NEW YORK STATE OF OPPORTUNITY. Department of Environmental Conservation

TOOLEY POND CONSERVATION EASEMENT

Recreation Management Plan

County of St. Lawrence
Towns of Clare and Clifton

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF LANDS AND FORESTS - REGION 6

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www.dec.ny.gov **January 2019**

REVIEW DECLARATION

New York Department of Environmental Conservation has the responsibility of managing public access and recreation on the Tooley Pond 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. RMP actions are approved for implementing public recreation 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 GRANTOR:
Jackson Timberland Opportunities-Champion, LLC

By: _____ Date: 12·10·18

Ken Sewell, Chief Operating Officer
The Molpus Woodlands Group, LLC
its authorized agent and property manager

ACCEPTED BY GRANTEE:
Department of Environmental Conservation, New York

By: _____ Date: 1/2/19

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

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PREFACE

Use of Conservation Easements

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

New York State acquires conservation easements primarily on properties that buffer existing State lands, provide additional public recreational opportunities, and/or maintain large working forests. There are now 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, DEC also holds easements on a variety of other properties across the State.

On most large working forest conservation easement properties, the State has acquired some level of public recreation rights in addition to development and land use restrictions. In some cases, a wide range of public recreational use is permitted, and in others public access is very limited. The amount of public access depends largely on the goals and objectives of the 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 hunting and fishing club leases

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

I. INTRODUCTION

This Recreation Management Plan (RMP) applies to those lands subject to a conservation easement held by DEC within St. Lawrence County, in the Town(s) of Clare, Clifton, and Colton, referred to herein as the Tooley Pond Conservation Easement (also referred to in this RMP as the “protected property”, “property”, “TPCE” or “easement property”). This was acquisition project #45-239A and #45-239B.

A. Purpose of the Recreation Management Plan

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

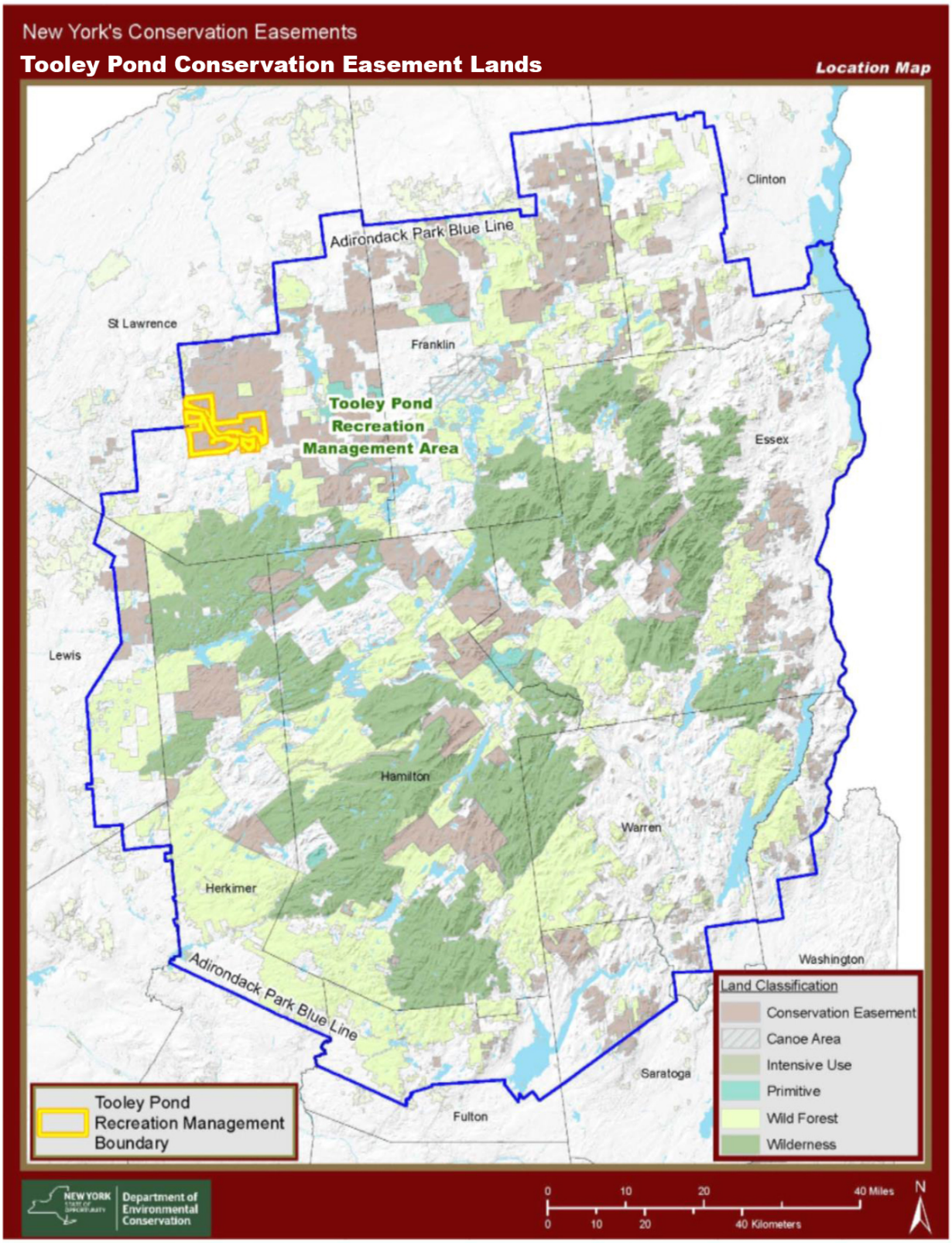
Public recreation access to privately-owned conservation easement lands is guided by a Recreation Management Plan that is developed for each easement property. A Recreation Management Plan, at the time called a Land Management Plan, was developed to guide initial public recreational access on the property. This RMP will supersede the June 2000 Land Management Plan. It is the position of the Department to provide a copy of this RMP to the property owner (“the landowner”) for review even if the easement may not require the DEC to do such. This RMP addresses the State’s role in planning, implementing, and managing for public access and recreation rights on the Tooley Pond Conservation Easement property. It describes DEC’s planning process and provides opportunities for stakeholders to participate in that process.

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

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

preparation process and resulting document provides a means for discussing and clarifying pertinent issues, clearly stating management goals and mechanisms, review of the proposed public recreation activities and actions, and implementing public recreation on the easement property. Periodically, RMPs may be revised, updated, or amended.

II. Property Overview



A. Geographic Information

1. Property Description and Access

The Tooley Pond Conservation Easement, which is centered at 74˚ 58’ 13.16”059’W - 44˚17’ 27.41” N, lies within the greater Grass River Management Unit (GRMU). The Unit occupies a geologic/ecological transition zone between the Adirondack Mountains to the southeast and the St. Lawrence River Valley to the north. Most of the lands within the boundary of the Unit are part of the Grass River watershed, thus the name used for the overall unit and easement lands. The 288-square mile GRMU is located completely within the Adirondack Park (Park). All watercourses within the area flow into the St. Lawrence River via the Grass, Oswegatchie, and Raquette Rivers.

The property lies within the townships of Clifton and Clare, St. Lawrence County and encompasses 23,946 of easement lands in Township 10 of Great Tract 3 and Township 4 of Great Tract 2 Macomb’s purchase.

Approximate acres by Town (based upon mapped acres within current DEC GIS System)

County	Town	Acres
St Lawrence	Clare	17,308
	Clifton	6,638
Total		**23,946**

The TPCE is generally located north of NYS Rte. 3 and Cranberry Lake, and is easily accessed by the Tooley Pond Road. From the north, the area is located approximately one mile from the Hamlet of Degrasse along St. Lawrence County Route 27. Interior access is provided by more than 62 miles of improved or partially improved gravel roads.

2. Tract, Parcel or Compartment Descriptions

While it is considered to be part of the larger property holding currently owned by the Jackson Timberland Opportunities-Champion, LLC and formerly known as the Champion Lands, the TPCE parcel is managed as an autonomous tract.

B. DEC Grass River Management Unit

The Grass River Management Unit encompasses Forest Preserve parcels and easement lands bounded on the east by SH 56, on the south by SH 3 and the Oswegatchie River, and the west and north by the Adirondack Park boundary. The Unit, located in the northwestern corner of the Adirondack Park, includes approximately 13,000 acres of Forest Preserve and about 106,000 acres of conservation easements located in the Towns of Clare, Clifton, Colton and in St. Lawrence County.

There are five separate Forest Preserve parcels ranging from about 1,300 acres to a little over 6,000 acres. Seven isolated Forest Preserve parcels ranging from about 5 acres to approximately 100 acres are also included in the unit.

There are four large easements on corporate owned lands in the unit; Tooley Pond, Long Pond, Seveys, and Grass River. There is one small family easement, the Silver Lake Easement north of Cranberry Lake. There is also an easement for a trail across the Roaring Brook Tract, a private property formerly owned by Lassiter Inc., which allows for a foot trail connecting the Church Pond and Leonard Pond Forest Preserve parcels. A small portion of the Emporium Easement north of SH 3, though physically in the GRMU, is considered part of the Cranberry Lake Management Unit as the bulk of the property is in that unit.

1. Landscape Relationships to other Management Units

Within the boundaries of the GRMU, the TPCE has natural resource based relationships with other eased properties, parcels of Forest Preserve, and privately-owned lands. The major feature of the area is the South Branch of Grass River but Tooley Pond and Tooley Pond Mountain are also prominent. The Units namesake, Tooley Pond is approximately 200 acres in size and drains into the Oswegatchie River. The Tooley Pond Road, from Degrasse to Cranberry Lake, bisects the tract lengthwise. A number of logging roads transverse the fee and easement lands providing substantial access to the Unit.

The TPCE borders the Grass River Conservation Easement to the north and east and the Orebed Creek State Forest to the west. As such, the TPCE shares similar land cover types and wetland complexes with these adjacent properties. Deciduous, evergreen, and mixed forest lands occur in common on all connected lands. The TPCE shares the Bother Ponds, Tooley Pond, and Degrasse wetlands with its neighboring tracts too. The TPCE is also connected with the Long Pond CE, Seveys CE, Church Pond and Stone Dam parcels of the Forest Preserve via these wetland complexes as well. These various natural resource commonalities suggest wildlife habitat and natural processes relationships between the easement property and the adjoining lands.

Externally, the GRMU directly borders, from west to east, the: Aldrich Pond, Cranberry Lake, Raquette Boreal, and White Hill Management Units, sharing geologic, hydrologic/riparian, upland community, and habitat connectivity with each as well as with the non-contiguous Bog River Unit to its southeast.

2. Relationship of Public Recreation between Management Units

Due to its size and location relative to facilities in Cranberry Lake, the TPCE plays a vital role in the connectivity of recreational opportunities within the Grass River Management Unit. Snowmobiling constitutes the primary public recreational use of GRMU lands. Major internal and connector routes make the TPCE and surrounding tracts an important nexus for the regional snow- trail system.

The TPCE is also a central component of the proposed St. Lawrence County Multi-Use Trails System. This proposal would incorporate existing snowmobile trails, easement haul roads; routes currently open only to lessee ATV traffic, and connectors within the TPCE to provide public recreational use for ATVs, snowmobiling, biking, skiing, hiking and other permitted uses. As proposed, the trail system would involve Forest Preserve and Conservation Easement lands.

The lateral nature of the Tooley Pond Road provides access to both motorized and non-motorized recreation within the unit.

III. NATURAL and CULTURAL RESOURCES

The natural and cultural resources within the TCPE and surrounding GRMU are discussed in detail in the Grass River Wild Forest Unit Management Plan, the Tooley Pond Conservation Easement Baseline Report, and the RMPs for other CEs in the GRMU. For purposes of this Recreation Management Plan, an overview of the properties resources as they pertain to public recreation will be given

A. Physical Resources

1. Terrain/Topography

The TPCE lies in the northwestern fringe of the Adirondack Mountains of northern New York State. The Adirondack Mountain Region, which covers nearly 20% of the State, is a rugged mountain system composed of metamorphic and igneous rock. Glaciers have removed the majority of the mineral soil from the mountain region and deposited it in low-lying areas such as the St. Lawrence River Valley and associated foothill regions. The resulting areas of gravel and sandy loam enabled the forest growth and agricultural activities which have shaped the human and natural histories of the Tooley Pond Conservation Easement and surrounding region.

Detailed information on area topography can be found on the following USGS topographic maps: Brothers Pond, Tooley Pond, Albert Marsh, Stark, West Pierrepont, Cranberry Lake, Newton Falls, South Edwards, Oswegatchie, Fine, Childwold, and Degrasse.

Elevations within the TPCE range from 1780' at Tooley Pond Mountain to 840' near the town of Degrasse. The topography is considered gentle here. Large open cliffs are nonexistent.

2. Geology and Soils

As the predominant public recreational uses on the tract (i.e. hiking, biking, snowmobiling, etc.) occur on established roads and trails designed for forest management activities, geology and soil data required for recreational planning are minimal. The information becomes more tangible when considerations are being made for the proposed St. Lawrence County Multi-Use Trails system as it entails the use of ATV’s on sections of the property not currently seeing the types of impacts associated with widespread motorized use.

The major geologic formation in the Grass River Management Unit is called the fall zone. This zone is a transition from the St. Lawrence River valley, known as the Grenville or Northwest lowlands, and the terraces of the Adirondack foothills. The fall zone is a belt, about 8-10 miles wide, parallel to and southeast of the Grenville lowlands. In St. Lawrence County, this belt lies between the Grenville lowlands and the Childwold terrace, but to the north and south the terrace is absent and the fall zone merges directly

into the Adirondack mountain section. The predominant rock underlying the belt is granite gneiss. Meta-sedimentary rocks of the Grenville series are below that.

