Upper Hudson Woodlands ATP Conservation Easement

DRAFT RECREATION MANAGEMENT PLAN

Sacandaga Block

Jackson Summit Road West Tract
Dennie Road Tract
Benson Road Tract
Hohler Road Tract
Johnny Cake Lake Tract
Gordons Creek Road Tract
Lake Desolation Road Tract

NYS DEC, REGION 5, DIVISION OF LANDS AND FORESTS

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www.dec.ny.gov **September 2016**

REVIEW DECLARATION

New York Department of Environmental Conservation has the responsibility of managing public access and recreation on the Upper Hudson Woodlands ATP Easement property, in accordance with the content of the conservation easement. This Recreation Management Plan (RMP) is consistent with the terms, conditions and purposes of the conservation easement are approved for implementing recreation opportunities on the easement property. Notwithstanding the foregoing, should any discrepancies arise between the RMP and the Conservation Easement, the Conservation Easement will prevail.

ACCEPTED BY GRANTEE:
Department of Environmental Conservation, New York

By: _____ Date _____

Robert K. Davies, State Forester
NYS Department of Environmental Conservation
Division of Lands & Forests

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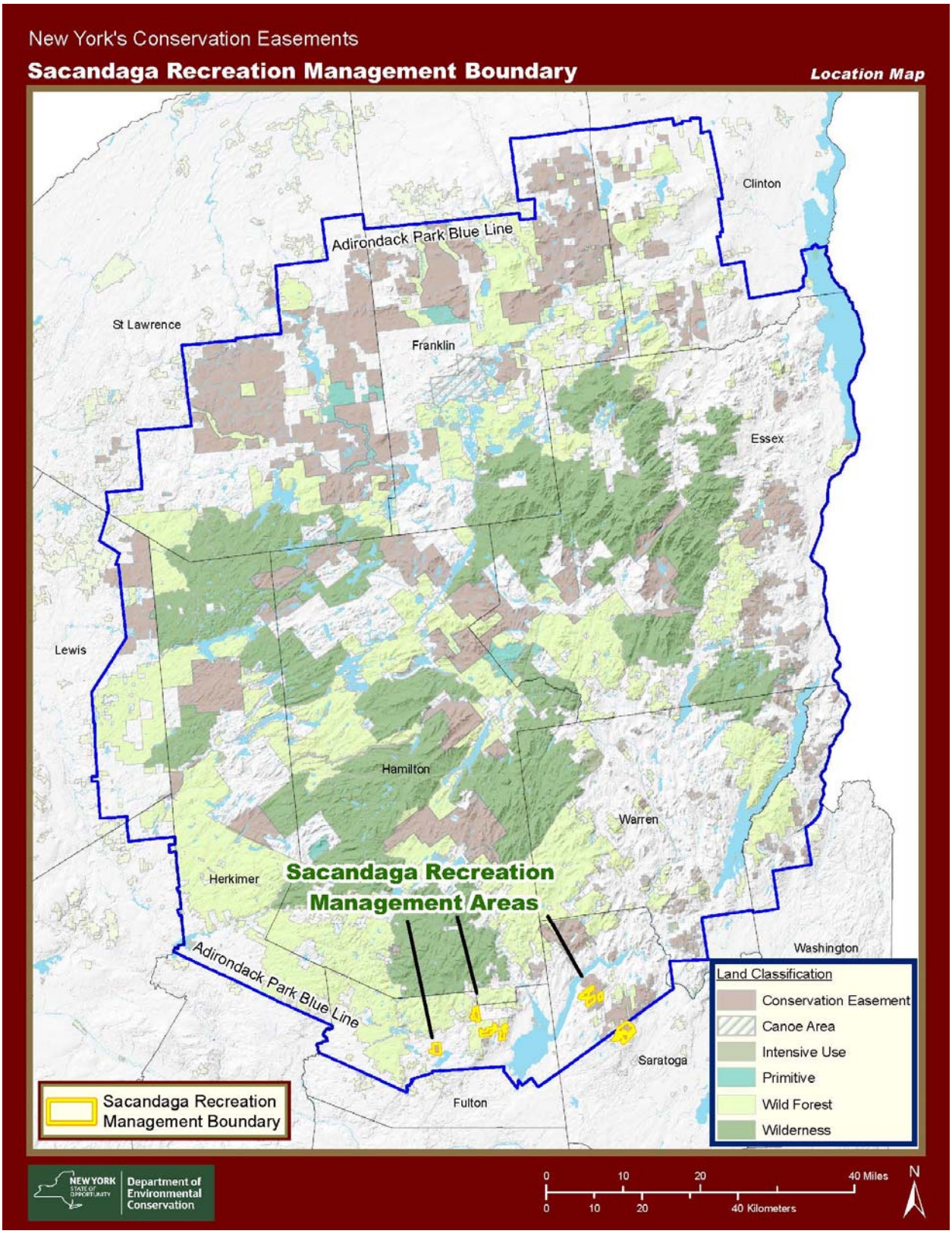
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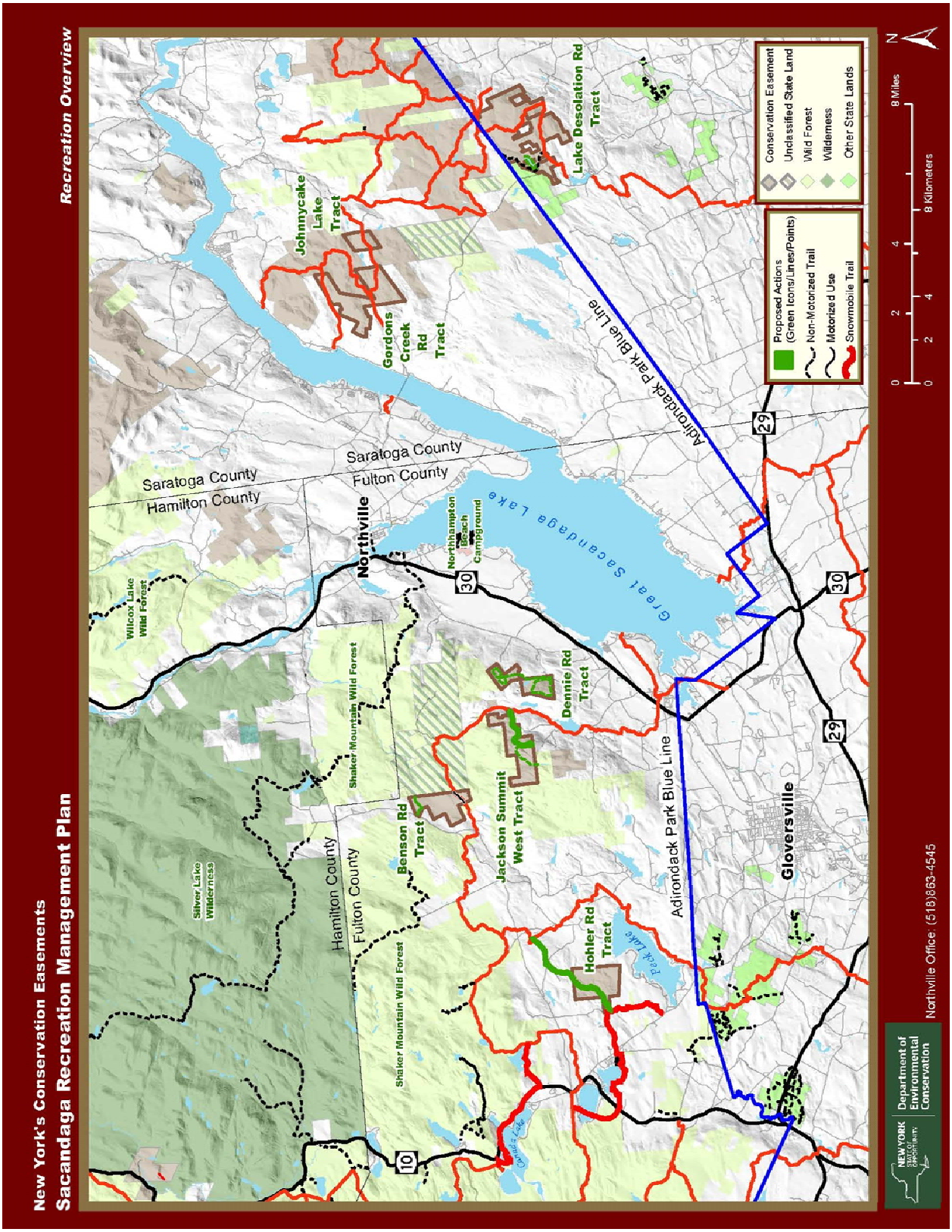
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Department of Environmental Conservation
Northville Office: (518)863-4545

PREFACE

Use of Conservation Easements in New York State

The New York State Legislature has declared that the public policy of the State is to conserve, preserve, and protect its environmental assets and natural and man-made resources. In addition to purchasing lands on behalf of the People of the State, the State also protects land and natural resources by acquiring less than full interests in land, using a permanent legal agreement called a conservation easement. Conservation easements are used widely across the United States by government and non-profit land conservation organizations to protect a variety of properties with important natural resources and other landscape values such as water quality, wildlife habitat, sensitive ecosystems, wetlands, riparian areas, scenic areas such as meadows and ridgelines, agricultural land, working forests, and historic sites. The primary function of easements is to limit or eliminate future development and undesirable land uses on a property, while allowing for continued private ownership and traditional management. Some conservation easements allow public access to the protected property and some do not.

New York State acquires conservation easements primarily on properties that buffer existing State lands, provide additional public recreational opportunities, and/or maintain large working forests. There are now hundreds of thousands of acres of land in New York that are protected by conservation easements acquired by the State. Most of that land consists of large tracts of commercial timber land in the Adirondack and Tug Hill regions; however New York State also holds easements on a variety of other properties across the State.

On many large working forest conservation easement properties, the State has acquired some level of public recreation rights in addition to development and land use restrictions. In some cases, a wide range of public recreational use is permitted, and in others public access is very limited. The amount of public access depends largely on the goals and objectives of the landowner and the State at the time the easement was negotiated. All of these lands are actively managed for forest products, and many of the companies who own the land also rely on income from private recreation, hunting and fishing club leases.

This recreation management plan will explain the combination of public recreational rights the State acquired through the conservation easement and how these rights are to be implemented and managed on the property in a compatible way with the rights retained by the landowner.

I. INTRODUCTION

On June 18, 2007, The Nature Conservancy (TNC), acquired approximately 161,000 acres of forestland from Finch, Pruyn and Company, located in the central and south eastern portions of the Adirondack Park in northeastern New York State. TNC sold the 92,035 acre "Upper Hudson Woodlands" Property to Upper Hudson Woodlands ATP, LP (Landowner) on March 27, 2009. In addition, TNC sold specific development, conservation and recreation rights on these forestlands in the form of the Upper Hudson Woodlands ATP Conservation Easement (Easement or Conservation Easement) to the State of New York on December 27, 2010. The Easement will assure that the property will remain as a sustainable working forest, protect natural resources, continue private recreational leases and allow for new public recreation opportunities.

