NEW YORK STATE OF OPPORTUNITY. Department of Environmental Conservation

Upper Hudson Woodlands ATP Conservation Easement

RECREATION MANAGEMENT PLAN

Sacandaga Block

Jackson Summit Road West Tract
Dennie Road Tract
Benson Road Tract
Hohler Road Tract
Johnny Cake Lake Tract
Gordons Creek Road Tract
Lake Desolation Road Tract

NYS DEC, REGION 5, DIVISION OF LANDS AND FORESTS

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www.dec.ny.gov **February 2017**

REVIEW DECLARATION

New York Department of Environmental Conservation has the responsibility of managing public access and recreation on the Upper Hudson Woodlands ATP Easement property, in accordance with the content of the conservation easement. This Recreation Management Plan (RMP) is consistent with the terms, conditions and purposes of the conservation easement are approved for implementing recreation opportunities on the easement property. Notwithstanding the foregoing, should any discrepancies arise between the RMP and the Conservation Easement, the Conservation Easement will prevail.

ACCEPTED BY GRANTEE:
Department of Environmental Conservation, New York

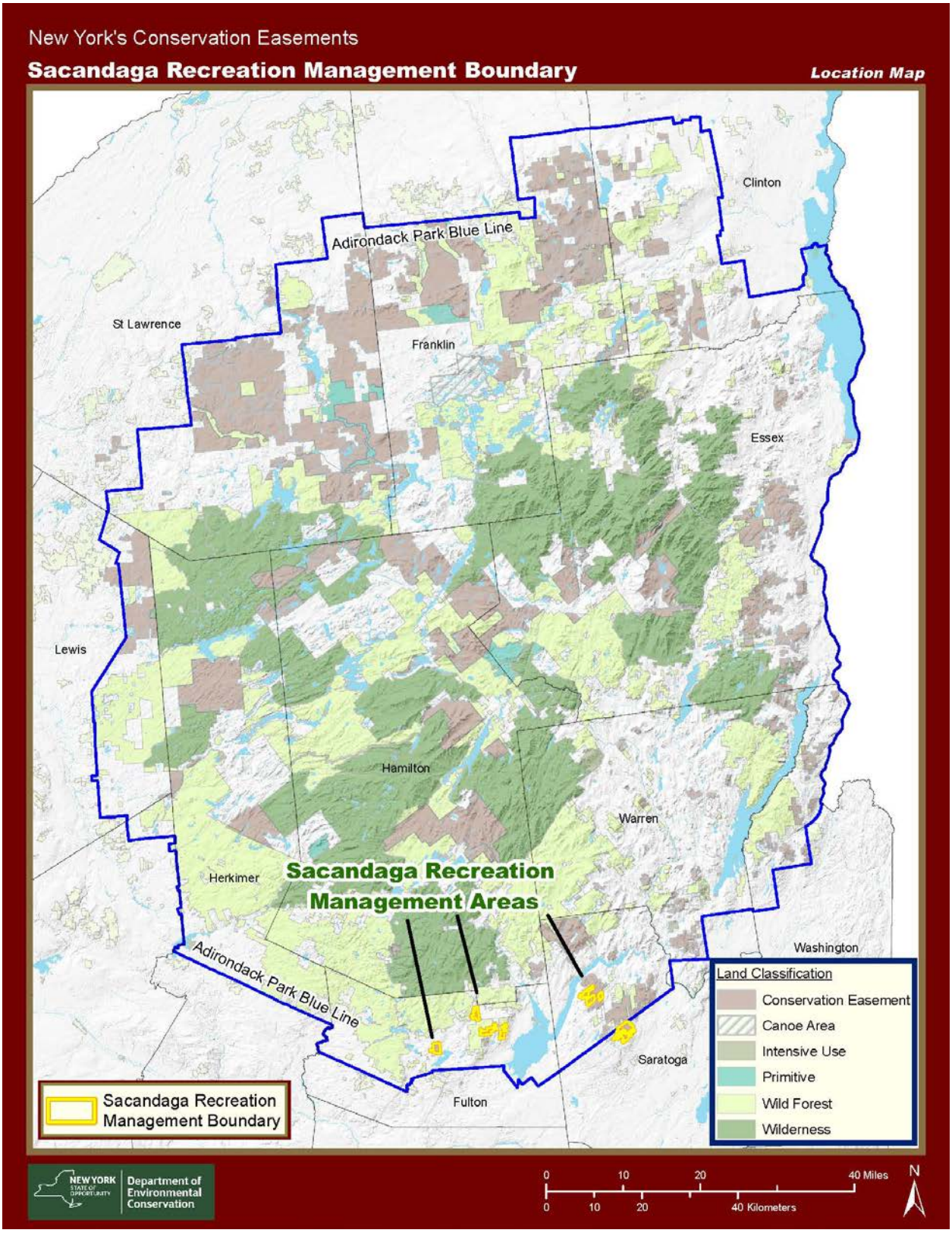
By: _____ Date 2/7/17

Robert K. Davies, State Forester
NYS Department of Environmental Conservation
Division of Lands & Forests

Contents

PREFACE 7
Use of Conservation Easements in New York State 7
I. INTRODUCTION 8
Purpose of the Recreation Management Plan 8
II. PROPERTY OVERVIEW 9
A. Geographic Information 9
1. Property Description and Access 9
2. Tract Descriptions 10
III. NATURAL AND CULTURAL RESOURCES 11
A. Physical Resources 11
B. Biological Resources 13
C. Cultural Resources 16
D. Economic Impact 16
IV. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS 16
A. Public Property 16
B. Private Property 17
V. LANDOWNER MANAGEMENT AND USE 18
A. Property History 18
B. Current Uses of the Property 18
C. Property Infrastructure 19
VI. PUBLIC USE ADMINISTRATION AND MANAGEMENT 21
A. Laws, Policies, and Memoranda 21
B. Regulatory Requirements, Approvals and Procedures 22
C. Guidelines and Standards 23
D. Management Authority, Staff and Responsibility 24
E. Goals, Objectives and Best Management Practices 25
F. Public Input 27
G. Recreation Use Opportunities and Constraints 27
VII. CONSERVATION EASEMENT PUBLIC RIGHTS 28
A. Recreation Access and Use Rights 28
1. Public Recreational Amenities and Improvements 29
2. Non-motorized Access - Use and Activities 29
3. Motorized Access - Use and Activities 30

B. Conservation Easement Provisions Affecting Use 30
1. Barriers, Gates, and Locks 30
2. Parking Areas 30
3. Boundary Line Marking 30
4. Recreation Signs 30
6. Cutting or Removal of Timber 31
7. Logging Closure Zones 31
8. Search, Rescue, Fire, Emergency Response, and Law Enforcement 31
9. Shared Maintenance of Improvements 32
10. Recreation Monitoring 32
11. Hunting, Fishing and Trapping 33
12. Hiking, Biking, Cross-Country Skiing 33
13. Horseback Riding and Dog Sledding 33
VIII. PROPOSED RECREATION MANAGEMENT ACTIONS 34
A. Jackson Summit West Tract 35
B. Benson Road Tract 36
C. Dennie Road Tract 36
D. Hohler Road Tract 38
E. Gordon's Creek Tract, Johnny Cake Lake Tract and Desolation Road Tract . 40
IX. IMPLEMENTATION SCHEDULE AND ESTIMATED BUDGET 42
X. COMPLIANCE 43
A. October 2011 - Conservation Easement Recreation Management Plan Guidance 43
B. State Environmental Quality Review Act 43
C. Freshwater Wetlands Act 44
D. APA/DEC MOU Concerning State Owned Conservation Easements on Private Lands Within the Adirondack Park 44
XII. APPENDICES 45
A. Maps 46
B. Relevant Conservation Easement Definitions 50
C. Descriptions of Road Class Standards 52
D. NYNHP Element Ranks and Significant Natural Communities 53


New York's Conservation Easements
Sacandaga Recreation Management Boundary
Location Map
Clinton
Adirondack Park Blue Line
St Lawrence
Franklin
Essex
Lewis
Hamilton
Warren
Herkimer
Sacandaga Recreation Management Areas
Washington
Adirondack Park Blue Line
Saratoga
Fulton
Land Classification
Conservation Easement
Canoe Area
Intensive Use
Primitive
Wild Forest
Wilderness
Sacandaga Recreation Management Boundary
NEW YORK STATE OF OPPORTUNITY
Department of Environmental Conservation
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0 10 20 40 Kilometers
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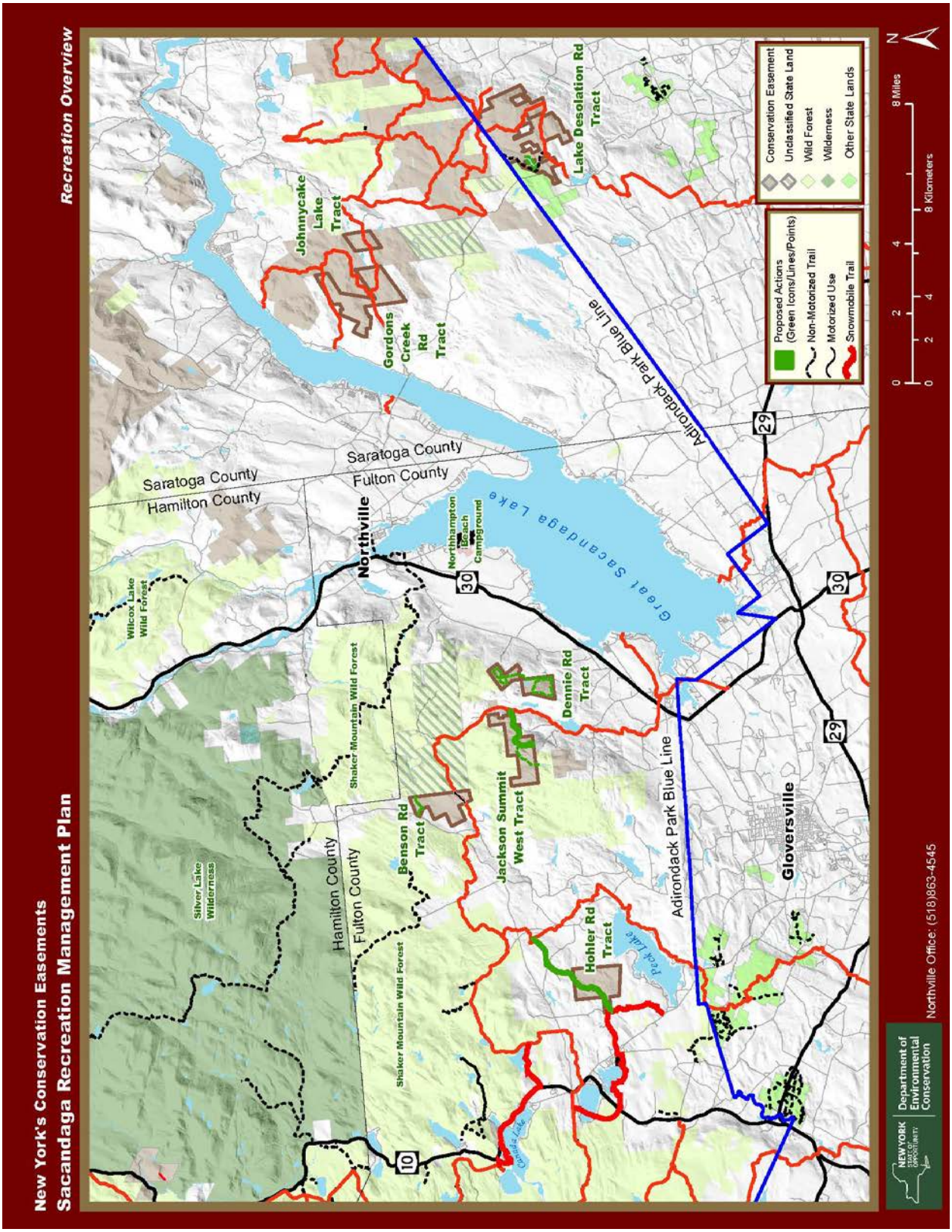
New York's Conservation Easements
Sacandaga Recreation Management Plan
Recreation Overview
Saratoga County
Hamilton County
Saratoga County
Fulton County
Hamilton County
Fulton County
Northville
Great Sacandaga Lake
Adirondack Park Blue Line
Adirondack Park Blue Line
Gloversville
Johnnycake Lake Tract
Gordons Creek Rd Tract
Lake Desolation Rd Tract
Dennie Rd Tract
Jackson Summit West Tract
Benson Rd Tract
Hohler Rd Tract
Northhampton Beach Campground
Wilcox Lake Wild Forest
Shaker Mountain Wild Forest
Shaker Mountain Wild Forest
Silver Lake Wilderness
Peck Lake
Conservation Easement
Unclassified State Land
Wild Forest
Wilderness
Other State Lands
Proposed Actions (Green Icons/Lines/Points)
Non-Motorized Trail
Motorized Use
Snowmobile Trail
0 2 4 8 Miles
0 2 4 8 Kilometers
N
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PREFACE

Use of Conservation Easements in New York State

The New York State Legislature has declared that the public policy of the State is to conserve, preserve, and protect its environmental assets and natural and man-made resources. In addition to purchasing lands on behalf of the People of the State, the State 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, sensitive ecosystems, wetlands, 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 hundreds of thousands of 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 New York State also holds easements on a variety of other properties across the State.

On many 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 landowner 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 recreation, 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 and managed on the property in a compatible way with the rights retained by the landowner.

I. INTRODUCTION

On June 18, 2007, The Nature Conservancy (TNC), acquired approximately 161,000 acres of forestland from Finch, Pruyn and Company, located in the central and south eastern portions of the Adirondack Park in northeastern New York State. TNC sold the 92,035 acre "Upper Hudson Woodlands" Property to Upper Hudson Woodlands ATP, LP (Landowner) on March 27, 2009. In addition, TNC sold specific development, conservation and recreation rights on these forestlands in the form of the Upper Hudson Woodlands ATP Conservation Easement (Easement or Conservation Easement) to the State of New York on December 27, 2010. The Easement will assure that the property will remain as a sustainable working forest, protect natural resources, continue private recreational leases and allow for new public recreation opportunities.

The Easement grants New York State a legal interest in the property and sets forth terms, restrictions and rights of both the Landowner and the State with respect to use and management of the tract. The State now holds the development rights on the property, and in some cases, specified recreation rights. As with prior conservation easements, the State, by purchasing the development rights, effectively extinguishes those development rights on the property in "perpetuity". The Landowner is responsible for managing the Upper Hudson Woodlands Property in a manner complies with the Easement. This requires that they, for example, protect water quality, maintain and enhance biological diversity, provide for a broad distribution of forest age classes and provide standing dead trees, den and nest trees and large downed trees. The New York State Department of Environmental Conservation (Department or NYSDEC) is responsible for managing the rights obtained by the People of New York and ensuring the land is managed as required by the Easement.

Public recreation access to privately-owned conservation easement lands is guided by a Recreation Management Plan (RMP) that is developed for each easement property. This RMP applies to those lands subject to the Upper Hudson Woodlands Conservation Easement held by New York State within Fulton and Saratoga Counties, in the Towns of Mayfield, Bleecker, Edinburg and Greenfield, referred to herein as the Sacandaga Conservation Easement Lands ("Protected Property" or "Property").