The rocks in the TPCE consist of banded metamorphic gneiss. On the west side of the area, the rocks are predominately course equigranular gneisses containing the minerals quartz, feldspar, hornblende (black), diopside (green) and locally red garnet. On the east side, the rocks predominately consist of coarse grained gneiss containing feldspar, quartz, and lesser amounts of hornblende. Layering in the rocks generally has a northwest strike, with a moderate to steep northwest dip. Vertical spaced joints have a northwest trend. The entire area was covered by glaciers which retreated 10,000-12,000 years ago, so much of the area has a thin cover of sand, gravel, and clay either left by the glaciers or reworked by streams after glacial retreat (Buddington, 1962).

Soil types inform, to some extent, the types of management and recreation types an area can sustain. Current and proposed recreational activities on the GRCE should be designed and managed consistent with the natural resources unique to the area. Soil types found within the GRCE include:

The Tunbridge Series:

The Tunbridge series consists of moderately deep well drained soils on glaciated uplands. They formed in loamy till. Saturated hydraulic conductivity is moderately high or high throughout the mineral soil. Slope ranges from 0 through 75 percent. Mean annual precipitation is about 40 inches, and mean annual temperature is about 44 degrees F. Tunbridge soils are on nearly level through very steep glaciated uplands. They are on mountain side slopes, mountain tops, mountain ridges, hill tops, and hill slopes. Slope ranges from 0 through 75 percent. The soils formed in loamy till of Wisconsin age derived mainly from micaceous schist, gneiss, and phyllite. Mean annual precipitation ranges from about 30 through 50 inches, and the mean annual temperature ranges from 38 through 46 degrees F. The frost-free season ranges from 60 through 160 days. Elevations range from 5 through 2,500 feet above mean sea level. Most areas are wooded. The common trees are American beech, white ash, yellow birch, paper birch, northern red oak, sugar maple, eastern white pine, eastern hemlock, red spruce, white spruce, and balsam fir. A few areas have been cleared and are primarily used for hay and pasture. Some cleared areas are used for cultivated crops. Areas are well drained. Potential runoff is very low to high.

The Potsdam Series:

The Potsdam series consists of very deep, well drained soils on till plains. They are nearly level to steep soils formed in an eolian or water deposited mantle that overlies dense till. Saturated hydraulic conductivity is moderately high through high in the layers above the substratum and moderately low through moderately high in the substratum. Slope ranges from 3 through 60 percent. Mean annual temperature is 44 degrees F, and mean annual precipitation is 40 inches. Potsdam soils occupy undulating to steep, typically convex landforms of till plains and glaciated mountain sides. Slope ranges from 3 through 60 percent. The regolith is fine sandy loam through loamy sand till from sandstone, schist, or granite gneiss overlain by a 16 to 40 inch eolian or lacustrine mantle containing 50 to 80 percent silt plus very fine sand. Mean annual temperature ranges from 40 through 45 degrees F, mean annual precipitation ranges from 35 through 55 inches, and mean frost-free days' ranges from 90 through 145 days. Elevation ranges

from 500 through 2,000 feet above sea level. Many areas have been cleared and used for growing hay, oats, and limited acreage of corn for silage; however, most cleared areas have reverted to brush or woodland. Woodlots contain sugar maple, American beech, black ash, white ash, hop hornbeam, eastern hemlock, red oak, and eastern white pine. Areas are well drained. The potential for surface runoff is low to very high.

The Loxely Series:

The Loxley series consists of very deep, very poorly drained soils formed in herbaceous organic deposits more than 51 inches thick in depressions on moraines, lake plains and outwash plains. These soils have moderately slow to moderately rapid permeability. Slopes range from 0 to 2 percent. Mean annual precipitation is about 30 inches, and mean annual temperature is about 43 degrees F. Loxley soils are in depressions on moraines, lake plains, and outwash plains. In some places, they are in depressions on flood plains. Slopes range from 0 to 2 percent. The average annual precipitation ranges from about 22 to 34 inches. Very poorly drained. The representative depth to wet soil moisture status is at the surface to 1 foot below the surface at some time throughout the year. The representative depth of ponding is from 0 to 1.0 foot at some time throughout the year. Surface runoff is negligible to medium. Permeability ranges from moderately slow to moderately rapid. Very little intensive use is made of these soils because of excess wetness, extreme acidity, and frost hazard. Soil areas usually lack suitable drainage outlets. Ground cover consists principally of blueberry, leatherleaf, sphagnum moss, and wintergreen. Trees are limited to a few scattered black spruce, jack pine, quaking aspen, and tamarack.

The Duxbury Series:

The Duxbury series consists of very deep, well drained soils on valley trains, outwash plains, eskers, kames, and terraces. They formed in sandy glaciofluvial deposits with a mantle of loamy glaciofluvial deposits. Estimated saturated hydraulic conductivity is moderately high or high in the solum and high or very high in the substratum. Slope ranges from 0 to 70 percent. Mean annual precipitation is about 40 inches, and mean annual temperature is about 43 degrees F. Duxbury soils are on terraces, eskers, kames, and outwash plains. Slope ranges from 0 to 70 percent. The soils formed in sandy glaciofluvial deposits with a loamy mantle. The deposits are derived primarily from gneiss, schist and granite. Mean annual precipitation ranges from 34 to 50 inches, and the mean annual temperature ranges from 38 to 45 degrees F. The frost-free season ranges from 90 to 135 days. Most areas are used for hay, pasture, and silage corn. Some areas are used as a source of gravel. Common trees in wooded areas are eastern white pine, red pine, red spruce, eastern hemlock, white spruce, balsam fir, sugar maple, and red maple.

The Adams Series:

The Adams series consists of very deep, excessively and somewhat excessively drained soils formed in glacial-fluvial or glacio-lacustrine sand. Slope ranges from 0 through 70 percent. Mean annual temperature is 6 degrees C. and mean annual precipitation is 970 millimeters. Adams soils are on nearly level to very steep sand plains, kames, moraines, benches, eskers, deltas, and terraces. These soils formed in sandy glaciofluvial or glacio-lacustrine deposits from predominantly crystalline rock or meta-sandstone. Mean annual temperature ranges from 3 to 8 degrees C., mean annual precipitation ranges

from 760 to 1270 millimeters, and mean annual frost-free period ranges from 70 to 160 days. Elevation ranges from 91 to 915 meters above sea level. Extensive areas are idle and support aspen, birch, and pine seedlings or sweet fern, spirea, and brambles. Uncleared areas support maple, beech, spruce, and pine. Farmed areas are used mainly for hay or pasture with limited acreages of corn and small grain. Areas are somewhat excessively drained. Runoff is very slow to medium. Saturated hydraulic conductivity is high or very high in the mineral surface layer and upper part of the subsoil and very high in the lower part of the subsoil and substratum.

The Colton Series:

The Colton series consists of very deep, excessively drained soils formed in glacio-fluvial deposits. They are on terraces, kames, eskers, and outwash plains. Slope ranges from 0 through 70 percent. Estimated saturated hydraulic conductivity is high or very high in the solum and very high in the substratum. Mean annual temperature is 42 degrees F. and mean annual precipitation is 40 inches. The soils formed in water-sorted sand, gravel, cobbles, and stones of predominantly granite rocks with lesser amounts of sandstone. Mean annual temperature ranges from 38 through 46 degrees F., mean annual precipitation ranges from 30 through 50 inches, and mean annual frost-free days ranges from 90 through 160 days. Elevation ranges from 5 feet through 3,000 feet above sea level. Large areas are idle and support seedling birch and pine, bracken fern, and blueberries. Farmed areas are used mainly for grass hay or pasture with some corn and oats. Forests include sugar maple, eastern white pine, red pine, and white

The Dawson Series:

The Dawson series consists of very deep, very poorly drained soils formed in herbaceous organic material 16 to 51 inches thick overlying sandy deposits in depressions on outwash plains, lake plains, ground moraines, end moraines and floodplains. Permeability is moderately slow to moderately rapid in the organic material and rapid in the sandy material. Slopes range from 0 to 2 percent. Mean annual precipitation is about 29 inches, and mean annual temperature is about 43 degrees F. Dawson soils are in depressions within outwash plains and lake plains, ground moraines and end moraines. In some places, Dawson soils are on flood plains. Slope gradients range from 0 to 2 percent. The uplands surrounding these soils are commonly acid sands. The mean annual precipitation ranges from about 22 to 35 inches, and the mean annual temperature ranges from about 40 to 45 degrees F. Very little commercial use is made of these soils, because of the extreme acidity, shallowness of the organic deposit, and the high-water table. Tree vegetation is sparse with black spruce and tamarack comprising the major species. Ground cover is composed of bog rosemary, cranberries, laurel, leatherleaf, sphagnum mosses, and blueberries. Areas are very poorly drained. The representative depth to wet soil moisture status is at the surface to 1 foot below the surface at some time throughout the year. The representative depth of ponding is from 0 to 1.0 foot at some time throughout the year. Surface runoff is very low or negligible. Permeability is moderately slow to moderately rapid in the organic material and rapid in the sandy mineral portion.

3. Water

Waters in the area comprise portions of the Grass River, Raquette, and Oswegatchie River watersheds; each as part of the greater St. Lawrence River Drainage Basin. The

South Branch of the Grass River (SBGR) is by far, the dominant water body of the unit. A meandering 16-mile stretch of this river bisects the tract. Ten other named streams: Newton Falls Brook, Moosehead Pond Outlet, Bend Brook, Cook Pond Outlet, South Brook, First Brook, Allen Pond Outlet, Randall Brook, Colton Creek, and Steep Bank Brook, all tributary to the Grass River, are also located within the planning area. In addition to the flowing water bodies, the area contains five named lakes and ponds: Tooley Pond, Pine Marsh, Allen Pond, Wolfe Hole, and Spruce Pond, covering approximately 100 acres.

The South Branch of the Grass River is a classified river under Article 15.2711 of the ECL. It is classified as “scenic” from the eastern edge of the property to Clarksboro and “recreational” from there to the western boundary of the property. Fishing and paddling along the SBGR forms a central public recreational component of the tract. A comprehensive list of fisheries activities and species types can be found in the Grass River Wild Forest UMP, but anglers can expect to find native and non-native trout as well as other desirable game fish in these classified waters.

The aesthetic qualities of the river corridor coupled with locations that provide easy access will likely lead to moderate/heavy public use. Some kayakers view the SBGR as one of the best opportunities in the northeast. The heaviest use is expected to be between Copper Rock Falls and Degrasse. For those who desire a flat-water paddling experience, the section of river above Rainbow Falls will be the most appropriate.

Water quality is generally satisfactory with low productivity and fertility typical to the area. Unlike the Five Ponds Wilderness Area located to the south of this tract, acidification does not appear to be a limiting factor.

4. Wetlands

The wetlands within the TPCE posse great ecological, aesthetic, recreational and educational value. Wetlands have the capacity to receive, store and slowly release rainwater and melt-water, and protect water resources by stabilizing water flow and minimizing erosion and sedimentation. Many natural and man-made pollutants are removed from water entering wetland areas. Also, because they constitute one of the most productive habitats for fish and wildlife, a greater diversity of plant and animal species are found in association with most wetlands. For the visitor, expanses of open space provide a visual and aesthetic contrast to the heavily forested setting.

Per Jenkins (Champion Report), an estimate of the acreage of open wetlands accounts for about 10% of the acreage of the Tooley Pond Tract. Meadows, alluvial wetlands, bogs, and low-lying softwood stands constitute a majority of these wetlands. Open bogs and alluvial meadows are the rarest wetland types. USGS quad identifications for the wetland complexes are: Brother Ponds, Tooley Ponds, and Degrasse. All wetlands within the GRCE are Palustrine, Riverine, or Lacustrine and dominated by trees, shrubs, persistent emergents, emergent mosses or lichens. Wetlands within the GRCE are either saturated, seasonally flooded, or permanently flooded and often subject to the works of beavers.

Wetlands represent an important consideration for easement based recreation planning as roads and trails frequently border these sensitive areas.

B. Biological Resources

1. Fish and Wildlife

Wildlife present within the area are typical for the western Adirondack foothills eco-zone. Common large mammals include white-tailed deer and black bear, and although uncommon, moose are increasingly present. Typical fur-bearing species represented in Department harvest data for the area include beaver, coyote, fisher, otter, pine marten and bobcat. Recent growth in interest in birding (Cordell, Herbert, and Pandolfi, 1999) suggests that the established populations found within the TPCE provide opportunities for recreation managers and public alike. Avian diversity in the area is representative of northern hardwood and spruce/fir forested habitats. Breeding Bird Atlas data for the GRMU from the 2000-2005 censuses identified 115 confirmed, probable and possible breeding bird species in the blocks covering the unit. Although no systematic survey of the area has been conducted for reptiles and amphibians, a volunteer based “Herp Atlas” sponsored by the Department through the decade of the 1990s, identified 24 species occurring on or adjacent to the TPCE including: American bullfrog, common garter snake, snapping turtle, spotted salamander, spring peeper, and wood, mink, and grey tree frogs. Nuisance wildlife issues within the TPCE are largely limited to beaver induced flooding.

Fish species in these watersheds are historically characterized primarily as Adirondack brook trout communities. These communities included brown bullhead, white suckers, native minnows, as well as brook trout. The South Branch of the Grass River, along with its feeder and tributary streams, also contain: populations of both wild and stocked brook and brown trout; rock, large, and smallmouth bass; pumpkinseed; shiners; chub and dace. To protect and enhance this valuable trout sport fishery, a special catch and release with artificial lures only regulation will be in place for angling public.

