

**APPENDIX A**  
**SUMMARY OF PUBLIC COMMENTS/ISSUES WITH RESPONSES**

## Silver Lake Wilderness Area - Summary of Initial Public Comments/Issues

### Public Access

- New trail recommendations: Hell Devil Loop, Three Ponds Spur, Notch-Devorse Trail, Abner Brook Spur, Abner Brook Trail, King Vly Trail, Groff Mountain Loop, Little Cathead Mountain, Grant Lake, Jimmy Creek, Finch Mountain from Blackbridge area, Hamilton Mountain, Southerland Mountain and the outlet of King Vly.  
*Response- This is a wilderness area where the natural landscape should dominate and human presence remain relatively unnoticed. A conscious effort was made to keep proposals for new facilities to a minimum in order to preserve the sense of solitude and remoteness that currently exists.*
- Cathead Mountain - would like public access to summit.  
*Response- The summit of Cathead Mountain is private and it is the private land owner's decision on whether or not to allow public access.*
- North Country Scenic Trail (NCST) - a possible route through unit?  
*Response- A possible route through the unit will be considered in the upcoming assessment of the proposed trail routes.*
- Reroute the Northville-Placid Trail (NPT) from Northville to Benson (several options were presented).  
*Response- The UMP includes a proposal for a reroute of a section of this trail through the southern portion of the unit from Woods Lake to West Stony Creek.*
- Keep the reroute of the Northville-Placid Trail (NPT) away from private property on Woods Lake.  
*Response- The new trail will be located in a manner so as to be reasonably screened from view from the private property and lake to avoid intruding on the private property and natural character of the area.*
- Keep both suspension bridges (Hamilton Lake Stream Outlet & West Branch of the Sacandaga River).  
*Response- Both steel suspension bridges will remain in place and be maintained until their condition requires replacement.*
- Repair the suspension bridge over West Branch of the Sacandaga River.  
*Response- This bridge appears to be in good shape and the DEC is unaware of any maintenance problems.*
- Need trailhead parking near the end of River Road to access Groff Creek.  
*Response- There is currently a small parking area at the end of River Road.*
- No snowmobile, ATV, or ORV use in the wilderness.  
*Response- Public use of motor vehicles is prohibited in wilderness areas by the APSLMP.*
- Properly maintain existing trails and limit the number of new trails.  
*Response- The DEC makes every effort possible to properly maintain existing trails and the number of new trails proposed was kept to a minimum.*
- A snowmobile trail should be allowed through the area to connect Wells with northern areas.  
*Response- Snowmobile use is prohibited in wilderness areas by the APSLMP.*
- Need more hiking and XC ski trails.  
*Response- An effort was made to keep proposals for new facilities to a minimum in order to preserve the sense of solitude and remoteness that currently exists.*
- Provide trash receptacles and trail registers at trailheads.  
*Response- The Department has a carry in & carry out policy for trash and does provide trail registers at the more popular trailheads.*
- Need adequate parking in Piseco for NPT.  
*Response- The UMP proposes additional parking in Piseco where the NPT crosses Rt. 8.*
- Need additional parking for whitewater put-in 0.4 miles east of Whitehouse, near Buck Pond Outlet.  
*Response- The UMP proposes to work cooperatively with the Town of Wells to bring the last 0.7 miles of the West River Road into compliance with Master Plan requirements. Once this has occurred, the area where additional parking has been requested will no longer be accessible to motor vehicles. It is proposed that, upon such compliance, a new trailhead parking area will be constructed within 500 feet of the point where West River Road will be closed.*
- Enlarge and improve existing parking area on Godfrey Road, add signs and refuse containers.  
*Response- This area is in the Shaker Mountain Wild Forest and will be addressed in that UMP.*
- Improve NPT signing from parking area on Godfrey Road to sign in register and along trail on Godfrey Road to private lands.  
*Response- This portion of the NPT is in the Shaker Mountain Wild Forest. There is a proposal in this UMP for a reroute of the southern portion of the NPT that will bypass this section of trail.*

