NEW YORK STATE

Department of Environmental Conservation

DIVISION OF LANDS & FORESTS

Hurricane Mountain Fire Tower Historic Area

Unit Management Plan

Final Environmental Impact Statement

Town of Keene

Essex County

ANDREW M. CUOMO
Governor

JOSEPH J. MARTENS
Commissioner

Lead Agency:

New York State Departement of Environmental Conservation
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October 2014

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ANDREW M. CUOMO
GOVERNOR

JOE MARTENS
COMMISSIONER

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

MEMORANDUM

TO: The Record

SUBJECT: Hurricane Mountain Fire Tower Historic Area

DATE: 10/22/14

The Hurricane Mountain Fire Tower Historic Area Unit Management Plan has been completed and the Adirondack Park Agency found it to be in conformance with the Adirondack Park State Land Master Plan.

The UMP is consistent with the State Constitution, Environmental Conservation Law, and Department Rules, Regulations and Policies and is hereby approved and adopted.

Joseph J. Martens

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RESOLUTION ADOPTED BY
THE ADIRONDACK PARK AGENCY
WITH RESPECT TO HURRICANE MOUNTAIN FIRE TOWER HISTORIC AREA
UNIT MANAGEMENT PLAN

May 9, 2014

WHEREAS, Section 816 of the Adirondack Park Agency Act directs the Department of Environmental Conservation 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 general 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 conforms with such general guidelines and criteria; and

WHEREAS, the Department of Environmental Conservation has prepared a unit management plan for State Lands in the Town of Keene, Essex County which includes proposed management actions for the Hurricane Mountain Fire Tower Historic Area dated February, 2014; and

WHEREAS, the Department filed a notice of acceptance of the Draft Environmental Impact Statement published in the Environmental Notice Bulletin (ENB) on October 10, 2013 and a notice of acceptance of the Final Environmental Impact Statement published in the ENB on May 7, 2014; and

WHEREAS, the Department of Environmental Conservation is the lead agency, and the Adirondack Park Agency is an involved agency whose staff have been consulted in the preparation of the proposed plan; and

WHEREAS, the Agency is requested to determine whether the final Hurricane Mountain Fire Tower Historic Area Unit Management Plan (the Plan), dated February, 2014, conforms with the standards and guidelines of the Adirondack Park State Land Master Plan; and

WHEREAS, the Adirondack Park Agency has reviewed the proposed Plan; and

WHEREAS, the Plan recognizes the area will be managed in compliance with Article XIV, Section 1 of the New York State Constitution, the Adirondack Park State Land Master Plan, and the State Historic Preservation Act (SHPA);

WHEREAS, the Plan recognizes the need to improve public use and enjoyment of the area, avoid user conflicts and prevent overuse according to the guidelines and criteria of the Adirondack Park State Land Master Plan; and

WHEREAS, the Plan's objectives include opening and maintaining the fire tower for public use and education; and

WHEREAS, the Plan recognizes that volunteer “Friends” groups are a valuable resource to assist with the stewardship of this Area; and

WHEREAS, the Plan recognizes the long term volunteer maintenance and interpretation of the fire tower through a Volunteer Stewardship Agreement will include the establishment of a Tower Steward position; and

WHEREAS, the Plan recognizes that the addition of interpretive materials related to the fire tower, including interpretive signs in the fire tower and materials to be located at the trailhead kiosks and on the Department’s website will enhance the public’s experience of this Historic Area; and

WHEREAS, the Plan recognizes the need to monitor the fire tower and the summit of Hurricane Mountain for overuse and take necessary steps to address the impacts of overuse if such are detected; and

WHEREAS, the Plan recognizes the need for establishing a radio communication link for the Department by placing a 5.5 square foot repeater in the cab of the fire tower, four solar photovoltaic panels on the side of the tower (each measuring no more than 46.8 by 20.9 by 1.5 inches), and a low profile omnidirectional antenna that would extend approximately four feet above the cab; and

WHEREAS, the Department recognizes that the addition or colocation of any other structures would require a UMP Amendment; and

WHEREAS, DEC and APA have received a letter dated May 5, 2014 from John Bonifide, Director, Technical Preservation Services Bureau, New York State Office of Parks, Recreation and Historic Preservation, stating that the placement of the radio equipment and its associated solar power array will have no long term or permanent direct adverse impact on the National Register listed fire tower; and

WHEREAS, the Plan recognizes that if a helicopter is needed to deliver materials to the tower, it would not be allowed between April 1 and August 1 to avoid any impacts to the Bicknell's Thrush and Peregrine Falcon during their respective nesting seasons; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 816 of the Adirondack Park Agency Act, the Adirondack Park Agency finds the Hurricane Mountain Fire Tower Historic Area Unit Management Plan, dated February, 2014, conforms with the general guidelines and criteria of the Adirondack Park State Land Master Plan; and

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

Ayes: Art Lussi, Presiding Chair, Karen Feldman, William Thomas, William Valentino,
Dan Wilt, Brad Austin (DED), Dierdre Scozzafava (DOS), Robert Stegemann (DEC)

Nays: None

Abstentions: None

Absent: Leilani Ulrich, Chairwoman, Richard Booth, Sherman Craig

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Executive Summary

This Unit Management Plan (UMP) represents the culmination of a long, dynamic, and at times, controversial planning process surrounding the fire observation tower atop Hurricane Mountain. An historic structure dating back to 1919, the tower, and many others like it throughout the state, played a critical role in helping the Department of Environmental Conservation (DEC) and its predecessors fulfill their mission to protect the state's natural resources.

The tower was formally discontinued for use by DEC for its intended purpose in 1979. Even before being closed, the tower had been identified in the 1972 Adirondack Park State Land Master Plan (SLMP) as a non-conforming structure in a wilderness setting. In 2010, because of a growing recognition of the tower's significance under the State Historic Preservation Act (SHPA), and in response to numerous public comments received by DEC and the Adirondack Park Agency (APA) in support of the structure, the SLMP was amended and the land around the tower was reclassified to create the Hurricane Mountain Fire Tower Historic Area, thereby allowing the tower to remain in its original location.

While the SLMP now allows for the mere existence of the Hurricane Mountain fire tower, this UMP takes the next step of proposing the maintenance of the tower in a manner that complies with SHPA and allows for safe public access of the structure while maximizing its interpretive and educational potential. The tower already attracts thousands of visitors to the peak of Hurricane Mountain every year, and allowing the public to fully access the cab of the tower would represent a new level of historic interpretation of the structure.

This plan also proposes to address a significant public safety concern for the eastern High Peaks region through the installation of a radio repeater on the Hurricane Mountain fire tower. A signal "shadow" exists throughout the valleys of the area, and the use of a permanent repeater on the summit of Hurricane Mountain would all but eliminate that shadow, providing Forest Rangers and Environmental Conservation Officers with a strong signal for emergency management purposes.

