



Department of  
Environmental  
Conservation

Upper Hudson Woodlands ATP, Hyslop Tract  
**Conservation Easement**  
**Recreation Management Plan**

---

*County of Essex*  
*Town of Newcomb*

ANDREW M. CUOMO  
*Governor*

Basil Seggos  
*Commissioner*

March 2020

**Lead Agency:**

New York State Department of Environmental Conservation  
625 Broadway, 5<sup>th</sup> Floor  
Albany, NY 12233-4254

**For Further Information Contact:**

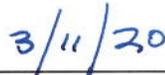
Robert Ripp, Forester  
NYS DEC  
Warrensburg Office  
232 Golf Course Rd  
Warrensburg, NY 12885  
r5.ump@dec.ny.gov

## REVIEW DECLARATION

NYSDEC has responsibility for managing public access and recreation on the Upper Hudson Woodlands ATP, Hyslop Tract Conservation Easement property, in accordance with the content of the Conservation Easement. The Parties agree that this Recreation Management Plan is consistent with the terms, conditions, and purposes of the Conservation Easement and reviewed/approved for implementing the public recreation program on the Upper Hudson Woodlands ATP, Hyslop Tract.

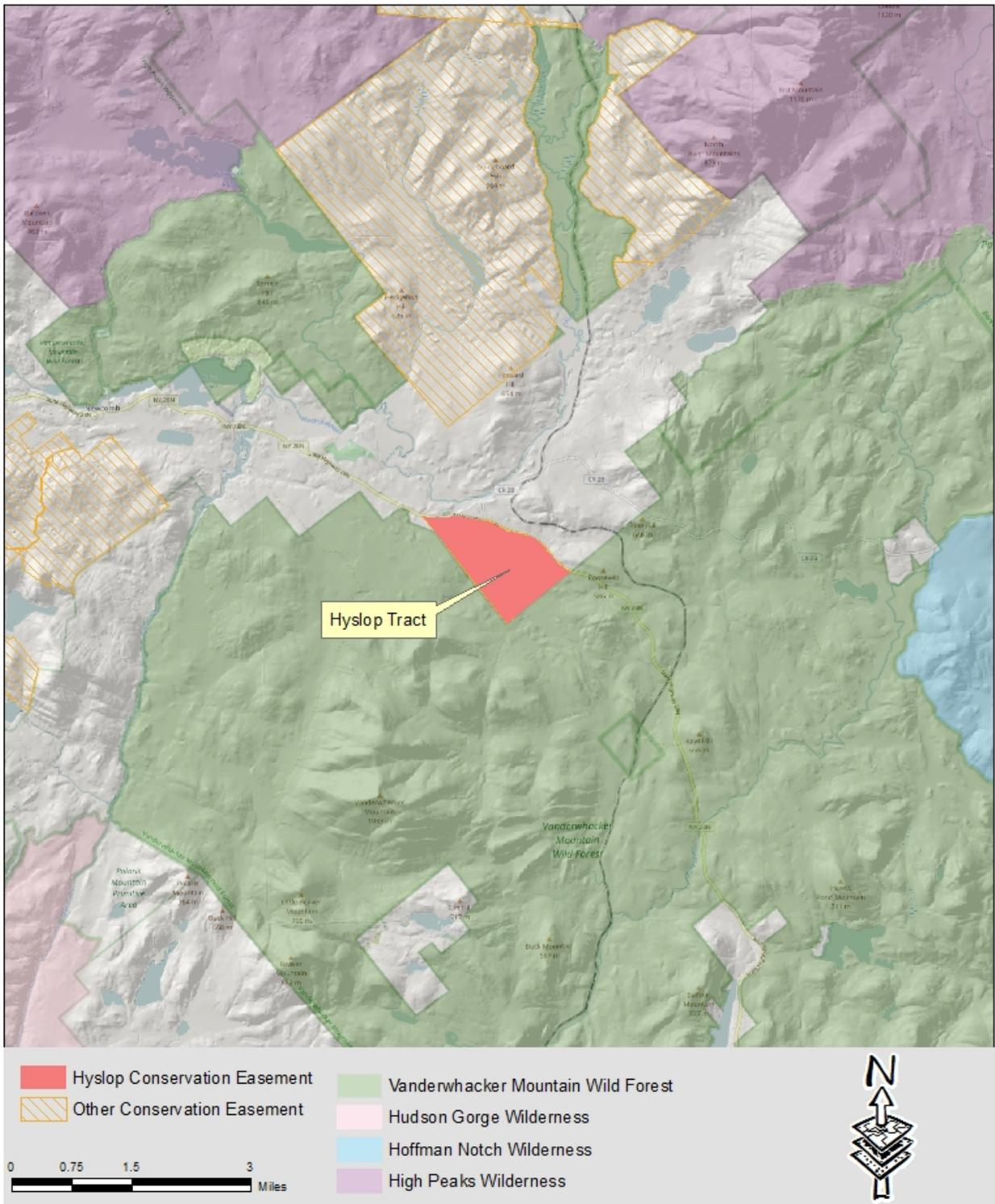


Robert K. Davies, Director  
Division of Lands & Forests



Date

## Upper Hudson Woodlands ATP Hyslop Tract



# Table of Contents

## PREFACE

Use of Conservation Easements .....	7
I. INTRODUCTION	
A. Purpose of the Recreation Management Plan (RMP) .....	8
II. PROPERTY OVERVIEW	
A. Geographic Information .....	9
III. NATURAL AND CULTURAL RESOURCES	
A. Physical Resources .....	10
1. Terrain/Topography .....	10
2. Geology and Soils.....	10
3. Water .....	10
4. Wetlands.....	11
B. Biological Resources .....	11
1. Fish and Wildlife .....	11
2. Vegetation .....	11
3. Endangered, Threatened and Species of Special Concern .....	11
4. Natural Heritage Program Elements of Occurrence.....	11
C. Cultural Resources .....	12
1. Cultural and Archaeological.....	12
2. Wild, Scenic and Recreational Rivers .....	12
IV. LANDOWNER MANAGEMENT AND USE	
A. Property History .....	12
1. Timber Harvesting .....	13
2. Recreational Use .....	13
B. Current Forestry Uses .....	13
1. Forest Management Activities.....	13
2. Logging Closure Zones.....	13
C. Current Non-Forestry Uses of the Property .....	14
1. Recreational Leases .....	14
D. Property Infrastructure .....	14
1. Existing Infrastructure .....	14
2. Forestry Structures and Other Infrastructure.....	14
3. Gravel Pits.....	14
V. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS	
A. Public Property .....	15
1. Forest Preserve Lands .....	15

B.	Private Property.....	15
1.	Other Private Lands Encumbered by Conservation Easements .....	15
2.	Other Private Property .....	15
VI.	CONSERVATION EASEMENT AFFIRMATIVE RIGHTS	
A.	Recreation Access and Use Rights.....	16
1.	Non-motorized Access - Use and Activities .....	16
2.	Motorized Access - Use and Activities .....	16
B.	Proposed Public Use of Existing Infrastructure .....	16
C.	Recreation Signs .....	17
D.	Construction of New Infrastructure .....	18
E.	Other CE Provisions Affecting Public Use .....	18
1.	Barriers, Gates, and Locks .....	18
2.	Search, Rescue, Fire, Emergency Response, and Law Enforcement.....	18
VII.	PUBLIC USE ADMINISTRATION AND MANAGEMENT	
A.	Administration.....	19
1.	Laws, Policies, and Memoranda .....	19
2.	Management Authority, Staff and Responsibility .....	19
3.	Regulatory Requirements, Approvals and Procedures .....	21
B.	Public Recreation Management Principals, Goals and Objectives.....	22
1.	Management Principles.....	22
2.	Management Goals and Objectives .....	22
3.	Best Management Practices.....	23
4.	Guidelines and Standards.....	24
C.	Recreation Use Opportunities and Constraints.....	25
1.	Potential Activities and Opportunities .....	25
VIII.	PROPOSED RECREATION MANAGEMENT ACTIONS	
A.	General Recreation Management Actions.....	25
1.	Boundary Identification.....	25
2.	Recreation Enforcement .....	25
3.	Recreation Monitoring .....	25
B.	Specific Recreational Activities .....	26
1.	Linear Recreation Corridor .....	26
C.	Recreational Support Facilities.....	26
1.	Bridges.....	26
2.	Information Kiosks and Entrance Signs .....	26
4.	Signage.....	26
IX.	IMPLEMENTATION SCHEDULE AND ESTIMATED BUDGET.....	27
X.	COMPLIANCE.....	27
A.	October 2011 - Conservation Easement Recreation Management.....	27

B.	State Environmental Quality Review Act .....	27
C.	Freshwater Wetlands Act .....	27
D.	APA/DEC MOU .....	28
XI. APPENDICES		
A.	SEQRA .....	29
B.	CE Public Recreation Road & Trail Sign Guidance Manual .....	29
C.	Public Comments and Response Summary .....	29
D.	Conservation Easement Recreation Language and Map .....	35
E.	Overall Recreation Map .....	36
F.	Inventory of Share Roads and Trails Map .....	37
G.	Trail Segment Map .....	38
H.	Gravel Site Map .....	39
I.	Easement Map .....	40
J.	Conservation Easement Road Specifications Map .....	41
K.	APA Review Letters .....	43

# PREFACE

## Use of Conservation Easements

The Legislature of the State of New York has declared the public policy of the State to be the conservation, preservation, and protection of its environmental assets and natural and man-made resources. In addition to purchasing conservation lands on behalf of the People of the State, the New York State Department of Environmental Conservation (NYSDEC or DEC) also protects land and natural resources by acquiring less than full interests in land, using a permanent legal agreement called a Conservation Easement. Conservation Easements are used widely across the United States by government and non-profit land conservation organizations to protect a variety of properties with important natural resources and other landscape values such as water quality, wildlife habitat and sensitive ecosystems, wetlands and riparian areas, scenic areas such as meadows and ridgelines, agricultural land, working forests, and historic sites. The primary function of easements is to limit or eliminate future development and undesirable land uses on a property, while allowing for continued private ownership and traditional management. Some Conservation Easements allow public access to the protected property and some do not.

New York State acquires Conservation Easements primarily on properties that buffer existing State lands, provide additional public recreational opportunities, and/or maintain large working forests. There are now over 900,000 acres of land in New York that are protected by Conservation Easements acquired by the State. Most of that land consists of large tracts of commercial timber land in the Adirondack and Tug Hill regions; however, DEC also holds easements on a variety of other properties across the State.

On most large working forest Conservation Easement properties, the State has acquired some level of public recreation rights in addition to development and land use restrictions. In some cases, a wide range of public recreational use is permitted, and in others public access is very limited. The amount of public access depends largely on the goals and objectives of the grantor and the State at the time the easement was negotiated. All of these lands are actively managed for forest products, and many of the companies who own the land also rely on income from private hunting and fishing club leases.

This recreation management plan will explain the combination of public recreational rights the State acquired through the Conservation Easement and how these rights are to be implemented on the property in a compatible way with the rights (forest management, private recreation activities) which were retained by the grantor.

# I. INTRODUCTION

This Recreation Management Plan applies to those lands subject to a Conservation Easement held by DEC within Essex County in the Town of Newcomb, referred to herein as the Upper Hudson Woodlands ATP Conservation Easement (also referred to in this RMP as the “Protected Property”, “Property”, or “Easement Property”). More specifically, this document will address the Hyslop Tract of the Upper Hudson Woodlands ATP Easement. The Easement was filed with Essex County as Liber 1658, Page 17.

## A. Purpose of the Recreation Management Plan (RMP)

The Upper Hudson Woodlands ATP, Hyslop Tract Conservation Easement grants the State of New York specific legal interests in the easement property, including a guaranteed right to permit public access (with certain limitations) to some of the lands for participation in certain natural resource-based outdoor recreation activities.

