NEW YORK STATE

Department of Environmental Conservation

DIVISION OF LANDS & FORESTS

Saint Regis Mountain Fire Tower Historic Area

Unit Management Plan

Final Environmental Impact Statement

Town of Santa Clara

Franklin County

ANDREW M. CUOMO
Governor

JOSEPH J. MARTENS
Commissioner

Lead Agency:

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October 2014

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ANDREW M. CUOMO
GOVERNOR

JOE MARTENS
COMMISSIONER

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

M E M O R A N D U M

TO: The Record

SUBJECT: Saint Regis Mountain Fire Tower Historic Area

DATE: OCT 22 2014

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

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

Joseph J. Martens

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

May 9, 2014

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

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

WHEREAS, the Department of Environmental Conservation has prepared a unit management plan for State Lands in the Town of Santa Clara, Franklin County which includes proposed management actions for the St. Regis Mountain Fire Tower Historic Area dated February, 2014; and

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Plan recognizes that a helicopter, if one is needed to deliver materials to the tower, would not be allowed between May 15 and August 1 to avoid any impacts to the Bicknell’s Thrush during its nesting season; and

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

BE IT FINALLY RESOLVED, that the Adirondack Park Agency authorizes its Executive Director to advise the Commissioner of

Environmental Conservation of the Agency’s determination in this matter.

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

Nays: None

Abstentions: None

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

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Executive Summary

This Unit Management Plan (UMP) represents the culmination of a long, dynamic, and at times, controversial planning process surrounding the fire observation tower atop Saint Regis Mountain. An historic structure dating back to 1918, the tower, and many others like it throughout the state, played a critical role in helping the Department of Environmental Conservation (DEC) and its predecessors fulfill their mission to protect the state's natural resources.

The tower was formally discontinued for use by DEC for its intended purpose in 1990. Even before being closed, the tower had been identified in the 1972 Adirondack Park State Land Master Plan (SLMP) as a non-conforming structure in a wilderness setting. In 2010, because of a growing recognition of the tower's significance under the State Historic Preservation Act (SHPA), and in response to numerous public comments received by DEC and the Adirondack Park Agency (APA) in support of the structure, the SLMP was amended and the land around the tower was reclassified to create the Saint Regis Mountain Fire Tower Historic Area, thereby allowing the tower to remain in its original location.

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

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Acknowledgements

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Preface

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

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

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

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

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

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

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

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

State Environmental Quality Review (SEQR) Act

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

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

State Historic Preservation Act (SHPA)

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

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

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

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Saint Regis Mountain Fire Tower Historic Area