The Easement grants New York State a legal interest in the property and sets forth terms, restrictions and rights of both the Landowner and the State with respect to use and management of the tract. The State now holds the development rights on the property, and in some cases, specified recreation rights. As with prior conservation easements, the State, by purchasing the development rights, effectively extinguishes those development rights on the property in "perpetuity". The Landowner is responsible for managing the Upper Hudson Woodlands Property in a manner complies with the Easement. This requires that they, for example, protect water quality, maintain and enhance biological diversity, provide for a broad distribution of forest age classes and provide standing dead trees, den and nest trees and large downed trees. The New York State Department of Environmental Conservation (Department or NYSDEC) is responsible for managing the rights obtained by the People of New York and ensuring the land is managed as required by the Easement.

Public recreation access to privately-owned conservation easement lands is guided by a Recreation Management Plan (RMP) that is developed for each easement property. This RMP applies to those lands subject to the Upper Hudson Woodlands Conservation Easement held by New York State within Fulton and Saratoga Counties, in the Towns of Mayfield, Bleecker, Edinburg and Greenfield, referred to herein as the Sacandaga Conservation Easement Lands ("Protected Property" or "Property").

Purpose of the Recreation Management Plan

Preparation of this RMP is required in accordance with the Easement. This RMP addresses the State's role in planning, implementation, and management of the public recreation rights on the Protected Property. It also describes the Department's planning process and provides opportunities for stakeholders to participate in that process.

This RMP has been developed pursuant to, and is consistent with, relevant provisions of the Environmental Conservation Law (ECL), Executive Law, NYSDEC Rules and Regulations, NYSDEC policies and procedures, the NY State Environmental Quality and Review Act (SEQRA), the *DEC/APA MOU Concerning State-owned Conservation*

Easements on Private Lands within the Adirondack Park and the terms and conditions of the recorded Conservation Easement document that apply specifically to this Property. SEQRA also requires the State to seek and consider public opinion on this RMP. The Landowner has been consulted during the planning process and has had an opportunity to review and comment on this RMP. As lead agency, the Department prepared an Environmental Assessment Form and has determined that there will no significant or important impacts related to this plan or the implementation of this RMP.

The purpose of an RMP is to establish a planned, written management scenario, to implement the State's rights and protect the property rights of the Landowner, as specified in the Easement. It is intended that the RMP remain consistent and in effect over time, despite changes in agency personnel or the legal landowner. The RMP integrates consideration of pertinent legislation, legal codes, rules and regulations, policies, easement-specific requirements and conditions, and property-specific information into a single document. Provided in this RMP is a description of the property and past and present uses; relevant public recreation opportunities and limitations; how public access and recreation will be implemented and managed; who will have responsibility for various management tasks; identification of public recreation facilities that may already exist on the property; new public recreation facilities and improvements proposed to be constructed and maintained; and how the public is anticipated to interact with other uses of the property such as active forest management and private lease holders. The RMP preparation process and resulting document provides a means for discussing and clarifying pertinent issues, clearly stating management goals and mechanisms, review of the proposed public recreation activities and actions, and implementing public recreation on the Property. Periodically RMPs may be revised, updated, or amended. Notwithstanding the foregoing, should any discrepancies arise between the RMP and the Easement, the Easement will prevail.

II. Property Overview

A. Geographic Information

1. Property Description and Access

The Upper Hudson Woodlands ATP Conservation Easement tracts addressed in this RMP are located in Fulton and Saratoga Counties in the vicinity of Great Sacandaga Lake within the towns of Bleecker, Mayfield, Edinburg and Greenfield. Public access to the Property can be reached primarily by Tolmantown Road, Tannery Road, Dennie Road, Hohler Road, County Route 125, Horse Hill Road and Lake Desolation Road.

The Protected Property shares common borders with Shaker Mountain Wild Forest, Wilcox Lake Wild Forest, Lake Desolation State Forest, and large tracts of timberlands owned by Lyme Adirondack Forest Company, also subject to a conservation easement held by the State of New York. Bordering the Benson Road Easement Tract, the

Benson Road Fee Tract is a recent 3,884 acre addition to the Forest Preserve and is currently unclassified under the Adirondack Park State Land Master Plan.

Within the Property, the aquatic and terrestrial resources provide ecological benefits, opportunities for nature study and recreation. The many small wetlands, streams and ponds on the Property drain to Great Sacandaga Lake and Saratoga Lake and are part of the Hudson River Watershed.

The long history of timber harvesting in this area has created an ecosystem that is typical of other Adirondack working forest easement lands with hardwood stands, interspersed with hemlock and cedar stands. Because of the nature of a working forest easement, this land is subject to future logging. The Landowner is currently contracted with F&W Forestry for the continuation of sustainable forest management and management of the camp lease program on the Property.

2. Tract Descriptions

Jackson Summit Road West (813 acres)

This tract is west of Tolmantown Road (sometimes described as Toleman Town Road) in the Town of Mayfield, bound to the north, west and south by Shaker Mountain Wild Forest. Aquatic features are highlighted by a large wetland (Bernhardt Mountain Swamp) in the northeast corner of the tract, two perennial streams and associated wetlands (Lynus Vly Outlet and Elphee Creek), and a small wetland in the western portion of the parcel. There are many primary and secondary logging roads throughout the property. One vacant hunting camp is on the property but will be removed.

Dennie Road Tract (588 acres)

Access to Dennie Road Tract is via Dennie Road located in the Town of Mayfield. Warner Pond and associated wetlands total approximately nine acres. One hunting camp and associated accessory structure is located south of Warner Pond. In addition, a private landowner gains access to their property via a right of way over the gated gravel road that runs through the southern portion of this tract. The gravel road, also used for logging, is well maintained.

The Conservation Easement, baseline documentation and tax map indicates that the Dennie Road Tract north and south areas share a common corner. On the ground evidence, deeds and adjacent property legal descriptions indicate that the parcels are actually connected as shown in Section VIII: Exhibit 1.

Benson Road Tract (619 acres)

Access to the tract is via Tannery Road, maintained by the Town of Bleecker. Fulton County Highway 125 runs along the northwest boundary of the tract providing additional access. The main logging road that runs through this tract onto the adjacent Forest Preserve is used as a snowmobile connector trail called Corridor 8 (C8). Stony Creek and associated wetlands flow north through the center of the parcel. The Benson Road tract is subject to Adirondack Park Agency permit 2008-277, authorizing a 2-lot subdivision involving wetlands and lands within a designated scenic river area,

classified under the Wild, Scenic and Recreational Rivers Act. This land was all originally owned by Finch Pruyn and Co. The 2-lot subdivision separated the adjacent Forest Preserve portion (fee) from the conservation easement portion.

Hohler Road Tract (789 acres)

The tract is located in the Town of Bleecker and is generally southeast of Caroga Lake and northwest of Peck Lake. Access is gained via Hohler Road. It contains hemlock stands and a large wetland system. West Stony Creek flows through the northwestern corner of the parcel. Associated with the creek is a 15-acre wetland system that has been identified by the New York Natural Heritage Program (NYNHP) as a sedge meadow (See Section III.B.2.) Two hunting camps are located on this tract.

Johnny Cake Lake (250 acres) and Gordon's Creek Tracts (1,206 acres)

These tracts are located in the Town of Edinburg and are generally east of Great Sacandaga Lake and are in close proximity to each other. Access is from Horse Hill Road. Both tracts are leased to recreational hunting clubs. Two streams flow from Johnny Cake Lake onto Gordons Creek tract. Several wetland areas of approximately 33 acres are identified by NYNHP as a spruce-fir swamp and a hemlock-hardwoods swamp (See Section III.B.2.).

Lake Desolation Tract (2,128 acres)

This tract is located in the Town of Greenfield, just outside of the Adirondack Park. Access is from Plank Road which crosses the tract from Desolation Road to the hamlet of Porters Corners. The southern corner has a wetland system that is identified as a 15 acre spruce-fir swamp and a 15 acre sedge-meadow (See Section III.B.2.). This tract is not leased and is open to the public for non-motorized uses.

III. NATURAL and CULTURAL RESOURCES

A. Physical Resources

1. Terrain/Topography

Bernhardt Mountain stands at 2,293 feet above sea level in the middle of the Jackson Summit Road West Tract. Several smaller peaks surround the parcels and provide scenic views at various locations. Much of the Property is moderately steep with slopes varying from zero to 60 percent. The best resource for terrain information is the USGS 7.5 x 15 minute quadrangle maps (Caroga Lake, Jackson Summit, Porter Corners and Edinburg).

2. Geology and Soils

Much like the rest of the Adirondack Park, the Sacandaga Tracts were shaped by glacial movement and the deposition of glacial material. The bedrock under the area is various forms of metamorphic gneiss and granite. Several large glacial erratics can be found throughout the Property.

The soils in the vicinity of these tracts are largely composed of the Tunbridge series, described as moderately deep and well-drained, loamy glacial till. This series is located on glaciated uplands, which fits the description of the area, and has a wide distribution throughout the Northeast. The eastern tracts have similar soil types including predominately Tunbridge, Lyman, Potsdam and Crary series. The western tracts vary slightly more with a Tunbridge, Becket, Skerry, Lyman, Berkshire and Wonsqueak Humaquets (in frequently flooded wetland areas) series.

3. Water and Wetlands

All tracts are within the Hudson River watershed and Great Sacandaga Lake sub-watershed and Upper Hudson sub-watershed. Waterways and waterbodies on the property include Lynus Vly, Elphee Creek, Stony Creek and Warner Pond. Logging and associated activities cannot occur within 100 feet of any stream, waterbody or wetland per Easement terms.

The Lynus Vly Outlet (2.5 miles long) runs through the western portion of the Jackson Summit Road West Tract. It originates from a pond on Forest Preserve managed under the Shaker Mountain Unit Management Plan and empties into West Stony Creek. Also on this tract, Elphee Creek, flows into the Jackson Summit Reservoir which then empties into Great Sacandaga Lake.

Warner Pond, a 9.1 acre waterbody located on the Dennie Road Tract, also flows to Great Sacandaga Lake.

West Stony Creek winds through the northern boundary of the Hohler Road Tract, to the eastern boundary. This headwaters section is dominated by beaver activity and wetlands. It is classified as C (trout) in the northern section. In the area of the Hohler road tract, West Stony Creek is a Recreational River under the Wild, Scenic and Recreational Rivers Act (1972), see section III.C.3 for more information.

