.2%	5.1%	4.8%	4.9%	

While Warren County has shown solid growth in recent years, the employment situation in Essex County has been relatively stable.

Current employment by industry and average annual wages by industry are shown in Table 4-9 – for the Impact Region.[17]

[15] From; *Economic and Fiscal Impact Analysis, Snow Bowl Village*, the LA Group, p. III-1.
[16] Source: New York State Department of Labor.
[17] Source: New York State Department of Labor.

Table 4-9: Employment & Wages by Industry: Warren County, Essex County, Impact Region

	Warren County			Essex County			Impact Region			
Industry	Reporting Units	Average Employ-ment	Average Wages	ReportingUnits	Average Employ-ment	Average Wages	Reporting Units	Average Employ-ment	% of Total Employ-ment	Average Wages
Total, All Industries	2,442	37,183	$30,924	1,283	15,155	$29,225	3,725	52,338	100%	$30,432
Total, All Private	2,370	32,368	$30,195	1,201	10,571	$26,241	3,571	42,939	82%	$29,222
Agriculture, Forestry, Fishing & Hunting	22	99	$33,217	29	115	$25,561	51	214	0%	$29,103
Mining				5	138	$41,834	5	138	0%	$41,834
Utilities				4	19	$65,174	4	19	0%	$65,174
Construction	233	1,376	$39,597	139	819	$33,443	372	2,195	4%	$37,301
Manufacturing	76	4,096	$41,565	44	1,109	$49,588	120	5,205	10%	$43,274
Wholesale Trade	89	773	$56,902	18	88	$27,940	107	861	2%	$53,942
Retail Trade	444	5,665	$22,179	219	1,926	$20,945	663	7,591	15%	$21,866
Transportation & Warehousing	37	490	$23,276	19	116	$21,055	56	606	1%	$22,851
Information	31	991	$39,386	25	194	$36,970	56	1,185	2%	$38,990
Finance and Insurance	104	1,369	$45,826	35	190	$34,488	139	1,559	3%	$44,444
Real Estate, Rental & Leasing	76	336	$24,874	35	97	$19,517	111	433	1%	$23,674
Professional and Technical Services	165	1,014	$40,687	68	250	$32,289	233	1,264	2%	$39,026
Management of Companies	21	240	$55,589	4	109	$24,582	25	349	1%	$45,905
Administrative and Waste Services	84	1,647	$24,060	39	213	$17,859	123	1,860	4%	$23,350
Educational Services	14	381	$17,759	20	222	$24,887	34	603	1%	$20,383
Health Care and Social Assistance	237	5,945	$35,852	95	1,791	$26,560	332	7,736	15%	$33,701
Arts, Entertainment & Recreation	100	1,241	$15,483	58	413	$21,146	158	1,654	3%	$16,897
Accommodation & Food Services	379	4,920	$16,314	205	2,255	$17,195	584	7,175	14%	$16,591
Other Services	186	1,458	$17,352	117	492	$17,862	303	1,950	4%	$17,481
Total, All Government	72	4,815	$35,826	82	4,584	$36,106	154	9,399	18%	$35,963
Unclassified	70	54	$26,239	24	15	$17,001	94	69	0%	$24,231

Note that Arts, Entertainment & Recreation and Accommodation & Food Services combine to account for 17 percent of the region's employment – a reflection of the influence of recreation and destination travel in the Impact Region.

For purposes of comparison, current employment by industry and average annual wages by industry are shown in Table 4-10 below – for the Capital Region, North Country and combined region.[18]

Table 4-10: Employment & Wages by Industry: Capital Region, North County, Broad Region

	Capitol Region			North Country			Regional			
Industry	Reporting Units	Average Employ-ment	Average Wages	Reporting Units	Average Employ-ment	Average Wages	Reporting Units	Average Employ-ment	% of Total Employ-ment	Average Wages
Total, All Industries	27,778	503,950	$38,084	10,271	153,269	$30,842	38,049	657,219	100%	$36,395
Total, All Private	26,798	385,331	$36,414	9,552	107,791	$28,029	36,350	493,122	75%	$34,581
Agriculture, Forestry, Fishing & Hunting	225	2331	$26,849	210	1766	$25,447	435	4,097	1%	$26,245
Mining	36	826	40915	23	362	$41,898	59	1,188	0%	$41,215
Utilities	27	1802	83851	46	789	$71,246	73	2,591	0%	$80,013
Construction	2832	20,248	$43,786	947	5684	$35,426	3,779	25,932	4%	$41,954
Manufacturing	888	32,522	$51,085	356	14,289	$44,161	1,244	46,811	7%	$48,971
Wholesale Trade	1367	16799	$53,308	331	3018	$35,404	1,698	19,817	3%	$50,581
Retail Trade	4029	60,900	$23,731	1787	21,022	$20,328	5,816	81,922	12%	$22,858
Transportation & Warehousing	526	11279	$34,225	319	3874	$30,966	845	15,153	2%	$33,392
Information	459	12093	$51,952	177	1956	$35,654	636	14,049	2%	$49,683
Finance and Insurance	1580	22,188	$53,077	437	2789	$34,504	2,017	24,977	4%	$51,003
Real Estate, Rental & Leasing	973	6341	$33,063	370	1453	$20,533	1,343	7,794	1%	$30,727
Professional and Technical Services	2696	27,614	$57,862	517	2789	$30,604	3,213	30,403	5%	$55,362
Management of Companies	182	6762	$57,954	33	742	$40,046	215	7,504	1%	$56,183
Administrative and Waste Services	1175	21,137	$26,105	282	3512	$19,189	1,457	24,649	4%	$25,120
Educational Services	331	14582	$37,872	74	2885	$32,633	405	17,467	3%	$37,007
Health Care and Social Assistance	2714	66,809	$34,339	1039	21,485	$31,126	3,753	88,294	13%	$33,557

[18] Source: New York State Department of Labor.

Table 4-10: Employment & Wages by Industry: Capital Region, North County, Broad Region

	Capitol Region			North Country			Regional			
Industry	Reporting Units	Average Employ-ment	Average Wages	Reporting Units	Average Employ-ment	Average Wages	Reporting Units	Average Employ-ment	% of Total Employ-ment	Average Wages
Arts, Entertainment & Recreation	560	6,791	$18,176	254	1516	$17,344	814	8,307	1%	$18,024
Accommodation & Food Services	2577	34,918	$14,397	1136	12,830	$12,441	3,713	47,748	7%	$13,871
Other Services	2590	18,355	$24,767	997	4856	$18,238	3,587	23,211	4%	$23,401
Total, All Government	980	118,619	$43,509	719	45,478	$37,508	1,699	164,097	25%	$41,846
Unclassified	1034	1034	$24,315	221	174	$16,341	1,255	1,208	0%	$23,166

Arts, Entertainment & Recreation and Accommodation & Food Services combine to account for only eight percent of the broad region's employment.

Ski Area Employment

By necessity, Gore's expanded capacity and increased skier visits have resulted in increases in employment at the ski facility. Table 4-11 shows increases in Gore's employment, including: Full-Time/Year-Round Employees; Full-Time Seasonal & Part-Time employment. In addition, peak period employment is shown.[19]

Table 4-11: Gore Employment Change

	1985	1997	2006
Full-Time YR	15	28	39
Full-Time Seasonal Part Time	191	294	456
Peak Season	206	322	495

Gore's peak season employment level increased by 101 percent between 1985 and 2006. Increases in employment have both growth and economic impacts, as assessed at a later point in the report.

[19] Source: Gore Mountain Ski Center.

C. Man-Made Facilities

1. Structures/Uses

Man-made structures at Gore Mountain Ski Center intended specifically for public use include (UMP 2002):

> …. two lodges available for use by skiers and visitors. The main lodge is located at the base of the mountain and Saddle Lodge is located mid-way up the mountain. The resort also includes a warming hut located at the Straight Brook area.
>
> […]
>
> These three buildings are the only ones at the ski center for specific public use. There are 65 other structures located on the property.

More detailed information regarding these ski area buildings can be found in UMP 2002, Sec. 2, p. 2-8 to 2-9:

Additionally, a detailed account of all 65 other structures is provided in UMP 2002, Appendix 4, "Inventory of Man-Made Facilities".

An "Inventory of Facilities and Improvements Pending Construction" is provided in 2005 UMP (Sec. 2, p. 2-8).

The currently existing man-made structures on the existing Ski Bowl Village project site include a well, pumphouse, and water storage tank that are part of Johnsburg water supply system.

2. Parking Areas

The existing parking facilities at the Gore Mountain Ski Center are described below (2005 UMP Amendment, Sec. 2, p. 2-5):

> Skier and visitor parking is currently provided in five lots located adjacent to the base lodge and gondola area. Four of these lots are dedicated to cars and one to buses. There is also a 6th satellite parking lot located on the lower portion of the access roadway which is limited to employee parking and some overflow bus parking on busy days.
>
> Using an industry standard range of 140 to 180 cars per acre of parking, Gore Mountain's parking facilities can handle between 1,736 and 2,232 cars. During a typical ski weekend, the resort also accommodates between 20 and 25 buses. At the present time, the current available parking area is adequate to handle the parking demand, except during periods of peak demand when parking overflows onto the access road. Such overflows occur 3-5 times per year.

Currently, shuttle bus services are provided at peak time periods during the winter between The Sagamore, Summit Condominiums, Fort William Henry, and Copperfield Hotel (when operational) to the Ski Center. This service reduces the demand on existing parking facilities as well as private vehicle traffic and emissions in the area.

Along the Ski Bowl Road is an existing parking area to service the trail head of the Schaeffer hiking trail. This parking lot currently lies on the project site of the Ski Bowl Village.

3. Access Roads and Trails

The Gore Mountain Ski Center access road and network of maintenance roads include (UMP 2002 Sec. 2, p. 2-9):

> An access road now terminates in the redesigned entry, circulation and ski center arrival/drop-off area approved in the 1995 UMP. The entry road will become a one way circular roadway with 3 lanes available in the passenger vehicle drop-off area, and 2 lanes available in the drop off area for buses."
>
> Approximately 9 miles of maintenance roads traverse the ski area. These roads are used to accomplish summer maintenance of slopes and lifts and to access particular areas such as the saddle, the summit, pumphouse, reservoir, etc.

A network of backcountry, hiking and mountain biking trails exists on the proposed project site; details on these trails is provided in UMP 2002 (Sec. 2, p. 2-6 to 2-7).

4. Stormwater Management

Stormwater management involves two distinct elements. Construction phase stormwater runoff, results from land disturbance and grading. The management of such runoff for jurisdictional activities is regulated under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP 02-01). To implement the requirements of this permit, a Stormwater Pollution Prevention Plan (SWPPP) is developed detailing the sequence of earth disturbing activities and the measures which would be taken to minimize and avoid the erosion of soil from a project site, and to control the movement of sediment that has eroded. A draft SWPPP for Phases 1 and 2 of the Ski Bowl Village (LA Group 2006d) and a SWPPP Erosion and Sediment Control Plan for Gore Mountain Typical Trail construction have been prepared.

Operational phase stormwater management involves treatment and control of runoff from impervious surfaces. Runoff from the impervious surfaces proposed to be constructed for the Ski Bowl Village project would be managed as described in (LA Group 2006d):

> The concept for stormwater management is to control to pre-development conditions the increased volume and rate of surface runoff caused by the development of buildings, roads, parking areas, and recreational facilities. The increased volumes and rates of runoff will be reduced to existing or pre-

development levels by using management practices to control surface water runoff from developed areas.

The objectives of the stormwater management plan are:

- Attenuate runoff from developed land to reduce potential flooding and flood damage.
- Minimize the erosion potential from new construction
- Treat stormwater runoff to prevent water quality degradation in receiving streams and wetlands

The stormwater design concept for all stages of Ski Bowl Village construction is to direct all the development runoff into filter strips for building rooflines, deep sump catch basins, and roadside swales for pretreatment. These devices would carry the runoff to Micropool Extended Detention Ponds (NYSDEC 2003, Figure 6.1, P-1), which would serve to treat the water quality volume and attenuate some flow. These Micropool Extended Detention Ponds would release stormwater that has been treated to meet SPDES water quality regulations to the on-site stream channels. Where stormwater ponds would release directly to, and upstream of the classified portions of the in-site stream, A19P941-1240 C(T), P-1 Micropool Extended Detention Ponds would be used. P-1 is the only type of stormwater pond that is suitable for discharge to trout waters.

At the southeastern side of the site, adjacent to NYS Route 28, there is a large APA regulated wetland. All of the streams on-site eventually drain to this point of the site and feed the wetland. It is at this point where stormwater would be attenuated to pre-development rates in a created wetland just upstream, and adjacent to the existing on-site wetland. Stormwater runoff created by this Project would meet all of the SPDES regulations for water quality volume treatment and attenuation of flows to predevelopment rates prior to it leaving the Project site.

P-1 Micropool Extended Detention Ponds are designed to treat the entire water quality volume through extended detention, and incorporate a micropool at the outlet of the pond to prevent sediment resuspension.

To accurately compare post and pre-development flows, common design points were utilized. At these design points, flows were evaluated and it was confirmed that pre-development flows are maintained as a result of the proposed practices.

5. Downhill Ski Slopes

Ski Area Expansion and Utilization

The ski industry has recognized that facility expansion typically generates increases in visitation. Increased capacity, as well as new skiing opportunities and experiences draw additional skiers to a ski mountain – in the great majority of instances.

Several case studies illustrate this point:

Okemo, Vermont – the current owners of the Okemo Mountain Resort purchased the ski area in the early 1980s. At that time, the ski area was a minor player in the Vermont market. The ski area hosted approximately 90,000 skier-visits on an annual basis and had a daily capacity of approximately 2,700 skiers. The ski area held only three percent of the Vermont ski market. In the intervening years, resort ownership embarked upon a regular pattern of major capital improvements, including: enhanced snowmaking, improved trail network, new lifts, new grooming equipment, improved skier services, and accommodations. The skiing public responded positively to these capital improvements. With a current daily capacity of nearly 11,400 skiers, Okemo now hosts over 600,000 skier-visits on an annual basis – a 578 percent increase over the early 1980s level. Further, the ski area holds a 14 percent market share in Vermont and is now regarded as one of the state's market leaders.

Belleayre, New York – Belleayre is owned by the State of New York and operated by the NYSDEC in the Catskill region. During the 1996/97 ski season, the ski area hosted approximately 71,000 skier-visits and held a 2.2 percent share in the New York statewide ski market. In early 1998, the state announced that it had secured funding for a number of major capital improvements at the ski area, including: new lifts; new trails; enhanced snowmaking; expanded lodge and; new parking. Further improvements have occurred since then, including new trails and other capital facilities. Most recently, the state announced funding for a new, detachable quad chairlift - constructed in 2006. Belleayre's capital improvements have had a significant impact on skier-visits. Skier-visits increased from the 70,000 level in 1996/97 to a high of 175,661 skier-visits during the 2002/03 season – an increase of 147 percent over eight years. The ski area's market share in New York increased from 2.2 percent in 1996/97 to 4.4 percent in 2003/04.

Sugarbush, Vermont - During the four ski seasons from 1990/91 through 1993/94, skier-visits at this ski area averaged just over 301,000. In 1994, new ownership promised major changes to the facility. A widely publicized $28 million improvement program followed these changes in 1995, including a lift connection between Sugarbush's two mountains. Skier-visits during the 1994/95 and 1995/96 seasons averaged almost 353,000, amounting to an absolute increase of almost 52,000 skiers, and a 17^{+} percent increase over the period previous to the improvements.

