

Lyme Adirondack Timberlands I, LLC
&
New York State
Department of Environmental Conservation

February 2007
Division of Lands & Forests

Interim Recreation Management Plan
Lyme Adirondack Timberlands I, LLC Conservation Easement
Black Brook Tract
Tract: 2
DEC Project Number: Clinton 143
Phase II - III

Clinton County
Town of Black Brook
Town of Peru

I. Introduction:

The New York State Department of Environmental Conservation (“Department”) will have primary responsibility for managing public access and recreation. This Interim Recreational Plan (“Plan”) is intended to guide the initial establishment of public recreational access to lands owned by Lyme Adirondack Timberlands I, LLC (“LAT I”), as those lands become subject to the Phase II – III Conservation Easement. The Department will consult with LAT I to develop a Final Recreation Management Plan in accordance with the Conservation Easement within five years from closing Conservation Easement Phase II – III. This Plan incorporates the rights, privileges and obligations provided for in the Easement. By signing this Plan, the parties intend that the public recreational access and uses described herein shall become available to the public pursuant to the Conservation Easement, specifically Section 5.4, which extends the duration of LAT I’s posting leases until April 22, 2009. Public access will be allowed only upon expiration of posting leases as provided in the Phase II-III Conservation Easement and when necessary facilities have been designated and developed and the parties have agreed on a method for equitably sharing the costs and responsibilities for routine maintenance and improvements pursuant to Section 4.7 of the Easement. Full public access will be allowed only when necessary facilities have been designated and developed. Thereafter, public access may be suspended during mud season, or when LAT I establishes logging operation closure zones pursuant to the Easement. Public recreational use will be further evaluated and possibly expanded, in the Final Recreation Management Plan.

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

Public recreation rights granted in the Conservation Easement but not included in this Interim Recreation Management Plan shall not be available for public enjoyment unless and until approved in subsequent Interim Recreation Management Plans or a Final Recreation Management Plan.

II. Tract Overview: *(See Map: “BLACK BROOK TRACT, Clinton 143, Public Recreation Access Map, Tract 2, Phase II - III,” dated January 5, 2007, attached.*

1. The land area known as the Black Brook Tract, hereafter referred to as the Tract, is located within Clinton County, New York, spanning the boundaries of the Towns of

Black Brook and Peru. This Interim Recreation Management Plan, however, addresses only lands designated as Tract 2.

2. The total land area subject to this Interim Recreation Management Plan measures 16,222 +/- acres, all of which are subject to the terms of Conservation Easement-A. The current accessibility of the Tract includes connection to three major roadways, NYS Route 3 to the Northwestern side of the Tract, NYS Route 22 and I-87 on the Eastern side. Local roads connect the major roads with the Tract, allowing for ample public access to these areas.

Major Elements of the Interim Recreation Plan include the following:

1. 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.
2. DEC will have primary responsibility for managing public access and recreation.
3. Identification of immediate and proposed uses that will be permitted on the entirety of the Tract, consistent with existing laws and regulations such as state regulations.

III. Summary of Natural Resources:

1. Water Bodies: *(See Map: Black Brook Tract, 2)*

2. Ponded Water:

The Black Brook Tract currently has six water bodies that would be categorized as ponds including Military Pond, Slush Pond, and Mud Pond, with the remaining two unidentified. The largest Eastern section of the Tract contains four water bodies. Fern Lake measures 1,152 acres, with a perimeter 4 miles. Military Pond measure 32 acres, with a perimeter of 1.15 miles; Slush Pond measures 44 acres, with a perimeter of 1.3 miles. Mud Pond on the Western portion of the Tract measures 9.5 acres square miles, with a perimeter of 0.57 miles.

3. Watercourses:

A complex network of watercourses exists within the Tract. These watercourses include Blake Brook, Black Brook and Big Black Brook, Allegany Brook, Demar Brook, and Brandy Brook, as well as several unnamed streams.

4. Wild, Scenic, and Recreational Rivers:

There are two Recreational Rivers that run adjacent to the Tract. Saranac River's Main Branch is located on the Western side, while Ausable River's West Branch is to the Southeastern side. The surrounding rivers, which connect with other bodies of water

leading into the Tract, offer a possibility of a future public access corridor.

5. Wetlands: Wetlands within the Tract are being inventoried and mapped by the Adirondack Park Agency. Wetlands are primarily concentrated along major drainages and in association with area lakes and ponds or rivers. Maps will be provided at a later date.

6. 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.

7. Wildlife:

Black Brook 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.

8. Hunting:

Hunting seasons will run in accordance with dates determined by New York State, running from September 1 through April 10, depending on game species. Hunting and trapping rules and regulations, and licensing requirements are applicable to areas within the Tract.

9. 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.

10. Visual/Scenic Areas:

The Department may designate scenic areas along trails and corridors. Such areas may be maintained and appropriate parking and viewing facilities may be developed. Any scenic areas will be specifically identified in the Final Recreation Management Plan.

