



WHITEFACE

**2013 Unit Management Plan Amendment and
Final Supplemental Environmental Impact Statement
to the 2004 Unit Management Plan and
Final Generic Environmental Impact Statement**

July 2013

Prepared by:

The Olympic Regional Development Authority
2634 Main Street
Lake Placid, New York 12946
and
Whiteface Mountain Ski Center
Rte. 86
Wilmington, New York

In Cooperation with:
New York State Department of
Environmental Conservation
and in consultation with
The Adirondack Park Agency
Ray Brook, New York 12977

Lead Agency:
Olympic Regional Development Authority
2634 Main Street
Lake Placid, New York 12946
Contact Person: Robert W. Hammond (518) 302-5332

Date of Acceptance of UMP/DGEIS: 23 April 2013
Date of Public Hearing: 13 May 2013
Close of Comment Period: 24 May 2013
Date of Acceptance: 25 May 2013

Submitted:

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ANDREW M. CUOMO
GOVERNOR



JOE MARTENS
COMMISSIONER

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

MEMORANDUM

TO: The Record
SUBJECT: Whiteface Mountain Ski Center
DATE: JUL 29 2013

The Final Amendment to the Whiteface Mountain Ski Center Unit Management Plan has been completed.

The Final UMP Amendment 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 AND SEQRA FINDINGS
ADOPTED BY THE ADIRONDACK PARK AGENCY
WITH RESPECT TO THE
WHITEFACE MOUNTAIN SKI CENTER INTENSIVE USE AREA
UNIT MANAGEMENT PLAN AMMENDMENT**

June 13, 2013

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

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

WHEREAS, the Olympic Regional Development Authority has prepared a unit management plan amendment for the Whiteface Mountain Ski Center Intensive Use Area, dated April 2013, which includes a proposal to replace the Ski Patrol Building on Little Whiteface Mountain; and

WHEREAS, the replacement Ski Patrol Building on Little Whiteface Mountain will house communications infrastructure for the Essex County and New York State Police public safety communications system and shared microwave network authorized by APA Project Order and Findings 2012-128 and APA Order 2012-128-5 Whiteface issued December 18, 2012; and

WHEREAS, this action is a Type I action pursuant to 6 NYCRR Part 617 and 9 NYCRR 586 for which the Olympic Regional Development Agency is the lead agency and the Department of Environmental Conservation and the Adirondack Park Agency are involved Agencies; and

WHEREAS, a notice of acceptance of a Draft Supplemental Environmental Impact Statement (DSEIS) was filed in the Environmental Notice Bulletin (ENB) on April 24, 2013 which established a public comment period ending on May 24, 2013; and

WHEREAS, the Agency established a public comment period on conformance of the draft unit management plan amendment with the Adirondack Park State Land Master Plan, which ran from May 15, 2013 through June 4, 2013; and

WHEREAS, neither the Agency nor ORDA received any written comments during the respective public comment periods; and

WHEREAS, ORDA, as lead agency, filed its acceptance of the Final Supplemental Environmental Impact Statement (FSEIS) in the ENB on June 12, 2013, 2013 and is expected to issue findings and a decision ten days thereafter; and

WHEREAS, the Adirondack Park Agency has reviewed the proposed Whiteface Ski Center Intensive Use Area Unit Management Plan Amendment for conformance with the SLMP;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 816 of the Adirondack Park Agency Act, the Adirondack Park Agency finds the Whiteface Mountain Ski Center Intensive Use Area Unit Management Plan Amendment/FSEIS, dated April 2013, conforms with the guidelines and criteria of the Adirondack State Land Master Plan; and

BE IT FURTHER RESOLVED, that the Adirondack Park Agency finds pursuant to 9 NYCRR 586.14 and 6 NYCRR Part 617.11, and based on the record provided by the FSEIS presented to the Agency, that the management actions contained therein are:

- Intended to protect the unit's natural resources, character and recreational use according to the provisions of the Adirondack Park State Land Management Plan.
- Intended to protect rare, threatened and endangered species found within the Whiteface Mountain Ski Center Intensive Use Area, with particular attention to Bicknell's Thrush and other high-elevation bird species in the vicinity of Little Whiteface Mountain, through continued scientific monitoring and avoiding the potential for habitat disturbance.

- Intended to increase public understanding about Bicknell's Thrush habitat, natural history and threats to its population dynamics in the Northeast and Caribbean wintering grounds through the development of public educational materials and promoting contributions to a Bicknell's Thrush habitat protection fund.
- Intended to protect species and ecological communities identified as rare, threatened or endangered.
- Intended to accommodate public recreational needs including skiing, snowboarding, biking and other activities permitted in the Whiteface Mountain Ski Center Intensive Use Area.

BE IT FURTHER RESOLVED, that consistent with the social, economic and other essential considerations, from among the reasonable alternatives, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the Final Supplemental Environmental Impact Statement and that any adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporation of the mitigation measures identified in the FSEIS; and

BE IT FINALLY RESOLVED, that the Adirondack Park Agency authorizes its Executive Director to advise the Commissioner of Environmental Conservation and the President and Chief Operating Officer of the Olympic Regional Development Authority of the Agency's determination in this matter upon the Olympic Regional Development Authority's issuance of findings and decision, provided that there are no substantive changes to the Final Supplemental Environmental Impact Statement.

Ayes: R. Booth, S. Craig, A. Lussi, F. Mezzano,
D. Scozzafava (DOS), R. Stegemann (DEC),
W. Thomas, L. Ulrich, W. Valentino, C. Wray

Nays: None

Abstentions: None

Absent: Designee, DED

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Executive Summary

Facility Overview

Whiteface Mountain Ski Center (WFM) is a downhill ski center located on Forest Preserve land in New York State's Adirondack Park. WFM is owned by the State of New York; it is under the administrative jurisdiction of the New York State Department of Environmental Conservation (DEC) and is managed by the Olympic Regional Development Authority (ORDA) under a Memorandum of Understanding with the DEC.

Regulatory Framework

Section 816 of the Adirondack Park Agency Act directs the DEC to develop, in consultation with the Adirondack Park Agency (APA), Unit Management Plans (UMPs) for each unit of land under its jurisdiction classified in the Adirondack Park State Land Master Plan (SLMP). Concurrent with the development of the UMPs is the preparation of an Environmental Impact Statement (EIS), which analyzes the significant impacts and alternatives related to each UMP. ORDA, pursuant to its enabling law and agreement with the DEC for the management of WFM, and in compliance with Article XIV, Section I of the New York State Constitution, prepared the Unit's initial UMP in 1987, together with the EIS.

The most recent update to the UMP/EIS was approved and accepted on 04 July 2004, with an Amendment and Supplemental Environmental Impact Statement (SEIS) approved and accepted on 04 October 2006. The submission presented under this cover is identified as the 2013 Unit Management Plan Amendment and Draft Supplemental Environmental Impact Statement to the 2004 Unit Management Plan and Supplemental Environmental Impact Statement. As an Amendment, which incorporates by reference the 2004 Unit Management Plan and Final Generic Environmental Impact Statement, this document satisfies the requirements that UMP's contain an inventory of existing resources, facilities, systems and uses, and a discussion of management policy. Additionally, this document satisfies the other requirements of a UMP by including, within the text of this document, descriptions of proposed management actions, a discussion of the potential impact of such actions, a description of mitigating measures and a description of alternative actions.

The preparation, review and approval of this UMP Amendment requires compliance with New York State's State Environmental Quality Review Act (SEQRA). Many of the elements and requirements of the SEQRA process are similar to those of the UMP process. The combination of the elements of the UMP Amendment and the components of the EIS presented in this document fully satisfy SEQRA.

Submission, Review and Approval Framework

The 2013 Unit Management Plan Amendment and Draft Supplemental Environmental Impact Statement (UMP/DEIS) was accepted as complete for review by ORDA, Lead Agency, on 19 April 2013 and was submitted to DEC for executive review on 22 April 2013. DEC will submit notice to the Environmental Notice Bulletin (ENB) on and release for public review on 24 April 2013. The UMP/DEIS will be presented to the APA Board on 09 May 2013 for the first reading. The 30 day public review period will end on 24 May 2013 and ORDA/DEC will respond to public comments. The UMP/DEIS will be submitted and presented to the APA on 14 June 2013 for determination to the SLMP. Following this determination, Agency staff will transmit the Agency findings concerning the UMP's conformance to the DEC Commissioner. These and the findings of fact will form the basis for DEC's adoption of the UMP.

The 2013 Unit Management Plan Amendment and Draft Supplemental Environmental Impact Statement to the 2004 Unit Management Plan and Final Generic Environmental Impact Statement is available at the following locations:

Olympic Center, 2634 Main Street, Lake Placid, NY

Whiteface Mountain Ski Center, Administrative Offices, Wilmington, NY

DEC Region 5 Offices, Ray Brook, NY

Adirondack Park Agency, Ray Brook, NY

Overview of Unit Management Plan Amendment

The 2004 UMP/FGEIS set out a much needed program of modernization and improvement for WFM. Many of the targeted program modernizations and improvements have been completed, or are in progress. However, a request from Essex County, New York for the installation of a Public Safety Radio Communications System at the Little Whiteface Ski Patrol Building has required the development of an Amendment to the Whiteface Mountain Ski Center's Unit Management Plan.

The proposed Management Action, Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building) involves the redevelopment of the existing Ski Patrol Building and the installation of antenna systems for a public safety radio communication system and improved Ski Patrol Services.

ORDA is also considering other proposals requiring amendment to the Whiteface 2004 Unit Management Plan and Generic Environmental Impact Statement, specifically: construction of a Lookout Mountain emergency access road, modification and widening of the Burton's and Lower Thruway trails, and re-use of the Porcupine Lodge. Due to law enforcement's urgent need for the Public Safety Radio Communications Equipment in the Ski Patrol Building and the need for the other three proposed projects to receive additional internal review and development, ORDA has decided to immediately move forward with the Ski Patrol Building replacement as a separate UMP amendment. When the other three proposals move forward as a single subsequent UMP amendment, cumulative impacts, if any, of the four projects will then be considered. This will ensure that consideration of the environmental impacts of the four proposals in two separate amendments will be no less protective of the environment than if the four proposals were included in a single amendment. The three projects noted above which will be proposed in the future are not contingent upon the proposed Management Action, PSRCS/SP Building. The existing Little Whiteface Ski Patrol Building, which is the site for the proposed Management Action, PSRCS/SP Building, currently has an access road and is physically and functionally separate and distinct from all of the other potential management actions. Additionally, the other potential management actions are not functionally dependent on the PSRCS/SP Building.

The Management Action has been analyzed for potential impacts to both natural and human resources. These potential impacts have been reviewed for mitigation measures. Section 3 - Potential Impacts and Mitigation Measures, presents, reviews and addresses potential impacts and mitigation measures for both natural and human resources. These resources and the potential impacts and mitigation measures are summarized as follows:

Overview of Potential Impacts and Mitigation Measures

Vegetation

The construction of the Management Action PSRCS/SP Building will result in less than or equal to 0.03 acres of ground cover being impacted. No rare, threatened, or endangered species shall be impacted.

Geologic and Topographic

The construction of the Management Action has little to no potential to result in soil erosion at the project site because the geology is primarily rock. However, Best Management Practice for Erosion and Sediment Control shall be employed to ensure that any negative impacts to soil at and around the project site and on the access roads that service the project are fully mitigated.

Wetlands

Wetland resources are avoided by the proposed Management Action; therefore, there will be no impacts to such resources.

Surface Waters

Surface water resources are avoided by the proposed Management Action; therefore, there will be no impacts to such resources.

Visual Resources

The PSRCS/SP Building involves the redevelopment of the existing Ski Patrol Building. The PSRCS/SP Building's size will be slightly larger than the existing Ski Patrol Building but the PSRCS/SP Building's architectural features will be more consistent with an architecture which is visual pleasing.

Wildlife

No state or federal listed threatened or endangered species will be affected by the Management Action presented in this Amendment. The Bicknell's thrush, which is categorized as a Species of Special concern in New York State, is an important element in the management strategy at WFM. Significant efforts have been made and will continue to be made by ORDA to protect the Bicknell's thrush and its habitat.

Fish and Aquatic Life

There are no anticipated direct impacts to fish in any of the Management Actions presented in this Amendment. However, impacts from excavation and cuts to geologic and topographic resources could negatively impact fish and aquatic life, if mismanaged.

Critical Habitat – Adirondack Sub-Alpine Bird Conservation Area

The PSRCS/SP Building occurs at elevations which are delineated as an Adirondack Sub-Alpine Bird Conservation Area by the State of New York. In these areas exists the potential of a "Species of Special Concern" in New York, known as the Bicknell's thrush. While the PSRCS/SP Building will not include any cutting of vegetation which is suitable habitat for the Bicknell's thrush, it is the policy of Whiteface Mountain to include holistic mitigation measures with all activities which are within the Adirondack Sub-Alpine Bird Conservation Area.

Transportation

The traffic volumes estimated and presented in the 2004 UMP Update remain unaffected as related to the Management Actions presented in this Amendment.

Community Services

Community services such as firefighting, police rescue, emergency medical response, and health care will incur significant positive impacts under the PSRCS/SP Building.