Purpose of the Recreation Management Plan

Preparation of this RMP is required in accordance with the Easement. This RMP addresses the State's role in planning, implementation, and management of the public recreation rights on the Protected Property. It also describes the Department'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), the *DEC/APA MOU Concerning State-owned Conservation*

Easements on Private Lands within the Adirondack Park and the terms and conditions of the recorded Conservation Easement document that apply specifically to this Property. SEQRA also requires the State to seek and consider public opinion on this RMP. The Landowner has been consulted during the planning process and has had an opportunity to review and comment on this RMP. As lead agency, the Department prepared an Environmental Assessment Form and has determined that there will no significant or important impacts related to this plan or the implementation of this RMP.

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 Landowner, as specified in the Easement. It is intended that the RMP remain consistent and in effect over time, despite changes in agency personnel or the legal landowner. 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 this RMP is 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 the public is anticipated to interact with other uses of the property such as active forest management and private lease holders. 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 Property. Periodically RMPs may be revised, updated, or amended. Notwithstanding the foregoing, should any discrepancies arise between the RMP and the Easement, the Easement will prevail.

II. Property Overview

A. Geographic Information

1. Property Description and Access

The Upper Hudson Woodlands ATP Conservation Easement tracts addressed in this RMP are located in Fulton and Saratoga Counties in the vicinity of Great Sacandaga Lake within the towns of Bleecker, Mayfield, Edinburg and Greenfield. Public access to the Property can be reached primarily by Tolmantown Road, Tannery Road, Dennie Road, Hohler Road, County Route 125, Horse Hill Road and Lake Desolation Road.

The Protected Property shares common borders with Shaker Mountain Wild Forest, Wilcox Lake Wild Forest, Lake Desolation State Forest, and large tracts of timberlands owned by Lyme Adirondack Forest Company, also subject to a conservation easement held by the State of New York. Bordering the Benson Road Easement Tract, the

Benson Road Fee Tract is a recent 3,884 acre addition to the Forest Preserve and is currently unclassified under the Adirondack Park State Land Master Plan.

Within the Property, the aquatic and terrestrial resources provide ecological benefits, opportunities for nature study and recreation. The many small wetlands, streams and ponds on the Property drain to Great Sacandaga Lake and Saratoga Lake and are part of the Hudson River Watershed.

The long history of timber harvesting in this area has created an ecosystem that is typical of other Adirondack working forest easement lands with hardwood stands, interspersed with hemlock and cedar stands. Because of the nature of a working forest easement, this land is subject to future logging. The Landowner is currently contracted with F&W Forestry for the continuation of sustainable forest management and management of the camp lease program on the Property.

2. Tract Descriptions

Jackson Summit Road West (813 acres)

This tract is west of Tolmantown Road (sometimes described as Toleman Town Road) in the Town of Mayfield, bound to the north, west and south by Shaker Mountain Wild Forest. Aquatic features are highlighted by a large wetland (Bernhardt Mountain Swamp) in the northeast corner of the tract, a small wetland in the western portion of the parcel and two perennial streams and associated wetlands (Lynus Vly Outlet and Elphee Creek). There are many primary and secondary logging roads throughout the tract. One vacant hunting camp is non-conforming according to the Easement terms and will be removed by the landowner.

Dennie Road Tract (588 acres)

Access to Dennie Road Tract is via Dennie Road located in the Town of Mayfield. Warner Pond and associated wetlands total approximately nine acres. One hunting camp and associated accessory structure is located south of Warner Pond. In addition, a private landowner gains access to their property via a right of way over the gated gravel road that runs through the southern portion of this tract. The gravel road, also used for logging, is well maintained.

The Conservation Easement, baseline documentation and tax map indicates that the Dennie Road Tract north and south areas share a common corner. On the ground evidence, deeds and adjacent property legal descriptions indicate that the parcels are actually connected as shown in Section VIII: Exhibit 1.

Benson Road Tract (619 acres)

Access to the tract is via Tannery Road, maintained by the Town of Bleecker. Fulton County Highway 125 runs along the northwest boundary of the tract providing additional access. Tannery Road Extension runs through this tract and is used as a snowmobile connector trail called Corridor 8 (C8). Stony Creek and associated wetlands flow north through the center of the parcel. The Benson Road tract is subject to Adirondack Park Agency permit 2008-277, authorizing a 2-lot subdivision involving wetlands and lands

within a designated scenic river area, classified under the Wild, Scenic and Recreational Rivers Act. Because this land was all originally owned by Finch, Pruyn and Co, the 2-lot subdivision separated the adjacent Forest Preserve portion (fee) from the conservation easement portion.

Hohler Road Tract (789 acres)

The tract is located in the Town of Bleecker and is generally southeast of Caroga Lake and northwest of Peck Lake. Access is gained via Hohler Road. It contains hemlock stands and a large wetland system. West Stony Creek flows through the northwestern corner of the parcel. Associated with the creek is a 15-acre wetland system that has been identified by the New York Natural Heritage Program (NYNHP) as a sedge meadow (See Section III.B.2.) Two hunting camps are located on this tract.

Johnny Cake Lake (250 acres) and Gordon's Creek Tracts (1,206 acres)

These tracts are located in the Town of Edinburg and are generally east of Great Sacandaga Lake and are in close proximity to each other. Access is from Horse Hill Road. Both tracts are leased to recreational hunting clubs. Two streams flow from Johnny Cake Lake onto Gordons Creek tract. Several wetland areas of approximately 33 acres are identified by NYNHP as a spruce-fir swamp and a hemlock-hardwoods swamp (See Section III.B.2.).

Lake Desolation Tract (2,128 acres)

This tract is located in the Town of Greenfield, just outside of the Adirondack Park. Access is from Plank Road which crosses the tract from Desolation Road to the hamlet of Porters Corners. The southern corner has a wetland system that is identified as a 15 acre spruce-fir swamp and a 15 acre sedge-meadow (See Section III.B.2.). This tract is not leased and is open to the public for non-motorized uses.

III. NATURAL and CULTURAL RESOURCES

A. Physical Resources

1. Terrain/Topography

Bernhardt Mountain stands at 2,293 feet above sea level in the middle of the Jackson Summit Road West Tract. Several smaller peaks surround the parcels and provide scenic views at various locations. Much of the Property is moderately steep with slopes varying from zero to 60 percent. The best resource for terrain information is the USGS 7.5 x 15 minute quadrangle maps (Caroga Lake, Jackson Summit, Porter Corners and Edinburg).

2. Geology and Soils

Much like the rest of the Adirondack Park, the Sacandaga Tracts were shaped by glacial movement and the deposition of glacial material. The bedrock under the area is

various forms of metamorphic gneiss and granite. Several large glacial erratics can be found throughout the Property.

The soils in the vicinity of these tracts are largely composed of the Tunbridge series, described as moderately deep and well-drained, loamy glacial till. This series is located on glaciated uplands, which fits the description of the area, and has a wide distribution throughout the Northeast. The eastern tracts have similar soil types including predominately Tunbridge, Lyman, Potsdam and Crary series. The western tracts vary slightly more with a Tunbridge, Becket, Skerry, Lyman, Berkshire and Wonsqueak Humaquets (in frequently flooded wetland areas) series.

3. Water and Wetlands

All tracts are within the Hudson River watershed and Great Sacandaga Lake sub-watershed and Upper Hudson sub-watershed. Waterways and waterbodies on the property include Lynus Vly, Elphee Creek, Stony Creek and Warner Pond. Logging and associated activities cannot occur within 100 feet of any stream, waterbody or wetland per Easement terms.

The Lynus Vly Outlet (2.5 miles long) runs through the western portion of the Jackson Summit Road West Tract. It originates from a pond on Forest Preserve managed under the Shaker Mountain Unit Management Plan and empties into West Stony Creek. Also on this tract, Elphee Creek, flows into the Jackson Summit Reservoir which then empties into Great Sacandaga Lake.

Warner Pond, a 9.1 acre waterbody located on the Dennie Road Tract, also flows to Great Sacandaga Lake.

West Stony Creek winds through the northern boundary of the Hohler Road Tract, to the eastern boundary. This headwaters section is dominated by beaver activity and wetlands. It is classified as C (trout) in the northern section. Portions of West Stony Creek are classified as a Recreational River under the Wild, Scenic and Recreational Rivers Act (1972), see section III.C.3 for more information.

The unnamed inlet and outlet associated with Johnny Cake Lake traverses Gordon's Creek tract and Johnny Cake Lake Tract. The inlet is not classified as a trout stream but the outlet is. On Desolation Road Tract, three inlet streams and an outlet stream are associated with Archer Vly, Cadman Creek, are all classified as trout streams. Archer Vly is approximately 23 acres.

Wetlands are important ecological resources that contribute to quality wildlife habitat, water protection, flood control and recreational values. For these reasons, they are protected by state and federal regulations. Logging and associated activities cannot occur within 100 feet of any wetland. Vernal pools are small, seasonal wetlands that provide habitat for many amphibians and reptiles. The Landowner is required to reduce or mitigate any negative impacts to vernal pools. There are 441 acres of wetland on the

Property. These wetlands are identified as “significant special communities” by the NYNHP (described in Section III.B.2).

B. Biological Resources

1. Fish and Wildlife

A 1994 survey of Lynus Vly confirmed the presence of brook trout, creek chub and longnose dace.

Archer Vly, last surveyed in 2011, is 5.2 feet at the deepest spot and is considered a warm water fishery. One loon and several snapping turtles were observed.

West Stony Creek was surveyed near the mouth of the waterway, approximately 16 miles away from the Hohler Road tract. The data is not directly relevant to the area of river found on Hohler Road but margined madtom, white sucker, longnose dace, cutlip minnow, fallfish, tessellated dater and fantail darter were recorded.

Throughout the Property, evidence of deer, moose, coyote, fox, hare and bear can be found along with many other common Adirondack species. One would also expect to find an occasional bobcat, fisher and American marten.

The Breeding Bird Atlas is the most comprehensive list of bird species that are seen or heard in “blocks”. The Herp Atlas (herptofauna a.k.a. reptiles and amphibians) is set up in a similar fashion. The blocks encompass an area larger than all the individual tracts addressed in this RMP so it is only possible, not definite, that the listed species reside for some or part of the year. The Breeding Bird Atlas identified 117 confirmed, probable and possible breeding bird species in the blocks covering the tract. The Herp Atlas identified 22 species of reptiles and amphibians, on or adjacent to the Property.

2. Vegetation

Soil depth, drainage and nutrient richness tend to increase as elevation increases from spruce-fir flats and wetlands. Mid-slopes, adjacent to the spruce-fir flats, tend to exhibit improved soil drainage and depth, allowing for some hardwood species to compete and mix with spruce and fir. Hardwood species best suited to compete with spruce and fir in these areas are Red Maple and Yellow Birch.

Upland sites tend to exhibit soil characteristics that make these sites the most productive on the Property. Soil depth, drainage and nutrient retention are generally best in these sites, with hardwood species such as sugar maple, American beech, yellow birch, and black cherry dominating. Opportunities to grow high value timber are best in upland sites.

While wetland characteristics vary greatly from one site to another and even within the same wetland system, the most common wetland systems include bogs, marshes, shrub swamps and wooded swamps.

Special Communities are listed by the NYNHP. Ranking descriptions are found in Appendix D. NYNHP Element Occurrences found on the Property include:

Sedge Meadow
State Rank: S4; Global Rank G5
This is a wet meadow community that has organic soils of muck or fiberous peat. Soils are permanently saturated and seasonally flooded. The dominant species is tussock-sedge, usually with at least 50% cover. Other characteristic herbs include sedges, bluejoint grass, sweetflag, spotted joe-pyeweed, tall meadow-rue, purple stem angelica, and bulrushes. The sedge meadow on Hohler Road Tract is approximately 11 acres within the larger wetland system that extends beyond the boundary lines of the tract. Another identified sedge meadow is on the Lake Desolation Tract. This 15 acre narrow wetland system is the headwaters for Lake Desolation. It is small but in good condition.

Inland Poor Fen
State Rank: S3; Global Rank G4
This scenic fen on the Jackson Summit West Tract is dominated by short sweet gale and leatherleaf overtopped by tussock sedge. It is approximately 17 acres.

Hemlock-hardwood Swamp
State Rank: S4; Global Rank G4
This 11 acre remote wetland is part of a wetland complex on Gordon's Creek Tract that drains into Johnny Cake Lake. It is dominated by hemlock and co-dominated by red maple, red spruce and yellow birch.

Spruce-fir Swamp
State Rank: S3; Global Rank G3
The southern edge of the Lake Desolation Tract has a 15 acre wetland dominated by red-spruce, and co-dominated by red maple, hemlock, balsam fir and yellow birch. The swamp is underlain by well-decomposed peat over deep muck.

3. Endangered, Threatened and Species of Special Concern

This RMP is designed to help protect habitat of endangered, threatened and species of special concern as it relates to the public's recreational use and enjoyment of the lands and access opportunities discussed in this plan. In an effort to maintain confidentiality of these critical resources, the specific locations of some sensitive species and special communities will not be identified in this plan.

Vegetation
Persicaria careyi (Carey's smartweed): Endangered Species in New York State; Last observed in 1912.

Birds

The following are listed on the 2000-2005 Breeding Bird Atlas as protected species of special concern in New York State:

American bittern
Common loon
Northern goshawk
Red shouldered hawk
Sharp-shinned hawk

Herptofauna

There were no species of special concern, rare, threatened or endangered species listed on the Herp Atlas for the blocks covering the tracts being managed under this RMP.

4. Invasive Species

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

The Adirondack Park Invasive Plant Program (APIPP) is the most reliable source of information regarding invasive species. While the imapinvasives.com internet portal does not list any invasive species on the Property that does not mean that they do not exist. There are several invasive species identified nearby, generally on road corridors. Because roads and vehicles are the most common means to spread invasive species, actions must be taken to impart the importance of prevention to the public and to react quickly to new infestations. Best management practices (BMPs) for any improvements on the Property must be used. Examples include cleaning equipment, using clean fill and gravel, and using straw instead of hay. Appropriate signage will be placed in kiosks to inform visitors of steps they can take to help prevent the spread of invasive species.

Existing Invasive Species in the immediate vicinity

Phragmites australis, common reed
Alliaria petiolata, garlic mustard
Fallopia japonica, Japanese knotweed
Lythrum salicaria, purple loosestrife
Pastinaca sativa, wild parsnip
Najas minor, brittle naiad
Potamogeton crispus, curly leafed pondweed

C. Cultural Resources

1. Cultural and Archaeological

There are no Cultural and Archaeological sites reported for the Property. However, any findings of potential historical significance should be reported to the Department or the managing forester. This location is not listed as an architectural site under the NYNHP.

2. Visual/Scenic Resources

Bernhardt Mountain on the Jackson Summit West Tract and the upper elevations of the Dennie Road Tract provide winter-time views of Great Sacandaga Lake and surrounding foothills. The general area of these tracts is referred to as the "Mayfield Hills" and is an important visual resource.