An unnamed inlet and outlet associated with Johnny Cake Lake traverses the Gordon's Creek tract and the Johnny Cake Lake Tract. The Inlet is not classified as a trout stream but the outlet is. On Desolation Road Tract, three inlet streams and the outlet stream, Cadman Creek, all classified as trout streams, are associated with Archer Vly. Archer Vly is approximately 23 acres.

Wetlands are important ecological resources that contribute to quality wildlife habitat, water protection, flood control and recreational values. For these reasons, they are protected by state and federal regulations. Logging and associated activities cannot occur within 100 feet of any wetland. Vernal pools are small, seasonal wetlands that provide habitat for many amphibians and reptiles. The Landowner is required to reduce or mitigate any negative impacts to vernal pools, as will the Department. There are 441 acres of wetland on the Property. These wetlands are identified as significant by the NYNHP and described in Section III.B.2.

B. Biological Resources

1. Fish and Wildlife

A survey completed in 1994 on Lynus Vly confirmed the presence of brook trout, creek chub and longnose dace. Archer Vly, last surveyed in 2011, is 5.2 feet at the deepest spot and is considered a warm water fishery. One loon and several snapping turtles were observed. None of the other ponds have been surveyed. West Stony Creek was surveyed near the mouth of the waterway, approximately 16 miles away from the Hohler Road tract. The data is not directly relevant to the area of river found on Hohler Road but margined madtom, white sucker, longnose dace, cutlip minnow, fallfish, tessellated dater and fantail darter were recorded.

Throughout the Property, evidence of deer, moose, coyote, fox, hare and bear can be found along with many other common Adirondack species. One would also expect to find an occasional bobcat, fisher and American marten.

The Breeding Bird Atlas is the most comprehensive list of bird species that are seen or heard in “blocks”. The Herp Atlas (herptofauna a.k.a. reptiles and amphibians) is set up in a similar fashion. The blocks encompass an area larger than all the individual tracts addressed in this RMP so it is only likely, not definite, that the listed species reside for some or part of the year. The Breeding Bird Atlas identified 117 confirmed, probable and possible breeding bird species in the blocks covering the tract. The Herp Atlas identified 22 species of reptiles and amphibians, on or adjacent to the Property.

2. Vegetation

Soil depth, drainage and nutrient richness tend to increase as elevation increases from spruce-fir flats and wetlands. Mid-slopes, adjacent to the spruce-fir flats, tend to exhibit improved soil drainage and depth, allowing for some hardwood species to compete and mix with spruce and fir. Hardwood species best suited to compete with spruce and fir in these areas are Red Maple and Yellow Birch.

Upland sites tend to exhibit soil characteristics that make these sites the most productive on the Property. Soil depth, drainage and nutrient retention are generally best in these sites, with hardwood species such as sugar maple, American beech, yellow birch, and black cherry dominating. Opportunities to grow high value timber are best in upland sites.

While wetland characteristics vary greatly from one site to another and even within the same wetland system, the most common wetland systems include bogs, marshes, shrub swamps and wooded swamps.

Special Communities are listed by the NYNHP. Ranking descriptions are found in Appendix D. NYNHP Element Occurrences found on the Property include:

Sedge Meadow
State Rank: S4; Global Rank G5

This is a wet meadow community that has organic soils of muck or fiberous peat. Soils are permanently saturated and seasonally flooded. The dominant species is tussock-sedge, usually with at least 50% cover. Other characteristic herbs include sedges, bluejoint grass, sweetflag, spotted joe-pyeweed, tall meadow-rue, purple stem angelica, and bulrushes. The sedge meadow on Hohler Road Tract is approximately 11 acres within the larger wetland system that extends beyond the boundary lines of the tract. Another identified sedge meadow is on the Lake Desolation Tract. This 15 acre narrow wetland system is the headwaters for Lake Desolation. It is small but in good condition.

Inland Poor Fen
State Rank: S3; Global Rank G4
This scenic fen on the Jackson Summit West Tract is dominated by short sweet gale and leatherleaf overtopped by tussock sedge. It is approximately 17 acres.

Hemlock-hardwood Swamp
State Rank: S4; Global Rank G4
This 11 acre remote wetland is part of a wetland complex on Gordon's Creek Tract that drains into Johnny Cake Lake. It is dominated by hemlock and co-dominated by red maple, red spruce and yellow birch.

Spruce-fir Swamp
State Rank: S3; Global Rank G3
The southern edge of the Lake Desolation Tract has a 15 acre wetland dominated by red-spruce, and co-dominated by red maple, hemlock, balsam fir and yellow birch. The swamp is underlain by well-decomposed peat over deep muck.

3. Endangered, Threatened and Species of Special Concern

This RMP is designed to help protect habitat of endangered, threatened and species of special concern. In an effort to maintain confidentiality of these critical resources, the specific locations of some sensitive species and special communities will not be identified in this plan.

Vegetation
Persicaria careyi (Carey's smartweed): Endangered Species in New York State; Last observed in 1912.

Birds
The following are listed on the 2000-2005 Breeding Bird Atlas as protected species of special concern in New York State:

- American bittern
- Common loon
- Northern goshawk
- Red shouldered hawk
- Sharp-shinned hawk

Herptofauna
There were no species of special concern, rare, threatened or endangered species listed on the Herp Atlas for the blocks covering the Property.

4. Invasive Species

As global trade and travel have increased, so have the introduction of non-native species. Many of these non-native species do not have adverse effects on the areas in which they are introduced, however, some become invasive in their new ranges, disrupting ecosystem function and reducing biodiversity therefore degrading natural areas. Invasive species have been identified as one of the greatest threats to biodiversity, second only to habitat loss. Invasive species can damage native habitats by altering hydrology, fire frequency, soil fertility and other ecosystem processes.

The Adirondack Park Invasive Plant Program (APIPP) is the most reliable source of information regarding invasive species. While the imapinvasives.com internet portal does not list any invasive species on the Property that does not mean that they do not exist. There are several invasive species identified nearby, generally on road corridors. Because roads and vehicles are the most common means to spread invasive species, actions must be taken to impart the importance of prevention to the public and to react quickly to new infestations. Best management practices (BMPs) for any improvements on the Property must be used. Examples include cleaning equipment, using clean fill and gravel, and using straw instead of hay. Appropriate signage will be placed in kiosks to inform visitors of steps they can take to help prevent the spread of invasive species.

Existing Invasive Species in the immediate vicinity
Phragmites australis, common reed
Alliaria petiolata, garlic mustard
Fallopia japonica, Japanese knotweed
Lythrum salicaria, purple loosestrife
Pastinaca sativa, wild parsnip
Najas minor, brittle naiad
Potamogeton crispus, curly leafed pondweed

C. Cultural Resources

1. Cultural and Archaeological

There are no Cultural and Archaeological sites reported for the Property. However, any findings of potential historical significance should be reported to the Department or the managing forester. This location is not listed as an architectural site under the NYNHP.

2. Visual/Scenic Resources

Bernhardt Mountain on the Jackson Summit West Tract provides winter-time views of Great Sacandaga Lake and surrounding foothills. The general area provides mountain views from Great Sacandaga Lake.

3. Wild, Scenic and Recreational Rivers

In 1972, State legislation, called the Wild, Scenic and Recreational Rivers Act, was passed creating a designated rivers system. This Act protects and maintains certain designated rivers on State and private lands in their free-flowing condition and natural setting.

West Stony Creek is classified as a "recreational river" in the area of the Hohler Road parcel. A recreational river is "…generally readily accessible, and may have a significant amount of development in their river areas and may have been impounded or diverted in the past. Management of recreational river areas will be directed to preserving and restoring their natural, cultural, scenic and recreational qualities." (6 NYCRR Part 666.4) Unless a river management plan dictates otherwise, there is a one-half mile buffer area from the mean high water mark of the river.

D. Economic Impact

The Upper Hudson Woodlands ATP Easement recognizes the positive economic impact of the logging industry on Adirondack Park communities. The Easement specifically reserves the Sacandaga Tracts (and all other parcels owned by the Landowners) as working forests and provides dedicated public recreation areas. This is an economic benefit for local towns, counties, as well as the entire Adirondack Park and Saratoga and Fulton Counties. Tourism and outdoor recreation are growing industries and are increasingly more influential in Adirondack community economies.

IV. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS

A. Public Property

Forest Preserve Lands

Shaker Mountain Wild Forest, 40,500 acres of Forest Preserve, is in the immediate vicinity of the Property. The Property and Forest Preserve lands share 10.5 miles of surveyed and marked boundary line. The main features of the Shaker Mountain Wild Forest (SMWF) include a section of the Northville Placid Trail, several snowmobile trails and scattered campsites generally at historical fishing locations. The Corridor 8 Snowmobile Trail (C8) links the towns of Caroga Lake, Bleecker and Mayfield. Another important snowmobile route within this system and related to this RMP, though not on Forest Preserve, is Corridor 7G. More information regarding these Forest Preserve lands can be found in the Shaker Mountain Wild Forest Unit Management Plan.

Three New York State operated campgrounds, Northampton Beach Campground, Sacandaga Campground and Caroga Lake Campground, are in nearby communities. Short, destination-based hiking on the Property will provide family oriented activities in the immediate area.

State Lands
Several parcels of the Lake Desolation State Forest (440 acres) border the southwestern boundary of the Desolation Road Tract. There are no official trails in this unit, however, it is often used by the public for hunting and other outdoor recreation activities. More details about this parcel can be found in the Saratoga County State Forest Unit Management Plan and the NYSDEC State Lands Interactive Mapper http://www.dec.ny.gov/outdoor/45415.html.

B. Private Property

Legal Rights of Ways (ROWs)

Benson Road Tract

Tyrell Road Extension, a logging road running through the northern section of the Benson Road Tract, is a non-exclusive deeded ROW for access to private property.

Jackson Summit West Tract

A deeded ROW allows ingress and egress to the private property at the northern border of the Tract.

Dennie Road Tract

A deeded ROW allows ingress and egress to a private landowner in addition to a utility line ROW to the private parcel to the northwest of Warner Pond.

Lake Desolation Road Tract

None listed in deeded conservation easement. Further research revealed that the landowners surrounding Archer Vly have a ROW as depicted in the original subdivision map.

Gordon's Creek Tract

A 50 foot wide ROW for ingress and egress is reserved by an adjoining landowner (currently owned by Lyme Adirondack Timberlands, LLC), as well as Mettowee Lumber Company).

Johnny Cake Lake Tract

A 50 foot wide ROW for ingress and egress is reserved by an adjoining landowner (currently owned by Mettowee Lumber Company).

V. LANDOWNER MANAGEMENT AND USE

A. Property History

While Upper Hudson Woodlands ATP is a relatively new owner of the Property, Finch Pruyn and Company were the previous owners for almost a century. The long history of timber harvesting is evident on the landscape with many timber stands in various stages of growth with staging areas/log landings and skid roads. Associated with the long running leased hunting camp program are ATV trails and foot paths.