Local Land Use Plan

The Management Actions presented in this Amendment are compatible with the Adirondack Park State Land Master Plan, particularly in that they involve the rehabilitation, modernization and expansion of facilities within an existing Intensive Use Area.

Economics

There are no economic impacts relevant to the Management Action.

Growth Inducing, Secondary and Cumulative Impacts

The Management Action is targeted at increasing visitor safety.

Overview of Alternative Solutions

In accordance with SEQRA, alternatives were developed and evaluated for the Management Action to determine if there could be reasonable and viable alternative solutions, with fewer environmental impacts. To fulfill this obligation, the Management Action was reviewed for the viability of alternative locations and alternative development parameters, and for a “No Action” alternative.

The PSRCS/SP Building’s alternative location, alternative development parameters and the “No Action” alternative solution were found not to be reasonable and viable alternative solutions.

Section 1 - Introduction

A. Facility Overview

Whiteface Mountain Ski Center (WFM) is located in the Town of Wilmington, Essex County, New York and is a New York State – owned facility. It operates under the administrative jurisdiction of the New York State Department of Environmental Conservation (DEC). WFM is managed by the Olympic Regional Development Authority (ORDA), through a Memorandum of Understanding agreement with the DEC. The facility is classified as an “Intensive Use Area” under the Adirondack Park State Land Master Plan (SLMP).

WFM operates as a downhill ski center, providing incidental year-round opportunities for public hiking, mountain biking, and summer scenic gondola rides. Whiteface Mountain derived its name from the white anorthositic bedrock exposed on the northern flank and summit of the mountain. The unique topography of Whiteface is unparalleled in the northeast ski industry, with the greatest vertical drop east of the Mississippi at 3,166 feet. The unique terrain accommodates all level of skiing abilities in this natural and scenic setting.

B. Unit Management Plan and SEQRA Regulatory Framework

WFM is unique as a designated Intensive Use Area within the Forest Preserve, which has received special authorization under Article XIV of the NYS Constitution. The planning and development process for WFM needs to honor and comply with the intent and conditions set forth under Article XIV of the NYS Constitution, and must work within the framework of the SLMP.

Section 816 of the Adirondack Park Agency Act directs the DEC to develop, in consultation with the Adirondack Park Agency (APA), Unit Management Plans (UMPs) for each unit of land under its jurisdiction classified in the SLMP. Pursuant to its enabling law and agreement with the DEC for the management of WFM, ORDA works with the DEC, under the consultation of the APA, to update and amend the WFM UMP. The most recent update occurred with the 2004 Unit Management Plan Update, which was an update to the 1996 Unit Management Plan Update, which updated and amended the original 1987 Unit Management Plan.

The preparation, review and approval of this UMP Amendment includes a Final Supplemental Environmental Impact Statement (FSEIS). The development of the FSEIS complies with Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA). As such, the FSEIS fulfills the requirements pertaining to the SEQRA process. The SEQRA Long Form is located in Appendix 1.B.

C. Overview of Unit Management Plan Amendment

ORDA is amending the WFM 2004 UMP/FSEIS. The 2004 update set out a much needed program of modernization and improvement for the facility, and many of the targeted program modernizations and improvements are either in progress or have been completed. However, a request from Essex County, New York for the installation of a Public Safety Radio Communications System at the Little Whiteface Ski Patrol Building has required the development of an Amendment to the Whiteface Mountain Ski Center’s Unit Management Plan.

The proposed Management Action, Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building) involves the redevelopment of the existing

Ski Patrol Building and the installation of antenna systems for a public safety radio communication system and improved Ski Patrol Services.

ORDA is also considering other proposals requiring amendment to the Whiteface 2004 Unit Management Plan and Generic Environmental Impact Statement, specifically: construction of a Lookout Mountain emergency access road, modification and widening of the Burton's and Lower Thruway trails, and re-use of the Porcupine Lodge. Due to law enforcement's urgent need for the Public Safety Radio Communications Equipment in the Ski Patrol Building and the need for the other three proposed projects to receive additional internal review and development, ORDA has decided to immediately move forward with the Ski Patrol Building replacement as a separate UMP amendment. When the other three proposals move forward as a single subsequent UMP amendment, cumulative impacts, if any, of the four projects will then be considered. This will ensure that consideration of the environmental impacts of the four proposals in two separate amendments will be no less protective of the environment than if the four proposals were included in a single amendment. The three projects noted above which will be proposed in the future are not contingent upon the proposed Management Action, PSRCS/SP Building. The existing Little Whiteface Ski Patrol Building, which is the site for the proposed Management Action, PSRCS/SP Building, currently has an access road and is physically and functionally separate and distinct from all of the other potential management actions. Additionally, the other potential management actions are not functionally dependent on the PSRCS/SP Building.

Exhibit 1.C – Management Action Map, identifies the location of the proposed Management Action.

D. General Description of Management Action

The proposed Management Action Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building) involves the replacement of the antiquated existing Little Whiteface Ski Patrol Building, plus the addition of components needed for a public safety radio communications system. These improvements will better ensure the safety of WFM skiers and riders while on the mountain, and during emergency evacuations.

Section 2 – Proposed Management Action

A. Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building)

1. Statement of Need

The proposed Management Action Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building) involves the replacement of the antiquated existing Little Whiteface Ski Patrol Building, plus the addition of public safety radio communications system components. These improvements will better ensure the safety of WFM skiers and riders while on the mountain and during emergency evacuations. Exhibit 2.D1.a – Public Safety Radio Communications System – Little Whiteface Ski Patrol Building - Location Map, identifies the location of the PSRCS/SP Building.

2. Background Data

The PSRCS/SP Building is considered an “appurtenance” to the ski trail system; since 1987, Article XIV of the NYS Constitution has expressly extended authority of WFM to permit the construction of “appurtenances” to ski trails (lodges, lifts, parking lots, snowmaking facilities, etc.). Also, the introduction of public safety radio communication system components requires compliance with Article 27: Adirondack Park Agency – Section 814: State Agency Projects.

The Ski Patrol Building at Little Whiteface was built in the early 1970’s. The original structure consisted of the existing building with a sheet metal roof and sheet metal siding. In the mid-1990’s, in an attempt to improve the failing aesthetics of the building, the sheet metal siding was covered with wood siding. Otherwise, the original structure has not been improved, modified, or expanded since it was first constructed approximately forty years ago. A photograph of the existing structure is presented in Exhibit 2.D2.a – Existing Structure.

3. Development Parameters

The PSRCS/SP Building will replace the existing antiquated building with a new building with design elements which reflect the natural materials of the region. The introduction of public safety radio communication system components will include equipment and antennas to support the Essex County Public Safety System and the State Police’s Law Enforcement Public Safety System.

The PSRCS/SP is classified as a group U - Utility occupancy under the Building Code of New York State. The building is separated into two sections; one section will house the Ski Patrol Station and the balance of the space shall house Essex County Public Safety System and the State Police’s Law Enforcement Public Safety System. There are currently no permanent sanitation facilities at the existing Ski Patrol Building and the group U – Utility occupancy for the new PSRCS/SP requires no permanent sanitation facilities. Sanitary facilities exist at the mid-station lodge. Such existing sanitation facilities are currently employed by the ski patrol and will continue to be available.

The PSRCS/SP Building will be constructed slightly west of the current building’s location, thereby increasing the recreational space available to visitors exiting the ski lift and gondola. This reconfiguration is illustrated in Exhibit 2.D3.a - Site Plan. The PSRCS/SP Building location is currently vacant land, and will not require the removal of any trees or other vegetation. In order to maintain the rugged character of the mountain environment, the natural terrain and

Section 3 - Potential Impacts and Mitigation Measures

A. Natural Resources

1. Vegetation

a. Impacts

The construction of the Management Action PSRCS/SP Building shall result in no tree cutting.

The construction of the Management Action PSRCS/SP Building will result in less than or equal to 0.03 acres of ground cover being impacted. No rare, threatened, or endangered species shall be impacted.

i. Clearing Regulatory Compliance

Impacts to rare, threatened or endangered species of plants are not identified to occur as a result of the proposed Action. Information provided by the New York Natural Heritage Program indicates that only one species occurs at low elevations on the Ski Center, but it is found along the West Branch of the AuSable River, remote from any proposed Action. All of the other known occurrences of such species on the Ski Center are limited to the uppermost parts of Whiteface Mountain, at an elevation above the proposed Management Action. The proposed Management Action is not closer than 1,000 feet to the location of any of the rare, threatened, or endangered species.

ii. Clearing Estimate

Clearing of vegetative ground cover will occur in areas targeted for excavation and grading. The areas that are impacted by excavation and grading which are outside of the footprint of the building will be restored. The estimated areas of impact, restoration and to receive the new building footprint is less than or equal to 0.03 acres.

b. Mitigation Measures

The following measures will be employed to mitigate the potential impacts on vegetation during the execution of the Management Action:

- Clearing or covering of vegetative ground cover will be limited to the areas of excavation and grading. All other areas will be maintained in a natural state.
- Best Management Practice shall be employed to protect vegetative ground cover within grading plan limits which need not be disturbed and outside the grading plan limits.
- Plants used in re-vegetated disturbed areas, as well as landscaping efforts, will be indigenous species.

2. Geologic and Topographic Resources

a. Impacts

Excavation and cuts to Geologic and Topographic Resources will occur during the construction of the Public Safety Radio Communications System – Little Whiteface Ski Patrol Building.

The majority of the geologic resources mapped on the mountain are shallow to very deep, coarse textured glacial till soils. Organic soils (folists) on steep uplands are generally in a complex pattern with the local deep or shallow glacial till soil. There will not be any extensive areas of folist soil impacted by the proposed Management Action.

Rock and rock outcroppings are the primary geology encountered at the location of the proposed Management Action.

Refer to Exhibit 3.A2.a - Slope Erodibility Map, and Exhibit 3.A2.b – Soils Map, for complete and comprehensive mapping of the Geologic and Topographic Resource areas.

b. Mitigation Measures

The following measures will be employed to mitigate the potential impacts to Geologic and Topographic Resources during the execution of the Management Action:

i. Construction Stormwater Pollution Prevention Planning and Administration

Pursuant to Section 402 of the Clean Water Act (“CWA”), stormwater discharges from certain construction activities are unlawful unless they are authorized by a National Pollutant Discharge Elimination System (“NPDES”) permit or by a state permit program. New York’s State Pollutant Discharge Elimination System (“SPDES”) is a NPDES-approved program with permits issued in accordance with the Environmental Conservation Law (“ECL”). This general permit (“permit”) is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An owner or operator may obtain coverage under this permit by submitting a Notice of Intent (“NOI”) to the Department. An owner or operator of a construction activity that is eligible for coverage under this permit must obtain coverage prior to the commencement of construction activity. Activities that fit the definition of “construction activity”, as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a point source and therefore, pursuant to Article 17-0505 of the ECL, the owner or operator must have coverage under a SPDES permit prior to commencing construction activity. They cannot wait until there is an actual discharge from the construction site to obtain permit coverage.

The New York State, State Pollutant Discharge Elimination Systems-General Permit (SPDES-GP) for Stormwater Discharges from Construction Activity – GP-0-10-001, governs construction activities involving soil disturbance of one or more acres, including disturbance of less than one acre that is part of a larger common plan of development or scale that will ultimately disturb one or more acres of land. Excluded is routine maintenance activity that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility. The construction activities involved for the Management Action, Public Safety Radio Communications System – Little Whiteface Ski Patrol Building does not meet the thresholds for a SPDES-GP. However, as part of WFM’s holistic approach to Construction Stormwater Pollution Prevention Planning, Best Management Practices shall be employed regardless if a construction project requires a SPDES-GP.

iii. Rock Cuts and Removal

Mitigation measures for impacts to rock and rock outcroppings (rock) include avoiding rock by adjusting the routing of liner construction (trails and roads), when possible, and adjusting the design topography to go over the rock, if possible. In the case of vertical construction (buildings and structures), where alternate routing is not an option because of the location of existing structures which are being expanded, or in the case when the vertical construction site has mandatory location requirements, the foundation system will be reviewed for the possibility of pinning the foundation to the rock in order to avoid excavation to the frost line. When these aforementioned mitigation measures can not be accomplished, rock will be excavated and cut to the minimum limits possible. The excavated rock, known as shot-rock, (shot-rock is rock which has been broken into smaller pieces via mechanical or non-mechanical means) will be recycled at WFM for use in Best Management Practices for Stormwater Pollution and Prevention Planning such as stone lined ditches and rip rap for culvert inlets and outlets.

Removal of rock via non-mechanical means will be done with expansive grout when practical. Expansive grout is delivered into the rock through holes drilled by rock-drills and then is poured into the rock in a plastic state. As the expansive grout sets, it expands and applies 7,000 tons of expansive stress to the rock, causing it to crack into manageable sizes. The process is limited to $\frac{3}{4}$ of the distance of the rock-drill length, and requires a tighter pattern of drill holes than rock blasting.

Rock blasting will be employed in instances where mechanical and other non-mechanical means are not practical. All of the potential impacts from blasting will be mitigated through proper blast design and best management practices. If it is determined that blasting will be required, a written blasting plan will be developed prior to the commencement of blasting. In general, the blast plan will contain information about the blasting methods to be employed, measures to be taken to protect the safety of the public, and how the applicable rules and regulations will be administered. If, during the project, there are significant changes in the blast design, then a new blast plan will be required.

