

New York State
Department of Environmental Conservation

November 22, 2005
Division of Lands & Forests

Interim Recreation Management Plan

IP Conservation Easement
Project Number: Franklin 251
Big Tupper/Franklin County
Part of Tract 17 (HL1)

Franklin County
Town of Tupper Lake

Introduction:

This Interim Recreational Plan is intended to guide the designation of recreational facilities and indicate public use on the International Paper Conservation Easement. It incorporates the rights, privileges and obligations provided for in the easement and it will be expanded into a Final Recreation Management Plan in accordance with the Conservation Easement within five years from closing Phase 3 of the IP transaction. Consultation with IP has occurred and IP shall approve the interim plan before it can be implemented. Public use will be allowed once necessary facilities have been designated and developed. Public use may be suspended during mud season, or when IP establishes logging operation closure zones. Public recreational use will be further evaluated and designated in the Final Recreation Management Plan, and may be appropriately expanded or revised.

The Conservation Easement for the Big Tupper Tract/Franklin grants the State of New York a legal interest in the Tract and sets forth terms, restrictions, and rights of the Landowner and the State with respect to the Tract, thus establishing a framework for its future use and management. The Conservation Easement guarantees the State of New York the right to permit public access on the Tract and participate in natural resource-based outdoor recreational activities. These initial uses, along with additional public recreational opportunities will be described in greater detail in the subsequent Final Recreation Management Plan.

I. Tract Overview: [*See Map: "Public Recreation Access Map: Big Tupper/Franklin, Tract 17 (HL1)"*]

The land area known as the Big Tupper Tract, hereafter referred to as the Tract, is located within Franklin County and St. Lawrence County, New York, spanning the boundaries of the Towns of Tupper Lake, and Piercefield, respectively. This Interim Recreation Management Plan, however, addresses only lands located in Franklin County. The balance of the lands comprising Tract 17 and which are located in St. Lawrence County are the subject of a separate Interim Recreation Management Plan entitled "Big Tupper/St. Lawrence, Tract 17."

The total land area subject to this Interim Recreation Management Plan is 4,700 +/- acres, all of which is subject to the terms of "Conservation Easement - B." The Public Recreation Access Map shows an area, which is also described in the Conservation Easement, that is 300 feet wide as measured landward from the mean high water mark and that extends along the shoreline of Piercefield Flow. The location of this 300-foot wide strip, however, is limited to the Peninsula's southern shoreline in Franklin County and the shoreline enclosing the Flow in this area. The location of this 300-foot wide strip will not include any area along the northern shoreline of the Peninsula, in the Raquette River. The purpose of this 300-foot wide strip is to provide special public recreation activities, including: fishing; hiking; nature observation; camping and picnicking at designated camp sites. Public access is limited to May 1 through September 30 of each year and shall not commence until May 1, 2006.

Because the Tract is predominantly "Conservation Easement - B" lands, public recreation access is limited to one existing snowmobile trail, shown on the "Public Recreation Access

Map: Big Tupper/Franklin Tract 17" and boat access from Piercefield Flow and Raquette River. The snowmobile trail is a State-funded trail totaling over 5 miles in length.

Major Elements of the Interim Recreation Plan include the following:

- Public access and recreation on the Tract will occur and be managed in accordance with the provisions of New York State Law, the Conservation Easement, and other relevant laws and regulations.
- DEC will have primary responsibility for managing public access and recreation.
- Identification of immediate uses that will be permitted on the Tract.

II. Inventory:

Water Bodies:

Ponded Water:

There are three important bodies of water which surround the Tract on the north, east, and southeast portions: the Piercefield Flow, the Raquette River, Raquette River Pond, and Tupper Lake.

Watercourses:

A complex network of watercourses exists within the Tract: Grindstone Brook, Piercefield Flow, as well as two unnamed watercourses.

Wild, Scenic, and Recreational Rivers:

The Raquette River, which runs along the northern section of the Tract, is categorized as Scenic.

Wetlands:

There are no areas on the Tract where wetlands have been inventoried and recorded.

Vegetation:

A mixture of forest types can be found, including northern hardwoods, mixed woods, and softwoods of various size classes. A review of the Master Habitat Data Base for this Tract found no endangered or threatened species for the area.