3. Wild, Scenic and Recreational Rivers

In 1972, State legislation, called the Wild, Scenic and Recreational Rivers Act, was passed creating a designated rivers system. This Act protects and maintains certain designated rivers on State and private lands in their free-flowing condition and natural setting.

West Stony Creek is classified as a "recreational river" on part of the Hohler Road parcel. A recreational river is "…generally readily accessible, and may have a significant amount of development in their river areas and may have been impounded or diverted in the past. Management of recreational river areas will be directed to preserving and restoring their natural, cultural, scenic and recreational qualities." (6 NYCRR Part 666.4) Unless a river management plan dictates otherwise, there is a one-half mile buffer area from the mean high water mark of the river.

D. Economic Impact

The Upper Hudson Woodlands ATP Easement recognizes the positive economic impact of the logging industry on Adirondack Park communities. The Easement specifically reserves the Sacandaga Tracts (and all other parcels owned by the Landowners) as working forests and provides dedicated public recreation areas. This is an economic benefit for local towns, counties, as well as the entire Adirondack Park and Saratoga and Fulton Counties. Tourism and outdoor recreation are growing industries and are increasingly more influential in Adirondack community economies.

IV. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS

A. Public Property

Forest Preserve Lands

Shaker Mountain Wild Forest, 40,500 acres of Forest Preserve, is in the immediate vicinity of the Property. The Property and Forest Preserve lands share 10.5 miles of

surveyed and marked boundary line. The main features of the Shaker Mountain Wild Forest (SMWF) include a section of the Northville Placid Trail, several snowmobile trails and scattered campsites generally at historical fishing locations. The Corridor 8 Snowmobile Trail (C8) links the towns of Caroga Lake, Bleecker and Mayfield. More information regarding these Forest Preserve lands can be found in the Shaker Mountain Wild Forest Unit Management Plan.

Three New York State operated campgrounds, Northampton Beach Campground, Sacandaga Campground and Caroga Lake Campground, are in nearby communities. Short, destination-based hiking on the Property will provide family oriented activities in the immediate area.

State Lands
Several parcels of the Lake Desolation State Forest (440 acres) border the southwestern boundary of the Desolation Road Tract. There are no official trails in this unit, however, it is often used by the public for hunting and other outdoor recreation activities. More details about this parcel can be found in the Saratoga County State Forest Unit Management Plan and the NYSDEC State Lands Interactive Mapper http://www.dec.ny.gov/outdoor/45415.html.

B. Private Property

Legal Rights of Ways (ROWs)

Benson Road Tract

Tyrell Road Extension, a logging road running through the northern section of the Benson Road Tract, is a non-exclusive deeded ROW for access to private property.

Jackson Summit West Tract

A deeded ROW allows ingress and egress to the private property at the northern border of the Tract. The Department will consult with the landowner and the adjoining private landowner with the deeded right of access prior to the relocation, installation or removal of any gate.

Dennie Road Tract

A deeded ROW allows ingress and egress to a private landowner in addition to a utility line ROW to the private parcel northwest of Warner Pond.

Lake Desolation Road Tract

None are listed in the deeded Conservation Easement. Further research revealed that the landowners (inholdings) surrounding Archer Vly have a ROW as depicted in the original subdivision map.

Gordon’s Creek Tract

A 50 foot wide ROW for ingress and egress is reserved by an adjoining landowner (currently owned by Lyme Adirondack Timberlands, LLC), as well as Mettowee Lumber Company.

Johnny Cake Lake Tract

A 50 foot wide ROW for ingress and egress is reserved by an adjoining landowner (currently owned by Mettowee Lumber Company).

V. LANDOWNER MANAGEMENT AND USE

A. Property History

While Upper Hudson Woodlands ATP is a relatively new owner of the Property, Finch Pruyn and Company were the previous owners for almost a century. The long history of timber harvesting is evident on the landscape. Timber stands are in various stages of growth, stand structure and maturity. Staging areas, log landings and skid roads are scattered throughout each tract. Many ATV trails and foot paths associated with the long running leased hunting camp program are found on each tract.

The hamlet of Jackson Summit was a small logging community nestled in the hills west of Mayfield town center. At one time Jackson Summit was a flourishing village, with a tannery, two sawmills, a wooden-ware factory, blacksmith shop and a clothes-pin shop. Though none have been identified so far, old grave sites, homesteads or other infrastructure may be found on the Property and should be reported to the Department. The first sawmill was built in 1816 and the second in 1832. The last of the tanneries closed prior to 1900. Over time, much of the land was sold to Finch Pruyn and Company until 2010 when the land came under Upper Hudson Woodlands ATP ownership.

Lake Desolation Road Tract is in the vicinity of the old “Glassworks Factory” on nearby state land. This was an old settlement established at that location where glass bottles were produced for Saratoga Spring water from 1843-1865. According to a description of the Saratoga Glassworks by Howard Dean, the area was named Mt. Pleasant and had plans for a full community with homes, a school, church, stores and hotel. The old subdivision map was titled Mt. Pleasant. At its height, 200 people lived in Mt. Pleasant, with 40 of them working in the factory. Source: Howard Dean. The Saratoga Glass Works at Mt. Pleasant Saratoga County, N.Y. *The Antique Bottle and Glass Collector Magazine.* May 1985

B. Current Uses of the Property

1. Forestry

A stated purpose of the Easement on this Property is to ensure that the forest resource will continue to be available to the current and future landowners for sustainable forest management and the associated long-term production of forest products. It is common to see foresters, loggers, and logging equipment on the Property. People using the Property for recreation can expect to encounter this type of activity during a typical visit.

2. Recreational Leases

Several private hunting clubs lease camps and exclusive use acreage from Upper Hudson Woodlands ATP. While lessees are most active during hunting season, several use their camps for a variety of four-season outdoor-based recreation. Per terms of the Easement, private lessees or club members are permitted to use motorized vehicles and/or ATVs on Landowner specified roads, trails and waterways.

3. Public Recreation

2011 Interim Recreation Management Plan: Upper Hudson Woodlands ATP Working Forest Conservation Easement

This Interim Plan allows for existing snowmobile trails that had been previously leased from Finch Pruyn by local snowmobile clubs, towns and municipalities, (C8, C8A) to remain open under the State's rights that were acquired under the Conservation Easement. The State's purchase of recreation rights on these lands eliminated the need for trail lease agreements between the landowner and those entities. Snowmobile trail maintenance and grooming is allowed through Department-issued Volunteer Stewardship Agreements (VSAs) with local snowmobiling clubs and will be limited to what is prescribed by provisions in the conservation easement and within the OPRHP Snowmobile Trail guidelines.

2014 Recreation Management Plan for Fishing Boating and Hunting Access: Upper Hudson Woodlands ATP

This plan allowed the implementation of recreation facilities on the Lake Desolation Road Tract ,as well as a number of other tracts that are not within the geographical scope of this RMP. This included several tent sites, a parking area, ADA accessible car-top boat launch and an ADA accessible privy. The entire tract is also open to the public for non-motorized uses including hunting, fishing, bicycling, horseback riding and walking.

C. Property Infrastructure

1. Existing Infrastructure and Conditions

Due to the nature of the Property as a working forest with recreational leases, an intricate system of roads, ATV trails and foot trails have been developed. Many of the recreational rights owned by the State as outlined in this RMP are preexisting facilities. *Description of road classes can be found in Appendix C*.

<u>Jackson Summit Road West</u>

A well-maintained Class II gravel road ends about 0.9 miles into the property from the gated entrance. The road continues, but in a less maintained condition (class IV-V), then branches several times throughout the property. A non-conforming and abandoned camp is west of the Elphee Creek bridge site. The previous lessee will remove the

structure after the bridge over Elphee Creek is reconstructed by the Landowner. The bridge is in poor condition.

Dennie Road

A well-maintained Class III gravel road is gated at the entrance to allow lessee and adjacent landowner access. After approximately 0.6 miles, the road ends at a log landing located north of Warner Pond and becomes a network of secondary logging roads, mostly class IV and V.

Benson Road

The Class II Tannery Road traverses near the southern border of the Benson Road tract for 0.5 miles. A snowmobile route (C8) follows Tannery Road and Tannery Road Extension through the southern end of the tract. A log landing and secondary road system, Class IV and V, is located on the northern portion of the parcel. The route is also currently a motor vehicle road.

Hohler Road

A well-maintained Class III logging road traverses through the center of the property where it splits and heads east and northeast in a less maintained condition, generally Class IV. The road is gated at the entrance. Several landings throughout the tract are currently maintained by the Landowner as well as a large network of secondary logging roads. A secondary snowmobile trail ran through the northern route on the Property but closed in 2008. The snowmobile trail proposed in this RMP for the Hohler Road tract will reopen this old route.

Gordon's Creek and Johnny Cake Lake

These remote parcels are close to each other, separated by 0.6 road-miles across private land. Both parcels have a network of Class III – IV logging roads and are leased to hunting clubs. The C8 snowmobile trail, maintained by snowmobile clubs, passes through these tracts.

Lake Desolation Road

This parcel no longer has leased camps and all camps have been removed. This parcel was also previously leased to an ATV riding club. Plank Road, an abandoned road formerly maintained by the Town of Greenfield, traverses through the property from Lake Desolation Road to the hamlet of Porter Corners. The condition of the road varies, with the middle portion in the least passable condition. Although upgrade of the road to enhance or expand motor vehicle access is not currently under consideration due to practical limitations on the availability of resources, the Department does possess the right to do so under the terms of the conservation easement. Upgrade of the road and opening it to public motor vehicle traffic, may become a viable option in the future if resources to do so become available Public access, as described in the *2014 Recreation Management Plan for Fishing, Boating and Hunting Access* allows non-motorized use of the entire parcel, car-top boating and up to 5 campsites on Archer Vly. Currently, a parking area, four tent sites and car-top boat launch for persons with

disabilities have been developed. The entirety of the tract is now open to the public for non-motorized recreation. The snowmobile trail (C8A) exists on logging roads.

2. Gravel Pits

The Property addressed in this RMP does not have any documented sand and gravel pits. (See VII.B.5)

VI. PUBLIC USE ADMINISTRATION AND MANAGEMENT

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

A. Laws, Policies, and Memoranda

This RMP has been developed within the constraints and guidelines set forth by Federal Law, New York Environmental Conservation Law; Title 6 NYCRR of the State of New York; established Department policy; and the terms and conditions of the Easement that encumber the Property.

Department Policies:

- Adopt-A-Natural Resource (ONR-1)
- Motorized Access Permits for People with Disabilities – MAPPWD (CP-3)
- Temporary Revocable Permits for State Lands and Conservation Easements (ONR-3)
- Volunteer Stewardship Agreements (CP-58)

State Administered Land Use Controls

- Freshwater Wetlands Act (ECL Article 24)
- Protection of Waters Program (ECL Article 15)
- Adirondack Park Agency Act and Regulations of the Adirondack Park Agency for private lands

DEC/APA MOU

*MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park. A*ugust 13, 2010

B. 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.

Application of the Americans with Disabilities Act (ADA) for Conservation Easements

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

Adirondack Park Agency (APA)

Land managers will need to consult with the APA 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; and improvements or actions along or adjacent to Wild, Scenic, or Recreational Rivers. The draft RMP has been submitted to APA for review consistent with the procedures outlined in the 2010 *MOU Concerning State-Owned Conservation Easements on Private Lands within the Adirondack Park.* Certain proposed recreation projects and activities, as covered in the MOU may require further APA review under Section 814 of the APA Act. For instance, sand and gravel pits may be subject to Adirondack Park Agency review under section 814 if 50 cubic yards or more are used off the property over a 2 year time period. These actions are further described in section VIII.

C. Guidelines and Standards

Development and implementation of this RMP shall be consistent with the following specific guidelines:

NYSDEC Conservation Easement Public Recreation Road and Trail Sign Guidance Manual, 2012

The manual was developed to standardize signs on conservation easements. It is intended to assist Department staff with the development of clear directions for the public with the influence of the landowner. Roads for motorized vehicles must meet all signage regulation while there is more flexibility with trails. Signs addressing safety issues on roads are addressed in this guidance manual. See http://www.dec.ny.gov/regulations/2401.html

Standards for Public Recreational Roads and Trails

The Department will maintain Easement roads to the standards outlined in the Unpaved Forest Road Handbook, typically used on State Forest lands. Based on need, funding and Landowner activity, the Department shall decide whether portions of trails and roads shall be repaired, improved, relocated, or if public use shall be temporarily suspended. Road maintenance is a shared cost between the Department and Landowner and is further discussed in Section VII.B.9. The Standards for Public Recreational Roads and Trails is in Appendix F.

NYSDEC Standard Accessible Designs for Outdoor Recreational Facilities Guidebook, 2014

As the Department continues to expand outdoor recreation opportunities, the design process will continue to incorporate research and ingenuity to harmonize accessibility and Universal Design principles to provide a quality visitor experience on state lands, including state easements.

All-Terrain Vehicle Use
Per the Conservation Easement, public ATV use is not allowed on Upper Hudson Woodlands property.

D. Management Authority, Staff and Responsibility

The Regional Natural Resources Supervisor is the Manager of regional staff in the Division of Lands and Forests, the Division of Fish and Wildlife and the Division of Mined Lands. The 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, implementation and coordination of all activities with the Landowner, partners, and other Department 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 RMP. The Regional Forester has overall responsibility for these matters. Reporting to the Regional Forester is a Supervising Forester whom is responsible for forestry and land management programs. Reporting to the Supervising Forester are one or more Foresters, Natural Resource Planners and/or 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. The Office of Public Protection will be responsible for enforcement of laws and Department rules and regulations. Environmental Conservation Officers and Forest Rangers have primary responsibility for monitoring and enforcement of public use of the Property.

A land manager will be designated by the Regional Forester as the lead Department staff person for developing and implementing this and subsequent Plans for the Property. The land manager will be responsible for:

- Overseeing the coordination and preparation of the RMP, as well as periodic updates, revisions, or amendments;
- Coordinating the implementation of this RMP;
- Overseeing the budget outlined in the RMP;
- Assuring that management activities of all Department Divisions, as they relate to this RMP, comply with applicable laws, regulations, policies, and easement terms;
- Monitoring conditions and public use; addressing conflicts; and assessing the effectiveness of the RMP in addressing resource protection and public needs;
- Fostering communication about management activities within the Department, between the Department and the Landowner, and between the Department 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 Department staff and the Landowner's land management staff. Communication and coordination of planning efforts between all the parties was critical to formulating management objectives and proposals. Consistent communication is extremely important in preparing and implementing this RMP and adhering to the terms of the Easement. Department staff will regularly communicate with the Landowner to review completed activities, address concerns or problems, and coordinate future work. The Department, Landowner and managing foresters meet, at a minimum, once a year.