The hamlet of Jackson Summit was a small logging community nestled in the hills west of Mayfield town center. At one time Jackson Summit was a flourishing village, with a tannery, two sawmills, a wooden-ware factory, blacksmith shop and a clothes-pin shop. Old grave sites, homesteads or other infrastructure may be found on the Property and should be reported to the Department. The first sawmill was built in 1816 and the second in 1832. The last of the tanneries closed prior to 1900. Over time, much of the land was sold to Finch Pruyn and Company until 2010 when the land came under Upper Hudson Woodlands ATP ownership.

Lake Desolation Road Tract is in the vicinity of the old “Glassworks Factory” on nearby state land. This was an old settlement established at the location where glass bottles were produced for Saratoga Spring water from 1843-1865. According to a description of the Saratoga Glassworks by Howard Dean, the area was named Mt. Pleasant and had plans for a full community with homes, a school, church, stores and hotel. The old subdivision map was titled Mt. Pleasant. At its height, 200 people lived in Mt. Pleasant, with 40 of them working in the factory.

B. Current Uses of the Property

1. Forestry

A stated purpose of the Easement on this Property is to ensure that the forest resource will continue to be available to the current and future landowners for sustainable forest management and the associated long-term production of forest products. It is common to see foresters, loggers, and logging equipment on the Property. People using the Property for recreation can expect to encounter this type of activity during a typical visit.

2. Recreational Leases

Several private hunting clubs lease camps and exclusive use acreage from Upper Hudson Woodlands ATP. While lessees are most active during hunting season, several use their camps for a variety of four-season outdoor-based recreation. Per terms of the Easement, private lessees or club members are permitted to use motorized vehicles and/or ATVs on Landowner specified roads, trails and waterways.

3. Public Recreation

2011 Interim Recreation Management Plan: Upper Hudson Woodlands ATP Working Forest Conservation Easement
The Conservation Easement allows for existing snowmobile trails (C8, C8A), previously leased from Finch Pruyn by local snowmobiling clubs, to remain open. State purchased recreation rights on these lands eliminating the need for trail lease agreements between the landowner and snowmobile clubs. This plan was issued for the continuation of the existing snowmobile trails that transitioned to NY State management. Snowmobile trail maintenance and grooming is allowed through Department-issued Volunteer Stewardship Agreements (VSAs) with local snowmobiling clubs and will be limited to what is prescribed by provisions in the conservation easement and within the OPRHP Snowmobile Trail guidelines.

2014 Recreation Management Plan for Fishing Boating and Hunting Access: Upper Hudson Woodlands ATP
This plan allowed the implementation of recreation facilities on the Lake Desolation Road Tract. This included several tent sites, a parking area, ADA accessible car-top boat launch and an ADA accessible privy. The entire tract is also open to the public for non-motorized uses including hunting, fishing, bicycling, horseback riding and walking, etc.

C. Property Infrastructure

1. Existing Infrastructure and Conditions

Due to the nature of the Property as a working forest with recreational leases, an intricate system of roads, ATV trails and foot trails have been developed. Many of the recreational rights owned by the State as outlined in this RMP are preexisting facilities. *Description of road classes can be found in Appendix C*.

Jackson Summit Road West
A well-maintained Class II gravel road ends about 0.9 miles into the property from the gated entrance, to allow lessee access. The road continues, but in a less maintained condition (class IV-V), then branches several times throughout the property. A non-conforming and abandoned camp is west of the Elphee Creek bridge site. The previous lessee will remove the structure after the bridge over Elphee Creek is reconstructed by the Landowner. The bridge is in poor condition.

Dennie Road
A well-maintained Class III gravel road is gated at the entrance to allow lessee and adjacent landowner access. After approximately 0.6 miles, the road ends at a log landing located north of Warner Pond and becomes a network of secondary logging roads, mostly class IV and V.

Benson Road
The Class II Tannery Road traverses near the southern border of the Benson Road tract for 0.5 miles. A snowmobile route (C8) follows Tannery Road and Tannery Road Extension through the southern end of the tract. A log landing and secondary road system, Class IV and V, is located on the northern portion of the parcel. The route is also currently a motor vehicle road.

Hohler Road
A well-maintained Class III logging road traverses through the center of the property where it splits and heads east and northeast in a less maintained condition, generally Class IV. The road is gated at the entrance. Several landings throughout the tract are currently maintained by the Landowner as well as a large network of secondary logging roads. A secondary snowmobile trail ran through the northern route on the Property but closed in 2008. The proposed snowmobile trail will reopen this old route.

Gordon's Creek and Johnny Cake Lake
These remote parcels are close to each other, separated by 0.6 road-miles across private land. Both parcels have a network of Class III – IV logging roads and are leased to hunting clubs. The C8 snowmobile trail, maintained by snowmobile clubs, passes through these tracts.

Lake Desolation Road
This parcel no longer has leased camps and all camps have been removed. This parcel was also previously leased to an ATV riding club. Plank Road, an abandoned road formerly maintained by the Town of Greenfield, traverses through the property from Lake Desolation Road to the hamlet of Porter Corners. The condition of the road varies, with the middle portion in the least passable condition. Public access, as described in the *2014 Recreation Management Plan for Fishing, Boating and Hunting Access* allows non-motorized use of the entire parcel, car-top boating and up to 5 campsites on Archer Vly. Currently, a parking area, four tent sites and car-top boat launch for persons with disabilities have been developed. The entirety of the tract is now open to the public for non-motorized recreation. The snowmobile trail (C8A) exists on logging roads.

2. Gravel Pits
The Property addressed in this RMP does not have any documented sand and gravel pits. (see VII.B.5)

VI. PUBLIC USE ADMINISTRATION AND MANAGEMENT

The Department has responsibility for managing public access and recreation in a manner consistent with the terms of the Conservation Easement. The Department will retain this underlying authority and responsibility even in situations in which it may approve another organization to serve as a stewardship partner. Successful

implementation of this RMP will require frequent communication among all parties involved in the management of the Property, including the Department, the Landowner and stewardship partners.

A. Laws, Policies, and Memoranda

This RMP has been developed within the constraints and guidelines set forth by Federal Law, New York Environmental Conservation Law; Title 6 NYCRR of the State of New York; established Department policy; and the terms and conditions of the Easement that encumber the Property.

Department Policies:

- Adopt-A-Natural Resource (ONR-1)
- Motorized Access Permits for People with Disabilities – MAPPWD (CP-3)
- Temporary Revocable Permits for State Lands and Conservation Easements (ONR-3)
- Volunteer Stewardship Agreements (CP-58)

State Administered Land Use Controls

- Freshwater Wetlands Act (ECL Article 24)
- Protection of Waters Program (ECL Article 15)
- Adirondack Park Agency Act and Regulations of the Adirondack Park Agency for private lands

DEC/APA MOU

*MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park. A*ugust 13, 2010

B. Regulatory Requirements, Approvals and Procedures

Some of the guiding laws, policies, and legal documents outlined above specify certain requirements and approvals that must be met in the management of land and public recreation, and is pertinent to the formulation and implementation of this RMP.

Application of the Americans with Disabilities Act (ADA) for Conservation Easements

The Americans with Disabilities Act (ADA), along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973; Title V, Section 504, have had a profound effect on the manner by which people with disabilities are afforded equality in their recreational pursuits. The ADA is a comprehensive law prohibiting discrimination against people with disabilities in employment practices, use of public transportation, use of telecommunication facilities and use of public accommodations. Title II of the ADA requires, in part, that reasonable modifications must be made to the services and programs of public entities, so that when those services and programs are viewed in

their entirety, they are readily accessible to and usable by people with disabilities. This must be done unless such modification would result in a fundamental alteration in the nature of the service, program or activity or an undue financial or administrative burden.

Title II also requires that new facilities, and parts of facilities that are newly constructed for public use, are to be accessible to people with disabilities. In rare circumstances where accessibility is determined to be structurally impracticable due to terrain, the facility, or part of facility is to be accessible to the greatest extent possible and to people with various types of disabilities.

Consistent with ADA requirements, the Department incorporates accessibility for people with disabilities into the planning, construction and alteration of recreational facilities and assets supporting them. This Recreation Management Plan (RMP) incorporates an inventory of all the recreational facilities or assets supporting the programs and services that were negotiated with the landowner to be available on the easement. The level of accessibility that exists or may be developed to the programs, services and facilities on the easement is also assessed. In conducting this assessment, DEC employs guidelines which ensure that programs are accessible, including buildings, facilities, and vehicles, in terms of architecture and design, transportation and communication to individuals with disabilities.

Any new facilities, assets and accessibility improvements to existing facilities or assets proposed in this RMP are identified in the section containing proposed management actions.

The Department is not required to make each of its **existing** facilities and assets accessible as long as the Department's programs, taken as a whole, are accessible.

For copies of any of the above mentioned laws or guidelines relating to accessibility, contact the DEC Universal Access Program Coordinator at UniversalAccessProgram@dec.ny.gov

Adirondack Park Agency (APA)

Land managers will need to consult with the APA where recreation management actions on land within the Adirondack Park involve activities such as: improvements or actions within or adjacent to freshwater wetlands; improvements or actions along or adjacent to the shorelines of waterbodies; and improvements or actions along or adjacent to Wild, Scenic, or Recreational Rivers. The draft RMP has been submitted to APA for review consistent with the procedures outlined in the 2010 *MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park.* Certain proposed recreation projects and activities, as covered in the MOU may require further APA review under Section 814 of the APA Act. For instance, sand and gravel pits may be subject to Adirondack Park Agency review under section 814 if 50 cubic yards or

more are used off the property over a 2 year time period. These actions are further described in section VIII.

C. Guidelines and Standards

Development and implementation of this RMP shall be consistent with the following specific guidelines:

NYSDEC Conservation Easement Public Recreation Road and Trail Sign Guidance Manual, 2012

The manual was developed to standardize signs on conservation easements. It is intended to assist Department staff with the development of clear directions for the public with the influence of the landowner. Roads for motorized vehicles must meet all signage regulation while there is more flexibility with trails. Signs addressing safety issues on roads are addressed in this guidance manual. See http://www.dec.ny.gov/regulations/2401.html

Standards for Public Recreational Roads and Trails

The Department will maintain Easement roads to the standards outlined in the Unpaved Forest Road Handbook, typically used on State Forest lands. Based on need, funding and Landowner activity, the Department shall decide whether portions of trails and roads shall be repaired, improved, relocated, or if public use shall be temporarily suspended. Road maintenance is a shared cost between the Department and Landowner and is further discussed in Section VII.B.9. The Standards for Public Recreational Roads and Trails is in Appendix F.