Public recreation access to privately-owned Conservation Easement lands is guided by a Recreation Management Plan (RMP) that is developed for each easement property. Preparation of this RMP is required in accordance with the Conservation Easement. It is the position of the Department to provide a copy of this RMP to the property owner (“the Grantor”) for review even if the Easement may not require the DEC to do such. This RMP addresses the State’s role in planning, implementing, and managing for public access and recreation rights on the Upper Hudson Woodlands ATP, Hyslop Tract Easement property. It describes DEC’s planning process and provides opportunities for stakeholders to participate in that process.

This RMP has been developed pursuant to, and is consistent with, relevant provisions of the Environmental Conservation Law (ECL), Executive Law, NYSDEC rules and regulations, NYSDEC policies and procedures, the NY State Environmental Quality and Review Act (SEQRA), *DEC/APA MOU Concerning State-owned Conservation Easements on Private Lands within the Adirondack Park* (if applicable) and the terms and conditions of the recorded Conservation Easement document that apply specifically to this Property. The Grantor has been consulted during the public recreation planning process and has had an opportunity to review and comment on this RMP. A Full Environmental Assessment Form (EAF) has been prepared for this RMP in accordance with SEQRA.

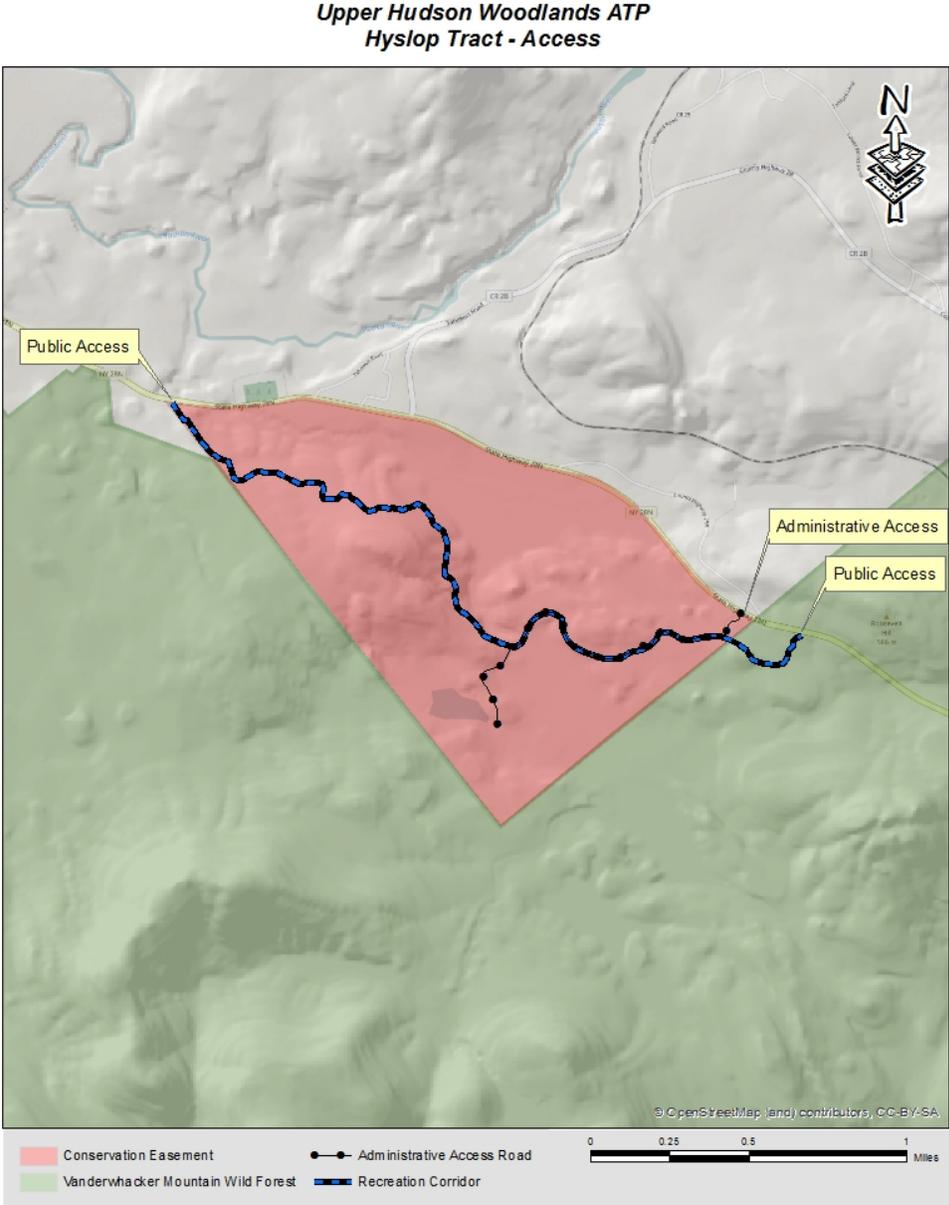
The purpose of an RMP is to establish a planned, written management scenario, to implement the State’s rights and protect the property rights of the private fee owner, as specified in the Conservation Easement. It is intended that such management document remain consistent and in effect over time, despite changes in agency personnel or private land ownership. The RMP integrates consideration of pertinent legislation, legal codes, rules and regulations, policies, easement-specific requirements and conditions, and property-specific information into a single document. Provided in the RMP will be a description of the property and past and present uses; relevant public recreation opportunities and limitations; how public access and recreation will be implemented and managed; who will have responsibility for various management tasks; identification of public recreation facilities that may already exist on the property; new public recreation facilities and improvements proposed to be constructed and maintained; and how public

access is anticipated to interact with other uses of the property such as active forest management and private leasing programs. The RMP preparation process and resulting document provides a means for discussing and clarifying pertinent issues, clearly stating management goals and mechanisms, review of the proposed public recreation activities and actions, and implementing public recreation on the easement property. Periodically RMPs may be revised, updated, or amended.

## II. Property Overview

### A. Geographic Information

1. Property Description and Access



The Upper Hudson ATP Hyslop Tract is located within the Town of Newcomb in Essex County. This 762-acre tract is located about three miles east of the Hamlet of Newcomb. Some local points of interest are the Hudson River, Harris Lake, and the Essex Chain of Lakes for water recreation. Great hiking can be found in the nearby High Peaks Wilderness Area, and the Vanderwhacker Mountain Wild Forest (VMWF). The tract is also in very close proximity to some local historic landmarks including the Camp Santanoni Historic Area, and the Tahawus Mines.

The tract's northerly boundary is State Route 28N. Public access to the tract can be achieved on the north/west from a log landing on 28N. Southerly/easterly public access comes from the VMWF near 28N. The basic shape of the property is triangular. Both the southwestern and southeastern boundaries are shared with the VMWF, with the exception of a very small section of private land near the previously mentioned log landing. A linear recreation corridor will be built, used, and maintained for snowmobiles, hiking, mountain bikes, horses, skiing, and snowshoeing. The corridor is aligned generally east/west as depicted in the above map. The administrative access road depicted on the Property Overview map will also be used by DEC personnel, the landowner and its assigns.

### **III. NATURAL and CULTURAL RESOURCES**

#### **A. Physical Resources**

##### **1. Terrain/Topography**

The terrain of the property varies throughout the tract. There are several areas of wetlands and lowland conifer areas with very little slope. However, these can quickly change into mid slope mixed woods and upland moderate slopes containing northern hardwood stands. The majority of the property is gently to moderately sloped, with the lowest point being about 1,150' and the highest ridge being about 1950' above sea level.

##### **2. Geology and Soils**

The soils on the property are very typical of the Adirondack region, and is composed mainly of glacial till. The common upslope soils on the property are from the Monadnock, Becket, Tunbridge, and Tahawus series. These tend to be fine, deep, well drained soils with the presence of large boulders. Due to the aforementioned characteristics, these soils tend to be appropriate for sustainable trail development. These soils are also fertile and conducive to supporting Northern Hardwood stands.

The lowland areas within the property are of the Pleasant Lake-Burnt Vly soil series. These soils are poorly drained, very deep, mucky soils on broad flood plains, which formed in saturated, decomposing plant material overlying sandy sediments.

##### **3. Water**

Although not available for public use, Hyslop Pond and Hyslop Brook are the two water bodies within the parcel borders. These are important in that they are tributaries to the Hudson River. Hyslop Brook is also a class c trout stream.

#### **4. Wetlands**

Although the tract is generally well drained, there are some APA-regulated wetlands present. However, the development of public recreational facilities and improvements proposed by this RMP is not anticipated to have wetland impacts. These wetland areas are generally confined to the lowland areas around Hyslop Pond and Hyslop Brook. These wetlands are of a palustrine, and lower perennial riverine nature. This particular wetland classification is very typical of other wetlands throughout the area, in that they are generally present throughout the year and have relatively slow water velocity. This promotes a variety of wetland vegetation ranging from algae to grasses, shrubs, and trees.

### **B. Biological Resources**

#### **1. Fish and Wildlife**

Although the Hyslop Tract is not open for public hunting and fishing, there are a variety of wildlife species on the property including but not limited to black bear, white-tailed deer, ruffed grouse, snowshoe hare, coyote, red fox, and occasionally moose. There are also a number of other small mammals, birds, reptiles, and amphibians that inhabit the Hyslop Tract. Native brook trout are found in Hyslop Brook and Hyslop Pond.

#### **2. Vegetation**

The Hyslop Tract contains several different plant communities, all of which are common to the Adirondacks. The majority of the property consists of northern hardwoods with a presence of witch hobble, and single-stemmed ferns. There are mixed-wood stands, spruce-fir forests, and wetland areas scattered throughout.

#### **3. Endangered, Threatened and Species of Special Concern**

The Natural Heritage Program does not currently list any endangered, or threatened species on the property.

#### **4. Natural Heritage Program Elements of Occurrence**

The Natural Heritage Program lists several medium fen locations on the Hyslop Tract. A medium fen is part of a peatland complex that includes natural communities of black spruce-tamarack bog, alder dominated shrub swamp, spruce-fir swamp, and possibly a sedge meadow. Two separate portions of medium fen comprise a total of nine distinct areas occurring along Hyslop Brook. The northern portion is near Route 28N, and the southern portion is generally well-buffered. An extensive spruce-northern hardwood forest surrounds the southern portion of the peatland complex. Allowing for a continuation of the natural hydrological and disturbance regime of Hyslop Brook is very important in protecting the ecological integrity of this medium fen; inherent species within this medium fen are dependent upon specific hydrological and ecological conditions.

#### **5. Invasive Species**

As global trade and travel have increased, so have the introduction of non-native species. While many of these non-native species do not have adverse effects on the areas in which they are introduced, some become invasive in their new ranges, disrupting ecosystem function, reducing biodiversity and degrading natural areas. Invasive species have been

identified as one of the greatest threats to biodiversity, second only to habitat loss. Invasive species can damage native habitats by altering hydrology, fire frequency, soil fertility and other ecosystem processes.

Invasive insects are commonly found in recreational areas and can be incredibly destructive to forested landscapes. Balsam Woolly Adelgid has been observed in close proximity to the property so yearly inspections should be done along the corridor. An isolated occurrence of Hemlock Woolly Adelgid was discovered near Lake George in 2017, so this should also be taken into consideration when inspecting the corridor. Other invasive insects have been detected in trees around the Adirondack Park, but they have not been recorded on the property.