E. Goals, Objectives and Best Management Practices

1. Management Principles

The following principles will be used to manage public use of the Property:

- Manage the Property in the context of the matrix of public and private property;
- Protect and conserve natural resources with an understanding of carrying capacity;
- 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 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 for the purpose of allowing the public to safely enjoy the permitted range of outdoor recreational opportunities.
- Avoid or minimize negative impacts of public recreational use on the natural resources and environmental benefits.
- Avoid or minimize conflicts between public recreational use and forest management activities conducted by the Landowner and private lessees.
- 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 potentially conflicting uses where possible;
- Provide multiple motorized and non-motorized recreational uses on roads and trails, except where the potential for resource impacts, risk to public safety, conflicts with forest management activities, or other conditions make such shared use unacceptable;
- Maintain and improve opportunities for motor vehicle access on designated roads;

- 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 (BMPs)

All public recreation management activities will incorporate the use of BMPs to the greatest practical extent. BMPs are those methods, procedures, and 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. A list of BMPs will also be included in any work plans written prior to starting projects. BMPs related to the implementation of public access and recreational improvements on the Property may include, but are not limited to:

- Locating improvements away from streams, wetlands, and unstable slopes;
- Locating improvements to minimize necessary cut and fill;
- Locating camping sites or other structures on flat, stable, well-drained sites;
- Locating roads and parking areas on existing old roads, 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 during any period of the year;
- Limiting the size of parking lots and other improvements to the minimum necessary to meet the intended and anticipated 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;
- Properly clean equipment to prevent the spread of invasive species from one site to another.

F. Public Input

To ensure optimal use of recreational resources on the property, it is important to understand the availability of, and demand for, recreation on both the easement property and in the surrounding region, as well as public sentiment regarding various related issues. The public offered opinions and information regarding issues of concern during a public scoping meeting held on May 22, 2013 at the Mayfield High School.

Subsequent to the public scoping meeting and DEC's development of a Draft Sacandaga RMP, a draft final version of the RMP was released for public comment in September of 2016. A public informational meeting was held on October 12, 2016 at the Northville Central School. Oral public comments were accepted and recorded at the public informational meeting and comments were accepted in writing during a public comment period which ran from October 12, 2016 through November 11, 2016. All comments received at the meeting, by email and by mail were considered and are summarized in Appendix G. Changes were made as appropriate based on public input and landowner consultation. The RMP will be finally adopted, paving the way for public use opportunities to be implemented. Full build-out of the recreation opportunities identified in this RMP is anticipated to be completed in phases as funding and personnel resources permit.

G. Recreation Use Opportunities and Constraints

1. Potential Activities and Opportunities

Partnerships, established by Volunteer Stewardship Agreements or VSAs, should be pursued to build, maintain or groom trails. The Landowner will be notified, in writing, of any VSAs that are established.

The proposed cross-country ski and snowshoeing trails on Dennie Road tract are for public use. The trails may be groomed. The Mayfield public high school has a tracked groomer and has expressed interest in using the trails for training. Grooming of the trails tends to extend the ski season and would make the trails more user friendly.

Bleecker Snowrovers, the snowmobile club in Bleecker, has expressed interest in partnering with the Department to construct a bridge and maintain the snowmobile trail on the Hohler Road Tract. They currently maintain and groom other trails in the area.

The Sacandaga Riders Club is currently responsible for the maintenance and grooming of C8 and C8A trails in Edinburg and the Mulleyville Snowmobile club is responsible for Greenfield. In addition to their interactions with DEC staff in their areas, both of these clubs coordinate their respective grooming and maintenance activities closely with Saratoga County.

2. Management and Natural Resource Constraints

The Landowner's lease program is essential to the operation of their business as timber land managers. The Department will implement public recreation rights with this relationship in mind. It is in everyone's interest to ensure that the public is able to safely use and access recreation opportunities on the tracts addressed in this RMP. Likewise, it is equally important to ensure that public use and access doesn't have a negative impact on the rights of the landowner and the rights and privileges of others associated with the landowner's private rights in the property. As indicated in the management section below, some tracts discussed in this RMP that are privately leased *and* have public access will be closed to the public during the Northern Zone Big Game Regular Hunting Season as defined by New York State regulations. Current regulations determine this as the second-to-last Saturday in October until the first Sunday in December. The Department and Landowner agree that a vehicle and ATV sticker system should be implemented by the Landowners to provide law enforcement with a way to identify trespassers.

It is in everyone's interest to ensure public safety during logging operations on the Property. The Landowners will conduct timber harvesting on the property. Signs will be posted to inform the public when trails are closed for safety reasons. Re-routes will be established whenever possible. More information on "Logging Closure Zones" is provided in Section VII.B.6.

While the State has purchased specific recreation rights on the Property, some trail connections may depend on agreements with other adjacent private landowners. Public access to trails could depend on the willingness of adjacent landowners to allow public snowmobile access on their property. These agreements are arranged between the private landowners and snowmobiling clubs. Towns must approve snowmobile use on town roads. Snowmobiling on roads and lakes will be minimized as much as possible.

The availability of funds, personnel and equipment resources to complete projects in a timely fashion can also be a management constraint.

ATV use is not permitted by the Conservation Easement.

VII. CONSERVATION EASEMENT PUBLIC RIGHTS

A. Recreation Access and Use Rights

All management actions on the Property, as implemented through this RMP, will be conducted in accordance with the specific Easement terms and will strive to be consistent and compatible with the reserved rights of the Landowner. 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 and on private lessees.

The following affirmative rights, subject to specific terms, conditions, requirements, limitations, and restrictions stated in the Easement and described below, have been granted to the State of New York and apply directly to the development and implementation of this RMP:

1. Public Recreational Amenities and Improvements

The Department may establish, construct, use, repair, maintain, improve, expand, relocate, replace, demolish, abandon, or remove recreational amenities and improvements within the Property including those set forth in the terms of the Easement.

Recreational amenities and improvements may include roads, trails, parking areas, boat launches, car-top boat launches, campsites, outhouses, fire rings, fire places, signs, kiosks, barriers, fences, gates, and other such structures or improvements used in connection with, or to facilitate, the management of public access and public recreational uses of the Property.

In the event that the Department may delegate the construction or maintenance of recreational amenities to other entities, such as a local municipality or authorized clubs, the Department shall provide written notice to the Landowner. Such delegation shall not curtail the rights and responsibilities of the Department defined within the Easement.

2. Non-motorized Access - Use and Activities

The Department has the right to provide public access to the Property for a variety of non-motorized outdoor recreational activities, such as: hiking, bicycling, snowshoeing, cross-country skiing, photography, bird watching, wildlife observation, picnicking, boating (with car-top watercraft such as canoes, kayaks, or rowboats), swimming, camping at designated campsites, horseback riding and dog-sledding. The Property addressed in this RMP is unique in that each recreational activity allowed on individual tracts is defined within the Conservation Easement. Non-motorized corridors will be closed to the public during the Northern Zone Big Game Regular Hunting Season unless stated otherwise. While the public is not permitted to hunt on the tracts addressed in this RMP, they may use certain trails to access adjacent Forest Preserve. At the time of the adoption of this RMP, current regulations state that the Northern Zone Big Game Regular Hunting Season runs from the second-to-last Saturday in October until the first Sunday in December. Uses may also be limited on non-motorized corridors per terms of the Easement or for management reasons.

3. Motorized Access - Use and Activities

The Department has the right to allow public motor vehicle access to the Property via certain designated routes as described in the Easement. These routes will be signed accordingly as being open to certain types of motor vehicles, such as passenger vehicle and snowmobiles. Some routes were designed specifically to provide a route across the easement property to access adjacent Forest Preserve. These routes, if open during Northern Big Game Regular Season, may be used to access adjacent Forest Preserve. Speed limits and other restrictions or safety information may also be posted. Public access via ATV is not a permitted public use on these lands.

B. Conservation Easement Provisions Affecting Use

1. Barriers, Gates, and Locks

The Department, in agreement with the Landowner, has the right to install barriers and gates to control public access. The Department will install gates or barriers, where a need is evident, to control or prohibit public use generally related to motorized use. All new and replacement gates will meet the Department's safety standards as to color, design, and signage.

2. Parking Areas

Parking areas are to be established or relocated in the general locations designated on the original easement maps and in consultation with the Landowner. They may be constructed with gravel or other natural materials, shall not exceed one-half acre in size and will use previously cleared land whenever possible. Parking areas should be designed to accommodate the number of vehicles deemed necessary to facilitate the nearby uses on the associated easement parcel.

3. Boundary Line Marking

The Landowner may identify, maintain and mark the boundaries of the Property. The Department may also identify, mark and maintain boundaries with signs that are reasonably satisfactory to the Landowner, describing the public rights associated with the Protected Property.

4. Recreation Signs

The Department will follow the *NYSDEC Conservation Easement Public Recreation Road and Trail Sign Guidance Manual*. The Department shall install appropriate signage to advise the public of permitted uses and to impart the need for the public to stay on trails and avoid trespassing onto the private property. In all instances, roads and corridors open for Motorized Public Recreational Use shall be marked with appropriate signs for the type(s) of vehicles permitted. Major recreational access points will have identification signs at the junction of the access and the public road.

Entrance kiosks *may* have the following information:

- A map indicating the trails and distances
- Notice to stay on the trails per terms of the easement

- Notification or alerts about the presence of ATV or snowmobile use by lessee
- Invasive species information
- Other rules and information the Department deems necessary
- Information regarding the lessee program and trail closure dates
- Registration box
- Contact numbers for DEC Dispatch to contact a Forest Ranger or Environmental Conservation Officer in the event of an emergency or alleged criminal activity.

5. Gravel Pits

The Landowner and the Department may transport and use sand and gravel for the maintenance of public motor vehicle roads within one mile of the Property that provide access to, or are associated with, the Property.

In order to minimize negative environmental impact and maintain forested areas, parties should use existing sand and gravel pits when practical and avoid opening new pits unless necessary. New pits are those not identified in the Baseline Documentation. However, the Property addressed in this RMP does not have any documented pits. To create a new pit, the Landowner must approve the area or location from which sand and gravel are to be extracted by the Department. Parties will make every effort to avoid sensitive areas, minimize visual impacts and will comply with all applicable laws and regulations when extracting sand and gravel.

6. Cutting or Removal of Timber

The Department shall give written notice to the Landowner of any situation in which trees may need to be cut or removed from the Property. All harvested timber shall belong to the Landowner.

7. Logging Closure Zones

The Landowner reserves the right to close trails or roads 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 no 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 an alternative route for public recreational use. The Landowner is responsible for placing adequate and appropriate signs where public roads and trails enter Logging Closure Zones.

8. Search, Rescue, Fire, Emergency Response, and Law Enforcement

The Department 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 Department's 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, however a response may include other emergency responders. The Department will notify the Landowner of all emergency actions and serious violations. The Landowner will report public use violations to the Department by filing complaints through the area manager or the regional dispatch center. The Department will promulgate site specific regulations for the public use of the Property as necessary for future recreational management and law enforcement.

9. Shared Maintenance of Improvements

The Easement provides general guidance on how the costs of maintaining improvements are to be shared. The Department and the Landowner will share the expense of any maintenance or replacement of improvements for public use based on the proportionate amount of use and benefit that each party derives from the improvement. Parties shall consider the needed standards for respective uses, maintenance cost, length of need for the structure and safety.

When considering cost-sharing arrangements, it is important to mention that neither party 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.

An annual maintenance plan that represents each party's 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 negotiated and agreed to each year at the annual meeting. When roads and trails are constructed by the Department, they will be generally built to the standards the Department uses on State forests roads with deference to the conservation easement road standards that have been mutually agreed to by the Landowner and the Department. During construction and maintenance, Best Management Practices (BMPs) will be utilized to protect the natural resources (also see BMP Field Guide at DEC website):
www.dec.ny.gov/docs/lands_forests_pdf/dlfbmpguide.pdf

10. Recreation Monitoring

Natural Resource Supervisors are responsible for the inspection of all lands under Department jurisdiction including lands over which New York State holds an easement. After notification, an inspection to determine Landowner adherence to affirmative rights, Landowner compliance and Landowner activities should be carried out by the Department. Required annual meetings will provide a chance for both parties to express concerns.

11. Hunting, Fishing and Trapping

With the exception of the Lake Desolation Road tract, these activities are not permitted by the public on the tracts addressed in this RMP. While several other parcels in the Upper Hudson Woodlands ATP Easement have areas where hunting, fishing and trapping are allowed, the State did not purchase these rights on the specific parcels addressed in this RMP. These activities may be undertaken by members of private recreation clubs which have entered into leases with the Landowner.

12. Hiking, Biking, Cross-Country Skiing

These activities are considered non-motorized uses and unless stated otherwise are allowed on non-motorized recreation corridors.

13. Horseback Riding and Dog Sledding

These activities are considered non-motorized uses and are allowed on non-motorized trails unless stated otherwise. Horseback riders and dog sledders are not expected to visit the Property in significant numbers.

14. Camping

With the exception of the existing camping on the Lake Desolation Road tract, camping is not permitted on the Property. Camping at Lake Desolation Road tract is at designated sites only. General Forest Preserve rules apply, such as not more than 8 people without a permit, no more than a 3 night stay without a permit, etc.

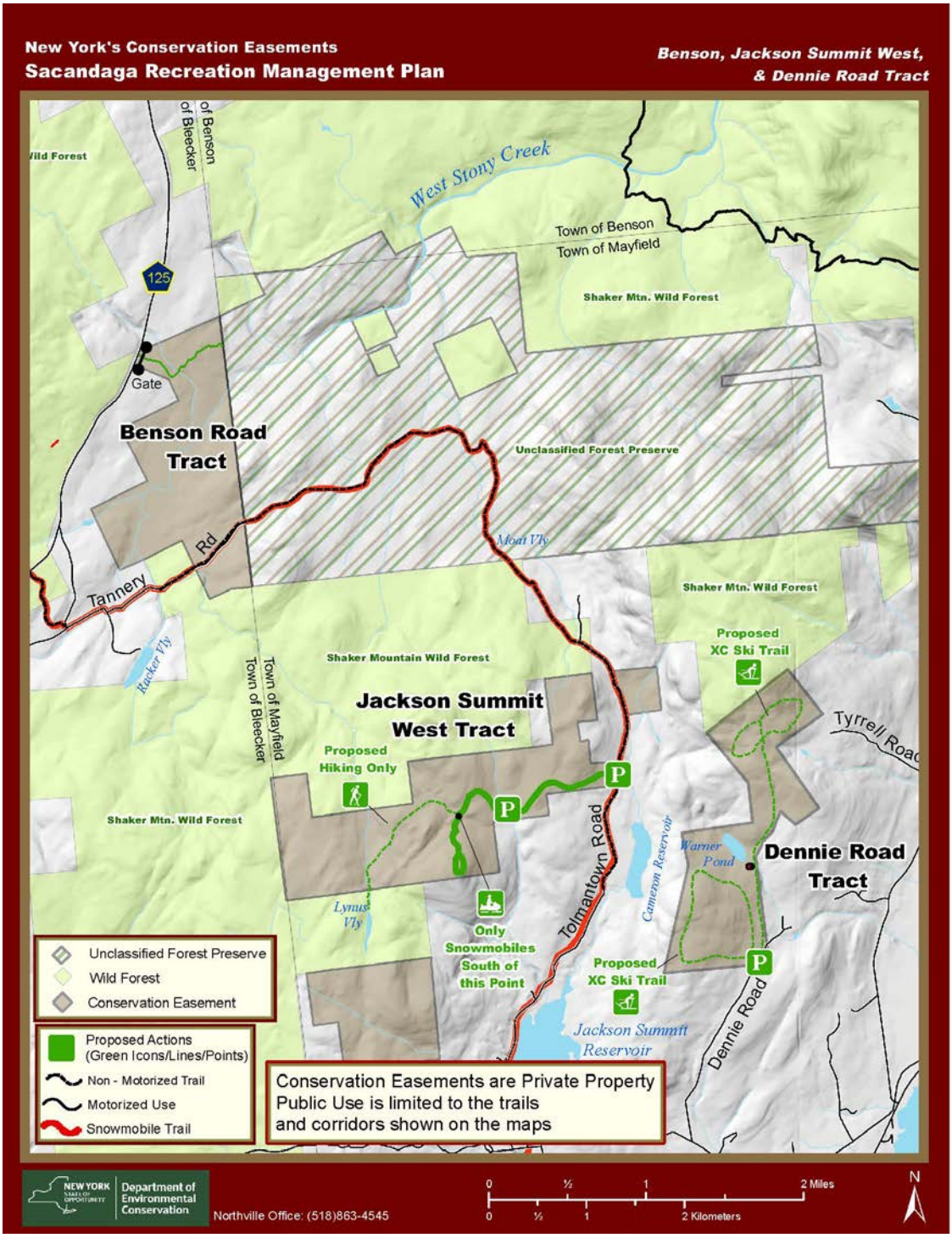
Fires are permitted only in fire rings. The collection of dead and down firewood is allowed and encouraged. Bringing firewood when camping is the number one vector for the introduction of invasive insects and pests. Standing trees, even if they appear dead are not to be cut down. In addition, wood left at log landings is owned by the Landowner. It is not to be used as firewood.