NYSDEC Standard Accessible Designs for Outdoor Recreational Facilities Guidebook, 2014

As the Department continues to expand outdoor recreation opportunities, the design process will continue to incorporate research and ingenuity to harmonize accessibility and Universal Design principles to provide a quality visitor experience on state lands, including state easements.

All-Terrain Vehicle Use

Per the Conservation Easement, public ATV use is not allowed on Upper Hudson Woodlands property.

D. Management Authority, Staff and Responsibility

The Regional Natural Resources Supervisor is the Manager of regional staff in the Division of Lands and Forests, the Division of Fish and Wildlife and the Division of Mined Lands. The Division of Lands and Forests has primary responsibility for managing public use of the lands subject to this RMP, including development of this Plan, development of individual work plans and schedules, implementation and coordination of all activities with the Landowner, partners, and other Department Divisions. The Division of Operations, at the direction of the Division of Lands and

Forests, will oversee construction and maintenance of facilities approved by this RMP. The Regional Forester has overall responsibility for these matters. Reporting to the Regional Forester is a Supervising Forester whom is responsible for forestry and land management programs. Reporting to the Supervising Forester are one or more Foresters, Natural Resource Planners and/or Forestry Technicians that may be assigned to specific tasks in preparing or implementing this Plan. The Regional Fisheries Manager and Regional Wildlife Manager are responsible for all Division of Fish and Wildlife activities. The Office of Public Protection will be responsible for enforcement of laws and Department rules and regulations. Environmental Conservation Officers and Forest Rangers have primary responsibility for monitoring and enforcement of public use of the Property.

A land manager will be designated by the Regional Forester as the lead Department staff person for developing and implementing this and subsequent Plans for the Property. The land manager will be responsible for:

- Overseeing the coordination and preparation of the RMP, as well as periodic updates, revisions, or amendments;
- Coordinating the implementation of this RMP;
- Overseeing the budget outlined in the RMP;
- Assuring that management activities of all Department Divisions, as they relate to this RMP, comply with applicable laws, regulations, policies, and easement terms;
- Monitoring conditions and public use; addressing conflicts; and assessing the effectiveness of the RMP in addressing resource protection and public needs;
- Fostering communication about management activities within the Department, between the Department and the Landowner, and between the Department and the public. The land manager will be the primary liaison with the Landowner regarding public access and use issues.

The development of this RMP has primarily involved Department staff and the Landowner's land management staff. Communication and coordination of planning efforts between all the parties was critical to formulating management objectives and proposals. Consistent communication is extremely important in preparing and implementing this RMP and adhering to the terms of the Easement. Department staff will regularly communicate with the Landowner to review completed activities, address concerns or problems, and coordinate future work. The Department, Landowner and managing foresters meet, at a minimum, once a year.

E. Goals, Objectives and Best Management Practices

1. Management Principles

The following principles will be used to manage public use of the Property:

- Manage the Property in the context of the matrix of public and private property;
- Protect and conserve natural resources with an understanding of carrying capacity;
- Make public use compatible with active forest management;
- Provide a variety of outdoor recreational uses;

- Protection of public safety and private property.

2. Management Goals and Objectives

The goals and objectives for managing public recreational use of the Property must consider a variety of stakeholder interests, public expectations, and the use and ownership of the Property by the Landowner. The goals presented below are general statements about desired outcomes, while the objectives are more specific and are intended to provide guidance on how to achieve the goals.

Goals:

- Provide reasonable public access for the purpose of allowing the public to safely enjoy the permitted range of outdoor recreational opportunities.
- Avoid or minimize negative impacts of public recreational use on the natural resources and environmental benefits.
- Avoid or minimize conflicts between public recreational use and forest management activities conducted by the Landowner and private lessees.
- Develop a better understanding of the natural resources, environmental benefits, and public recreation opportunities and limitations on the Property.

Objectives:

- Maintain the quality of the public's recreational experience by separating or minimizing potentially conflicting uses where possible;
- Provide multiple motorized and non-motorized recreational uses on roads and trails, except where the potential for resource impacts, risk to public safety, conflicts with forest management activities, or other conditions make such shared use unacceptable;
- Maintain and improve opportunities for motor vehicle access on designated roads;
- Periodically assess the impacts of recreational uses on other recreational uses, forest management activities, and natural resources;
- Actively manage the type, level, and location of recreational uses to minimize significant conflicts between recreational activities and commercial forest management activities, and to minimize adverse impacts to fish, wildlife, important habitats, water quality, and other natural resources and environmental values on the Property;
- Promote partnerships with the Landowner and/or recreational constituencies and secure assistance as necessary to complete management actions;
- Assess the potential for integrating new or expanded public outdoor recreational uses on the Property in a manner that is consistent with the terms of the Easement and the goals and objectives outlined above.

3. Best Management Practices (BMPs)

All public recreation management activities will incorporate the use of BMPs to the greatest practical extent. BMPs are those methods, procedures, and devices that are designed to prevent or minimize soil erosion, water run-off, damage to natural resources

or wildlife habitat, pollution, pathogens, or other negative environmental impacts when conducting various management activities. A list of BMPs will also be included in any work plans written prior to starting projects. BMPs related to the implementation of public access and recreational improvements on the Property may include, but are not limited to:

- Locating improvements away from streams, wetlands, and unstable slopes;
- Locating improvements to minimize necessary cut and fill;
- Locating camping sites or other structures on flat, stable, well-drained sites;
- Locating roads and parking areas on existing old roads, cleared, or partially cleared areas;
- Locating trails to minimize grade and avoid streams, wetlands, and unstable slopes;
- Avoiding areas where threatened and endangered species are known to exist during any period of the year;
- Limiting the size of parking lots and other improvements to the minimum necessary to meet the intended and anticipated use;
- Minimizing tree cutting;
- Using proper drainage devices, such as water bars and broad-based dips, to prevent erosion and damage to improvements;
- Using stream crossings with low, stable banks, firm stream bottom, and gentle approach slopes;
- Constructing roads, trails, bridges and other stream crossings at right angles to the stream.
- Limiting stream crossings and construction on or near streams to periods of low flow;
- Designing, constructing, and maintaining bridges and other improvements on or near streams to avoid disrupting or preventing movement of fish and other aquatic species.
- Minimizing the use of equipment in streams;
- Using soil stabilization practices on exposed soil around construction areas, especially bridges, immediately after construction;
- Properly clean equipment to prevent the spread of invasive species from one site to another.

F. Public Input

To ensure optimal use of recreational resources on the property, it is important to understand the availability of, and demand for, recreation on both the easement property and in the surrounding region, as well as public sentiment regarding various related issues. The public has offered opinions and information regarding issues of concern during a public scoping meeting held on May 22, 2013 at the Mayfield High School.

[Information will be added after the Public Comment period. Both comments and Department response will be included as Appendix G.]

G. Recreation Use Opportunities and Constraints

1. Potential Activities and Opportunities

The proposed cross-country ski and snowshoeing trails on Dennie Road tract are for public use. The trails may be groomed. The Mayfield public high school has a tracked groomer and has expressed interest in using the trails for training. Grooming of the trails tends to extend the ski season and would make the trails more user friendly.

Partnerships, established by VSAs, should be pursued to build and/or maintain trails. The Landowner will be notified, in writing, of any VSAs that are established. Bleecker Snowrovers, the snowmobile club in Bleecker, has expressed interest in partnering with the Department to construct a bridge and maintain the snowmobile trail on the Hohler Road Tract. They currently maintain and groom other trails in the area. The Sacandaga Riders Club is currently responsible for the maintenance and grooming of C8 and C8A trails in Edinburg and the Mulleyville Snowmobile club is responsible for Greenfield.

2. Management and Natural Resource Constraints

The Landowner's lease program is essential to the operation of their business as timber land managers. The Department will implement public recreation rights with this relationship in mind. It is in everyone's interest to ensure that the public will be kept away from leased camps and off easement roads with log truck traffic. As indicated in the management section below, some parcels that are leased will be closed to the public during the Northern Big Game Season. Current regulations determine this as the second-to-last Saturday in October until the first Sunday in December. The Department and Landowner agree that a vehicle and ATV sticker system should be implemented by the Landowners to provide law enforcement with a way to identify trespassers.

The Landowners will conduct timber harvesting on the property. Signs will be posted to inform the public when trails are closed for safety reasons. Re-routes will be established whenever possible. More information on "Logging Closure Zones" is provided in Section VII.B.6.

While the State has purchased specific recreation rights on the Property, some trail connections may depend on agreements with other adjacent private landowners. Public access to trails could depend on the willingness of the landowner on some adjacent properties. Towns must approve snowmobile use on town roads. Snowmobiling on roads and lakes will be minimized as much as possible.

Available funds to complete projects in a timely fashion can also be a management constraint.

ATV use is not permitted by the Conservation Easement.

VII. CONSERVATION EASEMENT PUBLIC RIGHTS

A. Recreation Access and Use Rights

The Conservation Easement grants the State permanent rights of access to the Property for outdoor recreational use, subject to the specific terms in the Easement. All management actions on the Property, as implemented through this RMP, will be conducted in accordance with those specific Easement terms and will strive to be consistent and compatible with the reserved rights of the Landowner. Permitted public recreational activities, as proposed in this RMP, are designed to have limited impacts on the natural resources of the Property, on the Landowner's management of the Property for forest products and on private lessees.

The following affirmative rights, subject to specific terms, conditions, requirements, limitations, and restrictions stated in the Easement and described below, have been granted to the State of New York and apply directly to the development and implementation of this RMP:

1. Public Recreational Amenities and Improvements

The Department may establish, construct, use, repair, maintain, improve, expand, relocate, replace, demolish, abandon, or remove recreational amenities and improvements within the Property including those set forth in the terms of the Easement.

Recreational amenities and improvements may include roads, trails, Parking Areas, boat launches, car-top boat launches, campsites, outhouses, fire rings, fire places, signs, kiosks, barriers, fences, gates, and other such structures or improvements used in connection with, or to facilitate, the management of public access and public recreational uses of the Property.

In the event that the Department may delegate the construction or maintenance of recreational amenities to other entities, such as a local municipality or authorized clubs, the Department shall provide written notice to the Landowner. Such delegation shall not curtail the rights and responsibilities of the Department defined within the Easement.

2. Non-motorized Access - Use and Activities

The Department has the right to provide public access to the Property for a variety of non-motorized outdoor recreational activities, such as: hiking, bicycling, snowshoeing, cross-country skiing, photography, bird watching, wildlife observation, picnicking, boating (with car-top watercraft such as canoes, kayaks, or rowboats), swimming, camping at designated campsites, horseback riding and dog-sledding. The Property addressed in this RMP is unique in that each recreational activity allowed on individual tracts is defined within the Conservation Easement. For example, the trails on Dennie Road are described as ski trails. Therefore, per the Easement, no summer use of trail is allowed. Non-motorized corridors will be closed to the public during the Regular

Northern Big Game season unless stated otherwise. At the time of the adoption of this RMP, regulations state this as the second-to-last Saturday in October until the first Sunday in December. Uses may also be limited on non-motorized corridors per terms of the Easement or for management reasons.

