Appendix 1

ORDA-DEC Consolidation Agreement

AGREEMENT CONSOLIDATING THE MANAGEMENT AGREEMENTS FOR THE GORE MOUNTAIN SKI CENTER, THE WHITEFACE MOUNTAIN SKI CENTER AND MEMORIAL HIGHWAY, AND THE MOUNT VAN HOEVENBERG RECREATION AREA

THIS CONSOLIDATION AGREEMENT is made by and between the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("DEPARTMENT") and the OLYMPIC REGIONAL DEVELOPMENT AUTHORITY ("ORDA").

RECITALS:

A. The DEPARTMENT and ORDA, pursuant to the provisions of Section 2614 of the Public Authorities Law, entered into an agreement dated April 1, 1984, authorizing ORDA to use, operate, maintain and manage the Gore Mountain Ski Center Area, and entered into an agreement dated October 4, 1982, authorizing ORDA to use, operate, maintain and manage the Whiteface Mountain Ski Center and Memorial Highway, and the Mount Van Hoevenberg Recreation Area (hereinafter referred to collectively as "the Agreements");

B. The parties previously amended the Agreements several times, with the last amendment occurring on June 12, 2013;

C. The parties also entered into a Memorandum of Understanding effective December 15, 1984, that established methods and procedures to implement the foregoing Agreements (hereinafter "MOU"), and amended the MOU on March 11, 1991; and

D. The parties find it in their mutual interests to consolidate the Agreements and make other amendments necessary for their implementation.

NOW, THEREFORE, the parties hereby agree as follows:

1. Except as otherwise specified in this Consolidation Agreement, all terms and conditions of the Agreements as amended are hereby ratified and affirmed, and shall remain in full force and effect. Copies of the Agreements are attached hereto as Attachment 1, and a copy of the MOU is attached hereto as Attachment 2. In the event of any conflict between the Agreements and this Consolidated Agreement, this Consolidated Agreement shall control.

2. Section 10 of the April 1, 1984 agreement relating to management of the Gore Mountain Ski Center Area, and Section 11 of the October 4, 1982 agreement relating to management of the Whiteface Mountain Ski Center and Memorial Highway, and the Mount Van Hoevenberg Recreation Area, which pertain to unit management planning are amended to read as follows:

"Unit Management Plans.

A. General Guidelines

(1) In consultation with the DEPARTMENT, ORDA shall prepare and periodically amend Unit Management Plans ("UMP") for the facilities at the Gore Mountain Ski Center Area, Whiteface Mountain Ski Center and Memorial Highway, and the Mount Van Hoevenberg Recreation Area ("Facilities"), which ORDA manages pursuant to this agreement, as outlined in Section I, Introduction, Unit Management Plan Development of the Adirondack Park State Land Master Plan ("APSLMP"). The UMPs will contain an inventory of the natural resources, Facilities and public use of the Facilities; establish goals and objectives for the future use and management of the Facilities; evaluate alternative plans for the provision

and management of public use of the Facilities and an assessment of the environmental impacts of each alternative; establish preferred management options for the Facilities in fulfillment with ORDA's legislative mandate through a procedure involving the participation of interested citizens, user groups and adjacent local governments; describe the specific management goals and policies which are incorporated in the preferred management plan; describe any specific physical development or improvement projects required by the UMP, including a priority schedule for the completion of each project and estimated costs thereof; provide a priority schedule for the removal and/or termination of any non-conforming uses; and describe procedures for the continued monitoring of the UMP's implementation. A UMP cannot amend the APSLMP and as finally adopted shall be in conformance with the general guidelines and criteria of the APSLMP. Any issues with respect to conformance of a proposed UMP with the APSLMP will be resolved and any necessary amendments to the APSLMP acted on prior to ORDA providing the DEPARTMENT with a proposed Final UMP to pass on to Adirondack Park Agency ("Agency") for final review.

(2) Annually, ORDA shall provide the DEPARTMENT with a schedule for the preparation and/or revision of any UMP or UMP amendment proposed to be undertaken by ORDA with respect to any of the Facilities and shall promptly advise the DEPARTMENT of any changes thereto.

(3) To identify significant issues and constraints, scheduling, data needs, and public involvement, ORDA will consult with the DEPARTMENT prior to undertaking the preparation of a UMP or UMP amendment.

B. Staff Consultation

ORDA will consult with the DEPARTMENT in the preparation and/or revision of a UMP as follows:

(1) ORDA will provide written notification to the DEPARTMENT before the development of a written draft of a UMP update and/or amendment is prepared and will not undertake the preparation and/or revision of any UMP without written notice to the DEPARTMENT of the intent to do so.

(2) The Regional Director of the DEPARTMENT's Region 5 office in Ray Brook or the Director's designee shall be the DEPARTMENT's contact for formal communications between ORDA and the DEPARTMENT.

(3) ORDA's President/CEO or the President/CEO's designee will be the contact for formal communications between ORDA and the DEPARTMENT.

(4) ORDA shall request the official designation of a representative of the DEPARTMENT to assist ORDA with preparation and/or revision of UMPs. The DEPARTMENT will ask the Agency to designate a representative to assist ORDA with preparation and/or revision of UMPs.

(5) To assist the planning team in the development of individual UMPs, ORDA shall send drafts to the DEPARTMENT and consult with the DEPARTMENT on conformance issues.

(6) The DEPARTMENT will participate in planning team discussions, review preliminary UMP drafts, and comment on UMP text and proposed management actions.

(7) ORDA staff will consult with the DEPARTMENT during the drafting of UMPs and UMP Amendments. DEPARTMENT staff will review preliminary draft UMPs and provide comment on SLMP conformance issues. This internal, informal, deliberative process is ordinarily exempt from the Freedom of Information Law (FOIL).

(8) DEPARTMENT staff will participate in public information sessions and conduct field inspections with the planning teams.

(9) In the preparation of UMPs, ORDA will normally serve as lead agency for State Environmental Quality Review (SEQR), and the DEPARTMENT and the Agency will participate in the SEQR process as involved agencies.

C. UMP Review

INITIAL DRAFT UMP:

(1) ORDA will provide DEPARTMENT with fourteen review copies of an internal "Initial Draft" of the UMP or UMP amendment for the Facilities, including alternative management objectives, where appropriate, for review and comment, prior to the completion of a draft plan for public review (the "Public Draft"). The DEPARTMENT will provide seven of the drafts to the Agency for review. The DEPARTMENT will work with ORDA to best ensure that the fourteen review copies are distributed on a media such as CD's and Data Sticks, so that ORDA complies with the

intent and the spirit of Executive Order No. 4: Establishing a State Green Procurement and Agency Sustainability Program (2008).

(2) The Initial Draft UMP will contain all the elements specified in the APSLMP, including all required inventories, statement of alternative management objectives, administrative actions, schedules for UMP implementation and all information, text, maps and appendices which are intended for inclusion in the Public Draft.

(3) The DEPARTMENT shall be the primary contact with the Agency, with assistance from ORDA as requested by the DEPARTMENT, with respect to any UMPs for the Facilities, utilizing applicable provisions set forth in the UMP section of the March, 2010 Memorandum of Understanding between the Agency and the DEPARTMENT concerning implementation of the APSLMP or any such subsequent MOU.

PUBLIC DRAFT UMP:

(1) The Public Draft which ORDA provides to the DEPARTMENT for release by the DEPARTMENT for public review and comment will contain appropriate SEQRA documents.

(2) ORDA will provide copies of the Public Draft to the DEPARTMENT for release to Agency members, the Agency's Executive Director and the Agency's State Land staff. Upon release of the Public Draft, DEPARTMENT staff, with assistance from ORDA staff as requested, will

provide a presentation to the Agency on the proposed management actions contained in the Public Draft and provide a written submission to the Agency discussing the DEPARTMENT's position on key APSLMP conformance issues.

(3) If the initially released Public Draft is revised, subsequent drafts will be entitled "Revised Public Draft" and dated appropriately.

FINAL UMP:

(1) After completion of public review and comment on a UMP, ORDA shall prepare a response to public comments, necessary SEQR documentation and a proposed Final UMP, and provide them to the DEPARTMENT. After the Commissioner of the DEPARTMENT ("Commissioner") approves the proposed Final UMP, the DEPARTMENT will transmit the proposed Final UMP to the Agency.

(2) The proposed Final UMP will be in a form proposed for approval by the Commissioner.

(3) DEPARTMENT staff, with such assistance from ORDA staff as may be requested, will make a presentation on the proposed Final UMP to the Agency as a "first reading" and prior to formal approval by the Agency for APSLMP conformance.

(4) Following the conformance determination by the Agency and subsequent approval of a UMP by the Commissioner, the DEPARTMENT shall

publish a notice of approval of the Final UMP in the Environmental Notice Bulletin.

(5) The approved UMP shall contain a copy of the Agency resolution on APSLMP conformance and the Commissioner's approval memorandum. A copy of the Final UMP as approved by the Commissioner will be provided by the DEPARTMENT to ORDA and the Agency for their respective files.

D. UMP Amendments

Any modification involving new or expanded improvements to an adopted UMP prior to the periodic five-year update must be processed as an Amendment to the UMP following the procedure for original UMP preparation set forth above."

3. This Consolidation Agreement shall commence on the date it is signed by both parties and shall remain in effect for a term of twenty years.

4. The MOU as amended on March 11, 1991, shall remain in full force and effect and shall not be affected by this Consolidation Agreement, except that in the case of any inconsistency between this Consolidation Agreement and the MOU concerning unit management planning this Consolidation Agreement shall control.

IN WITNESS WHEREOF, the parties hereto have caused these present to be signed.

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

BY: _____ 10/30/13
Joseph J. Martens
Commissioner

Date

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

BY: _____ 11-17-13
Ted Blazer
President and CEO

Date

EDMS #471942 v. 7

FIRST AMENDMENT TO CONSOLIDATION AGREEMENT
(DEC No.CA00488)

THIS AGREEMENT is made by and between the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("DEPARTMENT") and the OLYMPIC REGIONAL DEVELOPMENT AUTHORITY ("ORDA").

A. WHEREAS, the DEPARTMENT has administrative jurisdiction over the Gore Mountain Ski Center Area, the Whiteface Mountain Ski Center and Memorial Highway, and the Mount Van Hoevenberg Recreation Area;

B. WHEREAS, pursuant to the provisions of Public Authorities Law Section 2614, the DEPARTMENT entered into various cooperative agreements authorizing ORDA to use, operate, maintain and manage these facilities;

C. WHEREAS, by instrument dated November 11, 2013, the parties consolidated their various agreements concerning ORDA's use, operation, maintenance, and management of Gore Mountain Ski Center Area, Whiteface Mountain Ski Center and Memorial Highway, and the Mount Van Hoevenberg Recreation Area (hereinafter referred to as "Consolidation Agreement");

D. WHEREAS, the Parties may by mutual agreement amend the Consolidation Agreement pursuant to the underlying agreements;

E. WHEREAS, the Consolidation Agreement has a term of 20 years, and will expire November 11, 2033; and

F. WHEREAS, the parties have determined it is in their interest to amend the Consolidation Agreement by extending its term to 25 years.

NOW, THEREFORE, the parties hereby agree as follows:

1. Section three of the Consolidation Agreement is amended to provide that it shall terminate on December 31, 2040, unless modified in writing by the parties.

2. All other terms all terms and conditions of the Consolidation Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these present to be signed.

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

BY: _____ 6/18/2015
Joseph J Martens
Commissioner
Date

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

BY: _____ 6-23-15
Ted Blazer
President and CEO
Date

EDMS #534278

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AND

THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("DEC") and THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY ("ORDA") entered into the following agreements in connection with the transfer of the management of certain winter recreational facilities under DEC's care and custody, to ORDA:

1. Agreement dated October 4, 1982, amended November 10, 1982 and amended April 1, 1984, in relation to Whiteface Mountain Ski Center and Memorial Highway, and Mt. Van Hoevenberg Recreation Area, and
2. Agreement dated April 1, 1984, in relation to Gore Mountain Ski Center.

There are a number of provisions in the aforesaid agreements requiring that certain specific actions be taken from time-to-time by the parties, including compliance by ORDA with all applicable laws and implementing regulations, whether federal, state or local, in all its activities relating to the facilities subject to the aforesaid agreements. The purpose of this memorandum is to establish mutually agreeable methods and procedures by which certain managerial requirements contained in the aforesaid agreements

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can be fulfilled in an orderly and efficient manner. It is the further purpose of this memorandum to establish the means for the implementation of the Unit Management Plans described in Section VII. hereof.

It shall be the responsibility of the signatories or their designees to generally administer the provisions of this Memorandum of Understanding. This memorandum amends and supersedes that certain existing Memorandum of Understanding between DEC and ORDA effective December 15, 1984, which established mutually agreeable methods and procedures for implementation of the aforesaid agreements between DEC and ORDA relating to Whiteface Mountain Ski Center and Memorial Highway, Mt. Van Hoevenberg Recreation Area and Gore Mountain Ski Center.

The aforesaid requirements contained in the aforesaid agreements are set forth below, together with the methods and procedures to be followed for their implementation. Compliance with this memorandum and the individual Unit Management Plans for the above facilities shall occur immediately.

I. <u>Inspections:</u>

ORDA agrees to conduct a joint inspection of all facilities at least annually with the DEC. The ORDA also agrees that the DEC may conduct unannounced inspections of the facilities at any time in a reasonable manner.

Implementation:

Annually, during the month of July, joint inspections will be held at each of the facilities covered by the aforesaid agreements. The purpose of inspections shall be to document, in writing, compliance with all aspects of the agreements and with the aforesaid unit management plans. While the agreements allow for unannounced inspections, the parties shall enter into this agreement in the spirit of cooperation. DEC shall contact the ORDA Environmental Monitor and the Facility Manager to accompany the DEC staff only in connection with any non-regulatory or non-enforcement inspections of the facilities other than the annual inspection. Such non-regulatory or non-enforcement inspections, however, shall not be delayed due to the unavailability of said ORDA individuals. In the event of an emergency situation involving a non-regulatory or non-enforcement matter, said ORDA personnel shall also be contacted to the extent practicable. In ORDA's case, the annual inspection and non-regulatory or non-enforcement inspections will be conducted by the Facility Manager and ORDA's Environmental Monitor. In DEC's case, all annual joint inspections will be coordinated by the Region 5 Supervisor of Natural Resources; all non-regulatory or non-enforcement inspections shall

be coordinated by the appropriate DEC program supervisor.