Wildlife:

The Tract is located within the Central Adirondack Mountain Ecological Zone of New York State. A comprehensive description of wildlife species of the region is being developed.

Hunting:

Hunting by the public will not be allowed.

Fishing:

Fishing regulations are statewide, and allow fishing for many species year-round. Certain

species are restricted to dates in spring and summer. Fishing rules and regulations, as well as licensing requirements are applicable to areas within the Tract.

III. Visual/Scenic Areas:

The Department may enhance scenic areas already existing within the "Section-A" special use area on the Tract, since this area is surrounded by open water.

IV. Public Uses:

The Final Recreation Management Plan will determine specifically where and what type of uses will be designated. It is important to note that the recreational rights and uses of leaseholders will be the same as the recreational rights and uses of the general public on those areas where the public enjoys public access rights pursuant to the Conservation Easement and this Interim Recreation Management Plan.

General plan guidelines for public uses include planning for and implementing public recreation on the portions of the Tract so designated for such uses, and shall be consistent with the purposes of this Conservation Easement and the following general guidelines:

- (i) Safety
- (ii) Protecting natural resources; including the removal of trash or debris such as papers, bottles, cans, or other garbage left on the Tract by the public utilizing the Tract.
- (iii) Not interfering with Grantor's Forest Management Activities.
- (iv) Consideration to the capacity of the Tract to accommodate public recreation.
- (v) To the greatest extent possible, motorized and non-motorized uses shall occur on existing roads and trails so the need for new trails is minimized.
- (vi) The location and condition of trails, parking areas, campsites, and other recreational improvements shall be reviewed at least annually and more frequently if necessary.

In addition to the general guidelines listed above, development of the Interim Recreation Management Plan and implementing public recreation for the Tract shall be consistent with the following specific guidelines:

- (i) *Standards for Public Recreational Roads and Trails.* This Interim Recreation Management Plan includes minimum standards and specifications for roads and trails designated for public use. Based on the standards and specifications, the Grantee shall decide whether portions of trails and roads shall be repaired, improved or relocated, or if public use shall be temporarily suspended. (*See Table I*)
- (ii) *Snowmobile Use.* The main purpose of snowmobile use on the Tract is to connect existing snowmobile trails systems on and off the Tract. Trail design and maintenance standards shall conform to such manuals and guidelines produced by the New York State Office of Parks, Recreation,

and Historic Preservation, or an equivalent State agency, and in general use by the agency at the time in question.

- (iii) *Grantor's Recreation Leases.* Public recreation on the Protected Property shall not conflict with Grantor's private recreation and camp leases.

1. Conservation Easement – B: Except for the 300-foot wide area along a portion of the Piercefield Flow, as noted above, the Tract will be subject to the terms of "Conservation Easement - B." The Tract is currently leased to hunting and fishing clubs and, as such, generally off-limits to the public, except as provided in the Easement and this Interim Recreation Management Plan.

(a) Hiking Trails. Non-motorized access, for hiking only, is granted on those trails identified for such use.

(i) Existing. There are no existing hiking trails proposed for public use at this time.

(ii) Proposed. The Department is not proposing to develop any hiking trails at this time.

(b) Snowmobile Corridors. Public access by any type or form of motor vehicle is prohibited, except as provided specifically in this Section and by snowmobiles on those corridors designated for such use.

(i) Existing: One funded snowmobile corridor, a segment of the Remsen-Lake Placid Railroad right-of-way, bisects the Tract, and will continue to be utilized for such use.

(ii) Proposed: No other snowmobile corridors are proposed for this Tract.

(iii) The Department is granted the right of administrative motorized access, to establish, develop, repair, maintain, abandon, groom, and relocated snowmobile trails and related trail improvements within the corridors. Trails and all related trail improvements shall not be located or maintained outside a corridor.

(c) Parking. No public parking is proposed for this Tract.

(d) Campsites and Picnic Areas. The Department intends to designate campsites and picnic areas on the Peninsula's shoreline, in the Piercefield Flow, within the 300-foot wide area noted in this Plan and the Easement.