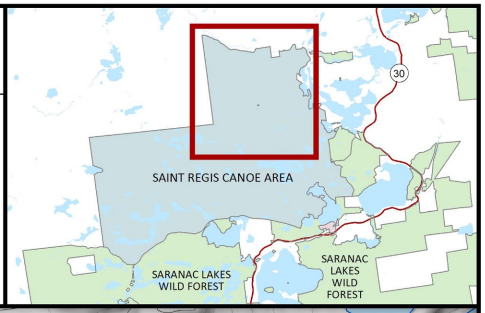
February 2012

N W E S

0 0.25 0.5 1 Mile

jdc

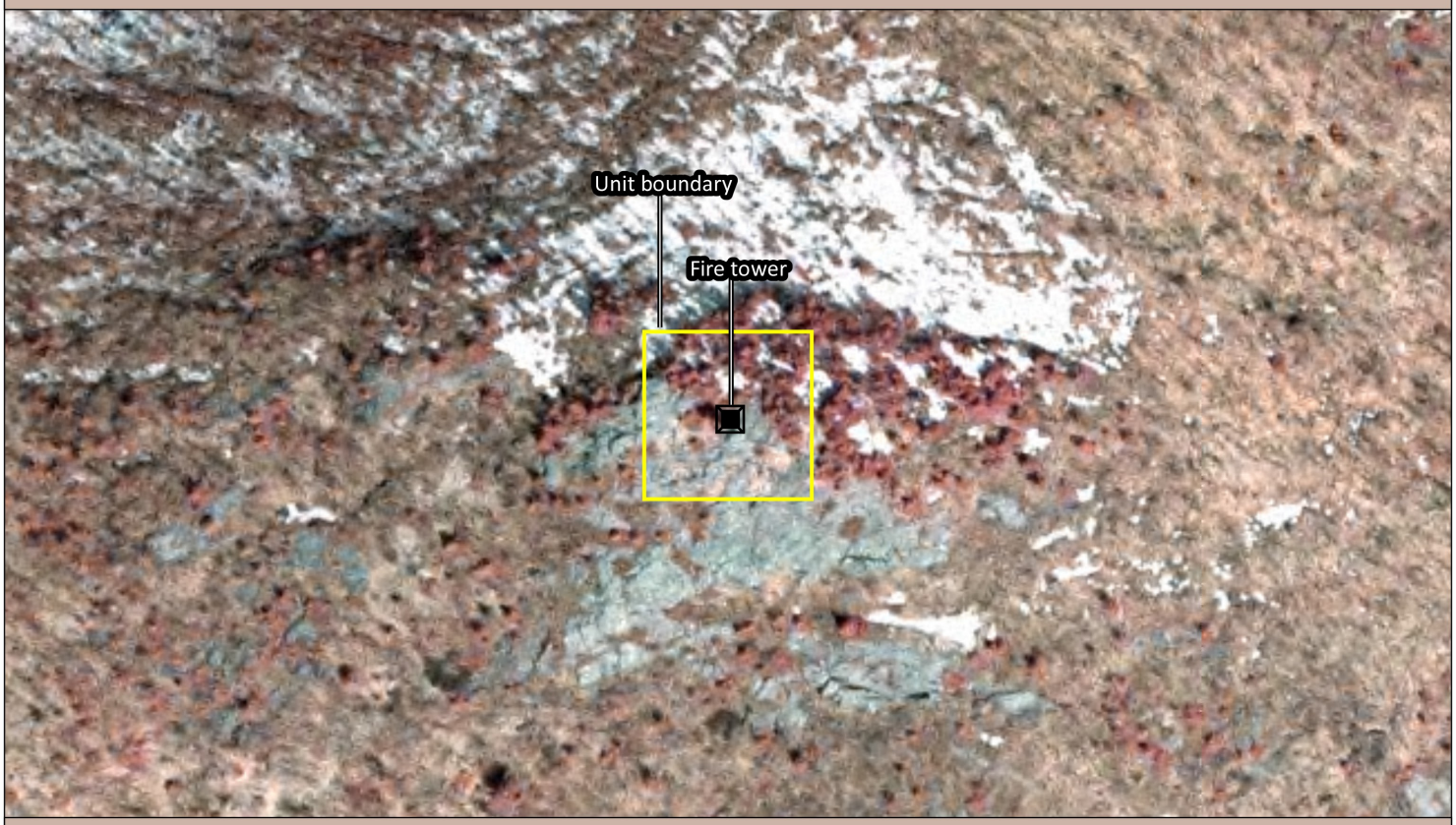
Public motor vehicle road
DEC administrative road
Recreational trail
Elevation contour (50 ft.)
Parking area



Keeses Mill Rd.
Saint Regis River
Black Pond
ST. REGIS
CANOE
AREA
2000
2500
Saint Regis Mountain Trail
Teddy Roosevelt Trail
Spectacle Ponds
Upper St. Regis Lake
ST. REGIS MOUNTAIN FIRE TOWER HISTORIC AREA
Fish Pond
Mud Pond
Fish Pond Truck Trail
Ochre Pond
Little Long Pond
Saint Regis Pond
Green Pond

Saint Regis Mountain Fire Tower Historic Area

Area Detail



Orthoimagery taken Spring 2003.

0 50 100 200 Feet

N W E S

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

Close-up of the fire tower

I. Introduction

Planning Area and Resource Overview

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

Today, the fire tower is no longer used for fire observation purposes. While still standing, the tower has not been maintained for over 20 years and is no longer safe for public use. To discourage climbing of the structure, the two lowest sections of stairs have been removed. Despite being closed to the public, the presence of the fire tower has made the unit one of the most popular recreational destinations in the area. As such, the value of the tower has shifted away from fire detection and more toward one of recreational, historical, and educational significance.

The summit of Saint Regis Mountain sits at 2,874 feet, and the land within the SRMFTHA is partially free of vegetation. Species in the spruce-fir rocky summit plant community exist in the northern half of the unit, and extend into a small portion of the surrounding Saint Regis Canoe Area that sits above 2,800 feet. As such, the partially-bald summit of Saint Regis Mountain offers stunning views of the surrounding landscape. Similarly, the summit and fire tower are visible from much of the surrounding public and private lands, including the Saint Regis Canoe area and Paul Smith's College.