II. Maintenance:

ORDA agrees to maintain and keep the facilities, personal property and equipment in good repair. All mechanical equipment shall be maintained and operated in accordance with manufacturers' recommendations and applicable industrial code rules.

Implementation:

This will be discussed during the annual inspection trips. A paragraph in the inspection letter will reference compliance with this section. In the case of personal property and equipment, this provision means such personal property and equipment owned by DEC, and not such personal property and equipment independently acquired by ORDA.

III. Repairs:

ORDA also agrees to undertake any repairs or manner of repairs to the facilities, personal property and equipment which the DEC specifically requests, so long as the funds therefor are made available to ORDA.

Implementation:

Any requests from DEC to ORDA shall be in writing at the time of request. During the annual inspection trip, if there are projects that were requested during the previous year, their completion should be referenced in the inspection letter.

IV. Public Recreation:

ORDA agrees to continue providing the space, facilities and level of public recreation, including youth sports, training, promotion and programming, which were provided by DEC at each facility during calendar year 1981.

Implementation:

The Appendix/Exhibit listing the Recreation Program (See Appendix B of the aforesaid Whiteface Mountain Ski Center/Mt. Van Hoevenberg Recreation Area agreement, and Exhibit 3 of the aforesaid Gore Mountain Ski Center agreement.) will be reviewed during the annual inspection trip and a note of compliance will be placed in the inspection letter.

V. Existing Agreements:

ORDA agrees to comply with all agreements to which DEC is a party concerning the facilities which were in existence on the date on which this Agreement was executed.

Implementation:

Each agreement listed in the Appendix/Exhibit (See Appendix C of the aforesaid Whiteface Mountain Ski Center/Mt. Van Hoevenberg Recreation Area agreement, and Exhibit 4 of the aforesaid Gore Mountain Ski Center agreement.) will be reviewed during the annual inspection trip and will be referenced in the inspection letter.

VI. Capital Improvements:

The DEC agrees that ORDA may undertake capital improvements to the facilities. ORDA agrees to obtain the prior written approval of DEC before undertaking any such improvements, and further agrees, if federal funds are to be sought for such improvement, to obtain the prior written approval of DEC of any application for such funds.

Implementation:

The Commissioner or his designee shall give written approval to each year's capital projects affecting

DEC's facilities before Board approval is obtained. Such action constitutes approval, within budget, to commence the project development process, including planning and design, Unit Management Plan planning, State Environmental Quality Review Act (SEQR) review, obtaining applicable regulatory approvals, and public bidding, etc., as necessary. ORDA shall also request prior written approval from the Commissioner or his designee for any federal funds sought to undertake such capital improvements. During the annual inspection trip, each capital improvement completed shall be listed in the inspection letter.

VII. Unit Management Plans:

Unit Management Plans, together with Final Environmental Impact Statements, were prepared by ORDA and DEC, in consultation with the APA, and adopted by the Commissioner of Environmental Conservation for the Mount Van Hoevenberg Recreation Area on December 2, 1986; the Whiteface Mountain Ski Center on May 19, 1987; and the Gore Mountain Ski Center on November 18, 1987.

Implementation:

A. ORDA will provide DEC with specific notice prior to undertaking any management actions described in a

Unit Management Plan or in an amendment thereto for determination of consistency with the applicable Unit Management Plan. (See Appendix I for Unit Management Plan amendment process). Such notice shall be given at least 30 days prior to the actual undertaking of construction of the management action. Such notice will include a project plan, the appropriate environmental assessment as may be required under SEQR, an erosion control plan for any projects that may result in disturbance of soils, together with the declaration of significance. It is understood that DEC will be an "involved agency" concerning these actions throughout the SEQR process.

B. ORDA shall comply with all formal DEC policies or delegations affecting Unit Management Plan compliance by DEC.

C. The Unit Management Plans provide that the cutting of trees associated with the implementation of management actions will be in accordance with the established policies and procedures of the Commissioner of Environmental Conservation (See Appendix II - Organization and Delegation Memorandum #84-06, as amended). The DEC procedures will be initiated by the Regional Forestry Manager for DEC upon notice by the ORDA facility manager

that tree cutting is contemplated in conjunction with a management action. The Regional Forestry Manager will inform the ORDA facility manager within five working days, in writing, as to whether the cutting may proceed or that notice will be required in the Environmental Notice Bulletin ("ENB") and that the cutting will be reviewed pursuant to the DEC tree cutting policy. Should notice be required, ORDA will provide DEC with the appropriate ENB notice including the designated contact person. The DEC will then complete the notice requirements and inform ORDA as to the decision in writing upon completion of the review process. It is agreed that Environmental Notice Bulletin publication and DEC review will not be required in cases where the tree cutting was specifically described in the detail required by the DEC policy in the Unit Management Plan and noticed in the ENB in the process of adoption of the Unit Management Plan or an amendment thereto. Such notice must include a count of the number of trees to be removed which exceed three inches in diameter and the acreage of land involved. Nor will such notice and review be required where a tree cut could constitute a "Type II Action" under the DEC rules and regulations governing the

implementation of SEQR (6 NYCRR 618.2). Any trees cut in accordance with this section can be removed from the premises in any manner deemed feasible by ORDA so long as such method is consistent with the guidelines of the State Land Master Plan, the Unit Management Plan, Article 8 of the ECL, and Division Direction Memorandum LF-84-2 dated May 31, 1984 and LF-84-2 Supplement dated July 3, 1986. (See Appendix III).

D. A new structure or improvement not described in a Unit Management Plan, or in an amendment to a Unit Management Plan, cannot be undertaken or constructed. This provision, however, does not prevent ORDA from undertaking the construction of the following activities, provided that all conditions in Items A, B, and C above are fully complied with and implemented.

1. Ordinary maintenance, rehabilitation and minor relocation of conforming structures or improvements as defined and interpreted in the DEC-APA Memorandum of Understanding governing implementation of the State Land Master Plan (SLMP), as last amended on April 3, 1985.

2. A change in the use of a structure or improvement as described in a Unit Management Plan that is not inconsistent with the guidelines and criteria of the SLMP for intensive use areas,

3. Any facility or structure that is listed as a Type II Action in the DEC rules and regulations governing the implementation of SEQR (6 NYCRR 618.2) and, in particular, the construction and location of single, small, new or existing facilities or structures where the total area of the structure or expansion does not exceed 400 square feet and the surroundings are returned to their original condition after the construction/installation of the structure or facility.

4. Any project consisting solely of the cutting of not more than ten (10) trees more than 3 inches in diameter at breast height.

5. Any action deemed immediately necessary to insure public health or safety. In such cases DEC will be immediately notified of the situation and what the proposed or ongoing action consists of.

E. The Unit Management Plans will be administered on a day-to-day basis by the Environmental Monitor for ORDA and the Region 5 Supervisor of Natural Resources for DEC. Notification of project

implementation, concerns dealing with potential environmental problems, requests for change in preapproved action plans, need for Unit Management Plan amendment and other similar communication will all take place between the Environmental Monitor for ORDA and the Region 5 Supervisor of Natural Resources for DEC. Agreements made by these individuals will be binding on both agencies. If agreement cannot be reached on a specific issue, the issue will be elevated in the respective agencies for resolution.

VIII. Removal of Property and Equipment:

No part of any facility, nor personal property or equipment of DEC used in connection therewith, shall be sold or removed from the facility without the prior written approval of DEC.

Implementation:

DEC currently maintains a computer program for the inventory of property. All DEC equipment transferred to ORDA is part of that inventory. DEC shall supply appropriate forms to ORDA and ORDA will advise DEC via the forms when equipment is surplused, destroyed or when new DEC equipment is acquired. DEC shall maintain the inventory and shall annually certify with ORDA that the list is

correct. Lead role in DEC for the above items is vested in the Division of Operations Central Office.

This Memorandum of Understanding will become effective upon its execution by each of the parties hereto.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BY: Thomas C. Jorling

Thomas C. Jorling, Commissioner

Date March 11, 1991

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

BY: Ned Harkness

Ned Harkness, President, C.E.O.

Date March 8, 1991

APPENDIX I

REVISION/AMENDMENT TO UNIT MANAGEMENT PLANS

1. Any material modification or amendment to the unit management plans is to conform to the guidelines and criteria of the SLMP, and will be made following the same procedure prescribed in the master plan for original unit management plan preparation.

2. A proposed amendment will be presented in its complete form and content, including indication of the specific sections of the existing management plan being amended, and be accompanied by:

   (A) An evaluation of whether or not the proposed amendment will require a reexamination of the inventory and assessment section of the plan.

   (B) If the amendment represents a departure from the goals and objectives stated in the plan, a discussion of impacts of the new objectives on facilities, public use and resources of the unit.

   (C) An assessment of whether or not the proposed amendment is consistent with carrying capacity of the area.

   (D) A schedule for the implementation of proposed management actions.

Any action to amend a unit management plan in connection with a proposed management action is to be initiated no later than the required site-specific environmental assessment pursuant to SEQR.

3. Consistent with the DEC-ORDA management agreements, ORDA and DEC will cooperate and provide such staff assistance as may be necessary in the preparation of amendments to the unit management plans. Both agencies will designate an appropriate representative to be the lead contact person in the matter. Division of Responsibility shall be as follows.

ORDA -

Develop and make appropriate revisions, in response to comments, to all documents. These will include the actual plan and accompanying SEQR.

Provide for public comment including hearings/ meetings. Make a record of comments and responses.

Print and distribute all draft and final documents.

Present draft documents to designated DEC contact for DEC review, including the SEQR committee, posting in the Environmental Notice Bulletin, APA review and DEC Commission's final approval.

DEC -

Provide assistance to designated ORDA representative on format and procedure.

Coordinate APA review and comments.

Coordinate DEC review, comments and final approval.

Coordinate all notices in the ENB.

APPENDIX II

File Ref. 1620

MEMORANDUM FROM:
HENRY G. WILLIAMS, Commissioner

New York State
Department of Environmental Conservation

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Environmental Conservation
Regional Director - Region 5
FLAT BROOK, NEW YORK

February 16, 1984

TO: Executive Staff, Division and Regional Directors

FROM: Hank Williams

RE: ORGANIZATION AND DELEGATION MEMORANDUM #84-06

Purpose:

To establish a policy regarding the prohibition of cutting, removal or destruction of trees and other vegetation on all Forest Preserve lands pursuant to Article XIV of the Constitution of New York State.

Background:

Article XIV of the Constitution specifically states that the timber on the Forest Preserve shall not "...be sold, removed or destroyed." Over the years it has been necessary to occasionally cut trees in the interest of public safety, overall protection of the Preserve and for the development of facilities. Such cutting has been sanctioned through Consitutional Amendment or by Opinion of the Attorney General, who has interpreted the Constitution as allowing such cutting.

Policy:

Section 9-0105 of the Environmental Conservation Law provides that the Division of Lands and Forests has responsibility for the "care, custody and control" of the Adirondack and the Catskill Forest Preserve. In accordance with this responsibility, all construction of new facilities, expansion or modification of existing facilities and maintenance of facilities, that will result in the cutting, removal or destruction of vegetation on any of the lands constituting the Forest Preserve shall require approval of the Director of the Division of Lands and Forests in accordance with the following Procedure. However, under no circumstances will approval be granted for the cutting of trees for firewood, timber or other forest products purposes.

Procedure:

A. Construction of New Facilities and the Expansion or Modification of Existing Facilities

All projects that involve the cutting, removal or destruction of trees or other vegetation in the Forest Preserve must have approval from the Director of the Division of Lands and Forests to be applied for in the following manner:

1. Regional Facilities

Requests for approval will be submitted by the Regional Director to the Director of the Division of Lands and Forests

2. Non-Regionalized Facilities

Requests for approval will be submitted by the Director of the Division responsible for the facility to the Director of the Division of Lands and Forests

Requests for approval to cut, remove or destroy trees for the purpose of new construction, expansion or modification projects must be submitted in writing and include the following information:

- The location of the project including a map delineating the project
- A description of the project and its purpose
- A count, by species, of all trees to be cut, removed or destroyed
- A delineation of areas where vegetation, in addition to trees three inches or more in diameter, is to be disturbed
- A listing of any protected species of vegetation located within three hundred feet of the area to be disturbed during the project
- A description of measures to be taken to mitigate the impact on and restoration of vegetation, if appropriate, to the area impacted

All decisions to approve any cutting, removal or destruction of trees will be subject to individual SEQR determinations.

B. Routine Maintenance

Responsibility for approval of all routine maintenance projects involving the cutting, removal or destruction of trees or other vegetation is delegated to the Regional Forester for the region in which the project is to occur.

Routine maintenance projects include the following activities:

- Maintenance of foot trails, cross-country ski trails, etc., including "the cutting of the few trees necessary...." (1934 A.G. 268 January 18, 1934.)
- Boundary line surveys and the maintenance of such boundary lines as "an aid to the conservation work of the State...where the number of small trees utilized or removed...appear immaterial (1934 A.G. 309 September 20, 1934.)
- Removal of "dead timber, either standing or fallen...for fuel at the public camp sites...." (1934 A.G. 315 October 30, 1934.)
- Maintenance of scenic vistas along trails when "tree removal may not be sufficient to pass the point of immateriality." (1935 A.G. 27 January 17, 1935.)
- Removal of dead and hazardous trees in developed areas such as campgrounds and ski centers "that endanger people." (1935 A.G. 30 June 26, 1985.)
- Salvage of windfall timber when "such blowdown timber constitutes a fire hazard." (1950 A.G. 154 December 28, 1950.)

1. <u>Regional Facilities</u>

   Requests for approval of routine maintenance projects will be made to the Regional Supervisor for Natural Resources who will direct them to the Regional Forester.

2. <u>Non-Regionalized Facilities</u>

   Requests for approval of routine maintenance projects will be made by the facility manager to the Regional Director of the Region in which the facility is located, who will direct them to the Regional Forester.

Requests for approval of routine maintenance projects should be submitted in writing as soon in advance of the date of beginning of the maintenance work as possible and include a description of the project and its location. If prior written or verbal approval cannot be obtained, hazardous trees involving imminent danger to human safety or damage to facilities may be removed without prior approval. However, such action must be reported within 24 hours following removal of the tree(s).

File Ref: 1620

MEMORANDUM FROM:
HENRY G. WILLIAMS, Commissioner

Department of Environmental Conservation

July 29, 1986

TO: Executive Staff, Division and Regional Directors

FROM: Hank Williams

SUBJECT: Organization and Delegation Memorandum #84-06: Addendum

- -

Background:

The above memorandum was promulgated on February 16, 1984 "To establish a policy regarding the prohibition of cutting, removal or destruction of trees and other vegetation on all Forest Preserve lands pursuant to Article XIV of the Constitution of New York State."