The story is different for many invasive plants. The best source of information on exact locations of invasive species is the iMapInvasives webpage. While no invasive species have been recorded on the Property, many species are in close proximity. These include Eurasian water milfoil, purple loosestrife, common reed, garlic mustard, giant hogweed, wild parsnip and Japanese knotweed. It is possible that some of these species are on the Property but are not yet in the database. Other species that are considered a considerable threat to the Adirondack Park are yellow iris, Russian olive, oriental bittersweet and hydrilla.

## **C. Cultural Resources**

### **1. Cultural and Archaeological**

There are no cultural and archaeological sites reported for the Unit.

### **2. Wild, Scenic and Recreational Rivers**

There are no Wild, Scenic or Recreational Rivers within the Unit, but the tract does lie within 0.25 mile of a recreational portion of the Hudson River.

## **IV. LANDOWNER MANAGEMENT AND USE**

### **A. Property History**

The Hyslop Tract has a long history as a working forest. The McIntyre Iron Company owned the property for years. They harvested the timber in order to make charcoal that would fire the blast furnace at the Upper and Lower Works near Tahawus. Eventually the mining operations became less profitable and the McIntyre Iron Company sold the property to Finch Pruyn, & Co. (Finch). Finch continued managing for timber production to supply their paper mill in Glens Falls, NY. The property was harvested several times during their ownership until it was eventually sold to The Nature Conservancy in 2007, along with approximately 160,000 additional acres throughout the Adirondacks. In the spirit of conservation, TNC reserved several Conservation Easements totaling approximately 92,000 acres, roughly 89,000 acres of which was conveyed to the State of New York, Hyslop included. The properties were then sold to Upper Hudson Woodlands ATP, and will continue to be utilized as a working forest.

### **1. Timber Harvesting**

Timber harvesting is an important aspect to the management of the Hyslop Tract. The property has been logged in the past, and continues to be today. Timber harvesting shaped the tract's ecosystems, biodiversity, and aesthetics through time. Access was developed via main haul roads, and trails from skid roads. As of late, the acting forest managers, F&W Forestry, manage the Hyslop Tract for Upper Hudson Woodlands ATP as a working forest with sustainable, long-term forestry in mind.

### **2. Recreational Use**

Private recreational use of the Tract has been greatly shaped by past timber harvesting activities. The roads and trails that were created to extract timber also improved access for hunters, anglers, and many other outdoor enthusiasts. This led to the eventual formation of eight hunting and fishing camps on the property, each of which has its own recreational lease for the entire tract. Such uses include, but are not limited to, hunting, fishing, trapping, hiking, camping, ATV use, and snowmobile use. Due to the limited recreational rights conveyed to the State, public recreational use of this tract is limited to the extent of the identified public linear recreation corridor and the specified public uses of that corridor that are detailed in this RMP.

## **B. Current Forestry Uses**

### **1. Forest Management Activities**

A major purpose of the Conservation Easement on this property is to ensure that the forest resource will continue to be available to the current and future landowners for viable, sustainable forest management and the associated long-term production of forest products. The Hyslop Tract has been certified by the Sustainable Forestry Initiative (SFI) and Forest Stewardship Council (FSC) as being a well-managed source of wood products whose forest management practices adhere to strict environmental and socioeconomic standards in accordance with the Principles and Criteria of SFI and FSC. Additional information regarding SFI and FSC and their standards can be found at [www.sfiprogram.org](http://www.sfiprogram.org) and <https://us.fsc.org/en-us>. Due to the working forest nature of the property it is common to see foresters, loggers, and logging equipment on the property, and the people using the property for recreation can expect to encounter this type of activity during a visit.

### **2. Logging Closure Zones**

The Landowner reserves the right to close the linear recreation corridor during logging in consultation with the Department. A 30-day written notice must be given to the Department. Logging Closure Zones shall not be in place for more than 6 months unless extended by mutual agreement between the Landowner and the Department. Logging Closure Zones must not be more than 10% of the tract available to the public at one time. Potential closures should be discussed as early as possible to allow for the designation of an alternative route. The Landowner is responsible for identifying and making available a same width alternative route for public recreational use, so the linear recreation corridor remains intact. The Landowner is responsible for placing adequate and appropriate signs where public roads and trails enter Logging Closure Zones.

## C. Current Non-Forestry Uses of the Property

### 1. Recreational Leases

Upper Hudson Woodlands ATP has a lease program in effect for the majority of its properties. This provides additional income from a forest recreation standpoint, and the Hyslop Tract is no exception to this. The public will directly benefit from a linear recreation corridor on this property. All other recreation rights on the tract are retained by the landowner and may be shared with their lessees. There are currently eight camps located on this tract, each with a 1-acre building envelope around the camp. Each of these 1-acre camp envelopes are for the exclusive use of the lessee. As a whole, all eight leases have equal recreational rights to the entire Hyslop Tract, with the exception of each other's 1-acre camp envelopes.

## D. Property Infrastructure

### 1. Existing Infrastructure

The proposed public recreation corridor will utilize approximately 2.2 miles of existing infrastructure that is distributed among three respective access network classifications: administrative access road, skid trail and recreation trail. The administrative access road segment, which includes a bridge crossing Hyslop Brook, is the only segment of the proposed public recreation corridor where private use of and access to the property by the owners, their leases and contractors will be shared in common with public use and DEC administrative use. Please see Appendix F, **Inventory of Shared Roads and Trails**, for the appropriate map. Various uses will coincide on this road, and through proper communication, signage, education, and enforcement, the Department will work with Upper Hudson Woodlands ATP to minimize user conflicts.

### 2. Forestry Structures and Other Infrastructure

There is a large network of secondary forest roads and skid roads located throughout the property. In the event that forest management activities disrupt or render sections of the recreational corridor unusable, the landowner shall be responsible for providing a suitable alternative route, so the linear recreation corridor remains open.

### 3. Gravel Pits

Gravel pits may only be utilized by Upper Hudson Woodlands ATP, and the Department as follows:

- a. Sand and gravel originating on the protected property shall not be deposited, sold, or used off the protected property, except that grantor and grantee may transport and use sand and gravel off the protected property for maintenance of those portions of public roads (town or county public highway) that pass through, along the boundary of, or are located within (1) mile of the protected property and that provide access to the protected property; for the purpose of maintaining existing private access road rights-of-way leading to and from the protected property; or to construct new private access road rights-of-way leading to and from the protected property that may be acquired by grantor or grantee in the future.
- b. The area or location of the protected property from which the sand and gravel may be extracted by grantee shall be subject to grantor's approval.

- c. In order to minimize negative environmental impacts and maintain the forested area of the protected property, the parties shall use existing sand and gravel pits when practical, and avoid opening new pits or excavations except when necessary. The parties may not open or excavate new sand or gravel pits within any Special Treatment Area as defined by either the CE or the landowner's forest management plan. New pits or excavations are those that are not identified as "existing" in the Baseline Documentation. The parties shall make every effort to avoid sensitive areas, minimize visual impacts, and comply with any and all applicable laws and regulations when extracting sand and gravel. Please see Appendix G for gravel pit locations.

## **V. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS**

### **A. Public Property**

#### **1. Forest Preserve Lands**

The Hyslop Tract is bordered on the south by the Vanderwhacker Mountain Wild Forest. This Forest Preserve land will host the majority of the Newcomb to Minerva and the Newcomb to North Hudson community connector trails. The trail corridor across the Hyslop Tract will be a vital component to link the multiple use trail with the Town of Newcomb.

### **B. Private Property**

#### **1. Other Private Lands Encumbered by Conservation Easements**

There are several other State-owned Conservation Easements in the general area, but none of these currently have a direct impact on the Hyslop Tract.

#### **2. Other Private Property**

The Hyslop Tract is bordered by several private landowners, most of which are located north of State Route 28N from the property. These lands are classified as Industrial, Rural, Low Intensity, and Resource Management under the Adirondack Park Land Use and Development Plan.

## **VI. CONSERVATION EASEMENT AFFIRMATIVE RIGHTS**

The Conservation Easement that pertains to the Property covered by this RMP grants the State of New York a legal interest in the Protected Property, sets forth terms, restrictions, and rights with respect to the Property, and establishes a framework for administering the public recreation access rights acquired by the State. The specific terms of the Easement were developed through negotiations between the State and the Grantor and have resulted in a guaranteed right for the State to permit limited or, in some cases, full public access to the Property and participation in certain outdoor recreation activities.

## **A. Recreation Access and Use Rights**

The Conservation Easement grants the People of the State of New York a permanent right of access to the Property for outdoor recreational use, subject to the specific terms in the recorded Conservation Easement document agreed to by the State and the Grantor. All management actions on the Property, as implemented through this Recreation Management Plan, will be conducted in accordance with those specific easement terms and will consider and strive to be consistent and compatible with, the reserved rights of the Grantor. Permitted public recreational activities, as proposed in this RMP, are designed to have limited impacts on the natural resources of the Property, on the Landowner's management of the Property for forest products, reserved rights, including their private leasing program, and on private lessees. The following affirmative rights, subject to specific terms, conditions, requirements, limitations, and restrictions stated in the Easement and described in Section VI.B below, have been purchased by the State of New York and apply directly to the development and implementation of this public Recreation Management Plan:

*"The provisions of this Conservation Easement allow for a Linear Recreation Corridor to be established in a generally East to West direction to facilitate the Newcomb to North Hudson Community Connector Trail. This will be for both motorized and non-motorized uses, and can be seen in Appendix E – Overall Recreation Map, which identifies generally where on the property recreation activities will occur."*

### **1. Non-motorized Access - Use and Activities**

DEC has the right to provide public access along the proposed linear recreation corridor for a variety of non-motorized outdoor recreational activities, such as: hiking, mountain biking, snowshoeing, cross-country skiing, photography, bird watching, wildlife observation, horseback riding. These activities will be permitted year-round, except during the regular big game hunting season, on the linear recreational corridor, and must be conducted in accordance with applicable State laws and regulations. Access and use to all other areas of the property that do not fall within the linear recreational corridor will be prohibited.

Mountain biking has seen many changes in recent years. There are no rules regarding the size of mountain bike tires including "fat bikes". Electric bicycles or electric enhanced bicycles will not be a permitted use on the Hyslop Conservation Easement.

### **2. Motorized Access - Use and Activities**

DEC has the right to allow public snowmobile access across the property via the designated recreational corridor. This route will be signed accordingly as being open to snowmobiles. Speed limits and other restrictions or safety information may also be posted. Snowmobiling on the property must be conducted in accordance with all applicable State laws and regulations and will not begin until after the regular big game hunting season and there is sufficient snow pack.

## **B. Proposed Public Use of Existing Infrastructure**

For the purpose of the proposed public linear recreation corridor, DEC may use portions of the existing access road.

### **1. Easement Terms**

The Hyslop Tract Easement terms are stated as follows: "A Linear Recreation Corridor shall be established as a continuation of the North Hudson to Newcomb and Minerva to Newcomb Corridor and identified as "M1" on the attached exhibit No. 3, for motorized public recreational use which is generally located and runs from the west end of the protected property on Rt. 28N and continues easterly along forest roads to Forest Preserve boundary near Rt. 28N."

### **2. Maintenance of Improvements**

Where use of improvements made by either party are utilized by both parties the Conservation Easement provides general guidance on how the costs for maintaining improvements are to be shared. The Department and the grantor will share the expense of any maintenance or replacement of improvements in public use based on the proportionate amount of use and benefit that each party derives from the open and accessible improvement (except for shared bridges which the parties will share equally in the cost of replacement). An annual maintenance plan that represents each parties share of the maintenance cost will be developed by both parties individually with due consideration to their respective annual budgets and work-plans, and shall be agreed to each year at the annual meeting.