Attitash, New Hampshire - During the four ski seasons from 1990/91 through 1993/94, skier-visits averaged just about 150,000. Following the purchase of the area in 1993, new management moved forward with expansion of the ski area - constructing trails and a major new lift in the 'Bear Peak' area, which debuted during the 1994/95 season. Skier-visits during the 1994/95 and 1995/96 seasons averaged almost 190,000, amounting to an absolute increase of over 38,000 skiers, a 25^{+} percent increase in business activity over the period previous to the improvement.

As detailed in the available record and summarized above, Gore has already completed a number of expansion/improvement projects that have both increased its capacity and enhanced skier service levels. Gore's skier visits *have* increased in recent years in response to these improvements, as documented in the available record. Table 4-12 summarizes year-by-year skier visits, for the ski seasons 1986/87 through 2006/07.[20]

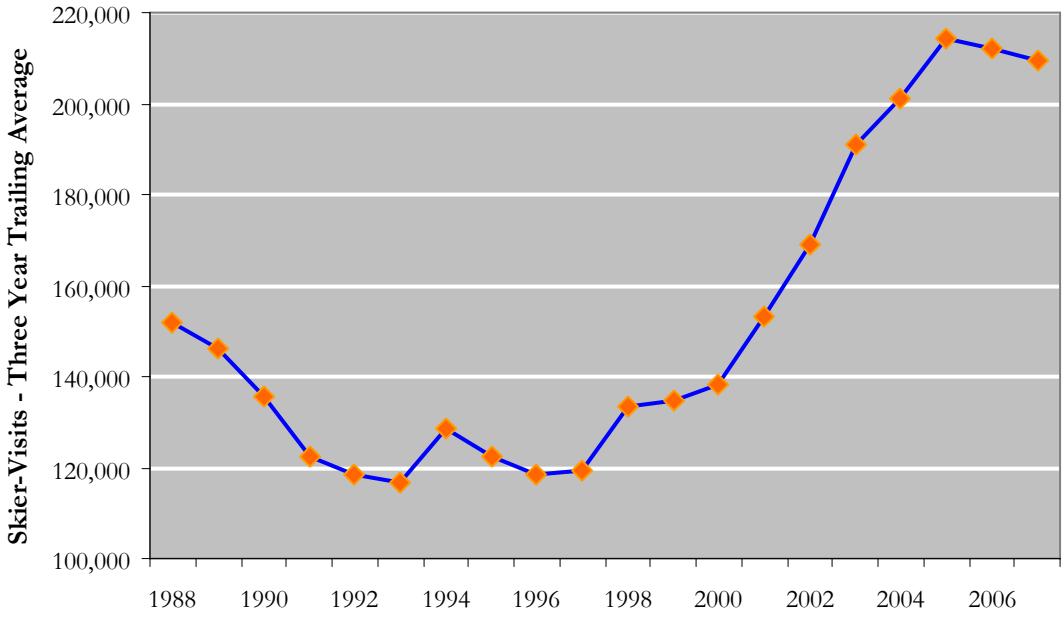
Table 4-12: Gore Skier Visits; 1986/87 to 2006/07

	Skier Visits										
	1986/87	1988	1989	1990	1991	1992	1993	1994	1995	1996	
Gore/ Skier-Visits	171,484	138,424	128,553	139,921	99,428	116,522	134,796	133,756	99,201	121,803	
% Change Year-to-Year		-19.3%	-7.1%	+8.8%	-28.9%	+17.2%	+15.7%	-0.8%	-25.8%	+22.8%	
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Gore/ Skier-Visits	137,258	141,449	125,868	147,332	186,098	173,530	213,929	215,707	212,703	207,299	208,924
% Change Year-to-Year	+12.7%	+3.1%	-11.0%	+17.1%	+26.3%	-6.8%	+23.3%	+0.8%	-1.4%	-2.5%	+0.8%

Because of significant year-to-year variations in skier-visits (typically due to variations in natural snow and weather), trend analyses typically look at trailing averages – over a period of three to five years. Trend skier-visits at Gore (three year trailing average) are shown in Figure 4-1 below.[21]

[20] Source: Mike Pratt, Gore Mountain Ski Center.
[21] Gore's *annual* visitation has exceeded skier visit values by approximately 25,000 persons in recent years. Non skier visits include: Tubing; Summer Gondola Rides; Mountain Biking; Event Admissions and Hiking/Sight-Seeing (Non-Ticketed). Realistically, there are also a number of winter visitors who are non-skiers. Source: Gore Mountain Ski Center.

Figure 4-1: Gore Skier Visits: Three Year Trailing Average



The graphic (and the values in the supporting table) make it clear that Gore's skier visits have been on a relatively steady upward trend in recent years. While the skier visit trend was negative between 1988 and 1997, there has been a strong positive upswing since 1997.Gore's skier visits increased at an annual rate of 5.4 percent between 1996/97 and 2006/07. In contrast, U.S. skier visits increased at an annual rate of 1.3 percent between 1996/97 and 2005/06.[22]

Rate of utilization is a benchmark used by the ski industry to compare ski area capacity with skier visits. Seasonal capacity is represented by:

Daily Capacity (SAOT/CCC)* X Number of Operating Days = Annual Capacity

6,500 (Estimated SAOT/CCC) X 130 (Avg. Operating Days) = 845,000 - Annual Capacity

*Skiers at One Time (SAOT) or Comfortable Carrying Capacity (CCC)

Theoretically, Gore could achieve a 100 percent "Utilization Rate" - 845,000 skier visits over the course of the season. In practice however, ski areas do not approach a 100 percent utilization rate.

Comparing Gore's skier visits over the past five seasons with annual capacity indicates that Gore's recent Utilization Rate averaged 25.1 percent.

[22] U.S. skier visits source – National Ski Areas Association.

Visitor Characteristics

Ski area visitors can be broadly characterized into two major categories:

1. Day Visitors – skiers who drive (or are otherwise transported) to *and* from the ski facility in one day. Daily expenditures can include ski tickets, rentals, lessons, food and other sundry items at the ski area as well as travel costs, food, and other items outside of the ski area.

2. Destination Visitors – overnight ski visitors who spend at least one – and often multiple nights – at or in the vicinity of the ski area. Expenditures can include ski tickets, rentals, lessons, food, and other sundry items at the ski area, as well as travel costs, lodging costs, house rental costs, meals, entertainment, ancillary recreation, and other items outside of the ski area.

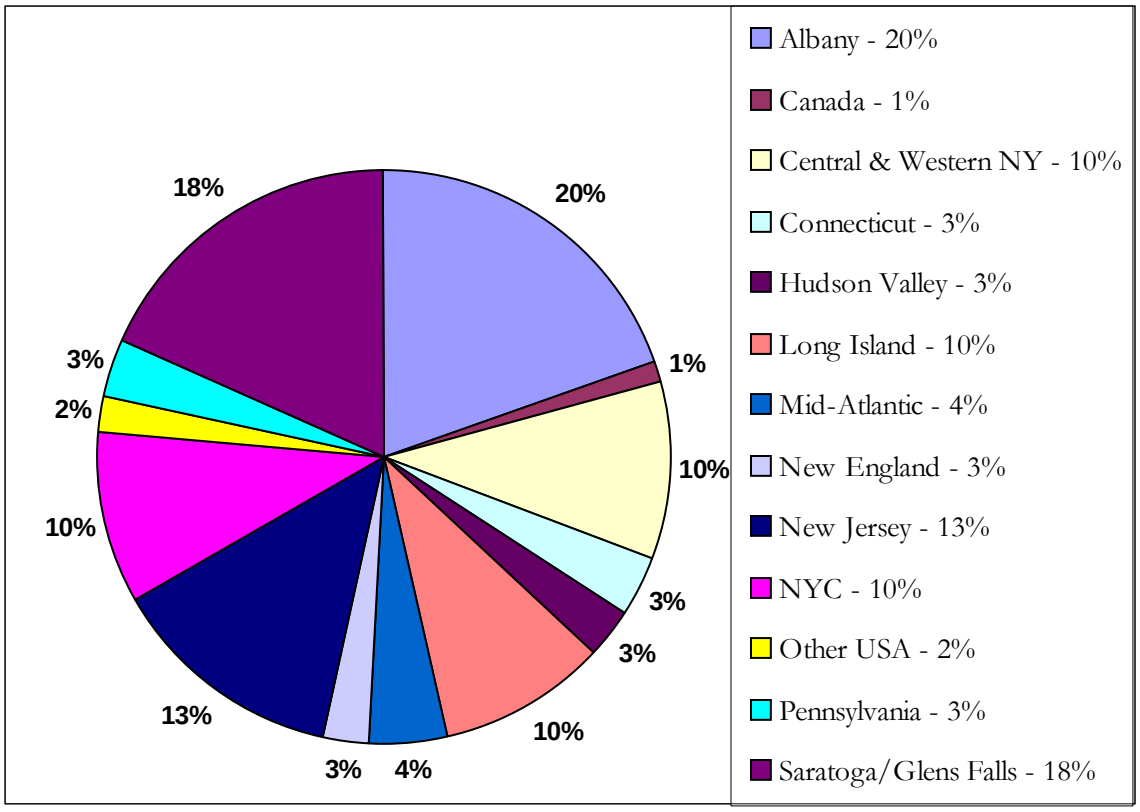
Ski areas vary in their relative attraction to day versus destination skiers. Generally, larger facilities – and particularly those in remote locations – tend to attract a higher proportion of destination skiers. The distinction is significant from a local/regional economic perspective, as destination skiers tend to spend significantly more on a per day, per capita basis than do day skiers.

In 1995, Gore estimates that their skier mix was 35 percent destination skiers and 65 percent day skiers. In comparison, the ski facility currently (2007) estimates that the mix is 65 percent destination skiers and 35 percent day skiers. As such, Gore's economic impact has increased not only in response to higher ski visit numbers, but also in response to increasing numbers of destination skiers.

Figure 4-2 below shows the geographic distribution of Gore skiers in recent years.[23]

[23] Source: Gore Mountain Ski Center.

Figure 4-2: Geographic Distribution: Gore Skiers



From the 2005 UMP (Sec. 2, p. 2-5):

> Gore Mountain Ski Center currently includes downhill ski terrain on 59 trails which are located predominantly on north and east facing slopes of the peaks which make up Gore Mountain.
>
> The alpine trails constructed to date total approximately 265 acres of groomed terrain, with an additional 60-70 acres of woods terrain (glades). The 1995 UMP approved 28.5 miles of trails, the 2002-2007 UMP approved an additional 5.4 miles of trails totaling 33.9 miles, and the 2005 UMP Amendment is proposing a net increase of 1.5 additional miles of trails bringing the new total to 35.4 miles.

The Ski Bowl currently maintains a tubing trail at the base of the hill. Additionally, a network of trails from the abandoned Ski Bowl still exists but has seen nearly 20 years of growth and is covered primarily by saplings.

6. Ski Lifts

Ski facility capacity is often defined in terms of 'Skiers At One Time' (SAOT) or 'Comfortable Carrying Capacity' (CCC). While there are some minor technical differences between the two

terms, they both describe number of skier that a ski facility can handle with adequate service level on a given day. The calculation of the capacity figure includes all elements of the ski area, including: Parking; Base/On-Mountain Buildings and Services and Lift/Trail systems. Typically, ski areas only meet or exceed SAOT/CCC values during peak periods.

Based on a review of the available data and discussions with ski area management, Gore's SAOT/CCC recent capacity progression is summarized as follows:

- Previous to 1995 – the ski area's capacity was 5,000 persons.
- The 1995 UMP planned for an expansion of the facility's capacity to 7,000 persons.
- All of the actions planned in the 1995 UMP are not complete – the ski area indicates that the capacity of the lift/trail system now exceeds the capacity of base service buildings.
- Currently, the ski facility management indicates that the facility handled up to 6,990 persons on a peak day. Since peak days typically exceed designed SAOT/CCC, it is assumed that the current SAOT/CCC level is approximately 6,500 persons.
- The 2002 UMP envisions an expansion of capacity to 9,000 persons and this capacity goal remains the same based on the 2005 UMP amendment.

From the 2005 UMP Amendment (Sec. 2, p. 2-5):

> There are ten existing ski lifts at Gore Mountain. In addition, there are two surface lifts, a conveyor for Ski School and a rope tow for the tubing operation.

For further information, see UMP 2002 (Sec. 2, p. 2-7).

Gore Mountain is currently in the process of installing a triple chairlift at the base of the Ski Bowl Village project site. Additionally, the remains of the abandoned Ski Bowl lift are still present above the base of the hill. This includes 10 ski lift towers a loading structure located at the base of the former ski area and an offloading structure located at the top of the Ski Bowl hill.

7. Utilities

a. Electric Distribution

Regional electrical service is supplied by the Niagara Mohawk Power Corporation (National Grid). A regional substation distribution facility is located in North Creek which would provide electrical power for the Gore Interconnect, Ski Bowl Village, and the Johnsburg Residential projects. According to recent data provided by an official representative of the power company, the regional distribution facility is currently operating at a level well under capacity – the 'bank'

is rated for 19mVA, while peak power loads currently only reach 9mVA – approximately 47 percent of capacity.[24]

….Niagara Mohawk Power Corporation … maintains four electrical sub-stations within the town [of Johnsburg]. Existing power capacities are considered sufficient to meet any potential residential, commercial or industrial growth in the community. In 1990 the 3 KV line from Warrensburg was replaced with a 13 KV line to the hamlet of North Creek.

Three-phase power is generally needed for industry and larger commercial facilities. The location of existing three-phase power lines is shown on the following map. Three-phase power serves the major hamlets, as well as extending along much of State Route 28, and portions of State Route 8 and County Route 29 (Peaceful Valley Road). (TJCP 2005)

b. Potable Water Supply

The source of potable water in for the Gore Mountain Ski Center is a drilled well with distribution as follows: (UMP 2002, Sec. 2, p. 2-17):

> Potable water for the base area is provided by a drilled well located approximately 75 feet from the J-Bar lift. The well is 280 feet deep and has a capacity of 60 gpm at a depth of 46 to 48 feet. All water mains and hydrants are 6-inch cast iron. On demand, water is fed to a 100,000 gallon holding tank located at the top of the J-Bar hill. From there, the system is gravity fed and metered as it enters the lodge. During periods of high water demand in the lodge, when the well pump is running, water is routed directly into the lodge's distribution system.

As of UMP 2002, water supply for Saddle Lodge was supplied by a then-new 6-inch diameter drilled well, which would require filtering and chlorination in order for it to be suitable for potable consumption. The UMP 2002 states that such measures were being set in place. However, the 2005 UMP Amendment provided no update on this topic.

The entire area of the three projects is within the NCWD district boundary (See Water Supply Base Map, Appendix 1, page 5). This is also described in NIPA IA, 2006, at Tab 40. Potable water for the proposed Ski Bowl Village development would be supplied through the NCWD water supply system (FrontStreet 2006: Sec. 3, p. 3-31):

> The current water supply system, "North Creek Water District" is owned and operated by the Town of Johnsburg. The system is a small distribution system that mainly feeds the Hamlet, and is supplied by groundwater sources.

The Ski Bowl Village project site contains a well, a pump house, and water storage tank that are part of the Johnsburg water supply system (FMSD 2006). The system consists of the following components:

[24] Email from John J. Murphy C.E.M. Key Account Manager/Business Services, National Grid to Mike Pratt of the Gore Mountain Ski Center, November 30, 2006.