The area’s ponds support populations of a variety of native fish species including: brook trout, rainbow trout, pumpkinseed, white sucker and/or brown bullhead, along with non-indigenous fish species such as largemouth bass, golden shiner and yellow perch. Allen Pond, the most noteworthy of the area’s cold-water ponds, has been stocked with trout since the 1970's. Tooley Pond, a 200-acre shallow pond, is the largest lake on the tract. In 1986, a small population of non-native brown trout and largemouth bass were reported in Tooley Pond. A 1999 DEC electro fishing survey found largemouth bass, yellow perch, pumpkinseed and golden shiners. Based on survey results, bass catch rate (45/hour) and size distribution (24% of the catch > 16") both indicate the pond supports a quality largemouth bass sport fishery. To protect and enhance the unique sport fisheries present on these two ponds, a special catch and release, artificial lures only regulation are in place and only electric outboard motors will be permitted.

Within the GRMU there are 15 winter deer yards identified by the Department. One major yard is located just outside the boundary but has two finger-like extensions that reach into the area. A deer yard or deer wintering area is any location where deer tend to concentrate during the winter months. Deer yards typically have features which provide thermal benefits and/or mobility advantages during periods of cold and deep snow. In the Adirondacks, deer yards are often associated with dense conifer cover which helps to reduce rapid snow accumulation, provides shelter from winds, and limits

radiational cooling during the evening. South-facing slopes are also used by wintering deer; lesser snow accumulation and favorable sun exposure provide similar benefits. Better quality deer yards also have adjacent regenerating hardwood components which provide available woody browse during milder conditions. In the Adirondacks, deer use the same yarding areas annually, although the boundaries change over time with succession. Deer use within yarding areas will also change annually in response to winter severity. The maintenance and protection of winter deer yards remains a concern of wildlife managers, particularly in the Adirondacks, as they fulfill a critical component of the seasonal habitat requirements of white-tailed deer.

While there are no confirmed or historical spruce grouse sites within the boundaries of the TPCE, habitat suitable for them is found within the GRMU. Moreover, the core of the spruce grouse's remaining population center is within 4 miles of the GRMU boundary and is located within the spruce grouse conservation focus area as defined by the Draft Spruce Grouse Recovery Plan (Ross and Johnson 2012). As an important location relative to remaining healthier populations, the TPCE may represent an area of significant conservation efforts to aid in the species' recovery in New York State.

2. Vegetation

The Tooley Pond Conservation Easement lies within two ecozones found in the northern parts of New York State (Reschke, 1990). The majority of the property is in the Western Adirondack Foothills, while the two smaller non-contiguous parcels south of the main section lie in the Central Adirondack zone. The DEC database suggests that there are four land cover types present on the property: evergreen forestland, deciduous forestland, mixed forestland, and forested wetland. These cover types are represented by four forest-type groups which compose the majority of the timberland on the property: Hemlock - northern hardwoods, white and red pines, ash, red maples, and aspens - birches. Also, a wide variety of small trees (i.e., American hornbeam, striped maple, alternate leaved dogwood, etc.) and ground cover species (i.e., star flower, common wood-sorrel, painted trillium, intermediate wood fern, etc.) are common to the area.

3. Natural Heritage Program Elements of Occurrence

The Natural Heritage Program of New York State lists one significant plant species and one significant animal species as being related to the property: the fir clubmoss, an endangered vascular plant, and the spruce grouse, an endangered vertebrate which has habitat adjacent to the protected property. Research/observation by State biologists suggests that spruce grouse habitat is also critical for several other bird species of great conservation need: the cape may warbler, the Tennessee warbler, the American three-toed woodpecker, olive-sided flycatcher, and the rusty blackbird. The common loon, a species of special concern, has been observed in ponds along the property's southern boundary.

4. Invasive Species

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

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

Terrestrial invasive plant species documented in, or within proximity to, the TPCE include the following: purple loosestrife, common reed, and garlic mustard. Japanese knotweed is also known to exist within the GRMU. In general, Japanese knotweed reproduces vegetatively and is common to disturbed areas throughout the state. It is not shade tolerant, and consequently, is unable to invade forests (Van Driesche, 2002) but there may be other small populations of this and other invasive-exotic plants along roadsides and other disturbed areas (camps, log landings, etc.) within the easement area.

Invasive insects currently threatening or predicted to impact areas within the GRMU include: emerald ash borer, hemlock wooly adelgid, pine false webworm, Sirex wood wasp, and white pine weevil.

Diseases know to affect forest health in the region containing the TPCE include: beech bark disease, butternut canker, chestnut blight, Dutch elm disease, and white pine blister rust.

Through the endangered species task force, DEC will investigate use of appropriate educational signage at points of entry, camping, parking, fishing and waterway access sites within GRMU to mitigate or prevent the spread of harmful non-native species and invasive plants.

C. Cultural Resources

1. Cultural and Archaeological

The nineteenth and twentieth centuries saw unprecedented impacts on the forested landscape of the Adirondack foothills. The timber harvesting practices of the time showed little regard for what was believed to be an unlimited resource. Today, the lands in and around the TPCE still show evidence of the past exploitation, but modern practices and a more conservation-based philosophy suggest a sustainable future. Nonetheless the TPCE area changed substantially through the activities of people in the past. Logging and mining were primary local industries, and their impact is extensive and evident today. Logging in particular changed the character of the forest dramatically, which in turn influenced the human and animal communities associated with it.

Timber for charcoal, mine timbers, railroad ties, lumber, fuel wood and many other necessary items were harvested locally. Roads and railroads were pushed into area forests to extract timber for supplies as well as ore and to distribute the finished products. Just south of the Tooley Pond Tract, the western edge of the Great Windfall of 1845 made its track northward from Cook’s Corners. By 1864, the main road (Tooley Pond Road today) had been cut from the Lake George Road to the Windfall and eventually Cranberry Lake. Sawmills started up at Clifton (Clarksboro) in 1866 and at New Bridge in 1909. Log drives were annual events around 1890 on the South Branch. Log drives were spring events to float wood harvested during the winter months to Canton. The first railroad affecting the Tooley Pond Tract was built in 1868. Stations on

this line, the Rome, Watertown, and Ogdensburg RR, included Degrasse and Clarksboro. A railroad was built from Newton Falls to New Bridge in 1902. This line was approximately seven miles long and was termed the Newton Falls and Northern Railroad. The railroad was in operation until 1919. During the 1940's, the Hanna Mining Company re-laid track on the bulk of the old Newton Falls and Northern grade between Newton Falls and New Bridge. Then they built nearly three miles of new track into the Clifton Iron Mines. Final date of abandonment of this ten-mile-long section to Newton Falls is 1955 (Kudish, 1985). During Champion's ownership, TPCE lands were used to provide forest products for the Champion mill at Deferiet and other mills.

There are no substantial Archaeological sites reported for the lands comprising the easement.

2. Visual/Scenic Resources

At 1,751 feet, Hay Meadow Mountain is the highest point on the easement. Spruce Mountain (1,734') is next. Neither represents an extraordinary viewpoint. At 1,200' a proposed rock climbing area north of Gate #1 will offer a solid vista toward the west and provide recreationists with a view of Twin Falls on the SBGR. The primary other scenic areas are along the streams, rivers and ponds on the property.

3. Wild, Scenic and Recreational Rivers

The South Branch of the Grass River is a classified river under Article 15.2711 of the ECL. It is classified as "scenic" from the eastern edge of the property to Clarksboro and "recreational" from there to the western boundary of the property.

IV. LANDOWNER MANAGEMENT AND USE

A. Property History

The natural history of the Western and Central Adirondack regions can be traced back to the recession of the last glaciers from the northeast. Typical milestones along this lineage mark the devastation and loss of the area's great forests through lumbering, pulp production, harvesting for charcoal makers, dam construction, and agriculture throughout the nineteenth and twentieth century's. Concern over these losses led to the creation of the Forest Preserve in 1885 and the Adirondack Park in 1892 (McMartin, 1994). The Tooley Pond Conservation Easement, which lies within the Park, shares in this history.

The protected property has a long history of forest management and commercial ownership in its current composition. The St. Regis Paper Company acquired the bulk of these lands in 1927 as a fiber supply source for the St. Regis mill in Deferiet, New York. An interesting historical footnote to this acquisition is that much of the land in New York, along with more than 300,000 acres in Vermont and New Hampshire, was purchased as part of an agreement with the Montgomery Ward Company. Montgomery Ward contracted with St. Regis to produce their catalog and wanted assurances that St. Regis would have a sufficient timber resource to make the paper needed to produce it. The Champion Paper Company Inc. purchased the St. Regis Paper Company in 1984.

Champion acquired the 144,000 acres in New York along with acreage in Vermont, New Hampshire and Maine. At its highest point, Champion's total assets in the region were in excess of one million acres of timberland, two pulp mills (in NY and ME) and a stud mill in Costigan, ME. In 1998-99 Champion International Corporation (CIC) disposed of the Deferiet Mill and the majority of its New York, New Hampshire and Maine lands. The sale of the 144,000 acres in New York State was brokered by The Conservation Fund of Arlington, VA. In this transaction, there was a simultaneous acquisition of 29,000 acres by NYS DEC in Fee and 114,000 acres by Heartwood Forestland Fund III (HFF III). Of the 114,000 acres purchased by HFF III, 110,000 acres inside the Adirondack Park was subject to a conservation easement and 4,300 acres outside the park in the towns of Croghan and New Bremen in Lewis County was unencumbered. The easement sections were acquired by the current landowner; Jackson Timberland Opportunities-Champion, LLC (no relation to the original Champion Int'l) in November of 2014.

The forests of the former Champion lands have been managed under an even-aged and industrial scheme for nearly 70 years. Historically, diameter limit harvests were the norm, with reduced stocking of crop trees often the result. The lack of consistent hardwood pulp markets limited silviculture in the majority of past harvests. In addition, the need to supply softwood to the Deferiet Pulp Mill (associated with these lands since 1927) influenced management schemes and objectives. While these lands are well stocked and comprised, in total, of enough desirable growing stock on good sites, there is plenty of room for improvement due to past practices (diameter limit harvests, selective cutting for softwood and commercial clear-cutting on softwood sites). During Jackson Timberland Opportunities ownership, management opportunities have been employed that improve physical and value growth on existing merchantable stems and enhance grade and value growth on sub-merchantable stands with the goal of increasing future yields.

Like much of the Adirondack Region of New York, there has been insignificant agricultural use of these lands. The one exception is the former village of Clarksboro that was centered around an iron ore operation along the Tooley Pond Road and the Grass River that in the 1860's was a significant community (now encompassed in the NYS DEC fee lands). The remainder of this tract has been owned and utilized as commercial forestland for more than 200 years. The use history begins in the latter part of the 19th century as timber barons began acquiring land from the original land grants. The first harvests, in the late 1800's were generally for "first cut" red spruce and white pine, followed quickly by "veneering" mostly for yellow birch. As the rail lines were put in shortly after the turn of the century, heavy cutting ensued. That round of cutting, abetted by the great fires of 1899-1915, (often started by the sparks from the train engines), laid waste to approximately 850,000 acres of the Adirondack Forest and helped spawned both the creation of the Adirondack Park and the current generation of trees on this forest. Black cherry, which is renowned throughout the northeast, is a by-product of those large fires in the early 1900's.

As time passed, the Tooley Pond Tract was put under management by St. Regis Paper Company, which by all accounts did a reasonably good job of managing the softwoods and had a relatively light (albeit extractive) hand in the hardwoods. When Champion acquired the lands in the mid-80's harvesting levels were stepped up (due in large part to the longer reach for hardwood pulp by Domtar and Finch). In this round of cutting, much of the timber was treated with a combination of shelterwood harvesting, diameter limit thinnings, and even-aged management in spruce-fir.

Another influence that continues to impact the forests of the Tooley Pond Tract is the historic hunt club lease program and the clubs' influence on deer population dynamics. On Tooley, in particular, deer have played a large and detrimental role in the current condition of the timber resource. Historic feeding programs, in conjunction with the bucks-only hunting philosophy promoted and supported by the clubs, have led to deer populations that have often exceeded the carrying capacity of the land. This, in turn, led to over browsing of desirable advanced hardwood regeneration. This resulted in stands that are either understocked or stocked with a poor species composition in the understory. Beech and/or non-commercial grasses, shrubs and ferns typically dominate understories where deer populations are excessive. This particular issue has been addressed by the landowner through DEC's Deer Management Assistance Program (DMAP).

B. Current Forestry Uses

1. Forest Management Activities

A major purpose of the conservation easement on this property is to ensure that the forest resource will continue to be available to the current and future landowners for viable, sustainable forest management and the associated long-term production of forest products. The landowner actively manages specific forest stands according to a forestry certification program approved by DEC. It is common to see foresters, loggers, and logging equipment on the property. Members of the public who plan to utilize the property for recreation can expect to encounter this type of activity during a typical visit. Those driving, snowmobiling, or cycling on the roads, parking in designated sites, wading along streams and fishing corridors, or exercising any other designated right should use all due caution and conform to posted warnings and closures.

2. Logging Closure Zones

Easement language makes allowances for Logging Operation Closure Zones and Recreation Corridor Relocations. Such closures shall not exceed twenty-four (24) months in duration and not occupy in the aggregate more than ten percent (10%) of the protected property at any one time. The landowner and DEC will, whenever practicable, provide for alternative routes and accommodations for public recreation. It is always advisable to inquire ahead of time with the local DEC field office regarding potential closures and alternatives. To date, the landowner has not closed any of the property to public use during harvesting operations.

C. Current Non-Forestry Uses of the Property

1. Recreational Leases

There are currently 19 lease camps on the Tooley Pond tract. There are also 5 camp envelopes that currently do not have camps on them. The landowners have also identified 9 additional sites that they may or may not fill at some time in the future. Any new camps constructed will meet specific criteria by both APA and DEC and the site will require DEC approval before construction can begin. Jackson Timberland Opportunities has no ownership interest in the camps. Under the terms of the amended easement

Jackson Timberland Opportunities or any future assignee is allowed up to a maximum of 220 camp envelopes on the former Champion lands. This includes the Croghan, Tooley and 1 – acre Santa Clara tracts.