3. Motorized Access - Use and Activities

The Department has the right to allow public motor vehicle access to the Property via certain designated routes as described in the Easement. These routes will be signed accordingly as being open to certain types of motor vehicles, such as passenger vehicle and snowmobiles. Some routes were designed specifically to provide a route across the easement property to access adjacent Forest Preserve. Speed limits and other restrictions or safety information will also be posted. ATVs are not a permitted public use.

B. Conservation Easement Provisions Affecting Use

1. Barriers, Gates, and Locks

The Department, in agreement with the Landowner, has the right to install barriers and gates to control public access. The Department will install gates or barriers, where a need is evident, to control or prohibit public use generally related to motorized use. All new and replacement gates will meet the Department's safety standards as to color, design, and signage.

2. Parking Areas

Parking areas are to be established or relocated in the general locations designated on the original easement maps and in consultation with the Landowner. They may be constructed with gravel or other natural materials, shall not exceed one-half acre in size and will use previously cleared land whenever possible. Parking areas should be designed to accommodate the number of vehicles deemed necessary to facilitate the nearby uses on the associated easement parcel.

3. Boundary Line Marking

The Landowner may identify, maintain and mark the boundaries of the Property. The Department may also identify, mark and maintain boundaries with signs that are reasonably satisfactory to the Landowner, describing the public rights associated with the Protected Property. The Department may mark boundaries along roads and trails between Public Recreational Use Areas and Private Lease Areas and where public recreation is creating or likely to create conflict between users and for proper law enforcement.

4. Recreation Signs

The Department will follow the *NYSDEC Conservation Easement Public Recreation Road and Trail Sign Guidance Manual*. The Department shall install appropriate signage to advise the public of permitted uses and to impart the need for the public to stay on trails and avoid trespassing onto the private property. In all instances, roads and corridors open for Motorized Public Recreational Use shall be marked with appropriate

signs for the type(s) of vehicles permitted. Entrance kiosks may have the following information:

- A map indicating the trails and distances.
- Accessible and universal features
- Notice to stay on the trails per terms of the easement.
- Invasive species information
- Other rules and information the Department deems necessary
- Information regarding the lessee program and trail closure dates
- Registration box

5. Gravel Pits

The Landowner and the Department may transport and use sand and gravel for the maintenance of public motor vehicle roads within one mile of the Property that provide access to, or are associated with, the Property.

In order to minimize negative environmental impact and maintain forested areas, parties should use existing sand and gravel pits when practical and avoid opening new pits unless necessary. New pits are those not identified in the Baseline Documentation. However, the Property addressed in this RMP does not have any documented pits. To create a new pit, the Landowner must approve the area or location from which sand and gravel are to be extracted by the Department. Parties will make every effort to avoid sensitive areas, minimize visual impacts and will comply with all applicable laws and regulations when extracting sand and gravel.

6. Cutting or Removal of Timber

The Department shall give written notice to the Landowner of any situation in which trees may need to be cut or removed from the Property. If more than one acre will be cut or removed, certain provisions will be followed as outlined in the Easement. All harvested timber shall belong to the Landowner.

7. Logging Closure Zones

The Landowner reserves the right to close trails or roads during logging in consultation with the Department. A 30 day written notice must be given to the Department. Logging Closure Zones shall not be in place for no more than 6 months unless extended by mutual agreement between the Landowner and the Department. Logging Closure Zones must not be more than 10% of the tract available to the public at one time. Potential closures should be discussed as early as possible to allow for the designation of an alternative route. The Landowner is responsible for identifying and making available an alternative route for public recreational use. The Landowner is responsible for placing adequate and appropriate signs where public roads and trails enter Logging Closure Zones.

8. Search, Rescue, Fire, Emergency Response, and Law Enforcement

The Department and the Landowner have the right to undertake emergency actions necessary to preserve and protect private property interests, public recreation

amenities, and human health and safety in response to natural disasters, environmental hazards, or other threats. The Department's Environmental Conservation Police, Forest Rangers, State Police, and other emergency response personnel will have full access to the Property. Emergency response for search, fire, and rescue on the Property, as on State lands, will be coordinated by the NYS Forest Rangers, however a response may include other emergency responders. The Department will notify the Landowner of all emergency actions and serious violations. The Landowner will report public use violations to the Department by filing complaints through the area manager or the regional dispatch center. The Department will promulgate site specific regulations for the public use of the Property as necessary for future recreational management and law enforcement.

9. Shared Maintenance of Improvements

The Easement provides general guidance on how the costs of maintaining improvements are to be shared. The Department and the Landowner will share the expense of any maintenance or replacement of improvements for public use based on the proportionate amount of use and benefit that each party derives from the open and accessible improvement. Parties shall consider the needed standards for respective uses, maintenance cost, length of need for the structure and safety.

When considering cost-sharing arrangements, it is important to mention that neither party is responsible for assuming a cost that is not commensurate with the interest they have in a particular shared improvement. With that in mind, the Department is solely responsible for incurring costs unique to providing for public access and use; likewise, the Landowner is solely responsible for incurring costs unique to providing for their reserved rights in the Property. Any damage caused by public recreational activities shall be the responsibility of the Department to repair. Any damage caused by the Landowner's activities (for example, logging operations or the lease holders) shall be the responsibility of the Landowner to repair.

An annual maintenance plan that represents each party's share of the maintenance cost will be developed by both parties individually with due consideration to their respective annual budgets and work-plans, and shall be negotiated and agreed to each year at the annual meeting. When roads and trails are constructed by the Department, they will be generally built to the standards the Department uses on State forests roads with deference to the conservation easement road standards that have been mutually agreed to by the Landowner and the Department. During construction and maintenance, Best Management Practices (BMPs) will be utilized to protect the natural resources (also see BMP Field Guide at DEC website):
www.dec.ny.gov/docs/lands_forests_pdf/dlfbmpguide.pdf

10. Recreation Monitoring

Natural Resource Supervisors are responsible for the inspection of all lands under Department jurisdiction including lands over which New York State holds an easement. After notification, an inspection to determine Landowner adherence to affirmative rights, Landowner compliance and Landowner activities should be carried out by the

Department. Required annual meetings will provide a chance for both parties to express concerns.

11. Hunting, Fishing and Trapping

With the exception of the Lake Desolation Road tract, these activities are not permitted by the public on the tracts addressed in this RMP. While several other parcels in the Upper Hudson Woodlands ATP Easement have areas where hunting, fishing and trapping are allowed, the State did not purchase these rights on the specific parcels addressed in this RMP. However, these activities may be undertaken by members of private recreation clubs which have entered into recreational leases with the Landowner.

12. Hiking, Biking, Cross-Country Skiing

These activities are considered non-motorized uses and unless stated otherwise are allowed on non-motorized recreation corridors.

13. Horseback Riding and Dog Sledding

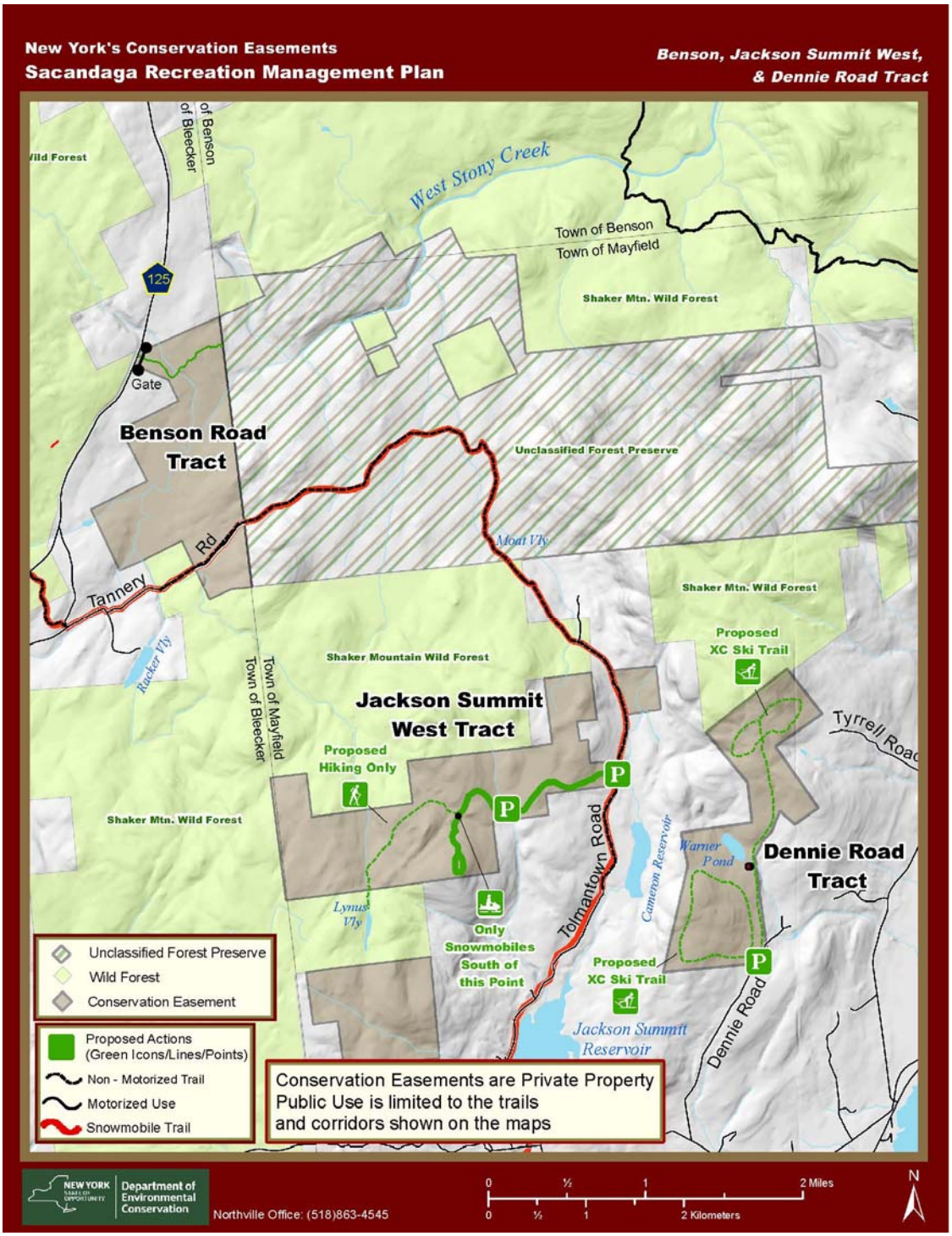
These activities are considered non-motorized uses and are allowed on non-motorized trails unless stated otherwise (Dennie Road Tract has designated ski and snowshoe trails). Horseback riders and dog sledders are not expected to visit the Property in significant numbers.