15. All-Terrain Vehicle Use

Public ATV use is not permitted per the terms of the Conservation Easement. However, private lessees are permitted to use ATVs on these easement tracts.

VIII. PROPOSED RECREATION MANAGEMENT ACTIONS

Exhibit 1 – Jackson Summit West, Benson Road, and Dennie Road Tracts



A. Jackson Summit West Tract – Exhibit 1

During the winter months, a spur trail off of Tolmantown Road (Corridor 8 or "C8") will allow the public snowmobile access to the top of Bernhardt Mountain. C8 utilizes Tolmantown Road and Tannery Road, linking the towns of Bleecker and Mayfield. The Bernhardt Mountain trail gains approximately 500 feet of elevation on existing gravel logging road until the trail levels out. Then the trail will veer south towards the summit of Bernhardt Mountain, gaining views of Shaker Mountain Wild Forest to the south and Great Sacandaga Lake to the east. The Elphee Creek bridge needs to be rehabilitated prior to allowing public snowmobile access.

A non-motorized use corridor begins at the lower parking area and ends at the boundary of the Property, just before reaching Lynus Vly, located on Forest Preserve. From the end of the trail, the Vly can be reached by walking upstream (south) on an established but unmarked trail just prior to reaching the pond. The Lynus Vly trail will not be open during Northern Zone Big Game Regular Hunting Season. Signage will indicate the closure dates and gates will be locked. The last 800 feet of the Lynus Vly trail is on Forest Preserve in Shaker Mountain Wild Forest. The land manager for that unit is proposing an amendment to the Unit Management Plan to make the existing herd path a marked trail.

The trail to Lynus Vly has been assessed as a trail for persons with disabilities. Unavoidable steep slopes and rough terrain are a significant barrier to building this trail to the standards necessary to call this an accessible trail for persons with disabilities. The Conservation Easement as a whole offers several opportunities for trails and recreational access for persons with disabilities.

Management Actions

- The interior parking area will be constructed in an existing logging landing with consultation from the Landowner. Signs will be installed. The parking area will be delineated with large rocks and gravel.
- Space is already available and is adequate for a 2 car parking area at the entrance, just inside the gate. Signs will be installed. The parking area will be delineated with large rocks and improved with gravel.
- The Department will ensure the gates are opened and closed as needed depending on the season (closed for Northern Zone Big Game Regular Hunting season and spring "mud" season.)
- The motor vehicle route to the interior parking area will be maintained as an unpaved motor vehicle route. The route is steep and it is expected that annual maintenance will be necessary.
- A barrier (rocks) will be installed to prevent snowmobile access past the turn-off for the Bernhardt Mountain Trail.
- All appropriate signage will be installed along with a register and map at the interior parking area. A sign standard will be installed at the Tolmantown Road entrance.

- Seek an agreement with the snowmobile club to groom the Bernhardt Mountain snowmobile trail.
- Development of the Bernhardt Mountain snowmobile trail will follow an gentle contour from the west to ensure the trail is not too steep for snowmobiling. Any work done on this trail will be approved by the DEC in a work plan.
- Establish and sign the Lynus Vly trail on the conservation easement lands. Build foot bridges as necessary. Work plans and any needed permits will be completed and approved prior to initiating trail projects. DEC will seek partners and volunteers to build and maintain the trail.

B. Benson Road Tract – Exhibit 1

A public access corridor links the towns of Mayfield and Bleecker via Tannery Road, traveling over the Benson Road tract. The road is currently open to motor vehicles and is the C8 snowmobile trail. This RMP only addresses the half mile section of Tannery Road that is on the access corridor running over Benson Road Tract. An additional year-round motorized public access corridor across the northern corner of the parcel is for access to the adjacent Forest Preserve land. While planning is not currently underway for the development of this northern access route, it will be considered once the Adirondack Park Agency classifies the newly acquired Forest Preserve to the east of the tract and funding for the road comes available.

Management Actions

- Maintain the existing unpaved Tannery Road to the Forest Preserve boundary line. Install seasonal control gates on adjacent Forest Preserve as necessary and in consultation with the managing forester and the Town of Bleecker.
- If the northern motorized access route is implemented:
    - A gate at the northern access route near County Route 125 will be installed for seasonal control, i.e. mud season.
    - Appropriate signage will be installed including an entrance identification sign. This route is for access to Forest Preserve only. The public does not have general access on the Benson Road Easement tract. Signage will indicate that the public needs to stay on the road corridor.
    - Upgrades on the access route will be necessary to accommodate motor vehicles.
    - The Adirondack Park Agency will be consulted as required in a previously issued APA subdivision permit.

C. Dennie Road Tract – Exhibit 1

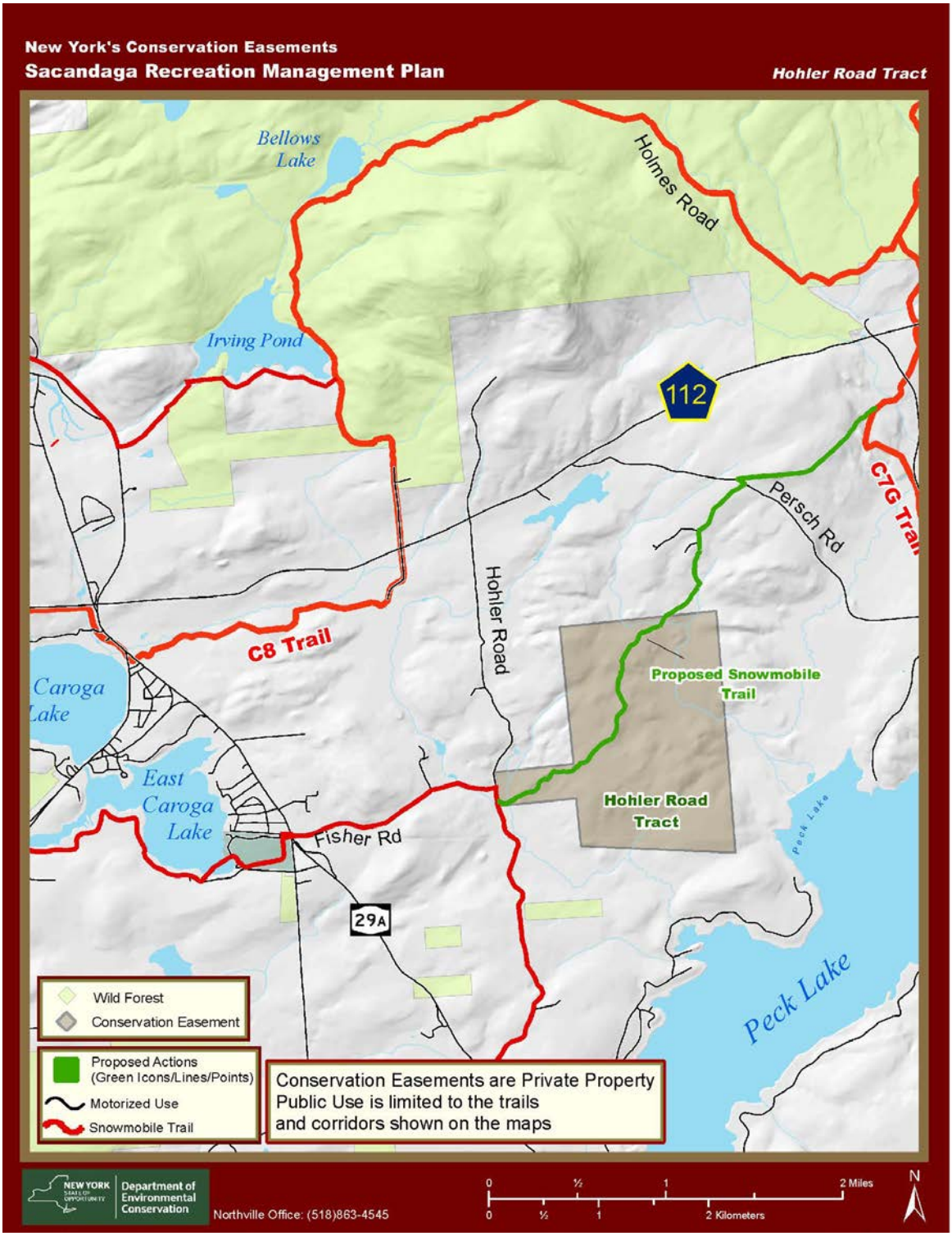
Approximately seven (7) miles of trails will be available for cross-country skiing and snowshoeing after the Northern Zone Big Game Regular Hunting Season. All trails will be located away from the leased camp.

Management Actions

- A parking area will be improved and designated in a previously cleared area.
- A kiosk, privy and signage will be installed. Signage at the entrance kiosk will indicate closure dates among other pertinent information.
- Build and improve trails using the existing logging road network. Logging on the tract was completed in 2016. The first phase of trail implementation will be on the southern portion of the tract. The second phase will continue the trails to the northern portion of the tract.
- Seek an agreement with an outside entity for grooming of the ski trails and plowing of the parking area.

D. Hohler Road Tract

Exhibit 2



Historically, snowmobile access was leased from the previous landowner on the Hohler Road tract, but due to changes in land ownership, the trail closed in 2008. The former trail was connected to the C8 trail via Hohler Road, Persh Road, Rhinehart Road, Shrine Road and trail C7G.

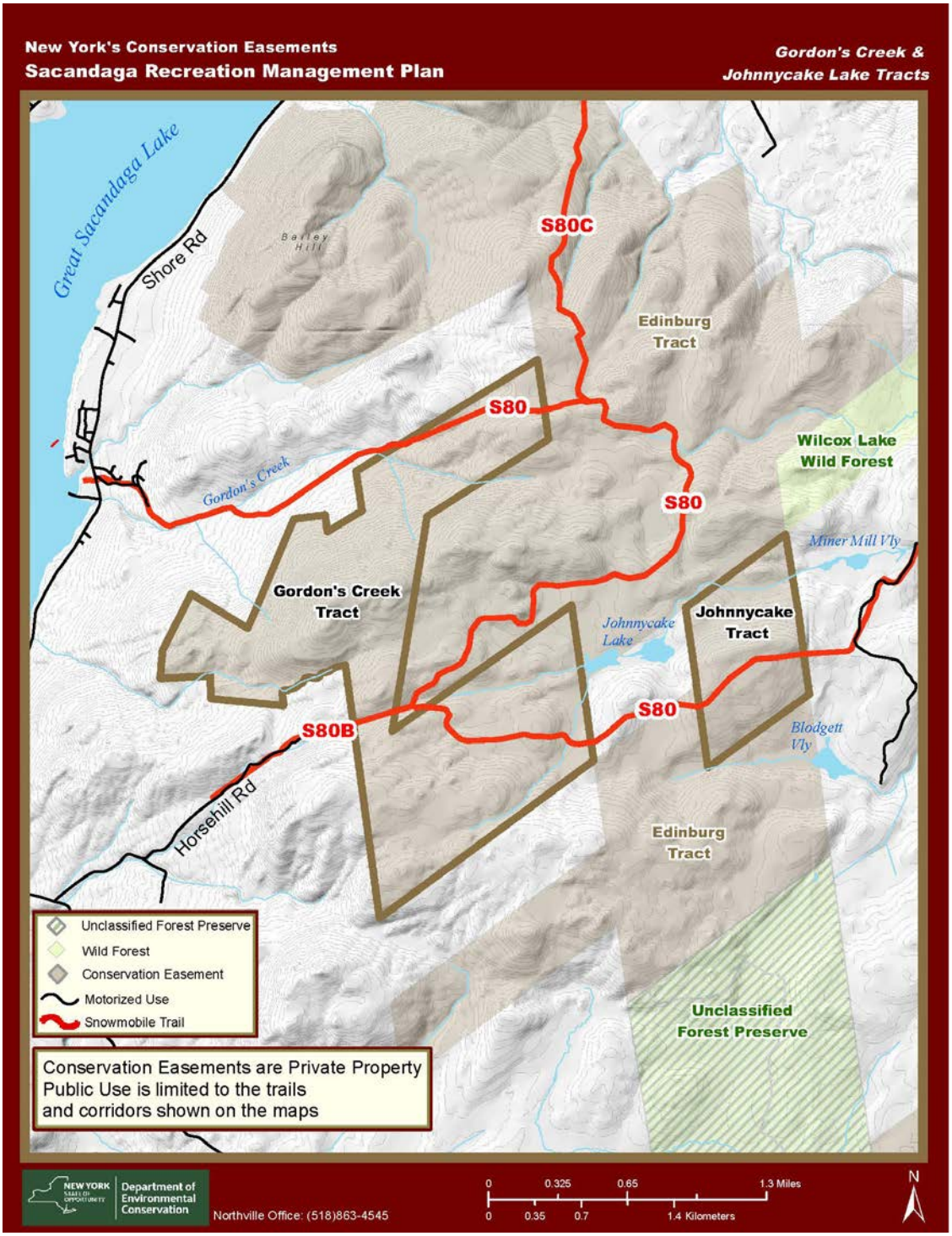
The local snowmobile club and the larger snowmobiling community are eager to open this route as a secondary snowmobile trail to provide a shorter route between Caroga Lake and Mayfield and can work under an agreement with the Department to groom and maintain the trail. Establishment of this connection depends on an agreement between adjoining private landowners and the snowmobile club to allow public access on the trail from the tract's northern boundary northeast to Persch Road.