The SRMFTHA is only accessible by foot trails, which enter the unit from two different locations: 1) from the northeast, beginning at the Keeses Mill Road trailhead, along the Saint Regis Mountain Trail; and 2) from the east, beginning at a dock on Upper Saint Regis Lake, along an unofficial trail sometimes called the Teddy Roosevelt or "TR" Trail.

History of the Fire Tower

Over several years during the early 1900s, wildfires burned across nearly one million acres of Adirondack forestland. The summer and fall seasons of 1903 and 1908 were particularly bad, and much of Saint Regis Mountain burned during those years.

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

Extreme weather took a toll on these early wooden towers, and in 1916 the Conservation Department began to replace them with the more durable steel structures that still stand today. Saint Regis Mountain received its first—and only— fire tower in 1918.

In 1919, an Osborne Fire Finder—a topographic map with sighting apertures—was installed in the Saint Regis fire tower, improving the ability to accurately locate fires.

In 1925, a 12' x 16' observer's cabin was built near the junction of the Saint Regis Mountain Trail and the Teddy Roosevelt Trail. The following year, the State purchased Saint Regis Mountain and some of the surrounding land from William Rockefeller. The cabin was replaced in 1939 with a 16' x 20' model, which remained standing until its removal in the late 1990's.

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

In the 1970s, private contractors took over aerial detection of forest fires for the State. In 1971 DEC closed 62 of its 103 operating fire towers. The Saint Regis Mountain Fire Tower remained in operation until 1990, making it the longest-operating fire observation station in New York State.

Historic Designation of Forest Preserve Fire Towers

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

In 2001, ten fire towers—Arab, Poke-O-Moonshine, Azure, Kane Mountain, Blue Mountain, Snowy, and Hadley in the Adirondack Park as well as Balsam Lake Mountain, Mount Tremper and Red Hill in the Catskill Park— were listed. Hunter Mountain, also in the Catskills, had been previously listed in 1997. Subsequently, Wakely Mountain (2003), St. Regis Mountain (2005) and Hurricane Mountain (2007) were added. More specifically, the St. Regis Mountain Fire Observatory was listed on the State Register of Historic Places on January 5, 2005 and on the National Register of Historic Places on March 15, 2005 (see Appendix H).

II. Public Use

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

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

The best indicator of use can be found in the trailhead register for the Saint Regis Mountain Trail at Keeses Mill Road. While this trailhead is located well outside the SRMFTHA near the outer boundary of the Saint Regis Canoe Area, the summit of Saint Regis Mountain lies at the end of the trail, provides the best views in the area, and is likely the destination of a majority of the users that hike the trail.

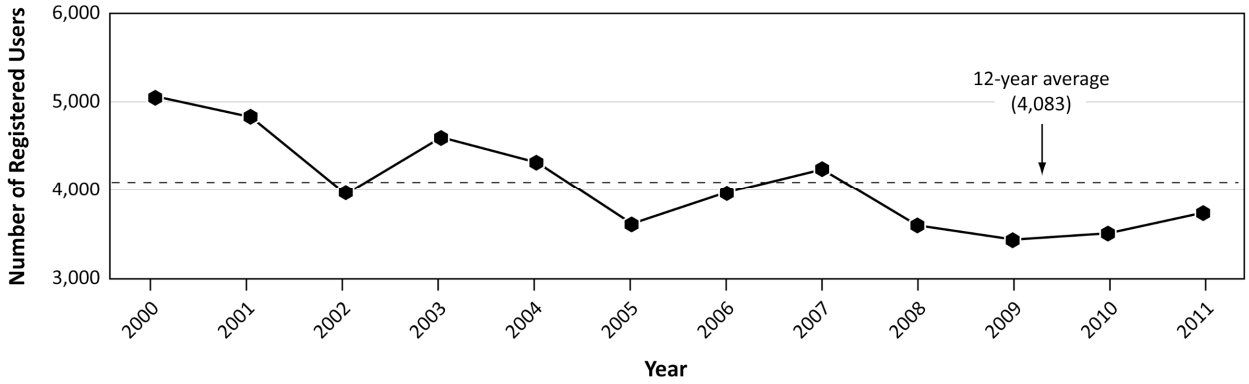
Trail register data has been collected from the Keeses Mill Road Trailhead for at least the last twelve years. The table below shows the number of trailhead registrations there since 2000.

Number of Trailhead Registrations for the Saint Regis Mountain Trail, 2000-2011

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Registrations	5,060	4,833	3,940	4,608	4,301	3,662	3,927	4,234	3,661	3,411	3,572	3,797

Although there has been fluctuation in the numbers of users from year to year, there was an overall downward trend from 2000 to 2011. The average annual number of registrations over the entire 12-year period was 4,083. This information is summarized in the figure below.