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Acknowledgements

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Preface

The Hurricane Mountain Fire Tower Historic Area Unit Management Plan has been developed pursuant to, and is consistent with, relevant provisions of the New York State Constitution, the Environmental Conservation Law (ECL), the Executive Law, the Adirondack Park State Land Master Plan, Department of Environmental Conservation (Department) rules and regulations, Department policies and procedures and the State Environmental Quality and Review Act. This UMP also complies with the State Historic Preservation Act (SHPA), found at Parks, Recreation, and Historic Preservation Law (PRHPL), Article 14 and implementing regulations at 9NYCRR Parts 426-428.

The state land which is the subject of this Unit Management Plan (UMP) is Forest Preserve land protected by Article XIV, Section 1 of the New York State Constitution. This Constitutional provision, which became effective on January 1, 1895 provides in relevant part:

> "*The lands of the state, now owned or hereafter acquired, constituting the Forest Preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.*"

ECL §§3-0301(1)(d) and 9-0105(1) provide the Department with jurisdiction to manage Forest Preserve lands, including the Hurricane Mountain Fire Tower Historic Area.

The Adirondack Park State Land Master Plan (SLMP) was initially adopted in 1972 by the Adirondack Park Agency (APA), with advice from and in consultation with the Department, pursuant to Executive Law §807, now re-codified as Executive Law §816. It is the SLMP that classifies the lands subject to this UMP as the Hurricane Mountain Fire Tower Historic Area, and it is the SLMP that provides the overall framework for the development and management of all state lands in the Adirondack Park**,** including the Hurricane Mountain Fire Tower Historic Area. Furthermore, the Department is obligated under SHPA to fully explore all feasible and prudent alternatives that would avoid or mitigate impacts to historic resources within the unit.

In 1983, legislation was enacted at ECL § 9-0109(4) which authorized the maintenance of historic structures owned by the State prior to June 21, 1983 and located in the Adirondack and Catskill parks, provided three criteria are satisfied. First, the Commissioner of Parks, Recreation and Historic Preservation must find that such structures and improvements are listed or are eligible to be listed on the State Register of History Places pursuant to PRHP § 14.07. Second, the Commissioner of Environmental Conservation must find that such structures and improvements can be maintained for public enjoyment and understanding of the Forest Preserve or for DEC activities necessary in protecting Forest Preserve lands in the parks in a manner that will not disturb the existing degree of wild forest character of land on which the pre-existing structures or improvements are located or the wild forest character of land adjacent thereto. Third, such maintenance must be in accordance with reasonable regulation of the Forest Preserve in the Adirondack and Catskill parks consistent with Article XIV of the State Constitution.

Executive Law §816 requires the Department to develop, in consultation with the APA, individual UMPs for each unit of land under the Department's jurisdiction. The UMPs must conform to the guidelines and criteria set forth in the SLMP. Thus, UMPs implement and apply the SLMP's general guidelines for particular areas of land within the Adirondack Park. Executive Law 816(1) provides in part that "(u)ntil

amended, the master plan for management of state lands and the individual management plans shall guide the development and management of state lands in the Adirondack Park."

State Environmental Quality Review (SEQR) Act

The State Environmental Quality Review Act requires that all agencies determine whether the actions they undertake may have a significant impact on the environment. The intent of the legislation is to avoid or minimize adverse impact on the resource. The guidelines established in the SLMP for developing unit management plans express these same concerns. Any management actions proposed for the Hurricane Mountain Fire Tower Historic Area must take into consideration environmental factors to ensure that such actions do not degrade that environment. The overall intent of this UMP is to identify mitigating measures to avoid or minimize adverse environmental impacts to the natural resources of the State within the unit. Any reconstruction within the confines of this unit will take environmental factors into account to ensure that such development does not degrade the resource.

In addition to environmental considerations, SEQR also takes into account historic resources. The preferred alternative in this UMP proposes the preservation of the fire tower as an historic resource; however, there is a long history of policy, guidance, and management proposals that have identified the tower for removal. While a recent amendment to the SLMP has reversed this direction, the importance of the tower remains significant to a variety of stakeholders. For this reason, and in order to fully vet a range of management alternatives in light of these recent policy changes, the Department has issued a Positive Declaration and prepared this document as an Environmental Impact Statement (EIS).

State Historic Preservation Act (SHPA)

The State Historic Preservation Act (SHPA) of 1980 declares it to be the policy of the State to promote the protection, enhancement, use, reuse and conservation of historic resources. Similarly, the New York State Public Buildings Law Article 4-B declares it to be the policy of the State for State agencies to act as good stewards of historic properties under their jurisdiction and to hold those properties in trust for future generations.

The National Historic Preservation Act of 1966 and SHPA established the National and State Registers of Historic Places, which are the official lists of buildings, structures, districts, objects, and sites significant in the history, architecture, archeology, engineering, and culture of New York and the nation. The Commissioner of the Office of Parks Recreation and Historic Preservation (OPRHP) makes the determination whether a property meets the criteria for listing found in 9 NYCRR §427.3. The same eligibility criteria are used for both the State and National Registers.

In consultation with the OPRHP, State agencies are required to consider potential impacts to historic properties listed or eligible for listing in the National and/or State Register for Historic Places early in the planning process and prior to undertaking, approving, permitting or funding of any project. State agencies must fully explore all feasible and prudent alternatives that avoid or mitigate adverse impacts to historic properties (9 NYCRR Part §428.1).

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Hurricane Mountain Fire Tower Historic Area