Since that time it has come to our attention that the procedures established in the memorandum do not include provision for adequate notice to the public as to the number of trees proposed to be cut and the size of the land area involved on specific projects.

Amendment:

Therefore, Part A. under Procedure of Memorandum #84-06 is amended and expanded by the addition of the following paragraph at the end of such Part A. on page 2. of such Memorandum.

> Any construction or reconstruction activity involving land under the jurisdiction of the Department of Environmental Conservation within the Adirondack or the Catskill Park--regardless of the classification of such land--that is a Type I action or otherwise requires notice in the Environmental Notice Bulletin will include information in such notice as to the (1) acreage or extent of the land area proposed to be involved and (2) number of trees in excess of three inches stump diameter proposed to be cut, removed or destroyed. A copy of such notice as it appeared in such Bulletin (with the date of the Bulletin noted) will be included and made a part of the information constituting the "request for approval" just above described.

APPENDIX III

MEMORANDUM

July 3, 1986

TO: Chief, Bureau of Preserve Protection and Management
Regional Supervisors for Natural Resources

FROM: Norman J. VanValkenburgh

SUBJECT: DIVISION DIRECTION -- LF-84-2 Supplement
TOPIC: Cutting, Removal or Destruction of Trees and Other Vegetation on Forest Preserve Lands

As you will recall, Commissioner Williams promulgated Organization and Delegation Memorandum #84-06 on February 16, 1984 for the purpose of "...establish(ing) a policy regarding the prohibition of cutting, removal or destruction of trees and other vegetation on all Forest Preserve lands pursuant to Article XIV of the Constitution of New York State." In order to implement the provisions of #84-06, this Division issued procedures on May 31, 1984 under designation LF-84-2.

However, the question of whether or not live-standing trees could be cut and used for maintenance of trails including "the construction of structures such as foot bridges, dry tread and water bars" remained. Accordingly, an opinion on this question was formally requested of the Attorney General on November 8, 1985. A copy of such request is attached hereto for information and clarification purposes.

A reply from the Attorney General under date of June 24, 1986 has now been received. A copy of such Formal Opinion No. 86-F3, which allows for the "supervised selective cutting...of only those few scattered trees necessary for the maintenance of popular and steep trails to lessen soil compaction, erosion and the destruction of vegetation" within other specified constraints and parameters, is attached and made a part of this memorandum.

With Formal Opinion No. 86-F3 in hand, it is appropriate to now revise Division Direction-LF-84-2 to incorporate those added authorities. Accordingly, paragraph 1 (page 4) of Part II of LF-84-2 is hereby deleted and the following substituted therefor:

1. Maintenance of foot trails, snowmobile trails, cross-country ski trails, horse trails.

This includes projects that involve blowdown removal, hazard tree elimination (3" or more in diameter), problem tree removal (3" or more in diameter), mowing, etc.

Applications may be submitted by Area if appropriate (i.e., High Peaks Wilderness Area, St. Regis Canoe Area, Saranac Lake Wild Forest, Whiteface Mountain Intensive Use Area, etc.). Trails should be listed separately with the total length of the trail covered by a single Application, if appropriate, and in priority order of needed maintenance.

Live-standing trees may be cut or used for the construction of bridges, dry tread, waterbars or other minor trail structures only after considering the following alternatives and in accordance with the following conditions:

A. Alternatives to any type of trail hardening or structural development must be considered, especially in wilderness areas where such structures diminish the character of the area. Such alternatives include the closing or limitation of use of a trail where the impact of such use is leading to degradation of the other resources and the character of the Forest Preserve. A second alternative is to relocate the trail in such a way that trail hardening would not be necessary.

B. If, after considering the above alternatives, it is determined that structures are needed to protect the surface of the trail or the safety of the public, the following materials should be considered in order of priority:

1. Native rock or stone from near the site.

2. Native rock or stone from another location brought to the site.

3. Peeled, but untreated timber or logs from another location brought to the site.

4. On-site trees in accordance with the conditions under C. following.

C. If on-site trees are to be used, such use must be in accordance with the following conditions:

1. The Regional Forester or his designated representative must approve all trees to be cut, after considering any other previous cutting that has been done in the area.

2. Cutting must be discreet with tops fully lopped and dispersed out of sight of the trails, and with stumps cut flush to the ground.

3. Live trees must be between three to twelve inches in diameter (DBH), and must be at least 100 feet apart.

4. Structures requiring the use of live on-site trees are not to be replaced more frequently than 7-10 years, which is the range of normal life expectancy.

Dead and downed material may be used for such purposes although consideration must be given to human safety and the longevity or life of such structures when such material is used.

Director of Lands and Forests

Attachments

cc: D. Grant
H. Doig
J. Corr
G. Colvin
G. Sovas
K. Wich
R. Bernhard
Regional Directors
Bureaus of Fish and Wildlife
Bureaus of Lands and Forests
Bureaus of Marine Resources
Bureaus of Mineral Resources

MEMORANDUM

May 31, 1984

TO: Chief, Bureau of Preserve Protection and Management
Regional Supervisors for Natural Resources

FROM: Norman J. VanValkenburgh

SUBJECT: DIVISION DIRECTION — LP-84-2
TOPIC: Cutting, Removal or Destruction of Trees and Other Vegetation on Forest Preserve Lands

PURPOSE: The purpose of this memorandum is to establish administrative procedures for the implementation of Commissioner Williams' Organization and Delegation Memorandum #84-06 relating to the construction of new facilities, the expansion or modification of existing facilities and routine maintenance projects on lands of the Forest Preserve.

BACKGROUND: Such Organization and Delegation Memorandum states, in part: "Section 9-0105 of the Environmental Conservation Law provides that the Division of Lands and Forests has responsibility for the 'care, custody and control' of the Adirondack and the Catskill Forest Preserve. In accordance with this responsibility, all construction of new facilities, expansion or modification of existing facilities and maintenance of facilities, that will result in the cutting, removal or destruction of vegetation on any of the lands constituting the Forest Preserve shall require approval of the Director of the Division of Lands and Forests...." In order to carry out this direction and policy, the succeeding procedures will be followed by regional and non-regionalized personnel in requesting approval for such projects on lands of the Forest Preserve that involve the cutting, removal and/or destruction of vegetation. In all cases, the provisions and constraints of the Organization and Delegation Memorandum will be recognized and complied with.

PART I - Construction of New Facilities and the Expansion or Modification of Existing Facilities

PROCESS AND CALENDAR

October-November

Regional Operations Supervisor or Manager of Non-Regionalized Facility	1. Following conceptual approval of the project by the Regional and/or appropriate Central Divisional Offices, prepares a

October-November (Cont'd)

Forest Preserve Project Work Plan in the form attached hereto as Appendix A for each proposed project.
Each such Plan shall include: (1) A description of the project and its purpose, (2) A sketch map delineating the project and showing its location, (3) A count by species and size class, of all trees to be cut, removed or destroyed, (4) Identification of any protected species of vegetation within 300' of the area to be disturbed, (5) A description of measures to be taken to mitigate the impact on vegetative cover, and (6) Proposed use of motorized equipment or motor vehicles, if any.

2. Submits completed Work Plan to the Regional Supervisor for Natural Resources.

Regional Supervisor for Natural Resources

3. Reviews Work Plan for completeness and conformance to Delegation Memorandum #84-06 and forwards to the Regional Forester.

December

Regional Forester

4. Enters receipt of Work Plan in Regional Log of Forest Preserve Projects (See Appendix B/attached).

5. Reviews Forest Preserve Project Work Plan to determine if project is appropriate taking into consideration Forest Preserve land classification, Unit Management Plan goals and management objectives for the land area involved.

6. Makes on-site field inspections as necessary and appropriate.

7. Insures that SEQR requirements for each project have been addressed.

8. Consults with Operations Supervisor or Facility Manager to effect any changes or modification to Work Plan.

9. Signs Work Plan signifying approval or indicates disapproval by stating reasons in Comments Section. If approved, forwards Work Plan through Regional Supervisor for Natural Resources to Regional Director or appropriate Division Director, in the case of non-regionalized facil-

December (cont'd)

ities. If disapproved, returns Work Plan to originator.

10. Completes Regional Log.

January

Regional Director or Director of Division responsible for Facility

11. Reviews Forest Preserve Project Work Plan.

12. Signs Work Plan signifying approval or indicates disapproval by stating reasons in Comments section.

13. If approved, forwards Work Plan to Director of Lands and Forests. If disapproved, returns Work Plan through Regional Supervisor for Natural Resources and Regional Forester to originator.

February

Director of Lands and Forests

14. Effects review of Work Plan by appropriate Central Office staff to determine that Plan conforms to Division goals and is in keeping with responsibility for care, custody and control of lands of the Forest Preserve.

15. Signs Work Plan signifying approval or indicates disapproval by stating reasons in Comments section.

16. Returns Work Plan to Regional Director or appropriate Division Director.

March

Regional Director or Director of Division responsible for Facility

17. Distributes Work Plan through Regional Supervisor for Natural Resources and Regional Forester to originator.

Current Fiscal Year

Regional Operations Supervisor or Manager of Non-Regionalized Facility

18. Implements project in accordance with Work Plan approvals and conditions.

Regional Forester

19. Monitors implementation of Work Plan to insure conformance to approvals and conditions.

Current Fiscal Year (cont'd) 20. On completion of project, completes Inspection Report (See Appendix C attached) and retains in Project file.

PART II - Routine Maintenance Projects

PROCESS

Application for routine maintenance projects on lands of the Forest Preserve shall be submitted on the form attached hereto as Appendix D as soon as possible in advance of the starting date of the project. The Application should be directed to the Regional Supervisor for Natural Resources who will forward it to the Regional Forester. The Application will be reviewed as rapidly as possible by the Regional Forester and a determination made as to approval or disapproval.

When approvals have been granted, a copy of the Application will be forwarded to appropriate Regional Lands and Forests personnel to assure proper notification and provide for monitoring of the project.

Applicants should consider the following guidelines when submitting project requests:

1. Maintenance of foot trails, snowmobile trails, cross-country ski trails, horse trails, etc.

   This includes projects that involve blowdown removal, hazard tree elimination (3" or more in diameter), problem tree removal (3" or more in diameter), mowing, etc.

   Applications may be submitted by Area if appropriate (i.e., High Peaks Wilderness Area, St. Regis Canoe Area, Saranac Lake Wild Forest, Whiteface Mountain Intensive Use Area, etc.). Trails should be listed separately with the total length of the trail covered by a single Application, if appropriate and in priority order of needed maintenance. It is clearly understood that live standing trees are not to be cut or used for construction of bridges, dry tread, water bars or other structures. Dead and downed material may be used for such purposes although consideration must be given to human safety and the longevity or life of such structures when such material is used.

2. Maintenance of roads, 'phone lines, power lines, ski lifts, downhill ski trails, canoe carrys, parking areas, openings around buildings, scenic vistas, etc.

   This includes projects that involve the removal of hazardous, problem or dead trees 3" or more in diameter.

   Projects should be listed individually but, several may be submitted on a single Application if they are similar in nature (i.e., 'phone lines A, B, & C). Tree counts are advisable where more than an occasional live tree

must be cut to avoid potential damage to the facility in question. Felled trees may not be utilized for any purpose and should be scattered near the site so as not to interfere with the facility and to be unobtrusive.

3. Removal of dead and hazardous trees in developed areas, such as campgrounds and ski centers that potentially endanger people.

This includes projects involving removal of dead and/or hazardous trees in developed or intensive use areas.

Applications should be submitted separately for each facility. However, all projects for a specific facility can be included on a single Application. Tree counts should be included with the Application. Trees that are proposed to be removed should be flagged. Trees that are felled may be cut up and used for fuel at the facility, but for no other purposes.

4. Boundary line surveys and maintenance.

This includes all projects on lands of the Forest Preserve whether done by Department employees or by others under contract to the Department.

More than one survey project may be included on a single Application but, separate applications should be submitted for survey projects geographically distant from each other.

5. Salvage of windfall timber when such blowdown timber constitutes a fire hazard.

This includes projects of fire hazard circumstances and should be submitted on Applications for each Area involved.

In any of the above situations, projects will be checked and monitored by the Regional Forester.

Director for Lands and Forests

Attachments

cc: D. Grant
H. Loiy
G. Colvin
G. Bovas
K. Wich
R. Bernhard
Regional Directors
Bureaus of Fish and Wildlife
Bureaus of Lands and Forests
Bureaus of Marine Resources
Bureaus of Mineral Resources

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF LANDS AND FORESTS

Forest Preserve Project Work Plan
for
Construction of New Facilities and the Expansion or Modification of Existing Facilities

FY 19__ - ____

Region/Facility	Project Title & Location	Land Classification	Project No.