In general, the license agreements are one year renewable licenses that give the camp owner and listed members the right to motor vehicle access to their camp and limited vehicular access along designated roads within the historic use area where their camp is located. Camp owners and members will be treated as part of the public when off their one-acre site. Guests are allowed, but must be accompanied by a member when driving to and from the camp.

ATV use is prohibited with exceptions. Lessees with remote camps that can only be accessed by ATV will be allowed to go to and from their camp by ATV. If the Department feels road conditions at certain times of the year could be damaged by conventional vehicle use, we can allow temporary access to camps by ATV but only to and from the camp and for a specific time frame and subject to DEC notification.

Public recreation on the tract shall accommodate the private recreation leases and shall not interfere with the enjoyment of the rights retained by the landowner for lessees. The easement document details the rights retained by the landowner and how these reserved rights relate and differ from those afforded to the public by the States affirmative rights. This relationship and its details are addressed in Section D below, titled “Property Infrastructure”, as the rights primarily relate to public access, road use, motor vehicle and ATV use.

D. Property Infrastructure

1. Existing Infrastructure

There are two public highways associated with the property. County Route 27 borders a portion of the property on the west. The Tooley Pond Road bisects the property southeast to northwest, running nearly parallel to the SBGR, and connects to County Route 27 just off the protected property.

The easement’s internal infrastructure consists of roads, trails, bridges, culverts, and gates or control points. There are approximately 61.5 miles of roads that Jackson Timberland Opportunities refer to as follows: Improved gravel roads (51.7 miles), summer limited gravel roads (2.4 miles), unimproved winter roads (5.4 miles) and unmaintained or old roads (2 miles). There is also one bridge on the easement property, and 17 gates in place on the CE and adjacent Forest Preserve Lands to control access to roads and trails on the property – this plan proposes an additional six (6) gates. The condition of each road, trail, and corridor has been established by the Baseline Report prepared for this property.

2. Forestry Structures and Other Infrastructure

The protected property contains one concentration yard and two (2) five acre exclusions as set forth in the easement document, Section 3 of the Reserved Rights:

- Landowner reserves the right to place one forest products concentration yard, encompassing not more than ten (10) acres in size, on each of the three large tracts [Tooley Pond, Santa Clara, Croghan] making up the protected property as

identified on Maps of the protected property and as set forth in APA Permit No. 98-313

- Landowner reserves the right to set aside five (5) acre development sites to be excluded from the public recreation rights provided for herein. Landowner reserves the right to post such areas as restricted from public use.

3. Gravel Pits

There are two (2) existing gravel pits which were developed in the construction of logging and recreation roads on the protected property. The area of active gravel mining is estimated at approximately two (2) acres based on digitizing gravel pit locations from 2003 ortho-photography.

All such gravel or borrow pits located on the protected property shall be maintained in such a way as to minimize the adverse effects of open pit mining and shall be operated in accordance with all applicable laws and regulations. Parties shall not open or construct any new sand and gravel pits within any of the following buffer areas or any other special treatment areas:

- Lake, Bogs and Ponds
- Perennial Stream and wetlands
- Wild, Scenic and Recreational Rivers
- Visual and auditory buffers

V. RELATIONSHIP OF PROPERTY TO ADJACENT LANDS

See Section II. B. DEC Grass River Management Unit

VI. CONSERVATION EASEMENT AFFIRMATIVE RIGHTS

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

A. Recreation Access and Use Rights

- See: Tooley Pond CE Recreation Management Plan Existing and Proposed Facilities Map, Appendix D -

The conservation easement grants the People of the State of New York a permanent right of access to the property for outdoor recreational use, subject to the specific terms in the recorded conservation easement document agreed to by the State and the landowner. All management actions on the property, as implemented through this Recreation Management Plan, will be conducted in accordance with those specific easement terms and will consider and strive to be consistent, and compatible with, the reserved rights of the 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, if any.

The following affirmative rights, subject to specific terms, conditions, requirements, limitations, and restrictions stated in the easement and described in Section VI.B below, have been granted to the State of New York and apply directly to the development and implementation of this public Recreation Management Plan:

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

   DEC has the right to provide public access to the property for a variety of dispersed, 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, dog-sledding, fishing, hunting, and trapping. These activities will be permitted year-round on the entire property and must be conducted in accordance with applicable State laws and regulations.

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

   DEC has the right to allow public motor vehicle access to the property via certain designated routes. These routes will be signed accordingly as being open to only certain types of motor vehicles, such as passenger vehicles, snowmobiles, motor boats, and all-terrain vehicles. Speed limits and other restrictions or safety information may also be posted.

B. Public Use of Existing Infrastructure

DEC may develop certain improvements, amenities, or limited facilities necessary to support permitted and approved public access and use of the property. This right includes the ability to designate, and in some cases construct, roads and trails on the property for public access and use, including universally accessible trails for people with disabilities, along specific routes agreed to by the landowner (if required in the CE).

Public motorized access will be over specifically designated Motorized Access Corridors. As used herein, the term "motorized access" pertains to access by motorized vehicles. "motorized vehicle" shall mean a passenger car, truck, snowmobile and all-terrain vehicles. An all-terrain vehicle (ATV) is any self-propelled vehicle, including an off-road motorcycle, that is manufactured for use on off-road trails or in off-road competitions. These vehicles are currently defined by NYS Vehicle and Traffic law as less than 70 inches wide and less than 1,000 pounds. A snowmobile is a self-propelled vehicle manufactured for off-highway use on snow or ice and which uses an endless belt tread. Motorized vehicles using a road located on the protected property that is also open to public use by car, truck, or other similar passenger vehicle, must comply with applicable laws and regulations. Only those Motorized Access Corridors which have been designated in the Land Management Plan and which have been specifically marked for the type of motorized vehicular travel permitted shall be available for public recreational access. The Grantee is responsible for all necessary signs indicating the specific corridors which may be opened for public motorized access and the type of motorized access (e.g. motor vehicle, snowmobile, all-terrain vehicles) permitted upon said specific corridors.

For purposes of Recreation Management, this plan will refer to the property in two zones. These zones are the Northern and Southern Zones as they are bisected by the Tooley Pond Road. As such, approximately 28 miles of road, identified by landowner numerical designation(s) for clarity and consistency, will be phased into public motorized and non-motorized Use: 11-14-00, 11-09-00, 11-11-00, 11-10-00, 11-08-00, 11-02-00, 11-06-05, 11-00-00, 11-16-00, and 10-00-00 in the northern zone; 10-10-00, 10-05-00, 10-05-01, 10-06-00, 10-01-04, and 10-04-00 in the southern zone. These roads were selected based upon their access to outstanding natural resources on the property and to provide reasonable access to all portions of the tract.

The following list describes roads currently open and proposed for opening by this plan. Please read the road descriptions carefully and refer to the Tooley Pond CE Recreation Management Plan Map in Appendix D when planning a visit to the property.

Northern Zone: Approximately 14 miles of designated public access:

11-11-00 - This road, **currently open,** of approximately 0.6 miles provides motorized access to a parking area which serves as access to the trail/carry to Allen Pond. Another 1.4 miles of road beyond the parking area provides non-motorized access to trail systems for skiers, hunters, mountain bikers and recreationists wishing to explore the northwestern portion of the protected property.
11-14-00 - This road of approximately 0.15 miles and its parking area provides access to hiking and rock climbing activities.
10-00-00 - This road of approximately 1.78 miles, also called Spruce Mtn. Road, **currently** provides access to the SBGR and additional roads in the northern portion of the property.
11-00-00 - This road of approximately 2.9 miles leads to a parking area for hunters and recreationists wishing to explore the northern portion of the protected property
11-02-00 - This road of approximately 1.06 miles provides access to paddlers and recreationists wishing to access Spruce Pond and Wolf Pond and a parking area serving the northern portion of the property.
11-06-00 – This road of approximately 2.3 miles leads to a parking area (at 1 miles) for hunters and recreationists seeking to access the “ticket trail” and northern portions of the property.
11-08-00 - This road of approximately 0.60 miles leads to a parking area for hunters and recreationists wishing to explore the northern portion of the protected property.
11-09-00 – This road of approximately 0.20 miles provides non-motorized access for hunters and recreationists wishing to explore the northern portion of the protected property.
11-06-05 – Known locally as the “ticket trail” this popular snowmobile trail of approximately 2.7 miles also provides seasonal non-motorized access for skiers, hunters, mountain bikers and recreationists wishing to explore the northcentral portion of the protected property.
11-10-00 – This 0.5-mile-long stretch of road is part of the proposed route of the St. Lawrence County Multi-Use Trail.
11-16-00 – This road of approximately 0.9 miles provides access for skiers, hunters, mountain bikers and recreationists wishing to explore the northwestern portion of the protected property.

Southern Zone: Approximately 13 miles of designated public access:

10-01-04 - This road offers hunters and recreationists approximately 1.06 miles of non-motorized access to the southern portion of the protected property.
10-04-00 - This road of approximately 2.05 miles leads to a parking area for hunters and recreationists wishing to explore the southern portion of the protected property. There will be a parking area and trail head for Sugar Mountain Road at mile 1.6
10-04-04 – This road of approximately 2.9 miles leads to a parking area for hunters, skiers, and recreationists wishing to explore the southern portion of the protected property. Also called the Railroad Grade Road
10-05-00 - This road of approximately 1.85 miles leads to a parking area (at 0.83 miles) for hunters, paddlers, and other recreationists wishing to explore the southern portion of the protected property.
10-05-01 - This road of approximately 0.54 miles provides access for hunters, paddlers, and other recreationists wishing to explore the southern portion of the protected property.
10-06-00 - This road of approximately 2.53 miles leads to a parking area (at 1.4 miles) for hunters, paddlers, and other recreationists wishing to explore the southern portion of the protected property.
10-10-00 - This road, **currently open for hunting season**, of approximately 1.65 miles leads to a parking area for hunters, skiers, and recreationists wishing to explore the southern portion of the protected property.

The use of roads and infrastructure by both the landowner and public necessitates a system of shared accountability for the monitoring, maintenance, and supervision of travel corridors within the protected property. The easement document addresses this issue as follows:

DEC has the right and responsibility to maintain existing roads and trails and to construct and maintain new trails for foot, bicycle, or horseback travel by the public, to construct and maintain new parking lots, and to construct and maintain new Motorized Access Corridors in addition to those which may already exist on the protected property, so as long as such trails, parking lots, or roads do not interfere with the landowner's Reserved Right of forest management, accommodate the landowner's private recreation leases, and are provided for in this plan.

Public Camping Facilities: The Grantee, its successors and assigns, shall have the right to permit camping by the public in the same manner as currently regulated (or to be regulated) on State lands, provided, however, that designated camping sites shall be delineated in this Plan.

The Grantee, its successors and assigns, shall have the right to permit the public to build fires for cooking, warmth or smudge, and any firewood gathered onsite must be from dead and downed trees only. Open fires will be regulated in the same manner as on Forest Preserve lands.

Public Hunting, Fishing and Trapping: The Grantee, its successors and assigns, shall have the right to permit the public to hunt, fish and trap in accordance with established New York State seasons, applicable rules and regulations and the RESERVED RIGHTS section of the easement document.

C. Recreation Signs

For purposes of public recreation, the landowner and Grantee shall mutually agree to the content and location of signs installed or constructed on the protected property by the Grantee

Notwithstanding the above, the Grantee is responsible for installing, constructing and maintaining all necessary signage to indicate the allowed public parking areas, various forms of public access, and appropriate roads and trails open for public motorized and non-motorized recreational activities.

This plan will also provide for the placement of new signs and boundary indicators necessitated by the 2012 amendment to the easement. All signs currently in place on the property will be reviewed for accuracy and appropriateness and replaced as required

- See Conservation Easement Public Recreation Road & Trail Sign Guidance Manual at http://www.dec.ny.gov/regulations/2401.html

D. Construction of New Infrastructure

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

As such: the Grantee may construct, use, repair, maintain, improve, relocate or abandon recreational amenities which facilitate or support allowable public recreational uses. Such recreational amenities shall include roads, trails, public parking areas, boat launches, campsites, lean-tos or other similar small recreational structures that are intended for shelter from weather conditions, along with associated outhouses and similar structures. Also included are signs, barriers, fences and gates used in connection with, or to facilitate the management of, the public recreational uses of the protected property.

E. Other CE Provisions Affecting Public Use

1. Barriers, Gates, and Locks

DEC, in concurrence with the landowner, has the right to install barriers and gates to control public motor vehicle access The installation and maintenance of control points within the TPCE will be a key component to the proposed St. Lawrence County Multi-Use Recreational Trail. It is essential that ATV access be limited to specific delineated routes on the property or as otherwise agreed upon with the landowner. Gates, locks, and barriers will facilitate public recreation as permitted by the easement and protect the rights of the landowner and its lessees.

2. Boundary Line Marking

Conservation easement language usually allows the Department to identify, mark, and maintain boundary lines. Signs may be installed as appropriate but only if in compliance with CE language.

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

DEC and the landowner have the right to undertake emergency actions necessary to preserve and protect private property interests, public recreation amenities, and human health and safety in response to natural disasters, environmental hazards, or other threats. The DEC, Environmental Conservation Police, Forest Rangers, State Police, and other emergency response personnel will have full access to the property. Emergency response for search, fire, and rescue on the property, as on State lands, will be coordinated by the NYS Forest Rangers at (518) 408-5850, though a response may include other emergency responders.