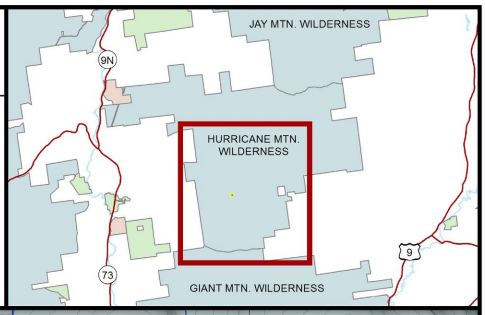
February 2012

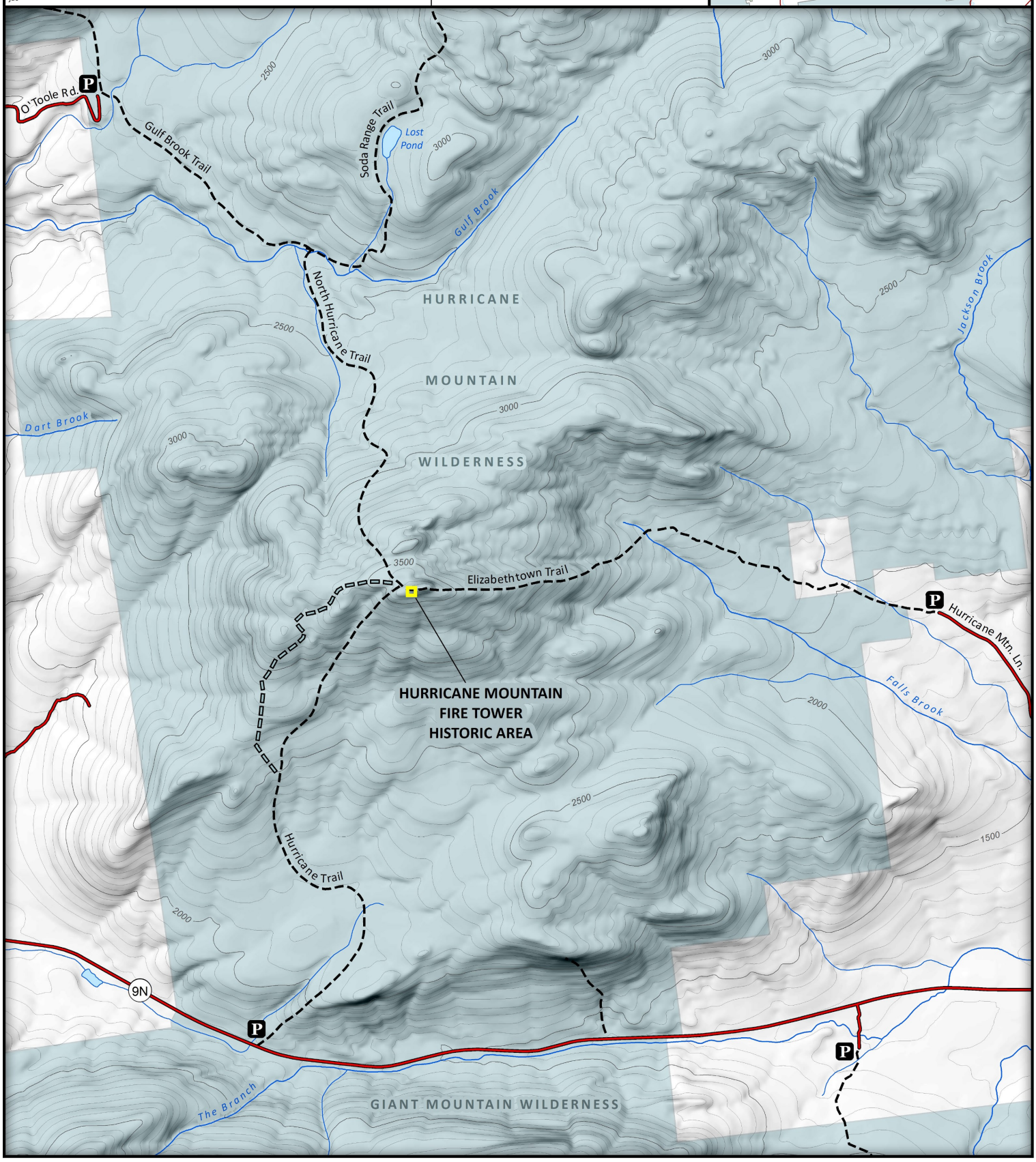
N
W E
S

0 0.25 0.5 1 Mile

jdc

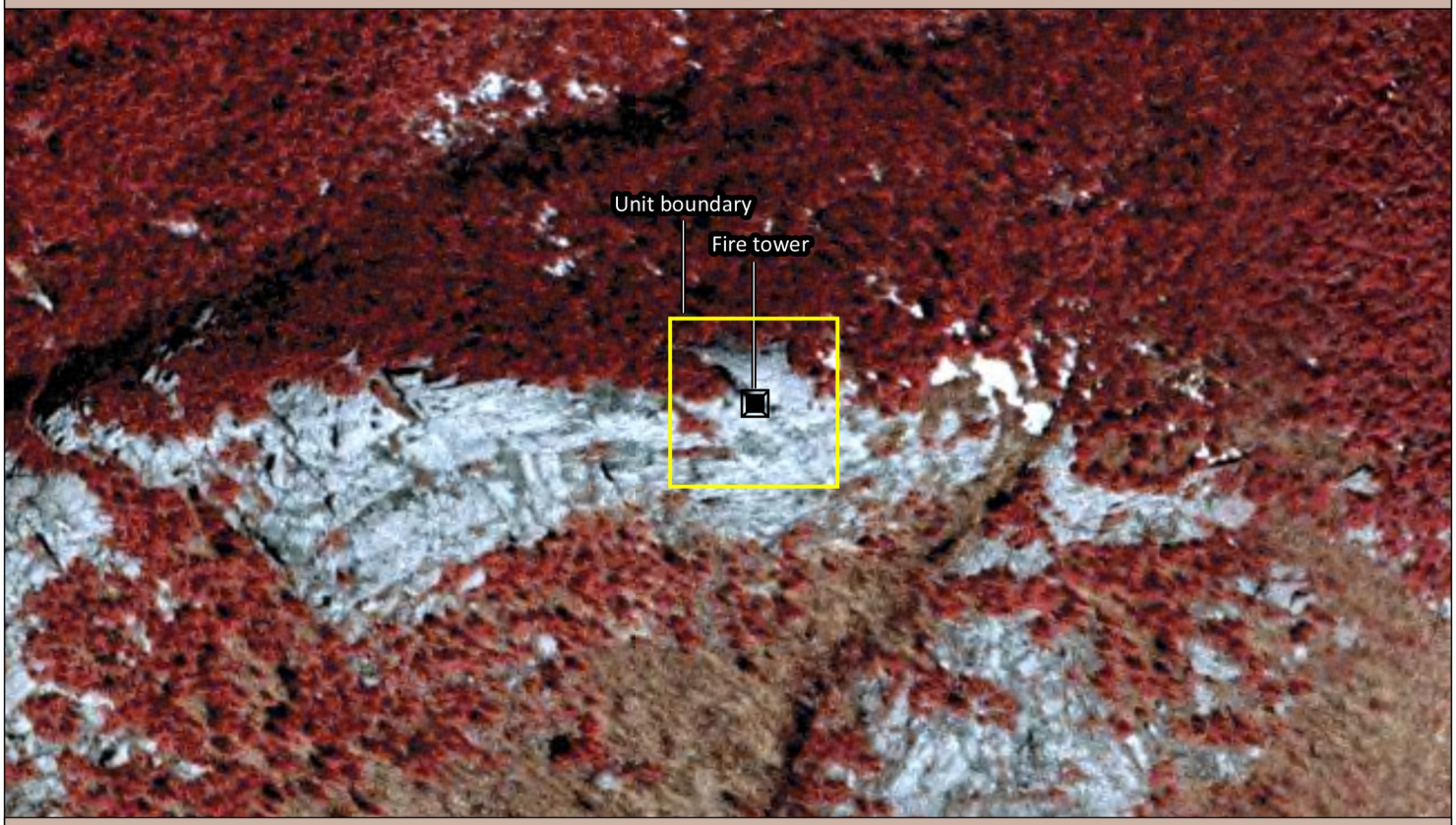
Public motor vehicle road
Recreational trail
Approved trail re-route
Elevation contour (50 ft.)
Parking area





Hurricane Mountain Fire Tower Historic Area

Area Detail



Orthoimagery taken Spring 2003.