Description & Justification (Attach Sketch Map Showing Location and other Required Supporting Documents):

Description of Use of Motorized Equipment or Motor Vehicles, if any:

Prepared By: Date:

APPROVALS OR DISAPPROVALS

Comments:

Date:

Regional Forester

Date:

Regional Supervisor for Natural Resources

Date:

Regional Director or Division Director

Date:

Director of Lands and Forests

APPENDIX A

REGIONAL LOG
FOREST PRESERVE PROJECTS

REGION _____ F.Y. _____

Plan ived	Originator	Project Description	Project: Maintenance	Project: Facility	Dates of Inspection	Date of Approval or Disapproval	Comments, including Approval or Disapproval Action

INSPECTION REPORT

FOREST PRESERVE PROJECT

REGION: _____ INSPECTED BY: _____ DATE: _____

PROJECT NO.: _____

PROJECT LOCATION:

_____

_____

_____

PROJECT DESCRIPTION:

_____

_____

_____

TREES CUT (NO. & SPECIES):

_____

_____

_____

VEGETATION DISTURBED AND MITIGATING ACTIONS TAKEN:

_____

_____

_____

COMMENTS:

_____

_____

_____

APPENDIX C

APPLICATION FOR ROUTINE MAINTENANCE PROJECT

REGION: _____ PROJECT: # _____

APPLICANT NAME: _____ DATE OF APPLICATION: _____

ADDRESS: _____ OTHER CONTACT PERSON:

_____ _____

_____

LOCATION OF PROJECT/S: _____

_____

_____

_____

DESCRIPTION OF PROJECT/S: (Attached additional sheets if necessary)

_____

_____

_____

_____

WHO IS TO DO WORK: _____

ESTIMATED STARTING DATE: _____ ESTIMATED COMPLETION DATE: _____

APPLICANT SIGNATURE:

_____

_____

PROJECT ACTION:

APPROVED _____ DISAPPROVED _____ _____

REGIONAL FORESTER

REMARKS: _____ DATE: _____

_____

_____

Appendix 2

SEQRA Full Environmental Assessment Form

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 2017 Amendment to the 2004 Whiteface Mountain Unit Management Plan (UMP)		
Project Location (describe, and attach a general location map): West of NYS Route 86, south of the intersection with Fox Farm Road, Town of Wilmington, Essex County		
Brief Description of Proposed Action (include purpose or need): New Management Actions that will be the subject of the UMP Amendment include the following; (1) Downhill Trails and Lifts: Bear Den lift (Lift C) extension with related trail work (Easy Way, Brookside, Easy Street, Upper Boreen, Boreen Loop, Parkway, Drapers Drop), New Trail 12A on Little Whiteface, Base to Base transfer lift (Conceptual Action), replace and extend Bear Lift, replace and extend Freeway Lift. (2) Parking and Vehicular Circulation: create additional parking by adding spaces to Bus Lot, create formal drop-off area at Bear Den; replace culverts behind NYSEF building with bridge. (3) Examine options for a snowmaking reservoir (Conceptual Action); (4) Add biking trails from mid-station; (5) People Mover between parking and Base Lodge (Conceptual Action). The purpose and need for the UMP Amendment, including the new management actions, is the on-going improvement and modernization of facilities at Whiteface that will add to the public accessibility, increase user safety, and enhance recreational pursuits while simultaneously complying with the Adirondack Park State Land Master Plan and Article XIV of the NYS Constitution.		
Name of Applicant/Sponsor: NYS Olympic Regional Development Authority	Telephone: (518) 302-5332 E-Mail: bhammond@orda.org	
Address: Olympic Center, 2634 Main Street		
City/PO: Lake Placid	State: NY	Zip Code: 12946
Project Contact (if not same as sponsor; give name and title/role): Robert Hammond, Director of Environmental, Planning and Construction	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): New York State Finance Office - Fixed Cost Unit	Telephone: (518) 402-9405 E-Mail: LF.Lands@dec.ny.gov	
Address: 110 State Street		
City/PO: Albany	State: NY	Zip Code: 12236

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☐Yes ☑No		
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSAPA, APSLMP Consistency; NYSDEC, UMP Approval/Adoption	January 2018
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes ☑No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

New York State Forest Preserve (Intensive Use Area), 2004 Olympic Scenic Byway Corridor Management Plan

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Not zoned (Forest Preserve lands)

b. Is the use permitted or allowed by a special or conditional use permit? N/A ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? AuSable Valley CSD

b. What police or other public protection forces serve the project site?
NYS Police Troop B

c. Which fire protection and emergency medical services serve the project site?
Wilmington Fire Department, Wilmington Rescue Squad, Whiteface Ski Patrol including volunteer MD's

d. What parks serve the project site?
Adirondack Park (various units), Town Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Recreational

b. a. Total acreage of the site of the proposed action? 2,910 acres
b. Total acreage to be physically disturbed? 30 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2,910 acres

c. Is the proposed action an expansion of an existing project or use? ☑ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 10 Units: acres

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed?
iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: 60 months
ii. If Yes:
- Total number of phases anticipated 5
- Anticipated commencement date of phase 1 (including demolition) May month 2018 year
- Anticipated completion date of final phase Dec month 2023 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Phasing of management actions implementation will be dependant on funding and ORDA construction priorities.

f. Does the project include new residential uses? ☐Yes ☑No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No
If Yes, Potential for creating a snowmaking reservoir is being examined, but it is not proposed at this time.
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Potential for creating a snowmaking reservoir (excavation) is being evaluated but is not proposed.
If Yes:
i .What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

  _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☑ No

If Yes: No significant increase in water demand is anticipated.

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

  _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☑ No

If Yes: No significant increase in sanitary wastewater is anticipated.

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☑ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.3 acres (impervious surface)

_____ Square feet or 2,910 acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

on-site management practices

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ski area maintenance vehicles including groomers in winter and other equipment in non-winter times

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

none

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

none

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? N/A ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 6:00 AM-8:00 PM
- Saturday: 6:00 AM-8:00 PM
- Sunday: 6:00 AM-8:00 PM
- Holidays: 6:00 AM-8:00 PM

ii. During Operations:

- Monday - Friday: up to 24 hours with snowmaking
- Saturday: same
- Sunday: same
- Holidays: same

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Construction vehicles and construction equipment will operate during daytime hours from April through November.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? N/A ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☐ Residential (suburban) ☑ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Campgrounds

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	18.1	18.4	+0.3
• Forested	2016.7	1990.2	-26.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	224.6	250.8	+26.2
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	14.4	14.4	0
• Wetlands (freshwater or tidal)	56.2	56.2	0
• Non-vegetated (bare rock, earth or fill)	580	580	0
• Other Describe: None			

c. Is the project site presently used by members of the community for public recreation? ☑ Yes ☐ No

i. If Yes: explain: Public ski area with four season use

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☑ Yes – Spills Incidents database — Provide DEC ID number(s): 0901150 (spill closed 5/18/10)

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 0 - >6 feet

b. Are there bedrock outcroppings on the project site? ☑ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? +/-25 %

c. Predominant soil type(s) present on project site:

Ricker-Couchsachraga-Skylight	20 %
Rawsonville-Hogback-Knob Lock	20 %
Others	60 %

d. What is the average depth to the water table on the project site? Average: >6 feet

e. Drainage status of project site soils:
☑ Well Drained: 5 % of site
☑ Moderately Well Drained: 5 % of site
☑ Poorly Drained 90 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 2 % of site
☑ 10-15%: 8 % of site
☑ 15% or greater: 90 % of site

g. Are there any unique geologic features on the project site? ☑ Yes ☐ No
If Yes, describe: Whiteface Mountain, High Falls Gorge

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 830-285, 830-257, 830-269, 830-270, 830-119 Classification AA-S, C(T)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size APA Wetland (in a...
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Mapped Zone A adjacent to West Branch AuSable River - no actions within ☑ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:
i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:

large and small mammals | other migratory bird species
neotropical bird species | resident bird species

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Ice Cave Talus Community, Open Alpine Community, Alpine Krummholz, Mountain Spruce-Fir Forest, Mountain Fir Forest

ii. Source(s) of description or evaluation: EAF Mapper

iii. Extent of community/habitat:

- Currently: 18.0, 5.8, 22.2, 5884.0, 1344.0 acres
- Following completion of project as proposed: same acres
- Gain or loss (indicate + or -): no loss acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☑ Yes ☐ No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use: No affects on West Branch Ausable River fishing access.

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name:

ii. Basis for designation:

iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Whiteface Veterans Memorial Highway Complex (Toll Road)

iii. Brief description of attributes on which listing is based:

architecture, engineering, entertainment/recreation, landscape architecture, transportation

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Olympic Scenic Byway (NY Route 86)

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): scenic byway

iii. Distance between project and resource: <1 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☑ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: Ausable River, West Branch

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☑ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name ROBERT W HAMMOND Date 12/27/17

Signature _____ Title DIR. ENV, PLAN, & CONST

PRINT FORM

EAF Mapper Summary Report

Tuesday, August 01, 2017 7:45 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	Yes
E.2.g [Unique Geologic Features]	Whiteface Mountain, High Falls Gorge
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	830-285, 830-257, 830-269, 830-270, 830-119
E.2.h.iv [Surface Water Features - Stream Classification]	AA-S, C(T)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, APA Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	APA Wetland (in acres):1.26883129, APA Wetland (in acres):3.87064707, APA Wetland (in acres):1.26890036, APA Wetland (in acres):0.14445182, APA Wetland (in acres):3.93953515, APA Wetland (in acres):0.19967193, APA Wetland (in acres):0.47154082

E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Ice Cave Talus Community, Open Alpine Community, Alpine Krummholz, Mountain Spruce-Fir Forest, Mountain Fir Forest
E.2.n.i [Natural Communities - Acres]	18.0, 5.8, 22.2, 5884.0, 1344.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	Yes
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Whiteface Veterans Memorial Highway Complex (Toll Road)
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	Yes
E.3.i.i. [Designated River Corridor - Name]	Ausable River, West Branch

Agency Use Only [If applicable]

Project : Whiteface 2017 UMP

Date : 12/27/17

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☑
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☑
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☑
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☑
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: none identified		☑	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☑
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☑
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: none identified		☑	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☑	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☑	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☑	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☑	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: none identified		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☑
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☑	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☑ ☑	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☑ ☑	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☑	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☑	☐
g. Other impacts: none identified		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☑	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☑	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☑	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☑	☐
e. Other Impacts: none identified		☐	☐

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project : Whiteface 2017 UMP

Date : 12/27/17

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.

(1) Construction on steep slopes for such things as trail construction, trail widening and lift construction has the potential for significant impacts to land (erosional soil loss) and to water (sedimentation). The impact potential is exacerbated by the multi-year, multi-phase construction activities that would be proposed under the pending Unit Management Plan Amendment.

(2) Bicknell's thrush is a species of special concern in New York State and portions of the intensive use area are within a State-designated Bird Conservation Area. Construction activities in and around areas of Bicknell's thrush breeding and/or nesting could have a significant impact on this species.

(3) The proposed actions will introduce additional ski area development that may be visible from the NY Route 86 (Olympic Trail) Scenic Byway.

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 NYS Olympic Regional Development Authority 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: 2017 Amendment to the 2004 Whiteface Mountain Unit Management Plan

Name of Lead Agency: NYS Olympic Regional Development Authority

Name of Responsible Officer in Lead Agency: Robert Hammond

Title of Responsible Officer: Director of Environmental, Planning and Construction

Signature of Responsible Officer in Lead Agency: Date: 12/27/17

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Robert Hammond

Address: Director of Environmental, Planning and Construction

Telephone Number: (518) 302-5332

E-mail: bhammond@orda.org

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

Appendix 3

ORDA-DEC Snowmaking Withdrawal Cooperative Agreement

COOPERATIVE AGREEMENT
BETWEEN
THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AND
THE NY OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

The NYS Department of Environmental Conservation (DEC) and the New York Olympic Regional Development Authority (ORDA) enter into the following agreement in connection with the need to protect the surface water resource of the West Branch of the Ausable River in relation to the water to be withdrawn for snowmaking operations at Whiteface Mountain Ski Center. Whiteface Mountain Ski Center is under DEC's care and custody, and ORDA manages the operation and maintenance of the ski center.

The purpose of this Cooperative Agreement is to establish mutually agreeable methods and procedures by which water for snowmaking operations can be withdrawn from the West Branch of the Ausable River while maintaining the integrity of this surface water resource. Flow monitoring of the West Branch of the Ausable River has been implemented to minimize the impacts to the river's aquatic ecology and properly manage the fishery during times of low flow.

It shall be the responsibility of the signatories or their designees to generally administer the provisions of this Cooperative Agreement. This agreement amends the existing Memorandum of Understanding between DEC and ORDA which became effective March 8, 1991, and which established mutually agreeable methods and procedures for implementation of the MOU relating to Whiteface Mountain Ski Center and Memorial

Highway, Mt. Van Hoevenberg Recreation Area and Gore Mountain Ski Center (copy attached).

Compliance with this agreement in conjunction with the individual Unit Management Plan for Whiteface Mountain Ski Center shall occur immediately.

Water Withdrawal from the West Branch of the Ausable River

Monthly water withdrawals for snowmaking during some winter months exceed the threshold for requiring a Great Lakes Water Withdrawal Registration Certificate. A certificate covering the period July 7, 2003 through July 7, 2005 was issued and will be renewed as necessary (copy attached).

Flow monitoring of the West Branch of the Ausable River is necessary to minimize the impacts to the river's aquatic ecology from snowmaking water withdrawals and properly manage the fishery during times of low flow.

The stream improvement structure on the West Branch has been built, and provides a flow monitoring station.

In order to define the pumping parameters for snowmaking as they relate to stream flows, several meetings were held with the NYSDEC during the preparation of the 1996/2002 Whiteface Mountain UMP. The following parameters were developed for water

withdrawals in order to protect the aquatic environment of the river and to minimize the potential impacts to the resource during times of low flow:

1. Pumping withdrawal rates will be based on the instantaneous flow measured at the flow monitoring station.

2. Unrestricted pumping at approved withdrawal rates is permitted if the flow is 51.4 cubic feet per second (cfs) or greater. The currently permitted maximum withdrawal rate is 13.4 cfs (6,014 gallons per minute). Withdrawals by Whiteface will not reduce river flows below 38 cfs.

3. For instantaneous flows measured at the flow monitoring station between 51.4 cfs and 38 cfs, the pumping rate will be incrementally reduced. Instantaneous flows will not be reduced below 38 cfs by withdrawals by Whiteface.

4. If, during any pumping day the "instantaneous" flow rate is less than or equal to 38 cfs, then the immediate shut down of the snowmaking system will occur. ("Instantaneous" is defined as a fifteen minute average of readings taken within the 15 minute period.) Approved pumping withdrawal rates can resume when the instantaneous flow measured at the flow monitoring station is at least 44 cfs for at least 8 hours or 46 cfs for at least 6 hours, 48 cfs for at least 4 hours or 50 cfs for at least 2 hours, in order to maintain suitable downstream flow conditions.

5. The flow data and pumping data will be provided to the DEC for compliance monitoring. During the snowmaking season, the data will be provided to the DEC monthly on a routine basis, and more frequently in response to direct requests by DEC for data from specific dates. The routine submittals will include the daily minimum river flow for all days and the "Daily Detail" (15 minute flow reports) for days when, at any time during the day, river flows declined below 52 cfs. Records of withdrawals from the river should also be provided on days when river flows declined below 52 cfs. The monthly report will be provided to the DEC by five days after the end of the month.

6. During periods of severe anchor ice formation, data from the two gauges installed in the flume will be manually compared to determine if backwater effects are altering the gauge readings. Such comparisons will be done for periods upon request by the DEC.

7. The flume will be re-calibrated annually, preferably shortly before the start of the snowmaking season.

8. This Cooperative Agreement will be reviewed annually by DEC Fisheries staff and ORDA management and can be modified, amended, or canceled at any time upon mutual agreement of the signatories to this agreement.

9. This term of this agreement will be concurrent with the term of the Whiteface Mountain Ski Center UMP.

This Cooperative Agreement will become effective upon its execution by each of the parties hereto.