4. Infrastructure Maintenance and Specifications

- Appendix C - Road and Trail Standards and Specifications

VII. PUBLIC USE ADMINISTRATION AND MANAGEMENT

A. Administration

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

See Appendix D – Existing and Proposed Facilities

1. Laws, Policies, and Memoranda

This RMP has been developed within the constraints and guidelines set forth by Article 9 of the Environmental Conservation Law; Parts 190 -199 of Title 6 NYCRR of the State of New York; established DEC policy; and the terms and conditions of the conservation easement(s) that encumber the property

a. DEC Policies:

1. Motor Vehicle Access to State Lands Under the jurisdiction of DEC for People with Disabilities (CP-3)
2. Adopt-A-Natural Resource (ONR-1)
3. Temporary Revocable Permits for State Lands and Conservation Easements (ONR-3)
4. Volunteer Stewardship Agreements (VSA) (CP-58)

b. State-Administered Land Use Controls

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

c. DEC/APA MOU

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

2. Management Authority, Staff and Responsibility

The Regional Natural Resources Supervisor is the manager of regional staff in the DEC Division of Lands and Forests and the Division of Fish and Wildlife. The DEC Division of Lands and Forests has primary responsibility for managing public use of the lands subject to this RMP, including development of this plan, development of individual work plans and schedules, and coordination of all activities with the landowner, partners, and other DEC Divisions. The Division of Operations, at the direction of the Division of Lands and Forests, will oversee construction and maintenance of facilities approved by this Recreation Plan. The Regional Forester in the DEC office in Watertown, NY has overall responsibility for these matters. Reporting to the Regional Forester is a Supervising Forester, in the Potsdam, NY DEC office responsible for forestry and land management programs. Reporting to the Supervising Forester are one or more staff that may be assigned to specific tasks in preparing or implementing this plan. The Regional Fisheries Manager and Regional Wildlife Manager are responsible for all Division of Fish and Wildlife activities. An Aquatic Biologist and a Wildlife Biologist have been assigned planning responsibilities for fisheries and wildlife concerns related to this property. The Office of Public Protection will be responsible for enforcement of laws and DEC rules and regulations. Environmental Conservation Officers and Forest Rangers have primary responsibility for monitoring and enforcement of public use of the easement property. A Land Manager will be designated by the Regional Forester as the lead DEC staff person for developing and implementing this and subsequent plans for the easement property.

The Land Manager will be responsible for:

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

The development of this RMP has primarily involved DEC staff, Jackson Timberland Opportunities and Landvest; the landowners land management agent. Communication and coordination of planning efforts between the parties have been critical to formulating management objectives and proposals. Consistent administration and communication is extremely important in preparing and implementing this RMP and adhering to the terms of the conservation easement. DEC staff will regularly communicate with the Landowner to review completed activities, address concerns or problems, and coordinate future work.

3. Regulatory Requirements, Approvals and Procedures

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

a. Americans with Disabilities Act and Americans with Disabilities Accessibility Guidelines

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 the facility, should be made accessible to the greatest extent possible 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 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

b. CP-3 Permits

In 1997, DEC adopted "Commissioners Policy – 3 (CP-3) Motor Vehicle Access to State Lands under the Jurisdiction of the Department of Environmental Conservation for People with Disabilities". This policy establishes guidelines for issuing temporary revocable permits allowing qualified people with disabilities to use motor vehicles to gain access to designated routes on certain state lands. DEC is not required to make each and every of its existing facilities and assets universally accessible. The facilities or assets proposed to be universally accessible in this RMP are identified in the "Proposed Management Actions" section.

c. Adirondack Park Agency (APA)

Land managers will need to consult with the Adirondack Park Agency where recreation management actions on land within the Adirondack Park involve activities such as: improvements or actions within or adjacent to freshwater wetlands; improvements or actions along or adjacent to the shorelines of waterbodies; improvements or actions along or adjacent to Wild, Scenic, or Recreational Rivers. The draft RMP has been submitted to APA for review and comment consistent with the procedures outlined in the DEC/APAMOU. Certain proposed recreation projects and activities, as covered in the MOU may require further APA review under Section 814 of the Adirondack Park Agency Act.

B. Public Recreation Management Principals, Goals and Objectives

1. Management Principles

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

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

2. Management Goals and Objectives

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

Goals:

- Provide reasonable public access to the property for the purpose of allowing the public to enjoy the permitted range of outdoor recreational opportunities,
- Avoid or minimize any negative impacts of public recreational use on the natural resources and environmental benefits of the property,
- Avoid or minimize conflicts between public recreational use and forest management activities conducted by the landowner,
- Avoid or minimize conflicts between public recreational use and private lessee use of the property, if any,
- Develop a better understanding of the natural resources, environmental benefits, and public recreation opportunities and limitations on the property.

Objectives:

- Maintain opportunities for dispersed public outdoor recreation by providing suitable marked trail opportunities and general access to areas of property open for hunting, fishing, trapping and bushwhacking,
- Maintain the quality of the public's recreational experience by separating or minimizing conflicting uses where possible,
- Provide safe and sanitary conditions for public recreation,
- Provide for 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, trails and other suitable areas of the property,
- Periodically assess the impacts of recreational uses on other recreational uses, forest management activities, and natural resources,
- Actively manage the type, level, and location of recreational uses to minimize significant conflicts between recreational activities and commercial forest management activities, and to minimize adverse impacts to fish, wildlife, important habitats, water quality, and other natural resources and environmental values on the property,
- Promote partnerships with the landowner and/or recreational constituencies and secure assistance as necessary to complete management actions,
- Assess the potential for integrating new or expanded public outdoor recreational uses on the property in a manner that is consistent with the terms of the easement and the goals and objectives outlined above.

3. Best Management Practices

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

- Locating improvements away from streams, wetlands, and unstable slopes,
- Locating improvements to minimize necessary cut and fill,

- Locating camping sites or other structures on flat, stable, well-drained sites,
- Locating trails on existing old roads or cleared, or partially cleared areas,
- Locating trails to minimize grade and avoid streams, wetlands, and unstable slopes,
- Avoiding areas where threatened and endangered species are known to exist,
- Limiting the size of parking lots and other improvements to the minimum necessary to meet the intended use,
- Minimizing tree cutting,
- Using proper drainage devices, such as water bars and broad-based dips, to prevent erosion and damage to improvements,
- Using stream crossings with low, stable banks, firm stream bottom, and gentle approach slopes,
- Constructing roads, trails, bridges and other stream crossings at right angles to the stream,
- Limiting stream crossings and construction on or near streams to periods of low flow,
- Designing, constructing, and maintaining bridges and other improvements on or near streams to avoid disrupting or preventing movement of fish and other aquatic species,
- Minimizing the use of equipment in streams,
- Using soil stabilization practices on exposed soil around construction areas, especially bridges, immediately after construction.

4. Guidelines and Standards

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

Standards for Public Recreational Roads and Trails. The RMP shall establish minimum standards and specifications for roads and trails designated for public use. Based on the standards and specifications, the Department shall decide whether portions of trails and roads shall be repaired, improved, relocated, or if public use shall be suspended.

Snowmobile Use. Public snowmobile use of the property will focus on two types of opportunities; 1.) Connection to a larger public snowmobile trail network where logistically possible and legally appropriate and 2.) Ungroomed riding opportunities on designated routes for the purpose of facilitating public access for other outdoor recreation activities such as hunting, fishing, trapping, etc. Trail design and maintenance standards shall conform to such manuals and guidelines produced by the New York State Office of Parks, Recreation, and Historic Preservation, or an equivalent State agency, and in general use by the agency at the time in question, except for snowmobile routes designed for public access to hunting, fishing and trapping on the property.

All-Terrain Vehicle Use. All-terrain vehicle uses by the public is one of the recreation rights acquired in the conservation easement. ATV use can only be allowed on trails or roads approved for such use in this recreation management plan for the property, and on

trails and roads signed for such use. The primary reason for providing ATV use is to provide access to recreation opportunities on routes that are not otherwise useable by cars and trucks. Routes can be opened for the general public, or selected routes can be opened for those people with disabilities who obtain a permit under the Department's Motorized Access Program for People with Disabilities.

Private Leases. The landowner reserves the right to exclude from the public recreation rights provided for by this plan, including the right to post specific areas as restricted from public use; a one (1) acre area for each of the leased hunting, fishing and recreation camps and which area shall contain all lease improvements including but not limited to accessory structures and mowed or improved areas (such areas referred to herein as "recreation camp envelopes"). Recreation camp envelopes may contain more than one camp and, in such instances, the landowner may increase the size of the camp envelope by a factor of one (1) acre per camp occupying such camp envelope. The recreation camp envelopes shall not be configured in a manner that restricts access on roads or trails that would otherwise be available for public recreation. If a recreation camp envelope is relocated at a future date, as is permitted by the easement, the landowner shall provide DEC with a revised camp access map showing both the new location of the recreation camp envelope and the associated drives and trails.

C. Public Input

In order to make 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 has offered opinions and information regarding issues of concern by mail, e-mail, and personal conversations. The following list summarizes the primary topics identified in comments received from the public during the 30 day public comment period which was held from October 3, 2016 to November 2, 2016.

- Involvement of the public in the planning process
- Specifics of public access and use (including vehicle/snowmobile/ATV access)
- Potential for resource degradation
- Impacts to private lease clubs or individuals
- Access for people with disabilities
- Public information

D. Recreation Use Opportunities and Constraints

1. Potential Activities and Opportunities

The Public has, in accordance with the Conservation Easement, the right to: hike, mountain bike, cross country ski, snowshoe, ride horseback, bird watch, rock climb, study nature, drive dog sleds, and engage in other forms of non-motorized recreation. The public may also paddle interior waterways and fish the rivers, streams, and waterbodies. Public camping will be permitted at designated sites and at undesignated locations greater than 150' from water, roads and trails. Public hunting and trapping is also permitted in accordance with NYS law. Individuals with mobility impairments may use mechanized means to access areas open to the public for non-motorized use and may use motor vehicles on certain roads not open to the general public upon issuance of

a permit from the Grantee. The public may use motorized vehicles as designated by this plan and signed as open. Motorized use(s) will be restricted during “mud” and shoulder seasons as deemed necessary by the DEC.

2. **Specific Public use will be managed as follows:**

Hiking: The Public will have access to approximately 20 miles of motorized public recreation corridors and approximately 45 miles of corridors open to non-motorized recreation. This combined road and trails system will be open to hiking. This plan proposes additional access to hiking opportunities which will access the protected properties interiors and outstanding natural resources. The area west of and including Allen Pond will be the site of approximately eight miles of non-motorized trails forming loops between Allen Pond, Pine Marsh, Randall Hill, Colton Creek, and the Tooley Pond Road. This plan also proposes a trail be constructed off of road 10-04-00 to a minor promontory known as Sugar Mountain. All new and existing trails will be signed and marked.

Rock Climbing: Accessed from Gate #1 off the Tooley Pond Road and west of Allen Pond, a promontory of ~1200’ in elevation provides a near vertical rock face rising ~ 100’ from the forest floor. This feature provides outstanding opportunities for individuals interested in free style and top rope styled climbing. No permanent anchors may be installed. A parking area will be located off Tooley Pond Road and trails marked to this location. A primitive campsite will be designated near the base of the feature to facilitate recreational access.

Boating: The property contains numerous ponds and streams suitable for exploration by paddlers. An existing parking facility and access trail facilitates car top boat access to Allen Pond. Paddlers will also have access to Spruce Pond, Wolf Hole, and Pine Marsh. More ambitious recreational opportunities exist around Big Marsh as its attendant brooks and streams fan out around the properties southwest corner.

Mountain Biking: Cyclists are able to use the existing motorized and non-motorized public recreation corridors and will have access to the proposed St. Lawrence County Multi-Use Trail route. Specifically, this plan will designate and sign two loops: One runs approximately five miles (5) from the Tooley Pond Road access at Gate # 00 and returns to the Road via the access road at Gate #1. The other, emanating from Gate #9 at the Tooley Pond Road, and travels along an interior corridor known locally as the Ticket Trail. This route will include approximately ten (10) miles of trail and returns to Tooley Pond Road via the Spruce Mountain Road and provide opportunities for spur rides in the vicinity of Hay Meadow Mountain.

Cross Country Skiing & Snowshoeing: Winter recreationists have access to approximately 45 miles of non-motorized public recreation corridors and can use the proposed St. Lawrence County Multi-Use Trail system. Access is from the Tooley Pond Road which is town maintained throughout the winter. This plan opens additional access along designated hiking and mountain biking trails. All campsites will be available for winter use.

Hunting: In accordance with the recently renegotiated easement, hunters will have seasonal access to prime sections of land previously unavailable to them. Centrally

located parking areas within the property's interior will be serviced by several miles of road to facilitate motorized access, as designated by this plan.

Fishing: Anglers have access to 17.5 miles of the SBGR and approximately 116 miles of Ponds, and streams within the TPCE. All areas open to boaters and paddlers will provide angling opportunities. Access will be provided with parking areas along the Tooley Pond Road, off the Lake George Road, near Allen Pond, along the SBGR as it is accessed from Gate 10 and along the Spruce Mountain Road. Additional access to South Brook, Bend Brook, Skate Creek, Steep Bank Creek and Newton Falls Brook will come via roads and trails designated by this plan.

Camping: This plan will designate 9 campsites on the protected property: One is in the vicinity of Randall Hill amid the section of non-motorized recreational trails there, one at the base of the rock climbing opportunity accessed by Gate #1, one near Big Marsh, one on road 11-08-00, one at the end of road 10-05-01, one on Steep Bank Brook, one at Allen Pond, one at Spruce Pond, and one in the vicinity of South Brook in the property's north east corner. Additional seasonal motorized access will be designated to access portions of the property currently inaccessible and to accommodate campers. Where practical, campsites will meet ADA standards and design.