0 50 100 200 Feet

N W E S

View of the Hurricane Mountain summit and fire tower, looking east.

Close-up of the fire tower

I. Introduction

Planning Area and Resource Overview

The Hurricane Mountain Fire Tower Historic Area (HMFTHA) is a 0.5-acre, square parcel that sits at the peak of Hurricane Mountain in the Town of Keene, Essex County. As the name suggests, the primary feature within the area is a fire observation tower used by the New York State Department of Environmental Conservation (DEC, the Department) and its predecessor agency, the Conservation Department, for fire observation throughout most of the 20th century. The fire tower is a 35-foot tall Aermotor LS-40, a common model and by far the most used by the Department throughout the state.

Today, the fire tower is no longer used for fire observation purposes. While still standing, the tower has not been maintained for over 30 years and is no longer safe for public use. To discourage climbing of the structure, the two lowest sections of stairs have been removed. Despite being closed to the public, the presence of the fire tower has made the unit one of the most popular recreational destinations in the area. As such, the value of the tower has shifted away from fire detection and more toward one of recreational, historical, and educational significance.

The summit of Hurricane Mountain sits at 3,694 feet, and the land within the HMFTHA is nearly free of vegetation. The spruce-fir rocky summit plant community that does exist is found mainly along the northern boundary of the unit. As such, the near-bald summit of Hurricane Mountain offers stunning 360-degree views of the surrounding landscape. Similarly, the summit and the fire tower are visible from the nearby hamlets of Keene and Elizabethtown, as well as neighboring mountain tops, most of which are owned by the state and accessible by the public.

The HMFTHA is only accessible by foot trails, which enter the unit from three different locations: 1) from the north, beginning at the Crow Clearing trailhead, along the Gulf Brook Trail and North Hurricane Trail; 2) from the east, beginning at the Elizabethtown trailhead, along the Elizabethtown Trail; and 3) from the south, beginning at the Hurricane 9N trailhead, along the Hurricane Trail.

History of the Fire Tower

Over several years during the early 1900s, wildfires burned across nearly one million acres of Adirondack forestland. In 1908, one fire in particular started on East Hill in Keene and burned most of the land surrounding what is now the HMFTHA.

One result of this devastation was the creation of a state-wide fire detection system in 1909. In 1910, the first public fire observation stations under the state system were established on eight Adirondack peaks—including Hurricane—with many more peaks added over the next several years. Wooden towers were built on many of the summits, and although such a structure was permitted by the then landowner of Hurricane Mountain, the lack of vegetation at the summit precluded the need for one.

Extreme weather took a toll on these early wooden towers, and in 1916 the Conservation Department began to replace them with the more durable steel structures that still stand today. Hurricane Mountain received its first—and only— fire tower in 1919.

In 1921, an Osborne Fire Finder—a topographic map with sighting apertures—was installed in the Hurricane fire tower, improving the ability to accurately locate fires.

In 1928 the State purchased Hurricane Mountain and some of the surrounding land from the Champlain Realty Company. That same year, an observer's cabin was built along the Elizabethtown trail approximately 1.2 miles from the trailhead. The cabin was removed in the 1980's.

Beginning in the 1930s, Conservation Department aircraft patrols were added as a method of fire detection. Fire towers continued to play an important role, however, and Civilian Conservation Corps (CCC) laborers were employed to construct and maintain several fire observation sites during that same decade.

In the 1970s, private contractors took over aerial detection of forest fires for the State. In 1971 DEC closed 62 of its 103 operating fire towers. The Hurricane Mountain Fire Tower remained in operation until 1979, at which point it was closed for direct fire observation. Radio communications existed on the tower until 1982.

Historic Designation of Forest Preserve Fire Towers

In recognition of the fire towers' role in the conservation legacy of New York State, the Department sponsored the nomination of several fire towers within the Adirondack and Catskill Parks to the National Register of Historic Places (NHRP) and State Register of Historic Places.

In 2001, ten fire towers—Arab, Poke-O-Moonshine, Azure, Kane Mountain, Blue Mountain, Snowy, and Hadley in the Adirondack Park as well as Balsam Lake Mountain, Mount Tremper and Red Hill in the Catskill Park— were listed. Hunter Mountain, also in the Catskills, had been previously listed in 1997. Subsequently, Wakely Mountain (2003), St. Regis Mountain (2005) and Hurricane Mountain (2007) were added. More specifically, the Hurricane Mountain fire tower was listed on the State Register of Historic Places on August 1, 2006 and on the National Register of Historic Places on January 29, 2007 (see Appendix I).

II. Public Use

The primary use of the HMFTHA is passive, day-use recreation such as hiking and picnicking. The presence of the fire tower and the amazing views offered on Hurricane Mountain encourage visitors to linger, and the lack of vegetation at the summit allows for easy access to most of the unit for this purpose.

Because of the remote location of the HMFTHA, public use of the unit is un-monitored and difficult to measure. There is currently no regular staff or volunteer presence at the summit of Hurricane Mountain, and there are no other mechanisms in place within the unit for tracking the number of visitors.

The best indicator of use can be found in the registers for the three trailheads that provide access to the unit. While these trailheads are located well outside the unit near the outer boundaries of the Hurricane Mountain Wilderness, the summit of Hurricane Mountain provides the best views in the area, and is likely the destination of a majority of the users that pass through the southern portion of the Wilderness.

Trail register data has been collected from the two major trailheads providing access to HMFTHA—Hurricane 9N and Crow Clearing—for at least the last twelve years. The Elizabethtown trailhead at the end of Hurricane Road is less used, and data has been collected from that register since 2005. The table below shows the number of trailhead registrations for the three trailheads since 2000.