When considering cost-sharing arrangements, it is important to mention that neither the Department, nor the landowner, is responsible for assuming a cost that is not commensurate with the interest they have in a particular shared improvement. With that in mind, the Department is solely responsible for incurring costs unique to providing for public access and use; likewise, the landowner is solely responsible for incurring costs unique to providing for their reserved rights in the property. Any damage caused by public recreational activities shall be the responsibility of the Department to repair. Any damage caused by the landowner's activities (for example logging operations or the lease holders) shall be the responsibility of the landowner to repair.

During construction and maintenance, Best Management Practices (BMPs) will be utilized to protect the natural resources (see BMP Field Guide at DEC website):  
[http://www.dec.ny.gov/docs/lands\\_forests\\_pdf/dlfbmpguide.pdf](http://www.dec.ny.gov/docs/lands_forests_pdf/dlfbmpguide.pdf).

The public's use of roads, trails, recreational amenities or any improvement may be subject to temporary or permanent closure, removal or relocation if the Department determines that the use is having a negative impact on natural resources, Department administration of the property, or is contributing to substantial conflicts with the landowner's private property rights

## **C. Recreation Signs**

Trail signage will be used through the recreational corridor for safety, information, education, and navigation purposes.

## **D. Construction of New Infrastructure**

DEC may construct new improvements, amenities, or limited facilities necessary to support permitted and approved public access and use of the Property.

A 2.5-mile linear recreational corridor will be established through the Conservation Easement using existing roads and trails to the greatest extent possible. Approximately 0.85 miles of trail will be located on an existing access road that will require little to no modification. Approximately 1.35 miles is located on existing skid trails that will need some modification and improvement, and approximately 0.3 miles will be completely new trail construction. The construction, improvement and maintenance of these trails will be to a standard which accommodates all allowable uses. The recreational corridor will be constructed, improved, and maintained to the Medium Snowmobile Trail Volume Class standards outlined in Appendix J, Conservation Easement Road Specifications, and will be appropriately hardened to accept non-winter recreational uses like equestrian and mountain bike use. The entire corridor will be managed as a road to be used by snowmobiles, horseback riders, hikers, bicycles, skiers, and other acceptable non-motorized forms of recreation. Any motorized use other than snowmobiles, or equipment and vehicles directly related to the maintenance of the trail is prohibited, except for administrative use by the Department or the landowner, its designees and assigns. The landowner will be responsible for any damage to the linear recreation corridor resulting from the actions of the landowner, its designees or lessees. This is including but not limited to ATV/UTV and motor vehicle use of the linear recreation corridor. A map illustrating this recreational corridor can be seen in Appendix E.

## **E. Other CE Provisions Affecting Public Use**

### **1. Barriers, Gates, and Locks**

DEC, in consultation with the Landowner, has the right to install barriers and gates to control public motor vehicle access. Any gates installed will be for the purpose of regulating motor vehicle access during periods of inclement conditions in order to preserve sustainable road and trail conditions, or to restrict motor vehicle use to permitted roads. All new and replacement gates, installed by the Department, will meet the Department's safety standards as to color, design, and signage.

DEC staff will work closely with the landowner, to ensure that all gates are secured according to mutual agreement. In response to a recognized need, the Department will post signs intended to direct public use and access at all gates, barriers and principle access points, including those where unauthorized access or use by the public is known to be occurring. Ensuring that gates and barriers remain locked and/or secure, where necessary to discourage unauthorized use by the public, will require that all affected parties, both public and private, work collectively and consistently. Situations which require access to a gate by multiple parties will be addressed with a mutually agreed upon locking system which ensures that no party's rights of access to the property are diminished or interfered with.

### **2. Search, Rescue, Fire, Emergency Response, and Law Enforcement**

DEC and the Landowner have the right to undertake emergency actions necessary to preserve and protect private property interests, public recreation amenities, and human

health and safety in response to natural disasters, environmental hazards, or other threats. The DEC, Environmental Conservation Police, Forest Rangers, State Police, and other emergency response personnel will have full access to the property. Emergency response for search, fire, and rescue on the Property, as on State lands, will be coordinated by the NYS Forest Rangers, though a response may include other emergency responders. The emergency contact number for Region 5 Forest Rangers is (518) 891-0235 for the Adirondacks or (518) 408-5850 for Albany dispatch. Non-emergencies and general questions can be directed to (518)-897-1300.

## **VII. PUBLIC USE ADMINISTRATION AND MANAGEMENT**

### **A. Administration**

DEC has responsibility for managing public access and recreation in a manner consistent with the terms and provisions of the Conservation Easement. DEC will retain this underlying authority and responsibility even in situations in which it may approve another organization to serve as a partner in recreation management. Successful implementation of this RMP will require frequent communication among all parties involved in the management of public recreation and access on the Property, including DEC, the Landowner, and partners.

#### **1. Laws, Policies, and Memoranda**

This RMP has been developed within the constraints and guidelines set forth by the Environmental Conservation Law; Department Codes, Rules, and Regulations; established DEC policy; the 2010 DEC/APA MOU; and the terms and conditions of the Conservation Easement(s) that encumbers the Property

##### **a. DEC Policies:**

1. Volunteer Stewardship Agreement (CP-58)
2. Temporary Revocable Permit for State Lands and Conservation Easements (ONR-3)
3. Conservation Easement Public Recreation Road and Trail Sign Guidance Manual
4. October 2011 - Conservation Easement Recreation Management Plan Guidance

##### **b. State-Administered Land Use Controls**

1. Freshwater Wetlands Act
2. Wild, Scenic, and Recreational Rivers Act
3. Regulations of the Adirondack Park Agency

##### **c. DEC/APA MOU**

1. August 13, 2010; MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park.  
State Environmental Quality Review Act

#### **2. Management Authority, Staff and Responsibility**

The Regional Natural Resources Supervisor is the Manager of regional staff in the DEC Division of Lands and Forests, the Division of Fish and Wildlife, and the Division of Mineral Resources.

The DEC Division of Lands and Forests has primary responsibility for managing public use of the lands subject to this RMP, including development of this Plan, development of individual work plans and schedules, and coordination of all activities with the Landowner, partners, and other DEC Divisions. The Division of Operations, at the direction of the Division of Lands and Forests, will oversee construction and maintenance of facilities approved by this Recreation Plan. The Regional Forester in the DEC office in Ray Brook has overall responsibility for these matters. Reporting to the Regional Forester is a Supervising Forester, assigned to the Ray Brook DEC office, that is responsible for the oversight of the regional conservation easement program. Reporting to the Supervising Forester are Foresters, Natural Resource Planners, and Forestry Technicians that may be assigned to specific tasks in preparing or implementing this Plan.

The Regional Fisheries Manager and Regional Wildlife Manager are responsible for all Division of Fish and Wildlife activities. An Aquatic Biologist and a Wildlife Biologist have been assigned planning responsibilities for fisheries and wildlife concerns related to this Property.

The Office of Public Protection will be responsible for enforcement of laws and DEC rules and regulations. Environmental Conservation Officers and Forest Rangers have primary responsibility for monitoring and enforcement of public use of the easement property. A Land Manager will be designated by the Regional Forester as the lead DEC staff person for developing and implementing this and subsequent Plans for the easement property.

The Land Manager will be responsible for:

- 1) Overseeing the coordination and preparation of the RMP, as well as periodic updates, revisions, or amendments.
- 2) Coordinating the implementation of this and subsequent RMPs.
- 3) Overseeing the budget outlined in the RMP.
- 4) Assuring that management activities of all DEC Divisions, as they relate to this RMP, comply with applicable laws, regulations, policies, and easement terms.
- 5) Monitoring resource conditions and public use; addressing conflicts; and assessing the effectiveness of the RMP in addressing resource protection and public needs.
- 6) Fostering communication about management activities within DEC, between DEC and the Landowner, and between DEC and the public. The Land Manager will be the primary liaison with the Landowner regarding public access and use issues.

The development of this RMP has primarily involved DEC staff and the Grantor's land management staff, and communication and coordination of planning efforts between the parties have been critical to formulating management objectives and proposals. Consistent administration and communication is extremely important in preparing and implementing this RMP and adhering to the terms of the Conservation Easement. DEC staff will regularly communicate with the Landowner to review completed activities, address concerns or problems, and coordinate future work.

### **3. Regulatory Requirements, Approvals and Procedures**

Some of the guiding laws, policies, and legal documents outlined above specify certain requirements and approvals that must be met in the management of land and public recreation, and is pertinent to the formulation and implementation of this RMP.

#### **a. ADA Accessible Structures**

The Americans with Disabilities Act (ADA), along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973; Title V, Section 504, have had a profound effect on the manner by which people with disabilities are afforded equality in their recreational pursuits. The ADA is a comprehensive law prohibiting discrimination against people with disabilities in employment practices, use of public transportation, use of telecommunication facilities and use of public accommodations. Title II of the ADA requires, in part, that reasonable modifications must be made to the services and programs of public entities, so that when those services and programs are viewed in their entirety, they are readily accessible to and usable by people with disabilities. This must be done unless such modification would result in a fundamental alteration in the nature of the service, program or activity or an undue financial or administrative burden.

Title II also requires that new facilities, and parts of facilities that are newly constructed for public use, are to be accessible to people with disabilities. In rare circumstances where accessibility is determined to be structurally impracticable due to terrain, the facility, or part of facility is to be accessible to the greatest extent possible and to people with various types of disabilities.

Consistent with ADA requirements, the Department incorporates accessibility for people with disabilities into the planning, construction and alteration of recreational facilities and assets supporting them. This Recreation Management Plan (RMP) incorporates an inventory of all the recreational facilities or assets supporting the programs and services that were negotiated with the landowner to be available on the easement. The level of accessibility that exists or may be developed to the programs, services and facilities on the easement is also assessed. In conducting this assessment, DEC employs guidelines which ensure that programs are accessible, including buildings, facilities, and vehicles, in terms of architecture and design, transportation and communication to individuals with disabilities.

Any new facilities, assets and accessibility improvements to existing facilities or assets proposed in this RMP are identified in the section containing proposed management actions.

The Department is not required to make each of its **existing** facilities and assets accessible as long as the Department's programs, taken as a whole, are accessible.

**For copies of any of the above mentioned laws or guidelines relating to accessibility, contact the DEC Universal Access Program Coordinator at [UniversalAccessProgram@dec.ny.gov](mailto:UniversalAccessProgram@dec.ny.gov)**

**b. Adirondack Park Agency (APA)**

Land managers will need to consult with the Adirondack Park Agency where recreation management actions on land within the Adirondack Park involve activities such as: improvements or actions within or adjacent to freshwater wetlands; improvements or actions along or adjacent to the shorelines of waterbodies; improvements or actions along or adjacent to Wild, Scenic, or Recreational Rivers. The draft RMP has been reviewed by the APA consistent with the procedures outlined in the DEC/APA MOU.

## **B. Public Recreation Management Principals, Goals and Objectives**

### **1. Management Principles**

The following principles, consistent with the public recreation right acquired, will be used to manage public use of the easement Property

- Manage public recreational use and access to the property as a composite resource
- Assess the property's capacity to withstand use
- Protect and conserve natural resources
- Make public use compatible with active forest management
- Provide a variety of outdoor recreational uses
- Protection of public safety and private property

### **2. Management Goals and Objectives**

The goals and objectives for managing public recreational use of the Easement Property must consider a variety of stakeholder interests, public expectations, and the use and ownership of the Property by the Landowner. The goals presented below are general statements about desired outcomes, while the objectives are more specific and are intended to provide guidance on how to achieve the goals.

#### **Goals:**

- Provide reasonable public access to the Property for the purpose of allowing the public to enjoy the permitted range of outdoor recreational opportunities.
- Avoid or minimize any negative impacts of public recreational use on the natural resources and environmental benefits of the Property.