1) An abandoned surface water source
2) Water storage
3) Numerous well locations, some abandoned and some active
4) Distribution system of mostly 8 inch pipe
5) A booster station and pressure reducing pit

[…]

…Current problems include:

A) Lack of supply
B) Fire flow and fire protection
C) System redundancy
D) Well head protection

The current situation is that the only active wells are #4, #5, and #6 all of which are gravel wells that yield between 80 and 150 gallons per minute. Presently well #4 is not yielding anywhere near the well potential and according to James Hutchins, P.E. It is down to less than 30 gallons per minute (gpm) and is in dire need of redevelopment. This yield and condition were also discussed with the New York State Department of Health (NYSDOH) Glens Falls district office, which confirmed that the three potential wells are in reality down to two. These two wells yield about 200 gpm and, with one out of service, it is down to 80 to 100 gpm…

In any event, the Gore Ski Bowl Project will require significant improvements to be made to the system prior to acceptance…

The North Creek Water District is the only public water system in the Town of Johnsburg. At present, the district actually serves only a portion of the properties within its boundaries. In 1990 there were over 100 residences located too far from a water main to feasibly tap into the system. The water district has experienced a variety of operating problems over the years. Typical of many small communities, it lacks capital reserve funding and a preventative maintenance program. Numerous ad hoc extensions had been made to the original system during the past six decades that were poorly documented and below technical standards. The community received HUD grant funds to upgrade the system in 1999. The present system has four wells (one of which failed in 1999) with a combined yield of about 130,000 gallons per day, close to the average daily use. The district regularly services about 350 residential and business customers with un-metered water, making it impossible to assess and control consumption. During the winter especially, the district functions at near capacity and a failure anywhere in the system could exhaust the marginal reserve capacity available. The district also needs to construct lines that could circulate the water throughout the system to replace the many dead ends that are now typical. (TJCP 2005)

The full Delaware 2006a report gives further details regarding the existing water system conditions.

An addendum to the above document was completed by the LA Group in conjunction with Delaware in July of 2006 (LA Group 2006a), and was included in the Ski Bowl Village at Gore Mountain Response Document Attachment Schedules Volume 1A. The addendum was "submitted to provide more supporting documentation on the quality and quantity of the potable water supply for the Ski Bowl at Gore". The document proposed development of additional wells, relocation of Well #5, and redevelopment of well #4. According to the report, taking these measures would result in exceeding the needs for the phase 1 and 2 of the Gore Mountain Ski Bowl Project and also provide reserve capacity for the North Creek Water District. The full addendum text can be found in LA Group 2006a. The total increased capacity for NCWD would be 290,000 gpd, which exceeds the existing peak demand of 200,000 gpd, plus the demand for phases 1 and 2 of Ski Bowl Village of 10,000 to 12,000 gpd. The resulting excess capacity would be approximately 80,000 gpd. A Memorandum of Understanding has been executed between FSMD and the Town of Johnsburg dated November 3, 2006 regarding the allocation of costs associated with the planned upgrades (see Appendix 1, pages 11 through 14).

c. Water Supply for Snowmaking

UMP 2002 describes water supply for snowmaking in the following paragraph (Sec. 2, p. 2-16):

> Snowmaking water is stored and drawn from the North Creek Reservoir located northwest of the base area. ORDA has a lease agreement with the Town of Johnsburg for use of the North Creek Reservoir through the year 2013. The reservoir has a storage capacity of approximately 25 million gallons of water and is capable of recharging itself approximately four times per ski season. The Hudson River intake and pipeline was constructed, as proposed on the 1995 UMP, and water is now pumped from the river to the reservoir, and distributed on the mountain.

In accordance with the 2005 UMP Amendment, Gore upgraded the pump station at the Hudson River intake point to consist of a total of four pumps with a total capacity 4,800 gpm. The system has the capability to provide sufficient water for existing and planned ski trails at Gore Mountain Ski Center. In addition, the system would be capable of providing water to serve the 40 acres of new ski trails at the Ski Bowl ski area, which would be served by the existing water source/storage system.

The NIPA I 2006 addresses water supply needs for snowmaking on private ski trails at the Ski Bowl Village and golf course irrigation as follows:

> Snowmaking and irrigation water will now come from two sources, wastewater treated to drinking water turbidity standards and a non-potable well located at the wastewater treatment plant site…
>
> …There is approximately 16,000 linear feet of ski on/ski off trails that need to have snowmaking.
>
> …the effluent from the [wastewater treatment plant] WWTP will be used for snowmaking and will have to be incorporated into the NYSDEC permit as a separate

> outfall. During the season that will supply the water for maintenance, may not be adequate for start-up [sic].
>
> ...The same water supply will be used for the golf course irrigation...

Therefore, it is expected that the golf course irrigation and snowmaking operation would be totally self sufficient and would not have to rely on any other water supply source for the water budget.

With respect to the ability of Gore Mountain to meet the needs of the current 347 acres of ski trails, and the additional 100 acres of trails for Burnt Ridge (60 acres) and Ski Bowl (40 acres), the following information applies. The analysis is based on anticipated occurrence of snowmaking activities 24 hours per day, with the production capacity of 5,000 gpm, and assuming a 15 percent loss, which increases the water need from 150,000 to 180,000 gallons to cover one acre with one foot of snow. Thus, it with continuous production, it would require 26 days to cover the existing 347 acres of snowmaking trails with three feet of snow, which is the depth determined by Gore as being sufficient to ensure adequate snow coverage for trails to open. Including the 60 acres of trails added by Burnt Ridge, the number of days to provide consistent 3 foot coverage would increase to 30.5 days, and with the 40 acres of Ski Bowl trails the number would increase to 33.5 days. This does not include the 25 million gallon upper mountain reservoir, which provides additional snowmaking water supply, and other variables which typically affect snowmaking conditions such as temperature, humidity and winds. With all things considered, it is expected that most trails would be open for the Christmas holiday and that all trails would be open by the Martin Luther King Day holiday weekend. Existing water source and storage facilities would be sufficient to meet the snowmaking needs for all ski trail areas described above.

d. Wastewater Disposal Systems

UMP 2002 states the following (Sec. 2, p. 2-17):

> Gore Mountain's base area wastewater treatment plant underwent a major upgrade in 1991-1992. During the winter season (peak use period), wastewater is treated by a microbiologically activated sludge process consisting of equalization/pre-treatment, oxidation ditch and a tertiary microscreen and post-aeration. The plant capacity is 65,000 gallons per day (gpd) and can accommodate all of the proposed improvements to the ski center which are included in this UMP (including the on-mountain lodges). During the off-season, the oxidation ditch is taken off-line and wastewater is treated in a sequencing batch reactor in an extended aeration mode using the activated sludge process. Effluent polishing in the tertiary stage is accomplished by microscreen. The upper limit capacity is 20,000 gpd.
>
> Wastewater generated at the Saddle Lodge is now piped to the base area treatment plant via a 4" polyethylene butt fused pipe buried in the "Showcase" trail.

UMP 2002 also mentioned that "in the future," wastewater from the proposed but as yet unbuilt Bear Mountain Lodge would be piped into the base area treatment plant via an extension of the above-mentioned buried pipe. It states "more than adequate capacity exists at the base area treatment plant to accommodate these flows".

The capacity of the existing wastewater treatment facility at the Gore Mountain base area would be insufficient to process wastewater from the Ski Bowl Village, there is no municipal wastewater disposal facility in Johnsburg, and there are no plans for implementing a sewer district in the Hamlet of North Creek, so a stand-alone facility is the only alternative that would be suitable for the wastewater disposal needs of the Ski Bowl Village project (FrontStreet 2006: Sec. 6, p. 3-31).

A full report prepared by Delaware, detailing the wastewater treatment facility plan for the Ski Bowl Village at Gore Mountain , was included as part of the NIPA IA 2006. From the report (Delaware 2006b):

> The developer has met with NYSDEC and discussed the concept of phasing the project and utilizing a temporary treatment system. In addition, the developer has provided NYSDEC with a layout of the permanent plant and a project schedule.
>
> The developer intends to build the project in phases. As the main WWTP will take two years to design and construct, it is anticipated that a temporary WWTP will provide treatment for the initial phases of the project.
>
> It should be noted that the Town is a separate municipal entity, and has the right to elect not to be a contributor to the Ski Bowl WWTP. Should this occur, the Town will be required to apply for SPDES permit that addresses Town generated wastewater flows. Regardless of the Town's decision to contribute or not contribute flows, the Ski Bowl Village will form a Transportation Corporation, apply for the appropriate SPDES permit(s), and evaluate the type and size of the interim plant needed…

Further information regarding the proposed wastewater treatment facility plans may be found in Delaware 2006b.

There are no public sewer collection and treatment systems in the Town of Johnsburg at present. Wastewater disposal from existing facilities is generally disposed of on-site, and these systems must meet NYS DOH design standards. Due to low population densities and high costs of such systems the establishment of public sewer systems in the hamlet areas remains impractical. The cumulative additional year-round population that will be generated by the projects – both on direct and secondary bases – will be distributed geographically throughout the Impact Region (Warren and Essex Counties) rather than focused exclusively in the immediate North Creek area. (See Appendix 2: Cumulative Economic, Growth & Fiscal Impact Analysis for Gore Mountain Interconnect & Related Projects.) As such, this population growth will not create a new population concentration that would require the establishment of a public sewer system. Rather, the new population will be distributed widely in a rural pattern typical of the Impact Region –

and will be served primarily by on-site sewage disposal systems, which are the norm for the region.

FSMD has entered into a Memorandum of Understanding with the Town of Johnsburg on Wastewater, dated February 13, 2007 (See Appendix 1, pages 9 and 10). This agreement allows the discharge up to 12,000 gpd of wastewater from the Ski Hut, if built, and to process these wastewater volumes at no cost to the Town and/or ORDA. In addition, should the town implement a "Septic Tank Management Plan", FSMD would allow septage to be discharged to the treatment facility during the summer months. The later measure would assist the Town in managing secondary growth in the area by ensuring that groundwater pollution due to failed septic systems is minimized.

It is recommended that minimum lot sizes for new development, in hamlets and elsewhere, be kept at a size large enough to insure that individual on-lot systems would function properly so that public sewer systems would not be needed in the future (TJCP 2005).

e. Solid Waste Management

The solid waste management system currently in effect for businesses/residences in the Town of Johnsburg is summarized as follows:

- Solid waste is hauled to the regional transfer station located in North Creek. This is accomplished either by the business/resident, or by commercial haulers;
- The Town of Johnsburg then transports refuse to the Adirondack Resource Recovery Facility in Hudson Falls. This facility is operated jointly by Warren and Washington Counties. Refuse is burned at this facility – resulting in power generation.

In addition, recyclable materials, including newspaper, magazines, corrugated cardboard, clear glass, mixed glass, steel cans, aluminum, and selected plastics are hauled by the contractor. Mixed scrap metal is accumulated and sold. The Town provides curbside pickup of trash (by private contractor) and recyclables (by Town employees) one day a week along all of the Town's major highways, but residences on many side roads must bring their materials for pickup out to the main routes. (TJCP 2005)

Both the regional transfer station and the Adirondack Resource Recovery Facility are operating at levels well within their respective design capacities. Increases in solid waste generation as a result of the Gore Interconnect, Ski Bowl Village, and the Johnsburg Residential projects would not exceed capacities levels nor create service issues.

f. Telephone Service

The Town of Johnsburg is serviced solely by Citizens Communications Company of New York. Approximately 2,230 residential and 574 business lines are serviced by the Company. Service

adequately covers present needs. However, due to rising costs many town residents would like to see more competition in telephone company choice.

SECTION 5: EVALUATION OF POTENTIAL SIGNIFICANT CUMULATIVE ADVERSE ENVIRONMENTAL IMPACTS

A. Land

State Forest Preserve lands in the vicinity of the Ski Bowl Village and Gore Mountain include the Siamese Ponds Wilderness (SPW 2005 UMP), and the Vanderwhacker Mountain Wild Forest (VMWF 2005 UMP). According to SPW 2005 UMP, a result of its proximity to Gore Mountain, there is likely an increase in cross country and telemark skiing on SPW land. VMWF 2005 UMP notes that the area is located adjacent to Gore Mountain and the existing Ski Bowl, and that there may be trails that exist on both properties. There is no evidence or information that suggests that public use of these areas is currently in excess of areas' carrying capacity, nor indication that the proposed projects would have any significant or measurable effect on existing visitation levels. However, each UMP includes an analysis of the ability of the natural resources of these areas to withstand use. In each case, a long-term strategy, know as a limits of acceptable change (LAC) methodology, has been developed by NYSDEC to measure and evaluate acceptable change on these areas, including such metrics as:

- Condition of vegetation in camping areas and riparian zones
- Soil erosion on trails and at campsites
- Noncompliant behavior
- Conflicts between different user groups
- Air and water quality (VMWF 2005 UMP)

The development and implementation of management actions based on these indicators by NYSDEC provides an ongoing ability to assess whether or not the desired conditions are being attained. As such, these measures provide the basis by which any cumulative impacts on these areas could be identified and addressed in the future.

B. Plants and Animals

As a result of the proposed development of ski lifts and ski trails at Gore Mountain Ski Center and Ski Bowl Village, there would be direct impacts to vegetation and potential impacts to wildlife, both On Mountain and Off Mountain. These impacts and proposed mitigation measures are described in the 2005 UMP Amendment, and have not changed:

> Impacts to vegetation from the project will occur primarily in the area of the new Pods #11 and #12 lifts and trails on the east side of Burnt Ridge. There will also be some clearing to create the new beginner trail (Hedges) from the Bear Mountain summit to the

> Saddle Lodge. The impacts will consist of cutting of all woody plant stems and removal of tree stumps where necessary.
>
> Tree clearing will take place over approximately 88 acres… the new trails proposed in this amendment are authorized by and will not exceed the Constitution's [New York State Constitution] mileage, width, and implicit tree cutting thresholds.
>
> All vegetative cutting at Gore Mountain Ski Center will be in compliance with the DEC tree cutting policy…
>
> […]
>
> There are twenty species which were judged to be possible inhabitants of the project site. These are mainly plants which are found in places such as rich beech-maple woods, woods with rocky or sandy soils, and seepy areas along rocky streams. In spite of the existence of suitable habitat, the probability of any one of those species occurring on the project site is very low.
>
> […]
>
> Prevention of nonnative plant invasions, Early Detection/Rapid Response (ED/RR) of existing infestations, and monitoring are primary objectives in a national strategy for invasive plant management and necessitates a well-coordinated, area-wide approach.
>
> Currently there is a noticeable lack of invasive terrestrial plants on Gore Mountain including a lack of Purple loosestrife (*Lythrum salicaria*), Common reed (*Phragmites australis*) and Japanese knotweed (*Fallopia japonica ssp. japonica*).

Off Mountain impacts would result from:

> Construction of proposed improvements to the Town of Johnsburg Historic North Creek Ski Bowl will involve several new trails and a gondola. (2005 UMP)

The trail acreage noted above includes all actions associated with the 2005 UMP Amendment. Review by the NYS Natural Heritage Program has been determined that there is no record of any rate or state listed animals or plants, significant natural communities, or other significant habitats, on or in the vicinity of the site. A list of mitigation measures for the new trails and gondola at the Ski Bowl is provided in 2005 UMP Amendment Sec. 5, p. 5-4 to 5-5.

Additional information regarding potential impacts to plants can be obtained in 2005 UMP Amendment, Sec. 5, p. 5-1 to 5-5.