- Denote where NPT crosses private lands.  
*Response- The Department makes every effort to acknowledge where trails cross private land.*
- NPT needs clearing and signing throughout entire area.  
*Response- This comment was taken into consideration during the development of this plan.*
- Add an additional fireplace at West Stony Trail intersection and upgrade existing fireplace.  
*Response- Fireplaces in Wilderness areas are non-conforming under the APSLMP and will be removed.*
- Construct a foot bridge crossing West Stony Creek for access to the Notch, Three Ponds, and Wallace Bush Whacks.  
*Response- There is currently a foot bridge across West Stony Creek a little ways up on the NPT.*
- All parking needs to be accessible year round.  
*Response- DEC encourages volunteer maintenance agreements with local organizations for maintenance during the winter months.*
- Canoe take-out on the West Branch of the Sacandaga along Rt 10 south of Shaker Place.  
*Response- A canoe take-out in this area is discussed in the Ferris Lake Wild Forest UMP.*
- Whitehouse Road must remain open to provide access for the disabled.  
*Response- Motor vehicle use in wilderness areas is not allowed by the APSLMP. The Department will work cooperatively with the Town of Wells to effectuate the closure of the road A campsite along the section of the road that will remain open will be made accessible.*
- Snowmobile trail near Piseco - snowmobile trail in wilderness?  
*Response- There is a section of snowmobile trail on lands classified as wilderness behind the Piseco School has been addressed by the DEC and APA.*
- More access could lead to more people, more sign requirements and group size restrictions.  
*Response- This was taken into consideration when developing the plan.*
- There should be no camping within 100 feet of the West Branch of the Sacandaga River.  
*Response- DEC regulations currently prohibit camping within 150 feet from any body of water unless at a designated site.*
- Restrict camping party size so the area doesn't become like the High Peaks.  
*Response- There is a proposal for a regulation to limit camping group size within the unit.*
- Keep the Whitehouse Road closed in the early spring during mud season.  
*Response- The end of this road is currently closed during this time of year.*
- Piseco Outlet (Spy Lake access) - is it covered by the general terms of the navigation settlement?  
*Response- The navigability of this section of water has not been resolved through the settlement of any litigation and thus still needs to be determined.*
- DEC ought to claim a carry along the short rapids that leads to the outlet and into Spy Lake.  
*Response- Although the public right of navigation includes a right to portage around obstacles or rapids, this right exists only if the Outlet is navigable-in-fact. Fact gathering on the issue of whether the Outlet is navigable-in-fact will continue during the life of the UMP.*

#### Fish & Wildlife

- Protect endangered and threatened species in the area.  
*Response- Protecting endangered and threatened wildlife species is one of the goals of this plan.*
- Must conduct through natural resource inventories to identify and protect critical and sensitive areas.  
*Response- A through resource inventory has been completed for the unit and the protection of critical and sensitive areas is one of the goals of this plan.*

#### Public Protection

- Create an informal "neighborhood watch" type program.  
*Response- This can be done by the local community without DEC involvement.*
- Historical districts should protect local history as well.  
*Response- DEC acknowledges local history and makes every attempt to preserve historically significant sites.*
- Need greater law enforcement presence along the West River Road.  
*Response- DEC recognizes the need for increased law enforcement in this area.*

## Education

- Promote wilderness areas by writing editorials and articles in local and regional newspapers and periodicals.  
*Response- Editorials and articles about Adirondack wilderness areas are often written on a regular basis by free-lance writers.*
- Educating the public is very important!  
*Response- The DEC recognizes that educating the public is an important aspect to the proper management of the area.*
- Provide NP trail pamphlets at sign in register along Godfrey Road.  
*Response- The DEC does not provide trail pamphlets at trailheads because of the likelihood that it would result in a trash issue along the trails.*
- Provide interpretative information about the area's history where appropriate.  
*Response- This type of information will be provided in a unit brochure.*
- Clearly post wilderness land use restrictions at access points.  
*Response- The posting of informational signs and use regulations at primary access points is addressed in this plan.*
- Set up a small cultural center at Whitehouse and detail the history of the area.  
*Response- This type of facility is not conforming with Wilderness management guidelines.*
- Move the barrier at Whitehouse so that people with wheelchairs and the disabled can drive to the suspension bridge and experience the fantastic view of the river.  
*Response- Motor vehicle use in wilderness areas is not allowed by the APSLMP. The Department will ensure that sufficient space is provided for people with wheelchairs to get through the barrier.*