Snowmobiling: Approximately 23 miles of established trails afford snowmobilers extensive access to the property and connections to adjacent lands. Trails are groomed and maintained in accordance with a Volunteer Stewardship Agreement with the St. Lawrence County Snowmobile Association.

ATV use: St. Lawrence County has proposed a cross county 120-mile multi-use trail system that includes 1.0 mile of road 11-10-00 on the TPCE. The multi-use trail would include ATV use from approximately May 15th to September 15th and be managed consistent with State, Department, APA, and municipal rules and regulations. Considerable field work/evaluation and planning was involved in the route selection process for the Protected Property. In the Spring of 2017, the NYSDEC agreed on a final proposal as submitted by St. Lawrence County. This "preferred route" utilizes the River Rd. from Newton Falls and Tooley Pond Rd. (both town roads) to access 11-10-00 and connect to a designated route beyond the TPCE boundary. The 11-10-00 road will be signed for the allowed use(s) and require gates to restrict access to areas not open to public ATV use. Gates will be located in consultation with the landowner.

A Volunteer Stewardship Agreement exists for the SLCMUT. It will be amended to accommodate this section of the trail.

3. Management and Natural Resource Constraints

The Department may not be able to provide, in the immediate future, public use of all the rights acquired in the easement. In particular, public motor vehicle rights may not be exercised immediately, as roads must meet certain standards before use by public motor vehicles, including signage. Roads, once opened to the public, must be at least partly maintained by the Department, so the cost of that additional maintenance must be considered since our resources to maintain facilities are limited.

An additional constraint is that public use must not significantly impact the private landowner's use of the property for forest management. Some roads and areas may

have to be closed periodically when timber harvesting operations are underway. Alternative routes will be considered in such situations to minimize the inconvenience to the recreating public, but there will be times when parts of the property will not be as accessible as normal in order to protect the safety of the public and allow forest management activities to take place.

Central to recreation management planning for the GRMU, the proposed St. Lawrence County Multi-Use Recreational Trails System incorporates existing Town and County roadways, logging roads, and off-road trails on County, State, and private parcels of land. It forms a network of trails that include established and proposed segments on state forest lands outside the Adirondack Park and on conservation easement land inside the Park. Specifically, the following Conservation Easements will have segments of the trail: Grass River, Long Pond, and Tooley Pond. As proposed, the 120-mile project, part of a multi-county trail from Lewis to Franklin County, would provide public recreational use for ATVs, snowmobiling, biking, skiing, hiking and other permitted uses. The multi-use trail would include ATV use from approximately May 15th to September 15th and be managed consistent with State, Department, APA, and municipal rules and regulations.

VIII. PROPOSED RECREATION MANAGEMENT ACTIONS

A. General Recreation Management Actions

1. **Boundary Identification:** Easement language permits the Landowner and the DEC to post boundaries within and along the protected property. The DEC will post and sign aspects of public recreation (i.e., fishing access corridors, motorized access corridors, etc.) within the property and maintain informational kiosks on the Tooley Pond Road.

2. **Recreation Enforcement:** DEC's Office of Public Protection will work with the landowner and DEC Lands and Forests to provide recreation enforcement on the protected property.

3. **Recreation Monitoring:** DEC will monitor the protected property in a manner specified by a Monitoring Plan developed and based upon easement language and terms.

B. Recreational Support Facilities

1. **Trails:** This plan proposes the construction of three (3) trails to facilitate public recreation on the property. Each trail will be signed and posted accordingly. Trailheads with information kiosks may be established in the future for these trails, depending upon need and observed usage.

   Existing Trails: There is already a trail to Allen Pond

   Proposed Trails: The Randall Hill Loop which includes the rock climbing opportunity off Road 11-14-00, one to access the campsite at Spruce Pond and one to access Sugar Mountain.

2. **Boat Launches:** This plan proposes to install a car-top boat launch at Allen Pond. This facility will be accessed by a carry of less than one half mile.

3. **Parking Lots:** This plan proposes 11 parking areas to facilitate public recreation in addition to the one already in place at Allen Pond.

4. **Camp Sites:** Camping at large is permitted on the protected property provided it complies with all current NYS Guidelines.

   Existing: There are no designated public campsites within the tract

   Proposed: Nine campsites are proposed at the following general locations; one in the vicinity of the rock climbing opportunity accessed by Gate #1, one in the vicinity of Randall Hill, one near Steep Bank Brook, one near Big Marsh, one at Allen Pond, one at Spruce Pond, one on Road 10-05-01, one on Road 11-08-00, and one at the end of the road near South Brook.

5. **Bridges:** There is one bridge that provides access to the CE**.** It crosses the South Branch of the Grass River on the Spruce Mountain Road, within the Forest Preserve Corridor along the SBGR.

6. **Information Kiosks and Entrance Signs:** Two existing kiosks located on the Tooley Pond Road serve to inform the public about use and regulations on the protected property. This plan proposes a review of the material currently on those kiosks and recommends any additions and corrections be made where necessary.

7. **ADA Accessible Structures:** All new public recreation facilities proposed by this plan will, where practical and feasible, conform to ADA guidelines and requirements. In particular: all parking areas and the campsites associated with motorized access roads 10-06-00 and 11-00-00 will be constructed to ADA specifications.

8. **Signage:** This plan proposes a complete review of signs and posting on the protected property. The 2012 amendment to the easement document will necessitate new boundary signs and revised access corridor signs and postings to facilitate public recreation on the tract.

   See Conservation Easement Public Recreation Road & Trail Sign Guidance Manual at http://www.dec.ny.gov/regulations/2401.html

9. **Roads:** This plan proposes to open roads to both motorized and non-motorized access. A detailed description of specific roads and uses is provided in the above section VI. B Public Use of Existing Infrastructure. Please also refer to the Existing and Proposed Facilities Map in Appendix D for a visual reference of roads currently open and proposed to be opened by this plan.

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. These cost estimates do not include

capital expenditures for items such as equipment, nor do they include the value of program staff salaries or actual staff time required to complete that task.

Implementation of management actions proposed in the phases outlined below can be fluid. Projects will be completed as time, departmental priorities, observed public use and need, and resources allow.

Annual		
	Project	**Est. Cost or Staff Days**
1	Routine maintenance to roads, signs, boundaries, and public recreation facilities	$10,000
	Total Annual Cost	$10,000
Phase One		
	Project	**Est. Cost or Staff Days**
1	Revise and re-sign all property boundaries and recreational corridors	$3,000 + cost of signs
2	Construct three parking areas, one at Gate #1 to facilitate the rock climbing opportunity, one on 10-06-00, and one at the end of 11-00-00	$7,500
3	Placement of 11 (11) gates to facilitate public use of roads (11-14-00, 10-04-04, 11-08-00, 11-06-00, 10-06-00, 10-05-01, 10-05-00, 10-04-00, 11-02-00, and two on 11-00-00	$16,500
4	Establish a campsite and associated trails to facilitate the rock climbing opportunity beyond Gate #1	$3,500
	Total Phase One Cost	$30,500 +
Phase Two		
1	Establish four (4) ADA Campsites one at the end of 10-06-00, and one at the end of 11-00-00, one on 11-08-00, and one on 10-05-01	$16,000
2	Construct a trail to Sugar Mountain	$10,000
3	Construct eight (8) parking areas, one on 10-04-00, one at the end of 10-10-00, one at the end of 10-05-01, one at the end of 11-08-00, one on 11-06-05, one on of 11-02-00, one on 11-16-00, and one on 10-04-04	$25,000
4	Establish three primitive campsites, at Spruce Pond, on Steep Bank Brook and near Randall Hill	$6,000
5	Establish a campsite and boat launch at Allen Pond	$5,000
7	Establish Mountain Bike/Ski Trail system in NW corner of property – 5 miles, signed	$6,000
8	Establish Mountain Bike/Ski Trail system on “Ticket Trail” – 10 miles, signed	$11,000
	Total Phase Two Cost	$79,000
Phase Three		
1	Establish and sign connector trails to complete hiking opportunities in NW corner of property (~8 miles)	$9,000
2	Construct and sign trail completing loop over Randall Hill	$5,000

Total Phase Three Cost	$14,000
Total Cost	$123,500

X. COMPLIANCE: This Recreation Management Plan is compliant with the following policies, regulations and laws.

A. **October 2017 - Conservation Easement Recreation Management Plan Guidance**
B. **State Environmental Quality Review Act**
C. **Wild, Scenic and Recreational Rivers System Act on Private Land**
D. **Freshwater Wetlands Act**
E. **APA/DEC MOU Concerning State Owned Conservation Easements on Private Lands Within the Adirondack Park**

XI. APPENDICES

A. **SEQR**
B. **Public Comment to Draft RMP**
C. **Road and Trail Standards and Specifications**
D. **Existing and Proposed Facilities Map**

A. SEQR (Negative Declaration)

The State Environmental Quality Review Act (SEQR) requires the consideration of environmental factors early in the planning stages of any proposed action(s) that are undertaken, funded or approved by a local, regional or state agency. A Full Environmental Assessment Form (EAF) is used to identify and analyze relevant areas of environmental concern based upon the management actions in the draft unit management plan. For this plan, SEQRA review has been initiated with the preparation of both the EAF and Negative Declaration. Upon review of the information contained in the EAF, there will not be a significant impact on the environment. Any changes that are made to this draft plan, based upon public comments, will be considered in the EAF and determination of significance prior to completing the final plan.

Agency Use Only [IfApplicable]	
Project :	Tooley Pond Recreation Management Plan
Date :	January 10, 2017

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

1. Impact on the Land: During the construction of (3) foot trails, (11) parking lots, (9) primitive and accessible campsites and establishing water access, Best Management Practices (BMP's) and standard erosion control methods for construction of facilities and maintenance will be followed. Proper layout techniques will minimize opportunities for erosion. The terrain selected for trails will traverse generally moderate and rolling topography conducive to trail maintenance and construction. Water bars will be installed, as needed, to protect these trails from erosion. Any stream crossings will be made at right angles to the stream and construction will be limited to periods of low or normal flow. Parking lots and campsites will be established on flat, stable, well-drained sites using gravel to avoid runoff and erosion problems. Construction of facilities may involve the minimal removal of small trees and brush.

2. Impact on Surface Water: Impacts involve the rehabilitation of existing roads that pass through wetland areas. Best management practices (BMP's) and standard erosion control methods for trail maintenance and construction will be followed. Extra precautions will be taken should the need arise to replace culverts and/or bridges in sensitive areas.

The majority of the projects proposed in this Recreation Management Plan are minor. Construction is proposed, generally, in areas already cleared or previously disturbed. Where new construction is necessary, Best Management Practices will be followed, minimal numbers of trees and shrubs will be removed, and where possible, improvements will be kept away from streams, wetlands, and unstable slopes. On site gravel will be used, according to the terms of the easement, whenever possible when working on roads and parking areas. All facilities will be periodically inspected to ensure there is no degradation of natural resources.

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 and Implementation of the Tooley Pond Conservation Easement Recreation Management Plan	
Name of Lead Agency: New York State Department of Environmental Conservation	
Name of Responsible Officer in Lead Agency: Kramer Kwaczala	
Title of Responsible Officer: Forester 1	
Signature of Responsible Officer in Lead Agency: Kramer Kwaczala	Date: 01/28/2019
Signature of Preparer (if different from Responsible Officer) Digitally signed by Peter D'Luhosch DN: cn=Peter D'Luhosch, o=NYSDEC, ou=Lands and Forests, email=peter.dluhosch@dec.ny.gov, c=US Date: 2019.01.10 09:59:27 -05'00'	Date: 01/10/2019

For Further Information:

Contact Person: David Smith

Address: State Office Building, 317 Washington St., Watertown, NY 13601

Telephone Number: (315) 785 - 2263

E-mail: david.smith@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

PRINT FULL FORM

Page **2** of **2**

B. Response to Public Comment to Draft RMP

Tooley Pond Conservation Easement

The following is a summary of the public comments that were received during the creation of the Tooley Pond Conservation Easement Recreation Management Plan. A public draft meeting was held October 3, 2016 at the Colton-Pierrepont High School. 74 people signed an attendance sheet that night. Verbal comments were received at the public meeting as well as through letters, phone calls, emails and face to face meetings with contributors. **Comments** are in bold text, with DEC *responses* in italics.

General Comments

1. **Replace the dam in Massena, a sorry state of affairs.**

   RESPONSE: *This facility is not within the Tooley Pond Conservation Easement and therefore outside the scope of this Recreation Management Plan.*

2. **The DEC is obligated to provide a plan that preserves and enhances natural resource values of the protected property.**

   RESPONSE: *The Recreation Management Plan is guided by the Conservation Easement Document (deed). Provisions of that document specify that the property be managed as a "working forest." As such, sustainable forestry criteria are in place to preserve and enhance the resource values of the Protected Property. Recreation rights acquired with the easement are planned and managed according to established conservation methods and practices to preserve and enhance the natural resource values.*

3. **The RMP needs an enforcement plan**.