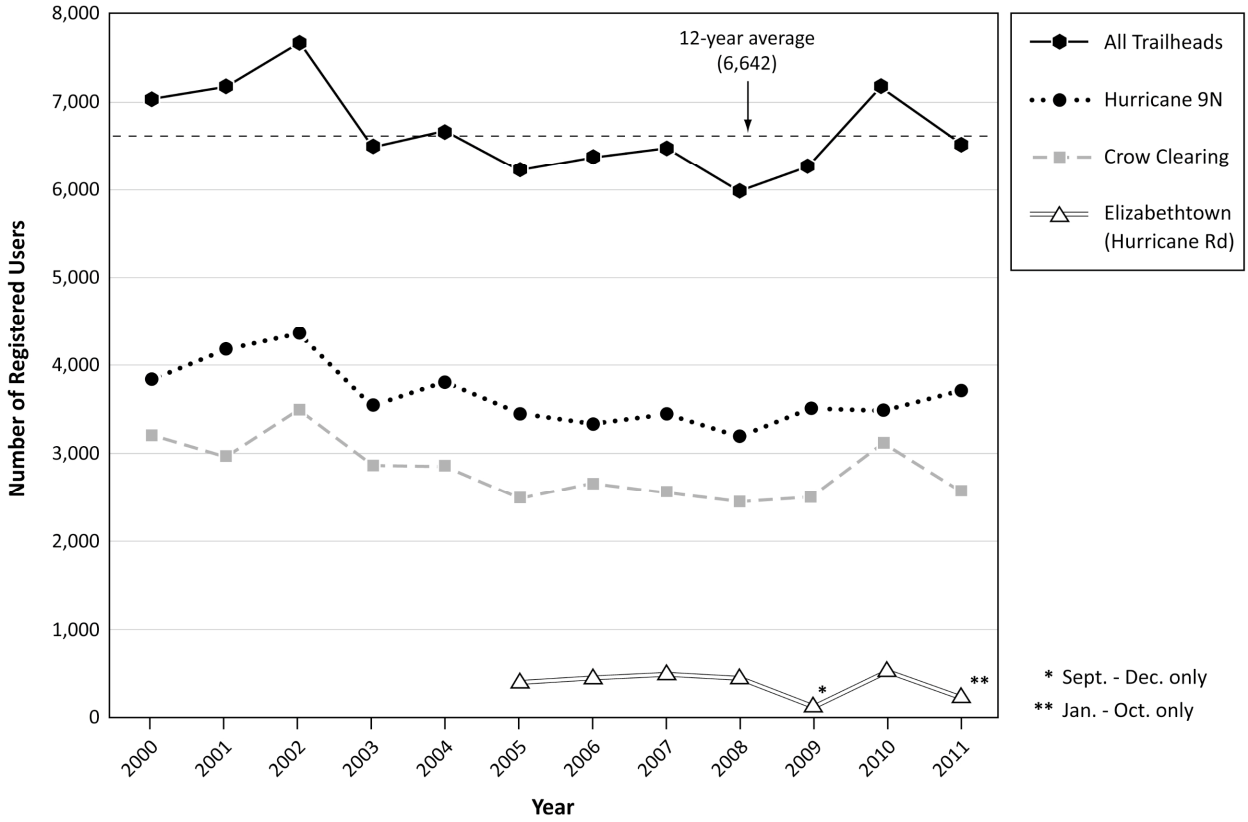
Number of Trailhead Registrations for the Trails Accessing the HMFTHA, 2000-2011

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Trailhead												
Hurricane 9N	3,843	4,242	4,338	3,655	3,842	3,414	3,340	3,435	3,180	3,613	3,489	3,753
Crow Clearing	3,214	2,977	3,368	2,897	2,899	2,542	2,691	2,620	2,400	2,535	3,137	2,656
Elizabethtown (Hurricane Rd)	NA	NA	NA	NA	NA	334	366	416	406	118*	556	238**
Total	7,057	7,219	7,706	6,552	6,741	5,847	6,031	6,471	5,986	6,266	7,182	6,647

*Total for September – December only
**Total for January – October only

Over the entire twelve year period summarized in the above table, the Hurricane 9N trailhead was consistently the most used, while the Elizabethtown trailhead was by far the least used. Although there has been fluctuation in the numbers of users from year to year, there was an overall downward trend from 2000 to 2008. Between 2009 and 2011, that trend showed a reversal. The average annual number of registrations over the entire 12-year period was 6,642. This information is summarized in the figure on the following page.

Registrations for Trailheads Accessing HMFTHA, 2000-2011



Capacity to Withstand Use

As shown by the trailhead registrations, the HMFTHA likely experiences a high level of public use. The layout of the unit—an historical structure and mountain summit near the convergence of three hiking trails—encourages high visitation by its very design. The physical and biological characteristics of the unit are such that the area has been able to withstand the public use it has experienced since the fire tower was first placed on Hurricane Mountain. The bare rocky summit makes it challenging to contain people to a limited area, but at the same time the harder surfaces can withstand the regular walking and climbing they receive. The spruce-fir rocky summit plant community at the north side of the unit lies on a steep north face that is generally avoided by the public, as the better views and more comfortable sitting can be found on the bare stone.

When considering the social carrying capacity of the HMFTHA, there are several good examples of other fire towers across the Adirondacks that suggest the unit can withstand at least as much use as it has received in recent years. Fire towers on the peaks of Snowy, Blue, Azure, Poke-O-Moonshine, Hadley, Adams, Wakely, and Vanderwhacker have all been restored or stabilized for public use. In some instances those towers receive many more visitors per year than Hurricane, and the summits near those towers did not see a noticeable increase in use after the stabilization of the structures.

III. Policy and Management Considerations

Policy, Guidance and Planning History of the Area

In the last forty years, numerous guidance, policy and planning decisions have been directed towards or referenced the fire tower on Hurricane Mountain. In many instances, these decisions have been directly related to and dependent upon previous decisions or policies. The following timeline provides a brief synopsis of the policy, guidance, and planning documents that have led to the need for this Unit Management Plan.

Adirondack Park State Land Master Plan – 1972

The Hurricane Mountain Fire Tower Historic Area (HMFTHA) is completely surrounded by the 14,000-acre Hurricane Mountain Wilderness Area. Prior to December 2010, both the Wilderness and Historic Areas existed as a single land management unit: the Hurricane Mountain Primitive Area. The classification scheme that originally designated these areas as Wilderness, Primitive and Historic comes from the original 1972 Adirondack Park State Land Master Plan (SLMP), which defined Primitive Areas as:

> 1. Essentially wilderness in character but, (a) which contains structures, improvements, or uses that are inconsistent with wilderness, as defined, and whose removal, though a long term objective, cannot be provided for by December 31, 1975, and/or, (b) which contains, or is contiguous to, private lands that are of a size and influence to prevent wilderness designation; or
>
> 2. Of a size and character not meeting wilderness standards, but where the fragility of the resource or other factors require wilderness management.

Hurricane Mountain fell in the first category, which the SLMP went on to describe as "…where the goal is clearly upgrading to wilderness at some future time when the non-conforming uses can be removed …" Furthermore, the Area Description for the Hurricane Mountain Primitive Area in the original SLMP specifically read:

> The fire tower on Hurricane Mountain is an essential communication link to the Department of Environmental Conservation at present. Should it be replaced by other means of fire patrol and communications in the future its removal would make wilderness classification possible.

Slight modifications to this language occurred in the 1979 revision of the SLMP; however no substantive changes affecting fire towers would come until the 2010 SLMP amendment (see page 7).

The State Historic Preservation Act (SHPA) and Original Fire Tower Letter of Resolution between OPRHP and DEC – 1994

As previously noted SHPA and SEQR require public agencies to avoid or mitigate impacts to Historic Resources to the fullest extent practicable. SHPA also requires agencies to consult with the OPRHP

before taking actions that might affect an historic property to determine ways to avoid or mitigate impacts to that historic resource, and reconcile conflicts between agency policy and programs.