There is the potential for On Mountain impacts to wildlife during the construction phase at Gore Mountain Ski Center (2005 UMP Amendment):

> This 2005 UMP Amendment, because it involves a New Action on lands above 2,800 feet in elevation and in mountain spruce-fir forest habitat, analyzes potential impacts to

> Bicknell's thrush and offers specific measures to avoid, minimize and mitigate these potential impacts to the maximum extent possible.
>
> …cutting the new Hedges trail is not expected to have an adverse impact on Bicknell's thrush nesting habitat, and there will be a net decrease of trails to be constructed in areas of potential Bicknell's thrush habitat. Where possible the edges of this new trail will be feathered to enhance potential Bicknell's thrush habitat.

A list of mitigation measures for the impacts upon wildlife is provided in 2005 UMP, Sec. 5, p. 5-9 to 5-10.

There would be short-term potential impacts upon terrestrial and aquatic ecology at the Ski Bowl Village site during construction phase activities (FrontStreet 2006, Sec. 4, p. 4-10):

> Construction of the proposed development may temporarily displace wildlife in the vicinity. Aquatic wildlife should not be affected by siltation during construction because stormwater control practices will be put into place. If trees within stream corridors are cut during construction, it may affect the stream water by increasing the water temperature and reducing the dissolved oxygen content.

A complete list of mitigation measures for impacts upon wildlife at the Ski Bowl Village is provided in FrontStreet 2006, Sec. 4, p. 4-10 to 4-11.

There would be no impacts upon terrestrial and aquatic ecology at the Ski Bowl Village during the operational phase (FrontStreet 2006, Sec. 5, p. 5-4):

> The operation and maintenance of the Project will not affect the terrestrial vegetation on the Project site. Clearing for development will have been completed and re-stabilized and areas left undisturbed during construction will not be disturbed during operation and maintenance. Aquatic ecology will not be affected by operation and maintenance of the Project because surface water protection will have been installed and established.

Impacts from tree clearing associated with the individual projects would not be increased or altered as a result of the combined implementation of the projects. Therefore, given the proposed mitigation measures associated with the individual projects, there are no anticipated significant cumulative impacts on plants or animals as a result of the combined implementation of the two projects.

C. Water

With the clearing of vegetation and construction of new ski trails, wetlands have been avoided; where drainages cross the trails, culverts and/or ski bridges would be installed in order to keep the trails from flooding during times of runoff. According to the 2005 UMP Amendment, erosion prevention and sediment control measures would be implemented to manage construction phase stormwater runoff from the areas of earth disturbance associated with the new ski trails. Appendix 6 of the 2005 UMP Amendment contains detailed information regarding the

SWPPP. The proposed bus parking lot contains soils conducive to the development of a stormwater management basin. This basin would treat the water quality volume of the parking lot and result in peak discharge rates for the 10 and 100 year storms that equal the predevelopment rate. Other potential impacts include potential water quality impacts due to on mountain ski trail improvements mentioned in the 1995 UMP. In response to these concerns water quality testing of suspended sediment and nutrients was conducted from 1995 to 1999, and no significant increases were found to have occurred.

Based on the fact that the historic Ski Bowl site is currently cleared, maintains gravel parking lots, and has the paved Ski Bowl Road, there are no significant impacts on the areas water or wetlands anticipated during the construction or post-development phase of the Ski Bowl lifts and trail system. A list of mitigation measures that would be employed for streams and wetlands specific to this component of the project are located in 2005 UMP (Sec 5, 6-7).

A draft SWPPP to control construction phase runoff associated with the proposed Ski Bowl Village to adjacent surface waters has been prepared, which relies on appropriate Best Management Practices (BMPs) to be deployed and maintained. Details of this plan are provided on drawings EC1 through EC4 of FrontStreet 2006. The plan includes phased construction to limit the area of exposed soil at any one time, erosion control devices such as sediment basins, silt fencing, and rapid revegetation measures.

The LA Group prepared a report titled, *Existing Wetlands and Streams, Proposed Activities and Mitigation Measures for the Ski Bowl Village at Gore Mountain* found in the NIPA II 2006 (LA Group 2006e). The Ski Bowl Village project site contains 6.54 mapped acres of wetlands. The APA mapped wetlands would not be impacted. However approximately 0.05 acres of ACOE wetlands would be filled. Additionally 0.41 acres of wetlands would be cleared for ski trail development. The project would result in 44 stream crossings; four of perennial streams, 32 of intermittent streams, and 8 of ephemeral drainageways. Avoidance of impacts to streams has been accomplished through the proposed use of bottomless culverts or arch culverts for all perennial streams, and all but one intermittent stream crossing (LA Group 2006e).

The municipal wastewater system is not designed to handle the increased capacity of the proposed Ski Bowl Village development. Therefore, wastewater would be disposed of by utilizing on-site settling tanks and an in-ground sand filter for the initial stages of development. A permanent wastewater treatment plant would have a capacity of 219,750 gpd and would discharge an average of 175,750 gpd at full buildout. This sewage treatment plant would produce highly treated effluent with minimal nutrient levels, and would be fully disinfected to control bacteria. The proposed disinfection process involves chlorination followed by dechlorination (NIPA 1A, 2006 at Tab 45). Proper design and effective operation of the dechlorination operation is necessary to avoid adverse impacts to aquatic life in receiving waters. The LA Group's Pesticide Risk Assessment & Integrated Turf Management Plan for the Ski Bowl Village at Gore Mountain report included in the NIPA I 2006 at Tab 38 (LA Group 2006f) establishes a protocol which would be followed for the management of the proposed 9 hole golf course to mitigate any surface water or groundwater quality impacts from ongoing management of this area. Since the golf course is not a full 18 hole course, but rather a 9 hole par 3 course without true fairways, the areas between the tees and greens will typically be the ski slopes. These "fairway" areas will be managed as follows. Mowing will occur as needed to maintain a

grass height of approximately 3 inches and no fertilizer or pesticide applications would occur. With respect to the tees and greens, a fertilization program has been proposed by FSMD. In addition, the use of non-chemical and chemical practices would occur based on the results of a pesticide risk assessment of the site.

As a result of the avoidance of direct impacts to water resources, and the implementation of planned mitigation measures associated with the individual projects, few potential cumulative impacts to water resources have been identified. One potential cumulative impact of concern is due to the potential concurrent construction of the Ski Bowl Village and Ski Bowl Ski Area trails and resultant potential for excessive soil erosion and water quality impacts. In addition, long-term trends in water quality, considering chemical, biological (macroinvertebrate) and physical (aquatic habitat) conditions are not well documented, and there is a potential for longer term changes due to the combined implementation of all projects. Section 6 presents a recommended expanded water quality monitoring plan that would track any potential water quality impacts to streams both within the Gore Mountain Ski Center as well as Ski Bowl Village.

Existing water source and storage facilities are sufficient to meet the needs for snowmaking for existing ski trails, the Burnt Ridge expansion and Ski Bowl Trails. No cumulative adverse impacts on water resources would result from this water usage.

With respect to groundwater quantity, existing and future potable water use is provided by gravel and bedrock wells operated by NCWD. Proposed development/redevelopment of wells would result in sufficient water capacity without resulting in excessive drawdown or depletion of these aquifers. Thus, the needs of the Ski Bowl Village would be met as a result of the planned NCWD upgrades. The additional water system capacity that would be developed by the project, 80,000 gpd, would be sufficient to meet the potential needs of new users which could result from indirect effects of the projects. Specifically, it has been determined that an additional year round population of 190 persons could occur in the vicinity due to the projects. Although it is anticipated that this population would be widely distributed, if it were conservatively assumed that this entire population were to be served by NCWD, the additional water system demand would be approximately 12,000 gpd, which is well within the excess capacity.

D. Air

Air resources would not be impacted by changes at Gore Mountain, (2005 UMP Amendment, Sec. 5, p. 5-11):

> The new bus parking lot (Conceptual Action) is not anticipated to bring new buses to the Mountain, only to move buses from one location to another. Therefore, there would be no new impacts to air quality.
>
> Gore Mountain Ski Center has a current NYSDEC Air Quality Permit and permit conditions are met every year.

There would be temporary impacts to air quality during construction. FrontStreet 2006 states that during the construction phase, “impacts to air quality that could occur would be from

construction vehicle emissions and fugitive dust generated from general construction activities". Mitigation measures are listed in (Sec. 4, p. 4-11).

During operational phases at the development:

> No appreciable effects to the climate and air resources would occur.
>
> At its completion, the Project would contribute to an increase in personal automobile use as a result of the increased number of residents. This could contribute to a slight increase in air pollution.
>
> A high concentration of wood burning fireplaces and stoves has the potential for causing localized and short-term quality impacts.

CME conducted an air quality assessment for the proposed Gore Mountain UMP Update, as part of the New York SEQRA requirements (see Appendix 3). The air quality assessment conducted for this project conforms to the procedures followed by the NYSDEC. Currently the NYSDEC follows the procedures of the NYSDOT as outlined in Chapter 1.1 of the *Environmental Procedures Manual* (EPM), last updated January 2001. These procedures address the Clean Air Act Amendments of 1990 and guidance from the EPA.

In addition, CME has conducted a supplemental analysis to evaluate potential cumulative impacts on air quality due to the combined project implementation, which is provided as Appendix 3. A summary of a portion of the analysis indicates:

> Based on a review of the traffic analysis prepared for this project, the study area intersection of Route 28/Peaceful Valley Road (including all adjacent intersections) screen out from requiring a detailed air quality analysis since it operates under unsignalized control.
>
> Based on the above site screening analysis, a detailed microscale air quality analysis is not necessary since this project will not increase traffic volumes, reduce source-receptor distances, or change other existing conditions to such a degree as to jeopardize attainment of the National and New York State ambient air quality standards for carbon monoxide. (CME 2007)

Additionally, the proposed project does not meet any of the criteria in Chapter 1.1 of the EPM for either a mesoscale CO analysis or a particulate matter analysis, therefore neither is required for this project. Detailed descriptions of these analyses and why the project does not meet these criteria can be found in the CME letter report regarding the traffic and air quality analysis provided as Appendix 3. The CME 2007 report summarizes the short-term impacts on air quality associated with the Gore Mountain and Ski Bowl Village and mitigation measures in Sections B 6 and 7:

> The air quality within the project area may experience short-term impacts due to the construction of the project. During construction, airborne particulates will increase as dust is raised by construction vehicles in motion. This increase is expected to be sporadic

and short-term in nature and will be most noticeable in the area immediately adjacent to the construction. The impacts should be minimized by the use of dust inhibitors, such as calcium chloride and other dust-control provisions found in the NYSDOT Standard Specifications for construction.

Based on the air quality assessment conducted using guidelines presented in the NYSDOT EPM, the expansion of Gore Mountain and Ski Bowl Village is not expected to result in violations of New York State or National Air Quality Standards.

E. Aesthetic Resources

Impacts on aesthetic resources, specifically visual impacts, as a result of the proposed development at the Gore Mountain Ski Center are described as follows (2005 UMP Amendment, Sec. 5, 5-8 to 5-9):

> In general, views of Gore Mountain Ski Center are limited primarily to its southern and eastern exposures. South and Pete Gay Mountains block the views of the ski are**a** from the north and west to a large degree.
>
> The Ski Center is partially visible from local roadways: clearly at times, but frequently filtered by topography and mature trees…
>
> […]
>
> Trail cuts and new slopes will be visible from these locations, however, the improvements to the Gore Mountain Ski Center represents a consolidation of visual impacts occurring in an area historically, and currently, used for alpine skiing and other winter sport. Burnt Ridge already has clearing for existing power lines, further consolidating the visual impacts…

Further discussion continues in the section cited above.

Impacts to aesthetic resources have been considered in the development of the APA permit application for the project, as described in FrontStreet 2006 (Sec. 1, p. 1-14):

> To be compatible with the park [Adirondack Park] setting, the Hudson Lodge, restaurant, golf course, and equestrian center, cannot make a significant change in the visual setting that would impact the open space character or change the intensity of land use. To accomplish this, the buildings will be strategically-located in topographically low elevation points and will be visually screened by existing naturally occurring hills, trees, and other vegetation. In terms of architectural appearances, the buildings will be constructed with natural materials to blend in with the natural characteristics of the environment. The golf course fairways will follow ski trails with the tees and greens tucked into the tree lines adjacent to the ski trails to avoid damage during the winter months. Fairway conditions will be natural and will not be developed or maintained as fine-groomed, grassed surfaces.

The mitigation of visual impacts has also been considered (FrontStreet 2006, Sec. 2, p. 2-6):

> Conversion of open space to a resort development will create some visual impacts since the land is currently undeveloped. However, the Project was designed and building locations were selected with an effort to limit visual impacts. The Project also occurs adjacent to already built environments and primarily within "Hamlet" designated areas. Within the Project, 223.27 acres, or 55 percent, will remain undeveloped as open space, including the ski trails. The current land is primarily vacant open space, and a portion of it is land of the former North Creek Ski Bowl. Undeveloped open space lands will assure the overall open space character of the Project site, and preserve the specific natural elements on the site that should be left natural and undeveloped, such as steep slopes, wetlands and watercourses, and shallow soils. The open space areas will also serve as a natural screening of the Project from NYS Route 28, and from other developed areas within the Project area… Additionally, the integration of the Project into the Gore Mountain Ski Center UMP has ensured that new recreational opportunities will occur and preservation of public access to the open space areas of the former North Creek Ski Bowl will be made available.

Relatively short-term and temporary visual impacts would result from the Ski Bowl development during construction phase activities (FrontStreet 2006, Sec. 4, p. 4-13):

> Features of the Project that may result in visual impact during construction include site clearing, road and parking area construction, building construction, and utility placement. Equipment will include, among other machinery, chainsaws, brush-hogs, backhoes, bulldozers, skidders, and dump trucks […] Construction impacts will create a relatively short-term and temporary visual condition, and will generally not be visible from the surrounding area.

During operational phases, visual impacts, if any, would be minimal (FrontStreet 2006, Sec. 5, p. 5-6 to 5-10):

> …It is expected that only certain elements of the Project, such as the top floors of the hotels, inns, some townhouses, the retail space, the ski lift and possibly the top of the equestrian center, will be sporadically visible from NYS Route 28, the Hudson River, and NYS Route 28N. In some areas, limited visibility of the golf course and ski lift clearings may be visible… Due to local topography and existing vegetation, the Project will be substantially invisible from most of the Hamlet of North Creek…

An in-depth discussion of visibility impacts with figures and photographs and associated mitigation measures are provided in FrontStreet 2006, Section 5, p. 5-11.

With the implementation of mitigation measures for the individual projects, there would be no cumulative adverse impacts on aesthetics as a result of the combined implementation of the projects as presented.

F. Historic and Archeological Resources

There are no known historical or archeological resources present in the area proposed for the Gore Mountain Ski Center improvements (2005 UMP, Sec. 5, 5-13). As described in Section 4.B.4 of this document, the Phase 2 archaeological investigation of the Waddell's Saw Mill Site (formerly Slaughter House Site), conducted by Hudson Mohawk Archaeological Consultants, revealed the site was lacking in archaeological integrity and possessed limited research value, making it ineligible for the State and National Register of Historic Places. Therefore, there would be no potentially cumulative adverse impacts upon local historic and archeological resources resulting from implementation of these projects.

