

CONSERVATION EASEMENT *INTERIM RECREATION MANAGEMENT PLAN* GUIDANCE

In some working forest Conservation Easements (CE), all of the recreation rights or specific types of motorized and non-motorized rights are purchased by the State and identified in the document. However, the degree, intensity and/or specific site locations on the property where these public recreation activities are destined to occur are not determined in the CE but deferred until a later time when the property is opened to the public. Some CEs require DEC to develop a plan for implementation of the public recreation rights in order to avoid or at least minimize conflict between the multiple purposes of forest management, public recreation and private use on the same property. Specific CEs refer to these plans differently, for example, land management plan, unit management plan and recreation management plan have been used. Some older CEs do not require DEC to prepare a plan before implementation of the recreation rights. However, it is the position of DEC to develop plans for implementing public recreation on all CE lands, and for consistent administrative purposes, to call these plans Recreation Management Plans. For administrative purposes, the Department recognizes both Interim Recreation Management Plans (IRMP) and Recreation Management Plans (RMP). The following addresses guidance for completing IRMPs.

Guidance

The Interim Recreation Management Plan (IRMP) is an initial plan prepared by DEC to comply with commitments and requirements for public recreation planning immediately after closing and prior to the development of a RMP. Some CEs require landowner approval of a plan before the public may recreate on the property. In some cases, the Attorney General has directed DEC to prepare an IRMP and have it signed off on by the landowner prior to property closing. An IRMP should be prepared and submitted for landowner approval or review and comment when there is not ample opportunity for staff to initiate a sufficient or detailed planning process before the property is expected to be open to the public. Under these circumstances, the IRMP is designed to be expeditiously prepared, with limited on site planning. It foregoes a formal process for public input, review and comment. The IRMP is intended to be temporary, relatively passive or benign with respect to type, degree and intensity of the proposed public recreation activities for the property. It should tend to limit the types of public recreation to those conducted on the property by the private landowner and lessees or the public in the past. The proposed public recreational activities primarily utilize existing infrastructure on the property. Introduction of new forms of recreation or new development is kept to a minimum. Staff prepares an IRMP in consultation with the landowner when landowner review and approval of the IRMP is required.

Completion of an IRMP for the property must comply with the provisions of the Conservation Easement and serve as the means to implement initial public recreation by the opening date or property closing.

At the time of IRMP preparation and in compliance with the State Environmental Quality Review Act (SEQRA), Department staff will complete the Full Environmental Assessment Form, as appropriate for Conservation Easement Interim Recreation Management Plans (IRMP). It is expected that the recreation activities proposed in the IRMP will result in a Negative Declaration for the document. However, if significant impacts are identified after completion of the Full Environmental Assessment Form for actions in the IRMP, those actions or activities will be removed from the IRMP and may be re-considered in the future as part of a RMP process which includes public input, review and comment. This will allow the IRMP to be implemented expeditiously. A Negative Declaration is to be completed to comply with SEQR.

Implementation of recreation activities that require development of an IRMP on Department of Environmental Conservation (DEC) easement property will not occur until the completion of a SEQR review including posting in the Environmental Notice Bulletin.

Procedure

- The Regional Office shall prepare a draft IRMP for the CE property consistent with the above guidance and in consultation with the landowner.
- The Regional Office shall complete a Full Environmental Assessment for the draft IRMP.
- The completed draft IRMP and the completed Full Environmental Assessment Form along with the SEQRA Negative Declaration should be forwarded to Central Office, Conservation Easement Unit, for program and SEQRA review and approval.
- The approved (signed) draft IRMP will then be sent to the landowner by the regional office for "sign off" (if required).
- The Central Office will submit the Negative Declaration for publication in the ENB after the plan is approved by the landowner and the Department.



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Date