3. Wetlands

To the greatest extent possible, impacts to wetlands in the Whiteface Mountain Ski Center Intensive Use Area are avoided in the planning and design of the proposed additions and expansions of facilities. Management Actions are typically targeted upland. Exhibit 3.A3.a – Wetlands Map, provides mapping of all currently located wetlands at WFM. Since this proposed Management Action is not in the vicinity of the wetlands identified in Exhibit 3.A3.a, no further delineation is required.

4. Surface Waters

Surface water resources are avoided by the proposed Management Action; therefore, there will be no impacts to such resources.

5. Visual Resources

Pursuant to the issuance of an amendment to the Unit Management Plan, an analysis of the potential impacts to visual resources from the proposed Management Action has been prepared in accordance with NYSDEC Program Policy DEP-00-2 "Assessing and Mitigating Visual

Impacts” (NYSDEC, 2000). This analysis characterizes the visual and aesthetic resources of the area surrounding WFM and the visibility and visual character of the proposed Management Action, identifies the individuals and groups that may be affected by the Action, evaluates the impact of the Management Action on those resources, and recommends mitigation measures if necessary.

The visual assessment process includes the following components:

- Develop an inventory of local and regional significant aesthetic resources and describe the existing visual/aesthetic character of the landscape
- Characterize viewer groups
- Evaluate Management Action visibility using viewshed mapping
- Determine significance of the visual and aesthetic impact by evaluating Management Actions consistency/contrast with existing landscape components and effect on user groups
- Evaluate mitigation measures as suggested by DEC Policy

NYSDEC Guidance notes that a 5 mile radius provides a “safe” visual assessment study area, but also notes that greater distances should also be considered. This assessment provides an evaluation of visibility as far as 25 miles from WFM for specific resources, particularly those located on the east side of WFM. The view toward this side of Whiteface Mountain is where the Management Action is located. The assessment also provides an assessment of specific resources and general visual impacts within 5 miles of WFM.

a. Existing Conditions

i. WFM Manmade Development

WFM has been a downhill ski center since 1958. WFM rests on the northeast side of Little Whiteface Mountain, the east side of Whiteface Mountain, and the southeast side of Marble Mountain. WFM has 75 ski trails which total approximately 23 miles and covers approximately 260 acres, 11 ski lifts including one gondola and a high speed detachable quad lift, and several service roads. There are three separate lodges: Base Lodge, Mid-Station Lodge, and the Kids Kampus Lodge Complex. Additionally, there is a NYSEF Lodge, a maintenance complex, and the Town of Wilmington Water Storage Tank complex. On the top of Whiteface Mountain, but outside the limits of the WFM Intensive Use Area Unit, are the Whiteface Mountain Veterans Memorial Highway facilities. These include the Round House and the Castle, as well as the Highway itself that is approximately 5 miles long, rising 2,300 feet in elevation, as it climbs the northwest side of Whiteface Mountain.

ii. Visual Setting of the Existing Landscape

Whiteface Mountain is located in a setting dominated by the scenic quality and character of the natural environment. According to the SLMP, this State-owned land functions to preserve the unique ecologic, geologic, scenic and historic features of the area. In addition, all development has been restricted to comply with the relatively wild and undeveloped character of the Adirondack Park.

The character of the existing landscape varies somewhat within the 5 mile assessment area around WFM, but, overall, is best characterized as being a mountainous and heavily forested area. Existing roads play a large part in the variety and sequence of views in the area. NYS Route 86 is the major roadway within the study area running northeast from Lake Placid to Wilmington where it turns in a more easterly direction toward Jay. This section of NYS Route 86 is also a part of the larger Olympic Trail Scenic Byway, a 170 mile route that extends from Lake Champlain to Lake Ontario. In the western portion of the study

area, NYS Route 86 follows the valley of the West Branch AuSable River, a fairly narrow valley that runs through Forest Preserve lands. Views are of wooded lands and the nearby river. Northeast of WFM, the character of the viewshed becomes more developed with some residential development and tourist-related commercial establishments, becoming more concentrated when traveling into and through the hamlet of Wilmington. Traveling out of Wilmington toward Jay, the visual character of the corridor is somewhat less mountainous, development is primarily low density residential, and views also include some vestiges of agricultural lands. Traveling west toward Wilmington from Jay, there are locations that have outstanding views of Whiteface Mountain and the Sentinel Range.

Other major roads in the study area include Springfield Road that connects Upper Jay and Wilmington, and Fox Farm Road that connects Springfield Road and NYS Route 86 near WFM. The visual character along these roads is a mix of wooded and residential, with residential development being denser near the hamlets. There are views into Whiteface Mountain and WFM along both of these roads.

Other lands in the study area to the east of WFM are Forest Preserve lands in the Sentinel Range Wilderness Area. The character of the views from within this area is wooded with no long range views present along any of the hiking trails in the area. However, Stewart Mountain has a hiking trail with a peak less than three miles from WFM. One hiking website describes Stewart Mountain as “a veritable medieval fortress of impenetrable boreal conifer thickets near the top”.

iii. Viewer Groups

The following are the user groups identified as occurring in the study area:

- Permanent Residents and Commercial Establishments
- Seasonal Residents
- Other Residents of the Adirondack Park
- Tourists
 - Commercially oriented – commercial recreation, amusement and scenic areas
 - Skiers
 - Outdoor Enthusiasts – hikers, anglers, cross-country skiers, etc.

Since perceptions of visual quality are highly subjective and dependent on many variables, it is likely that perceptions will vary among different user groups, and possibly within individual user groups.

Recreation and tourism is the most significant economic factor in the Town of Wilmington. This factor probably causes a passive or positive attitude toward the visual aspect of WFM.

Seasonal residents are a significant component of the population of the Town of Wilmington. Reactions of seasonal residents to changes in views associated with WFM can vary from very negative (if a second homeowner built their home to “get away from it all”) to very positive (if a second homeowner chose to locate in Wilmington because of the presence of recreational opportunities, including WFM).

The diversity of residents in the Park precludes making any absolute statements of their aesthetic attitudes. Reaction to the visual aspects of WFM can vary from extremely negative to quite positive. Even the individual’s attitude can change depending on the context of observation.

Commercially-oriented tourists are attracted to commercial recreation, amusement and scenic areas to which there is easy access and which provide family entertainment. Local establishments meeting these requirements include Santa's Workshop, High Falls Gorge, Whiteface Mountain Veterans Memorial Highway and WFM, including its off-season gondola rides. It would be fairly safe to assume that changes in the visual context at WFM will not offend the aesthetic sensitivities of the average tourist who enters the area willingly and purposefully.

The reaction of downhill skiers to visual changes at WFM will be positive.

Outdoor enthusiasts as a group will probably have a negative reaction to increased visibility of manmade activities in a natural setting. The degree of reaction will vary according to the strength of the visual stimulus, dependent on angle, distance and / or the surrounding landscape (topography and vegetation).

iv. Visibility

Whiteface Mountain is a distinctive landform located in the relatively remote northeastern portion of the Adirondack Park. WFM is located on a portion of the eastern slopes of Whiteface Mountain. Due to the surrounding area's topography and largely forested character, views into Whiteface Mountain occur only at limited locations in the surrounding area, and views into WFM occur at even fewer locations. The limited views into WFM from surrounding areas occur mainly on some nearby State and local roads. Generally speaking, views into WFM from hiking trails in the Forest Preserve are blocked by vegetation and topography.

Whiteface Mountain, as a landform, is distinctive and visible from locations some distance away. The mountain has a somewhat distinctive shape in the context of its surroundings; the exposed anthracite bedrock on a number of its faces combine with its shape to make the mountain relatively easy to identify when viewed from a distance. Examples of such distant views are from the Big Tupper Ski Area in Tupper Lake and from the former Loon Lake golf course in the Town of Franklin. When viewed from these distant locations the mountain is a small portion of the view, and, other than the slides on the Lake Placid, or southwesterly, face of the mountain, no specific land features are evident. This is to be expected, because the ability to discern landscape and manmade feature detail decreases with distance.

WFM occupies only a portion of the eastern face of Whiteface Mountain, so WFM's visibility is much less than Whiteface Mountain's. Generally speaking, lands to the northeast and west of WFM have no potential for views into any part of the ski area.

This assessment analyzes the potential visual impacts of the specific Management Action that is proposed for a very small specific location within the already developed landscape context that is WFM. The very limited nature of this Management Action reduces its potential for being visible well below the potential visibility of WFM as a whole.

b. Inventory of Aesthetic Resources

i. Overview

An inventory of aesthetic resources was developed using a multi-step study process. Locations of visual resources were documented within a 25 mile radius, as described in the NYS Visual Assessment Policy. Refer to Exhibit 3.A5.a – WFM 2012 25 Mile Aesthetic

Resources Inventory Area, and Exhibit 3.A5.b – Inventory of Aesthetic Resources, for detailed information.

A total of 116 National or State Historic Register resources, one State Park resource, 53 Forest Preserve resources, one State/National Wildlife Refuges/Area resource, one National Natural Landmark resource, 16 Wild, Scenic, Recreational Rivers resources, eight Designated or Eligible Scenic Area resources, and 13 Adirondack Park Scenic Vista resources were identified within the 25 mile radius area.

iii. Considerations - Aesthetic Resources outside 5 mile radius but within 25 mile radius
As previously stated, NYSDEC Guidance notes that a 5 mile radius provides a “safe” visual assessment study area, but also notes that greater distances should also be considered. Given the importance of the Adirondack Park’s Scenic Vistas, this Visual Assessment included consideration of this Aesthetic Resource, which may be impacted by actions at WFM.

Exhibit 3.A5.c – WFM 5 Mile Visual & 25 Mile Aesthetic Resources Inventory Area Map, identifies three Aesthetic Resources located outside the 5 mile radius but within the 25 mile radius that were identified for study and review because of their Adirondack Park Scenic Vista resource status. These are Adirondack Park Scenic Vista #16 - NYS Route 86 traveling east out of Lake Placid; Adirondack Park Scenic Vista #23 - Heart Lake Road, North Elba; and Adirondack Park Scenic Vista #24 – NYS Route 73 and 9N, Keene. Only Vista #23 has views of WFM and the areas of the Management Action, but the distance between this location and WFM, and the minor nature of the Management Action, allows that this Management Action would not be discernible from this location. For the other two scenic vistas, views from these locations are not in the direction of WFM.

iv. Future Visual Resources without Management Action
On clear days, WFM is visible from scattered vantage points along NYS Route 86 beginning near Bassett Mountain and ending by High Falls Gorge. WFM’s lifts, ski trails, and supporting facilities are most visible from NYS Route 86 near the WFM entrance road. Views west of High Falls Gorge on NYS Route 86 begin to quickly diminish as vegetation dominates views from the roadway. Visibility to WFM east on NYS Route 86, however, is scattered due to vegetation and topography until it reaches the final vantage point at the former Paleface Mountain Ski Center located near Bassett Mountain. East of this point, visibility diminishes altogether.

From the West Branch AuSable River Bridge in Wilmington, which is on the Historic Register (Aesthetic Resource), only the upper part of Whiteface Mountain is visible and WFM is not. Similarly, Scenic Vista #13, located in the 5-mile study area on County Route 19 north of the main intersection in Wilmington, has views into upper Whiteface Mountain, but not WFM.

The upper section of Fairview Terrace, on Quaker Mountain, provides the most prominent vantage point to WFM. Although the mountain can be viewed from as far south as Route 73 near the Heart Lake Road, no ski facilities, lifts or trails are visible. This is also the situation to the west of Whiteface Mountain.

The Veterans Memorial Highway’s Round House and Castle facilities can be seen as far away as Route 3 near the Norman Ridge Road in Franklin County. However, none of the ski center facilities are viewable, as they are on the opposite side of the mountain.

Exhibit 3.A5.d – 5 Mile Zone of Potential Visibility, identifies the areas within the 5 mile radius where there are potential for views of WFM. Exhibit 3.A5.e – Photo Location Map & Viewshed Photos, documents the views toward WFM from within the “Areas of Potential Visibility”. Table 3A.1 lists those photographed locations where views into Whiteface Mountain and/or WFM occur.

Table 3A.1

Photo	Location	Looking Toward	View Into
1	Route 86 at former Paleface Ski Center near Basset Mountain	Southwest	Whiteface Mountain & WFM
2	Route 86 near Beaver Brook	Southwest	Whiteface Mountain & WFM
3	Route 86 of west branch of AuSable River Bridge (Wilmington Bridge)	South	Whiteface Mountain
4	Fairview Ave on Quaker Mountain	Southwest	Whiteface Mountain & WFM
5	Fox Farm Road	West	Whiteface Mountain & WFM
6	Route 86 at WFM Entrance	West	Whiteface Mountain & WFM
7	Route 86 south of Monument Falls	North	Whiteface Mountain
8	River Road by Lake Placid Skeet Range	North	Whiteface Mountain
9	Route 73 Lake Placid Horse Show Grounds	North	Whiteface Mountain
10	Copperas Pond	North	Neither
11	Whiteface Mountain Veterans Memorial Highway Historic Register Site	East	Whiteface Mountain & WFM

c. Potential Impacts to Visual Resources

Assessing the visibility of the Management Action requires the determination of the extent of the area where the Management Action may be visible. This is best demonstrated with Zone of Visual Impact maps produced from digital elevation modeling, also known as digital terrain modeling. In addition, the demonstration of the Management Action, or portions thereof, are visible and what it will look like from representative locations is provided through photo simulations. This assessment of visual resources was conducted through the use of digital information review, field investigation, photography, and computer simulation from a nearby aesthetic resource.

i. Management Action Description

The Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building) involves the replacement of the existing Ski Patrol Building with a new building with design elements which reflect the natural materials of the region, and installation of a public safety radio communication system. These improvements will improve Ski Patrol Services and improve the health, safety and general welfare of visitors to WFM, the region, and the community.

ii. Zone of Visual Influence (ZVI)

Exhibit 3.A5.f – Visual Assessment Management Action Map, identifies the location of the Management Action at the WFM facility. Using the Management Action location as a target point (control point), digital terrain modeling was utilized to create ZVI mapping. A single target point was used at the PSRCS/SP Building.