V. Relationship to Adjacent Public Lands:

When directly related to adjacent lands, public or private, the Interim Recreation Management Plan will identify potential connecting uses such as trails for hiking and pedestrian activities, horseback riding, ATV and snowmobile corridors, and roadways for other motorized vehicle use.

VI. Permittable Uses:

(a) Public Uses:

- Public uses on the “Conservation Easement - B” portion of the Tract are limited to hiking on and snowmobile use of the Remsen-Lake Placid Railroad right-of-way. The area of the Tract identified as “Section -A” may provide public fishing; hiking; nature observation; camping and picnicking at designated camp sites.

(b) Prohibited Uses: existing and new

- Uses, which will be prohibited, include residential, commercial, industrial, and agricultural uses that are inconsistent or incompatible with the above-stated purposes.

VII. Conclusion:

The International Paper Conservation Easement is to ensure sustainable forestry, prevent forest fragmentation, and conserve natural resource values, all while providing recreation to the public where available. Such measures shall be consistent with Department policies and are needed to prevent resource damage, protect public health and safety or to minimize visitor use conflict. The Department is responsible for enforcing the terms of the Conservation Easement. DEC, with IP coordination, will manage public recreational use and whenever necessary regulate the amount, kind, and the time and place, of visitor activities. Public recreational opportunities on the Tract can be expanded and/or contracted through the amendment of this Interim Recreation Management Plan and with IP review and approval.

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BY EXECUTING THIS INTERIM RECREATION MANAGEMENT PLAN, THE PARTIES AGREE TO THIS PLAN AND INTEND TO BE BOUND BY ITS TERMS, SUBJECT TO THE TERMS OF THE CONSERVATION EASEMENT.

SP FORESTS LLC:

By: Joseph M. Kelly
Its: FOREST OPERATIONS MANAGER
Date: 12/22/2005

**THE PEOPLE OF THE STATE OF NEW YORK, BY
THEIR COMMISSIONER OF ENVIRONMENTAL
CONSERVATION**

By: Nancy Lussier
DENISE M. SHEEHAN
Its: Director, Division of Management and Budget
Date: 12/27/05 COMMISSIONER

TABLE I

CONSERVATION EASEMENT: FRANKLIN 251, Big Tupper Tract 17 TRAIL/ROAD SPECIFICATION

ROAD/TRAIL SPECIFICATION FACTOR	VEHICULAR ROAD VOLUME CLASS ¹			ATV TRAIL VOLUME CLASS			SNOWMOBILE TRAIL VOLUME CLASS		
	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
# of TRAFFIC LANES	1	1	1+	1	1	2	1	1	2
MINIMUM CURVE RADIUS w/o signage(feet)	50	50	50	n/a	35	50	n/a	40	50
MAXIMUM GRADE % (sustained/ short stretch)	38274	38274	38274	38274	38274	38274	38274	38274	38274
SHOULDER WIDTH, EACH SIDE(feet)	3 to 4	4 to 5	5 to 6	n/a	3 to 4	4 to 5	n/a	n/a	n/a
TRAVELED SURFACE WIDTH(feet)	10	12	14	38145	10	12	38145	12	14
MINIMUM TURNOUT SPACING	n/a	½ mi	1/4 mi	n/a	n/a	1/2mi	n/a	n/a	1/2mi
SURFACE SPECIFICATIONS	BMP's ²	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
DITCHING	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
CULVERT INSTALLATION SPECIFICATIONS ³	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
MIN. SIGHTING DISTANCE w/o SIGNAGE(feet)	100	150	250	n/a	150	250	n/a	150	250
VEGETATION CONTROL	cut/remove	cut/remove	cut/remove	n/a	n/a	cut/remove	n/a	n/a	cut/remove
PITCH(maximum)	<10%	4" crown	4" crown	N/A	20%	15%	n/a	20%	15%
STREAM AND WETLAND X-ING SPECS	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S