13. All-Terrain Vehicle Use

Public ATV use is not permitted per the terms of the Conservation Easement. However, private lessees are permitted to use ATVs on these easement tracts. A sticker or membership card permit system should be devised by the Landowner.

VIII. PROPOSED RECREATION MANAGEMENT ACTIONS

Exhibit 1 – Jackson Summit West, Benson Road, and Dennie Road Tracts



A. Jackson Summit West Tract – Exhibit 1

During the winter months, a spur trail off of Tolmantown Road (Corridor 8 or "C8") will allow the public snowmobile access to the top of Bernhardt Mountain. C8 utilizes Tolmantown Road and Tannery Road, linking the towns of Bleecker and Mayfield. The Bernhardt Mountain trail gains approximately 500 feet of elevation on existing gravel logging road until the trail levels out. It then veers south towards the summit of Bernhardt Mountain on a former trail, gaining views of Shaker Mountain Wild Forest to the south and Great Sacandaga Lake to the east.

A non-motorized use corridor begins at the lower parking area and ends at the boundary of the Property, just before reaching Lynus Vly, located on Forest Preserve. From the end of the trail, the Vly can be reached by walking upstream (south) on an established but unmarked trail just prior to reaching the pond. The Lynus Vly trail will not be open during Regular Northern Big Game Season. Signage will indicate the closure dates.

The trail to Lynus Vly has been assessed as a trail for persons with disabilities. Unavoidable steep slopes and rough terrain are a significant barrier to building this trail to the standards necessary to call this an accessible trail for persons with disabilities. The Conservation Easement as a whole offers several opportunities for trails and recreational access for persons with disabilities.

Management Actions

- The interior parking area will be constructed in an existing logging landing with consultation from the Landowner. Signs will be installed. The parking area will be delineated with large rocks and gravel.
- Space is already available and is adequate for a parking area at the entrance, just inside the gate. Signs will be installed. The parking area will be delineated with large rocks and improved with gravel.
- The Department will ensure the gates are opened and closed as needed depending on the season (closed for hunting season and spring "mud" season.)
- The motor vehicle route to the interior parking area will be maintained as an unpaved motor vehicle route. The route is steep and it is expected that some annual maintenance will be necessary.
- A barrier (rocks) will be installed to prevent snowmobile access past the turn-off for the Bernhardt Mountain Trail.
- All appropriate signage will be installed along with a register and map at the interior parking area. A sign standard will be installed at the Tolemantown Road entrance.
- Seek an agreement with the snowmobile club to groom the Bernhardt Mountain snowmobile trail.
- The Elphee Creek bridge needs to be rehabilitated prior to allowing snowmobile public access.
- Development of the Bernhardt Mountain snowmobile trail generally follows an old ATV trail. However, a few locations need to be re-routed to prevent the trail from

being too steep for extended periods. Any work done on this trail will be approved by the DEC in a work plan.

- Establish and sign the Lynus Vly trail. Build foot bridges as necessary. Work plans and any needed permits will be completed and approved prior to initiating trail projects. DEC will seek partners and volunteers as needed to complete work.

B. Benson Road Tract – Exhibit 1

A public access corridor links the towns of Mayfield and Bleecker via Tannery Road, traveling over the Benson Road tract. The road is currently open to motor vehicles and is the C8 snowmobile trail. This RMP only addresses the half mile section of Tannery Road that is on the access corridor running over Benson Road Tract. An additional public access corridor across the northern corner of the parcel will eventually be open for year-round motorized access to the adjacent Forest Preserve land. While planning is not currently underway for the development of this northern access route, it will be considered once the Adirondack Park Agency classifies the newly acquired Forest Preserve land that borders the Benson Road Easement Tract to the east.

Management Actions

- Maintain the existing unpaved Tannery Road to the Forest Preserve boundary line. Install seasonal control gates on adjacent Forest Preserve as necessary and in consultation with the managing forester.
- If the northern motorized access route is implemented:
    - A gate at the northern access route near county route 125 will be installed for seasonal control, ie. mud season.
    - Appropriate signage will be installed – this route is for access to Forest Preserve only. The public does not have general access on the Benson Road Easement tract.
    - Upgrades on the access route will be necessary to accommodate motor vehicles.
    - The Adirondack Park Agency will be consulted as required in a previously issued APA subdivision permit.

C. Dennie Road Tract – Exhibit 1

Approximately seven (7) miles of trails will be available for cross-country skiing and snowshoeing after the Regular Big Game Hunting Season as regulation season states (generally mid-December). All trails will be located away from the leased camp.

Management Actions

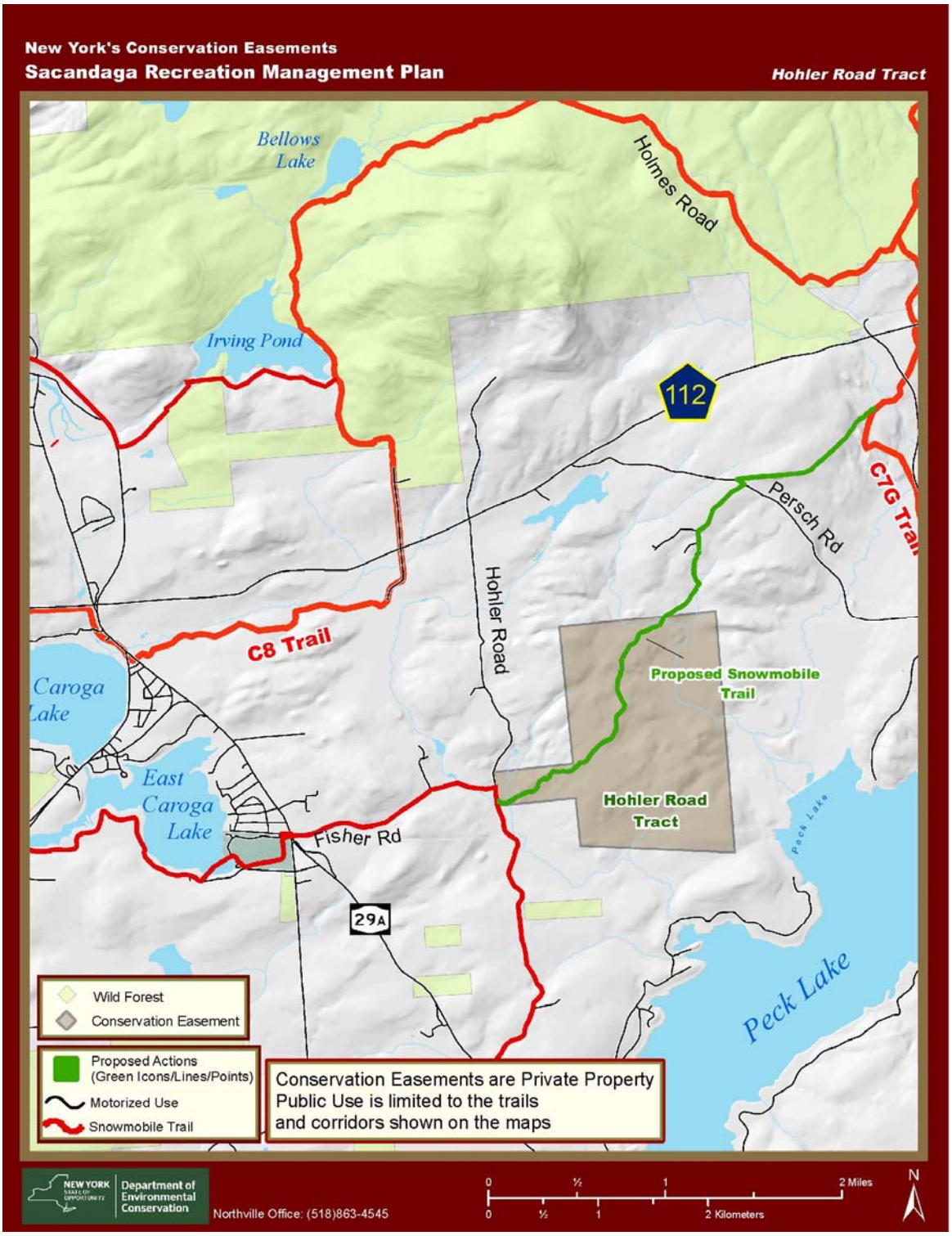
- A parking area will be improved and designated just outside of the entrance gate in a previously cleared area.
- Build and improve trails using the existing logging road network. Logging on the tract is expected to be completed in 2016. The first phase of trail implementation will be

on the southern portion of the tract. The second phase will continue the trails to the northern portion of the tract.

- Signage at the entrance kiosk will indicate closure dates among other pertinent information.
- Seek an agreement with an outside entity for grooming of the ski trails.
- Seek an agreement with the Town of Mayfield to plow the parking area at the entrance.