Throughout the region, most locations do not have a view of WFM because of topography and vegetation. Based on topography and vegetation cover on WFM and in the study area used in the digital elevation modeling, 99.5% of the region within 25 miles of the site will not have any potential for views of the proposed Management Action, and 98.3% of the region within 5 miles will not have any potential for views of the proposed Management Action.

In Exhibit 3.A5.d - 5 Mile Zone of Potential Visibility, yellow signifies those areas where the Management Action could be visible when only topography is taken into consideration. Red signifies those areas where the Management Action could be visible when both topography and vegetation are considered. Forest tree height of forty feet was used for the modeling that produced the potential visibility mapping.

Potential visibility does not necessarily translate directly into potential impacts. For example, the modeling shows that there is potential for views from much of the lake surface on Lake Placid. Views from the lake will be in the direction of PSRCS/SP Building. While there is potential for a view into this part of WFM, the change in view will not be discernible, as described in the following section.

Likewise, the potential visibility mapping shows potential for views to the Management Action from a fairly large area in the Town of Peru, nearly 25 miles distant. While Whiteface Mountain may indeed be visible from these locations under optimum visibility conditions, there is no way that a small building at WFM could be discernible at a distance of 25 miles.

iii. Evaluation of Visibility Within 5 Mile Visual Assessment Study Area

Evaluating the map of aesthetic resources with overlaid ZVI mapping, resources that potentially had views of the Management Action were identified. This is described in the following sections.

d. Public Safety Radio Communications System – Little Whiteface Ski Patrol Building

i. Impacts

The potential visual impacts for the PSRCS/SP Building include two whip antennas on the roof and the new architectural feature, the cupola, within which will be concealed two microwave antennas and one corner reflector antenna.

This Management Action is located beyond and downhill of the top lift terminal of the Cloudsplitter Gondola, starting down the “back side” of Little Whiteface. The existing ski patrol building is not visible in any of the photos in Exhibit 3.A5.e – Viewshed Photos.

The potential visual impact for this Management Action will be negligible. Each whip antenna is narrow. The whip antenna on the cupola only extends 19.8 feet above the cupola, and the whip antenna on the roof only extends 13.8 feet above the roof. The cupola will be a minor architectural addition to the building which has existed in the viewshed for approximately forty years. It will not increase viewpoints from which the existing building is

already visible, but it will improve the aesthetics of the building from existing viewpoints. In this regard, any potential visual impact arising from the building replacement will be positive.

ii. Mitigation Measures

No significant adverse impacts have been identified, so no mitigation measures are necessary.

6. Wildlife

a. Impacts

The development of the PSRCS/SP Building will involve short-term construction activity in an area which is subject to intensive use during the winter, summer and fall seasons. Additionally, the location of this Management Action is within the elevations which define the Adirondack Sub-Alpine Bird Conservation Area. These potential impacts are discussed in subpart A8, Critical Habitat - Adirondack Sub-Alpine Bird Conservation Area, of this section.

b. Mitigation Measures

The following measures will be employed to mitigate the potential impacts on Wildlife during the execution of the Management Action:

The construction activities for the PSRCS/SP Building will mitigate the noises from construction activities, which may disturb wildlife, by avoiding unnecessary idling of earthwork equipment and other heavy construction equipment. Noise generated by earthwork equipment will be considered in the selection of the most appropriate equipment to avoid disturbance. Exhibit 3.A6.a – Equipment Noise Level Controls, identifies the parameters targeted for equipment use at WFM. In addition to the controls on equipment, the selection of the most appropriate earthwork operations will be employed, as discussed in subpart A2, Geologic and Topographic Resources, of this section.

7. Fish and Aquatic Life

a. Impacts

There are no anticipated direct impacts to fish in any of the Management Action presented in this UMP Amendment. However, impacts from excavation and cuts, related to Geologic and Topographic Resources, could negatively impact Fish and Aquatic Life if mismanaged.

b. Mitigation Measures

The mitigation measures discussed in subpart A4 Geologic and Topographic Resources, of this section cite requirements for managing Geologic Resources. The practices presented for the management of these resources will ensure the mitigation of negative impacts to Fish and Aquatic Life related to said resources.

8. Critical Habitat – Adirondack Sub-Alpine Bird Conservation Area

Areas at the Whiteface Ski Center are identified by the State of New York as Adirondack Sub-Alpine Bird Conservation Areas. A “Species of Special Concern” in New York, Bicknell’s thrush, is known to inhabit areas of Whiteface. These two conditions motivated Whiteface to develop procedures and standards for mitigating impacts to Bicknell’s thrush habitat. This section discusses the potential impacts and mitigation measures of the proposed Management Action which may affect Bicknell’s thrush habitat.

a. Impacts

The Management Action, Public Safety Radio Communications System – Little Whiteface Ski Patrol Building, occurs at an elevation which may contain habitat conducive for Bicknell's thrush.

Among Neotropical migrant birds in the northeastern United States, Bicknell's thrush (*Catharus bicknelli*) is ranked as the species most at risk of extinction, and thus of highest conservation priority (Pashley et al. 2000, Rimmer et al. 2001a, 2001b). Bicknell's thrush is also one of the least-known breeding species of eastern North America, a fact that has precluded its formal consideration for federal endangered or threatened status. At both ends of its migratory range, the species occupies a restricted, highly fragmented distribution and faces multiple habitat threats. One identified threat in the northeastern US breeding range of Bicknell's thrush is habitat loss and fragmentation from ski area development. Despite numerous ski area expansion projects in New England and New York during the past decade, no systematic evaluation of the effects of ski area development on Bicknell's thrush had been conducted until ORDA/Whiteface commissioned the Vermont Institute of Natural Science to perform an evaluation and provide recommendations.

b. Mitigation Measures

i. Introduction to Bicknell's Thrush Mitigation Measures

A careful assessment of existing information was performed to guide future ski area development in the region and to direct planning for site-specific and project-specific mitigation measures. Whiteface Mountain partnered with the Vermont Institute of Natural Science (VINS), the Wildlife Conservation Society (WCS), and the DEC to apply ecological data obtained from two ski centers in Vermont to develop mitigation measures for ski trail construction on Whiteface Mountain. In addition to the application of these mitigation measures, Whiteface commissioned WCS to perform an on-site survey for the presence or absence of the species at a number of control points at the ski center. The WCS, in administration of the WCS's Adirondack Communities and Conservation Program, has performed four seasons of Short Term Monitoring. Three seasons of the monitoring were done during the pre-construction phase (2004, 2005 and 2006), and one season of the monitoring was done post-construction (2008). Preliminary findings show no statistically significant effect of ski trails on the presence of Bicknell's thrush, although WCS cautions that sample sizes are small due to the nesting behavior of Bicknell's thrush.

ii. Holistic Bicknell's Thrush Mitigation Measures for WFM Adirondack Sub-Alpine Bird Conservation Areas

The primary resource for the development of the mitigation measures for trail construction above 2,800 feet is the VINS report titled, "Evaluating the Use of Vermont Ski Areas by Bicknell's Thrush: Applications for Whiteface Mountain, New York" (BTAWM). The Executive Summary of the BTAWM states that there was "*no evidence that nest predation rates differed between ski area and natural forest plots, or that nests in either plot type were more likely to be depredated*", and that "*we (VINS) found no significant differences in adult survivorship, nest success, or breeding productivity of Bicknell's Thrushes between ski areas and natural forests.*" These findings provide clear evidence that development of ski trails on Whiteface Mountain can continue in partnership with sound environmental stewardship. The BTAWM includes recommendations for minimization of project impacts, recommendations for post-construction habitat maintenance, recommendations for project mitigation, recommendations for population monitoring, and introduces suggestions for opportunities for conservation education. The design and construction practices presented in the BTAWM have been embraced by WFM and are the basis of the mitigation strategy for

the Management Action presented here within. Additionally, non-site specific efforts are included in the presentation of the mitigation measures to ensure a holistic presentation and description of Bicknell's thrush mitigation measures and program is communicated within this document.

iii. Construction Mitigation Measures

- Timing of Construction Activities
 - Tree cutting operations above 2,800 feet in terrain identified as suitable Bicknell's thrush habitat shall be prohibited between the dates of 15 May and 01 August.
 - Other construction activities above 2800 feet in terrain identified as suitable Bicknell's thrush habitat shall be reviewed for potential impact between the dates of 15 May and 01 August. Activities that may cause negative impact to Bicknell's thrush will be scheduled for other times.
- Avoid Construction within Suitable Bicknell's Thrush Habitat
 - During the planning phase for new construction, great sensitivity will be applied to avoid suitable habitat for Bicknell's thrush. These areas include west-facing slopes, ridgelines, fir waves and areas adjacent to fir waves that have been explored in the field with DEC staff and WCS staff. While it is impossible to completely avoid all the above referenced areas and develop a ski trail system and their support systems, all attempts have been made in the layout of the proposed Management Action to minimize negative impacts.

iv. Habitat Maintenance Measures

- Vegetation Management
 - Since the implementation of the Bicknell's Thrush Habitat Management Plan and Development Standards in 2007, ski trail vegetation management has included the feathering of trail edges. This technique is targeted at developing a space between the ski trail and trees greater than five meters to include woody vegetation of heights of 0.5-2 meters or more.
 - The technique of feathering of trail edges was originally identified for ski trails, however, this vegetation management technique shall now include all liner construction, such as service and access roads.
 - Regeneration cuts to keep the spruce-fir feathered edge as a dense thicket are performed as infrequently as possible to maximize Bicknell's thrush habitat availability and continuity.
- Glade Management
 - Cleared vegetation on existing Glade trails is not being expanded beyond the current limits, and existing Glade trails will be kept as narrow as possible.
 - Remaining patches of understory are being left in place when possible, and altered only minimally as required.
 - Annual maintenance will ensure that some young saplings are retained in order to allow continual recruitment for older trees.
 - Efforts to prevent all unauthorized Glade trail establishment and maintenance, or unauthorized habitat alteration, are ongoing.
- Timing of Vegetation Management
 - Vegetation management in areas of Bicknell's thrush breeding habitat is performed after 01 August.
- Bicknell's Thrush Habitat Management Plan
 - Trail areas that are appropriate for Bicknell's thrush habitat will be maintained by WFM staff.

- A Bicknell's Thrush Habitat Management Plan and Development Standards has been developed and incorporated into the "Whiteface Mountain Trails and Slopes Handbook for Summer Operations. Refer to Appendix 3.A8.a - Whiteface Mountain Trails and Slopes Handbook Summer Operations.

iv. General Mitigation Measures

- Mapping of Bicknell Thrush Habitat
 - Habitat for Bicknell's thrush is inherently patchy and dynamic. Because Bicknell's thrush respond to natural disturbances that are sometimes ephemeral in nature, it is difficult to accurately predict whether or not Bicknell's thrush will occupy a given area. Field monitoring by the WCS has allowed for a better understanding of occupied habitat. The WCS has provided census points from their survey work and these points are incorporated into the Post-Construction Gross Vegetation Survey program.
- No Net Loss Mitigation
 - No net loss of Bicknell's thrush habitat will be addressed by the creation of potential new habitat during the construction of new trail systems. Trail edges will be opened up and/or feathered to allow suitable habitat to grow. The planting of balsam fir seedlings will be targeted in areas that have potential for creating habitat.
 - Ski lift openings will be included in the Bicknell's Thrush Habitat Management Plan. Edges will be feathered to develop new habitat when allowed by NYS Department of Labor ski trail construction regulations.
 - Passive re-vegetation through natural succession will be embraced on existing trails that become obsolete. This process has begun at Trail #52 "Yellow Brick Road" which is at an elevation above 3,650 feet and has an area of 0.1 acres.
 - Restoration and new trail construction will include planting of balsam fir seedlings and saplings.
- Protection of Mitigation Sites
 - Through the use of barriers, sites which have been selected for forest regeneration are protected from skier traffic and accidental passes by mechanized equipment.
 - Protection barriers include signage which reads "NOTICE: All Maintenance and Construction above 2800' are Subject to Strict Guidelines – Consult with Whiteface Management or Trails Department Before Proceeding".
- Habitat Development Standards
 - The Bicknell's Thrush Habitat Management Plan and Development Standards has been developed and incorporated into the Whiteface Mountain Trails and Slopes Handbook for Summer Operations, included as Appendix 3.A8.a.
- Hispaniola Wintering Grounds
 - ORDA has and will continue to support our partners in the efforts to bring public sensitivity and awareness to the challenges facing the Bicknell's thrush on the island of Hispaniola.
 - ORDA will provide opportunities to non-for-profit groups to host informational and fund-raising events at ORDA venues.
 - In its conservation education programs, ORDA will continue to work to include information on the Bicknell's thrush wintering grounds on Hispaniola. Examples of this include the following:
 - Interpretative kiosks to promote conservation of Bicknell's thrush habitat have been placed at the Main Lodge, Kids Kampus, and at the Veterans Memorial Highway.
 - Public awareness posters have been included in the Gondola Wildlife Post Program.