Management Actions

- A 35 foot bridge over West Stony Creek needs to be re-built prior to opening the snowmobile trail. The Department will partner with the local snowmobile club.
- Signs will be installed providing direction on the new trail.
- Part of the proposed trail is occasionally used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

E. Gordon's Creek Tract, Johnny Cake Lake Tract and Lake Desolation Road Tract

Exhibit 3

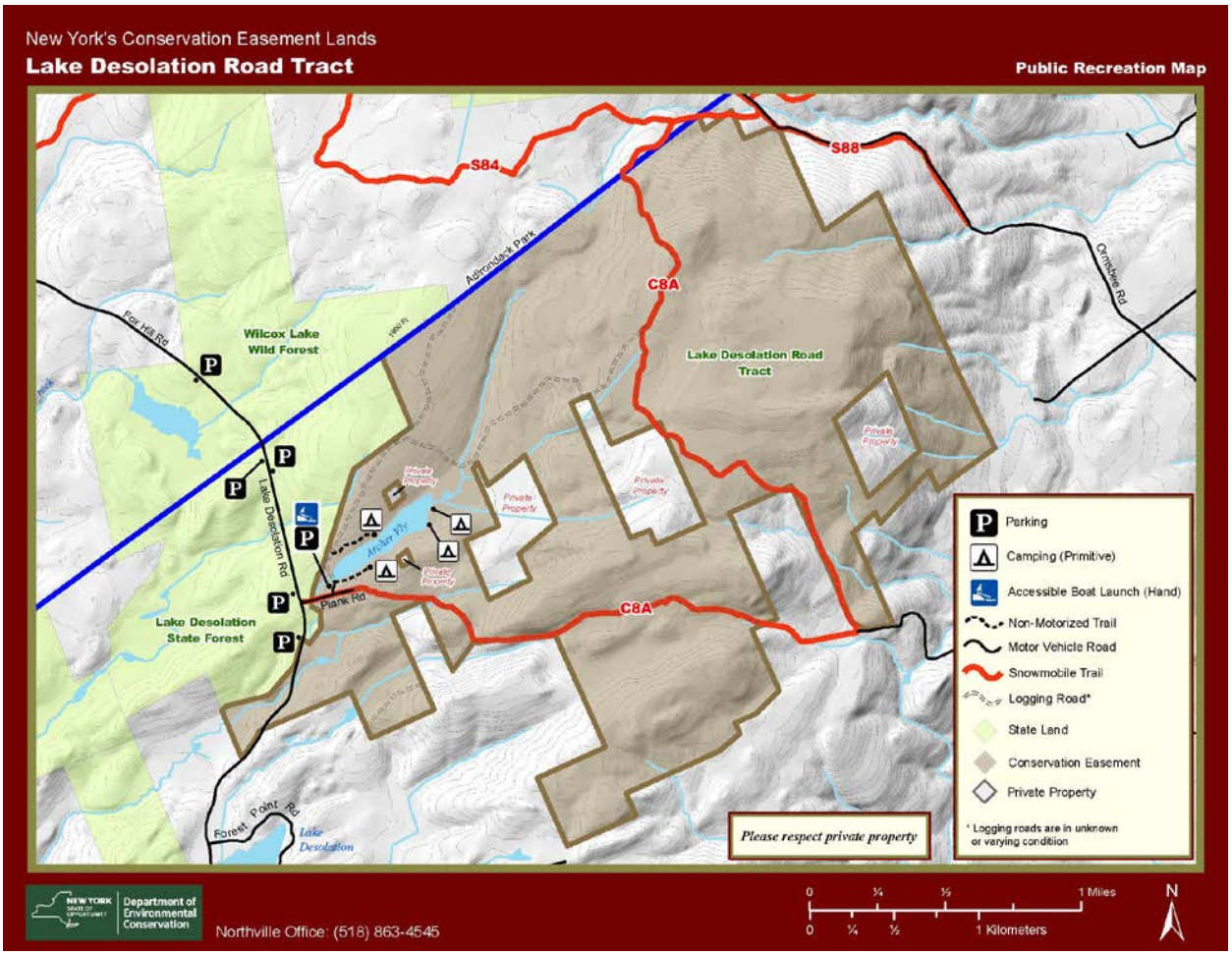


Gordon's Creek and Johnnycake Lake tracts are shown on Exhibit 3. Trails previously leased to snowmobiling clubs will remain open.

Management Actions

- Continue Volunteer Stewardship Agreement with the snowmobile clubs to maintain the snowmobile trail.
- Part of the proposed trail is used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

Exhibit 4



The Lake Desolation Road tract is shown on Exhibit 4. Trails previously leased to snowmobiling clubs will remain open. The snowmobile trail, S84A, will be extended on Plank Road towards Lake Desolation Road. This removes the need to cross Lake Desolation from the trail system.

Management Actions

- Continue Volunteer Stewardship Agreement with the snowmobile clubs to maintain the snowmobile trail.
- Part of the proposed trail is used as a winter haul road. Logging Closure Zones may be necessary when periodic timber harvests coincide with the snowmobiling season.

IX. IMPLEMENTATION SCHEDULE AND ESTIMATED BUDGET

The following tables outline 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.

Phase I		
	Project	**Est. Cost or Staff Days**
1	Jackson Summit West Parking lower parking area design and construction	$2,500
2	Trail signage for the Lynus Vly trail.	3 Staff Days
3	Complete design and construct Dennie Road cross country ski trails	$15,000
4	Construct and install Dennie Road parking area, kiosk and pivy.	$2,500
5	Hohler Road snowmobile bridge.	$3,000
Phase 2		
1	Install a register at Jackson Summit West upper parking area	$500
2	Complete design and construct the Bernhardt Mountain Trail	7 Staff Days
3	Jackson Summit West Parking upper parking area design and construction	$5,000 5 Staff Days
4	Install barrier just past the Jackson Summit West upper parking area	$1,500

Annual

Project	Est. Cost or Staff Days
Road maintenance: 1.5 miles @ $2000/mile Jackson Summit West Road (~1 mile) Tannery/Benson Road (0.5 miles)	$3000
Trail maintenance: approx. 8.5 miles @ $300/mile Bernhardt Mt, Lynus Vly, Hohler Road and Dennie Road ski trails	$2550
Maintenance of signs, registers and kiosks	$1000
Parking Area Maintenance: 3 @ $750/year	$2,250
Annual recreation amenities inspection	3 days/year
Coordination of activities with the landowners	4 days/year
Coordination of activities and development of stewardship agreements	3 days/year
Planning, ordering and work plan development	25 days/year for the first 3 years then 8 days/year thereafter

X. COMPLIANCE

A. October 2011 - Conservation Easement Recreation Management Plan Guidance

This guidance document outlines the steps that the Department will complete prior to the issuance of the Final Recreation Management Plan.

B. State Environmental Quality Review Act

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an action. As the lead agency, the Department prepared an Environmental Impact Statement and then published a Negative Declaration (attached in Appendix E). Public comments were sought, considered and incorporated into the RMP as appropriate. Public Comments and the Department responses are summarized in the Appendix.

C. Freshwater Wetlands Act

The New York State Freshwater Wetlands Act requires actions in jurisdictional wetlands to be reviewed by the Adirondack Park Agency.

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

This RMP 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 Agency agree that many types of recreation use do not warrant Agency 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.