## General

- UMP should require that noise mitigation equipment be installed at the rock crushing and sand extraction business in Wells.  
*Response- This is a Town issue that is beyond the scope of a UMP.*
- Recreation facilities must be compatible with wilderness classification. The UMP must be consistent with Article XIV, the Forever Wild Clause of the New York State Constitution, the State Land Master Plan and all other pertinent laws, and DEC's Rules and Regulations.  
*Response- Agreed. Every effort was made by DEC to develop a plan that complies with the Forever Wild Clause and all pertinent laws, rules and regulations, and policies.*
- Primary focus must be to protect the area's natural resources.  
*Response- Protecting the area's natural resources is one of the primary goals of this plan.*
- Replace the geological survey marker (old one stolen) at the end of road parking area.  
*Response- Geological survey markers are property of the US Geological Survey and can only be replaced or set by that agency.*
- Keep the fireplaces at Whitehouse.  
*Response- The plan calls for the removal of one of the stone fireplaces at Whitehouse because it is a public safety issue and calls for the removal of the other fireplace when it deteriorates.*
- Wilderness areas must remain as trackless as possible.  
*Response- This was taken into consideration while writing the plan.*
- Maintain the site of Colonel Peck's grave.  
*Response- The DEC does not maintain sites like this, however, it may be possible for a volunteer organization to maintain this site with an Adopt-A-Natural Resource agreement.*
- Maintain the state land boundary lines.  
*Response- The current Department policy is to maintain boundary lines on a seven year maintenance cycle.*

## Silver Lake Wilderness Area - Summary of Public Comments on the Draft UMP

### West River Road

• Numerous public comments opposed the proposal to bring the last 0.7 miles of the West River Road into compliance with Master Plan requirements because it would limit access to the wilderness and would also limit canoe access along the West Branch of the Sacandaga River. Five towns (Wells, Arietta, Long Lake, Fine and Day) have passed resolutions opposing this proposal. Numerous other public comments supported this proposal and felt that bringing the road into compliance is necessary in order to bring the area up to wilderness standards and help preserve the wilderness character of the area.

*Response- The last 0.7 miles of road are on Forest Preserve lands classified as Wilderness. The Adirondack Park State Land Master Plan (“APSLMP” or “Master Plan”) is clear in that it does not allow for any use of public motor vehicles on wilderness units within the Adirondack Park. Therefore, the last 0.7 miles of road need to be brought into compliance with Master Plan requirements. See the discussion on the West River Road in the Management Issues Section of this plan for more information related to this issue.*

• Change the land classification along the West River Road to allow continued motor vehicle use (i.e. make the whole road part of the primitive area).

*Response- The Department feels that the end of the road is correctly classified and reclassification is not an option. Furthermore, the APSLMP states that the objective of a primitive classification is to eventually upgrade the area to wilderness.*

• DEC should clearly state in the UMP that ATV use along the West River Road is illegal pursuant to Vehicle and Traffic Law Section 2405(1).

*Response- Whether or not ATV use is illegal along the West River Road is beyond the scope of this UMP.*

### Chimneys

• Numerous public comments opposed the proposal to phase out the stone chimneys at Whitehouse because they felt the chimneys were of significant cultural value and DEC needs to recognize the heritage and history of the local area and people. Numerous other comments supported this proposal and felt the chimneys were a public safety concern as well as a non-conforming structure in wilderness.

*Response- The chimneys are considered non-conforming under the APSLMP guidelines. Both chimneys were assessed pursuant to the State Historic Preservation Act (PRHPL Article 14) to determine their historical significance. Based on these assessments it was concluded that both structures were not historically significant.*

### Suspension Bridges

• Numerous public comments supported the proposal to retain and maintain the two suspension bridges until they require replacement. A few comments supported the immediate removal of the bridges stating that they were non-conforming in wilderness.