- Informational brochures titled “*Whiteface Wildlife*” are being developed to include information on the challenges to the Hispaniola wintering grounds.
 - Whiteface is engaged with the Natural History Museum of the Adirondacks, aka, The Wild Center for the implementation in 2013 an informational systems along the Whiteface Mountain Veterans Memorial Highway. Distinct language regarding efforts Whiteface utilizes to minimize impacts on the nesting locations of the Bicknell’s Thrush will be highlighted.
- In its commitment to work with groups to develop a mitigation fund for Bicknell’s thrush wintering habitat on Hispaniola, ORDA has worked as a supporting partner for the development of “The Bicknell’s Thrush Habitat Protection Fund”. This is a Joint Project of the Adirondack Council, Adirondack Chapter of The Nature Conservancy, Vermont Center for Ecostudies, Audubon New York, and the Wildlife Conservation Society. The Fund, which is administered by the Adirondack Community Trust, announced on 22 October 2012 a grant award to Grupo Jaragua, whose biologists will study the thrush in forested mountains on the Dominican Republic’s border with Haiti. ORDA will continue to work as a supporting partner, with its ongoing commitment to collect donations from visitors to ORDA facilities via drop-boxes.
 - As part of Whiteface Mountain’s ongoing efforts to study and understand the habitat of the Bicknell’s Thrush on the mountain as well as at its wintering grounds in Hispaniola, ORDA will organize several new initiatives to assist this process. ORDA through its concession contract has several retail outlets both at WFM and in Lake Placid. A Bicknell’s logo will be created and used on shirts, hats, pins and other items with a portion of the proceeds going to the Adirondack Trust to help with the mitigation fund as well as a fund assisting with ongoing research on Whiteface Mountain. Whiteface will incorporate the logo where appropriate on staff uniforms and printed materials. The staff will receive continuing education as to the challenges faced by the Bicknell’s Thrush so that they can speak with knowledge and authority to our visitors. Additionally, research is under way to potentially find ways to incorporate the message within the ORDA Museum programs, further educating the general public on this songbird and the challenges it faces.

v. *Population Monitoring Measures*

● Short Term Monitoring

A short term monitoring program was performed by WCS in 2004, 2005 and 2006. These three years of pre-construction monitoring allowed for a baseline that was used for the remaining short term monitoring and long term monitoring. The intent of the short term program was to obtain as many seasons of data collection as possible, before disturbance to the area targeted for ski trail development. Appendix 3.A8.b includes the WCS’ 2004, 2005, 2006 and 2008 End of Season Reports: Use of Whiteface Mountain by Bicknell’s Thrush and other Montane Forest Bird Species.

The observations from the conclusion of the Short Term monitoring are; “*the results [monitoring data] suggest that the trails had no discernible impact on boreal species [Swainson’s Thrush, Bicknell’s Thrush, Blackpoll Warbler] and may have had a positive effect on the other two [White-Throated Sparrow, Winter Wren].*” (*Wildlife Conservation Society Adirondack Program, Science from the Field, 2000-2010, Ski Development and Mountain Birds, pg 22-23.*) ORDA will continue to review the observations from WCS as part of the Population Monitoring Program. If any discernible impacts are noticed, ORDA will review these with their environmental stakeholders and discuss other mitigation strategies.

- Long Term Monitoring
ORDA will engage in a Long Term Monitoring program with a schedule which is consistent to the Gross Vegetation Survey of every five (5) years. Coordination of these two (2) programs will help provide comparisons with habitat development and population. ORDA will work in cooperation with independent environmental specialists in the monitoring, data collection and reporting of findings. If any discernible impacts are noticed, ORDA will review these with their environmental stakeholders and discuss other mitigation strategies.

vi. *Opportunities for Conservation Education Measures*

- Development of Informational Displays
WFM has developed informational displays to educate visitors about the Bicknell's thrush and other montane forest bird species. Displays are currently located at the WFM Base Lodge, Kids Kampus, and the Whiteface Memorial Highway Roundhouse.
- Public Programs
The Whiteface Wildlife program was started in 2003 and provides visitors a brochure detailing wildlife, which includes the Bicknell's thrush, on WFM.
- Summer Field Trips
WFM has expanded its weekly nature walks to a daily nature walk program for the summer operating season.
- Development of Booklets and Brochures Summarizing the Ecology of WFM
A web page has been added to the WFM and ORDA web sites. The page details the Whiteface Wildlife program.

vii. *Management Action Specific Mitigation Measures*

- Public Safety Radio Communications System – Little Whiteface Ski Patrol Building
Work on the PSRCS/SP Building is anticipated to have no specific impact to Bicknell's thrush habitat. No tree cutting will occur, and access to the project location will be via existing trails and the gondola. However, sensitivity to the paths of access which may have Bicknell's nesting in the vicinity must be applied, as presented in Section 8b, Construction Mitigation Measures, of this section. Additionally, the conditions of APA Project Order and Findings 2012, dated 18 December 2012, are conditions of the APA approval for the radio communication system components as required for compliance with Article 27: Adirondack Park Agency – Section 814: State Agency Projects, the conditions are as follows:

“9. This condition applies to Gore Mountain, Blue Mountain, Little Whiteface Mountain, and Mount Morris (those project sites which are at an elevation exceeding 2,800 feet) : Unless an independent environmental specialist approved in advance by the Agency in consultation with Department of Environmental Conservation concludes in a written report that activities proposed will not have an impact on the Bicknell Thrush's breeding and/or nesting season, the use of heavy machinery, gas powered generators, air compressors, and pneumatic tools shall be prohibited from may 15 until August 1.”

In addition to the above the control of noise from equipment used to transport and construct the building will need to comply with Exhibit 3.A6.a – Equipment Noise Level Controls.

B. Human Resources

The Public Safety Radio Communications System – Little Whiteface Ski Patrol Building will improve public safety radio communications at Whiteface and in the area, thereby increasing visitor and community safety consistent with actions approved in past UMP Updates and Amendments.

1. Transportation

a. Impacts

The traffic volumes estimated and presented in the 2004 UMP Update remain unaffected as related to the proposed action items in this Amendment.

b. Mitigation Measures

The mitigation measures as presented in the 2004 UMP Update remain as presented.

2. Community Services

a. Impacts

Community services such as firefighting, police rescue, emergency medical response and health care will incur significant positive impact under the proposed Management Action. The PSRCS/SP Building will increase the effectiveness of firefighting, police, rescue, emergency medical response and health care by increasing reliable communications.

b. Mitigation Measures

No mitigation measures are planned.

3. Local Land Use Plan

a. Impacts

The actions presented in this Amendment are compatible with the Adirondack Park State Land Master Plan (SLMP), particularly in that they involve the rehabilitation, modernization and expansion of facilities within an existing Intensive Use Area. Directives of the SLMP include avoiding alteration of wetlands, minimizing topographic alterations and limiting clearing of vegetation.

b. Mitigation Measures

The vegetation clearing aspects of the proposed Management Action are compatible with the SLMP, no additional mitigation measures are proposed.

4. Economics

There are no economic impacts relevant to the Management Action.

5. Growth Inducing, Secondary and Cumulative Impacts

a. Impacts

The proposed Management Action is targeted at increasing visitor safety. Changes and impacts to lodging, housing, restaurant, and retail sectors presented in the 2004 UMP/FEIS remain unaffected as they relate to the Actions in this Amendment.

b. Mitigation Measures

The mitigation measures as presented in the 2004 UMP Update remain as presented.

Section 4 – Unavoidable Adverse Environmental Impacts

Some of the potential environmental impacts of the proposed Management Action can be neither prevented nor reasonably avoided. This section describes the unavoidable impacts that may occur as a result of the implementation of the Management Actions described in this UMP Amendment.

It should be noted that no wildlife will be significantly impacted due to either construction or operation of the proposed Management Action, nor will there be impacts to any critical habitats.

A. Construction Phase

The construction of the Management Action will involve some minor clearing of vegetative ground cover in an area that is currently subjective to intense public use which is less than or equal to 0.03 acres. The area is primarily rock and has very limited vegetative cover. At the completion of construction and restoration a maximum net increase in of the permanently impacted area is approximately 980 square feet.

Construction-related noise impacts cannot be entirely avoided; however, efforts will be employed to mitigate these impacts. Such measures are outlined in Section 3.A6.

B. Operational Phase

Critical habitat areas are being completely avoided; therefore, there will be no operational impacts to wildlife.

The Public Safety Radio Communications System – Little Whiteface Ski Patrol Building will be visible from several publicly accessible vantage points. However, there will be no significant adverse visual impact resulting from these modifications because they do not represent a significant change to the visual character of the mountainside.

Section 5 – Alternative Solutions

In accordance with SEQRA, Alternative Solutions were developed and evaluated to determine if they could meet WFM goals with fewer environmental impacts. This Section identifies these Alternative Solutions, and discusses the viability of each.

A. Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building)

1. Alternative Locations

Alternative locations were considered as part of the Alternative Solutions process. Essex County reviewed the existing structure at the Whiteface summit, to determine whether it can support equipment required to upgrade the County's public safety radio communications system. The existing structure is currently occupied with New York State Police antennas, and as such is physically unable to support the County's equipment.

Additionally, the existing structure at the summit is technologically unavailable. The Federal Communication Commission (FCC) will not grant the County a license to operate from the antenna at the Whiteface summit because communications signals from that location would travel into and cause interference with communication signals in Canada.

The proposed site, at the PSRCS/SP Building at Little Whiteface, uses the Whiteface summit as a shield to prevent interference with communication signals in Canada. As such, the FCC has granted Essex County an FCC License to operate its system at the proposed Little Whiteface site, a copy of which is attached as Exhibit 2.D6 – FCC License – Essex County Land Mobile Radio Communications.

Alternative locations would prohibit the addition of public safety radio communications system components; therefore, this is not considered a reasonable and viable Alternative Solution.

2. Alternative Development Parameters

Alternative development parameters were considered as part of the Alternative Solutions process. A review of the development parameters for the PSRCS/SP Building confirms that they are targeted to improve safety for skiers and riders through replacing the Ski Patrol building with a modern building, and to allow upgrades to Essex County's public safety radio communications system.

Alternative development parameters do not meet the goals of WFM; therefore, this is not considered a reasonable and viable Alternative Solution.

3. No Action

No Action was considered as part of the Alternative Solutions process. However, this would prohibit improvements to emergency communications, as outlined in Section 2 subpart D, particularly Statement of Need.

The No Action alternative would result in antiquated public safety radio communications that would be inefficient in light of current technology available for basic and emergency public safety radio communications. Such communications would also be incapable of integration with networks operated by other local, State, and federal agencies.

No Action would deprive the public of state-of-the-art public safety services, thereby negatively impacting the public's health, safety and general welfare. Therefore, it is not considered a reasonable and viable Alternative Solution.