Department of Environmental Conservation

By: _____
Nancy Lussier, Director of Management and Budget

Date: 9/25/03

Olympic Regional Development Authority

By: _____
Ted Blazer, President, C.E.O.

Date: 11-18-03

01043/cooperative.agreement

Appendix 4

Wildlife at Whiteface Mountain

WILDLIFE RESOURCE DESCRIPTION

Habitat Types

There are five major wildlife habitats or vegetation covertypes identified on the Whiteface Mountain Ski Center. They include Northern Hardwood, Pioneer Hardwood-Spruce Fir-Combination Hardwood, Krumholtz, grassland, and Alpine Zone. Each one of the five major habitats is treated as a distinct natural unit. None of the biotic communities represent closed systems that are completely independent of one another. The wildlife species of one community associate with other species within the same community. An overlap of species distribution also occurs where habitats exhibit a gradual change or continuum in vegetation types. Such a continuum exists in the successional changes occurring within the pioneer hardwood-spruce-fir habitat but may not exist between any of the forest types and grasslands.

Seasonal variations also play a major role in habitat preferences. For example, the woodchuck is a summer resident of the grasslands but hibernates in underground dens in open woodlands during the winter. Wildlife species utilizing one major habitat type for feeding may not use the same habitat for cover, nesting, rearing young, etc.

The habitat types listed in this section conform more closely to differences in wildlife habitat and are not intended to supercede the more technical description of forest cover types found in Volume I of the Whiteface Mountain Ski Center Unit Management Plan. Two of the habitat types existing at the Whiteface Mountain Ski Center site, grasslands and Alpine Zone, are important in the fact that they are not common habitats to be found within the Adirondack Park. A brief description of each of the five habitat types is listed next. This is followed by a Inventory List of wildlife which correlate wildlife species most closely identified with a particular habitat but implies neither species immobility nor species confinement within one particular habitat.

Northern Hardwood

This habitat occurs at elevations up to approximately 2,500 feet. Th type should be considered a climax community; one that exists in a relative of equilibrium within the environment. Shade intolerant species will die the forest canopy continues to mature and reduce light reaching the forest Available browse and cover for wildlife in the understory is minimal and main at low levels as long as the competition for light exists.

Pioneer Hardwood-Spruce-Fir Combination

This habitat occurs at elevations from approximately 2,500 feet to 3, Two states of secondary succession are exhibited in this forest combination. early development states maintain a spruce-fir understory and thereby pro more wildlife cover than the mature hardwoods. However, as with the northe woods as natural succession continues, competition for light with the over eventually eliminate most of the existing protective understory, thereby r the numbers of wildlife which can inhabit this forest type.

Krumholtz

Spruce-fir predominate the uppermost slopes of Whiteface Mountain. The at this altitude are, for the most part, stunted, wind-shaped trees. This a of "crooked wood" or Krumholtz is characterized by severe climatic conditior The dense mat formed by the spruce-fir is so thick that walking on rather through this vegetation is often easier. Toward the very summit, the clim t conditions become so severe that the stunted trees give way to the more adap able alpine vegetation. Although a few sub-alpine wildlife species inhabi region, total wildlife diversity may be less than in similar spruce-fir habi of milder climates.

Grasslands

Established as a result of man's activities, one of the most unique of a

the wildlife habitats on Whiteface Mountain are the grasslands. The grasslands, established on all the ski trails as a result of direct seeding to prevent erosion, provide a variety of foods for the herbivores of the area. These grasslands are unantural in the fact that they are man-made. Although common in most other areas of New York State, these grasslands are unique because they rarely occur naturally within the maturing forest types so abundant in the forever wild Adirondack Forest Preserve. In addition the openness of the grasslands afford excellent opportunities for mammalian and avian predators that cruise these slopes in search of food. The adjacent brushy edges in turn provide necessary fruits and weed seeds for a variety of small mammals, songbirds, ruffed grouse and black bears. It is within these grasslands and adjacent brushy habitats that wildlife, dependent on early stages of succession, can survive and prosper. The remaining vast acreages of climatic forest types still provide sanctuary for the more boreal species.

Alpine Zone

As noted in I.D. 1.g., the alpine habitat is very unique and fragile. However, the wildlife species listed in Table W-1 are apparently not totally dependent on the alpine habitat. Some species such as the grey cheeked thrush are dependent on habitat in the higher elevations and their mobility between the Krumholtz and alpine habitats may be essential.

Inventory of Wildlife Species

A wide variety of information on Adirondack wildlife is available. According to the report on Forestry in the Adirondacks (1961:35) 41 species of mammals, 146 species of birds, 7 species of reptiles and 16 species of amphibians are known to occur in the Adirondacks. These figures are, however, subject to debate depending on the source. For example, in the Wildlife Technical Report for the Temporary Study Commission on the Future of the Adirondacks it is estimated that 155-165 birc may nest in the Adirondacks while the total number of species, including accidentals, might number around 220.

The same report also lists 54 species of mammals, 13 spec e reptiles, and 17 species of amphibians that might possibl. Conversely, existing literature on the species of mammals confirmed as being on Whiteface gives the impression that t specific area is quite limited in mammal diversity with onl different species being identified visually and 10 physic l

The following tables identify those mammal, reptile, amph b and avian wildlife species, both resident and migrant, th t been physically or visually confirmed as well as those spec that one could reasonably expect to find on the site at o or another given the specific habitat and climatic conditic The list of breeding birds, compiled as part of the state Breeding Bird Atlas Project between DEC and the Federation York State Bird Clubs, have all been visually confirmed ar t at or in the close proximity of the site and, based on a standardized set of criteria, have further been rated as a possible, probable, or confirmed nesters. The list provic most recent and probably the most definitive list of nesting in the area of the Ski Center.

Endangered/Threatened/Species of Special Concern

The lists also identify those species which are considered endangered, threatened of special concern in New York. Th Environmental Conservation Law defines threatened species as species which are likely to become endangered in the forse e future throughout all or a significant portion of their rang Endangered species are those species of fish and wildlife h threatened with extinction. In addition, DEC maintains a i thirty-three species as being of special concern because the appear vulnerable or their present status in New York is u t

There are no known mammal, reptile, or amphibian species a Whiteface which are listed as endangered, threatened, or of special concern. In addtion those avian species so listed mention must also be made of the bald eagle (Haliatus

leucocephalus) and the golden eagle (*Aquila chrysaetos*) both of which have been observed in the immediate vicinity. Bald eagles have been seen cruising over the Ausable River and Wilmington whereas golden eagles had been seen over the grassy slopes of the Ski Center itself. However, there are no known active nesting sites of either eagle within or near the Ski Center. None of the activities associated with the Ski Center is expected is have any impact on any of the endangered, threatened or species of special concern listed.

BIRD
BREEDING LIST FOR WHITEFACE MT.

Name		Occu
Great Blue Heron	Ardea herodias	p
Green-backed heron	Butorides striatus	p
Wood Duck	Aix sponsa	prob
Common Merganser	Mergus merganser	p
Cooper's Hawk ***	Accipiter cooperii	p
Broad-winged Hawk	Buteo platypterus	prob
American Kestrel	Falco sparverius	poss
Osprey **	Pandion haliaetus	p
Killdeer	Charadrius vociferus	c
Spotted Sandpiper	Actitis macularia	prob
Mourning Dove	Zenaida macroura	p
Great Horned Owl	Bubo virginianus	p
Barred Owl	Strix varia	prob
Chimney Swift	Chaetura pelagica	prob
Ruby-throated Hummingbird	Archilochus colubris	p
Belted Kingfisher	Megaceryle alcyon	conf
Northern Flicker	Colaptes auratus	prob
Pileated Woodpecker	Dryocopus pileatus	p
Yellow-bellied Sapsucker	Sphyrapicus varius	p
Downy Woodpecker	Picoides pubescens	prob
Eastern Kingbird	Tyrannus tyrannus	prob
Eastern Phoebe	Sayornis phoebe	c
Yellow-bellied Flycatcher	Empidonax flaviventris	poss
Alder Flycatcher	Empidonax alnorum	poss
Least Flycatcher	Empidonax minimus	p
Tree Swallow	Iridoprocne bicolor	c
Bank Swallow	Riparia riparia	conf
Barn Swallow	Hirundo rustica	conf
Cliff Swallow	Petrochelidon pyrrhonota	p
American Crow	Corvus brachyrhynchos	prob
Blue Jay	Cyanocitta cristata	prob
Northern Raven ***	Corvus corax	p
Black-capped Chickadee	Parus atricapillus	p
White-breasted Nuthatch	Sitta carolinensis	prob
Red-breasted Nuthatch	Sitta canadensis	conf
Brown Creeper	Certhia familiaris	p
House Wren	Troglodytes aedon	prob
Winter Wren	Troglodytes troglodytes	prob
Gray Catbird	Dumetella carolinensis	p
Brown Thrasher	Toxostoma rufum	c
American Robin	Turdus migratorius	prob
Wood Thrush	Hylocichla mustelina	prob
Swainsons Thrush	Catharus ustulatus	p
Hermit Thrush	Catharus guttatus	prob
Gray-cheeked Thrush (1)	Catharus minimus	prob

(1) Unique to the Adirondacks. Common only in high peaks areas. As of 1995, former subspecies Bicknell's Thrush (Catharus bicknelli) is now a separate species, and occurrence reported as confirmed by Wildlife Conservation Society.

Veery	Catharus fuscescens	probable
Eastern Bluebird	Sialia sialis	confirmed
Golden-crowned Kinglet	Regulus satrapa	confirmed
Cedar Waxwing	Bombycilla cedrorum	confirmed
Solitary Vireo	Vireo solitarius	probable
Red-eyed Vireo	Vireo olivaceus	confirmed
Black and White Warbler	Mniotilta varia	possible
Northern Parula Warbler	Parula americana	probable
Black-throated Blue Warbler	Dendroica caerulescens	probable
Yellow-rumped Warbler	Dendroica coronata	probable
Black-throated Green Warbler	Dendroica virens	probable
Blackburnian Warbler	Dendroica fusca	probable
Chestunut-sided Warbler	Dendroica pensylvanica	probable
Black-poll Warbler	Dendroica striata	possible
Oven-bird	Seiurus aurocapillus	confirmed
Mourning Warbler	Oporornis philadelphia	probable
Common Yellowthroat	Geothlypis trichas	probable
Canada Warbler	Wilsonia canadensis	probable
American Redstart	Setophaga ruticilla	possible
Northern Oriole	Icterus galbula	probable
Common Grackle	Quiscalus quiscula	confirmed
Red-winged Blackbird	Agelaius phoeniceus	confirmed
Brown-headed Cowbird	Molothrus ater	confirmed
European Starling	Sturnus vulgaris	confirmed
House Sparrow	Passer domesticus	confirmed
Scarlet Tanager	Piranga olivacea	probable
Rose-breasted Grosbeak	Pheucticus ludovicianus	probable
Evening Grosbeak	Hesperiphona vespertina	confirmed
Purple Finch	Carpodacus purpureus	probable
Northern Junco	Junco hyemalis	probable
Chipping Sparrow	Spizella passerina	confirmed
Field Sparrow	Spizella pusilla	possible
White Throated Sparrow	Zonotrichia albicollis	probable
Indigo Bunting	Passerina cyanea	probable
American Goldfinch	Carduelis tristis	probable
Rufous-sided Towhee	Pipilo erythrophthalmus	possible
Lincoln's Sparrow	Melospiza lincolnii	probable
Song Sparrow	Melospiza melodia	probable
Peregrine Falcon *	Falco peregrinus	confirmed

* Endangered Species
** Threatened Species
*** Species of Special Concern

Wildlife Inventory

MAMMALS WITH HIGH PROBABILITY OF BEING FOUND AT WHITEFACE MOUNTAI

Species	Seasonal Occurrence	Major Habitat Communi Associated with Spe i
Masked Shrew Sorex cinerous	Permanent	Most communities on s
Smokey Shrew Sorex fumeus	Permanent	N. Hardwoods/Mixed a
Shorttail Shrew Blarina brevicanda	Permanent	Most communities on s
Hairytail Mole Parascalops breweri	Permanent	Most communities or s
Starnose Mole Condylura cristata	Permanent	Northern Hardwoods
Little Brown Myotis Myotis lucifugus	Permanent	Northern Hardwoods
Big Brown Bat Eotesious fuscus	Summer Breeder	Most communities or s
Keen Myotis Myotis keeni	Permanent	N. Hardwoods/Mixed Ha
Red Bat Lasiurus borealis	Permanent	Most communities or s
Eastern Pepistrel Pepistrellus subflavas	Permanent	Northern Hardwoods
Hoary Bat Lasiurus cinereus	Summer Breeder	Northern Hardwoods
Snowshoe Hare Lepus americanus	Permanent	Most communities or s
Eastern Chipmunk Tamias striatus	Permanent	Northern Hardwoods/ed
Red Squirrel Tamiasciurus hudsonicus	Permanent	Mixed Con./Mixed Co .
Eastern Gray Squirrel Sciurus carolinensis	Permanent	Northern Hardwoods
Southern Flying Squirrel Glaucomys volans	Permanent	N. Hard./Mixed Harc -
No. Flying Squirrel Glaucomys subrinus	Permanent	N. Hard./Mixed Hard.-
Woodchuck Marmota monax	Permanent	Many communities or s
Beaver Castor canadensis	Permanent	Wetlands/Streams/Pc i
Deer Mouse Peromyscus maniculatus	Permanent	Most communities on s
White-footed mouse Peromyscus leucopus	Permanent	Open meadows/Hardwo i
Boreal Red back Vole Clethrionomys gapperi	Permanent	N. Hard./Mixed Hard.-
Yellownose Vole Microtus chrotorrhines	Permanent	Northern Hardwoods/ higher altitudes
Porcupine Erethizon dorsatum	Permanent	Mixed Conifers
Coyote Canis latrans	Permanent	N. Hardwoods/Mixed
Southern Bog Lemming Synaptomys cooperi	Permanent	Damp meadows &
House Mouse Mus musculus	Permanent	Buildings