   RESPONSE: *Recreation Enforcement is identified as a General Recreational Management Action on page 37. Recreation Management Plans are produced by the Division of Lands and Forests and typically do not include detailed enforcement procedures unless there is a particular enforcement issue already occurring on the property. Since that is not the case, enforcement of our rules and regulations is a routine activity of DEC Forest Rangers and Environmental Conservation Officers, in consultation with Lands and Forests staff.*

4. **The RMP need's clarification detailing the Departments mandatory monitoring and enforcement obligations and acknowledge the fact that access and other specific uses may be revoked**

   RESPONSE: *Each Conservation Easement is monitored according to a plan derived from specifics within the Easement Document (deed). A comprehensive description of "obligations" can be found in the Public Use Administration and Management section of the RMP - page 28 for the Tooley Pond Conservation Easement (TPCE).*

5. **The plan needs to include the specific obligations and terms that the DEC is responsible for on the easements.**

   RESPONSE: *The Conservation Easement Document (Deeds) which establish the provisions of a Recreation Management Plan are easily obtainable public documents. A comprehensive description of "obligations" can be found in the Public Use Administration and Management section of this RMP –page 28 for the Tooley Pond Conservation Easement (TPCE).*

6. **A full economic analysis of the proposed impact to sportsman's clubs and the real property tax system within the area of the plans is not being presented.**

   RESPONSE: *A Real Property economic analysis is outside the intended scope of a Recreation Management Plan. In addition, the CE and the RMP do not affect real property taxation, since the private landowner and NY State each pay their proportional share of the taxes so that 100% of the taxes levied by the local taxing districts are paid.*

7. **Draft RMP's should balance environmental, social and economic impacts, positive and negative as required by SEQR**.

   RESPONSE: *It is the goal of this RMP is to provide this balance. This RMP is based upon specific requirements of the Conservation Easement Document (deed) attached to the property in question. A comprehensive description of "obligations" can be found in the Public Use Administration and Management section of this RMP –page 28 for the TPCE*

8. **St. Lawrence County (officials) should have been included in more outreach during the development of the plan and listed as a partner with the NYDEC in the final development of the plans.**

   RESPONSE: *The DEC in general and the Potsdam office staff, in particular met with and discussed particular aspects of these RMPs with St. Lawrence County officials and representatives on numerous occasions during the drafting of these plans. Conversations regarding the Multiuse Trail Proposal have been ongoing since the proposals beginning.*

9. **Current fragmented maps do not provide a comprehensive view that is easily interpretable for analysis. The County Legislature is requesting the NYSDEC to provide a comprehensive map that would cover multiple plans on one document for clarification to the public and the county.**

   RESPONSE: *An effort to keep maps consistent and, therefore, familiar to individuals reading them led to the current format. The maps were presented in the public meeting and available online with the RMP. Each map is specific to the CE it addresses. A comprehensive-view map of the proposed multiuse trail was generated by DEC and approved by the St. Lawrence County Legislature.*

10. **Various parts of the Plan(s) do not fully address the social, historical, and economic drivers of the management area, including the sportsman's camps and the recreational use of snowmobiles.**

RESPONSE: *Recreation Management Plans are intended to elaborate on and plan for the public recreational uses provided for in the Conservation Easement Document. They may briefly cover economic impacts of some recreational activities and some history where it is relevant to the plan, but are not intended to provide detailed economic or historical analysis of the area.*

11. **The maps utilized in the Tooley Pond RMP and the Grass River UMP are insufficient and a hindrance to… providing feedback on the draft plan.**

    RESPONSE: *DEC staff met with a wide spectrum of interested parties during and after the public comment period for these plans. Feedback acquired during those meetings led to improvements and updates to the maps.*

12. **Several requests were made for the transfer of data from the maps used in the plan to topographical maps to allow for a more meaningful review and such maps were never provided. Maps should be in a topo format and show existing and proposed infrastructure**.

    RESPONSE: *Map making is a complex process. The RMP maps are required to depict considerable amounts of information. Balancing content and avoiding the confusion potential of an overly "busy" map requires compromise. For maps of this scale (20,000+ acres) it is impossible to include all available information. Small format maps with numerous layers of data on top of a topo background are very difficult to interpret. Additional reference maps can be found on the NYSDEC website. TPCE http://www.dec.ny.gov/lands/8084.html The State Land Interactive Mapper is also helpful http://www.dec.ny.gov/outdoor/45478.html*

13. **The format of the Recreation Plans themselves is too wordy, too confusing and not a document the general public is going to read or be able to comprehend.**

    RESPONSE: *Refinement of RMPs is an ongoing effort. Feedback from the public comment period will be incorporated in future plans.*

14. **Forest management practices seem questionable. The Department should further assess this situation.**

    RESPONSE: *The landowner is currently enrolled in a recognized Third-Party Certification Program. This satisfies the conditions established for Sustainable Forestry as agreed upon in the Conservation Easement document*

15. **St. Lawrence County requests the opening of Tooley Pond west of the Allen Pond outlet and Lake George Road to provide a community connector to Degrasse and points beyond as a modified option 2.**

    RESPONSE: *Neither NYSDEC nor this RMP governs the use of Tooley Pond and/or Lake George Roads, they are both town roads.*

16. **Require clubs to remove "No Trespassing" signs posted on conservation easements**.

RESPONSE: *There are certain conditions under which lease clubs are allowed to post their hunting leases. This condition does not exist on the Tooley Pond CE and "No Trespassing" signs will be removed going forward, except for limited areas of an acre around each lease camp.*

17. **Camp lease owners have noticed an increase in trash in areas the public now has access to.**

    RESPONSE: *DEC encourages all parties involved to establish communication when issues/conflicts arise, such as problems with trash being left where the public recreates. Prompt attention to such matters is essential if action is to be taken. The public is encouraged to report illegal activities to DEC: The NYSDEC Forest Ranger Dispatch number is 518-408-5850 and the Ranger TIPP line is 1-800-TIPP-DEC. DEC takes responsibility for cleaning up sites where trash has been left by the public.*

18. **There was a comment addressing lease camps and the value they have for the local economy. The member of the public asked that no camps be removed from the easements.**

    RESPONSE: *The Tooley Pond CE has any provision that requires the removal of camps.*

Snowmobiling Comments:

19. **Alternate snowmobile trail routes when current dedicated and established snowmobile trails are closed for winter logging operations. There needs to be alternative trails developed along the same route.**

    RESPONSE: *NYSDEC works with landowners, local snowmobile clubs, and the St. Lawrence County Snowmobile Association to provide alternate trails when/where Forest Management activities impact the established trail system. Logistics, topography, and provisions of the Conservation Easement itself have an effect upon this process, but every effort is made to ensure continuity from one season to the next*

20. **I do not support reducing speed limits on snowmobile trails to equal that of motor vehicles on the same road/trail.**

    RESPONSE: *Comment noted*

21. **Motor vehicle access corridors should be designated as "seasonal", and those roads that are used for snowmobile traffic be CLOSED to vehicles during the winter months.**

    RESPONSE: *Conservation Easements are private lands. Landowner rights and rights-of-way cannot be regulated beyond what is negotiated in the Conservation Easement document*

22. **Trail signage on State Land snowmobile trails be better defined and allowed, possibly utilizing the NYS OPRHP Snowmobile Trail Signing Handbook as the guideline.**

RESPONSE: *Trail signage used on trails approved by the Office of Parks, Recreation and Historic Preservation follows the referenced handbook. Changes to guidelines in that handbook are beyond the scope of this RMP.*

23. **The plan should outline and map the proposed helipad evacuation locations nearest the snowmobile routes.**

    RESPONSE: *There is no helipad evacuation locations proposed for this property*

24. **At the state level, it is time to eliminate the reference to snowmobile trails having "essentially the character of a footpath."**

    RESPONSE: *That phrase is in the Adirondack Park State Land Master Plan and pertains to snowmobile trails on Forest Preserve lands, not conservation easement lands, so does not apply to these lands, and is beyond the scope of this RMP.*

25. **NYS should allow all trails to be a minimum of 10-12' wide. This will accommodate a Class I groomer.**

    RESPONSE: *The majority of snowmobile trails on Conservation Easements utilize active haul roads more than capable of accommodating the groomers allowed for by the Volunteer Stewardship Agreement governing snowmobile trail work in St. Lawrence County, and most main trails off of roads and on conservations easements are 10' to 14', wide, following the recommendations of OPRHP trail construction guidelines.*

26. **Maintain the current level of snowmobile trails. No current trails should be closed and there should be language that insures interconnection of the trails in this area to other neighboring areas.**

    RESPONSE: *The snowmobile trail system, as depicted on the 2016 draft RMP maps, were incomplete. Corrections have been made in the final maps – no snowmobile trails were closed or eliminated by this plan.*

27. **Acknowledge existing trails including local trails that may not be on the map.**

    RESPONSE: *See response to #26 above*

28. **NYSDEC should always seek St Lawrence County Snowmobile Association input in the Planning Stages of Management Plans.**

    RESPONSE: *A public meeting was held on October 3, 2016 for the draft of this RMP. This meeting, the extended comment period, and day-to-day implementation of the Volunteer Stewardship Agreement with the St. Lawrence County Snowmobile Association allowed for extensive communication between the planner and the St. Lawrence County Snowmobile Association in the formation of the RMP.*

Wildlife Comments:

29. **Manage portions of the forest as early successional forest to promote ruffed grouse, golden winged warbler, and other bird populations that require that type of habitat.**
RESPONSE**:** *The Conservation Easement Document requires the landowner to practice sustainable forestry on the property, but the landowner, not DEC, makes the decisions about how to manage the property with regards to timber and wildlife.*

30. **Due to restrictions on setting body-gripping traps within 100' of trails, these new trails create 200' wide swaths of restricted trapping zones. Each 210 linear feet of trail affect an acre and each mile of trail restricts around 24 acres. D.E.C. wildlife staff are losing the ability to manage wildlife due to access problems for hunters and trappers. A D.E.C. biologist who traps should be involved in the routing of any new trails to avoid this.**

    RESPONSE: *While Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR), Section 6.3 (a) (13) does restrict the placement of body-grip traps within 100 feet of trails, we feel that any impact of new trails constructed as a result of this plan will be minimal. Furthermore, any loss of opportunity may be offset but the ease of access trappers will enjoy as a result of these new trails. Finally, 6NYCRR 6.3(a) (13) is very specific to body-grip traps placed on land and does not regulate the use of foothold traps or any type of traps placed within water bodies, even within 100 feet of a trail*.

31. **Biological and ecological data from the easement baselines should be included in the RMP appendixes or made available online**.

    RESPONSE**:** *This information can be viewed via the Environmental Resource mapper on the NYSDEC Public Website http://www.dec.ny.gov/gis/erm/*

32. **Easements contain deer yards, moose, raptor trees. Timber harvesting enhances the snowshoe hare population.**

    RESPONSE: *We acknowledge that these assertions could be true.*

Recreation - General Comments:

33. **Every parcel of state/DEC land should be open for all types of recreation, hiking, horseback riding, ATV/UTV use, skiing and snowmobiling.**

    RESPONSE: *A Conservation Easement is not "state/DEC land", it is private property on which the state has acquired certain rights. The RMP is bound by the terms of Conservation Easement Document (deed), which may limit the kinds and location of public recreation allowed.*

34. **The Adirondack Council does not support the emphasis on motorized recreation (amount of road miles open to ATV's) without subsequent acknowledgement or analysis of the land's capacity to withstand such intensive use.**

RESPONSE: *The only public ATV use allowed for in this RMP is the proposed St. Lawrence County Multiuse trail, which includes a small percentage of mileage on existing roads on the property.*

35. **The state should enact comprehensive reforms for ATV riding before expanding ATV use.**

    RESPONSE: *Public use of the very specific routes mentioned in the plan will not represent a significant expansion of use. Enacting comprehensive reforms on ATV use is beyond the scope of this RMP.*

36. **The Grass River and Tooley Pond RMP's represent a significant shift in ATV use and signals an expansion of motorized use using a piecemeal approach that lacks regional cohesiveness.**

    RESPONSE: *The ATV use proposed for the Tooley Pond CE is not a piecemeal approach as it is based on a regional approach for creating a cross county multi-use trail in cooperation with St. Lawrence County. The route proposed minimizes the mileage open to ATV use by identifying as direct a route as possible across the TPCE.*

37. **Expanded opportunities for ATV use will result in the illegal trespass onto sensitive Forest Preserve lands.**

    RESPONSE: *Gates, signage, informational kiosks, and the Division of Forest Protection mandates represent management tools and techniques to control illegal use on the CE. No method or suite of methods is foolproof, but reasonable effort has been made to limit illegal activity on the CE itself and on adjacent lands, be they State owned or private. Also, the current route proposed for ATV use on the TPCE is not adjacent to Forest Preserve lands, which further reduces the likelihood of illegal use.*

38. **Motorized access is critical to participation by the aging, physically challenged, elderly and the disabled including veterans.**

    RESPONSE: *Many miles of motorized access was considered and is provided for in this RMP.*

39. **Equitable access for all recreational stakeholder groups is critical.**

    RESPONSE: *Every RMP is written to provide a balance of uses.*

40. **The need for trail maintenance in the unit is greater than the NYSDEC has the manpower and financial resources can provide.**

    RESPONSE: *DEC Division of Operations staff will work with Lands and Forests personnel, St. Lawrence County staff and volunteers such as the St. Lawrence County Snowmobile Association members, as guided by the VSA program, to keep trails in good shape for public use.*

41. **If various trail uses cause negative impacts along the connector roads or DEC Staff inspects roads and finds abuse, or negative impacts occur, remediation of**

issues should be completed utilizing standard available technologies, or by relocating sections of the trail or road. Trails should simply not be closed, as the Plan(s) suggests would be the course of action.