G. Open Space and Recreation

With the addition of the Ski Bowl Village project alone there would be a projected increase of year round occupancy of 60 people. This represents a 2.4 percent increase in the permanent population of the town of Johnsburg. Given this relatively small change, no undue adverse impacts to open space or recreation as a result of the combined implementation of the Ski Bowl Village Project and Gore Mountain improvements as described in the FrontStreet 2006 APA Permit Application or the 2005 UMP Amednment, respectively. It is also likely that an increase in visitors to Gore Mountain and the Ski Bowl areas would increase the number and type of recreation users in the adjacent SPW area.

New recreational opportunities would result from the development of the Ski Bowl Village project. These include the complementary design and connection through an open air plaza between the proposed hotel building and public ski hut. In addition, the 9 hole golf course will serve as both an amenity for lodging guests at the Ski Bowl Village project, as well as local residents.

To ensure that impacts due to undesired recreational activities are avoided, a Master Agreement is in place between FrontStreet and the Town of Johnsburg which restricts activities that could occur on the ski trail parcel as follows:

> " The Ski Trail Parcel shall be used solely for public skiing, hiking, biking, horseback riding, golf and other outdoor activities, but not for motorized vehicles (other than for ski related maintenance and safety, and golf related maintenance and golf carts), camping or hunting."
>
> All-terrain vehicles (ATVs) and mountain bikes[except as qualified below] will be prohibited in all areas at all times. Snowmobiles will be prohibited from all roads and trails in and around ski trails, homes and hotels. Snowmobiles may be stored in a designated area only and may be used only in designated areas. As further clarification, ATV's and motorcycles of all types are prohibited from the area under the terms of the Master Agreement with the Town and under the FSMHOA [FrontStreet Mountain Homeowners' Association] association documents. Bicycles of all types, including mountain bikes will be allowed in all areas at all times other than during the winter when mountain bikes will be prohibited from all public and private ski trails.

> Horseback riding will be permitted during non-winter periods. Cross-country skiing will be permitted. Hunting will be prohibited in all areas at all times. NIPA Final Response as of 9-25-06 (p. 32).

To ensure that unanticipated impacts from these additional recreational activities are avoided, sufficient protections should be in place during and following construction. FSMHOA is the appropriate entity to assume this responsibility, based on the response provided by FSMD in NIPA I, including the following:

> The FSMHOA has also been revised to include the right to establish a "Permit Compliance Officer" of the FSMHOA, who will have full access and right to inspect all undertakings by each owner to ensure compliance with all federal, town, state, and APA permit requirements during construction and on an ongoing basis going forward. (NIPA 2006, at page 5).

H. Critical Environmental Areas

The Critical Environmental Areas of closest proximity to Gore Mountain and the Ski Bowl Village project, as identified by the NYSDEC, are the waters and wetlands of Lake George, located approximately 18 miles away, and Round Pond, Rush Pond, and Glen Lake that are all located in the town of Queensbury, NY nearly 23 miles away. Critical Environmental Areas throughout this region of New York State would experience no measurable impact due to development activities at Gore Mountain, the Ski Bowl Village project, and adjacent properties.

I. Transportation

Traffic and highway system issues area are addressed in-depth in materials submitted on behalf of both the proposed improvements to the Gore Mountain Ski Center and for the proposed Ski Bowl Village project.[25] In both instances, a thorough assessment of the following has been accomplished:

- Review of existing traffic system facilities
- Assessment of current traffic flow and system utilization
- Projected future traffic levels with and without the project proposal
- Assessment of impacts of project-generated traffic
- Impact on traffic system and proposed mitigation

The proposed access to the Ski Bowl Village site would be from the existing Ski Bowl Road South entrance to the Town Park and a new access point north of the intersection of Route 28 and Ski Bowl Road North. The main entrance would provide public skiing access via Ski

[25] See: Gore Mountain Ski Center 2002 UMP – 2005 Amendment and Ski Bowl Village at Gore Mountain, General Information and APA Permit Application, Volume 3 – Attachment Q, Traffic Impact Study, Prepared by Creighton Manning Engineering.

Bowl Road South, with the new site driveway reserved for the residential resort access. The CME traffic and air analysis conducted in 2007 included an analysis of future traffic volumes and a capacity/level of service evaluation, a description of which can be found in CME analysis report provided as Appendix 3.

Based on the recent analysis of the Ski Bowl Village project by CME, the site is expected to generate between 342 and 358 new vehicle trips during peak operational times which will occur during the Friday p.m. peak hour and Sunday afternoon peak hour. The intersection of Route 28/Peaceful Valley Road will operate adequately during the off-peak hours. However, the eastbound Peaceful Valley Road approach will operate at LOS F during the Sunday afternoon peak hour. Consistent with the previous UMP studies, the approach will operate adequately with the addition of two exit lanes on Peaceful Valley Road at Route 28 if the "skiers at one time" (SAOT) reach 7,000. No additional mitigation is required (CME 2007)

As documented in Appendix 2: Cumulative Economic, Growth & Fiscal Impact Analysis for Gore Mountain Interconnect & Related Projects, the cumulative year-round population growth that will be generated by the projects will be distributed geographically throughout the Impact Region (Warren and Essex Counties) rather than focused exclusively in the immediate North Creek area. While this population growth could result in minor increases in traffic levels in the Impact Region, the additional traffic will not be focused at the particular intersections of concern in the immediate North Creek area. Rather, the traffic will be distributed throughout the region. Therefore, the proposed projects would not have any significant impacts on the traffic operations of the Route 28/Peaceful Valley Road intersection, or adjoining intersections.

J. Use and Conservation of Energy

Based on information provided from prior analyses, it is apparent that the regional distribution system has more than adequate capacity to handle the cumulative power demands of the Gore Interconnect, Ski Bowl Village and the Johnsburg Residential projects.

Gore Mountain has replaced or upgraded various facilities to increase energy efficiency and foster conservation. Increased usage of facilities associated with the combined implementation of Gore Mountain UMP implementation and the Ski Bowl Village project would not significantly alter existing energy usage patterns (2002 UMP.)

In regard to the Ski Bowl Village project new buildings are proposed to be constructed with "Energy Star Standards" and to incorporate LEED green building standards, as these evolve over time during the construction period. And as addressed in APA Project Findings and Order 2006-123, opportunities to utilize renewable energy resources must also be investigated and considered for the Ski Bowl Village project . Findings 235 through 238 discuss incorporation of state-of-the-art energy, water/material efficiency techniques, and sustainable building practices to minimize energy impacts and to promote energy efficiency and sustainability. APA Project Permit 2006-123 FSMD, conditions 26 through 37, mandate maximum usage of green building

principles and assistance from the New York State Research and Development Authority to aid in utilization of green building techniques. Residential development and Project facilities are required to be constructed in such ways to minimize energy consumption and to meet Energy Star standards. Commercial buildings associated with the FrontStreet development will meet a U.S. EPA Energy Performance rating of 75 or higher. The submittal of a final detailed "Integrated Energy and Environmental Management Plan" to DEC for review and approval is required (condition 30) prior to Project construction. A plan is required to be developed for ski slope planning, design, construction, and operation by FSMD which describes how these activities are proposed to be conducted in a manner which conforms to the greatest extend practicable with the National Ski Area Associations "Sustainable Slopes". This plan is subject to APA review and approval (condition 37). Also, the permit requires that local labor and materials be utilized to the maximum extent possible, in order to limit travel of workers and shipping of materials (condition 28).

Given these many different measures and approaches, which are comprehensive in nature, the findings and associated detailed conditions associated with the APA permits provide reasonable assurances that the Projects would be constructed and operated in a manner that minimize greenhouse gas emissions, and thereby mitigate impacts of climate change associated with the Projects.

Future opportunities for realizing significant energy conservation include the potential for train service to North Creek from Saratoga Springs, with an ultimate connection to Amtrak thus providing service from New York City or Montreal, and points between. Following arrival in North Creek, guests could utilize shuttle bus services to reach local destinations.

K. Noise and Odor

There are no potentially adverse cumulative impacts upon noise and odor that would result from the combined activities within the Gore Mountain Ski Center and Ski Bowl Village project areas. There is potential for an increase in noise levels during the construction and operational phase activities of the Ski Bowl Village project. A report titled *Noise Level Assessment on the Proposed Site of Ski Bowl Village at Gore Mountain* was completed by the LA Group in September 2006, which identified potential noise impacts. According to the report, potential noise impacts during construction phases may arise from "clearing and grubbing and sand and gravel extraction, blasting and rock crushing operations, and heavy equipment used to build the project." Potential noise impacts during operational phase activities may arise from "increased traffic volume, ski trail grooming, and landscaping equipment. It is likely that snowmaking equipment [would] be mobile and transported by grooming equipment including ATV and/or a snow mobile." The LA Group study concluded the following (LA Group 2006g):

> The NYSDEC Policy document specifies that "an increase in 10 dBA deserves consideration of avoidance and mitigation measures in most cases." The sensitive receptor sites associated with this project are considered to be located in a rural setting with assumed typical ambient (A-weighted) daytime, outside of building sound levels of 45 dBA.

> The existing conditions model indicates that sensitive receptors, primarily the Tri County Nursing Center, currently experience increases in outside ambient sound levels from background noise associated with Town of Johnsburg's Highway Department Operations. According to the NYSDEC Policy document *Table B, Human Reaction to Increases in Sound Pressure Level*, this project construction and operation noise assessment assumes that there may be intermittent increases in ambient sound levels which are in a human reaction range of "unnoticed to tolerable" to "very noticeable." Based on these finding, impacts from project construction and operation will be physically measured and evaluated for significance as follows:
>
> - Project construction sound levels at the above referenced sensitive receptors will be measured and compared to existing daytime ambient sound levels (i.e. Johnsburg Highway Department),
>
> - Increases in existing ambient noise at sensitive receptors from project construction and operation at 10dBA or less will not require mitigation, greater than 10dBA will indicate an increase in noise impact requiring further discussion and/or possible mitigation measures to reduce the impact to sensitive receptors.

Noise mitigation measures are included in Section 6 of that document.

There is a slight potential that odor impacts may be experienced during the operational phases of the Ski Bowl Village project as a result of the equestrian facility. According to the *Wastewater Treatment Facilities Facility Plan* by Delaware (Delaware 2006b), operational phase activities of the wastewater treatment facility would produce no noticeable odor impacts upon the project area. "There is no odor control provided since the SBR and Digester will emit an odor similar to moist earth. To date there have been no odor issues associated with the SBRs or digesters of this design" (Delaware 2006b).

L. Public Health

There would be no undue adverse cumulative impacts upon public health services as a result of the implementation of these projects. From FrontStreet 2006 (Sec. 4, p. 4-17):

> There will be an increase in on-site injuries during the construction phase. There will also be additional injuries from car accidents in the vicinity of the Project. The local Hudson Headwaters Health Centers in Johnsburg and Warrensburg have the capacity to attend to such injuries. No mitigation is required since no significant impacts are identified.

M. Secondary Growth, Fiscal Impact and Character of Community or Neighborhood

Three previous reports addressed issues of economic impact, secondary growth, and fiscal effects with respect to the Gore Mountain Interconnect and Ski Bowl Village proposals. These are: 1) *Economic Impact of the N.Y. Olympic Regional Development Authority, 2004-2005 Fiscal Year* – this report deals with the cumulative economic impact of all of the faculties and programs

operated by ORDA, including Gore Mountain; 2) *Economic Impact Study of the Gore Mountain Interconnect* – the New York State Comptrollers Office completed this report to specifically address the potential long-term economic impact of the Gore Interconnect project and; 3) *Economic and Fiscal Impact Analysis Ski Bowl Village at Gore Mountain* – this report was specifically intended to address the economic, local service, and fiscal impacts of the proposed Ski Bowl Village project. In many respects the report also addressed the cumulative impacts of the Gore Interconnect and Ski Bowl Village projects.

A comprehensive economic, service, and fiscal impact analysis was completed to cumulatively assess the impacts of the Gore Interconnect and Ski Bowl Village as well as several other residential projects planned in the Town of Johnsburg (LandVest 2007) The analysis considered both short- (construction) and long-term (operations) impacts of the projects as well as their cumulative fiscal implications for the Town of Johnsburg.

The short-term cumulative economic impacts of the projects were evaluated by assessing likely construction activity – both in terms of the number of *direct* jobs that would be generated and in terms of the secondary employment that would be created by the construction activity. Overall, the analysis indicated that – over the expected nine years of construction activity – that the project would generate 644 full-time equivalent (FTEs) positions in the impact region.[26]

The longer-term cumulative economic impacts of the projects were assessed in steps by considering: 1) increased visitation to the area; 2) resultant increases in expenditures in the impact area; 3) direct employment supported by increased expenditures and; 4) secondary employment supported by the increased direct economic activity. In the long term (following the completion of all projects), it is estimated that the total input (Direct and Secondary) to the impact area would be $77.51 million on an annual basis and 220 new FTEs.

Increased economic activity and new jobs would result in some growth in the impact area. The analysis indicates that in the long run (following the completion of all projects), the impact area's year-round population would increase by approximately 190 persons and the impact area's school population would increase by approximately 35 students. The impact of this growth would not be significant to the region.

Cumulatively, the projects will have a positive economic impact on the North Creek Hamlet. North Creek's commercial sector has historically been oriented toward attracting business from the travel, tourism and recreation sector. As such, North Creek businesses include lodging facilities, restaurants, retail shops and services that can serve non-local visitors. In recent years, the hamlet's commercial sector has suffered – including the loss of several businesses and difficult operating conditions for other business operators.

One of the significant cumulative impacts of the projects will be to generate an increase in the number of non-local visitors to the North Creek area – including both day and overnight visitors. In particular, the projects have the potential to generate new visits by overnight visitors, who have relatively high expenditure patterns. These visitors will increase expenditure levels in North Creek and the surrounding area and provide support for travel, tourism and recreation-oriented

[26] One full-time equivalent position is sufficient work to keep one worker employed for one year.

businesses. These visits and expenditures will facilitate and enhance potentials for revitalization of North Creek's commercial sector. This enhanced economic activity will bolster existing businesses and create opportunities for the creation of new businesses. This activity will, in turn, create new employment and income for residents of the North Creek area. The cumulative fiscal impact of the projects was estimated by comparing potential project-generated revenues with potential project generated costs – in the form of additional cost for services to be extended to the projects. The analysis indicates that the additional costs that would be cumulatively generated by the projects would be far outweighed by the cumulative revenues that would be generated by the projects. As such, the net cumulative fiscal impact of the projects is expected to be positive.

N. Solid Waste Management

The following briefly summarizes the solid waste system currently in effect for businesses and/or residences in the Town of Johnsburg:

- Solid waste is hauled to the regional transfer station located in North Creek. This is accomplished either by the business/resident, or by commercial haulers;
- The Town of Johnsburg then transports refuse to the Adirondack Resource Recovery Facility in Hudson Falls. This facility is operated jointly by Warren and Washington Counties. Refuse is burned at this facility – resulting in power generation.

Both the regional transfer station and the Adirondack Resource Recovery Facility are operating at levels well within their respective design capacities. Increases in solid waste generation as a result of the Gore Interconnect, Ski Bowl Village and the Johnsburg Residential projects would not exceed capacities levels nor create service issues.

O. Any Irreversible and Irretrievable Commitment of Environmental Resources

The proposed connecting ski trails and lifts between Gore Mountain Ski Center and the North Creek Ski Bowl, together with the expansion of ORDA operated skiing facilities at the North Creek Ski Bowl and the FrontStreet Ski Bowl Village project on adjacent private land would not result in significant irreversible or irretrievable commitment of resources beyond those specifically described previously. These individual project impacts are described in both FrontStreet 2006, (Sec. 8), and the 2005 UMP (Sec. 8, p. 8-1). The commitment of resources to construct and operate the individual components of the proposed projects would not be increased or altered in a cumulative manner as a result of the combination of these actions.