XII. APPENDICES

A. Maps

B. Relevant Conservation Easement Definitions

C. Descriptions of Road Class Standards

D. New York Natural Heritage Element Ranks

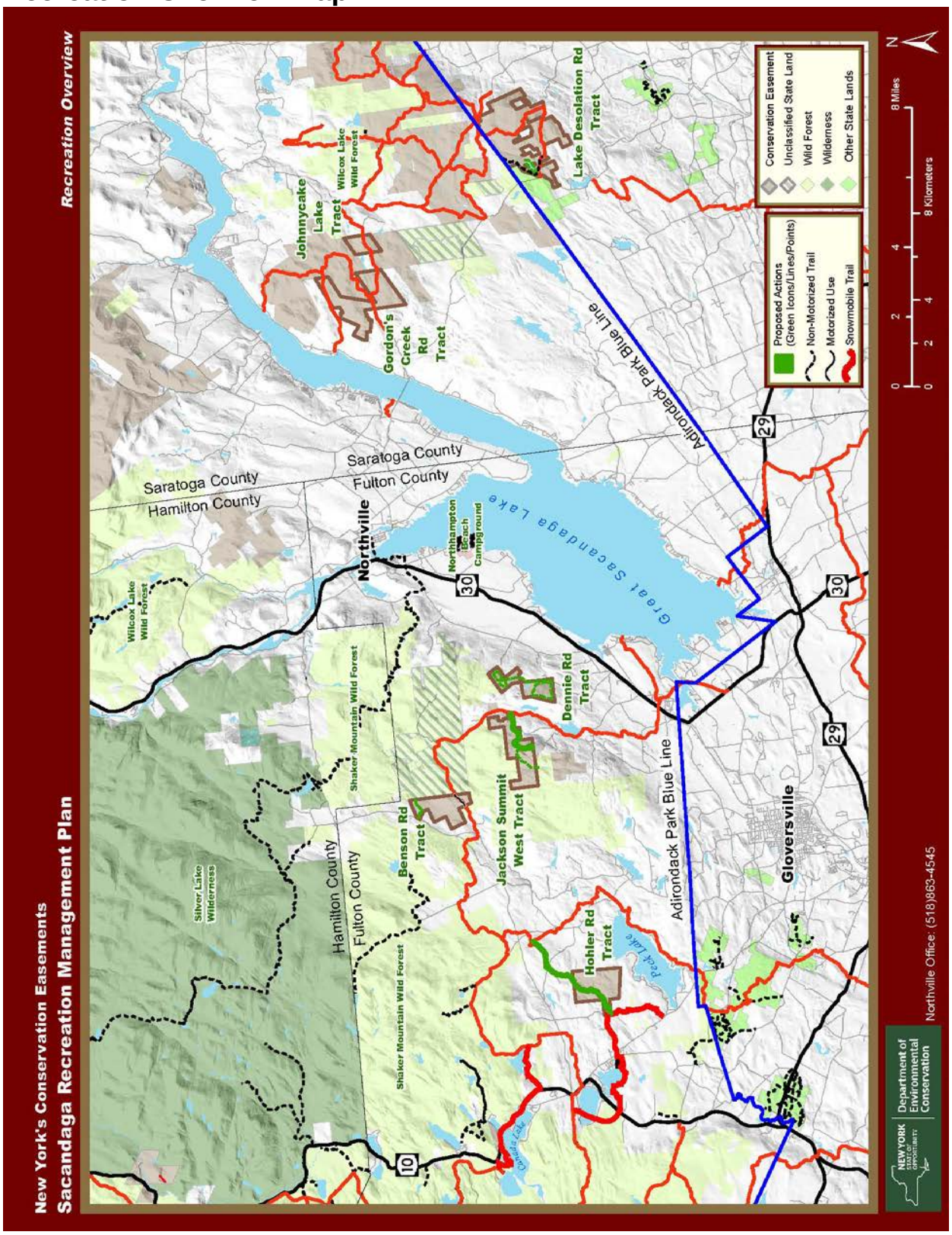
E. SEQRA Negative Declaration

F. Road and Trail Standards and Specifications

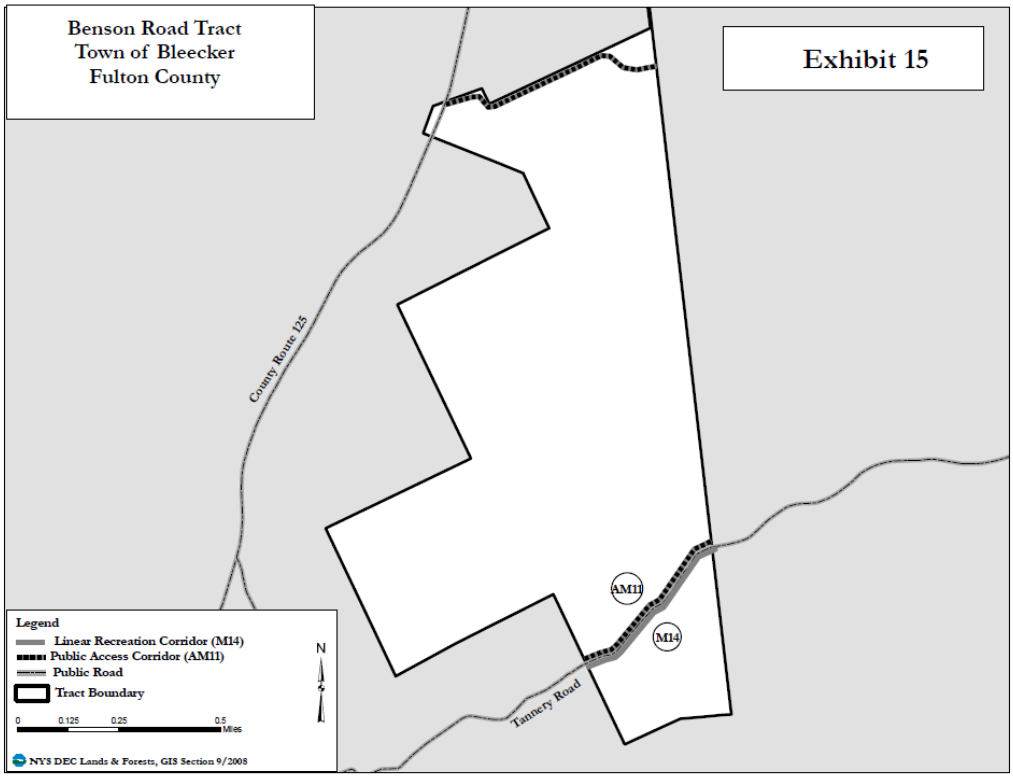
G. Public Comments and Response Summary

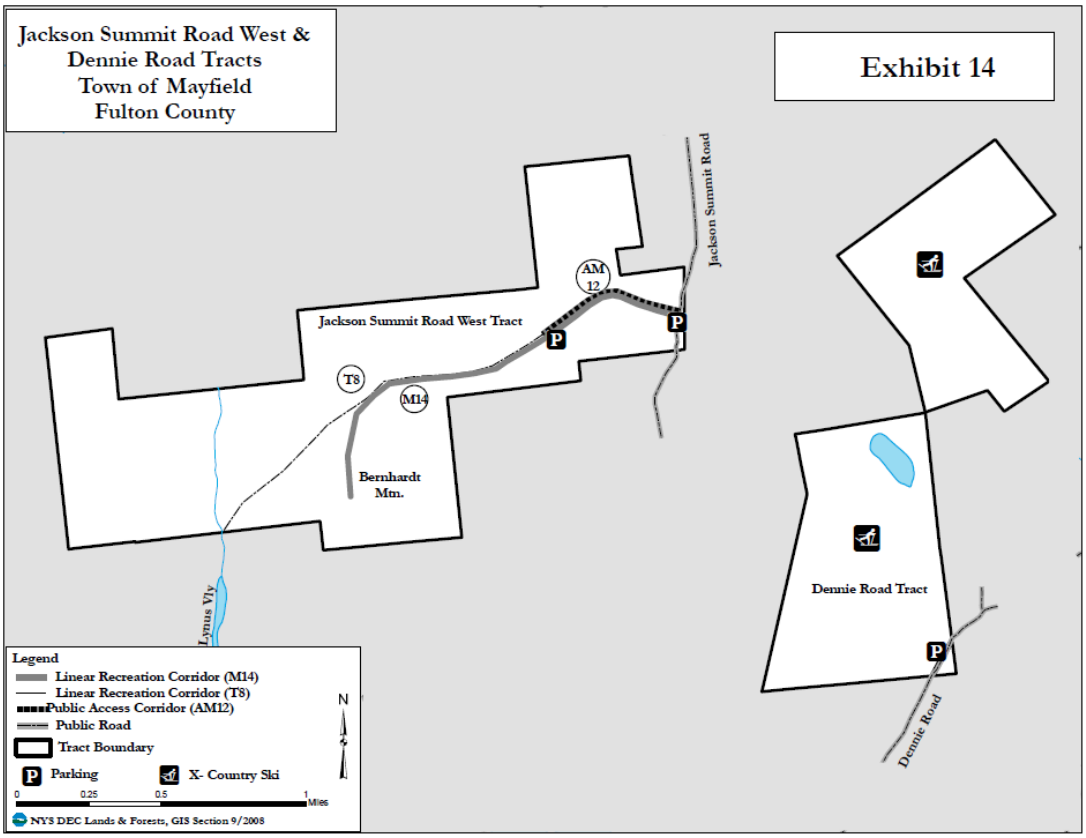
A. Maps

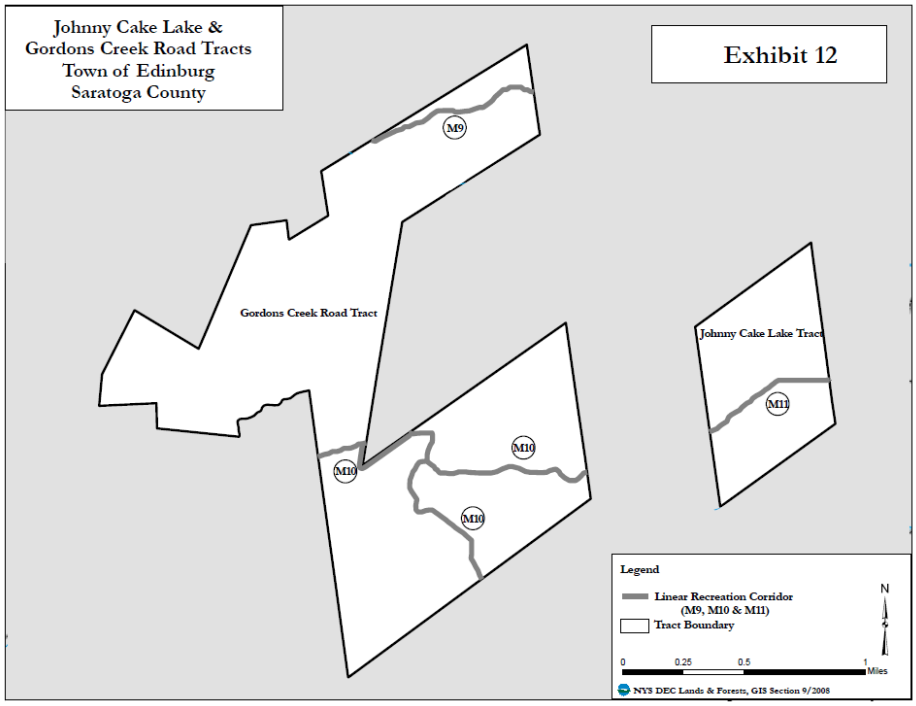
Recreation Overview Map

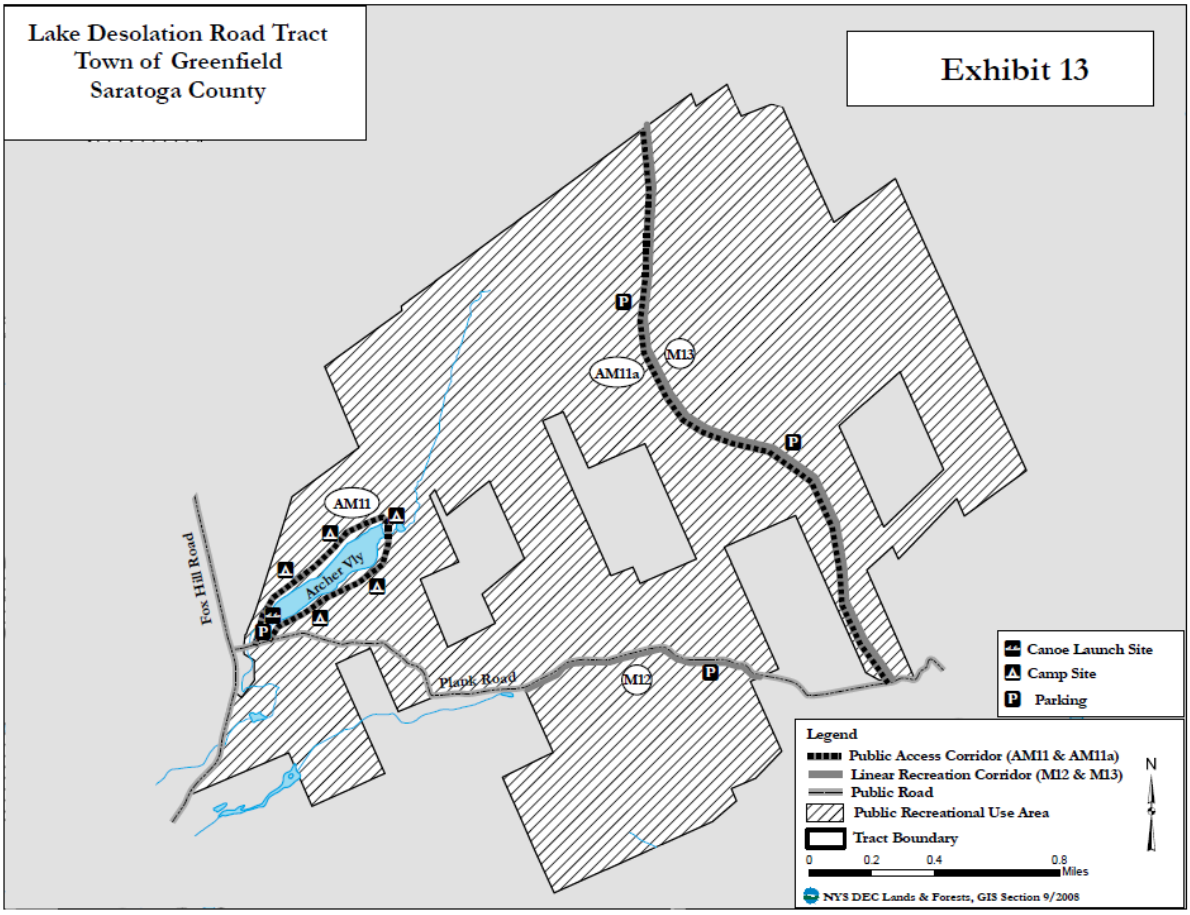


Maps attached as Exhibits in the Conservation Easement:






Johnny Cake Lake &
Gordons Creek Road Tracts
Town of Edinburg
Saratoga County
Exhibit 12
M9
Gordons Creek Road Tract
Johnny Cake Lake Tract
M11
M10
M10
M10
Legend
Linear Recreation Corridor
(M9, M10 & M11)
Tract Boundary
N
0
0.25
0.5
1
Miles
NYS DEC Lands & Forests, GIS Section 9/2008


Lake Desolation Road Tract
Town of Greenfield
Saratoga County
Exhibit 13
M13
AM11a
AM11
Archer Vly
Fox Hill Road
Plank Road
M12
Canoe Launch Site
Camp Site
Parking
Legend
Public Access Corridor (AM11 & AM11a)
Linear Recreation Corridor (M12 & M13)
Public Road
Public Recreational Use Area
Tract Boundary
N
0
0.2
0.4
0.8
Miles
NYS DEC Lands & Forests, GIS Section 9/2008

B. Relevant Conservation Easement Definitions

Campsite(s): Those areas on the Protected Property designated for use by the public for temporary shelter or sleeping.

Canoe Launch: The area of the Property including those areas designated on the Exhibits as the site for improvements necessary to facilitate the launching of a small boat or canoe, which is transported to the site on top or inside of a passenger vehicle to the waterway. Also referred to as a cartop boat launch.

Department: The New York State Department of Environmental Conservation

Landowner: The "Grantor" of the Conservation Easement.

Linear Recreation Corridors: Those designated travel routes established by the terms of this Easement which transverses the Property.

Mean High Water Mark (MHWM): The approximate average high water level for a given body of water at a given location, that distinguishes between predominantly aquatic and predominantly terrestrial habitat as determined, in order of use, by the following: (1) available hydrologic data, calculations, and other relevant information concerning water levels (e.g. discharge, storage, tidal, and other recurrent water elevation data); (2) vegetative characteristics (location, presence, absence or destruction of terrestrial or aquatic vegetation); (3) physical characteristics(clear natural line impressed on a bank, scouring, shelving, or the presence of sediments, litter or debris); and (4) other appropriate means that consider the characteristics of the surrounding area.

Motor vehicle: Passenger vehicles limited to passenger cars, motorcycles intended for highway use, Snowmobiles or trucks, powered by any means. For the purposes of this Easement, this definition specifically excludes All-Terrain Vehicles (ATVs), mobile homes, off-road motorbikes and motocross cycles.

Motorized Public Access: Entry upon the Property, or a designated corridor (road or trail), by Motor Vehicles or Motorized Recreational Vehicles.

Motorized Public Access Corridor: A Public Access Corridor designated for Motorized Public Access or general access by the public by any non-motorized means.

Motorized Recreational Vehicle: A motor vehicle manufactured primarily for recreational purposes, such as a Snowmobile, and which may or may not be manufactured for use on public roads and highways. This definition specifically excludes All-Terrain Vehicles (ATVs), mobile homes, off-road motorbikes and motocross cycles.

Protected Property or "Property": The lands subject to this Conservation Easement.

Public Access Corridor: A trail, road or corridor which provides the public with access to, over and across the Property pursuant to the Public Recreation Easements granted.

Public Use Area: A specific area which allows for year-round public recreational access – motorized and non-motorized uses including camping, hunting, fishing and trapping.

Snowmobile: Motorized vehicles using skis and tracks designed to travel on snow-covered ground.

C. Descriptions of Road Class Standards

Gabriel, William and Roger Nissen. *Accessibility to State-owned Conifer Plantations in South-central and Southwest New York,* page 11. State University College of Forestry at Syracuse University, Applied Forestry Research institute, 1972.

Class I:

Purpose: access/transport timber, recreational access
Truck traffic only - no harvesting operations on road
Capable of supporting heavy trucks 10 months of the year; light trucks 12 months
Permanent life span
Trucks should be able to meet and pass going in opposite directions without significantly slowing except at bridges
Requires year-round maintenance

Class II:

Purpose: access/transport timber
Yarding on road by permission only
Intended as a main artery into a compartment
Capable of supporting 9 to 10 months of trucking
20+ life span
Requires year-round maintenance

Class III:

Purpose: access for timber harvesting and long-term management practices
Should support three seasons of trucking
Life span dictated by operational needs
Maintenance requirements dictated by operational needs

Class IV:

Purpose: access for timber harvesting only
Short-term life span
Low construction cost - winter road with drainage
No planned maintenance - put to bed if necessary

Class V:

Purpose: winter harvest only
Low construction cost - winter road
No planned maintenance - put to bed if necessary
Generally one season of life

D. NYNHP Element Ranks and Significant Natural Communities

Communities and rare species are the “elements” of the NYNHP inventory and database. Each community and species element is assigned an “element rank” consisting of a combined global and state rank. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State (The Nature Conservancy 1982). Global ranks for communities are not currently standardized by The Nature Conservancy, so the ranks listed in the community descriptions are estimated global ranks.

GLOBAL RANKS

G1 = Critically imperiled throughout its range due to extreme rarity (5 or fewer occurrences, or very few remaining individuals, acres, or miles of stream) or extremely vulnerable to extinction due to biological factors.

G2 = Imperiled throughout its range due to rarity (6 - 20 occurrences, or few remaining individuals, acres, or miles of stream) or highly vulnerable to extinction due to biological factors.

G3 = Either very rare throughout its range (21-100 occurrences), with a restricted range (but possibly locally abundant), or vulnerable to extinction due to biological factors.

G4 = Apparently secure throughout its range (but possibly rare in parts of its range).

G5 = Demonstrably secure throughout its range (however it may be rare in certain areas).

GU = Status unknown.

“?” added to the rank indicates uncertainty about the rank.

STATE RANKS

S1 = Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or especially vulnerable to extirpation in New York State for other reasons.

S2 = Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or very vulnerable to extirpation in New York State for other reasons.

S3 = Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 = Apparently secure in New York State.

S5 = Demonstrably secure in New York State.

SH = No extant sites known in New York State but it may still exist.

SU = Status unknown.

“Q” added to the rank indicates a question exists whether or not the taxon is a distinct taxonomic entity.

“?” added to the rank indicates uncertainty about the rank.

E. SEQR Negative Declaration

Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Part 2

Question # 10 Impact on Historic and Archaeological Resources
d. other impacts: Even though there are no impacts to historic and archaeological resources, this question is answered in the affirmative since the Forest Preserve is listed on the National Register of Historic Places and Jackson Summit West, Dennie Road and Benson Road tracts all abut the Shaker Mountain Wild Forest, Johnnycake Lake Tract abuts Wilcox Wild Forest and Lake Desolation Road Tract abuts Wilcox Wild Forest and Lake Desolation State Forest.