Registrations for Saint Regis Mountain Trailhead, 2000-2011



In 2008, the SUNY College of Environmental Science and Forestry completed the *St. Regis Canoe Area Visitor Use and Campsite Study*. In the study, the authors compared data collected from trail counters to numbers collected from the trailhead register at the Keeses Mill Road trailhead. Based on their estimates, the authors found that a high percentage of hikers—89%—actually registered at the trailhead.

Capacity to Withstand Use

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

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

III. Policy and Management Considerations

Policy, Guidance and Planning History of the Area

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

Adirondack Park State Land Master Plan – 1972

The Saint Regis Mountain Fire Tower Historic Area (SRMFTHA) is completely surrounded by the 18,400-acre Saint Regis Canoe Area. Prior to December 2010, the land in the Historic Area existed as part of the Canoe Area. The classification scheme that originally designated these areas as Canoe and Historic comes from the original 1972 Adirondack Park State Land Master Plan (SLMP), which defined Canoe Areas as such:

> A canoe area is an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water oriented recreation in an essentially wilderness setting.

The SLMP expanded the comparison to wilderness areas under the Guidelines for Management and Use for Canoe Areas, stating that "All Structures and improvements that conform to wilderness guidelines will be permitted in canoe areas." Under the Guidelines for Management and Use of Wilderness Areas, fire towers and observer cabins were listed as non-conforming, thereby making them non-conforming in Canoe Areas as well. Furthermore, the Area Description for the Saint Regis Canoe Area in the original SLMP specifically listed the fire tower on Saint Regis Mountain as a non-conforming structure.

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

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

As previously noted SHPA and SEQR require public agencies to avoid or mitigate impacts to Historic Resources to the fullest extent practicable. SHPA also requires agencies to consult with the OPRHP before taking actions that might affect an historic property to determine ways to avoid or mitigate impacts to that historic resource, and reconcile conflicts between agency policy and programs.

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

The result of this consultation was a Letter of Resolution (LOR, see Appendix B), signed by both agencies, listing which of the 35 fire towers would be retained, and which of them could be removed or transferred by DEC without further consultation with OPRHP.

Unfortunately, the original LOR incorrectly listed the Saint Regis fire tower as NHL, even though it was not yet on the register at that time. Also, the tower was placed on the "Retain" list, even though the intent of the LOR was to allow certain fire towers to be removed that had been identified as non-conforming structures in the SLMP. Discussions with Department staff indicate that the LOR was amended to put the Saint Regis tower on the "Remove" list, but no documentation of this correction has been located at this time.

Saint Regis Canoe Area Unit Management Plan – June 2006

In 2001 DEC formally began the process for developing a UMP for the Saint Regis Canoe Area. In July 2005, a Draft Unit Management Plan was released for a 30-day public comment period, and a public meeting for the UMP was held at Paul Smith's College the following month.

The most significant management proposal in the Draft UMP involved the future of the fire tower on Saint Regis Mountain. Various alternatives were analyzed regarding the tower's fate, including a recommendation that the APA formally propose a reclassification of the land around the tower to Wild Forest or Historic, thereby making the tower a conforming structure. The preferred alternative in the Draft UMP, however, was to "(r)etain the fire tower until such time as the APA considers whether the land surrounding the tower should be reclassified as Historic." The intent of the preferred alternative was that the SLMP be re-assessed in terms of the importance of fire towers as historic structures, particularly in light of SHPA and ECL §9-0109.4.

As described in the plan, the fire tower was "…the highest profile issue in this UMP…", and the number and type of public comments received on the Draft UMP reflect this statement. Some of the comments were in favor of removing the fire tower, either because it would bring the area into compliance with the SLMP after many years of non-compliance, or because its potential relocation would make it accessible to more people. Many of the comments also expressed opposition to the tower's removal because of its educational and historic value.

After consideration of the public comments and consultation with APA staff, the Department submitted a Proposed Final UMP to the APA for their SLMP compliance determination. In this version of the plan, the same alternative proposals were considered for the fire tower; however a new preferred alternative was identified, which was to "…develop a comprehensive Adirondack fire tower management plan…" that would "…address all State owned fire towers in the Adirondack Park" due to the high public interest in fire towers.