SECTION 6: DESCRIPTION OF MITIGATION MEASURES

The APA Project Findings and Order 2006-123 for FrontStreet's Ski Bowl Village project set forth extensive conditions to mitigate potential cumulative impacts related to the projects and are discussed in Section 8 of this SEIS. In addition to APA's mitigation measures, this SEIS further recommends the following measures to mitigate potential cumulative impacts:

1. Limits on concurrent soil disturbance from both projects
2. Expanded water quality monitoring program
3. Right turn lane on Route 28 to Peaceful Valley Road
4. Enhanced Golf Course Management Protocol
5. Implement Permit Compliance Officer

The details of these proposed measures are described below.

1. Limits on Concurrent Soil Disturbance from both Projects

To prevent unanticipated cumulative impacts on water quality and aquatic resources, it is recommended that an overall maximum area of disturbed soil of five acres in a given watershed (e.g. Ski Bowl unnamed tributary) at any time apply to the combined projects. This would mean that the total earth disturbance associated with construction of Ski Bowl trails and the Ski Bowl Village project would not exceed five acres at any time. By applying this cap, the timely and proper implementation of temporary or permanent stabilization measures should occur, with an emphasis on ensuring that unnecessary areas of soils that are not temporarily or permanently stabilized, which could result in cumulative adverse impacts on water quality of streams in the project vicinity would be avoided.

2. Expanded Water Quality Monitoring Program

An existing water quality monitoring program has evaluated water chemistry data (1995 to present) collected within Straight and Roaring Brooks on Gore Mountain. The program has focused on measuring parameters relating to phosphorus and sediment loads to these two brooks. A comprehensive monitoring program is recommended, to track the effectiveness of implementation and maintenance of construction phase BMPs, such that surface water quality impacts are avoided and minimized. The monitoring program would expand both the number of sample stations as well as nature of parameters to be sampled to fully assess physical, chemical and biological aspects of water quality. The more comprehensive program proposed would serve as mitigation for potential cumulative water quality impacts due to the combined project.

On the Gore Mountain side, a total of eight sample locations are proposed, representing all three watersheds that drain into the three primary tributaries to North Creek: Straight Brook, an unnamed tributary of North Creek, and Roaring Brook. The sample locations have been selected with the objective of evaluating the effects of both the existing and the approved but yet to-be-built ski trails on the mountain. Specific proposed sample locations/parameters are outlined in the following table and can be cross-referenced with the Gore Mountain Watersheds and Water Quality Monitoring Locations Map (see page 6 of Appendix 1). Table 6-1 also lists the proposed sample parameters.

Table 6-1: Gore Mountain Ski Center – Water Quality Monitoring Locations

Sample Location	Watershed	Description	Parameters Sampled
A1	Straight Brook	Within middle tributary to Straight Brook, below to-be-built trails	pH, temperature, conductivity, sediment, metals, nutrients
A2	Straight Brook	Within eastern-most tributary to Straight Brook	pH, temperature, conductivity, sediment, metals, nutrients
A3	Straight Brook	Mainstem of Straight Brook, below confluence with eastern-most tributary	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station
B1	Unnamed Tributary	North-east of existing base area, below yet-to-be-built trail	pH, temperature, conductivity, sediment, metals, nutrients
B2	Unnamed Tributary	Below existing access road	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station
C1	Roaring Brook	Along west branch of Roaring brook, below yet-to-be-built trails	pH, temperature, conductivity, sediment, metals, nutrients
C2	Roaring Brook	Along north branch of Roaring brook, below yet-to-be-built trails	pH, temperature, conductivity, sediment, metals, nutrients
C3	Roaring Brook	Below confluence of west and north branches of Roaring brooks	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station

In terms of water chemistry sampling, the proposed water quality monitoring program would call for three pre-development baseflow sample events, and three pre-development event based sample events for one year prior to initiation of project construction. Within watersheds where active earthwork is occurring, 3 baseflow sample events per station would continue on a yearly basis, as well as at minimum 6 event-based sample events per station during each year of active earth disturbance. Biomonitoring would occur once per year during the construction period, including at least one pre-construction monitoring event, at selected stations. The biomonitoring event would include an evaluation of habitat characteristics including vegetative cover, channel stability and a qualitative assessment of channel embeddedness. Sample methodology would follow NYSDEC standard protocols.

In the North Creek Ski Bowl/Ski Bowl Village area, a total of nine sample locations are proposed, representing the three sub-watersheds through which all development-related surface water runoff (including golf course runoff) would flow. The sample locations have been selected based on the proposed post-development flow paths through the FrontStreet project. Specific proposed sample locations are outlined in Table 6.2 and these locations can be cross-referenced with the Gore Mountain Watersheds and Water Quality Monitoring Locations Map (located on page 6 of Appendix 1). Table 6-2 also lists the proposed sample parameters.

Table 6-2: North Creek Ski Bowl – Water Quality Monitoring Locations

Sample Location	Watershed*	Description	Parameters Sampled
D1	104	Intermittent tributary; collects discharge from two stormwater ponds and additional upslope runoff	pH, temperature, conductivity, sediment, metals, nutrients
D2	104	Intermittent tributary; below proposed residential access road	pH, temperature, conductivity, sediment, metals, nutrients
D3**	104	Mainstem of perennial tributary; captures runoff from numerous upslope, post-development sub-watersheds	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station
D4**	104	Mainstem of perennial tributary mid-way between Stations D3 and D7; captures additional runoff from several small, post-development sub-watersheds	pH, temperature, conductivity, sediment, metals, nutrients
D5	104	Collects discharge from one stormwater pond that treats runoff from small post-development sub-watershed	pH, temperature, conductivity, sediment, metals, nutrients,
D6	104	Collects discharge from one stormwater pond and additional upslope runoff	pH, temperature, conductivity, sediment, metals, nutrients
D7**	104	Mainstem of perennial tributary, downstream of development and prior to road crossing	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station
E1	106	Intermittent tributary; below proposed residential access road	pH, temperature, conductivity, sediment, metals, nutrients
E2	106	Intermittent tributary; downslope end of post-development sub-watershed	pH, temperature, conductivity, sediment, metals, nutrients, biomonitoring station
F1	110		

* Watershed number taken from LA Group Existing Stormwater Management Plan (May 2006)
** Baseflow samples collected in addition to event-based samples

Most of the drainages through the FrontStreet site are intermittent and as such would not involve baseflow monitoring. A minimum of three event-based samples would be collected where possible for at least one year prior to the initiation of project construction. Some of these locations may not be possible to sample until post-construction flow paths are constructed. For example, Stations D5 and D6 would be located at the outflows of constructed stormwater runoff treatment basins where defined channels may not currently exist. Following construction, a minimum of six event-based samples per station would continue on a yearly basis during the period of project construction. Stations along the one perennial stream that flows through the site would involve baseflow (three per year) in addition to the event-based sampling. Biomonitoring would occur once per year during the construction period, including at least one pre-construction monitoring event, at selected stations, and would include an evaluation of habitat characteristics including vegetative cover, channel stability and a qualitative assessment of channel embeddedness. Sample methodology would follow State of NYSDEC standard protocols.

Appropriate specific remedial measures to address identified impacts would be implemented in follow-up to monitoring results, which document exceedances of New York State Water Quality Standards. In addition, results of the water quality monitoring would be presented in an annual report to the Water Division at the NYSDEC and would include recommendations for supplemental measures where appropriate.

3. Right turn lane on Route 28 to Peaceful Valley Road

To avoid excessive air quality impacts due to vehicle idling, and to maintain safe conditions, the UMP recommends the widening of Peaceful Valley Road as part of the Gore Mountain Ski Center expansion to provide two exit lanes upon the reaching of 7,000 SAOT. This recommendation is still applicable relative to the proposed Ski Bowl Village project.

4. Enhanced Golf Course Management Protocol

FSMD has proposed a fertilization protocol for greens and tees on the proposed 9 hole golf course. To ensure that cumulative impacts to groundwater quality are avoided, the fertilization protocol should be based on regular soil tests to determine existing soil nutrient levels and then calibrate necessary fertilizer applications accordingly. Similarly, a more detailed and site specific protocol of potential pesticide types and usage should occur specific to the proposed course design. This should include consideration of any drainage features (e.g., underdrains) contemplated on the course which will affect the ultimate flow path of waters.

5. Implement Permit Compliance Officer

To ensure that unanticipated impacts due to increased recreational uses anticipated as a result of the Ski Bowl Village project both during construction and on an ongoing basis, the assignment by FSMHOA of an individual to be Permit Compliance Officer should be required. This person would be responsible for site inspection and auditing to determine whether terms and conditions of federal, town, state, and APA permit requirements are being followed. The responsibility of this person, and FSMHOA should also extend to recommending and implementing any remedial

measures determined necessary to address impacts due to recreational uses, and thereby maintain continued compliance with these permits.

SECTION 7: ALTERNATIVES

A. Alternative Trail Improvements

The 2005 Gore Mountain UMP provides a comparison of the current proposal to alternative potential trail layouts, to create the ski connection to the historic North Creek Ski Bowl (2005 UMP, Section 6). The final proposal was selected based on the mix of ski trail ability levels that would be provided, which match with expected skier demand, avoid and minimize natural resource impacts, and do not result in any encroachments within adjacent wild forest lands.

Specifically, the Ski Bowl trails would provide for a mix of novice terrain, intermediate terrain, and expert terrain for a total of 40 acres of skiable trail area. The trail layout has been based on natural drainage patterns and environmental considerations as described in the 2005 UMP. No alternative trail areas have been identified which would achieve the project purpose and also result in lesser environmental impacts.

B. No-action Alternative

The No-action alternative represents the continued implementation of the 2002 UMP by Gore Mountain, without the interconnect or re-establishment of the North Creek Ski Bowl ski trails and associated lifts. The associated public benefits would not be realized, nor would public needs cited herein be met.

SECTION 8: RESPONSE TO PUBLIC COMMENTS

This Section summarizes public comments received on the draft SEIS during the two (2) public hearings conducted by NYSDEC and ORDA on March 4, 2008 (at Gore Mountain Ski Center) and March 25, 2008 (in Albany, NY) and during the 60-day public comment period, which closed on April 15, 2008. The comment summaries are organized by topic area and are followed by NYSDEC's response.

A. Surface Water Impacts

Comment: *Concerns regarding surface water impacts from the Projects.*

Response:

a. Wetlands.

These issues are addressed in APA Project Findings and Order 2006-123, findings 162 and 163, which summarized the minimal wetland impacts which would occur due to ski trail development and lift line construction. Wetlands are depicted on plans or noted in the findings to ensure knowledge of wetland existence and locations. APA Project Permit 2006-123 FrontStreet Mountain Development, LLC (FSMD), condition 13, APA Project Permit and Order 2006-123 Town, condition 39, and APA Project Permit 2006-123 Subdivision, condition 5, requires regulation of any activity within wetlands by NYSDEC, which includes but is not limited to, new land use or development, and dredging or filling that would significantly impair the integrity of the wetland system.

b. Golf Course.

This issue has been addressed in APA Project Findings and Order 2006-123, finding 52, which summarizes the implementation of a golf course management plan, specifically regarding pesticide and fertilizer utilization, and in finding 188, regarding erosion control methods and stormwater management practices, which will be utilized during golf course construction phases. Permit conditions 44 and 45 of APA Project Permit 2006-123 FSMD require specific measures which constitute an integrated pest management plan. The golf course will also implement the 2007 Stormwater Pollution Prevention Plan (SWPPP) for the North Creek Ski Bowl Trails and the 2006 SWPPP for FSMD during construction (note finding 188). In addition, proposed mitigation measure #4 of the Draft SEIS calls for an enhanced golf course management protocol, which, with proper preparation and implementation, would be effective in avoiding and minimizing such impacts.

c. Impervious Surfaces.

Runoff from proposed impervious surfaces associated with the Project has been addressed through the development of Stormwater Pollution Prevention Plan (SWPPP), which are discussed in APA Project Findings and Order 2006-123, findings 98 through 100, 164, and 188. The findings are implemented through permit conditions 42, 43, and 57 of APA Project Permit 2006-123 FSMD and conditions 25 through 27 and 40 through 42 of APA Project Permit and Order 2006-123 Town. Measures are required by the conditions to uphold the SWPPP which includes development of a maintenance plan to ensure permit compliance associated with erosion control and stormwater management throughout the Project development. In addition, to provide further observation of the effectiveness of these measures with respect to water quality protection, the Draft SEIS recommends an expanded water quality monitoring plan, as mitigation measure #2. Given the proposed measures to be implemented, as described above, including the mitigation measures of the Draft SEIS, no significant impacts to water quality of the Hudson River or area streams are anticipated as a result of the combined projects.

d. Stormwater/Erosion Control.

This issue was addressed in APA Project Findings and Order 2006-123, findings 55, 98 through 100, 148, 164, and 188. Various findings address stormwater and erosion control methods and impacts, such as: parking - all designs must comply with the detailed plans which focus on minimization of stormwater runoff and land disturbances (finding 55); stormwater management with regard to the implementation of the SWPPP, utilizing management practices, and incorporation of stormwater designs (findings 98 through 100). Finding 148 summarizes requirements to comply with DEC's permits for stormwater management, and project impacts focusing on water and land resources are noted in findings 164 and 188, which relates to the implementation of the SWPPPs and other referenced plans, which should involve oversight from an independent environmental monitor to reduce impacts on water quality. APA Project Permit 2006-123 FSMD, conditions 10, 42, and 43 requires grading and clearing to be located within the limits noted in plans and the implementation of the SWPPP, Stormwater and Grading Plans, and maintenance plans during Project construction. Permit conditions 25 through 27 and 40 through 42 of the APA Project Permit and Order 2006-123 Town requires stormwater management practices and erosion control measures to be implemented during development of the Ski Bowl Village and Park.

e. Wastewater Treatment.

Project impacts regarding wastewater treatment and phasing of each system are addressed in APA Project Findings and Order 2006-123, findings 181 through 186. The findings summarize the phasing of the wastewater treatment plant to be implemented into the Projects, the requirement of discharge permits, and construction plans by the DEC. APA Project Permit 2006-123 FSMD, conditions 16 and 17 require wastewater treatment plant designs to comply with DEC standards. The permit also requires approval of reports and plans of the treatment plant prior to construction phase. Permit condition 24 of the APA Project Permit and Order 2006-123 Town describes the construction phases of the wastewater treatment plants, which will lead to a permanent facility that will treat approximately 220,000 gallons per day of wastewater. In addition, recommended mitigation measure #2 of the Draft SEIS is an expanded water quality monitoring plan which is intended to provide very detailed information on physical, chemical, and biologic indicators of water quality to ensure that if New York State Water Quality Standards are exceeded, appropriate remedial measures would be implemented.
Section B – item 6, on page 12 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 discusses utilization of smart growth concepts which are planned for designated stormwater, wastewater, and building development areas.

f. Water Withdrawal

Project impacts relating to water resources that specifically address water withdrawal rates are addressed in APA Project Findings and Order 2006-123, findings 165 through 168, which references the existing permitted water withdrawal for snowmaking from the Hudson River, which would continue to operate at the existing maximum withdrawal rate of 5000 gpm, or 0.7% of the average river flow. The Ski Bowl will utilize the existing snowmaking intake. APA Project Permit and Order 2006-123 Town, conditions 29 through 31, and 44 mandates that the maximum existing withdrawal rate shall not be exceeded for all Town and ORDA trails.