*Response- The Department acknowledges that the bridges are non-conforming, but also realizes their importance for user safety and resource protection. Both bridges are serviceable and will be allowed to remain until they require replacement. Prior to their replacement, the Department will seek alternative river crossing sites then consult the APA to decide what kind of bridges will be built.*

### Godfrey Road Extension

• Numerous public comments supported Alternative #2 (close the road to public motor vehicle use only with the option to reopen in the future) while only a few comments supported Alternative #3 (allow continued use of public motor vehicles).

*Response- The Department has chosen Alternative #2 as the preferred alternative. This alternative increases the protection of the wilderness characteristics (i.e. an abundance outstanding opportunities for solitude and a large plant and animal community enjoying minimal impacts from direct human use) found in a relatively wild unit. It is also the most consistent with the management objectives and direction of management for the area.*

### North Country National Scenic Trail (NCNST)

• Numerous public comments supported the potential development of the NCNST in the Silver Lake Wilderness. One comment opposed the development and felt than an area that provides less solitude would be more appropriate.

*Response- The ongoing effort to find a suitable location for the NCNST is currently focusing on other areas with less solitude than the SLWA.*

### Cemeteries

- A couple people commented that DEC should maintain the two small cemeteries within the unit.

*Response- As the UMP states, DEC will not maintain these sites, but will respond to public requests for maintenance under stewardship agreements.*

### Trails

- Numerous comments supported Alternative #1 for the relocation of the Northville-Lake Placid Trail (NPT). There were also some comments that expressed concern regarding the close proximity of this alternative to private property and the potential increase in use around Woods Lake.

*Response- DEC understands these concerns and will mitigate potential impacts by locating the new trail in a manner so as to be reasonably screened from view from the private property and lake to avoid intruding on the private property and natural character of the area. In addition, primitive campsite designation will be confined to the east shore on the south half of the lake. The plan also states that it is extremely important to monitor the campsites around Woods Lake where camping use is anticipated to increase due to the reroute of the trail. It also states that action will be taken when LAC standards are exceeded to correct undesirable conditions by rehabilitating the area or relocating use to more durable sites.*

- The list of “Class I Unmarked Trails” in the inventory section is incomplete.

*Response- The inventory has been revised to include omitted trails.*

- The more prominent of the Class I trails are better described as Class II trails. These trails are very old, very established routes, and although certain sections of them may be vague due to a lack of recent maintenance, all of them have compacted treads and “intermittent” markings in the form of blazes and flagging.

*Response- The Department feels that the trails in the inventory are classified appropriately and their future maintenance will be consistent with the management objectives for the area.*

- Several new trails were proposed by the public in an effort to provide more recreational opportunities, as well as lessen pressure on the High Peaks and Pharaoh Lake Wilderness Areas.

*Response- The decision to keep trail development to minimum can be best understood by putting the SLW in context with the rest of the Forest Preserve. The SLW is a place characterized by an abundance of outstanding opportunities for solitude and a large plant and animal community enjoying minimal impacts from direct human use. By keeping proposals for new facilities to a minimum, DEC is taking the rare opportunity to increase the protection of those essential wilderness characteristics in a relatively wild unit. In most other areas, the best we can hope for is to maintain the status quo or try to minimize the potential impacts of continuing increases in use.*

### Maps

- The maps in the plan are inadequate. The facilities map should show facilities on surrounding units. Show large landowners and easement lands on the map.

*Response- This UMP contains more than the minimum number of maps recommended in the UMP template. Changes have been made to the facilities map to show some of the facilities on adjacent units that may have a direct influence on the SLWA. The Department typically does not show large private land owner names on UMP maps. All the public easements in this unit are short right-of ways that would be hard to depict on the facilities map due to the map scale. A description of the easements is given in the inventory section of the plan.*

- A forest cover type map is needed and a map of the condition of boundary lines as to how well they are marked.

*Response- A forest cover type map has been added. A map showing the condition of boundary lines is not available. The UMP calls for inspecting all boundary lines to determine maintenance needs and that actions be taken to ensure that all boundaries are identified and marked within the five-year implementation of the plan.*

### Public Access

- A few people commented on reopening canoeing and fishing opportunities below the dam on the Piseco Outlet.