Species	Seasonal Occurrence	Major Habitat Communities Associated with Species
Meadow Jumping mouse *Zapus hudsonicus*	Permanent	Meadows/shrub areas
Woodland Jumping mouse *Napacozapus insignis*	Permanent	Meadows shrub areas
Porcupine *Erethizon dorsatum*	Permanent	Mixed Conifers/Plantations
Coyote *Canis latrans*	Permanent	N. Hardwoods/Mixed Conifers
Red fox *Vulpes fulva*	Permanent	N. Hardwoods/Shrub areas
Black bear *Ursus americanus*	Permanent	Most communities on site
Raccoon *Procyon lotor*	Permanent	N. Hardwoods/Wetlands
Fisher *Martes pennanti*	Permanent	Northern Hardwoods Wetlands
Short-tailed weasel *Mustela erminea*	Permanent	Shrubs/Northern Hardwoods
Long-tailed weasel *Mustela frenata*	Permanent	Most communities on site
Mink *Mustela vison*	Permanent	Wetlands/Ponds/Streams
River Otter *Lutra canadensis*	Permanent	Raquette River
Striped skunk *Mephitis mephitis*	Permanent	Most communities on site
Bobcat *Lynx rufus*	Permanent	Wetlands
White-tailed deer *Odocoileus virginianus*	Permanent	Most communities on site
Northern water shrew *Sorex palustris*	Permanent	N. Hardwoods/Mixed Hardwoods/ Ce small streams
Longtail shrew *Sorex dispar*	Permanent	N. Hardwoods/Mixed Hardwoods
Pigmy shrew *Microsorex hoyi*	Permanent	Most communities on site
Moose *Alces alces*	Occasional Visitor	All communities on site

REPTILES AND AMPHIBIANS WITH HIGH PROBABILITY OF BEING FOUND WHITEFACE MOUN

Species	Seasonal Occurrence	Major Habitat Comm Associated with Spec
Frogs and Toads		
Pickerel Frog *Rana palustris*	Permanent	Stream edges/wetland
Wood Frog *Rana sylvatica*	Permanent	Temporary pools/we
Spring Peeper *Hyla crucifer*	Permanent	Temporary pools/we
Gray Tree Frog *Hyla versicolor*	Permanent	Temporary pools/wetl
American Toad *Bufo americanus*	Permanent	Most communities o s
Salamanders/Newts		
Red-spotted Newt *Triturus viridescens v.*	Permanent	Temporary pools/wetla
Red-backed Salamander *Plethodon cinereus*	Permanent	Northern Hardwoods
Spring Salamander *Gyrinophilus porphyriticus*	Permanent	Wetlands/Streams
Two-Lined Salamander *Eurycea bislineata b.*	Permanent	Streams
Mountain Salamander *Desmognathus ochrophaes o.*	Permanent	Wetlands
Turtles		
Snapping Turtle *Choelydra serpentina*	Permanent	Large ponds
Snakes		
Red-bellied Snake *Storeria occipitomaculata*	Permanent	Northern Hardwoods/We
Northern Water Snake *Natarix sipedons*	Permanent	Open Water/Wetlands
Eastern Garter Snake *Thamnophis sirtalis s.*	Permanent	Most communities on s
Northern Ring Neck Snake *Diadophis punctatus edwardsi*	Permanent	N. Hardwoods/Mixed Har

Appendix 5

Whiteface Mountain Ski Trail Inventory and Analysis

Trail Inventory and Analysis

WHITEFACE

November, 2017
Updated February 25, 2018
Updated April 3, 2018

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Introduction

The following Trail Inventory and Analysis was performed as part of ORDA's and Whiteface Mountain's ongoing efforts to update and maintain the calculated ski trail mileage that currently exists on the mountain. The inventory examines only existing and previously approved trails, and does not contemplate potential future trail improvements. Potential future trail improvements are evaluated in the 2018 UMP proper, using this inventory as a baseline.

The last full update to the ongoing trail inventory was performed in 2006 and since that time improved technology and high definition aerial photography has been made readily available. This provides the opportunity for a more detailed refinement of the trail mileage calculations that were presented in previous Unit Management Plans (UMP's). A similar update is being performed for Gore Mountain and it is anticipated the same update will be performed for Belleayre Mountain when that UMP is next amended.

The analysis below calculates trail width in accordance with existing legislation and documents the methodology used. A brief summary of previous calculations found in existing Unit Management Plans and related amendments is provided, along with additional description of all ski area appurtenances considered as part of this effort. Findings are summarized at the end of the analysis.

1.0 Background: New York State Constitution, Article XIV (Conservation)

1.1 History of Legislation Pertaining to Whiteface Mountain

Article 14, Section 1 of the New York State Constitution is the "forever wild" clause protecting state Forest Preserve lands. On November 4, 1941, the clause was amended by a vote of the People of the State of New York authorizing the:

"constructing and maintaining [of] not more than twenty miles of ski trails thirty to eighty feet wide on the north, east and northwest slopes of Whiteface Mt. in Essex County."

In 1944 the New York State Legislature created the Whiteface Mountain Authority from the Whiteface Mountain Highway Commission (Chapter 691 of the Laws of 1944). The new Authority assumed the responsibility for the Whiteface Mountain Memorial Highway and was additionally given the authority to:

> "Acquire, construct, reconstruct, equip, improve, extend, operate and maintain ski trail developments"

at Whiteface Mountain, Gore Mountain and Old Forge. As such, "ski trail development" was further defined to mean:

> "ski trails, ski tows, open slopes made available for skiing, and all such appurtenances, facilities and related developments as in the judgment of the Authority may be necessary for the promotion, use and enjoyment of the ski trails." (Laws of 1944 ch. 691, §1; Public Authorities Law §101 (repealed 1974).

Development of Whiteface as a ski center was authorized in 1957, and Whiteface officially opened in 1958.

In 1960 the Whiteface Mountain Authority was renamed the Adirondack Mountain Authority, and continued to operate the ski mountain until 1968. In 1968 the Adirondack Mountain Authority ceased to exist and the New York State Department of Environmental Conservation was given the responsibility to continue development, maintenance and operation of the ski areas. Following the 1980 Winter Olympics in Lake Placid, the Olympic Regional Development Authority (ORDA) was created in 1982 and assumed the responsibility to continue development, maintenance and operation of Whiteface and the other remaining Olympic venues. A DEC/ORDA MOU in 1984 transferred Gore Mountain to ORDA's Management. Although ORDA has day to day management authority over Gore and Whiteface, DEC retains ultimate jurisdiction over both facilities.

As noted above the original authorization to develop Whiteface Mountain allowed for constructing, maintaining and operating not more than 20 miles of ski trails thirty to eighty feet wide on Whiteface Mt. in Essex County. In 1987 the "forever wild" clause of the New York State Constitution was again amended authorizing Whiteface Mountain to construct, maintain and operate:

> "...not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than five miles of such trails shall be in excess of one hundred twenty feet wide, on the north, east and northwest slopes of Whiteface Mountain in Essex county . . ."

1.2 Collaboration and Consultation with State Agencies

In addition to the enabling legislation found in Article 14, Section 1 of the New York State Constitution and the several amendments to that document that were approved by the People of the State of New York, interpretations and actual application of legislation pertaining to the development, maintenance and operation of ski trails on "forever wild" lands have been made which are pertinent to understanding what is allowed. The single most comprehensive interpretation of the legislation was made by New York State Department of Environmental Conservation (DEC) attorney Philip H. Gitlen in a February 17, 1977 memorandum pertaining to the proposed expansion and improvements to Whiteface Mountain in anticipation of hosting the 1980 Winter Olympics.

In this memorandum Mr. Gitlen opined extensively on the calculation procedure for allowed trail widths at Whiteface Mountain as allowed by the legislation and as historically developed at the ski area.

The first condition in this memorandum relates to trail width where two or more trails join together. In this instance Mr. Gitlen observed that "where two or more trails join together they were often developed so as to be a multiple of allowable 80 ft. width . . ." Several trails were found to be 200 to 300 feet wide. From this observation Mr. Gitlen concluded that "where two or more trails join together a multiple of the constitutionally imposed width limitation may be allowable."

Secondly, Mr. Gitlen observed that "trails which have lifts associated with them are often considerably wider than the constitutionally stated maximum width of 80 feet." From this observation Mr. Gitlen concluded that "where a chair lift bisects a trail, an allowance for the width of the chair lift may be allowed in addition to the constitutional requirements for trail widths." He further justified this conclusion stating that "this has the beneficial effect of limiting the amount of new clearing required for chair lifts and enhancing the visual appearance of the ski center. (NYS DEC) staff has advised that clearing for a chair lift would be at least thirty to fifty feet".

With respect to the constitutional limitation which limits the total mileage of trails, when discussing the construction of the new Giant Slalom trail at Whiteface Mr. Gitlen stated that "…the construction of this ski trail will not violate the express limitation on the allowable length of trails to be developed. This is so even if one considers areas where two trails join together as separate trails for the mileage computation".

Lastly, Mr. Gitlen recognized the fact that snowmaking pipelines and grooming equipment are necessities of a modern ski area. As such, he opined that an allowance in trail width should be made. ". . . for access by modern snow

grooming machinery without creating an unsafe condition for the recreational skier, and provision of adequate means of access for use and maintenance of the snow making systems to be installed without decreasing the safety afforded the recreational skier."

In conclusion, Mr. Gitlen found that "several working rules may be derived from both the past history of Whiteface Mountain and the requirements attendant with the development of a modern ski center." They are:

1. Where a lift bisects a trail, an allowance for the clearing required for the lift must be made. In such cases, a minimum of 30 additional feet of clearing is required for the lift line.

2. Where trails join together or at the junction of two trails a multiple of the 80 foot width is allowable; and

3. Sufficient clearing adjacent to ski trails can be allowed for the purposes of installing and maintaining snowmaking systems, an appurtenance to a modern ski center.

With the creation of the Adirondack Park Agency, (APA) the Adirondack Park State Land Master Plan, (APSLMP) adopted in 1971, provided guidelines for the preservation, management and use of State-owned lands by State agencies in the Adirondack Park. The Whiteface Mountain Ski Resort land is classified under the APSLMP as an "Intensive Use Area." The APSLMP provides that the primary management guideline for Intensive Use Areas is to provide the public opportunities for a variety of outdoor recreational pursuits in a setting and on a scale in harmony with the relatively wild and undeveloped character of the Adirondack Park.

The Adirondack Park Agency Act (Section 816) directs the NYSDEC to develop, in consultation with the APA, individual Unit Management Plans (UMPs) for each unit of land under its jurisdiction that is classified in the Adirondack Park State Land Master Plan. Unit Management Plans must conform to the guidelines and criteria set forth in the State Land Master Plan.

Use, operation, maintenance and management of Whiteface Mountain was delegated to the ORDA on October 4, 1982, through an agreement with NYSDEC pursuant to Section 2614 of the Public Authorities Law. Under the agreement, ORDA is to cooperate with NYSDEC to complete and periodically update a UMP for the ski area. The initial UMP for Whiteface was completed by ORDA in 1987. Subsequently, UMP Amendments for Whiteface were prepared in 1996, 2000, 2001, 2002, 2004, 2006, 2013 and 2015.

Concurrent with the preparation of each UMP has been the preparation of a Generic Environmental Impact Statement (GEIS). Each UMP/GEIS has been publically noticed and made available for Agency and public comment. Public hearings were held on each UMP/GEIS.

All previous UMP/GEIS documents included proposed new ski trail development. Mileage calculations were included in each document and the increase in approved trail mileage was reviewed and approved by the DEC and APA for each UMP/GEIS.

2.0 Trail Width and Length Guidance Established for Whiteface Mountain

ORDA has maintained a calculation of trail widths and overall length of trails at Whiteface Mountain since it began managing the mountain in 1982. These trail widths and lengths have been reported in each UMP since the original 1987 version and have subsequently been approved, each time, by the DEC and APA.

As previously stated, Whiteface Mountain is authorized, at this time, to maintain and operate "…not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than five miles of such trails shall be in excess of one hundred twenty feet wide . . ."

Based on an understanding of Article 14, Section 1 of the New York State Constitution, the "forever wild" clause, and Amendments as approved by the People of the State of New York and interpretations made by DEC, especially NYSDEC Attorney Mr. Philip Gitlen, Esq., and actual historic practice of implementing the legislation, the following guidance should be applied at Whiteface for the measurement of trail widths and length:

1. Where a lift bisects a trail, allowances for the clearing required for the lift can be made. These clearing allowances are not included in the trail width calculation. Based on today's lift safety standards, Whiteface should apply a clearing allowance of forty feet for a double chair lift and surface lift and sixty feet for a triple chair lift, quad chair lift and gondola to accommodate chair/cab swing due to wind and avoid hazardous trees in case of a tree blow down. This is in accordance with Mr. Gitlen's guidance that ". . . a minimum of 30 additional feet clearing is required for the lift line."

2. For the purpose of calculating width, where two or more trails join together to create a wider, single open slope, the slope may be counted as a single trail, or as a multiple of the constitutionally imposed width limitation. At the time of Mr.

Gitlen's conclusion the constitutionally imposed width limitation was 80 feet. As a result of the 1987 Amendment to the NYS Constitution the current width limitation is both 120 feet and 200 feet. Therefore if an area where two or more trails join together exceeds 120 feet in width but is less than 200 feet, Whiteface may elect to count this as a single trail segment within the allowable 5 miles of trails over 120 feet in width, or as multiple trails, each with the 120 feet width limitation. In the case where it is counted as multiple trails, the mileage of each trail shall count toward the maximum allowable trail length. This is in accordance with Mr. Gitlen's conclusions.

3. Where snowmaking systems exist on a ski trail, a clearing allowance of 10 feet can be applied to allow for the installation, operation and maintenance of snowmaking systems. This clearing allowance does not get included in the width calculation for trails with snowmaking systems. This is in accordance with Mr. Gitlen's guidance…"sufficient clearing adjacent to ski trails can be allowed for the purposes of installing and maintaining snowmaking systems, an appurtenance to a modern ski center." Based on discussion presented in Mr. Gitlen's memo, a 10' width allowance for snowmaking was proposed as a suitable width at that time. In past UMP documents, a 15' clearing allowance for snowmaking was determined to be sufficient and applied where applicable. For the purpose of this analysis, the more conservative 10' allowance is applied. The same allowance could be applied to similar infrastructure adjacent to trails such as power lines, for the same reasons; to allow room for safe installation and maintenance of an appurtenance, with the realized benefit of consolidating clearing for both trails and utilities in a single location.

4. This Inventory takes no position on the issue of whether the length and width of glades should be applied against constitutionally authorized trail lengths and widths. The Gitlen memo does not discuss the issue of whether glades should be counted, and there have been no court cases on the issue. Even if glades are counted, however, the total mileage and width of ski trails at Whiteface are within the constitutional limits.