B. Snowmaking

Comment: *Concerns regarding snowmaking operations.*

Response: This issue is addressed in APA Project Findings and Order 2006-123, findings 91, 92, and 118 discuss snowmaking operations, which will mimic the existing system at Gore Mountain and utilize the intake system on the Hudson River. The existing permit for snowmaking water intake and the maximum withdrawal rate of 5,000 gallons per minute is referenced in finding 118. APA Project Permit and Order 2006-123 Town, conditions 17, 18, and 29 through 31 mandates the snowmaking system be identical to Gore Mountain's existing system and implement the existing permitted water withdrawal for snowmaking from the Hudson River, which would continue to operate at the existing maximum withdrawal rate of 5000 gpm, or 0.7% of the average river flow.

C. Ecological and Wildlife Impacts

Comment: *Concerns regarding ecological and wildlife habitat impacts.*

Response: This issue has been addressed in APA Project Findings and Order 2006-123, findings 189 and 191, which conclude, based on the information presented, that no wildlife populations or critical habitats would be adversely affected by the Projects. APA Project Permit 2006-123 FSMD, conditions 40, 48, 49, and 53, and APA Project Permit and Order 2006-123 Town, conditions 46 and 50, require that no trees or vegetation be removed or disturbed outside of the clearing limits that have been previously approved. To limit invasive species at the Project sites, plans have been developed to control the invasive species spread/introduction, best management practices (BMPs) and continuous monitoring of invasive species will be utilized, construction equipment will be required to be sanitized before entering the Project sites, and educational efforts will be developed to inform homeowners of the impact of invasive species. In addition, the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008, references the ecological survey performed in 2006.

No ski trails or facilities associated with the Projects will be located on the Vanderwacker Mountain Wild Forest lands; this issue is addressed in APA Project Findings and Order 2006-123, finding 85. Permit condition 53 of the APA Project Permit 2006-123 FSMD, requires permanent boundary markings to distinguish the Vanderwacker Mountain Wild Forest boundary line from the Project site. APA Project Permit and Order 2006-123 Town, condition 47 also mandates delineation of the boundary line to ensure no disturbance of Vanderwacker Mountain Wild Forest. Section B – item 4, page 9 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 states that the issue is addressed in the Unit Management Plan (UMP) and the Draft SEIS.

The WCS Study titled "Impacts to Wildlife from Low Density, Exurban Development" (October 2005) is not relevant to location/type/density of project development. Section B – item 5, on pages 10 and 11 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 states that wildlife studies regarding the Indiana Bat's presence was thoroughly addressed.

Comment: *Concerns regarding loss of land use for public recreation.*

Response: APA Project Findings and Order 2006-123, finding 131 references the Schaeffer hiking trail and parking area as an existing environmental setting and will be maintained as such. Section C – item 11, page 18 of the "Response to Public Comments and Letters", prepared by the LA Group, and dated April 1, 2008, also states that acreage will be given to the Town and hiking trails will be easily accessed via ski trails.

D. Energy and Climate Change

Comment*: Concerns regarding climate change, energy impacts, energy conservation, and implementation of Leadership in Energy and Environmental Design (LEED) design standards.*

Response: As addressed in APA Project Findings and Order 2006-123, findings 69 through 75 and 235 through 238, building construction will be required to follow the "Energy Conservation Construction Code of New York State, 2007" and education effort will be directed towards homeowners on various energy conservation practices. New buildings are proposed to be constructed with "Energy Star Standards" and to incorporate LEED green building standards, as these evolve over time during the construction period. Opportunities to utilize renewable energy resources must also be investigated and considered. Findings 235 through 238 discuss incorporation of state-of-the-art energy, water/material efficiency techniques, and sustainable building practices to minimize energy impacts and to promote energy efficiency and sustainability. APA Project Permit 2006-123 FSMD, conditions 26 through 37, mandate maximum usage of green building principles and assistance from the New York State Research and Development Authority to aid in utilization of green building techniques. Residential development and Project facilities are required to be constructed in such ways to minimize energy consumption and to meet Energy Star standards. Commercial buildings associated with the FrontStreet development will meet a U.S. EPA Energy Performance rating of 75 or higher. The submittal of a final detailed "Integrated Energy and Environmental Management Plan" to DEC for review and approval is required (condition 30) prior to Project construction. A plan is required to be developed for ski slope planning, design, construction, and operation by FSMD which describes how these activities are proposed to be conducted in a manner which conforms to the greatest extend practicable with the National Ski Area Associations "Sustainable Slopes". This plan is subject to APA review and approval (condition 37). Also, the permit requires that local labor and materials be utilized to the maximum extent possible, in order to limit travel of workers and shipping of materials (condition 28).

Given these many different measures and approaches, which are comprehensive in nature, the findings and associated detailed conditions associated with the APA permits provide reasonable assurances that the Projects would be constructed and operated in a manner that minimize greenhouse gas emissions, and thereby mitigate impacts of climate change associated with the Projects.

Comment*: Concerns relating to climate change impacts and its relationship to ski resorts.*

Response: Findings 69 through 75 and 235 through 238 of the APA Project Findings and Order, 2006-123 summarize the adherence to the "Energy Conservation Construction Code of New York State, 2007" as building construction commences. Buildings will be constructed with "Energy Star Standards", incorporate LEED green building standards, and renewable energy resources will be investigated and considered. Findings 235 through 238 summarize incorporation of state-of-the-art energy, water/material efficiency techniques, and sustainable building practices to minimize energy impacts and to promote energy efficiency and sustainability. APA Project Permit 2006-123 FSMD conditions 26 through 37 require energy efficiency and conservation as a mitigation measure to avoid climate change impacts. Energy conservation and standards are continuously evolving. As a measure to limit climate change, the Projects will maximize utilization of green building principles with assistance from the New York State Research and Development Authority in order to develop the required Energy Star homes and other energy efficient buildings. Commercial buildings such as hotels, inns, and restaurants are required to meet a U.S. EPA Energy Performance rating of 75 or higher. Reduction in size of residential buildings will aid in minimizing energy consumption via heating, lighting, air conditioning and will comply with the Energy Conservation Construction Code of New Your State, 2007. An "Integrated Energy and Environmental Management Plan" will be submitted to the DEC prior to construction of the Projects to ensure proposed water and energy efficient projects and programs will be implemented. These projects are, but not limited to, energy and water conservation and efficiency guidelines, alternative energy opportunities, recycling and salvage programs, and alternative methods or practices to conservation energy and water resources. The DEC must review construction plans that are developed by the design firms (one must be LEED accredited) to ensure energy efficient designs are implemented. Also, another measure to reduce greenhouse gases and limit consumption of gasoline will be efforts to employ local labor and purchase local materials to reduce driving distance and limit numbers of automobiles will be utilized.

Section B – item 7, on pages 12 and 13 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 addressed Project issues by developing an integrated energy efficiency management (IEEM) plan to be implemented into development design.

In addition, the National Ski Area Associations "Sustainable Slopes" program must be used as a guide for ski slope planning, design, construction and operation. North Creek is not considered a "low elevation" ski area and is comparable to Okemo Resort with respect to elevation. Snowmaking operations presently are occurring at these lower elevations for tubing, chair lift, terrain park and half pipe, and these operations have been and are expected to continue to be successful, based on 2007-2008 season.

E. Visual Impacts

Comment: *Concerns regarding visual impacts and dark sky night protection.*

Response: APA Project Findings and Order 2006-123, finding 190 states that development will be completed according to submitted plans in which building colors will consist of earth tones and lighting heights are limited to 12 to 20 feet. APA Project Permit 2006-123 FSMD, condition 12 requires lighting fixtures to cast light downward to limit light pollution and will not exceed 20 feet in height. Permit condition 38 of the APA Project Permit and Order 2006-123 Town, does not permit additional lighting that is not authorized by Permit 2007-116 and reiterates condition 12 of the FSMD permit.

F. Air Quality and Noise Impacts

Comment: *Concerns relating to air quality and noise impacts.*

Response: APA Project Findings and Order 2006-123, findings 235 through 238 states that the Projects are designed to minimize/avoid undue environmental impacts. The Gore Mountain/UMP and EIS 2002 and 2005 Amendment, section 5: A. (6) summarize that no new air quality impacts are anticipated. Gore Mountain currently holds an Air Quality Permit and conditions are met each year.

Noise impacts have been addressed in APA Project Findings and Order 2006-123, finding 231, which summarize noise issues associated with the construction phases of the Projects.

Comment: *Concerns regarding reduction in automobile usage and alternative transportation.*

Response: Section B – item 6, on page 12 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 discusses utilization of municipal transit systems for visitors around Gore Mt., the Hamlet, and Project areas.

APA Project Findings and Order 2006-123, finding 137 discusses railroad access and states the location, connections, and operational season of the historic railroad.

G. Workforce and Community Character Issues

Comment: *Concerns relating to the availability of a sufficient workforce to fill the employment opportunities presented by the Projects.*

Response: Workers for any new employment positions are generally drawn from a number of sources, including: currently unemployed workers; persons seeking a second job; younger persons entering the workforce; older persons who were previously not part of the workforce, and; persons who choose to relocate in response to an employment opportunity. Because there are multiple sources of potential employees, the available workforce is generally more substantial than that represented by unemployment alone. It should also be noted that: 1) Because the regional highway system makes the Johnsburg/Gore/Ski Bowl Village area particularly accessible, Gore Mountain has a history of drawing workers from a relatively broad geographic area. In particular, it is important to note that the Glens Falls/Hudson Falls

metropolitan area is within commuting distance of the projects. This is a metropolitan market with an estimated year 2007 population in excess of 128,000 persons (Source: U.S. Bureau of the Census) and; 2) Gore Mountain (which employs up to 495 persons during peak periods) reports that it has never had difficulty finding workers for seasonal positions.

It is important to be cognizant of the type of jobs created by recreational and resort projects. Many of the 'positions' created by ski areas and vacation-oriented resorts are seasonal, part-time, or both seasonal and part-time. For instance, in 2006, Gore Mountain had 495 persons on its payroll during the peak portion of the ski season. However, only 39 of these positions (7.9 percent) were held by persons who work at Gore Mountain on a year-round, full-time basis. Because of the part-time and/or seasonal nature of the work, many of the positions created by these facilities do not serve as a primary source of income for the person taking the position. The position may serve as: a second job for a worker employed elsewhere on a full-time basis; a job for a teenager seeking some personal earnings; a job for a person who does not choose full-time work or; a job for seasonal residents seeking some earnings and involvement in the industry during their time in their second homes. Ski-oriented employment works well for persons employed in conventional "Monday to Friday" jobs, as peak periods at ski areas typically occur during weekend periods.

Comment: *Concerns relating to the potential for a significant number of 'low wage' jobs to be created for the Projects.*

Response: A number of the concerns regarding the wage level of project-based workers appear to center around a significant misinterpretation of data presented in the Draft SEIS. In 'Table 4-9: Employment & Wages by Industry: Warren County, Essex County, Impact Region,' the figure $16,897 is shown as the "Average Wages" for workers in the 'Arts, Entertainment & Recreation' industry. The "Average Wage" figure is the average of wages paid to *all* persons who had *any* employment in the 'Arts, Entertainment & Recreation' industry during the data year. Because there are a significant number of seasonal, part-time and seasonal/part-time workers in this industry, the "Average Wage" figure includes the earnings of many persons who earned relatively little in wages over the course of the year in that industry. As such, the Average Wage figure is not indicative of the wages that a year-round, full-time worker would earn in the Arts, Entertainment & Recreation industry.

Because so many of the workers in the ski/resort industry are seasonal and/or part-time, their earnings often serve to *augment* personal and household incomes for area residents. Ski Area/resort employment often serves as an 'add-on' rather than as a primary source of employment. Like any other business, ski/resort operations create a variety of jobs – ranging from those requiring little experience/skills to those requiring significant experience/skills/education. Not surprisingly, wages range from low level to high level. During peak periods, a number of the seasonal/part-time positions require relatively low skills. These positions are typically taken by persons seeking second jobs for extra income, teenagers seeking income, etc. – in short, the workers in these positions are typically not dependent on the pay as their primary livelihood. Relatively low paying positions are not attractive enough to draw new workers to a market, or to induce area residents to change jobs.

APA Project Findings and Order 2006-123, finding 217 also addresses adequate salaries for the workforce which will primarily derive from the counties near the Projects.

Comment: *Concerns regarding the availability of affordable housing for workers.*

Response: Affordable housing is a complex regional and national problem, one which becomes particularly severe during periods when the housing market is in a boom – like that which occurred between 2001 and 2005. During these periods, rapid increases in pricing for both ownership and rental housing make it more difficult for low and moderate income households to secure quality housing – particularly if they are interested in securing ownership housing. While the acute nature of the issue is clearly moderating during the current sharp downturn in the housing market, it is apparent that a shortage of affordable housing solutions remains. In particular, rising land values and rapid increases in the cost of construction materials have made it more difficult to successfully develop affordable housing in recent years.

Resort-oriented communities in the northeast face the same affordable housing issues as other communities and, because of the unique nature of their local economies, often face issues that are not common in other communities. In particular:

- Resort-oriented communities attract non-local homebuyers seeking vacation/seasonal residences. While a substantial portion of these buyers purchase units that were constructed with seasonal use in mind, the demands generated by these buyers can tend to drive up pricing in both the seasonal and year-round markets. (Between 1990 and 2000, seasonal housing actually *decreased* as a percentage of the housing stock in the Project Impact Area, an indication that the year-round market was more significant in terms of creating demand.)

- The facilities (ski areas, recreation attractions, etc.) that are found in resort-oriented communities generate significant employment. These employees may seek housing close-by, creating demand/supply imbalances.

- For facilities like ski areas, employment can be highly seasonal – peaking during mid-winter periods. While a large segment of this seasonal workforce is typically drawn from the local population (or seasonal residents), there are often a number of seasonal workers who need to find temporary housing.

While the unique nature of resort-oriented communities can exacerbate affordable housing issues, this does not appear to be the case in Johnsburg. The Gore Mountain Ski Center reports the following:

- The ski area has not faced any difficulty in securing its seasonal workforce. The ski area reports that the seasonal workforce is primarily composed of local residents and persons using seasonal housing units in the area.

- Ski area employees – including both year-round and seasonal personnel – have never requested that the ski area provide them with assistance in locating or

affording housing. Ski area employees have been able to secure housing without significant difficulty.

- While residential pricing has increased in the area market, it is noted that pricing in the year-round market remains at a moderate level when compared with most markets throughout the northeast – and particularly when compared with other ski/resort oriented communities in the northeast.

There are local efforts in place to address affordable housing needs in the impact area:

- Comlinks is a "Community Action Partnership" that is involved in a number of efforts to assist low and moderate income households both with day-to-day life and with securing quality, affordable housing. This includes on-site management to help families focus on the life skills necessary for self-reliance.

- Comlinks recently developed an affordable rental housing project oriented toward low/moderate income households in North Creek (Johnsburg). The 21 unit project is located at the intersection of Peaceful Valley Road and Route 28, in close proximity to both the Gore Mountain Ski Center and the proposed Ski Bowl Village.