*Response- The immediate area below the dam is private land. Whether the public can access this portion of the Piseco Outlet depends on whether the outlet satisfies the common law test on whether the waterway*

*is navigable-in-fact. See the discussion on Spy Lake in the Management Issues Section of this plan for more information related to the navigability of a waterway.*

- Improve public access to Spy Lake.

*Response- The UMP recommends exploring the possibility of obtaining public access to the lake through one of the three mentioned alternatives.*

- Numerous comments indicated that public access to Cathead Mountain should be restored and the possibility of a land exchange be pursued. While the UMP does not speak of a land exchange, numerous other public comments opposed the concept of a land exchange.

*Response- The Cathead Mountain issue is beyond the scope of a UMP. The summit of mountain is private and it is the private land owner's decision on whether or not to allow public access.*

### Group Size

- Numerous comments supported the proposal to limit group size in wilderness while a number of youth camps opposed the proposal.

*Response- Group size restrictions are excessively restrictive with respect to youth camps and other organized camps. A maximum group size of 8 persons is economically prohibitive to organized camps. The APSLMP establishes a capacity limit for a primitive tent site as no more than 8 persons and three tents. The Department is mandated to manage Forest Preserve lands in compliance with the APSLMP. Since the capacity of a tent site in wilderness has been established under the APSLMP, the Department must manage overnight use within those established limits.*

### Fisheries

- No non-native species should be stocked in reclaimed waters. Treat at least some lakes and ponds as ecosystems in their own right rather than fish reservoirs. Possibly some “reclaimed” ponds stocked with native fish could have no fishing allowed and only natural production allowed. The repeated use of Rotenone should be avoided, because of possible unknown toxic effects. Fishing could be prohibited in at least some reclaimed lakes and ponds in the interest of fish communities.

*Response- The Department does not consider lakes or ponds as strictly fish reservoirs. As this comment implies, lake and ponds are important ecological systems. However, fishing per se does not endanger the integrity of pond or lake ecosystems. The Department uses closed seasons, minimum length limits, and bag limits to prevent over-fishing. Angler use of fishery resources is a legitimate and ecologically compatible activity, and when properly regulated will not negatively impact fish communities. The effects of reclamation with Rotenone have been extensively studied. Identifiable effects are short term and not cumulative.*

- Urge that the DEC develop comprehensive public education efforts to control use of baitfish by banning use of all “live” bait to ensure that reclaimed waters are not contaminated again.

*Response- We agree. The use of baitfish is discussed in this UMP. Moreover, the use and possession of fish for use as bait is prohibited in select waters within the unit in an effort to prevent the introduction of unwanted fish species. Signs to this effect are posted and Bureau of Fisheries staff do periodic checks to make sure the signs are maintained. We also post at some locations educational signs about baitfish and their potential consequences for Adirondack lakes and ponds. The Freshwater Fishing Regulations Guide discusses the use and possession of baitfish and the potential negative consequences of baitfish introductions. In addition, an article in the Department's magazine “The Conservationist” discussed the issue. However, additional education about this issue is a desirable goal and will be explored.*

### Wildlife

- The background information on the natural resources is very comprehensive, though once again the birds and mammals are not listed phylogenetically (beginning with Common Loon), the only way the list can be useful.

*Response- The bird and mammal inventories are listed alphabetically by common name. The Department feels this is an adequate presentation of information for this type of document.*

- The connection between biology and management is superficial, in comparison with the kinds of analysis that could be done. In contrast, the sections covering game management are detailed, suggesting that the position of DEC is that “non-game” management will take care of itself. Reference is made to the recently completed New York gap analysis, which mapped habitat statewide, but not much is made of it.