5. "The Slides" are not included in the trail length calculations because these are naturally exposed areas devoid of trees and vegetation which would restrict skiing. These areas have not in any way been manipulated for use by skiers. They are natural areas subject to natural conditions. Skiing on similar areas on other mountains in the Forest Preserve does not violate constitutional restrictions. Thus, the Slides on Whiteface could be used by skiers even if the Constitution had never been amended to allow ski trails on Whiteface. Nothing in the Whiteface amendment suggests that skiers can no longer use Whiteface slide areas, or that Whiteface slide areas must be counted against the Constitution's mileage and width limits.

6. "Work Roads" are not included in trail length computations since they are not maintained for skiing, but are used for trail maintenance and grooming access. Similarly, areas adjacent to trails where snowmaking equipment is staged or temporarily stored shall not be included in calculated trail width. These are considered "appurtenant to a ski area".

7. "Queuing/Trail Access areas" are not included in the trail length computation since they are not defined ski trails. These areas are typically adjacent to lodges, ski patrol buildings and other appurtenant buildings and lift terminals. They are used by skiers to take their skis on or off, adjust their gear, or wait in line to load lifts or unload from lifts. They are also used by mountain staff and maintenance crews for access and maintenance to appurtenant structures. These areas are considered 'appurtenant' areas.

3.0 Ski Trail Inventory

3.1 Summary of Previous Trail Development/Approval by UMP

Whiteface Mountain has been in a continuous mode of upgrading its trail system since 1982 when ORDA began managing the ski area. This included simple safety and widening improvements that did not increase trail length, as well as the development of new trails, more significant trail widening and expanding the snowmaking infrastructure.

A review of past UMP's indicates the following progress in trail development at Whiteface Mountain.

- The 1987 UMP reported a total of 28 existing trails with a total length of 16.5 miles on just under 142 acres of terrain.
- Between 1987 and 1996, the trail network had expanded to include 65 trails, measuring 16.4 miles on 170 acres of terrain. Of these trails, just over 1 mile was calculated to be wider than 120'. This was quantified in the 1996 UMP Amendment.
- The 1996 UMP Amendment approved construction of up to 18 miles of trails, an increase of 1.6 miles, and an increase of skiable terrain from 170.1 acres to 213.7 acres. The increase in terrain was due to both new trail development and proposed trail widening projects. The proposed increase would also result in a total of 2.4 miles of trails wider than 120'
- Minor UMP Amendments performed in 2000, 2001 and 2002 were incorporated into the 2004 UMP Update. The 2004 UMP reported a total of 18.13 miles of constructed trails and glades on 215.6 acres, and

proposed up to 24.45 miles on 290.6 acres, with 2.7 miles greater than 120' wide. Of the 24.45 miles proposed, 4.75 miles were conceptual trails, leaving 19.70 miles constructed and approved.

- The 2006 UMP update did not separately report constructed trails vs. approved or proposed trails. Analysis of Table T1 titled "Proposed Terrain Specifications" appears to indicate 19.31 miles of constructed and approved trails and glades, and 4.71 miles of proposed trails and glades. The total constructed, approved and proposed trails and glades in the Table totaled 24.02 miles. Based on language in the body of the 2006 UMP Amendment, it appears 0.94 miles of conceptual trails were included in the UMP, resulting in a reported total of up to 24.96 miles of trails and glades.
- The 2013 and 2015 UMP Amendments were minor and did not include any proposed increase to the ski trail network.

3.2 Trail Length Calculation Methodology

The last detailed trail length calculation was performed as part of the 2006 UMP. Technological advances including the utilization of high resolution aerial photography that is available today, along with the application of the guidance and criteria established in Section 2, allows for a more detailed refinement of the trail mileage calculations that were presented in previous Unit Management Plans.

Current trail mileage of developed ski trails was calculated for Whiteface Mountain using the most recently available aerial photography. This includes aerials provided by the NY Statewide Digital Orthoimagry Program and NYS Office of Cyber Security, Spring 2013 natural color imagery (image pixel size of 2' and horizontal accuracy within 4' at the 95% confidence level), and High Definition (4K UHD) natural color imagery available from Google Earth, imagery date September 2014. The aerial imagery was imported into both GIS and AutoCAD software allowing spatial data such as length and width of each trail to be collected not only for historically built trails, but also for improvements constructed since the 2006 UMP inventory. Active ski trails were identified and verified using current Whiteface Mountain trail map guides which promote and advertise the skiable terrain at Whiteface, information from the Whiteface General Manager and Assistant General Manager, and first-hand knowledge of the mountain gained through site visits. Ski lifts, work roads, snowmaking and other appurtenances were also identified and accounted for using the same sources noted above, along with background information and mapping included in previous UMPs and Amendments.

Building on the inventory noted above, trails were then measured and categorized as being less than 30 feet wide, 30 to 120 feet wide and 120 to 200 feet wide. The guidance noted in Section 2.0 above was used as the baseline criteria for this effort. While applying this guidance, the following assumptions and/or determinations were made in regard to the measurement and categorization of each trail.

1. An appurtenant width allowance (for snowmaking, power lines or lifts) was applied to a total of nineteen (19) trails. This means the actual width of these trails is greater than either 120' or 200', but after applying the width allowance they are classified as less than either 120' or 200'.

2. In accordance with Guidance #2, where two trails join together the width is either calculated as a single trail, or a multiple of the constitutional width limit. This is most notable in two places. Where Draper's Drop and Lower Parkway meet and continue as a single trail to Lower Valley, the single trail section is delineated and calculated as two trails less than 120' each. The second location is a portion of the trail Fox that has a 'bump out' on skiers left, separated from the main portion of the trail by islands of trees. Since the actual width in this area is greater than 200', the 'bump out' is calculated as an additional, independent trail less than 120' wide, and the distance of this portion is added to the total trail length.

3. In accordance with Guidance #7 in Section 2.0 above, skier queuing areas were identified, mapped and excluded from the mileage calculation.

4. In accordance with Guidance #5 in Section 2.0 above, The Slides were excluded from the total mileage calculation since these are not ski trails under Article XIV, Section 1.

5. In accordance with Guidance #6 in Section 2.0 above, cleared areas for work roads and/or areas that remain open for grooming access, work or emergency access and not offered for skiing by the public were excluded from the mileage calculation.

7. Appurtenant cleared areas that are independent of ski trails such as electric line routes, other utility line routes and lift line corridors, (active or abandoned), were excluded from the mileage calculation since they are not maintained and offered for skiing. Appurtenant cleared areas that include the infrastructure above and are offered for skiing are included in the calculations.

4.0 Trail Length Summary

Drawing 1, "Whiteface Mountain, Ski Trail and Glade Inventory," illustrates the existing ski trails and glades at Whiteface for the Winter 2016/2017 ski season. Drawings 2, 2a and 2b, "Existing and Approved Ski Trails and Glade Inventory", provide additional detail illustrating trail width and locations where appurtenant width allowances were applied. These drawings also illustrate trails that were approved in previous UMP's that have not yet been constructed, and trails noted as 'conceptual' in previous UMP's.

Table 1, "Whiteface Mountain Trail and Glade Inventory," presents the results of the inventory and mileage measurement for each trail as shown on the drawings noted above. The Table lists each trail by name, indicates if a ski lift and/or snowmaking allowance was applied to that particular trail and presents lengths of each trail by width; less than 30 feet wide, 30 feet to 120 feet wide and 120 feet to 200 feet wide. Table 1 also tabulates the glades at Whiteface, and the trails that were approved in previous UMP's but are not yet constructed. Key totals are summarized below:

1. Total constructed trail length 0-200 feet in width at Whiteface Mountain is 19.82 miles.

2. Total constructed trail length by width at Whiteface Mountain is as follows:
   a) Under 30 feet wide 1.98 miles
   b) 30 feet to 120 feet wide 16.09 miles
   c) 120 feet to 200 feet wide 1.75 miles

3. Total calculated length of trails previously approved, but not yet constructed is 1.98 miles.

4. Total calculated length of Glades at Whiteface Mountain is 2.14 miles.

G:\Proj-2012\201263_ORDA_2012_Term_Contract\201263-02_WF UMP Planning\201263-02Admin\05Reports\Trail Analysis\Whiteface MtnTrail Analysis_2017.docx

TABLE 1

Whiteface Trail and Glade Inventory

April, 2018

WHITEFACE

Trails

Trail Ref #	Trail Name	Trail Length (LF)	Trail Length 0-30' wide	Trail Length 30'-120' wide	Trail Length 120'-200' wide	Width Allowance Applied
60	1900 Road	806	806			
61	2200 Road	373	266	107		
11	Approach	1,953		1,953		
32	Bear	1,609		347	1,262	S
76	Blazers Bluff	591	591			
34	Bobcat	2,318	421	1,722	175	
40	Bobcat Chute	656	425	231		
27	Boreen	3,896		3,896		S
82	Boreen loop	982	170	812		
25	Broadway	1,820		1,820		
68	Brookside	2,062		2,062		
24	Burton's	700	620	80		
47	Calamity Lane	375		375		
1	Cloudspin	1,721		1,006	715	S
51	Cloudspin Cut	335	335			
10	Connector	814		814		
55	Crossover Loop	434	234	200		
28	Danny's Bridge	1,466		1,466		
33	Deer	977		977		
71	Draper's Drop	2,129		1,474	655	S
26	Easy Street	2,140		2,140		
45	Easy Way	427		427		
85	Empire cut	270		270		
7	Essex	1,062		1,062		
6	Excelsior	5,162		4,918	244	
36	Flying Squirrel	1,407		1,407		
38	Follies	2,590		2,590		
84	Fox*	2,128		868	1,260	L1,S,U
56	Glen	520	520			
77	Hoyt's High	4,048		4,048		
52	John's Bypass	727		727		
48	Ladies Bridge	185		185		
79	Lookout Below	1,238		1,238		
41	Loon	112		112		
63	Low Road	572	572			
58	Lower Empire	300		300		
49	Lower Gap	138		138		
14	Lower Mackenzie	1,273		1,273		
9	Lower Northway	1,554		1,554		
19	Lower Parkway	2,205		2,205		
4	Lower Skyward	2,207		2,207		L1,S
54	Lower Switchback	550	520	30		
21	Lower Thruway	1,240		1,240		
23	Lower Valley	2,128		1,200	928	L1
16	Lower Wilderness	723		367	356	S
30	Mixing Bowl	624		624		L2
43	Moose	1,555	190	1,365		
83	Moose Cut	200	200			
17	Mountain Run	2,115		2,115		L2
81	Niagara	1,135		1,135		
73	Off Broadway	285		285		
65	On Ramp	600	600			
35	Otter	1,703		1,703		L1
72	Parkway Exit	466		466		
5	Paron's Run	2,421		2,421		
37	Porcupine pass	471	166	305		
50	Riva Ridge	708		708		
29	River Run	1,019	412	607		
44	Round-a-Bout	586		586		
42	Runner Up	678	566	112		
	Slide Out	775	775			
67	Summit Express	228		228		
78	The Wilmington Trail	9,400		9,400		S
64	Tom Cat	116	116			
46	Upper Boreen	792	505	287		
12	Upper Empire	1,517	642	875		
13	Upper Mackenzie	1,487		1,487		
8	Upper Northway	973		973		
18	Upper Parkway	1,934		1,463	471	S
3	Upper Skyward	2,222		535	1,687	S
53	Upper Switchback	550	550			
20	Upper Thruway	1,174		889	285	S
22	Upper Valley	2,127		2,127		L1
15	Upper Wilderness	976		580	396	S
39	Valve House Road	275	275			
2	Victoria	1,986		1,195	791	S
57	Victoria Shoot	183		183		
59	Weber's Way	415		415		
31	Wolf	1,595		1,595		L1
66	Wolf Run	420		420		
Totals (LF)		**104,634**	**10,477**	**84,932**	**9,225**	
Totals (MILEAGE)		**19.82**	**1.98**	**16.09**	**1.75**	

*A 428' portion of the trail Fox is counted as two trails side by side. Therefore an additional 428' was added to the actual length of Fox.

Appurtenant Width Allowances:

1. S=Snowmaking (10', maintenance and safety)
2. L1=Chairlift (60', Quad, Triple, or Gondola)
3. L2=Chairlift (40', Double chair, Surface lift)

Limitations:

1. Up to 25 miles of trails 30'-200' wide
2. No more than 5 miles of trails 120'-200' wide
3. No trails over 200' wide - unless area is counted as two trails side by side

Whiteface Trail and Glade Inventory

April, 2018

WHITEFACE

Glades

Glade #	**Glade Name**	**Length (LF)**				
70	10th Mt. Div. glade	645				
86	Bobcat Glades	1,011				
69	Cloudsplitter Glade	1,165				
62	High Country Glade	1,510				
87	Hoot Owl Glade	900				
	Rands Last Stand[1]	400				
80	Sugar Valley Glades	5,670				
Totals (LF)		11,301				
Totals (Mileage)		**2.14**				

[1] Total length of the glade is 1,245 LF. 845 LF is within an "Approved, Not Yet Constructed" trail. If including glades in a comparison against total allowable trail mileage, the 845' must be subtracted from the total length of the glade, since that length is already included under the "Approved, Not Yet Constructed" trail length category.