- Avoid or minimize conflicts between public recreational use and forest management activities conducted by the Landowner.
- Avoid or minimize conflicts between public recreational use and private lessee use of the Property.
- Develop a better understanding of the natural resources, environmental benefits, and public recreation opportunities and limitations on the Property.

**Objectives:**

- Maintain the quality of the public’s recreational experience by separating or minimizing conflicting uses where possible.
- Provide safe and sanitary conditions for public recreation.
- Provide for motorized and non-motorized recreational uses on the recreation corridor.
- Maintain and improve opportunities for snowmobile access on the designated corridor through the property.
- Periodically assess the impacts of recreational uses on other recreational uses, forest management activities, and natural resources.
- Actively manage the type, level, and location of recreational uses to minimize significant conflicts between recreational activities and commercial forest management activities, and to minimize adverse impacts to fish, wildlife, important habitats, water quality, and other natural resources and environmental values on the Property.
- Promote partnerships with the Landowner and/or recreational constituencies and secure assistance as necessary to complete management actions.
- Assess the potential for integrating new or expanded public outdoor recreational uses on the Property in a manner that is consistent with the terms of the Easement and the goals and objectives outlined above.

**3. Best Management Practices**

All public recreation management activities will incorporate the use of Best Management Practices (BMPs) to the greatest practical extent. BMPs are those methods, procedures, and/or devices that are designed to prevent or minimize soil erosion, water run-off, damage to natural resources or wildlife habitat, pollution, pathogens, or other negative environmental impacts when conducting various management activities. BMPs related to the implementation of public access and recreational improvements on the Easement Property may include, but need not be limited to, such considerations as:

- Locating improvements away from streams, wetlands, and unstable slopes.
- Locating improvements to minimize necessary cut and fill.
- Locating structures on flat, stable, well-drained sites.
- Locating trails on existing old roads or cleared, or partially cleared areas.
- Locating trails to minimize grade and avoid streams, wetlands, and unstable slopes.
- Avoiding areas where threatened and endangered species are known to exist.
- Limiting the size of parking lots and other improvements to the minimum necessary to meet the intended use.
- Minimizing tree cutting.

- Using proper drainage devices, such as water bars and broad-based dips, to prevent erosion and damage to improvements.
- Using stream crossings with low, stable banks, firm stream bottom, and gentle approach slopes.
- Constructing roads, trails, bridges and other stream crossings at right angles to the stream.
- Limiting stream crossings and construction on or near streams to periods of low flow.
- Designing, constructing, and maintaining bridges and other improvements on or near streams to avoid disrupting or preventing movement of fish and other aquatic species.
- Minimizing the use of equipment in streams.
- Using soil stabilization practices on exposed soil around construction areas, especially bridges, immediately after construction.

#### 4. Guidelines and Standards

Development of the Recreation Management Plan and implementation of public recreational uses on the Protected Property shall be consistent with the following specific guidelines:

***Standards for Public Recreational Roads and Trails.*** The RMP establishes minimum standards and specifications for roads and trails designated for public use, which can be found in Appendix J. Based on the standards and specifications, the Department shall decide whether portions of trails and roads shall be repaired, improved, relocated, or if public use shall be temporarily suspended.

***Snowmobile Use.*** Public snowmobile use of the property will focus on the connection of the corridor to a larger public snowmobile trail network where logistically possible and legally appropriate. 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.

***Private Leases.*** Public recreation access opportunities and their associated facilities will be available for the use and enjoyment of both the public and the private camp lessees. The Department, in consultation with the landowner, will develop public recreation facilities in a manner which minimizes the potential for public user conflict with the reserved rights of the landowner, including forest management and lease camp envelopes.

#### ***All-Terrain Vehicle Use***

Per the Conservation Easement, public ATV use is not a right conveyed to the Department by Upper Hudson Woodlands ATP, therefore the Department cannot offer public ATV use on this private property.

## C. Recreation Use Opportunities and Constraints

### 1. Potential Activities and Opportunities

The communities of Newcomb and Minerva, along with snowmobile enthusiasts, have desired a community snowmobile connection between their communities for years. The said connection is proposed in the 2005 Vanderwhacker Mountain Wild Forest UMP, which identified several alternatives for this route. The 2015 Community Connector Trail Plan selected a preferred alternative that would incorporate the Hyslop Tract as part of the route for the Newcomb and Minerva connection along with adding a connection to North Hudson that will also use the Hyslop Tract. The Conservation Easement terms allow for this connection, and it is an opportunity for other interest groups as well. These groups may include but are not limited to horseback riders, hikers, and mountain bikers.

## VIII. PROPOSED RECREATION MANAGEMENT ACTIONS

### A. General Recreation Management Actions

#### 1. Boundary Identification

The landowner, or any designated group or individual working on the landowner's behalf with their expressed consent, may identify, maintain, post and mark the boundaries of the Hyslop Tract property and the one-acre camp envelopes contained within. The Department may identify, mark, and maintain boundaries with signs in form and content reasonably satisfactory to the landowner describing the public rights associated with the Conservation Easement lands. The Department may elect to mark portions of the Hyslop Tract boundary, where it abuts adjacent Forest Preserve lands, for the purpose of better facilitating public use administration of each property. Pursuant to this RMP, the Department will only construct facilities and improvements for public use when a certain determination has been made that the facility or improvement is wholly within the boundaries of the Conservation Easement lands.

#### 2. Recreation Enforcement

Law enforcement will be provided by NYS Forest Rangers and NYS Environmental Conservation Officers. Activities performed by these officers may include, but are not limited to, patrolling the recreational corridor, posting informative signage, and educating the public about the use of Conservation Easements.

#### 3. Recreation Monitoring

The recreation corridor should be monitored yearly to keep track of any changing conditions. Changes to be noted should include, but not be limited to, changing use intensity by different user groups, trail conditions, erosion, vegetative changes, and natural events, i.e. wind throw and flooding. A baseline should be established and strived to be maintained once construction is complete. Obvious

change in conditions may also be noted by law enforcement and recreational users.

## **B. Specific Recreational Activities**

### **1. Linear Recreation Corridor**

A linear recreation corridor will be established through the Hyslop Tract. This will be managed as a multi-use trail to be used by snowmobilers, equestrians, hikers, bicyclists, and skiers. Any other motorized use will be prohibited, except for administrative use by the Department or the landowner, its designees and assigns. A map illustrating this linear recreation corridor can be seen in Appendix E.

## **C. Recreational Support Facilities**

### **1. Bridges**

The construction of bridges will be necessary to minimize negative environmental impacts and facilitate private and/or public use. Replacement, and newly constructed bridges located on the corridor that are to be used by the Department and the landowner will be sited, designed, and constructed to a standard that it is adequate for use by all parties, and for all allowable activities. This will be achieved through ongoing consultation between the Department, Landowner, and all jurisdictional agencies.

### **2. Information Kiosks and Entrance Signs**

Informational kiosks may be placed at both ends of the recreational corridor. These will primarily be for the purpose of educating the public about the Hyslop Tract Property. The permitted public uses of the linear recreation corridor, along with rules and regulations, will be posted here. Emphasis on the private use of the property as a "working forest", and what this means environmentally, economically, and socially should also be posted here to help educate the public about the uses and idea behind Conservation Easements. Emergency contact information, maps and other standard information should also be included.

### **3. ADA Accessible Facilities**

The Conservation Easement terms allow for a recreational corridor which will be used by several user groups including equestrians and snowmobilers. Horses and snowmobiles are considered accessible modes of transportation and are allowed on these trails. This recreational corridor is a part of and works in conjunction with a larger trail network that connects the communities of Newcomb, North Hudson, and Minerva via other publicly and privately-owned lands. Additional opportunities for accessible parking, privies and equestrian mounting platforms can be found on nearby Forest Preserve and privately-owned lands. These structures will help facilitate access to the Hyslop Tract Linear Recreation Corridor by persons with disabilities.

### **4. Signage**

Signage may be posted throughout the recreational corridor for the purposes of marking the trail, enforcement, education, safety, and emergency contact

information. All signs will be Department-approved and comply with the Conservation Easement Public Recreation Road and Trail Sign Guidance Manual.

## IX. IMPLEMENTATION SCHEDULE AND ESTIMATED BUDGET

The following table outlines a schedule for implementation of the proposed management actions and their estimated costs. The estimated costs of implementing these projects are based on historical costs incurred by the Department for similar projects. Values for some projects are based on costs for service contracting. These cost estimates do not include capital expenditures for items such as equipment, nor do they include the value of program staff salaries.

Phase	Project	Est. Cost or Staff Days
1	Plan and acquire approvals for 1.7 miles of trail	15 staff days
2	Improve 1.35 miles of existing trail and construct 0.3 miles of new trail to standards Medium Snowmobile Trail Volume Class outlined in Appendix J, Conservation Easement Road Specifications.	40 staff days/ \$10,000
3	Build trail bridges throughout the entire corridor	15 staff days/ \$30,000
<b>Totals</b>		70 staff days/ \$40,000

## X. COMPLIANCE

### A. October 2011 - Conservation Easement Recreation Management Plan Guidance

1. This guidance document outlines the steps that are necessary to completing a Recreation Management Plan. All development and review process steps were completed.

### B. State Environmental Quality Review Act

1. See Section XI. (A) of this RMP.

### C. Freshwater Wetlands Act

1. Within the Adirondack Park the New York State Freshwater Wetlands Act requires actions in jurisdictional wetlands to be reviewed by the Adirondack Park Agency (APA). The Department works closely with the APA to delineate jurisdictional wetlands and prepare permits or variances that are needed.

The Freshwater Wetlands Act can be found at:

[http://www.dec.ny.gov/docs/wildlife\\_pdf/wetart24b.pdf](http://www.dec.ny.gov/docs/wildlife_pdf/wetart24b.pdf)

## **D. APA/DEC MOU Concerning State Owned Conservation Easements on Private Lands Within the Adirondack Park**

1. This RMP development does not in itself constitute new land use or development. Instead, implementation of a RMP by the Department may constitute new land use and development depending upon the type, degree and intensity of recreation use. However, the Department and the APA agree that many types of recreation use do not warrant APA review. minor activities requiring no agency consultation or review, minor activities requiring inter-agency consultation only, and activities which require Agency notice and review are listed separately in the MOU. With regards to this RMP, the Adirondack Park Agency will be consulted when implementing the new trails.

## **XI. APPENDICES**

### **A. SEQRA**

The State Environmental Quality Review Act (SEQRA) requires the consideration of environmental factors early in the planning stages of any proposed action(s) that are undertaken, funded or approved by a local, regional or state agency. The recreational corridor identified in this RMP is one segment of a larger trail network proposed by the Department in the 2015 Community Connector Trail Plan ("Trail Plan"). The Trail Plan also serves as a Supplemental Environmental Impact Statement (SEIS) to the 2005 Vanderhacker Mountain Wild Forest Unit Management Plan (UMP)/EIS. The potential environmental impacts and proposed mitigation measures associated with the entire trail system, including the trail segment on the Hyslop Tract identified in this RMP, were analyzed and documented in the Trail Plan. As such, the requirements of SEQRA for this RMP were satisfied as part of the analysis in the Trail Plan.

### **B. CE Public Recreation Road & Trail Sign Guidance Manual**

All signage will be in compliance with the Conservation Easement Public Recreation Road and Trail Sign Guidance Manual, which can be seen in Appendix J. "Conservation Easement Road Specifications".