*Response- The Department has completed, and is currently conducting, several efforts focused entirely, or mostly on non-game species. For example, the Department has led efforts to survey breeding birds, amphibians, and reptiles through several statewide atlas efforts (the Breeding Bird Atlas, 1980-1985 and 2000-2005 and the Amphibian and Reptile Atlas Project, 1990-1999). The Department is currently working with SUNY College of Environmental Science and Forestry on techniques to analyze the two Breeding Bird atlases for making inferences about potential changes in bird populations. Additionally, the New York Natural Heritage Program conducts surveys for endangered, threatened, and special concern species, as well as rare and exemplary ecological communities. Lastly, the Department conducts annual monitoring and survey programs for several non-game species, including Bald Eagle, Peregrine Falcon, and Spruce Grouse (in conjunction with SUNY Potsdam). The New York Gap Analysis Project has provided useful information on the potential distribution of vertebrate species and their habitats. However, use of this data may not be appropriate on the scale of an individual Forest Preserve unit. As an alternative to using NY Gap data, the Department uses actual wildlife survey data from the atlases and surveys mentioned above to make management decisions.*

- Better wildlife surveys are needed and planning for the return of extirpated species should be improved and emboldened. It should be noted that in the general area around the SLWA, a cougar kitten and wolf were both killed in the recent past. DEC has not done nearly enough in recent years to focus on documenting the current populations of wolves, cougars, bald eagles, moose, peregrine falcon, golden eagle and Canada lynx. Challenge the statement that the lynx restoration project is “considered a failure” as public reports of lynx sightings continue to be reported to the DEC.

*Response- Currently, the Department conducts annual monitoring of bald eagles and peregrine falcons. Additionally, the Breeding Bird Atlas has provided useful data on the occurrence and distribution of many other species as well, including those that are classified as endangered, threatened, or special concern. The Department receives sighting reports of Canada lynx, wolves and cougars each year. In most cases, these reports are investigated by a DEC staff person to ascertain details of the observation and the potential that another similar looking animal was actually observed (for example, bobcats, coyotes, and fisher). The lynx restoration project was considered a failure in the terms of restoring a viable lynx population to the Adirondacks, however, the Department learned much about the complexities of restoring large animal populations. While it is likely that transient lynx occasionally pass through the Adirondacks (lynx have very large home ranges and disperse long distances, especially in low food years), the Department has no data to suggest the existence of a resident lynx population or that breeding is occurring.*

- The most up-to-date information on Chronic Wasting Disease (CWD) in white-tailed deer should be included in the UMP.

*Response- Information on Chronic Wasting Disease was added to the plan.*

#### General Comments

- Remove boats stored and chained on the West Branch of the Sacandaga River.

*Response- The storage of boats on state land is illegal and law enforcement will pursue the violations.*

- Phase out lakeside lean-tos.

*Response- The SLWA has three lean-tos all of which conform to Master Plan guidelines. None of these structures warrant removal at this time, however, other use restrictions may be appropriate sometime in the future.*

- The draft states that the State of New York owns the fire tower and other associated structures on Cathead Mountain. This is inaccurate. Kindly correct the draft to reflect the correct ownership of the fire tower and other structures on Cathead Mountain.

*Response- The Department built the fire tower and associated structures; therefore, it is the Department's position that they are owned by the State.*

- The APSLMP should be amended to redefine the Sacandaga Primitive Corridor to only include that section of the road west of Dugway Brook. The small portions of state land between the road and river in lots 362, 366 and 382 should be reclassified as wild forest.

*Response- The Department feels that a primitive corridor should be extended along the entire length of the road up to the last private parcel, being a small triangular portion of Lot 11, Oxbow Tract. The land outside this corridor should remain wilderness.*

- Prohibit the use of all motorized equipment, specifically chainsaws.

*Response- The UMP proposes to amend 6 NYCRR §190.13(f) to apply to the SLW. This section contains miscellaneous restrictions which would prohibit the use of any motorized equipment.*

- Which campsites are considered designated and non-designated?

*Response- Campsites included in the inventory section are designated and are marked in the field with a yellow disk.*

- The illegal mowing of the Whitehouse campsites needs to be stopped.

*Response- The UMP addresses this issue.*

- Concerned with the future of the road from Blackbridge in the primitive corridor.