<i>SENSITIVE AREA SET BACKS</i>	<i>BMP'S</i>								
<i>SIGNAGE STANDARDS⁴</i>	<i>Minimal</i>	<i>Basic</i>	<i>Moderate</i>	<i>Minimal</i>	<i>Basic</i>	<i>Moderate</i>	<i>Minimal</i>	<i>Basic</i>	<i>Moderate</i>
<i>GATE LOCATIONS</i>	<i>as agreed</i>								
<i>SEASONAL USE SPECIFICATIONS⁵</i>	<i>surface</i>	<i>surface</i>	<i>surface</i>	<i>surface</i>	<i>surface</i>	<i>surface</i>	<i>winter</i>	<i>winter</i>	<i>winter</i>
<i>MAINTENANCE STANDARDS</i>	<i>minimal</i>	<i>as needed</i>	<i>regular</i>	<i>minimal</i>	<i>as needed</i>	<i>graded</i>	<i>none</i>	<i>none</i>	<i>groomed</i>
<i>ENVIRONMENTAL STANDARDS⁶</i>	<i>APA/DEC</i>								
<i>INSURANCE STANDARDS⁷</i>	<i>NYS REG</i>	<i>NSY REG</i>							
<i>ENFORCEMENT⁸</i>	<i>DEC</i>								

1 *VEHICLE VOLUME SPECS:*

- LOW: +/- <20 ROUND TRIPS/MONTH*
- MEDIUM: +/-20-300 TRIPS/MONTH*
- HIGH: +/- >300 TRIPS/MONTH*

2 *BMPS ARE PER THE NYS FORESTRY BEST MANAGEMENT PRACTICES FOR WATER QUALITY: BMP FIELD GUIDE*

3 *ALL CULVERTS SHALL BE PROPERLY HEADED WITH STONE, WOOD, OR STEEL/PLASTIC COLLARS*

4 *SIGNAGE STANDARDS:*

- MINIMAL - SIGNS FOR IDENTIFYING ROAD NAME WHERE BEGINS AND FOR HAZARDOUS SITUATIONS SUCH AS BARRIERS/KNOWN HAZARD PREVENTING PASSAGE AHEAD, STOP SIGN INDICATING INTERSECTION WITH A MODERATE OR HIGHER VOLUME ROAD*
- BASIC - SAME AS MINIMAL PLUS BRIDGE APPROACH SIGNAGE, SHARP CURVE SIGNS, OR ADDITIONAL AS OTHERWISE NEEDED AND AGREED UPON BY DEC AND IP (EG., SUCH AS SUGGESTED SPEED LIMIT IF IS FIRST ROAD INTO A PROPERTY)*
- MODERATE - SAME AS BASIC PLUS SUGGESTED SPEED LIMIT(UNTIL IT BECOMES A REGULATION), TURNOUT SPACING, OR ADDITIONAL AS OTHERWISE NEEDED AND AGREED UPON BY DEC AND IP*

5 *"SURFACE" MEANS THE CONDITION AND TYPE OF THE SURFACE WILL SET STANDARDS FOR SEASONAL USE. GENERALLY CLOSED DURING MUD SEASON(AS POSTED) TO PUBLIC MOTOR VEHICLE AND LOG TRUCK USE, BY AGREEMENT OF DEC AND IP; "WINTER" MEANS WINTER USE ONLY*

MAINTENANCE STANDARDS:

- MINIMAL - CONDITION CHECKED ANNUALLY, ROUTINE MAINTENANCE SUCH AS GRADING, DITCH CLEANING POTHOLE/WASHOUT REPAIR GENERALLY NEEDED ONLY EVERY THREE OR FOUR YEARS*
- AS NEEDED - SAME AS MINIMAL BUT DUE TO HIGHER USE LEVELS WILL LIKELY NEED SOME ROUTINE MAINTENANCE ANNUALLY OR EVERY OTHER YEAR*
- REGULAR - ANNUAL ROUTINE MAINTENANCE LIKELY NEEDED*

6 *APA/DEC REGULATIONS ON WETLANDS, STREAM CROSSING, ETC.*

7 *NYS REGULATIONS ON INSURANCE REQUIREMENTS FOR VEHICLES*

8 *IP IS RESPONSIBLE FOR INFORMING LESSEE'S OF RULES AND REGS FOR USE OF TRAILS AND RELATED RETAINED RECREATION RIGHTS; DEC HAS LEGAL AUTHORITY FOR ENFORCEMENT OF DEC REG'S WITH MEMBERS OF THE PUBLIC, INCLUDING IP LESSEES WHEN ARE RECREATING AS MEMBERS OF THE PUBLIC.*