By 1994, the fire tower on Hurricane Mountain was eligible for listing on the State and National Registers of Historic Places. At the same time, the removal of several fire towers, including Hurricane, was still necessary to bring certain areas of state land into compliance with the SLMP. In order to reconcile the respective requirements of the SLMP and SHPA, officials from DEC and OPRHP engaged in a consultation process regarding 35 fire towers under DEC's jurisdiction pursuant to 9NYCRR 428.8.

The result of this consultation was a Letter of Resolution (LOR, see Appendix B), signed by both agencies, listing which of the 35 fire towers would be retained, and which of them could be removed or transferred by DEC without further consultation with OPRHP. Notwithstanding SHPA's requirement to preserve historic resources, the Hurricane Mountain fire tower was placed on the "remove" list because of the SLMP's call for its removal.

Fire Tower Study for the Adirondack Park – February 2010

The first time a fire tower was addressed in a UMP as a structure not conforming with the SLMP was in the 2006 UMP for the Saint Regis Canoe Area. While the UMP did include an analysis of alternatives regarding the future of the fire tower on Saint Regis Mountain, it did not propose the immediate removal of the tower. Instead, the preferred alternative was to "…develop a comprehensive Adirondack fire tower management plan…" that would "…address all State owned fire towers in the Adirondack Park" due to the high public interest in fire towers.

The APA resolution for the Saint Regis Canoe Area UMP stated that the removal of the Saint Regis fire tower "…should occur within three years from the adoption of this Unit Management Plan or other alternatives based on recommendations identified in the proposed study of fire towers in the Adirondack Park (should be considered)…"

In February 2010 the Department released the Fire Tower Study for the Adirondack Park. The study contained a detailed inventory of all remaining fire towers in the Park, both public and private, along with their individual histories. The study also examined management and policy constraints surrounding the towers, and recommended the removal of the Hurricane Mountain fire tower in order to bring the Hurricane Mountain Primitive Area into compliance with the SLMP.

Hurricane Mountain Primitive Area Unit Management Plan – August 2010

In February 2010, in conjunction with the release of the Fire Tower Study for the Adirondack Park, a Draft Unit Management Plan/Draft Environmental Impact Statement (DEIS) for the Hurricane Mountain Primitive Area was released for a 45-day public review and comment period. A public meeting for the UMP was held at the Keene Central School in Keene Valley.

The most significant management proposal in the Draft UMP was the removal of the fire tower on Hurricane Mountain. Various alternatives were analyzed regarding the tower's fate, including a recommendation that the APA formally propose a reclassification of the land around the tower to Wild Forest or Historic, thereby making the tower a conforming structure. Notwithstanding potential reclassifications, the existing SLMP clearly called for the fire tower's removal once it was no longer used

for communication purposes, so the preferred alternative selected by DEC was to have the structure removed.

As described in the plan, the fire tower was "…clearly the highest profile issue in this UMP…", and the number and type of public comments received on the Draft UMP reflect this statement. Some of the comments were in favor of removing the fire tower, primarily because it would bring the area into compliance with the SLMP after many years of non-compliance. The majority of the comments, however, expressed opposition to the tower's removal. The most common reasons for the opposition involved the fire tower's recreational, cultural, educational, and historic value. Some comments encouraged the department not only to leave the tower standing, but also to stabilize it so that the public could safely use it. It was suggested that a local volunteer organization take on that role.

Despite the nature of the public comments, the proposal to remove the Hurricane Mountain fire tower was considered essential if the UMP was to be found in compliance with the SLMP. In May 2010, the Department submitted a Proposed Final UMP to the APA for their compliance determination. At their June 2010 meeting, the APA Commissioners found the UMP to be in compliance with the SLMP, but included the following recommendation in their resolution (see Appendix D for full resolution):

> **BE IT FURTHER RESOLVED** the Agency recommends the Department of Environmental Conservation not remove the Hurricane Mountain fire tower until the Agency has completed its review and action regarding the status of the fire tower and the possibility of any related changes to State land classification…

In August 2010, then DEC Commissioner Pete Grannis approved the Final UMP/EIS, the final step in formally adopting the plan.

Amendment to the Adirondack Park State Land Master Plan – December 2010

By April 2010, both the Hurricane Mountain and Saint Regis Mountain fire towers were simultaneously proposed for removal—through the UMP process—in order to bring the Hurricane Mountain Primitive Area and Saint Regis Canoe Area into compliance with the SLMP. Overwhelming public support for the fire towers was heard by both DEC and APA during their respective UMP public comment periods.

In response to this public support, the APA Commissioners, at their April 2010 meeting, directed Agency staff to explore alternatives that might lead to minor revisions to the SLMP specific to classifications of the lands surrounding the two fire towers. In response, APA staff developed a draft Supplemental Environmental Impact Statement (DSEIS), in which the preferred alternative was to "Reclassify 0.5 acres around the base of the fire towers on St. Regis and Hurricane Mountains to Historic Area classification under the State Land Master Plan."

The DSEIS was released for public review in July of 2010, and three public hearings were held during the 30-day comment period. Similar to the UMP public comment period earlier in the year, the majority of the comments received expressed support for retention of the fire towers in their existing locations.

A final Supplemental Environmental Impact Statement (FSEIS) was prepared which retained the preferred alternative to reclassify the lands surrounding the towers to Historic. At their October 2010 monthly meeting, the APA board unanimously approved the reclassification recommendations found in the FSEIS (the full APA resolution can be found in Appendix E). In December of that same year, then

Governor Paterson approved the land reclassifications, thereby creating the Hurricane Mountain Fire Tower Historic Area and the Saint Regis Mountain Fire Tower Historic Area.

Revised Fire Tower Letter of Resolution between OPRHP and DEC – 2014

When the original Letter of Resolution (LOR) was signed in 1994, public interest in fire towers was minimal. The structures were generally seen as defunct assets, and the consultation process between DEC and OPRHP concluded that some of the towers would eventually be removed so long as that disposal was done properly from an historic preservation standpoint.

Today, there is a strong public interest in fire towers generally, and many individual towers have associated volunteer or "friends" organizations that have "adopted" them. Additionally, this UMP proposes that the Hurricane Mountain fire tower be opened and maintained for public use. The original LOR, however, does not provide any guidance on how to perform this maintenance in compliance with SHPA. Also, the 1994 LOR contains outdated information, specifically in terms of towers to be removed.

In conjunction with the release of this UMP, DEC and OPRHP have issued a Revised Fire Tower Letter of Resolution (see Appendix C) which expands upon the 1994 LOR by providing the appropriate guidelines ("Fire Tower Checklist") related to tower maintenance for public use. Additionally, a new list has been generated that includes fire towers throughout all of New York in which the state as an interest. This updated list no longer recommends the removal of any fire towers, but includes the status of ownership and the national/state historic register listing for each tower.