*Response- Should the private lands west of lots 362 and 382 of the Benson Tract be acquired by the state, the APSLMP calls for the road to be terminated in lot 382 and the right-of-way, as well as the acquisition, become part of the SLW.*

- Several people commented on Department signs and the posting of regulations.

*Response- The UMP calls for a comprehensive sign inventory and to post signing that is consistent and relevant to both the resource and user needs.*

- The mission of DEC is to “conserve, improve, and protect its natural resources and environment, and control water, land and air pollution” and to not somehow balance natural resource degradation with recreational use.

*Response- The Departments primary focus is natural resource protection (as evidenced by a high level of restraint for new actions and facilities, increased boundary line maintenance efforts, new chemical and biological surveys, promulgation of new regulations, implementation of LAC, invasive species monitoring, and the closure of inappropriate camping sites, trails, and restrictions on public use). The Schedule for Implementation for the first two years prioritizes public use and natural resource inventories and rehabilitation of existing facilities before most new facility construction.*

- Management units are subunits of the whole Adirondack Park and Forest Preserve, but they aren't managed that way. Many other things should be examined such as: size and shape, relative locations, and nature of the matrix (what's outside the unit) can all be important.

*Response- The SLWA as a whole was examined as it relates to opportunities on adjoining State lands. The planning team discussed how to maintain a spectrum of opportunities, separate incompatible user activities, and to provide facilities and settings in keeping with user expectations.*

- Insure the integrity of the area by focusing land acquisition efforts on acquiring land along roadsides.

*Response- The Department agrees that these parcels are key to insuring the integrity of the area. As the UMP states, the overall framework for land protection in New York State is identified in the Open Space Plan. Furthermore, DEC will only acquire lands through negotiated sales with willing sellers.*

- DEC needs to allocate resources for a comprehensive plan for hiking, non-motorized boating and cross country skiing in the Adirondack Park.

*Response- This is a good idea, but beyond the scope of this UMP.*

- One comment questioned the inclusion of the “Wilderness Management Principals” in this UMP or any other UMP for that matter.

*Response- DEC developed, in consultation with APA, the wilderness management principals included in this UMP. The UMP can be amended if these principals change in the future.*

- The analyses, assessments and inventories detailed in the APSLMP UMP development section were not readily accessible.

*Response- While a large amount of information could make it difficult to relate background and inventory information to proposals due to the volume of material, a detailed Table of Contents was included to assist finding individual topics or areas of interest.*

- The closing of traditional public roads within the Forest Preserve does not comply with the original intention and understanding of the electorate in approving the Constitution (now Section 1 of Article XIV) in 1894. This is based on a 1919 NYS Attorney General opinion.

*Response- Attorney General Opinion 266 of 1919 primarily addressed the issue of whether the Conservation Commission, in 1919, had the legal authority to allow the improvement, at private expense, of a wagon track or trail across certain Forest Preserve land situated within the hamlet of Raquette Lake, Hamilton County. The Opinion also discussed the generic issue of the Department's authority or lack of authority to then close roads in the Forest Preserve. The supposed statutory authority on which such Opinion was based has long since been repealed by the State legislature. Furthermore, subsequent court decisions on Article XIV, Section 1 of the New York State Constitution and subsequent constitutional amendments*

*authorizing the improvements of existing roads and the construction of the Northway call into question the reasoning and conclusions of the 1919 Attorney General Opinion.*

*The Department of Environmental Conservation is currently vested with exclusive care, custody and control of the Forest Preserve under Environmental Conservation Law sections 3-0301(1)(d) and 9-0105(1), and is mandated to manage all such lands situated within the Adirondack Park in a manner which is consistent with the guidelines set forth in the Adirondack Park State Land Master Plan. See Executive Law section 816(1). The Master Plan has been held to have the force and effect of legislative enactment. See Helms v. Reid, 90 Misc.2d 583, 604 (Supreme Court, Hamilton Co., 1977). It should also be noted that Highway Law section 212 currently authorizes the Department to close roads which traverse Forest Preserve lands, and this authority was upheld in the case of Kelly v. Jorling, 196 A.D.2d 181, 183 (3d Dep't 1990), leave denied, \_ N.Y.2d \_ (1991).*