The affordable rental housing project was developed as a "tax credit" rental which, in this instance, is limited to households earning less than 50 or 60 percent of the Warren County median income level. Initial occupancy occurred in late February 2007 and, as of June 2007, the project was only 50 percent occupied. The project's developers note that the rate of absorption for this project is slower than the typical for other projects they have developed in the region. Nevertheless, they were hopeful that the project would be fully occupied by September of 2007. (Interview with Brian Cassini, Director, Housing & Community Development, Comlinks, June 2007.)

- North Country Ministries provides short-term housing in Johnsburg for low income individuals. The facility is a remodeled motel building off Route 28. Typically, rent is $75 per week and it is reported that there are typically unoccupied rooms available. (North Country Outreach Center operates a remodeled restaurant next door as a food pantry, recycled clothing/furniture center, firewood for needy and counseling center for low income households and individuals. This facility is open on Tuesdays and Thursdays.)

Overall, it appears that the severity of affordable housing issues in the Johnsburg area is far less critical than that being experienced at many other resort-oriented communities in the northeast. This appears to be related to local/regional housing pricing that is in the low/moderate range compared with many other regional markets. However, as in any market, it is important to monitor and address housing issues as they arise. The recent development of an affordable rental project in the immediate vicinity of the subject projects – along with the presence of a facility designed to meet short-term rental needs - are clearly proactive measures.

APA Project Findings and Order 2006-123, findings 216 and 217 addresses analysis conducted to determine availability of affordable housing and adequate median household incomes to support housing costs in the area of the Projects.

Comment: *Concerns regarding the potential impact of the Projects on housing and real estate values in the Johnsburg area.*

Response: Real estate values can be relatively high in ski/resort communities. As noted in the Draft SEIS: "Resort-oriented communities attract non-local homebuyers seeking vacation/seasonal residences. While a substantial portion of these buyers purchase units that were constructed with seasonal use in mind, the demands generated by these buyers can tend to drive up pricing in both the seasonal and year-round markets."

In the event that a major *new* ski/resort facility was being created in Johnsburg, there would be potential for notable increases in real estate values in the short term. However, it is apparent that Johnsburg and the immediate area is *already* a ski/resort oriented community, and that many of the real estate impacts of this orientation are already extant. The following points should be noted:

- Gore Mountain has been in continuous operation in Johnsburg for over 40 years. In recent years, the ski facility has attracted over 200,000 skier-visits on an annual basis.

- Statewide (New York), seasonal housing units (second/vacation homes) account for 3.1 percent of all housing units. In the "Impact Region" (Warren and Essex Counties) seasonal homes account for 23.0 percent of the total. In Johnsburg, seasonal homes account for 35.2 percent of the total.

Because Johnsburg is a well-established ski/resort oriented community with a substantial number of seasonal housing units, many of the impacts on real estate pricing have *already* occurred. Nevertheless, Johnsburg remains moderately priced in comparison with much of the remainder of the northeast – and particularly in comparison with other major ski/resort communities in the northeast. The cumulative impact of the projects will likely have some impact on real estate pricing – but these impacts will be incremental, rather than major.

Comment: *Concerns relating to potential for the Projects to compete with and have negative impacts on existing commercial businesses in North Creek.*

Response: This concern often accompanies proposals for ski and resort-based projects throughout the United States. However, the well documented experience is that an increase in ski and resort visitors to an existing community invariably results in substantial new business and revenues for businesses located outside of the resort. Note the following points:

- The growth impact analysis included in the Draft SEIS included a detailed estimate of the expenditures that new ski and resort visitors will make – both

inside the ski/resort area and outside the resort area. When all projects are complete, it is estimated that the *net* new visitors to Johnsburg will make $52.55 in expenditures - $19.56 million of which will accrue to businesses outside the ski facility and Ski Bowl Village resort. Based on this analysis, it is apparent that North Creek businesses will benefit from the additional visitation. It is certainly possible that businesses within the ski or resort operation will compete with individual businesses in North Creek – but all businesses will enjoy a significantly larger pool of visitor expenditures.

- Comments from the Gore Mountain Region/Johnsburg Chamber of Commerce – which represents North Creek businesses - make it clear that they are fully in support of the projects and that they expect to reap benefits from the implementation of the projects.

APA Project Findings and Order 2006-123, findings 213 and 215, addresses economic benefits for North Creek, specifically, potential business development and growth within the hamlet and visitor increased spending within the local area.

Comment: *The assertion that the projection regarding year-round population increase as a growth impact of the project is "likely a low estimate."*

Response: The assumptions and calculations involved in the secondary growth estimates are presented and documented in great detail in the Draft SEIS. Other than making the assertion that the Draft SEIS figures are "likely a low estimate," no documentation or analysis in support of the assertions were provided.

H. Public Input: Scoping, Hearings and Comment

Comment: *Concerns regarding scoping and additional public hearings.*

Response: DEC staff considered the option of scoping, but determined that public scoping of the draft SEIS would not enhance the quality and content of the draft SEIS because the scope of issues to be review had already been limited to potential cumulative impacts resulting from the projects. Scoping is optional under the SEQRA regulations (see 6 NYCRR Section 617.8[a]) which provides that:

> The primary goals of scoping are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or nonsignificant. Scoping is not required.

The scope of the SEIS is focused on the cumulative impacts of the projects. The previously referenced environmental assessment documents (see page 100 of this SEIS) including the 2005 UMP Amendment analyze all of the other potentially significant impacts of the individual projects. The 2005 UMP Amendment did not fully address the cumulative impacts associated with the interconnection, because it had already been prepared and was awaiting approval prior

to FrontStreet's permit application submittals to APA in May of 2006. Upon being apprised of FrontStreet's permit applications, NYSDEC committed to assess the potential cumulative impacts of the related projects due to their geographical proximity and potential to impact the same environmental resources.

NYSDEC provided for two (2) public hearings held on March 4 and 25, 2008, and a 60-day public comment period on the draft SEIS. The SEQRA regulations require a minimum 30-day public comment period on a draft EIS. Public hearings are not required, but discretionary on the part of the lead agency. Thus, DEC, as lead agency, provided for a substantively expanded opportunity for the public to be heard and to provide input on the SEIS beyond what is required by law (see 6 NYCRR Section 617.9).

I. Miscellaneous-Outside the Scope of SEIS Cumulative Impact Assessment

Comment: *Concerning the costs of operation and maintenance of the Ski Bowl ski facility.*

Response: These issues fall outside of the scope of this SEIS. However, the following response is provided as a courtesy. Like any business contemplating an expansion to its facilities, Gore Mountain has produced a business plan that assesses both potential costs and revenues associated with any expansion plan under consideration. In this instance, costs relating to the Snow Bowl expansion include: Capital Cost; Operation Cost and; Maintenance Cost. Like any other business, Gore Mountain also expects the investment in facility expansion to reap additional revenues. ORDA works under the assumption that Gore Mountain will continue to be a profit center. As such, Gore Mountain's business plan shows the additional revenues to be generated by facility expansion to exceed the ongoing costs of the expansion. Significantly, facility safety, operational needs, and expansion potentials are weighed and assessed each year with reference to available capital. Expansion projects are only undertaken when they fit with the overall capital/operational structure of the ski area.

In short, the added revenues generated by increased skier-visits and skier expenditures at Gore Mountain will more than offset the costs incurred in completing and operating/maintaining the expansion. As such, the capital, operational, and maintenance costs associated with the project will not be a burden to the taxpayers of the State of New York. Perhaps, more importantly, as shown in the SEIS, Gore Mountain serves as an economic catalyst for the region, creating job and income both within the resort and at area businesses. The net impact of this economic activity is a benefit to New York taxpayers.

Comment: *Concerns regarding the use of public moneys for private projects and land swap values.*

Response: These issues fall outside of the scope of this SEIS. However, such issues have already been addressed through multiple investigations into economic impacts, refer to Section B – item 10, page 14 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008. Also, Section C – item 4, on page 16 of the "Response to Public Comments and Letters", summarizes that any private development is funded independently and public funds will be utilized for public use projects only. The public process and review which

has occurred through the course of consideration of the Projects, by the Town of Johnsburg, Warren County, and APA was summarized in Section C – item 5, on page 16 and item 8, on page 17 of the "Response to Public Comments and Letters". Ownership of project sites is provided in findings 102 and 103 of the APA Project Findings and Order 2006-123.

Comment: *Concerns relating to application and permit compliance.*

Response: These issues fall outside of the scope of this SEIS. However, the following response is provided as a courtesy. Permit regulations and approvals are outlined in APA Project Findings and Order 2006-123, findings 147 through 154 for Federal, State, and Local/Regional Governmental Agencies. APA Project Permit 2006-123 FSMD, conditions 55 and 56 requires agency oversight of all land use and development and also the utilization of an independent environmental monitor to aid on compliance of permit regulations. Section B – item 9, page 14 of the "Response to Public Comments and Letters", prepared by the LA Group and dated April 1, 2008 states that the Project will be constructed according to plans submitted in the application.

Comment: *Concerns relating to the indirect benefit derived by a private development project because of it proximity to Gore Mountain, the Forest Preserve and the proposed connecting ski trails and lifts.*

Response: These issues fall outside of the scope of this SEIS. However, the following response is provided as a courtesy. The use of public funds to construct the connecting ski trails and lifts at Gore Mountain on State and town owned lands is for the public purpose of providing enhanced and expanded recreation opportunities for the public. Merely because the FrontStreet development project will indirectly benefit from this public project given its proximity does not make this an inappropriate use of public monies. It is not uncommon for public projects such as highway inter-changes to benefit private corporations due to proximity to such public infrastructure. There is clearly an overriding public benefit in regard to expanded public recreational opportunities at Gore Mountain through the connecting ski trails and lifts and the expanded historic ski bowl.

Comment: *Concerns relating to the "Forever Wild" clause of Article 14, section 1 of the NYS Constitution, the Public Trust Doctrine, noncompliance with the Adirondack Park State Land Master Plan, and ORDA's authority.*

Response: These comments fall outside the scope of this SEIS; however, all of the projects are in keeping with all of the laws of the State of New York.

***NOTE: Several other comments fell outside of the scope of this SEIS because they were unrelated to potential cumulative environmental impacts of the projects. The comments that fell outside the scope of this SEIS relating individually to the FrontStreet development project have been addressed by the submissions completed by the LA Group and APA Project Findings.

REFERENCES

CME 2007. Creighton Manning Engineering, LLP. Traffic and Air Quality Analysis re: Supplemental EIS, Gore Mountain UMP Update, Town of Johnsburg, Warren County, NY; CME Project No. 07-111d. Albany, New York, October 3, 2007.

Delaware 2006a. Ski Bowl Village at Gore Mountain Preliminary Water Supply Report. Delaware Engineering, P.C. Albany, New York. April 2006.

Delaware 2006b. Ski Bowl Village at Gore Mountain Wastewater Treatment Facilities Facility Plan. Delaware Engineering, P.C. Albany, New York. February 2006.

Franke, Kevin J. 2007. Letter to Michael Pratt, Re: UMP Stream Water Quality Monitoring Program Preliminary Data Analysis Update. The LA Group. Saratoga Springs, New York. March 20, 2007.

FrontStreet 2006. Ski Bowl Village at Gore Mountain General Information and APA Permit Application Volume 1. FrontStreet Mountain Development, LLC., The LA Group. Saratoga Springs, New York. May 9, 2006.

Hevesi, 2005. Economic Impact Study of the Gore Mountain Interconnect. Office of the New York State Comptroller, Alan G. Hevesi. March, 2004.

HMAC 2007. Phase II Archaeological Site Evaluation Waddell's Slaughter House Site: Ski Bowl Village at Gore Mountain Project. Hudson Mohawk Archaeological Consultants, LLC. Troy, New York. August 2007.

LA Group 2006a. Ski Bowl Village at Gore Mountain Addendum #1 to Preliminary Water Supply Report. The LA Group. Saratoga Springs, New York, et al. July 2006.

LA Group 2006b. Wetland Delineation Report for the Ski Bowl Village at Gore Mountain. The LA Group. Saratoga Springs, New York. September 2006.

LA Group 2006c. Wildlife, Ecological Communities, and Invasive Plants on the Proposed Site of Ski Bowl Village at Gore Mountain. The LA Group. Saratoga Springs, New York. August 2006.

LA Group 2006d. Draft Stormwater Pollution Prevention Plan for Ski Bowl Village Phases 1 and 2. The LA Group. Saratoga Springs, New York, August 2006.

LA Group 2006e. Existing Wetlands and Streams, Proposed Activities and Mitigation Measures for the Ski Bowl Village at Gore Mountain. The LA Group. Saratoga Springs, New York. September 2006.

LA Group 2006f. Pesticide Risk Assessment & Integrated Turf Management Plan for the Ski Bowl Village at Gore Mountain Par 3 Golf Course. The LA Group. Saratoga Springs, New York. September 2006.

LA Group 2006g. Noise Level Assessment on the Proposed Site of Ski Bowl Village at Gore Mountain. The LA Group. Saratoga Springs, New York. September 2006.

LandVest 2007. Cumulative Economic, Growth & Fiscal Impact Analysis for Gore Mountain Interconnect & Related Projects. LandVest, Inc. Norwich, Vermont. June 2007.

NIPA 2006. Final Response as of 9-25-06. FrontStreet Mountain Development, LLC. Darien, CT. September 25, 2006.

NIPA I, 2006. Notice of Incomplete Permit Application, Ski Bowl Village at Gore Mountain Response Document Attachment Schedules Volume I. FrontStreet Mountain Development, LLC., The LA Group. Saratoga Springs, New York. September 25, 2006.

NIPA IA, 2006. Notice of Incomplete Permit Application, Ski Bowl Village at Gore Mountain Response Document Attachment Schedules Volume IA. FrontStreet Mountain Development, LLC., The LA Group. Saratoga Springs, New York. September 25, 2006.

NIPA II, 2006. Notice of Incomplete Permit Application, Ski Bowl Village at Gore Mountain Response Document Attachment Schedules Volume II. FrontStreet Mountain Development, LLC., The LA Group. Saratoga Springs, New York. September 25, 2006.

NYSDEC 2003. New York State Stormwater Management Design Manual. Prepared by Center for Watershed Protection for New York State Department of Environmental Conservation. Endicott, Maryland. August 2003.

SPW 2005. New York Siamese Ponds Wilderness Unit Management Plan/Environmental Impact Statement. New York State Department of Environmental Conservation. Albany, New York. May 2005.

TJCP 2005. Town of Johnsburg Comprehensive Plan. Town of Johnsburg Comprehensive Plan Committee and Richard Lamb. Johnsburg, New York. July, 2005.

UMP 2005. 2005 Unit Management Plan Amendment to the 2002-07 Gore Mountain Ski Center Unit Management Plan and Final Supplemental Environmental Impact Statement. Olympic Regional Development Authority. Lake Placid, New York, et al. February 22, 2006.

UMP 2002. Gore Mountain Ski Center Year 2002-2007 Supplemental Unit Management Plan and Draft Generic Environmental Impact Statement. Olympic Regional Development Authority. Lake Placid, New York, et al. Revised: April 2002.

UMP 1995. Gore Mountain Ski Center Unit Management Plan Update and Amendment and Generic Environmental Impact Statement. Olympic Regional Development Authority. Lake Placid, New York, et al. August 1995.

UMP 1987. Final Unit Management Plan and Environmental Impact Statement for Gore Mountain Ski Center. Olympic Regional Development Authority. Lake Placid, New York, et al. August 1987.

VMWF 2005. Vanderwhacker Mountain Wild Forest Unit Management Plan/Environmental Impact Statement. New York State Department of Environmental Conservation. Albany, New York. April 2005.