D. Hohler Road Tract

Exhibit 2



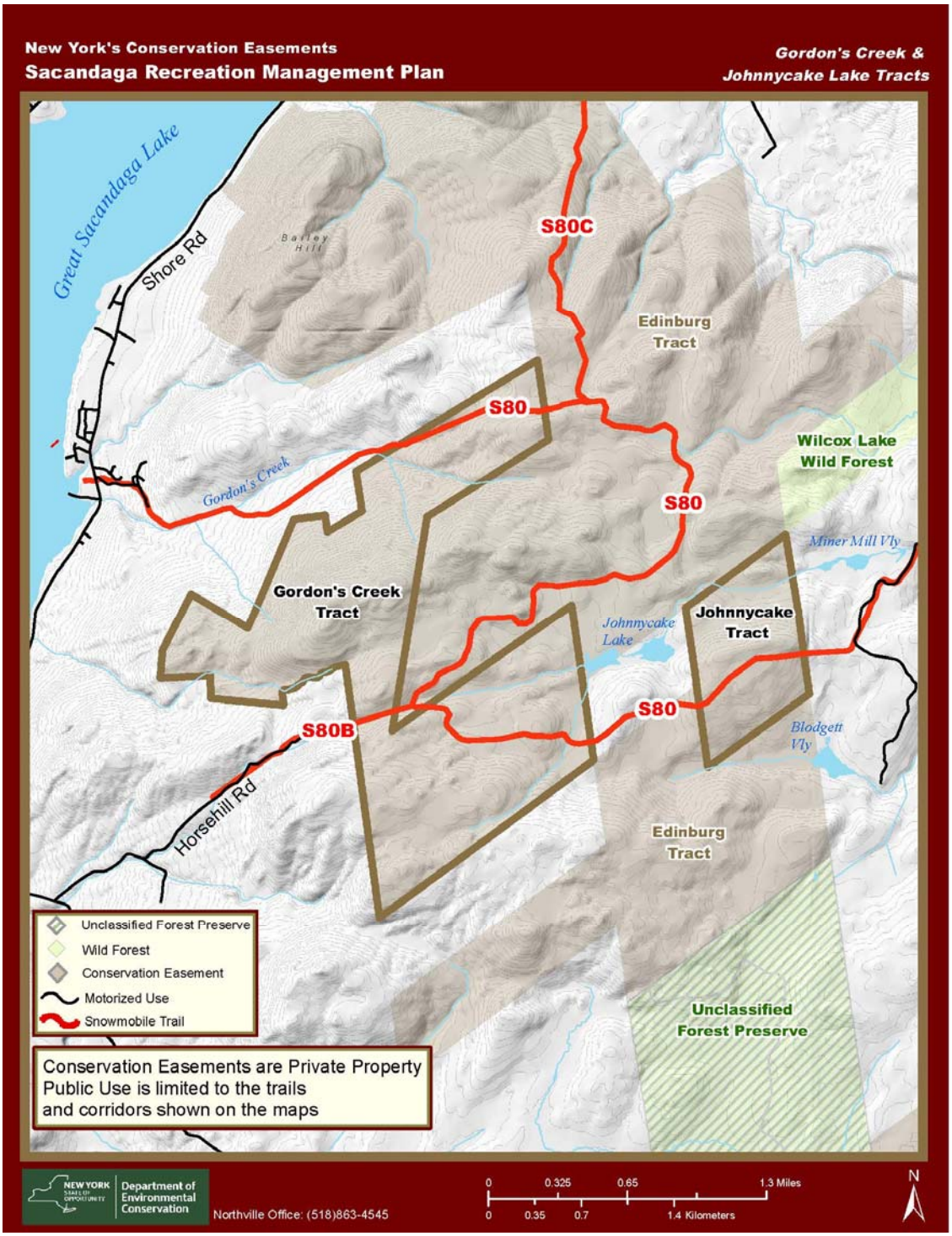
Historically, snowmobile access was leased from the previous landowner on the Hohler Road tract, but due to changes in land ownership, the trail closed in 2008. The former trail was connected to the C8 trail via Hohler Road, Persh Road, Rhinehart Road, Shrine Road and trail C7G. The local snowmobile club and the larger snowmobiling community are eager to open this route as a secondary snowmobile trail to provide a shorter route between Caroga Lake and Mayfield and can work under an agreement with the Department to groom and maintain the trail. Establishment of this connection depends on an agreement between the landowners and the snowmobile club to allow public access on the trail from the tract's northern boundary northeast to Persch Road.

Management Actions

- A 35 foot bridge over West Stony Creek needs to be re-built prior to opening the snowmobile trail.
- Signs will be installed providing direction on the new trail.
- Part of the proposed trail is occasionally used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

E. Gordon's Creek Tract, Johnny Cake Lake Tract and Lake Desolation Road Tract

Exhibit 3

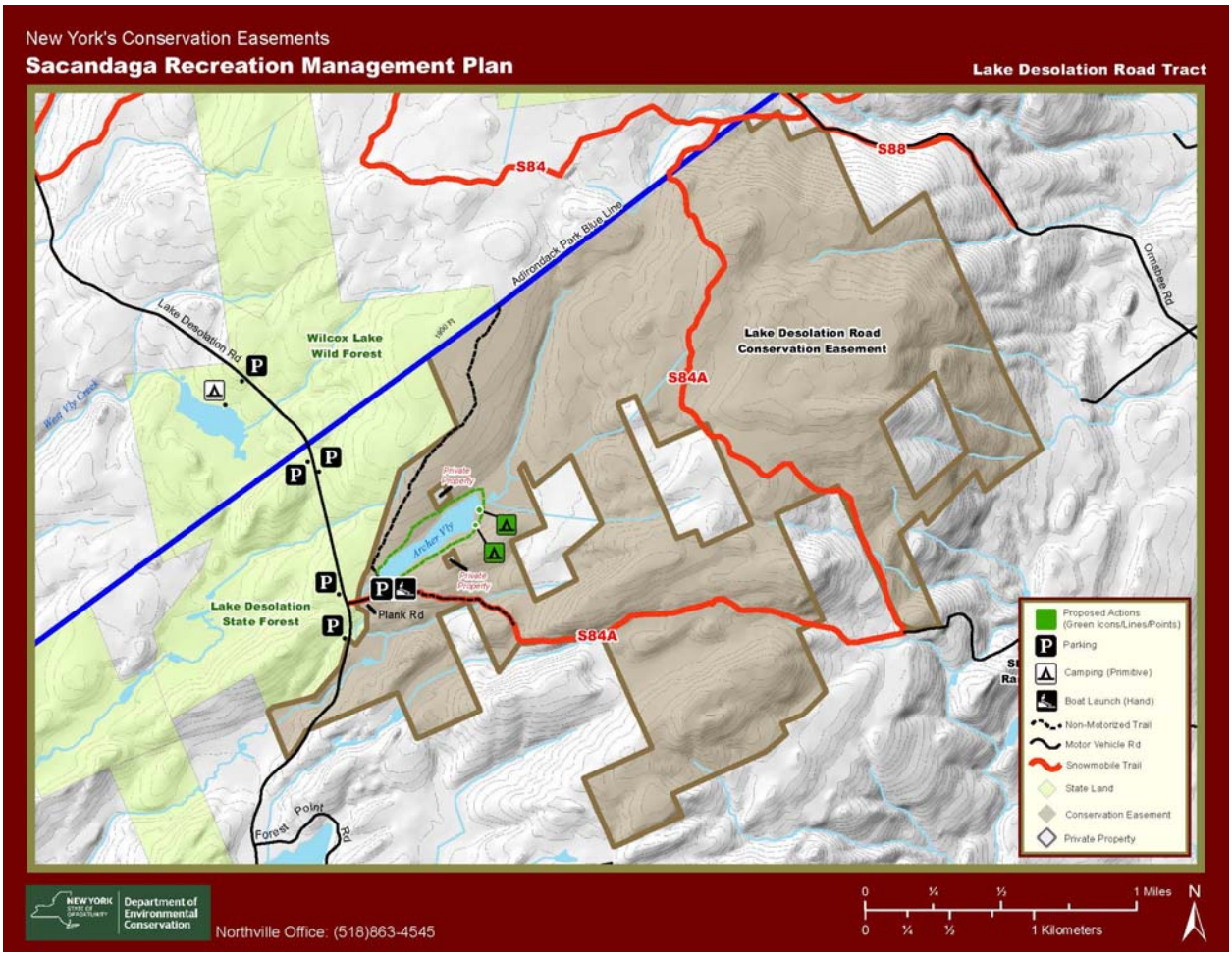


Gordon's Creek and Johnnycake Lake tracts are shown on Exhibit 3. Trails previously leased to snowmobiling clubs will remain open.

Management Actions

- Continue Volunteer Stewardship Agreement with the snowmobile clubs to maintain the snowmobile trail.
- Part of the proposed trail is used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

Exhibit 4



The Lake Desolation Road tract is shown on Exhibit 4. Trails previously leased to snowmobiling clubs will remain open. The snowmobile trail, S84A, will be extended on Plank Road towards Lake Desolation Road. This removes the need to cross Lake Desolation from the trail system.

Management Actions

- Continue Volunteer Stewardship Agreement with the snowmobile clubs to maintain the snowmobile trail.
- Part of the proposed trail is used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

IX. IMPLEMENTATION SCHEDULE AND ESTIMATED BUDGET

The following tables outline a schedule for implementation of the proposed management actions and their estimated costs. The estimated costs of implementing these projects are based on historical costs incurred by the Department for similar projects. Values for some projects are based on costs for service contracting.

Phase I		
	Project	**Est. Cost or Staff Days**
1	Jackson Summit West Parking upper parking area design and construction	$5,000
2	Assess feasibility of making all or part of the Lynus Vly Trail accessible for persons with disabilities.	1 staff days
3	Install barrier just past the Jackson Summit West upper parking area	$2,500
4	Install a register at Jackson Summit West upper parking area	$500
5	Complete design and construct the Bernhardt Mountain Trail and the Lynus Vly Trail	3 Staff Days
6	Dennie Road parking area design and construction	$4,000
Phase 2		
1	Complete design and construct Dennie Road cross country ski trails	$5,000
2	Trail signage for Bernhardt Mountain and Lynus Vly trails.	3 Staff Days
3	Kiosk installation at Dennie Road	$1,500
4	If found feasible in Phase I, upgrade the Lynus Vly Trail to accessible trail standards	$15,000
5	Jackson Summit West Parking lower parking area design and construction	$3,000 5 Staff Days

Annual	
Project	**Est. Cost or Staff Days**
Road maintenance: 1.5 miles @ $2000/mile Jackson Summit West Road Tannery/Benson Road	$3000
Trail maintenance: approx. 6.7 miles @ $300/mile Bernhardt Mt, Lynus Vly, Hohler Road and Dennie Road ski trails	$2010
Maintenance of signs, registers and kiosks	$1000
Parking Area Maintenance: 3 @ $750/year	$2,250
Boundary Line Maintenance: 3.75 miles/year @ $350 30 miles/8 years = 3.75 miles/year	$1,313
Annual recreation amenities inspection	3 days/year
Coordination of activities with the landowners	4 days/year
Coordination of activities and development of stewardship agreements	3 days/year
Planning, ordering and work plan development	25 days/year for the first 3 years then 8 days/year thereafter

X. COMPLIANCE

A. October 2011 - Conservation Easement Recreation Management Plan Guidance

This guidance document outlines the steps that the Department will complete prior to the issuance of the Final Recreation Management Plan.

B. State Environmental Quality Review Act

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an action. As the lead agency, the Department prepared an Environmental

Impact Statement and then published a Negative Declaration. Public comments were sought, considered and incorporated into the RMP as appropriate.

C. Freshwater Wetlands Act

The New York State Freshwater Wetlands Act requires actions in jurisdictional wetlands to be reviewed by the Adirondack Park Agency.

D. APA/DEC MOU Concerning State Owned Conservation Easements on Private Lands Within the Adirondack Park

This RMP does not in itself constitute new land use or development. Instead, implementation of a RMP by the Department may constitute new land use and development depending upon the type, degree and intensity of recreation use. However, the Department and Agency agree that many types of recreation use do not warrant Agency review. Minor Activities requiring no agency consultation or review, Minor Activities requiring inter-agency Consultation only and activities which require agency notice and review are listed separately in the MOU.