### **C. Public Comments and Response Summary**

**Comment: I am in favor of the proposed corridor for snowmobiles. Allowing this will allow users to connect to other trail systems.**

*Response: Noted.*

**Comment: Opening up the easement for snowmobiling will increase traffic and local business support in the nearing areas. As a long time adk snowmobiler and outdoorsman, I am all for this to happen.**

*Response: Noted.*

**Comment: As an avid backcountry skier, mountain biker and snowmobiler I see huge value in all of these activities being allowed on the recreation corridor.**

*Response: Noted.*

**Comment: We support a linear recreation corridor being built, used and maintained for snowmobiles, hiking, mountain bikes, horses, skiing, and snowshoeing in this plan.**

*Response: Noted.*

**Comment: As a Working Timber Forest, we appreciate that in the event that the linear recreational corridor is closed by the landowner, the landowner shall identify and make available one or more alternate routes for public recreational use during the period of the closure. The alternate routes being subject to DEC approval.**

*Response: Provisions in the RMP state: "The Landowner is responsible for identifying and making available a same width alternative route for public recreational use, so the community connection remains intact."*

**Comment: When logging causes designated snowmobile trails to be closed for a season or longer, alternative trails MUST be provided by everyone involved (DEC, logging operations, and the local snowmobile clubs) so that the community connector trails are not interrupted, causing an economic issue with those communities. Those alternative trails should meet the same width as the actual main trail they are displacing. Having those logging operations planned out in advance with the determinations of the reroutes needed being submitted to the local snowmobile clubs by Sept of the year they are going into effect, at the latest.**

*Response: The provisions in the RMP are as follows: "The Landowner reserves the right to close the linear recreation corridor during logging in consultation with the Department. A 30-day written notice must be given to the Department. Logging Closure Zones shall not be in place for more than 6 months unless extended by mutual agreement between the Landowner and the Department. Logging Closure Zones must not be more than 10% of the tract available to the public at one time. Potential closures should be discussed as early as possible to allow for the designation of an alternative route. The Landowner is responsible for identifying and making available a same width alternative route for public recreational use, so the community connection remains intact. The Landowner is responsible for placing adequate and appropriate signs where public roads and trails enter Logging Closure Zones."*

*This will allow the community connection to remain open for public recreational use and the implementation of the landowners reserved rights.*

**Comment: Within the section IV B 2, Logging Closure Zones, additional wording is needed to ensure that if a closure of up to 6 months results in the closing off of the recreational corridor that alternative routes be allowed and constructed if needed. Considering when logging is most likely to take place a six-month closure could result in the trail being closed for the entire snowmobile season with no opportunity for alternative routes. In addition, "30-day notice" may not provide adequate time for the alternative route to be prepared that would be safe for public use. We realize this is working forest and we very much support that use. However, more forethought needs to be provided for these temporary closures and how to mitigate their impact on trail use.**

*Response: Additional language detailing the landowners obligation to identify and make available an alternative route for public recreational use was added to the plan. Regardless of how long a closure is in place this language requires an alternate route be open.*

**Comment: Snowmobile access should be allowed on more public Adirondack lands to keep the trail mileage percentage on public lands consistent with the state's acquisition of more land.**

*Response: Thank you, the snowmobile trail mileage cap is outside of the scope of this RMP.*

**Comment: The state should start considering [not on this tract] the use of horse and wagons on tracts with NYS allowed hunting privileges that may spur hunters to do more back-country hunting like days of old. This might revive or at least stabilize the hunting industry in NYS as opposed to the anti-hunting gun advocates.**

*Response: The state does view horse and wagon use as a viable recreational activity, but their use outside of the Hyslop Conservation easement is outside of the scope of this RMP.*

**Comment: We request that the leased camps not be able; or use alternate routes in accessing their camps with vehicles unsuitable for the seasonal usage on the specified recreational corridor.**

*Response: The landowners and their lessees have the right to access their property and their leased rights. The access to the lease camps is along the main access road. Additionally, the landowner will be responsible for any damage to the linear recreation corridor resulting from the actions of the landowner, it's designees or lessees.*

**Comment: We note that many private camps and leases will continue to be operational in the tract. There is a concern that private lease holders will attempt to access their leased lands with wheeled vehicles during the winter months when snowmobile trails are open. A request should be made of the lease holders to only access the property when the snowmobile trail is operation if their access crosses a trail with vehicles that will not leave deep ruts in the trail and thereby creating a safety concern for snowmobile use. These wheel ruts can be very dangerous to a snowmobiler.**

*Response: The private landowner and the lessees have the right to access their property and their leased rights. The access to the lease camps is along the main access road. If the main access road into the camps is plowed or otherwise maintained in the winter months, appropriate signage will be installed to warn users of the recreational corridor. Additionally, the landowner will be responsible for any damage to the linear recreation corridor resulting from the actions of the landowner, it's designees or lessees.*

**Comment: DEC should allow public ATV use on the Hyslop Tract.**

*Response: The landowner did not convey the right to public ATV use on this property, therefore the Department is working within the rights purchased from the landowner.*

**Comment: We see this as a vital component to link Community Connector trails from Minerva to Newcomb and Newcomb to North Hudson's Exit 29.**

*Response: Noted.*

**Comment: As a Multi- use Trail, funding to maintain the corridor should come from all user groups.**

*Response: Funding for maintenance is outside of the scope of this RMP and will likely be handled through several sources.*

**Comment: Trail widths for the new section should be the widest allowed. If I read your table correctly that is 14 feet for high volume which these connector trails will eventually see. I also see this will be ADA compliant.**

*Response: The RMP prescribes the construction of the trail follow the Medium Snowmobile Trail Volume Class standards outlined in Appendix J. "Conservation Easement Road Specifications".*

**Comment: We object to the trail being constructed similar to class II standards outlined in the Snowmobile Management Guidance. We prefer the route be classified and maintained as road instead of trail to maintain a level of quality for all user groups.**

*Response: The RMP has been edited to prescribe the construction of the trail follow the Medium Snowmobile Trail Volume Class standards outlined in Appendix J. "Conservation Easement Road Specifications".*

**Comment: I ask that Forest Preserve standards for snowmobile trails would not be imposed to the snowmobile trail crossing Hyslop Tract. The trail width should be determined by a joint decision between the landowner and future snowmobile trail maintenance entities.**

*Response: The RMP is the mechanism for prescribing management actions and it has been edited to prescribe the construction of the trail follow the Medium Snowmobile Trail Volume Class standards outlined in Appendix J. "Conservation Easement Road Specifications".*

**Comment: I'm very much in favor of allowing the 1.7 mile spur to open up to snowmobile & multi use in the future. Being a past horseback rider & snowmobiler if you could allow the trail to be at least 12 feet wide for safety reason that would be great.**

*Response: The RMP has been edited to prescribe the construction of the trail follow the Medium Snowmobile Trail Volume Class standards outlined in Appendix J. "Conservation Easement Road Specifications", which does allow for a 12' wide surface.*

**Comment: At least a 20 foot trail should be constructed. Anything less could result in head on accidents and the loss of life, Go two Canada and see what they have done with their trails! Sorry NY is so behind in it's development of a sport that brings in more money then any other winter sport!!**

*Response: The RMP has been edited to prescribe the construction of the trail follow the Medium Snowmobile Trail Volume Class standards outlined in Appendix J. "Conservation Easement Road Specifications".. The vast majority of the Newcomb - Minerva Community*

*Connection is located on forest Preserve, so 9'-12' Forest Preserve Guidelines must be followed on these other sections. A 20' wide trail across this 1.7-mile section of trail will not serve to benefit the entire connection that will largely be 9 to 12 feet wide. The 12' wide surface outlined in Appendix J. "Conservation Easement Road Specifications" will serve as a safe and usable corridor that can also be easily maintained.*

**Comment: We as a club and Myself as a Snowmobile Enthusiast support the Recreational use plan for the Hyslop trac Conservation easement plan.**

*Response: Noted.*

**Comment: I and the affected clubs that I represent (Newcomb, Minerva, and Schroon Lake North Hudson), whole heartedly support this UMP. I can also state that the snowmobilers in this region also support this plan; albeit with some impatience and frustration. They've heard a lot of talk, so they are impatient to see some progress!**

*Response: Noted.*

**Comment: NYS law does not allow any motorized vehicles on snowmobile trails except snowmobiles.**

*Response: The access to the property for the landowner and the leasees is along the main access road. The landowners and their lessees have the right to access their property and their leased rights. If the private access road into the camps is plowed or otherwise maintained in the winter months, appropriate signage will be installed to warn users of the recreational corridor.*

**Comment: As usual, snowmobilers will bear the burden of maintenance on this trail for all the other non-motorized recreational usage of this trail, it's time we were shown the respect that we deserve by giving us a fair shake here.**

*Response: Noted.*

**Comment: The Newcomb Snowmobile Club extends our full support for the community connector trail to be established. This trail will open up many opportunities for our community, such as tourism and support to our local businesses. Our town has some of the greatest trails, equipment, and dedicated people for snowmobiling to be possible. We know for a fact that a connector trail between Newcomb, Minerva, and North Hudson will benefit all of our towns in many ways.**

*Response: Noted.*

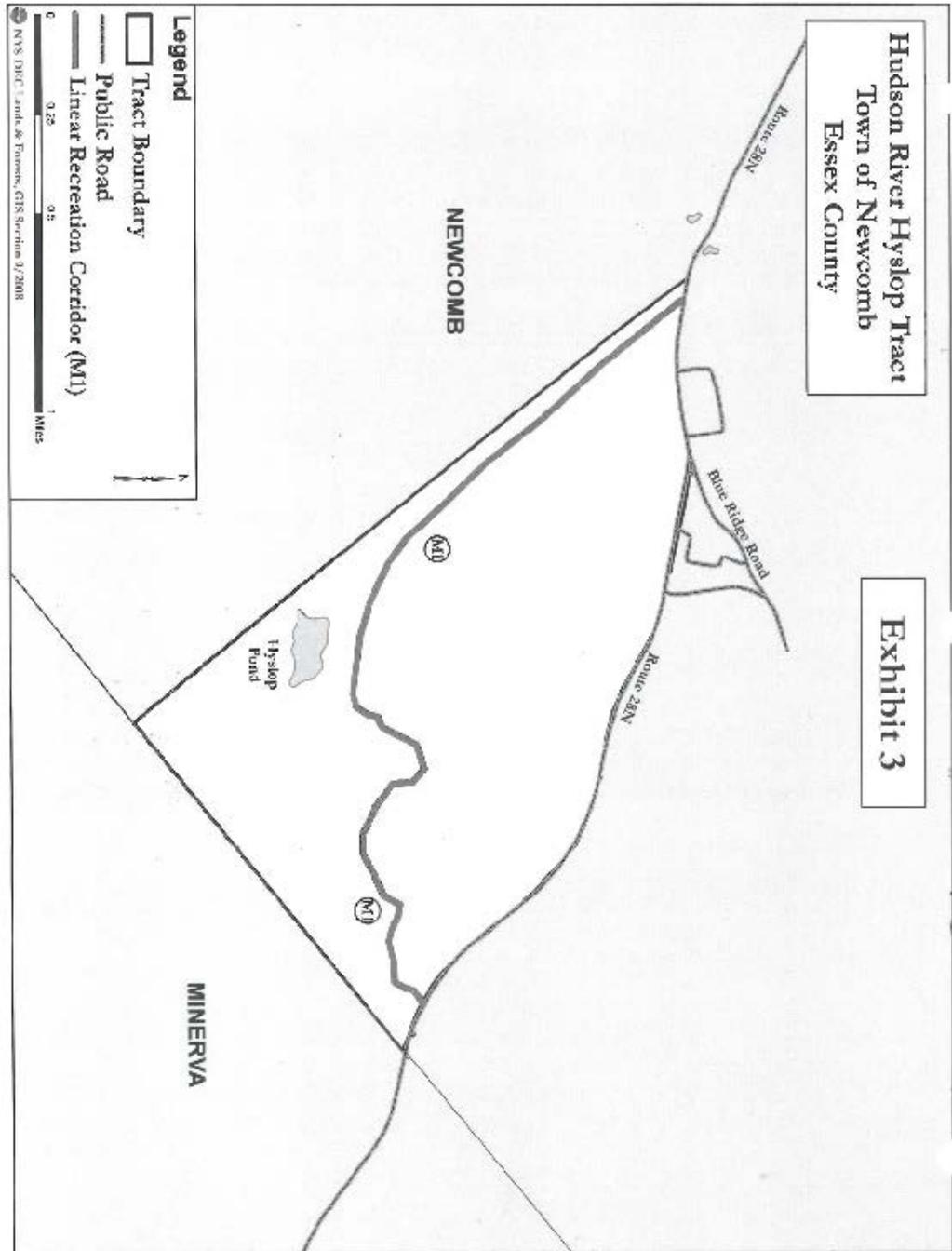
**Comment: Since coming to the Adirondacks, we have watched business after business close in the Central Adirondacks and not reopen, where access to snowmobile trails is limited or not at all available. The State of New York should**