IV. General and Specific Guidelines: This Interim recreation Management Plan shall implement public recreation on the portions of the Tract so designated for such uses, either in the Conservation Easement or in the Public Recreation Access Map, or both.

A. General Guidelines. Public recreational access shall be consistent with the Conservation Easement and the following general guidelines:

1. Safety.

2. 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.
3. Not interfering with Grantor's Forest Management Activities.
4. The capacity of the Tract to accommodate public recreation.
5. 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.
6. The location and condition of trails, parking areas, campsites, and other recreational improvements shall be reviewed at least annually and more frequently, if necessary.
7. 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, a well as this Plan.
8. 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.

B. Specific Guidelines. In addition to the general guidelines listed above, implementing public recreation on the Tract shall be consistent with the following specific guidelines:

1. *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 which are in general use by the New York State Office of Parks, Recreation, and Historic Preservation at the time in question, or equivalent manuals and guidelines used by another State agency.
2. *Grantor's Recreation Leases.* Public recreation on the Protected Property shall not conflict with nor diminish Grantor's private recreation and camp leases ("camp lessees"), including lessees' ability to access their camps using motorized vehicles.

V. Public Recreational Access. The following recreational access and uses may become available to the public upon expiration of posting leases as provided in the Phase II-III Conservation Easement or in accordance with this Interim Recreation Management Plan.

1. Conservation Easement – A: The following public recreational rights are granted to the Department:

- (a) Non-motorized. In accordance with subsequent Interim Recreation Management Plans or the Final Recreation Management Plan and subject to approval by LAT I, the Department may allow year-round access by non-motorized means on designated trails, including but not limited to: hiking, bicycling, rock climbing, snowshoeing, cross-country skiing, horseback riding and the use of horses or other similar animals for transportation of supplies, and traveling by mechanized aids for persons with mobility impairment.
- (i) Existing: This Interim Recreation Management Plan does not identify any existing public hiking trails.
- (ii) Proposed: This Interim Recreation Management Plan does not propose new public hiking trails.
- (b) Canoe/Boat. Access by canoe, motorboat and other watercraft on designated streams, rivers, wetlands, bogs, or other bodies of water.
- (i) Existing: This Interim Recreation Management Plan does not identify any existing public access for watercraft.
- (ii) Proposed: This Interim Recreation Management Plan does not propose new public access for watercraft.
- (c) Motorized Vehicles. The Department may eventually designate roads and trails for use by motor vehicles, snowmobiles, all terrain vehicles, or other motorized recreational vehicles in the Interim Recreation Management Plan; and may provide additional and broader motorized access to other areas of the Tract during certain hunting seasons, as provided in the Interim Recreation Management Plan.
- (i) Existing: Notwithstanding the Grantor's posting leases, the snowmobile trails identified on the *Black Brook Tract Map* as "State Public Snowmobile Corridors" are open for public snowmobile use in accordance with this Interim Recreation Management Plan. No roads or trails have been designated for motorized vehicle or ATV use in this Interim Recreation Plan.
- (ii) Proposed: This Interim Recreation Management Plan does not propose any snowmobile trails except the "State Public Snowmobile Corridors" identified on the *Black Brook Tract Map*.
- (d) Camping and Picnicking. Camping and picnicking shall be

restricted to those areas designated for such use in an approved Recreation Management Plan (“camp sites” and “picnic areas

- (i) Existing: This Interim Recreation Management Plan does not identify existing public campsites.
- (ii) Proposed: This Interim Recreation Management Plan does not propose new public campsites.

(e) Campfires. Camp fires by members of the public is not allowed unless and until campsites are established pursuant to an approved Recreation Management Plan.

(f) Hunting, Fishing, and Trapping, Temporary Tree Stands. Unless otherwise provided for in a subsequent Interim Recreation Management Plan or the Final Recreation Management Plan, public hunting will not be allowed until April 22, 2009 when posting leases must be reduced in size in accordance with the Conservation Easement.

(g) Parking Areas. Parking. Parking of motor vehicles used by the public shall be allowed, in accordance with the Recreation Management Plan.

- (i) Existing: This Interim Recreation Management Plan does not identify any existing public parking areas.
- (ii) Proposed. This Interim Recreation Management Plan does not propose new public parking areas.

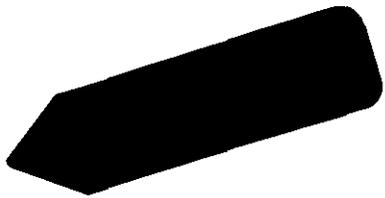
BY EXECUTING THIS INTERIM RECREATION MANAGEMENT PLAN,
THE PARTIES AGREE TO THIS PLAN AND INTEND TO BE BOUND
BY ITS TERMS, SUBJECT TO THE CONSERVATION EASEMENT.

LYME ADIRONDACK TIMBERLANDS I, LLC

By: *[Handwritten Signature]*

Its: *Pres*

Date: *3/1/07*



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

By: *[Handwritten Signature]*
Nancy Lussier

Its: Director, Division of Management and Budget

Date: _____