All of the parking areas on the easement lands are on previously cleared log landings. The landings will be transformed to serve as parking areas with the addition of gravel and signs. The non-motorized use trails will utilize 90% of old log truck trails. Some sections of trail will deviate off the existing trail to avoid wet areas or excessively steep terrain. The Dennie Road and Bernhardt Mountain trails may have short sections of trail where the terrain is in excess of 15% slope. These sections will be minimized and proper drainage techniques will be used to ensure no erosion occurs. The snowmobile trails are all preexisting trails. The trail over the Hohler Road tract closed in 2008 and will be reopened pending implementation of the Sacandaga Recreation Management Plan. The Bernhardt mountain trail uses an ATV trail that is legally used by private landowners in the Spring/Summer/Fall. During winter months, a snowmobile spur trail off a community connector trail will allow the public access to the top of the mountain. One snowmobile bridge will be rebuilt over West Stony Creek on the Hohler Road tract. The bridge abutments remain from when the trail was last used in 2008. All trails will be closed during the NYS big game hunting season to be in compliance with conservation easement terms. The public is not permitted to use ATVs on the easement properties. Best management practices as addressed in the Recreation Management Plan will be followed for facility development and maintenance. Trails and motor vehicle roads will be closed as necessary during mud season to protect natural resources on these lands.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the New York State Department of Environmental Conservation as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Adoption of the Sacandaga Recreation Management Plan			
Name of Lead Agency: NYS DEC			
Name of Responsible Officer in Lead Agency: James Sessions			
Title of Responsible Officer: Forester 3			
Signature of Responsible Officer in Lead Agency: James Sessions	Digitally signed by James Sessions DN: cn=James Sessions, o=NYS DEC - Albany, ou=Conservation Easements Program, email=jim.sessions@dec.ny.gov, c=US Date: 2015.10.20 11:49:51 -04'00'	Date:	10/20/2015
Signature of Preparer (if different from Responsible Officer) Allison Buckley	Digitally signed by Allison Buckley DN: cn=Allison Buckley, o=Northville, ou=Land and Forests, email=allison.buckley@dec.ny.gov, c=US Date: 2015.10.20 09:29:22 -04'00'	Date:	10/20/2015

For Further Information:

Contact Person: Allison Buckley

Address: 701 South Main St; PO Box 1316

Telephone Number: 518-863-4545

E-mail: allison.buckley@dec.ny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

F.Road and Trail Standards and Specifications

Road Specifications

Road/Trail Specification Factor	Vehicular Road Volume Class[1]			ATV Trail Volume Class			Snowmobile Trail Volume Class		
	Low	Med	High	Low	Med	High	Low	Med	High
# of Traffic Lanes	1		1+	1		2	1		2
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		
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			BMPs			BMPs		
Ditching	BMPs			BMPs			BMPs		
Culvert Installation Specifications[2]	BMPs			BMPs			BMPs		
Min. Sighting Distance w/o signage (ft.)	100	150	250	n/a	150	250	n/a	150	250
Vegetation Control	cut/remove			n/a		cut/remove	n/a		cut/remove
Pitch (maximum)	<10%	4" crown		n/a	20%	15%	n/a	20%	15%
Stream and Wetland Crossing Specs	BMPs			BMPs			BMPs		
Sensitive Area Set Backs	BMPs			BMPs			BMPs		
Signage Standards[3]	Minimal	Basic	Moderate	Minimal	Basic	Moderate	Minimal	Basic	Moderate
Gate Locations	as agreed			as agreed			as agreed		
Seasonal Use Specifications[4]	surface			surface			winter		
Maintenance Standards[5]	minimal	as needed	regular	minimal	as needed	graded	none		groomed
Environmental Standards[6]	APA / DEC			APA / DEC			APA / DEC		
Insurance Standards[7]	NYS REG			NYS REG			NYS REG		
Enforcement[8]	DEC			DEC			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*

minimal	*signs for identifying road name where begins and for hazardous situations such as barriers/known hazard preventing passage ahead, stop sign indicating intersection with a moderate or higher volumr road*
basic	*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)*
moderate	*same as basic plus suggested speed limit(until it becomes a regulation), turnout spacing, or additional as otherwise needed and agreed upon by DEC and the landowner*

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:*

minimal	*condition checked annually, routine maintenance such as grading, ditch cleaning pothole/washout repair generally needed only every three or four years*
as needed	*same as minimal but due to higher use levels will likely need some routine maintenance annually or every other year*
regular	*annual routine maintenance likely needed*

6 *APA/DEC regulations on wetlands, stream crossing, etc.*

7 *NYS regulations on insurance requirements for vehicles*

8 *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*

G. Public Comments and Response Summary

Public Comment Responsiveness Document
Upper Hudson Woodlands Sacandaga Conservation Easement Lands
Draft Recreation Management Plan

Comments on 2016 Draft RMP

The following is a summary of public comments received from September through November of 2016 following the public release of the Draft RMP for the Sacandaga Conservation Easement Lands. The Department received seven comments in the form of letters and e-mails. In addition, oral comments were received at a public meeting conducted on October 12, 2016. While the intent is to use actual excerpts when possible, in many cases it was necessary to condense and paraphrase. In some instances comments were too general for a specific response. Instances where public input pointed out minor factual mistakes, typos, etc. resulted in corrections or changes made directly to the plan.

<u>Public Recreational Use</u>

1) Concern about enforcement, illegal dumping and safety while the public is on the Property including lack of cell phone service.

Response*: The Department continues to devote funding, equipment and personnel resources to enforce against all types of illegal use on lands the state owns or holds a public interest in. Forest Rangers and Environmental Conservation Officers will conduct routine patrols of these lands and where appropriate in their discretion, will pursue, enforce against and prosecute offenders using the best currently available information and the resources at their disposal.*

Forest Rangers and Environmental Conservation Officers from the Office of Public Protection (OPP) have directly participated in the RMP development process and the internal discussion that accompanied it. OPP staffing in the field is sufficient to conduct monitoring and enforcement of the public uses associated with proposals put forth in this RMP, in addition to their current workload.

2) Concern from adjacent landowners about trespass from the designated easement trails onto private land.

Response*: On tracts where trails are open to the public, notices will be placed at trailheads and parking areas notifying the public of the need to stay on the trail. The public will also be asked to respect private property and obey all posted signs. The Department will also provide this information on the DEC website, maps and other paper and electronic formats used to promote public recreation on these lands. If adjacent landowners have a problem with trespass by the public from the conservation easement lands, they should contact DEC Dispatch at (518) 891-0235 or (518) 897-*

1326 so that a Forest Ranger or Environmental Conservation Officer can be notified and respond to their complaint.

3) Concern about overuse of trails and increased traffic on Dennie Road.

***Response**: The Department reserves the right to close some or parts of trails if there is overuse of trails that is leading to environmental degradation or conditions become a safety hazard. The Department does not feel the use numbers will notably increase vehicle traffic on Dennie Road.*

4) Concern about user group conflicts such as the interaction between lessee ATV use and hikers. Will the landowner lease customers be allowed to use ATVs on any of the public non-motorized trails such as the Dennie Road ski trails and the Lynus Vly trail?

***Response**: The Department will consult and collaborate with the landowner's agents to appropriately deal with matters of conflict between the public and private lease customers of the landowner. Through signs and public outreach, the public will begin to understand that the property is leased to private customers that have different rules. In addition, the Dennie Road ski trails will be closed during any months where ATV use is appropriate.*

5) Public access to Dennie Road during hunting seasons other than Northern Zone Big Game Regular Hunting Season, and hiking access to the tract, is incompatible with the lessee use of the Property.

***Response:** Under the terms of the conservation easement, the Department purchased the rights from the landowner to provide for public access to and non-motorized use of the Dennie Road tract, except during the Northern Zone Big Game Regular Season. The Department intends to implement the rights that were purchased. Public use during other hunting seasons may be restricted as management and operational needs dictate, however, the easement doesn't require that public use be closed during those periods. As required by the easement, the grooming, maintenance and opening to the public of the ski trails will not occur until after the close of Northern Zone Big Game Regular Hunting Season. See also the response to comment number 10.*

6) Due to the steep terrain on the access road to the Jackson Summit West tracts upper parking area, the road is difficult to maintain. The state should plan on fixing the road every year for safe travel.

***Response:** The Department will consult and cooperate with the Landowner to ensure that roads opened to public motorized use under this RMP are maintained to a standard that is safe and sustainable for the type of use intended.*

7) Bernhardt Mountain is inaccessible due to terrain.

***Response**: The original design of the trail utilized an old ATV trail with re-routes built as needed. Upon further inspection of the area, the trail will veer off the Lynus Vly trail at the same location but then take a gentler path up the west side of the peak. The plan has been changed to reflect this.*

8) The public should have gotten more motorized use rights in the Conservation Easement, especially for snowmobiling.

***Response**: As part of the Conservation Easement agreement, the State purchased 55+ miles of snowmobile trail rights. The trails remain open for public use. The towns and three snowmobile clubs no longer need to pay to lease these sections of trail.*

9) Signage is not sufficient to direct users to and on Properties. Signage on all the Conservation Easements and Forest Preserve is insufficient in the Tolmantown Road area. Signs at boundaries are also insufficient. Signage is insufficient to expect the public to stay off Dennie Road tract outside of ski season. A gate is needed.

***Response**: All conservation easements are not necessarily open to the public. Often they have private property signs because it is indeed, private property, with no public access. Signage may seem insufficient thus far because the recreation sites have not been developed. It is in the interest of the Department, Landowner and the public to have sufficient signage and use other means of communication and education to help the public understand what is permitted on each conservation easement parcel.*

Due to the layout of the existing Dennie Road Tract parking area, a gate is not feasible. Signage will indicate when the trails are closed. If the public chooses to go onto the closed trails, it will be considered trespassing. The department will consider other options including moving boulders into the entrance if use outside of the ski season becomes a problem.

10) The Dennie Road Tract is described in the easement as ski trails, therefore it would be illegal to provide non-motorized trails to the public outside of the winter ski season.

***Response:** The easement states that the State may establish "groomed cross-country ski trail(s) for Non-Motorized Recreational Uses including hiking and cross country skiing." The Department was considering opening the trails for hiking because of public comments during the scoping session from people seeking more non-motorized use hiking trails. However, once cross-country ski trail reconnaissance and development was undertaken, staff discovered that few routes on the property were appropriate for hiking. The property will remain closed to public non-motorized use except for during ski season. This decision was made to protect the resource, not because the State did not purchase the right to do so. Opportunities to provide for non-motorized access other than solely skiing on this tract may be considered in the future, if determined to be appropriate for the resource conditions. Any proposals of this nature would necessitate the amendment of this RMP.*

Non-motorized Recreation

11) There are significantly more snowmobile trails than non-motorized use trails in the Fulton County area. The imbalance should be addressed.

Response*: The Department notes your comment and will continue to seek a balanced approach to recreational opportunities.*

12) The snowmobile trails to the east of Great Sacandaga Lake should be open for equestrian use.

Response*: The entirety of the Lake Desolation Road tract is open for non-motorized uses including horseback riding. The State purchased rights to both snowmobiling and non-motorized uses on Gordon's Creek Tract and Johnny Cake Lake Tract. However, it is not under the States control to ensure access on the private parcels surrounding these tracts to complete a trail or create a network available for horseback riding. Looking forward, the Department will take advantage of any opportunity to provide desired and well-rounded recreational options.*

13) The public should have more public use area rights within the Conservation Easement for hunting and trapping.

Response*: When the Conservation Easement was negotiated, several areas were set aside as "public use areas" which are open to public hunting and trapping. The Lake Desolation Road tract is one of these areas. Other public use areas, outside the geographical scope of this RMP, are available for similar activities. The acquisition of additional rights for public hunting and trapping from the current landowner would require an amendment of the conservation easement. Amendment of the easement is not currently being considered.*

Natural Resource Protection

14) There should be more attention paid to managing the broad ecological needs of this vast and endangered ecosystem of the Adirondack Park including on conservation easements.

Response: *These lands, and the rights that the State has acquired on them under the conservation easement, provide DEC with the tools necessary to strive to ensure the lands are protected in "perpetuity" (forever). The Department has mechanisms in place, such as the terms of the easement, third party sustainable forestry certifications, audits and annual reports, to protect the natural resources of the lands.*

15) Nearby and adjacent Forest Preserve already has ATV trespass issues. The RMP will increase the illegal motorized use without a plan to police or control it. Further ATV trespass concern is for the unclassified Forest Preserve Benson Road tract.

Response: Tolmantown Road, a town road which traverses the Benson Road tract, is not currently open to ATVs making the use of that road by ATVs a violation of the NYS Vehicle and Traffic Law. Any illegal use of ATVs on Forest Preserve lands is a violation of DEC regulations. Enforcement of both of these infractions are within the jurisdiction of DEC Forest Rangers and Environmental Conservation Officers. DEC law enforcement officers will conduct regular patrols of the easement lands, with special attention paid to areas of concern that generate flagrant and repeated violations. The Department continues to actively and pragmatically manage these lands to discourage and prevent illegal use.

16) Concern about excess noise from snowmobiles for both neighbors and wildlife.

Response*: The motorized uses for public recreational access described in the RMP are similar to the motorized uses the landowner has provided to lessees, and leased to snowmobile clubs and local governments for several decades. The noise levels generated by the use of snowmobiles by the landowner's private lease customers and the general public over the course of decades has never triggered concern or complaints about excessive noise. The Department anticipates that the levels of public use of snowmobiles as proposed in this RMP, and any associated noise impacts, won't be greater than past levels.*

<u>Other</u>

17) Can the comment period be extended?

Response*: Reflecting upon the attendance of the public meeting and the 30 day comment period that was held from October 12, 2016 – November 11, 2016 during which 7 comments were received by mail and email, the Department does not feel extending the comment period is needed.*

18) Concern about cost of rescue equipment and general expense incurred by the Town of Mayfield services such as fire and rescue.

Response*: One of the intentions of this plan is that Department Forest Rangers would be the lead on search and rescue operations associated with the public's use of the Property. They maintain an extensive cache of equipment available for use and are highly skilled and trained in overseeing operations of this nature. It is not anticipated that high public recreational demand, and a commensurate increase in search and rescue operations, will rise to a level significant enough to impact local government resources. That being said, the Department is sensitive to the needs, concerns and limitations of local governments. In the event that there are unanticipated impacts related to public use, the Department is open to dialogue, collaboration and cooperation to appropriately address concerns of this nature.*

19) Concern about liability if someone gets hurt on the Property.

***Response**: Liability related to the public's use of the property is addressed by the New York State General Obligations Law.*

20) Concern about the effect of proposals within the RMP will have on camp insurance premiums.

***Response**: The private recreational leasing program that is in place on the conservation easement lands is overseen and administered solely by the landowner and/or their designated representative. That oversight and administration includes, among other things, the ability to set and maintain a usage fee structure, permit the building of camps within the limits set by the easement and setting requirements for lease customers such as carrying insurance. The public's interest in this property is wholly separate from the private recreational interests of the landowner and those associated with them. For additional information, please see the answer to question 19.*

21) Lease customers are concerned with having enough parking space for their vehicles and trailers on the Jackson Summit West upper parking area.

***Response**: The Department will work with the landowner and right-of-way owner prior to creating the Jackson Summit West upper parking area to ensure the exact location will not interfere with where the lease customers traditionally park. In addition, the parking area will be small (3-5 vehicles) and will not be used during the winter months.*

22) The location of the gate may affect the right-of-way access that is permitted on the road to the upper parking area on the Jackson Summit West tract.

***Response**: The Department will work with the owner of the right-of-way and the landowner when siting or moving gates.*

23) Snowmobile trail over Thousand Acre Swamp Tract is not on the maps.

***Response:** This trail is not yet in existence or in an approved plan and therefore will not be in the maps published in this RMP.*

24) There are no fish in Lynus Vly.

***Response:** A 1994 survey is described on page 13 of the RMP. It identified the presence of several species including brook trout. The Department is seeking to have it resurveyed.*

25) Concern about the distance between the boundary of the Jackson Summit West Tract and Lynus Vly.

***Response:** The distance is 800 feet. There is an existing herd path and the trail, as it travels through the state-owned Forest Preserve lands, will be proposed in the next*

revision of the Shaker Mountain Wild Forest Unit Management Plan. The RMP has been changed to make this clear.

Positive Comments:
Good plan.
Public access to Conservation Easement rights is very important.
Big step for DEC to get RMPs approved though Department should develop more for motorized uses.
Conservation Easements are more appropriate than the Forest Preserve for motorized uses.
The local snowmobile club is looking forward to the Hohler Road trail connection.
Archer Vly's implementation is great.
Pleased to see some areas are non-motorized use only.

Response*: Noted and thank you*.