**move ahead, aggressively and rapidly to complete the "Community Connector Snowmobile Trail System"!**

*Response: The Department will move forward as approvals are acquired and resources are made available.*

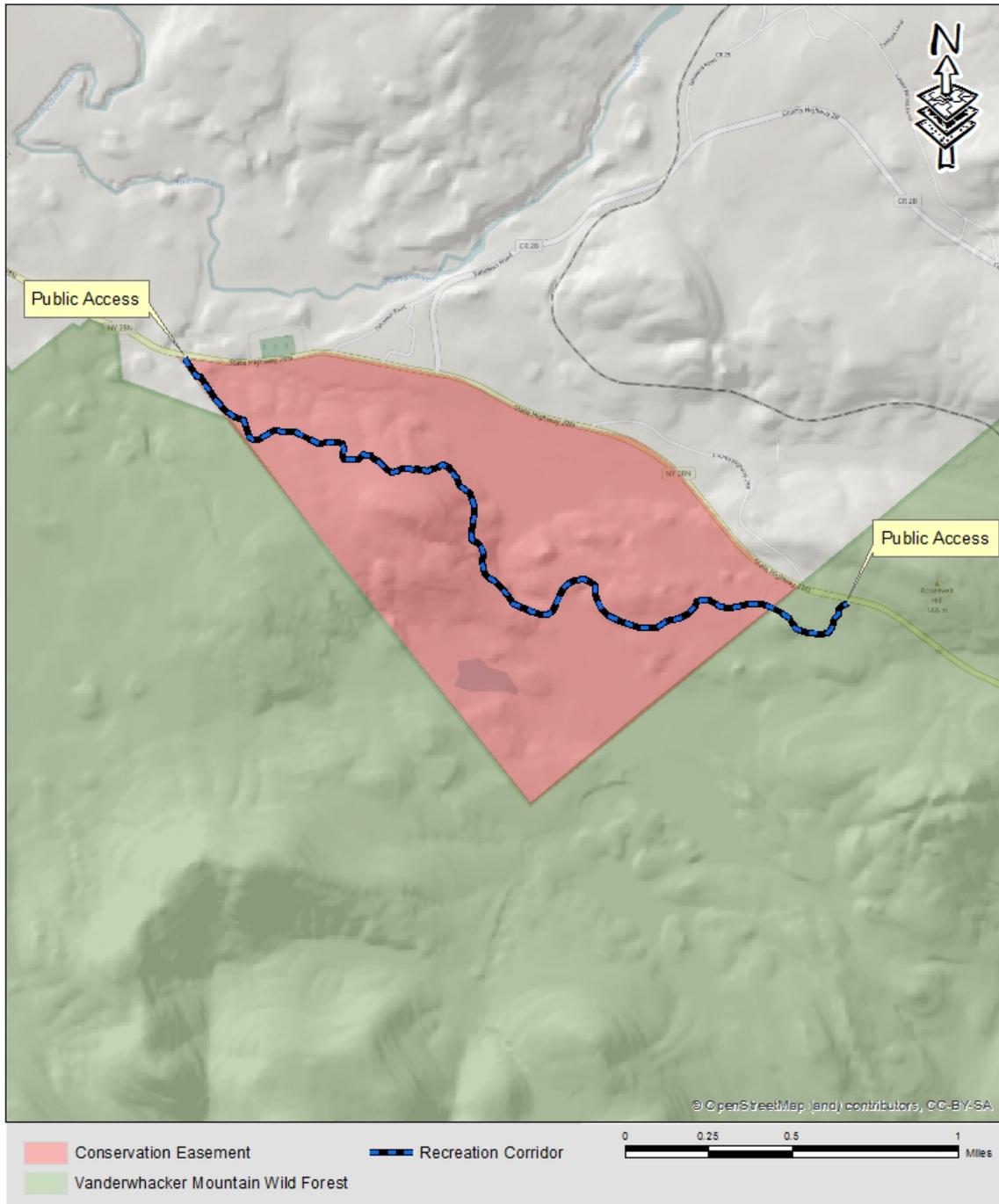
### D. Conservation Easement Recreation Language and Map

A Linear Recreation Corridor shall be established as a continuation of the North Hudson to Newcomb Corridor and identified as "M1" on the attached exhibit No. 3, for motorized public recreational use which is generally located and runs from the west end of the protected property on Rt. 28N and continues easterly along forest roads to Forest Preserve boundary near Rt. 28N.



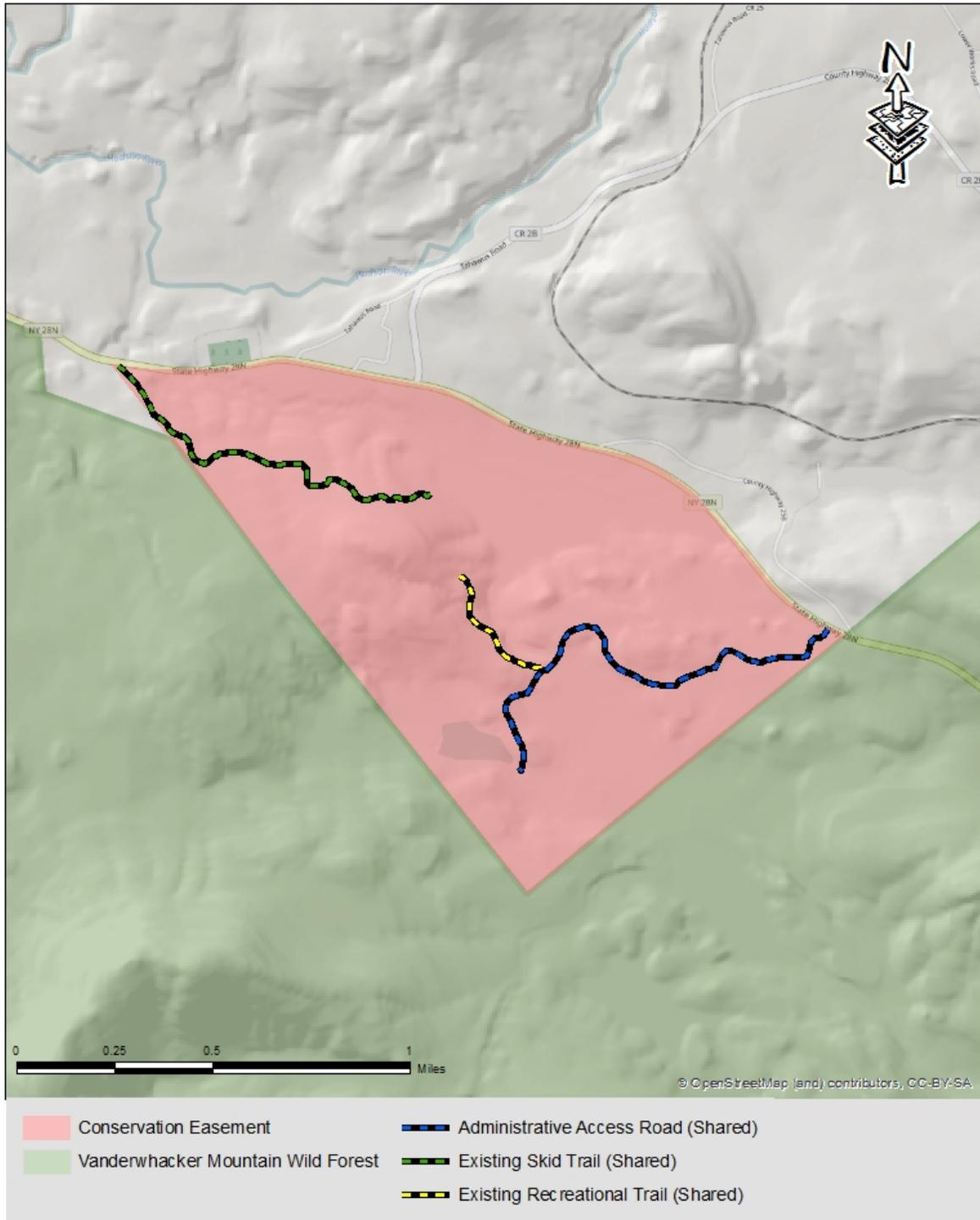
## E. Overall Recreation Map

### Upper Hudson Woodlands ATP Hyslop Tract - Recreation



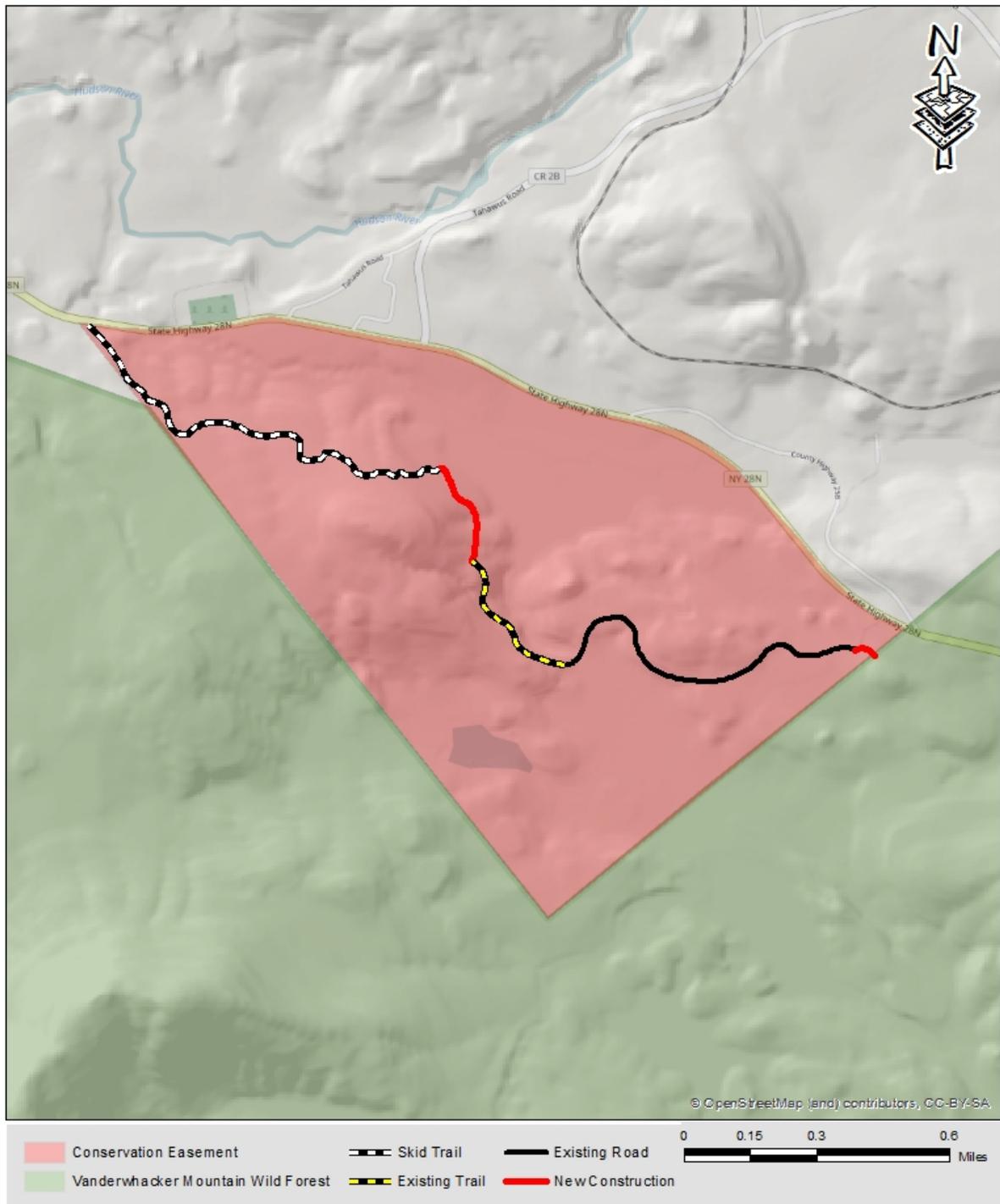
## F. Inventory of Shared Roads and Trails Map