As noted previously, ECL § 9-0109(4) authorizes the maintenance of historic structures in the Adirondack Park owned by the State prior to June 21, 1983 if three criteria are satisfied. First, the Hurricane Mountain Fire Tower was listed on the State Register of Historic Places on August 1, 2006 and on the National Register of Historic Places on January 29, 2007. Second, the Commissioner of Environmental Conservation must issue a Statement of Findings concluding that the fire tower can be maintained for public enjoyment and understanding of the Forest Preserve in a manner that will not disturb the existing degree of wild forest character of land on which the fire tower is located or the wild forest character of land adjacent to the fire tower. Third, the Commissioner's Statement of Findings must also find that maintenance of the fire tower will be in accordance with reasonable regulation of the Forest Preserve in the Adirondack Park consistent with Article XIV of the State Constitution. A Statement of Findings can be found in Appendix I.

Other Policies, Guidance, and Management Considerations Relevant to the Management of HMFTHA

Administrative Use of Motor Vehicles & Aircraft in the Forest Preserve (CP-17)

CP-17 is a Commissioner Policy that requires the department to maintain records for all administrative use of motor vehicles on roads closed to the public as well as aircraft on Forest Preserve lands in both the Adirondack and Catskill Parks.

The intent of the policy is to minimize such use, and specific provisions are provided for lands in the Adirondack Park classified as Wilderness, Primitive, Canoe, and Wild Forest, and in Wild, Scenic and Recreational River Areas. For Historic Areas, however, the policy states that "…such use in these areas

will not be subject to the compulsory review and the mandatory recordkeeping and reporting standards set forth below."

Due to the remote location of the HMFTHA, a helicopter may be necessary to deliver materials for maintenance of the fire tower should they be needed. While CP-17 would not require the tracking of such motorized use because of the area's Historic Area classification, it has been the Department's practice to track administrative motor vehicle/aircraft use in other Historic Areas on which it has day-to-day management responsibilities (Camp Santanoni). Also, given the close proximity of the HMFTHA to the Hurricane Mountain Wilderness, any potential helicopter use would have the same impact on the Wilderness as it would on the Historic Area, and should be documented accordingly. A discussion of potentially significant environmental impacts and associated mitigation measures is found in Section IV.

Volunteer Stewardship Agreements (VSA) (CP-58)

CP-58 is a Commissioner's Policy that enables DEC to enter into agreements with individuals or organizations allowing them to do volunteer work for the Department.

If maintenance of any kind is performed on the Hurricane Mountain Fire Tower, the Department will likely seek assistance from an existing volunteer organization that has expressed an interest in performing such work. If the tower can be stabilized to the point where it can accommodate safe public access, volunteers could also play a critical long-term role by maintaining a regular presence on Hurricane Mountain for the purpose of education and interpretation.

DEC staff oversight would be required during any maintenance activity on the fire tower, and the Department would likely incur at least some of the costs of materials and transportation. A general outline of the costs associated with rehabilitating a fire tower can be found in Appendix A.

"Mountaintop Policy" and Use of Radio Repeaters

The formal title of this 1980 Lands and Forests policy is "Preservation of Mountaintops within the Adirondack and Catskill Parks under the jurisdiction of the Department of Environmental Conservation". The full policy can be found in Appendix H.

The purpose of the policy is to keep to a minimum the number of Forest Preserve peaks that contain structures, towers, or other communication facilities. This is achieved by: 1) prohibiting the addition of such structures to mountaintops that do not currently contain them, 2) consolidating existing structures where feasible, 3) evaluating existing structures regularly for purpose and function and if appropriate, proposing their removal through a UMP, and 4) when necessary for health and safety, add new facilities or appurtenances to existing structures or towers only.

Forest Rangers and Environmental Conservation Officers (ECOs) who patrol in the Eastern High Peaks region have indicated that for many years there has been a radio signal "shadow" in many of the valleys of the area. The two nearest radio repeaters available for emergency management purposes are on Whiteface Mountain to the north and Belfry Mountain to the east.

The Eastern High Peaks receive some of the highest recreational use in the Adirondack Park, and accordingly the area consistently requires a higher number of rescues by emergency services personnel. When a rescue occurs in or near an area that does not receive a good signal, a temporary base station

with a repeater must be established in order to provide good radio coverage for search and rescue teams.

Because of this gap in coverage, and according to the provisions of the Mountaintop Policy, the fire tower on Hurricane Mountain has been identified by the Department's radio communications staff as an ideal location for the placement of a permanent radio repeater. This would all but eliminate the signal shadow in the area, thereby eliminating the need for a temporary base station during rescues in the region.

Americans with Disabilities Act (ADA)

Unlike most UMPs, which cover a diverse array of management objectives, this plan has been developed for the specific purpose of addressing the future management of the fire tower on Hurricane Mountain. During the planning process, DEC considered accessibility options for both within the unit and the trails leading to it, despite their remote location.

The purpose of the tower today is to provide an historical interpretation of the experience of the former DEC staff who climbed the tower many times per day. The fire tower is 35 feet in height with no electrical power within the unit to provide alternate means of scaling the tower. In addition, the trails to the tower contain environmental barriers that are severe and so numerous that they cannot be modified to meet the intent and objectives of an accessible hiking opportunity.

As interpretive materials related to the fire tower are developed, they will be delivered in a manner that is accessible to people of all abilities. This may include web based materials, wheelchair accessible kiosks at the trailheads, and written educational materials.

Use of Aircraft and Motorized Equipment in the Adirondack Sub-Alpine Forest Bird Conservation Area

The New York State Bird Conservation Area (BCA) Program was established in 1997 to safeguard and enhance bird populations and their habitats on State lands and waters. Specifically, the Adirondack Sub-Alpine Forest BCA was designated to facilitate the protection of the Bicknell's thrush (a species of Special Concern), the Blackpoll warbler, and the Swainson's thrush, as well as their habitat, which consists of dense, subalpine coniferous forests on mountain summits over 2,800 feet in elevation.

Bicknell's thrush nesting locations have been confirmed on Hurricane Mountain in the past. The Peregrine Falcon, a Federally Endangered Species, is known to nest in the area as well. Future recreational use of the HMFTHA and the trails that lead to it, however, is not expected to vary greatly from past use, and therefore is not likely to impact these species. Similarly, most maintenance activities that may occur on the tower would not be different, in terms of impact, from the recreational use in the unit.

This UMP does not propose any vegetation management or other physical alterations that could affect Bicknell's thrush or Peregrine falcon habitat; however if the use of aircraft or motorized equipment should be needed for maintenance of the fire tower, it should not occur between April 1 and August 1 in order to avoid the combined Bicknell's thrush and Peregrine falcon nesting periods.

IV. Management Recommendations

Compared to other state land management units in the Adirondack Park, the HMFTHA is extremely small and limited in the type of recreational experience it provides. Additionally, the Hurricane Mountain fire tower is the centerpiece of the unit, both physically and in regards to public use. For these reasons, all of the management needs addressed in this UMP are directly related to the tower, and in some instances, to one-another.