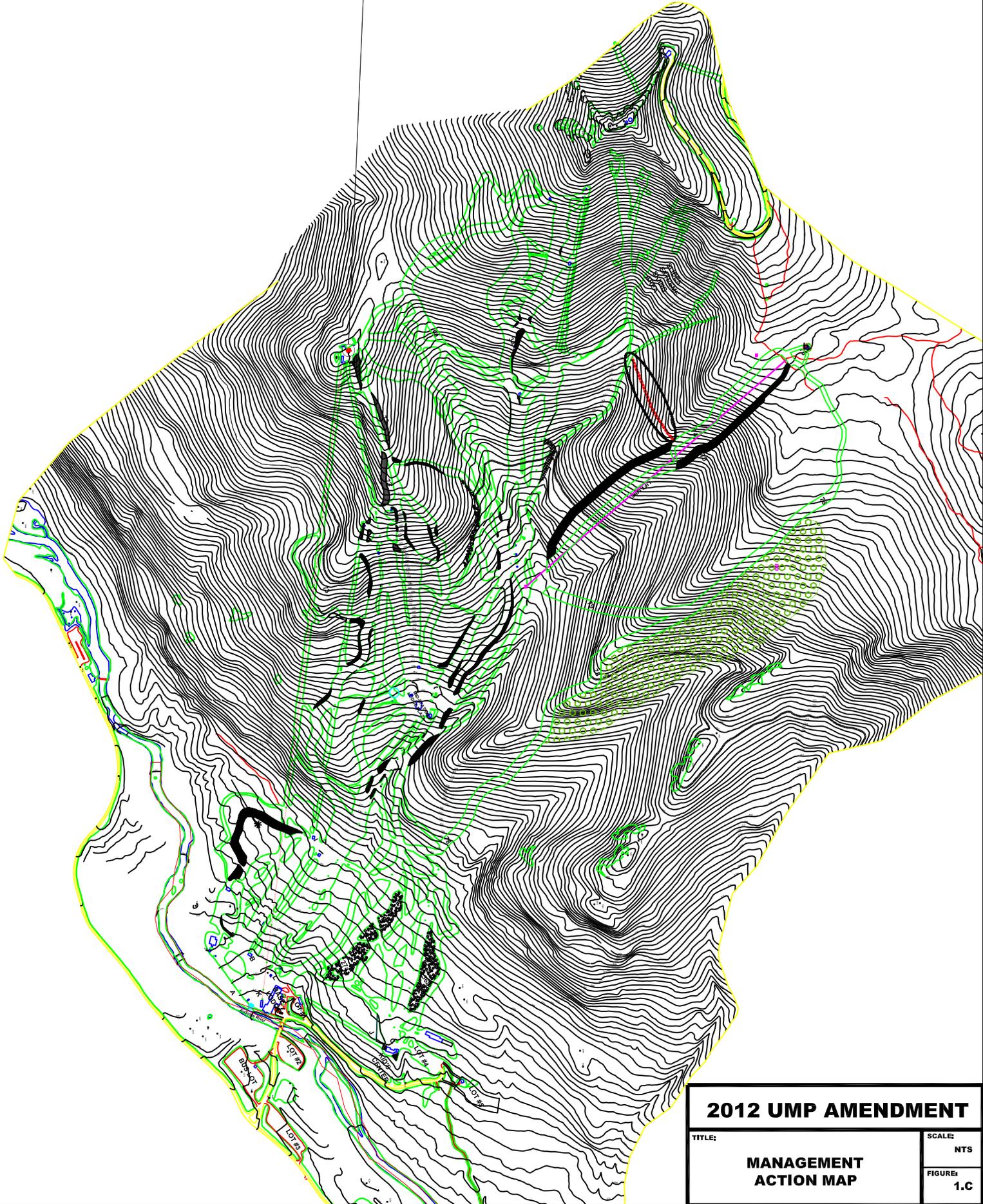
Section 6 – Irreversible and Irretrievable Commitments of Resources

The proposed Management, Public Safety Radio Communications System – Little Whiteface Ski Patrol Building (PSRCS/SP Building), involves a small commitment of land area for the building footprints. The proposed site work will include the removal of existing vegetation and will disturb onsite geology. Since no rare, threatened or endangered species are known to inhabit the site, the impact is not considered significant. The PSRCS/SP Building will also involve a commitment of raw materials for construction of the structures, including concrete, steel, gravel, and wood. Energy resources will be required for construction, operation and maintenance of the structures.

Exhibits

Exhibits – Section 1

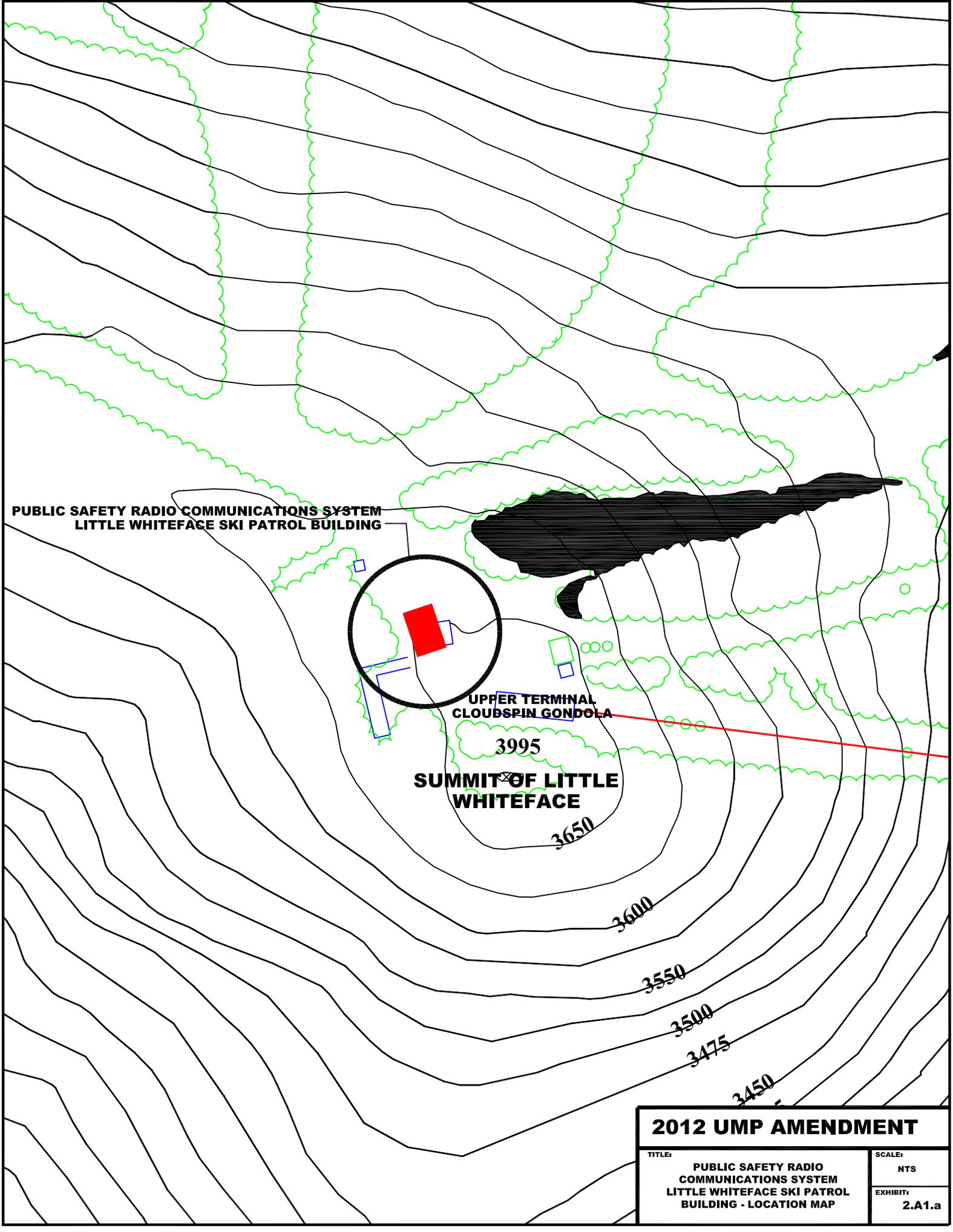
MANAGEMENT ACTION
PUBLIC RADIO COMMUNICATIONS
SYSTEM - LITTLE WHITEFACE SKI
PATROL BUILDING



2012 UMP AMENDMENT

TITLE:	SCALE:
MANAGEMENT ACTION MAP	NTS
FIGURE:	1.C

Exhibits – Section 2



**PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM
LITTLE WHITEFACE SKI PATROL BUILDING**

**UPPER TERMINAL
CLOUDSPIN GONDOLA**

**3995
SUMMIT OF LITTLE
WHITEFACE**

2012 UMP AMENDMENT

<small>TITLE:</small> PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM LITTLE WHITEFACE SKI PATROL BUILDING - LOCATION MAP	<small>SCALE:</small> NTS
	<small>EXHIBIT:</small> 2.A1.a

Exhibit - 2.A2.a
Public Safety Radio Communications System
Little Whiteface Ski Patrol Building

Existing Structure



Exhibit – 2.A3.a Public Safety Radio Communications System Little Whiteface Ski Patrol Building

Preliminary Site Plan

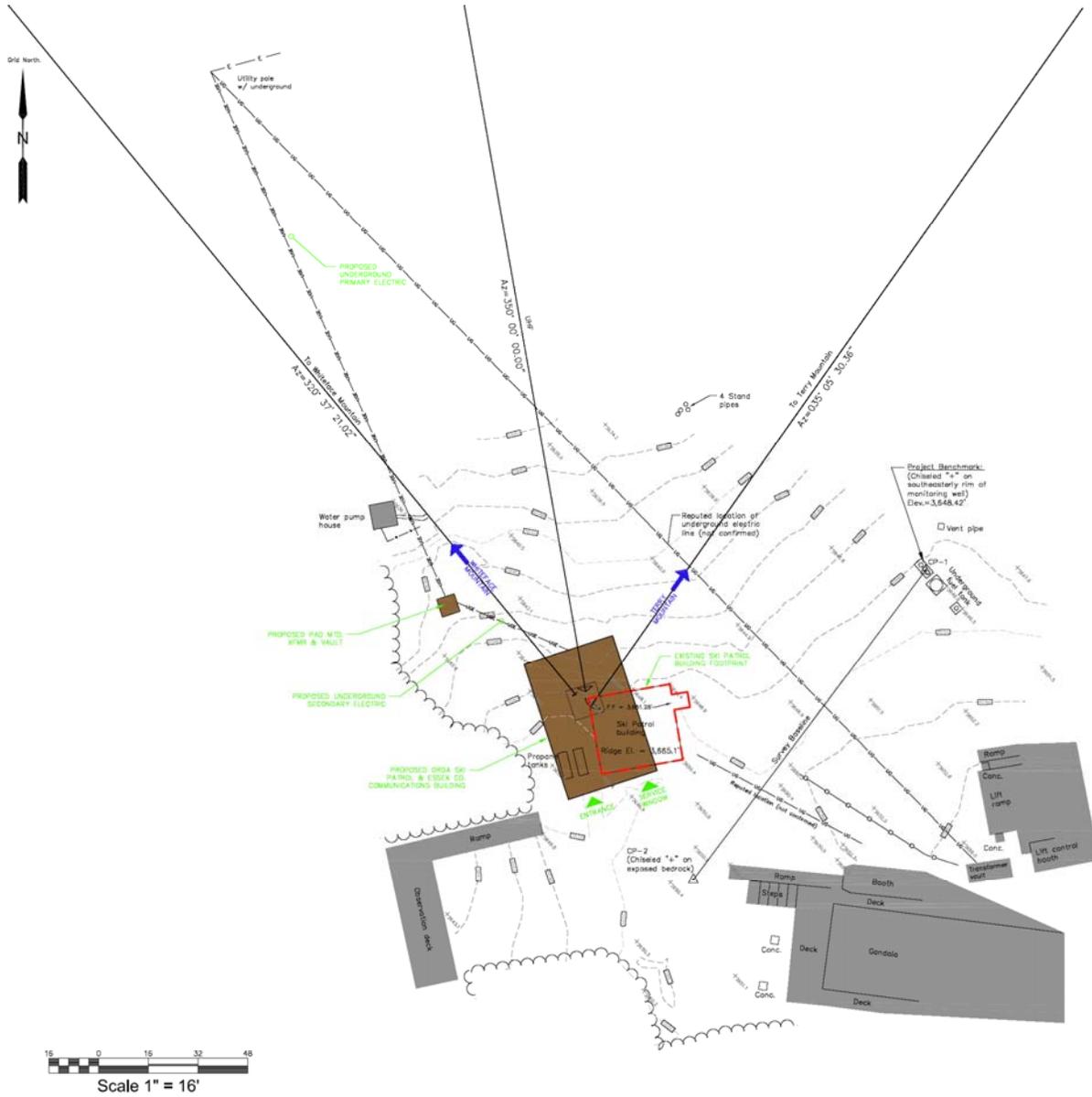
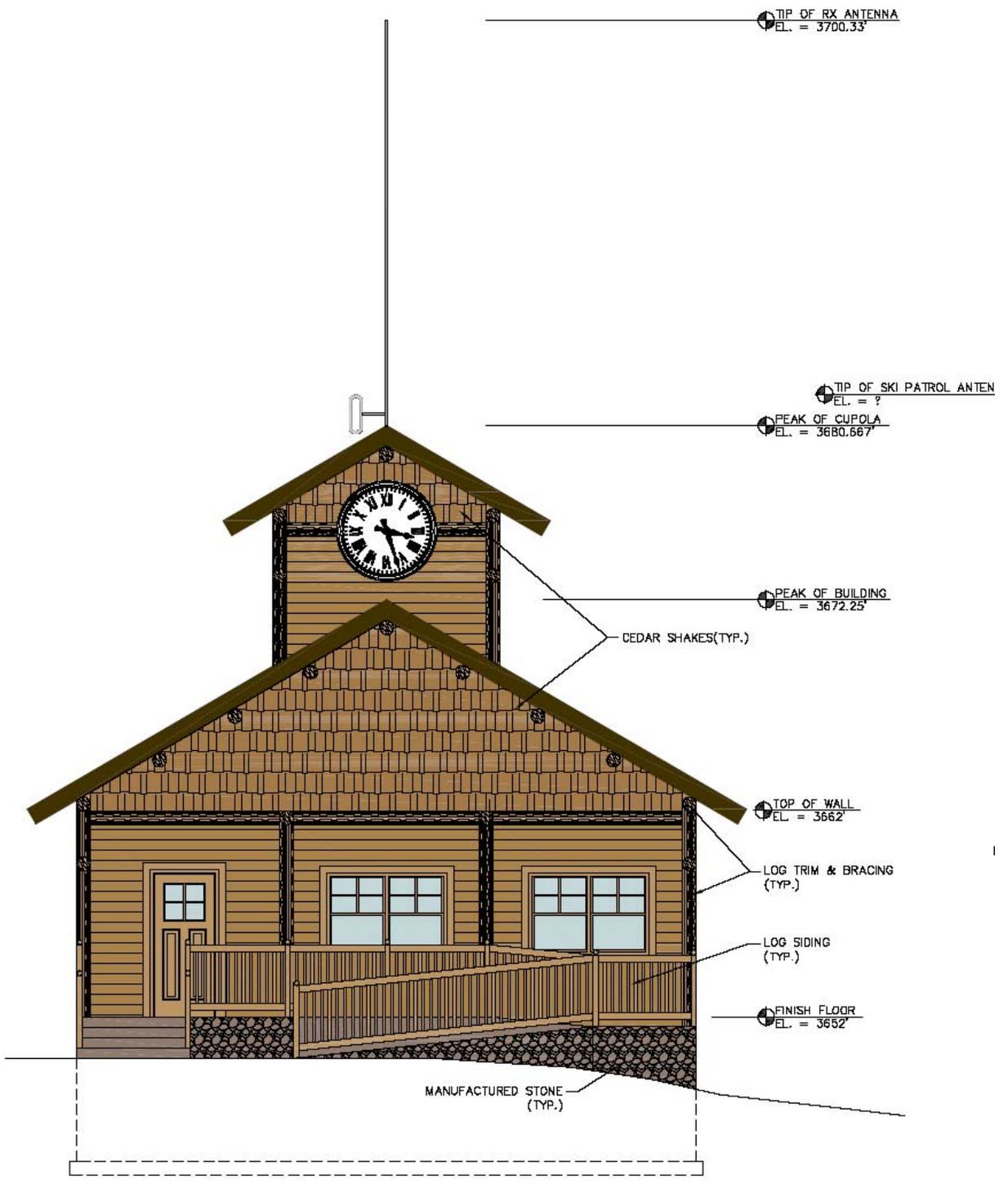