### Upper Hudson Woodlands ATP Hyslop Tract - Shared Roads and Trails



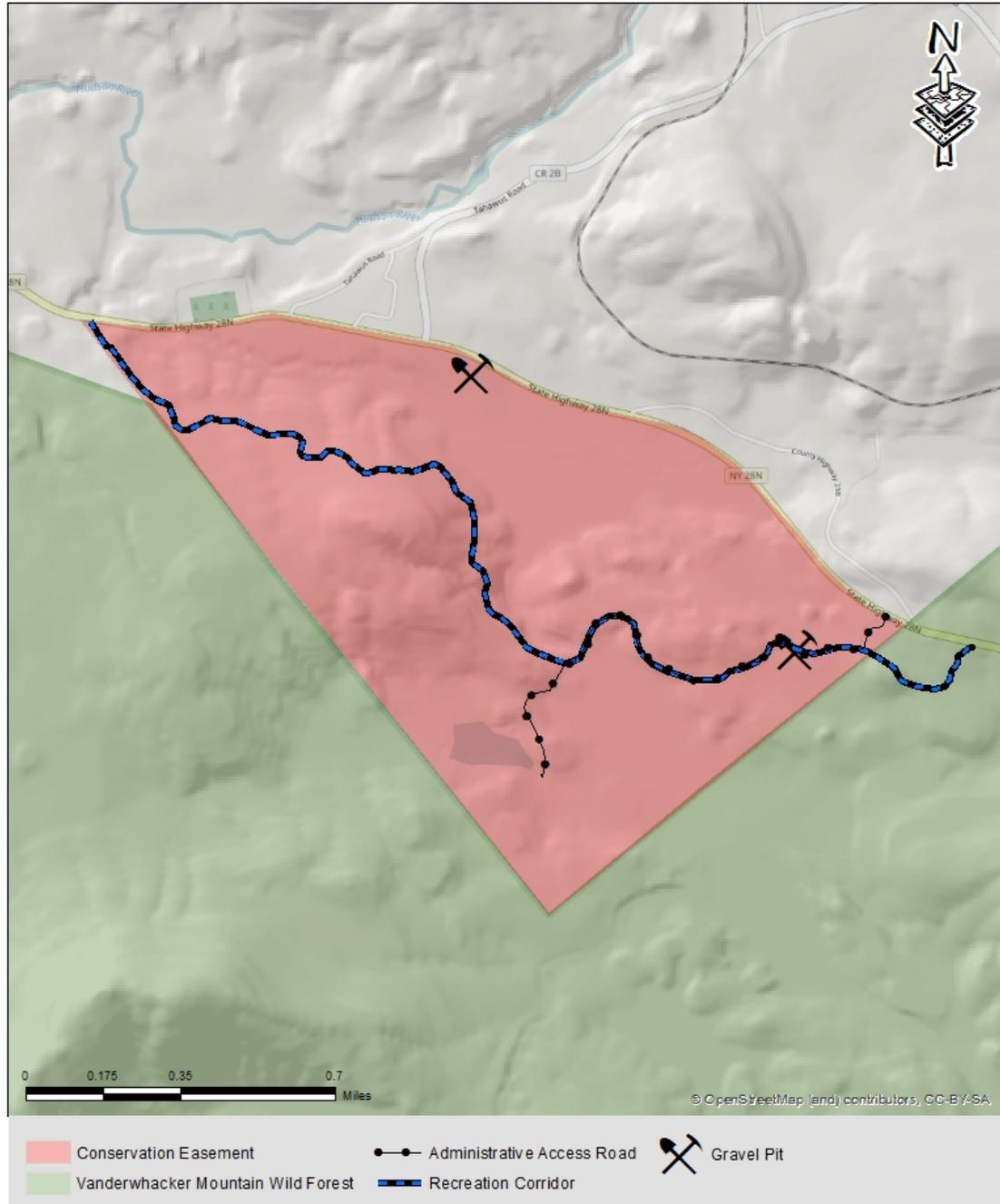
## G. Trail Segment Map

### Upper Hudson Woodlands ATP Hyslop Tract - Trail Segments



## H. Gravel Site Map

### Upper Hudson Woodlands ATP Hyslop Tract - Gravel Pit Locations





## J. Conservation Easement Road Specifications

Road/Trail Specification Factor	VEHICULAR ROAD VOLUME CLASS <sup>1</sup>			ATV TRAIL VOLUME CLASS			SNOWMOBILE TRAIL VOLUME CLASS		
	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
# OF TRAFFIC LANES	1		1				1		
MINIMUM CURVE RADIUS W/O SIGNAGE (FT.)		50		n/a	35	50	n/a	40	50
MAXIMUM GRADE % (SUSTAINED/ SHORT STRETCH)		10% / 15%			10% / 15%			10% / 15%	
SHOULDER WIDTH, EACH SIDE (FT.)	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 (FT.)	10	12	14	6 to 8	10	12	6 to 8	12	14
MINIMUM TURNOUT SPACING	n/a	½ mi	1 mi	n/a		½ mi	n/a		½ mi
SURFACE SPECIFICATIONS	BMPs								
DITCHING	BMPs								
CULVERT INSTALLATION SPECIFICATIONS	BMPs								
MIN. SIGHTING DISTANCE W/O SIGNAGE (FT.)	100	150	250	n/a	150	250	n/a	150	250
VEGETATION CONTROL	cul/remove								
PITCH (MAXIMUM)	<10%	4" crown		n/a	20%	15%	n/a	20%	15%
STREAM AND WETLAND CROSSING SPECS	BMPs								
SENSITIVE AREA SET BACKS	BMPs								
SIGNAGE STANDARDS	Minimal	Basic	Moderate	Minimal	Basic	Moderate	Minimal	Basic	Moderate
GATE LOCATIONS	as agreed								
SEASONAL USE SPECIFICATIONS	surface								
MAINTENANCE STANDARDS	minimal	as needed	regular	minimal	as needed	graded	minimal	as needed	groomed
ENVIRONMENTAL STANDARDS	APA / DEC								
INSURANCE STANDARDS	NYS REG								
ENFORCEMENT	DEC								

- 1      *Vehicle volume specs:*  
                     *low: +/- <20 round trips/month medium:*  
                     *+/-20-300 trips/month high: +/- >300 trips/*  
                     *mo*
- 2      *All culverts shall be properly headed with stone, wood, or steel/plastic collars*
- 3      *Signage Standards*
- |                 |  |
|-----------------|--|
| <i>minimal</i>  | <i>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</i>         |
| <i>basic</i>    | <i>same as minimal plus bridge approach signage, sharp curve signs, or additional as otherwise needed and agreed upon by DEC and the landowner (eg., such as suggested speed limit if is first road into a property)</i> |
| <i>moderate</i> | <i>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 the landowner</i>  |
- 4      *"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 the landowner; "winter" means winter use only*
- 5      *Maintenance Standards:*
- |                  |   |
|------------------|---|
| <i>minimal</i>   | <i>condition checked annually, routine maintenance such as grading, ditch cleaning pothole/washout repair generally needed only every three or four years</i>       |
| <i>as needed</i> | <i>same as minimal but due to higher use levels will likely need some routine maintenance annually or every other year annual routine maintenance likely needed</i> |
| <i>regular</i>   |   |
- 6      *APA/DEC regulations on wetlands, stream crossing, etc.*
- 7      *NYS regulations on insurance requirements for vehicles*
- 8      *The landowner 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 regulations with members of the public, including the landowner's lessees when they are recreating as members of the public*

## K. APA Review Letters



Adirondack  
Park Agency

SHERMAN CRAIG  
Chairman

TERRY MARTINO  
Executive Director

February 16, 2018

Robert K. Davies  
Director, Division of Lands and Forests  
Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233

Dear Mr. Davies,

**RE: Amendment, P2017-0177A Upper Hudson Woodlands ATP CE Hyslop Tract Recreation Management Plan**

This letter amends the November 20, 2017 letter from Executive Director Terry Martino regarding the Agency's review of the draft Hyslop Tract Recreation Management Plan. Upon further review and based on a joint site visit and additional discussion about project details with DEC staff, Agency staff have determined that the 1.7 mile Linear Recreational Corridor "M1" will not require a § 814 review as stated in the November 20, 2017 letter.

We thank you for the opportunity to work through the interpretation of the MOU and to develop improved clarity and guidance as we together seek to improve the effectiveness and efficiency of its use. Agency staff look forward to seeing the Hyslop trail project move forward in a timely manner and to achieve the goal of improved recreational access between the communities of Newcomb and Minerva.

Sincerely,

Richard E. Weber III

REW:MRM:slp

cc: Kris Alberga, DEC  
Matthew McNamara, APA  
Kathy Regan, APA  
Sean Reynolds, DEC  
Karyn Richards, DEC

P.O. Box 99 • 1133 NYS Route 86 • Ray Brook, NY 12977 • Tel: 518 891-4050 • Fax: 518 891-3938 • www.apa.ny.gov

---

Upper Hudson Woodlands - Hyslop Tract  
Recreation Management Plan | March 2020



**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

November 20, 2017

Sean Reynolds, Conservation Easement Program Manager  
NYSDEC Region 5  
1115 State Route 86  
Ray Brook, NY 12977

Dear Sean:

**RE: P2017-0177 Upper Hudson Woodlands ATP CE Hyslop Tract Recreation  
Management Plan**

Agency staff reviewed the above referenced amendment pursuant to the APA/DEC MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park ("The MOU").

The public road proposed in the Plan (Identified as "M1" in exhibit #3 in the CE) involves building approximately 1.7 miles of new road suitable for public motor vehicle use. Section II(c)(7) of the MOU sets the threshold for road construction activities which do not require further Agency review. It states:

"Construction of any new roads or trails not exceeding one (1) mile in length that connect two (2) existing roads or trails and are intended for public motorized use including cars, trucks, ATVs, and/or snowmobiles, or provide public access to the property."

The plan calls for new public road construction in excess of one mile, and is therefore subject to further review pursuant to Section 814 of the APA Act.

The RMP also indicates that multiple bridges will be necessary for the completion of the new road. If bridges on the new road exceed 30 feet in length, they are subject to further review pursuant to Section 814 of the APA Act.