In this section, these potential management options are discussed in the context of the following objectives:

Management Objectives

- Manage the area in compliance with Article XIV, Section 1 of the New York State Constitution, the Adirondack Park State Land Master Plan (SLMP), the State Historic Preservation Act (SHPA), Environmental Conservation Law §9-109 (4) and the State Environmental Quality Review Act (SEQR).
- Maximize the interpretive and educational potential of the fire tower as an historic resource.
- Leverage the Department's staff and fiscal resources to the fullest extent possible.
- Establish a radio communication link for the Department in the vicinity of Hurricane Mountain.

Alternatives Analysis

Because of the interrelated nature of the management actions proposed for the HMFTHA, and pursuant to SHPA and SEQR, the Department considered various alternative management scenarios for the future of the unit. These alternatives are presented below.

- ***Alternative 1 – "No Action"***

  This alternative proposes no action, which would leave the future of the fire tower in doubt. The tower would remain unused as a fire observation platform or radio communication link, would have no proposed utility for Forest Preserve management since the wood steps have been removed, and would increasingly become a safety concern. The un-maintained structure would fall into disrepair and eventually become a public safety hazard. While this alternative would require very little of the Department's resources in the short term, it does not meet any of the Department's other management objectives for the area, particularly meeting SHPA's mandate to act as a steward of the fire tower as a historic resource. Therefore, this alternative is not supported by this plan.

- ***Alternative 2 – "Tower Removal"***

  This alternative proposes to have the fire tower dismantled and removed from Hurricane Mountain. The Department would identify another location, possibly on the Forest Preserve, on which it could still serve an educational purpose, but be more accessible by the public and the Department (or its volunteers). If the tower were no longer in the HMFTHA, the unit would most probably become part of the Hurricane Mountain Wilderness. In the 2010 Hurricane Mountain Primitive Area UMP, this scenario was the Department's preferred alternative because at the time the SLMP had identified the tower as a non-conforming structure. Today,

however, this alternative would not meet any of the Department's management objectives for the area, nor is it required by the SLMP. For these reasons, it is not supported by this UMP.

- ***Alternative 3 – "Minimal Maintenance"***

  This alternative would retain the tower in its current state to preserve its historical value, but limit maintenance of the structure to only those activities that ensure its structural integrity. This would not include work to make the stairs and cab safe for public access, it would not include any on-site interpretation of the fire tower, and would not include the installation of a radio repeater. While this alternative would not be inconsistent with the Guidelines for Management and Use of Historic Areas found in the SLMP, and would require very little of the Department's staff and fiscal resources, it does nothing to improve the historic interpretation of the area or the use of the fire tower as an educational tool. Additionally, it does not address the need for a communication link in the area. Therefore, this alternative is not supported by this plan.

- ***Alternative 4 – "Public Access Only"***

  In this alternative, the tower would be maintained in a manner that would accommodate full public use of the structure. The stairs and cab would be made safe for public access, and the appropriate interpretive materials would be included in and/or near the tower. The cab of the tower would be opened exclusively for public use, and a radio repeater would not be allowed. Under a Volunteer Stewardship Agreement, the Department would engage with a local volunteer organization to perform much of the maintenance, as well as to retain a presence on Hurricane Mountain to educate the public and monitor use during the busiest months of the year. This alternative meets most of the Department's management objectives, but because it does not include the use of a permanent radio repeater, it is not supported by this plan.

  The only potentially significant environmental impact associated with this alternative was identified in the discussion about Bird Conservation Areas in Section III. As noted there, if a helicopter is necessary for the delivery of materials, it would not be allowed between April 1 and August 1 to avoid any impacts to the Bicknell's thrush and Peregrine falcon during their respective nesting periods.

- ***Alternative 5 – "Communications Only"***

  This alternative would be similar to Alternative 3 in terms of minimally maintaining the tower in order to keep it safely standing and to preserve its historical value. The general public would not be permitted to access the tower, but the structure would be maintained to the extent that it could accommodate a permanent radio repeater. This alternative would meet many of the Department's management objectives, but because it does not include public access to the fire tower, it is not seen as maximizing the interpretive and educational potential of the structure, and therefore is not supported by this plan.

- ***Alternative 6 – "Public Access and Communications" – PREFERRED ALTERNATIVE***

  This alternative would combine aspects of Alternatives 4 and 5 to fully meet the Department's management objectives for the unit. The tower would be maintained for full public access, including the stairs and cab, and written interpretive materials would be strategically placed within the unit so as to be informative but not intrusive. The Department would enter into an agreement with a volunteer organization to be present during higher-use periods for the

purpose of educating the public and monitoring use of the unit. Volunteers would also be sought to assist with opening the tower for public use as well as the long-term maintenance of the tower. A permanent radio repeater would also be installed in the cab of the tower in a way that would be compatible with the public use of the structure.

As with Alternative 4, the only potentially significant environmental impact associated with this alternative was identified in the discussion about Bird Conservation Areas in Section III. As noted there, if a helicopter is necessary for the delivery of materials, it would not be allowed between April 1 and August 1 to avoid any impacts to the Bicknell's thrush and Peregrine falcon during their respective nesting periods.

Proposed Management Actions

The "Public Access and Communications" option was selected as the preferred alternative because it meets all of the Department's management objectives for the Hurricane Mountain Fire Tower Historic Area. The following management actions expand upon the concepts outlined in the preferred alternative:

- Open and maintain the fire tower for public use according to the process and specifications outlined in the Fire Tower Rehabilitation Checklist, found in Appendix C. Work with a volunteer organization to assist in this process through a Volunteer Stewardship Agreement.
- Develop interpretive materials related to the fire tower as an historic resource. This includes appropriately located interpretive signs in and around the tower, as well as information and interpretive materials to be located at the trailhead kiosks that provide access to the unit and on the Department's public website.
- Permit the long-term volunteer maintenance and interpretation of the fire tower through a Volunteer Stewardship Agreement. This includes the establishment of a Tower Steward position to maintain a presence on the mountain during periods of peak use.
- Monitor the fire tower, the summit of Hurricane Mountain, and the three trails that provide access to the unit for overuse. As mentioned in Section II, it is not anticipated that maintenance of the fire tower will result in visitor use beyond current levels. If impacts of overuse are detected, BMPs should be employed, including the installation of water bars, stepping stones, and/or dry tread, and the re-routing of trails.
- Install a radio repeater system on/in the tower:
    - In the cab, install a Daniels Electronic Ltd. repeater (or equivalent) with a transmission power of four to eight watts.
    - Include a protective enclosure around the repeater, which would take up approximately 5.5 square feet, or 11% of the cab's 49 sq. ft. area. The rest of the cab would remain open for public use.
    - Include in the protective enclosure two to four Deka L-16 batteries (or equivalent).
    - Mount a low-profile omnidirectional antenna on a bracket located on a corner of the cab roof. A typical antenna would be between five and six feet long and extend approximately four feet above the peak of the roof.
    - Mount four BP Solar 275 75-watt solar photovoltaic panels (or equivalent), each measuring 46.8 inches by 20.9 inches by 1.5 inches on the tower structure below the cab.
    - Connect the repeater system to the ground with a grounding wire and rod.

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