In their resolution for the Saint Regis Canoe Area UMP, the APA took a more direct stance, stating that removal of the Saint Regis fire tower "…should occur within three years from the adoption of this Unit Management Plan or other alternatives based on recommendations identified in the proposed study of fire towers in the Adirondack Park (should be considered)…" The full APA resolution for the UMP can be found in Appendix D.

In June 2006, then DEC Commissioner Denise Sheehan approved the Final UMP, the final step in formally adopting the plan.

Fire Tower Study for the Adirondack Park – February 2010

In February 2010 the Department released the Fire Tower Study for the Adirondack Park, as recommended by the 2006 Saint Regis Canoe Area UMP and the 2006 Blue Ridge Wilderness/Wakely Mountain Primitive Area UMP. The study contained a detailed inventory of all remaining fire towers in the Park, both public and private, along with their individual histories. The study also examined management and policy constraints surrounding the towers, and recommended the removal of the Saint Regis Mountain fire tower in order to bring the Saint Regis Canoe Area into compliance with the SLMP.

Draft Amendment to the 2006 Saint Regis Canoe Area UMP – February 2010

In February 2010, in conjunction with the release of the Fire Tower Study for the Adirondack Park, a Draft Unit Management Plan Amendment/Draft Environmental Impact Statement (DEIS) for the Saint Regis Canoe Area was released for a 45-day public review and comment period. A public meeting was held for the UMP Amendment at Paul Smiths College.

The sole purpose of the UMP Amendment was to analyze alternatives surrounding the fire tower on Saint Regis Mountain. As stated in the APA resolution for the original UMP, removal of the Saint Regis fire tower "…should occur within three years from the adoption of this Unit Management Plan or other alternatives based on recommendations identified in the proposed study of fire towers in the Adirondack Park (should be considered)…" In the time that had passed since the completion of the original UMP, the SLMP had not changed in regards to the fire tower; therefore the Fire Tower Study recommended the removal of the tower. The preferred alternative in the Draft UMP Amendment reflected this recommendation.

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

For reasons explained in the following paragraphs, the Department did not advance the Amendment to the Saint Regis Canoe Area UMP beyond the draft stage.

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

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

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

A final Supplemental Environmental Impact Statement (FSEIS) was prepared which retained the preferred alternative to reclassify the lands surrounding the towers to Historic. At their October 2010 monthly meeting, the APA board unanimously approved the reclassification recommendations found in the FSEIS (the full APA resolution can be found in Appendix E). In December of that same year, then Governor Paterson approved the land reclassifications, thereby creating the Saint Regis Mountain Fire Tower Historic Area and the Hurricane Mountain Fire Tower Historic Area.

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

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

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

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

As noted above, ECL § 9-0109(4) authorizes the maintenance of historic structures in the Adirondack Park owned by the State prior to June 21, 1983 if three criteria are satisfied. First, the St. Regis Mountain Fire Observatory Station was listed on the State Register of Historic Places on January 5, 2005 and on the National Register of Historic Places on March 15, 2005. Second, the Commissioner of Environmental Conservation must issue a Statement of Findings concluding that the fire tower can be maintained for public enjoyment and understanding of the Forest Preserve in a manner that will not disturb the existing degree of wild forest character of land on which the fire tower is located or the wild forest character of land adjacent to the fire tower. Third, the Commissioner's Statement of Findings must also find that maintenance of the fire tower will be in accordance with reasonable regulation of the Forest Preserve in the Adirondack Park consistent with Article XIV of the State Constitution. A Statement of Findings can be found in Appendix H.

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

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

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

The intent of the policy is to minimize such use, and specific provisions are provided for lands in the Adirondack Park classified as Wilderness, Primitive, Canoe, and Wild Forest, and in Wild, Scenic and Recreational River Areas. For Historic Areas, however, the policy states that "…such use in these areas will not be subject to the compulsory review and the mandatory recordkeeping and reporting standards set forth below."

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

Volunteer Stewardship Agreements (VSA) (CP-58)

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

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

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

Americans with Disabilities Act (ADA)

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

The purpose of the tower today is to provide an historical interpretation of the experience of the former DEC staff who climbed the tower many times per day. The fire tower is 35 feet in height with no

electrical power within the unit to provide alternate means of scaling the tower. In addition, the trail to the tower contains environmental barriers that are severe and so numerous that they cannot be modified to meet the intent and objectives of an accessible hiking opportunity.

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

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

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

While Bicknell's thrush nesting locations have not been confirmed on Saint Regis Mountain in the past, the summit does contain the vegetation type that makes up Bicknell's habitat. Future recreational use of the SRMFTHA and the trail that leads to it, however, is not expected to vary greatly from past use, and therefore is not likely to impact these species. Similarly, most maintenance activities that may occur on the tower would not be different, in terms of impact, from the recreational use in the unit.