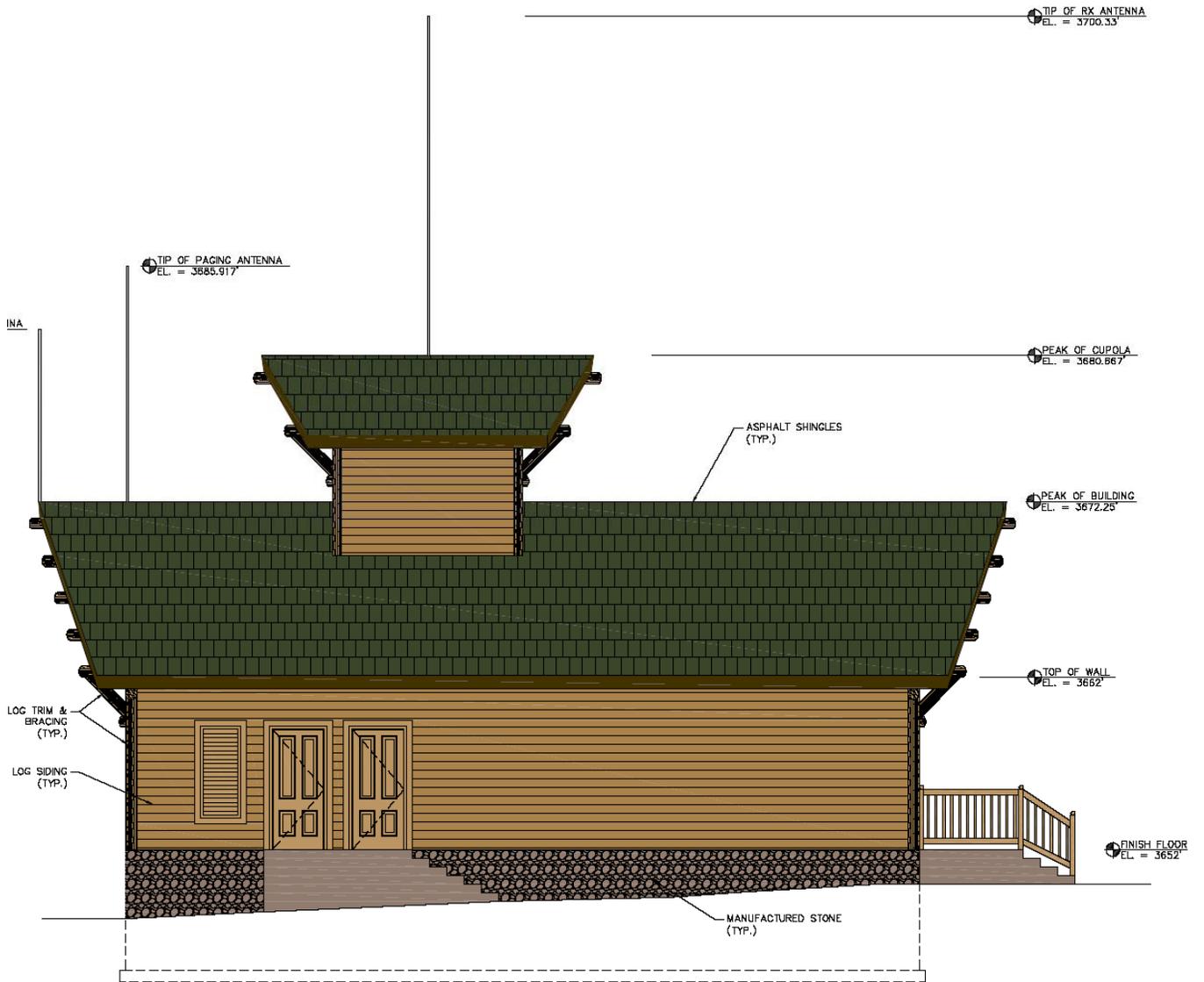
Exhibit – 2.A3.b
Public Safety Radio Communications System
Little Whiteface Ski Patrol Building

Building Elevations

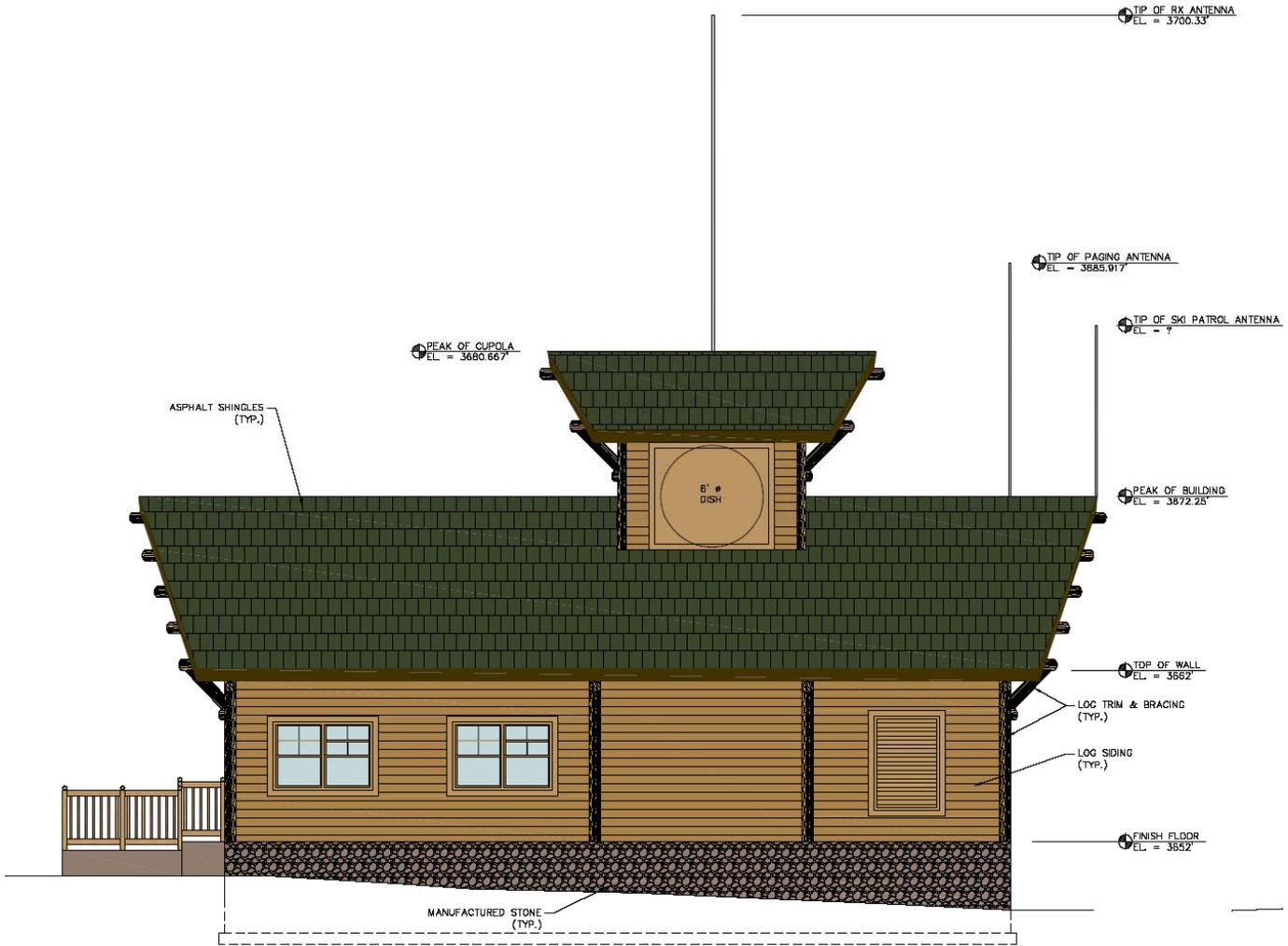
- South Elevation
- West Elevation
- East Elevation
- North Elevation



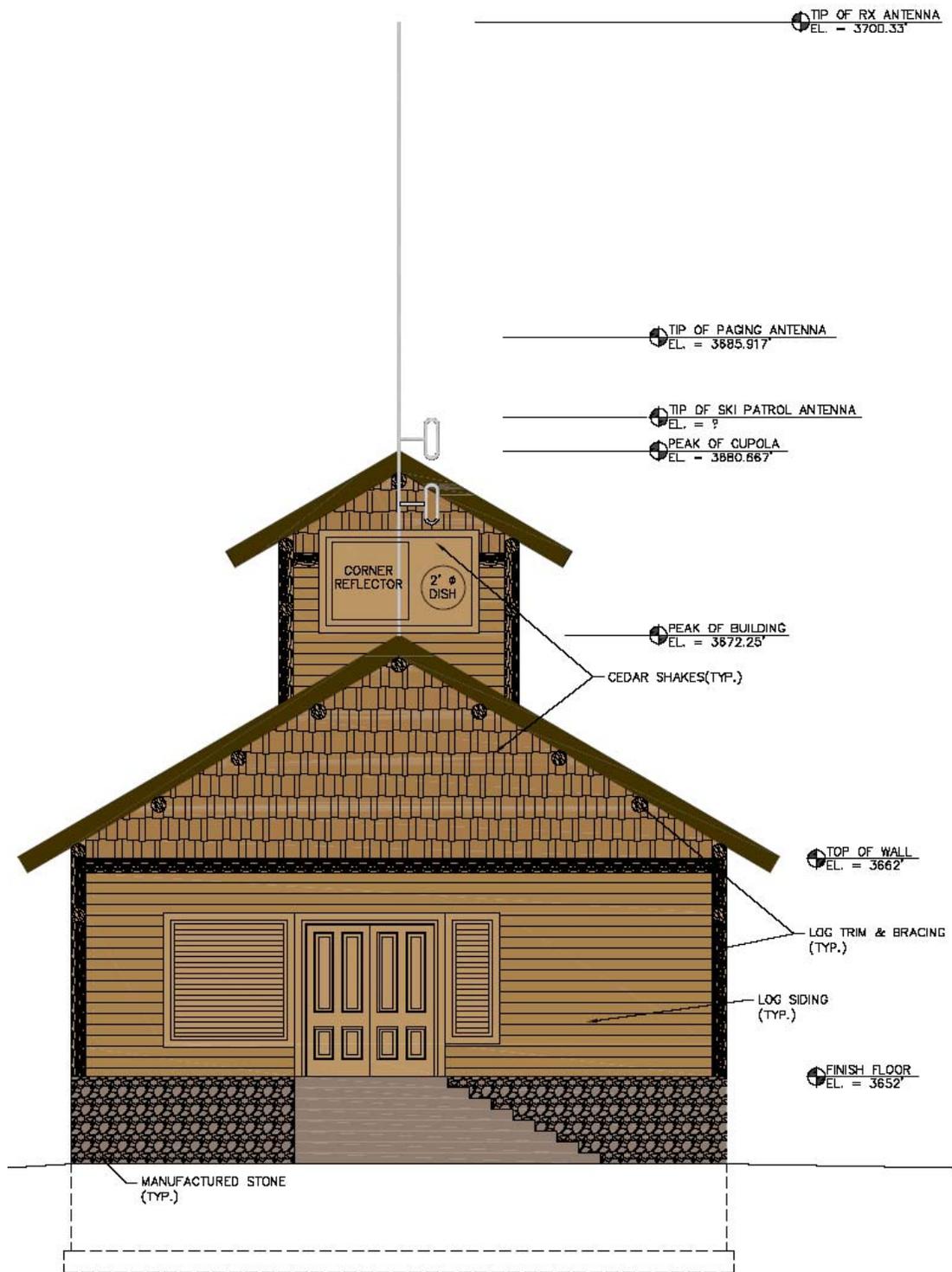
1 SOUTH EXTERIOR ELEVATION
A-207 Scale: 1/4" = 1'-0"