RESPONSE: *Normally trail problems caused by public use will be fixed or resolved by the cooperation of DEC with the landowner, but the Easement Documents (deed) do provide for closures should these problems not be fixed, and the RMP cannot take away that option for the landowner.*

42. **The DEC should consider moving the ADA compliant campsite proposed on the 10-06-00 Road to the end of the 10-05-01 Road. This would make it unnecessary to open the Railroad Grade Road west of the 10-05-00 intersection and the 10-06-00 Road to motor vehicle traffic. Another option would be to move the campsite north of the Tooley Pond Road to prevent motor vehicle access across Wild Forest land.**

    RESPONSE: *A consistent goal of this and other RMPs is to provide access a broad spectrum of user types. The campsite and parking facilities on the 10-06-00 Road allow access to the southwest corner of the property. The facilities are located to best utilize the terrain to site a parking area and effective control point necessary to manage access to the easements interior.*

43. **Add historic information to kiosks.**

    RESPONSE: *Where possible, historic maps, text, and photographs will be incorporated into informational kiosks on the TPCE.*

44. **Confirm that the shorelines from a stream or river is publicly accessible. (Some are claimed by power company).**

    RESPONSE: *National Grid owns significant portions of the shore of the South Branch of the Grass River in the Tooley Pond Forest Preserve parcel, though they have not restricted public use of that ownership. The Tooley Pond CE does not contain any streams or rivers that are subject to any ownership rights claimed by any entity other than the current owner of the TPCE lands.*

45. **Can the DEC install horse friendly gates on the Tooley Pond Easement?**

    RESPONSE: *There is an ongoing dialog between DEC and a local consortium of horse trail advocates. It is possible that certain routes where horse riding is allowed will require special gates.*

Multiuse Trail Proposal Comments

46. **The multiple use connector trail crossing Forest Preserve at New Bridge Road should be reconsidered.**

    RESPONSE: *The New Bridge Road is no longer being considered as the preferred route for the St. Lawrence County Multi-use Trail. Since the time of the original proposal, St. Lawrence County has decided that their "preferred route" will utilize the River Rd. from*

Newton Falls and Tooley Pond Rd. (both town roads) to access road 11-10-00 on the TPCE. This RMP recognizes and depicts this route.

47. **Both RMP's state a goal of facilitating the creation of the St. Lawrence County Multi-Use Trail. Creating a public ATV route using public roads with possible access to Forest Preserve lands may be illegal.**

    RESPONSE: *The RMPs do not address nor do they govern the use of public (town or county) roads and/or highways for ATV use.*

48. **The St. Lawrence County Board of Legislature requests to be identified as an "Affected Party" for the SEQR process by the NYDEC in the development of the final plans due to the extensive number of discrepancies between the Multi-use Trail System GEIS and the Plans as presented.**

RESPONSE: *The route proposed on the Conservation Easement is consistent with the route proposed in the St. Lawrence County Environmental Impact Statement, and represents the "preferred route" as submitted by St. Lawrence County.*

49. **St. Lawrence County has committed to the assistance in physically maintaining a Multi-Use Trail System, including acquisition of permission from landowners, purchases of materials such as culverts, gravel, and galvanized gates, aligning volunteers for labor, assembling trail maintenance plans. St. Lawrence County requests acknowledgement of these capital investments by working with our staff to implement improvements in a time sensitive manner.**

    RESPONSE: *When the plans are approved and the conditions met to move ahead with establishing the Multi-Use Trail route, the DEC is committed to working with the County to establish the trail on lands under our control. NYSDEC has consistently worked with St. Lawrence County in regard to the proposed multiuse trail.*

50. **Protect the Adirondacks supports multiuse trails on conservation easements, but has concerns over the lack of an ATV plan on Forest Preserve.**

    RESPONSE: *ATV use on Forest Preserve land is beyond the scope of this RMP.*

Roads Comments

51. **Extend Allen Pond Road # 11-1100 to terminus to provide better sporting access to Allen Pond and Pine Marsh.**

    RESPONSE: *DEC worked with the landowner to minimize conflicts between recreationists and lease camp owners. There are lease camp envelopes at the terminus of the Allen Pond Road. The proposed location of the gate constitutes a good compromise for all user groups while providing reasonable access for everyone.*

52. **Extend road # 11-06-00 to what appears to be a large body of water in the center of the property with no motorized access. (Tooley Pond CE**)

RESPONSE: *On the RMP map the body of water referenced is located on the adjacent Grass River CE, so only the road/trail is open for public use, not the body of water.*

53. **Reconsider opening Road 10-10-00 to motorized vehicles.**
RESPONSE: *This road serves as the boundary between the CE and adjacent Forest Preserve Lands. It is a good access point to the easement. The road is a snowmobile trail connecting the 10-10-00 Road to Road 10-04-04 – providing snowmobiles, cyclists, hikers, and skiers loop opportunities.*

54. There is no reason to open the 10-04-04 Road.

RESPONSE: *This road provides access to Steep Bank Brook and a planned campsite on the easement.*

55. Allow motor vehicle access on Road 11-02-00 only to access proposed campsite near north side of road.

RESPONSE: *Access on 11-00-02 is routed as depicted in order to provide a safe parking area and gate location for this section of the property.*

56. Keep Road 11-06-00 closed to motor vehicle use.

RESPONSE: *Road 11-06-00 provides recreational access to the northern portions of the Tooley Pond CE. It terminates at a location suitable for a parking area and gate – enabling additional non-motorized access to the north and east.*

57. The motor vehicle access to the property for sporting purposes, fishing and trapping as allowed in the easement agreement appears well thought out and reflects knowledgeable, thoughtful planning.

RESPONSE: *We appreciate your comment.*

C. Road and Trail Standards and Specifications

ROAD/TRAIL SPECIFICATION FACTOR	MOTOR VEHICLE ROAD VOLUME CLASS[1]			ATV TRAIL VOLUME CLASS[1]			SNOWMOBILE TRAIL VOLUME CLASS[1]		
	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
# of TRAFFIC LANES	1	1	1+	1	1	2	1	1	2
MINIMUM CURVE RADIUS w/o signage(feet)	50	50	50	n/a	35	50	n/a	40	50
MAXIMUM GRADE % (sustained/ short stretch)	10/15	10/15	10/15	n/a	10/15	10/15	n/a	20/20+	20/20+
MINIMUM SHOULDER WIDTH, EACH SIDE (feet)	n/a	3to4	4 to 5	n/a	1to 2	2 to 3	n/a	n/a	n/a
TRAVELED SURFACE WIDTH(feet)	8	10	12/14	4	6	10	6	10	12
MINIMUM TURNOUT SPACING	n/a	½ mi	1/4 mi	n/a	n/a	1/2mi	n/a	n/a	1/2mi
SURFACE SPECIFICATIONS	BMP's [2]	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
DITCHING	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
CULVERT INSTALLATION SPECIFICATIONS [3]	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's	BMP's
MIN. SIGHTING DISTANCE w/o SIGNAGE(feet)	100	150	250	n/a	100	150	n/a	50	150
VEGETATION CONTROL	cut/remove surface only	cut/remove shoulder/ surface	cut/remove shoulder/ surface	cut/remove surface only	cut/remove shoulder/ surface	cut/remove shoulder/ surface	cut/remove surface only	cut/remove surface only	Cut//remove surface only
PITCH(maximum)	<10%	4" crown	4" crown	N/A	20%	15%	n/a	20%	15%
STREAM AND WETLAND X-ING SPECS	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S
SENSITIVE AREA SET BACKS	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S	BMP'S
SIGNAGE STANDARDS[4]	Minimal	Basic	Moderate	Minimal	Basic	Moderate	Minimal	Basic	Moderate
GATE LOCATIONS	as agreed	as agreed	as agreed	as agreed	as agreed	as agreed	as agreed	as agreed	as agreed
SEASONAL USE SPECIFICATIONS[5]	surface	surface	surface	surface	surface	surface	Winter/ snow	Winter/ snow	Winter /snow

MAINTENANCE STANDARDS & SURFACE CONDITIONS	Minimal/ cleared	as needed/ graded	Regular/ graded	Minimal/ cleared	as needed/ cleared	Regular/ graded	minimal/ cleared	as needed/ cleared	Regular/ cleared groomed
ENVIRONMENTAL STANDARDS[6]	APA/DEC	APA/DEC	APA/DEC	APA/DEC	APA/DEC	APA/DEC	APA/DEC	APA/DEC	APA/DEC
INSURANCE STANDARDS[7]	NYS REG	NYS REG	NYS REG	NYS REG	NYS REG	NYS REG	NYS REG	NYS REG	NSY REG
ENFORCEMENT[8]	DEC	DEC	DEC	DEC	DEC	DEC	DEC	DEC	DEC

1 VEHICLE VOLUME SPECS:
LOW: <50 ROUND TRIPS/MONTH
MEDIUM: <300 ROUND TRIPS/MONTH

HIGH: >300 ROUND TRIPS/MONTH

HIGH VOLUME ATV & SNOWMOBILE TRAILS ARE USUALLY DESIGNATED ON EXISTING ROADS.

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

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

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

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

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

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

7 NYS REGULATIONS ON INSURANCE REQUIREMENTS FOR VEHICLES

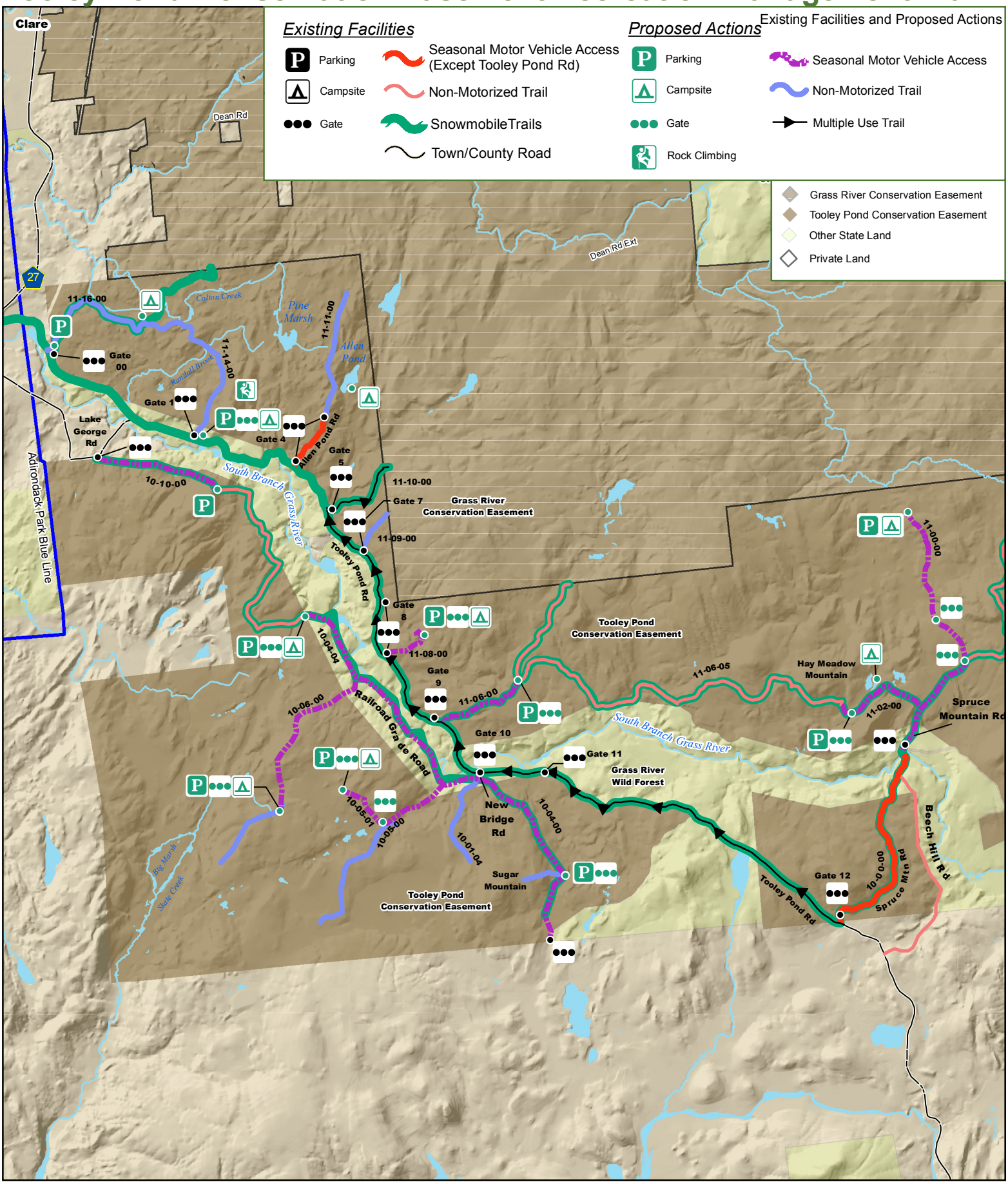
8 LANDOWNER IS RESPONSIBLE FOR INFORMING LESSEE'S OF RULES AND REGUGULATIONS FOR USE OF TRAILS AND RELATED RETAINED RECREATION RIGHTS; DEC HAS LEGAL AUTHORITY FOR ENFORCEMENT OF DEC REG'S WITH MEMBERS OF THE PUBLIC, INCLUDING LANDOWNER LESSEES WHEN THEY ARE RECREATING AS MEMBERS OF THE PUBLIC.

9. UPON MUTUAL AGREEMENT OF THE PARTIES, THE ABOVE TRAIL AND ROAD SPECIFICATIONS MAY BE ALTERED FOR SPECIFIC ROADS AND TRAILS IN SITUATIONS, WHERE IMPLEMENTING THOSE SPECIFICATIONS WOULD CAUSE ENVIRONMENTAL (OR OTHER) DAMAGE AND WHERE ADEQUATE SAFETY PRECAUTIONS ARE MAINTAINED, SIGN STANDARDS MAY BE ADJUSTED FOR ROADS AND TRAILS WITH ALTERED SPECIFICATIONS.

10. MINMUM STANDARDS CAN BE EXCEEDED BY MUTUAL AGREEMENT, INCLUDING AGREED UPON MITIGATION STANDARDS.

11. MAXIMUM SPEED UNLESS OTHERWISE POSTED – 25 MILES/HOUR.

Tooley Pond Conservation Easement Recreation Management Plan



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0 ½ 1 2 Miles

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Potsdam Office: (315) 265-3090