This UMP does not propose any vegetation management or other physical alterations that could affect Bicknell's thrush habitat; however if the use of aircraft or motorized equipment should be needed for maintenance of the fire tower, it should not occur between May 15 and August 1 in order to avoid the Bicknell's thrush nesting period.

IV. Management Recommendations

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

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

Management Objectives

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

Alternatives Analysis

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

- ***Alternative 1 – "No Action"***

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

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

  This alternative proposes to have the fire tower dismantled and removed from Saint Regis Mountain. The Department would identify another location, possibly on the Forest Preserve, on which it could still serve an educational purpose, but be more accessible by the public and the Department (or its volunteers). If the tower were no longer in the SRMFTHA, the unit would most probably become part of the Saint Regis Canoe Area. In the 2010 Saint Regis Canoe Area Draft UMP Amendment, this scenario was the Department's preferred alternative because at the time the SLMP had identified the tower as a non-conforming structure. Today, however, this alternative would not meet any of the Department's management objectives for the area, nor is it required by the SLMP. For these reasons, it is not supported by this UMP.

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

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

- ***Alternative 4 – "Full Public Access" – PREFERRED ALTERNATIVE***

  In this alternative, the tower would be maintained in a manner that would accommodate full public use of the structure. The stairs and cab would be made safe for public access, and the appropriate interpretive materials would be strategically placed within the unit so as to be informative but not intrusive. Under a Volunteer Stewardship Agreement, the Department would engage with a local volunteer organization to perform much of the maintenance, as well as to retain a presence on Saint Regis Mountain to educate the public and monitor use during the busiest months of the year.

  The only potentially significant environmental impact associated with this alternative was identified in the discussion about Bird Conservation Areas in Section III. As noted there, if a helicopter is necessary for the delivery of materials, it would not be allowed between May 15 and August 1 to avoid any impacts to the Bicknell's thrush during its nesting period.

Proposed Management Actions

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

- Open and maintain the fire tower for public use according to the process and specifications outlined in the Fire Tower Rehabilitation Checklist, found in Appendix C. Work with a volunteer organization to assist in this process through a Volunteer Stewardship Agreement.
- Develop interpretive materials related the fire tower as an historic resource. This includes appropriately located interpretive signs in and around the tower, as well as information and interpretive materials to be located at the trailhead kiosk on Keeses Mill Road and on the Department's public website.
- Permit the long-term volunteer maintenance and interpretation of the fire tower through a Volunteer Stewardship Agreement. This includes the establishment of a Tower Steward position to maintain a presence on the mountain during periods of peak use.
- Monitor the fire tower, the summit of Saint Regis Mountain, and the two trails that provide access to the unit for overuse. As mentioned in Section II, it is not anticipated that maintenance of the fire tower will result in visitor use beyond current levels. If impacts of overuse are detected, BMPs should be employed, including the installation of water bars, stepping stones, and/or dry tread, and the re-routing of trails.

Bibliography and References

Dawson, Chad, et al. *St. Regis Canoe Area Visitor and Campsite Study*. Syracuse, NY, 2008.

Friends of Saint Regis Mountain Fire Tower. *Friends of Saint Regis Mountain Fire Tower*. 21 September, 2012. < http://www.friendsofstregis.org/index.htm>.

New York State Adirondack Park Agency. *Adirondack Park State Land Master Plan.* Ray Brook, NY, 1972.

New York State Adirondack Park Agency. *Adirondack Park State Land Master Plan.* Ray Brook, NY, 2011.

New York State Department of Environmental Conservation, *Fire Tower Study for the Adirondack Park*. Albany, NY, 2010.

New York State Department of Environmental Conservation. *Blue Ridge Wilderness and Wakely Mountain Primitive Area Unit Management Plan*. Albany, NY, 2006.

New York State Department of Environmental Conservation. *Hurricane Mountain Primitive Area Unit Management Plan*. Albany, NY, 2010.

New York State Department of Environmental Conservation, *Region 5 Radio and Transmission Equipment Inventory*. Albany, NY, 2007.

New York State Department of Environmental Conservation. *Saint Regis Canoe Area Unit Management Plan*. Albany, NY, 2006.

New York State Department of Environmental Conservation. *Saint Regis Canoe Area Draft Unit Management Plan Amendment*. Albany, NY, 2010.