2 WEST EXTERIOR ELEVATION
 A-209 Scale: 1/4" = 1'-0"



1
1-202
EAST EXTERIOR ELEVATION
 Scale: 1/4" = 1'-0"



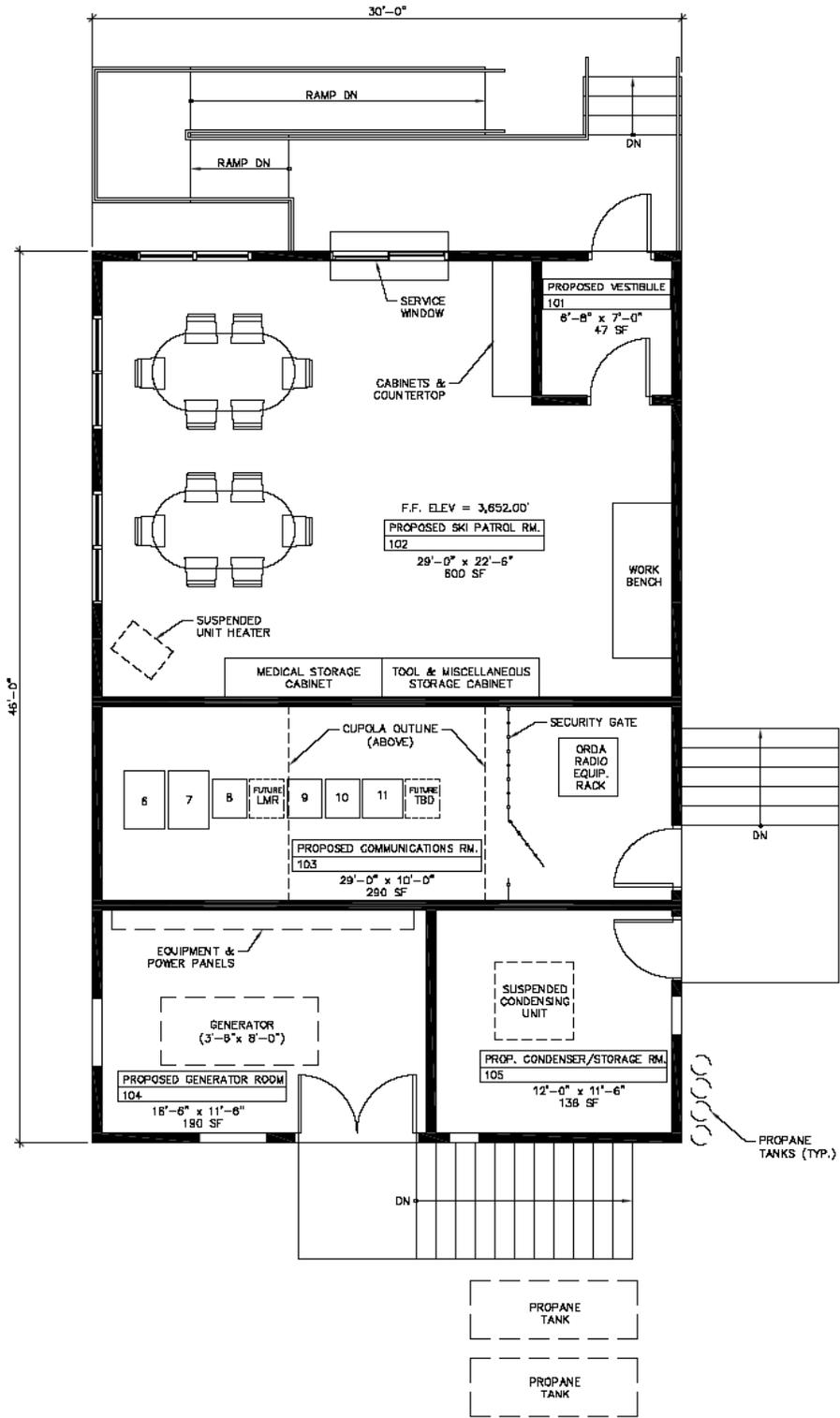
2 NORTH EXTERIOR ELEVATION
A-202 Scale: 1/4" = 1'-0"

Exhibit – 2A4.a
Public Safety Radio Communications System
Little Whiteface Ski Patrol Building

Interior Details

Interior Floor Plan
Interior Building Program
Interior Equipment List

CONDOLA
HEAD
STATION



PROPOSED SKI PATROL BUILDING

Scale: 1/4" = 1'-0"

GROSS AREA = 1380 SF

Building Program
January 25, 2011

Item	Description of Space	Existing area	Proposed area
A. Space Requirements			
1	Overall Ski Patrol Room	603 sf	600 sf
2	Storage space for toboggans during off season	114 sf	115 sf
3	Storage space for medical supplies	24 sf	24 sf
4	Open space in front of information window	30 sf	30 sf
5	Gathering space for Ski Patrol (10-12 people)	50 sf	180 sf
6	Mechanical/Electrical equipment space		
7	Communications Room		290 sf
8	Cupola space		100 sf
9	Vestibule	21 sf	47 sf
10	Kitchenette		
11	Generator Room		209 sf
12	Condenser Room		138 sf
	Gross Area	681 sf	1380 sf
B. Ski Patrol Space Features and Requirements			
1	Table/Chairs in gathering space		
2	Storage cabinets for medical supplies		
3	Open area for storage of toboggans		
4	Shelf and open area in front of information window		
5	Radio equipment rack		
6	Work bench for toboggans		
7	Kitchen cabinet & countertop		
C. Emergency Radio System Space Features and Requirements			
	<i>See separate Equipment List</i>		
D. Mechanical/Electrical Systems Space Features and Requirements			
1	Propane unit heaters		
2	Cooling system / Condenser		
3	Power / Lighting		
4	Generator / ATS equipment		

PRELIMINARY EQUIPMENT LIST
January 25, 2011

No.	Equipment Name	Quantity	Manufacturer	Dimensions	Weight	Frequency	Angle/Direction	Power Requirements	Heat/Cool Requirements	Space Requirements
1	Omnidirectional Antenna	(TBD)	Kathrein Inc., Scala Division	13.8'	39 lbs	146-174 MHz	(TBD)	(TBD)	(TBD)	(TBD)
2	Parabolic Antenna	(TBD)	Telesco	2' dia.	186 lbs	5.925-6.425 GHz	(TBD)	(TBD)	(TBD)	(TBD)
3	Super Stationmaster Omni Fiberglass Antenna	(TBD)	Radio Frequency Systems	19.8'	24 lbs	25-299.9 MHz	(TBD)	(TBD)	(TBD)	(TBD)
4	Exposed Dipole Directive Antenna	(TBD)	Sinclair Technologies	190"	25 lbs	30-76 MHz	(TBD)	(TBD)	(TBD)	(TBD)
5	PAD6-65BC1SR 6' Std. Single Pol. Ant., w. Radome	(TBD)	Radio Frequency Systems	6' (dia.)	188 or 225lbs w/Radome	(TBD)	(TBD)	(TBD)	(TBD)	(2) 19'w x 30'd x 7'h bays
6	UPS Cabinet	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	25'w x 26'd x 84'h
7	Combiner Rack	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	25'w x 26'd x 84'h
8	LMR Rack (GTR8000's)	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	21'w x 24'd x 84'h
9	Charger & Batteries	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	21'w x 24'd x 84'h
10	Microwave Rack (MHSB)	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	21'w x 24'd x 84'h
11	Daniels Fire Paging Cabinet	1	(TBD)	(TBD)	(TBD)	(TBD)	(TBD)	2 kw	(TBD)	25'w x 24'd x 36'h

Exhibit 2.A4.b

**FCC License – Essex County Land Mobile Radio
Communications**

DRAFT FOR DEC REVIEW

REFERENCE COPY

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.



Federal Communications Commission
Public Safety and Homeland Security Bureau

RADIO STATION AUTHORIZATION

LICENSEE: ESSEX, COUNTY OF

ATTN: DONALD JAQUISH
ESSEX, COUNTY OF
702 STROWERSVILLE RD.
PO BOX 30
LEWIS, NY 12950

Table with 2 columns: Call Sign (WQLI541), File Number, Radio Service (PW - Public Safety Pool, Conventional), Regulatory Status (PMRS), Frequency Coordination Number.

FCC Registration Number (FRN): 0003439106

Table with 4 columns: Grant Date (01-29-2010), Effective Date (02-04-2010), Expiration Date (01-29-2020), Print Date (12-07-2010).

STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1 Address: SUMMITT OF BELFRY MTN, City: MORIAH, County: ESSEX, State: NY, Lat (NAD83): 44-06-05.2 N Long (NAD83): 073-32-53.0 W ASR No.: Ground Elev: 507.0
Loc. 2 Address: SUMMIT MT DEFIANCE, City: TICONDEROGA, County: ESSEX, State: NY, Lat (NAD83): 43-49-52.9 N Long (NAD83): 073-24-23.4 W ASR No.: Ground Elev: 256.9
Loc. 3 Address: WHITE FACE SKI CNTR LIFT STATION, City: WILMINGTON, County: ESSEX, State: NY, Lat (NAD83): 44-21-21.9 N Long (NAD83): 073-53-30.8 W ASR No.: Ground Elev: 1113.0
Loc. 4 Address: SUMMITT GORE MTN, City: NORTH CREEK, County: WARREN, State: NY, Lat (NAD83): 43-40-20.3 N Long (NAD83): 074-02-51.3 W ASR No.: Ground Elev: 1092.0
Loc. 5 Address: SUMMITT HOGBACK MT, City: EAS MONKTON, County: ADDISON, State: VT, Lat (NAD83): 44-13-25.3 N Long (NAD83): 073-07-26.2 W ASR No.: Ground Elev: 366.0
Loc. 6 Area of operation, Land Mobile Control Station meeting the 6.1 Meter Rule: NY
Loc. 7 Area of operation, Countywide: ESSEX, NY

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

DRAFT FOR DEC REVIEW

Licensee Name: ESSEX, COUNTY OF

Call Sign: WQLI541

File Number:

Print Date: 12-07-2010

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000151.08500000	FB2	1		11K2F1D	100.000	77.000	30.0	279.0	12-31-2011
		Frequency 000151.08500000 Special Condition NHIA NOTHING OPERATIONS ON {151.085} MHZ IN THE {Cardinal, ON} AREA. OUR SERIAL(S) {0921134} REFERS.									
1	1	000154.14500000	FB2	1		11K2F1D	100.000	77.000	30.0	279.0	12-31-2011
		Frequency 000154.14500000 Special Condition NHIA nothing operations on {154.145} MHz in the {Berthierville, QC} area Lat: {460502} N Long: {731038} W.									
2	1	000159.04500000	FB2	1		11K2F1D	100.000	65.000	12.9	113.3	12-31-2011
		Frequency 000159.04500000 Special Condition Authorization on a secondary basis.									
2	1	000151.10000000	FB2	1		11K2F1D	100.000	65.000	12.9	113.3	12-31-2011
2	1	000151.30250000	FB2	1		11K2F1D	100.000	65.000	12.9	113.3	12-31-2011
2	1	000151.34000000	FB2	1		11K2F1D	100.000	65.000	12.9	113.3	12-31-2011
2	1	000151.35500000	FB2	1		11K2F1D	100.000	65.000	12.9	113.3	12-31-2011
		Frequency 000151.35500000 Special Condition NHIA NOTHING OPERATIONS ON {151.355} MHZ IN THE {Laval, QC} AREA. OUR SERIAL(S) {930655} REFERS.									
3	1	000151.30250000	FB2	1		11K2F1D	50.000	19.000	3.0	555.0	12-31-2011
3	1	000159.04500000	FB2	1		11K2F1D	50.000	19.000	3.0	555.0	12-31-2011
		Frequency 000159.04500000 Special Condition Authorization on a secondary basis.									
3	1	000154.10000000	FB2	1		11K2F1D	50.000	19.000	3.0	555.0	12-31-2011
4	1	000151.34000000	FB2	1		11K2F1D	100.000	24.000	30.0	497.0	12-31-2011
4	1	000159.04500000	FB2	1		11K2F1D	100.000	24.000	30.0	497.0	12-31-2011
		Frequency 000159.04500000 Special Condition Authorization on a secondary basis.									
4	1	000156.21000000	FB2	1		11K2F1D	100.000	24.000	30.0	497.0	12-31-2011
5	1	000158.91000000	FB2	1		11K2F1D	100.000	110.000	30.0	193.0	12-31-2011
		Frequency 000158.91000000 Special Condition Authorization on a secondary basis.									
5	1	000151.35500000	FB2	1		11K2F1D	100.000	55.000	30.0	193.0	12-31-2011
		Frequency 000151.35500000 Special Condition NHIA NOTHING OPERATIONS ON {151.355} MHZ IN THE {Laval, QC} AREA. OUR SERIAL(S) {930655} REFERS.									
6	1	000151.34000000	FX1	6		11K2F1D	25.000	75.000			
6	1	000156.12000000	FX1	6		11K2F1D	25.000	75.000			