Approved Trails, Not Yet Constructed

Trail Ref #	**Trail Name**	**Trail Length (LF)**				
38a Lower	Approved, not yet constructed	0	(Trail relocation, no additional length)			
38a Upper	Approved, not yet constructed	450				
58a	Approved, not yet constructed	300				
31a	Approved, not yet constructed	1,580				
73	Approved, not yet constructed	1,136				
73a	Approved, not yet constructed	1,540				
73b	Approved, not yet constructed	1,536				
74	Approved, not yet constructed	1,793				
75	Approved, not yet constructed	2,145				
	Totals (LF)	**10,480**				
	Totals (MILEAGE)	**1.98**				

Trail Ref #	Trail Name	Gross Trail Length (LF)
60	1900 Road	806
61	2200 Road	373
11	Approach	1,953
32	Bear	1,609
76	Blazers Bluff	591
34	Bobcat	2,318
40	Bobcat Chute	656
27	Boreen	3,896
82	Boreen loop	982
25	Broadway	1,820
68	Brookside	2,062
24	Burton's	700
47	Calamity Lane	375
1	Cloudspin	1,721
51	Cloudspin Cut	335
10	Connector	814
55	Crossover Loop	434
28	Danny's Bridge	1,466
33	Deer	977
71	Draper's Drop	2,129
26	Easy Street	2,140
45	Easy Way	427
85	Empire cut	270
7	Essex	1,062
6	Excelsior	5,162
36	Flying Squirrel	1,407
38	Follies	2,590
84	Fox*	2,128
56	Glen	520
77	Hoyt's High	4,048
52	John's Bypass	727
48	Ladies Bridge	185
79	Lookout Below	1,238
41	Loon	112
63	Low Road	572
58	Lower Empire	300
49	Lower Gap	138
14	Lower Mackenzie	1,273
9	Lower Northway	1,554
19	Lower Parkway	2,205
4	Lower Skyward	2,207
54	Lower Switchback	550
21	Lower Thruway	1,240
23	Lower Valley	2,128
16	Lower Wilderness	723
30	Mixing Bowl	624
43	Moose	1,555
83	Moose Cut	200
17	Mountain Run	2,115
81	Niagara	1,135
73	Off Broadway	285
65	On Ramp	600
35	Otter	1,703
72	Parkway Exit	466
5	Paron's Run	2,421
37	Porcupine pass	471
50	Riva Ridge	708
29	River Run	1,019
44	Round-a-Bout	586
42	Runner Up	678
	Slide Out	775
67	Summit Express	228
78	The Wilmington Trail	9,400
64	Tom Cat	116
46	Upper Boreen	792
12	Upper Empire	1,517
13	Upper Mackenzie	1,487
8	Upper Northway	973
18	Upper Parkway	1,934
3	Upper Skyward	2,222
53	Upper Switchback	550
20	Upper Thruway	1,174
22	Upper Valley	2,127
15	Upper Wilderness	976
39	Valve House Road	275
2	Victoria	1,986
57	Victoria Shoot	183
59	Weber's Way	415
31	Wolf	1,595
66	Wolf Run	420
Totals (LF)		**104,634**
Totals (Mileage)		**19.82**

Glade #	Glade Name	Gross Length (LF)
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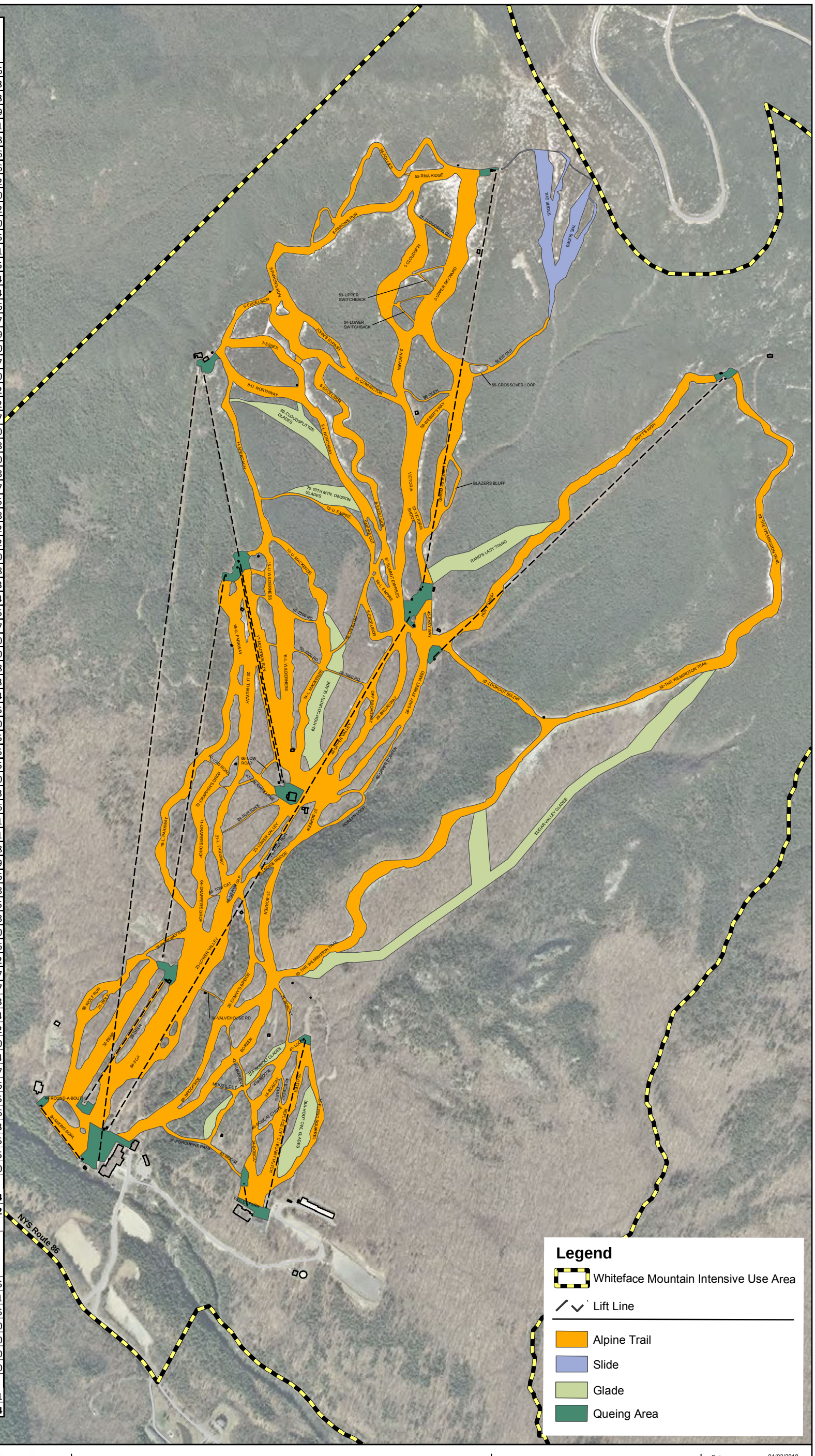
87	Hoot Owl Glade	900
	Rands Last Stand	400
80	Sugar Valley Glades	5,670
Totals (LF)		11,301
Totals (Mileage)		**2.14**



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Prepared for:

Olympic Regional Development Authority

2634 Main Street
Lake Placid, New York 12946

WHITEFACE LAKE PLACID

Project Title:

Whiteface Mountain: 2018 Unit Management Plan Amendment & Final Generic Environmental Impact Statement

Drawing Title

Whiteface Mountain, Ski Trail and Glade Inventory

1 inch = 1,000 feet

0 500 1,000

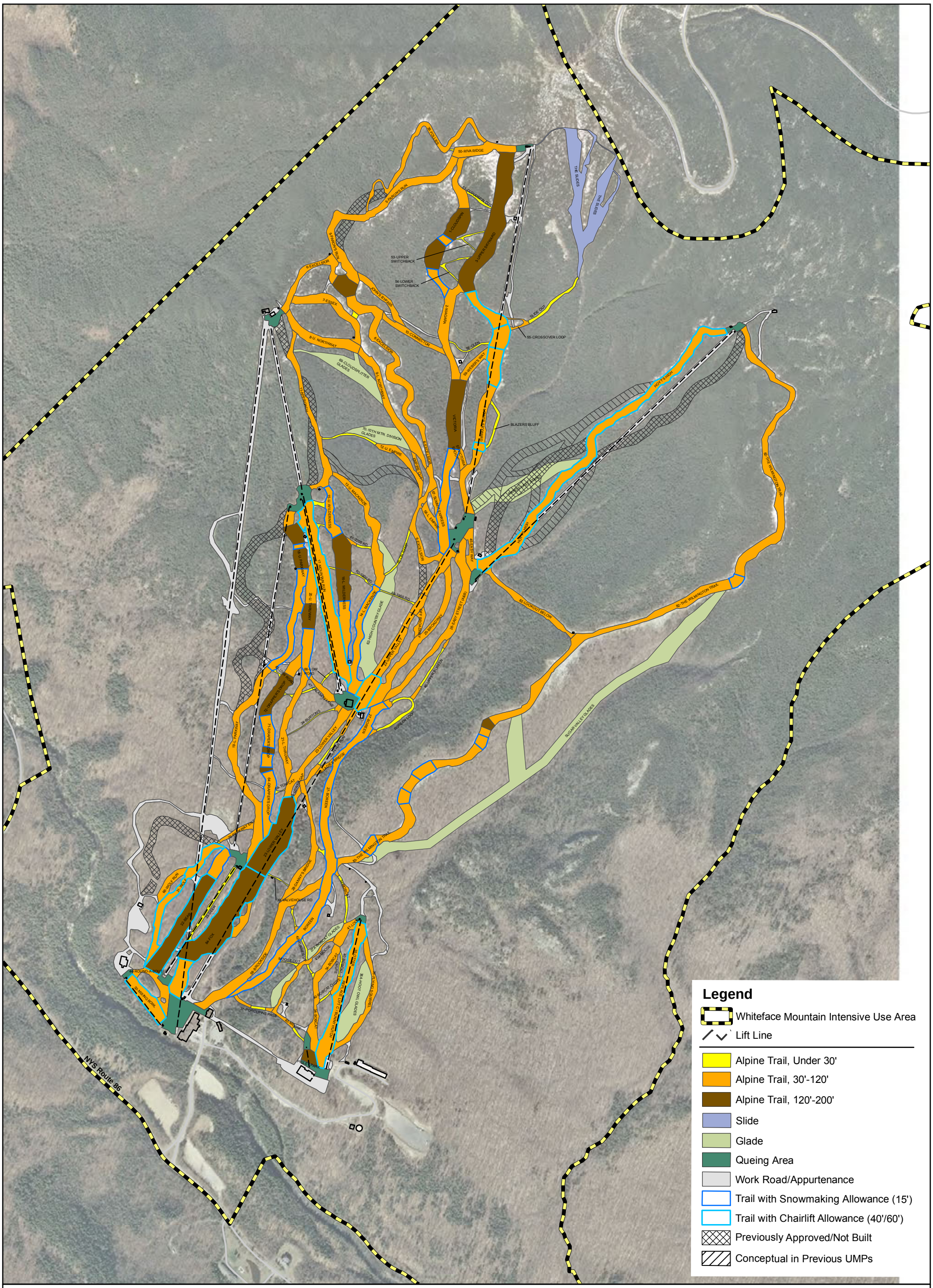
Feet

Date: 04/03/2018

Project No: 201263.02

Drawing No:

1



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WHITEFACE
LAKE PLACID

Project Title:

Whiteface Mountain: 2018 Unit Management Plan Amendment & Final Generic Environmental Impact Statement

Drawing Title

Existing and Approved Ski Trails and Glade Inventory

1 inch = 1,000 feet

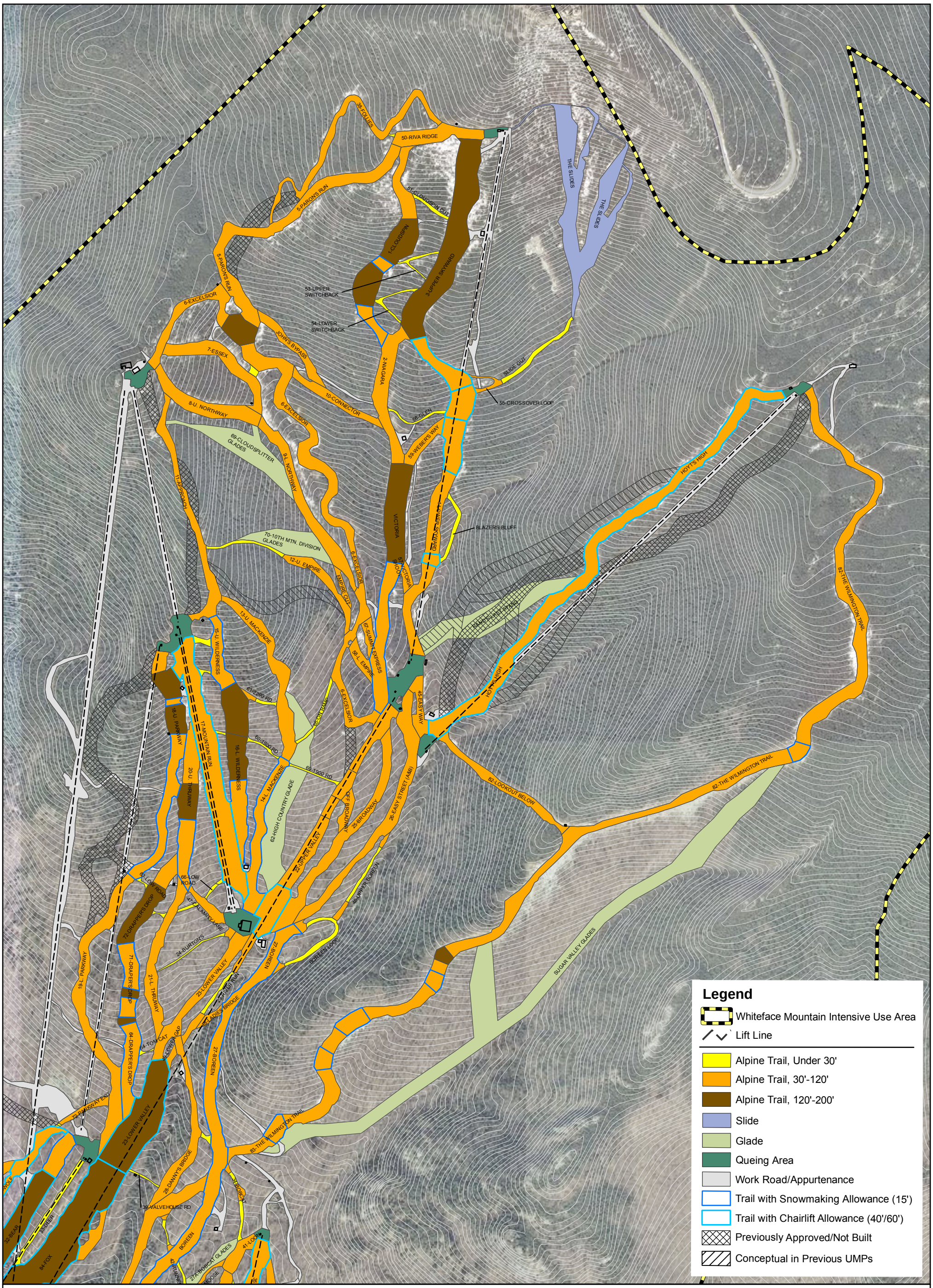
0 500 1,000

Feet

Date:	04/03/2018
Project No:	201263.02

Drawing No:

2



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2634 Main Street
Lake Placid, New York 12946

WHITEFACE
LAKE PLACID

Project Title:

Whiteface Mountain: 2018 Unit Management Plan Amendment & Final Generic Environmental Impact Statement

Drawing Title

Existing and Approved Ski Trails and Glade Inventory - Upper Mountain

1 inch = 700 feet

0 350 700

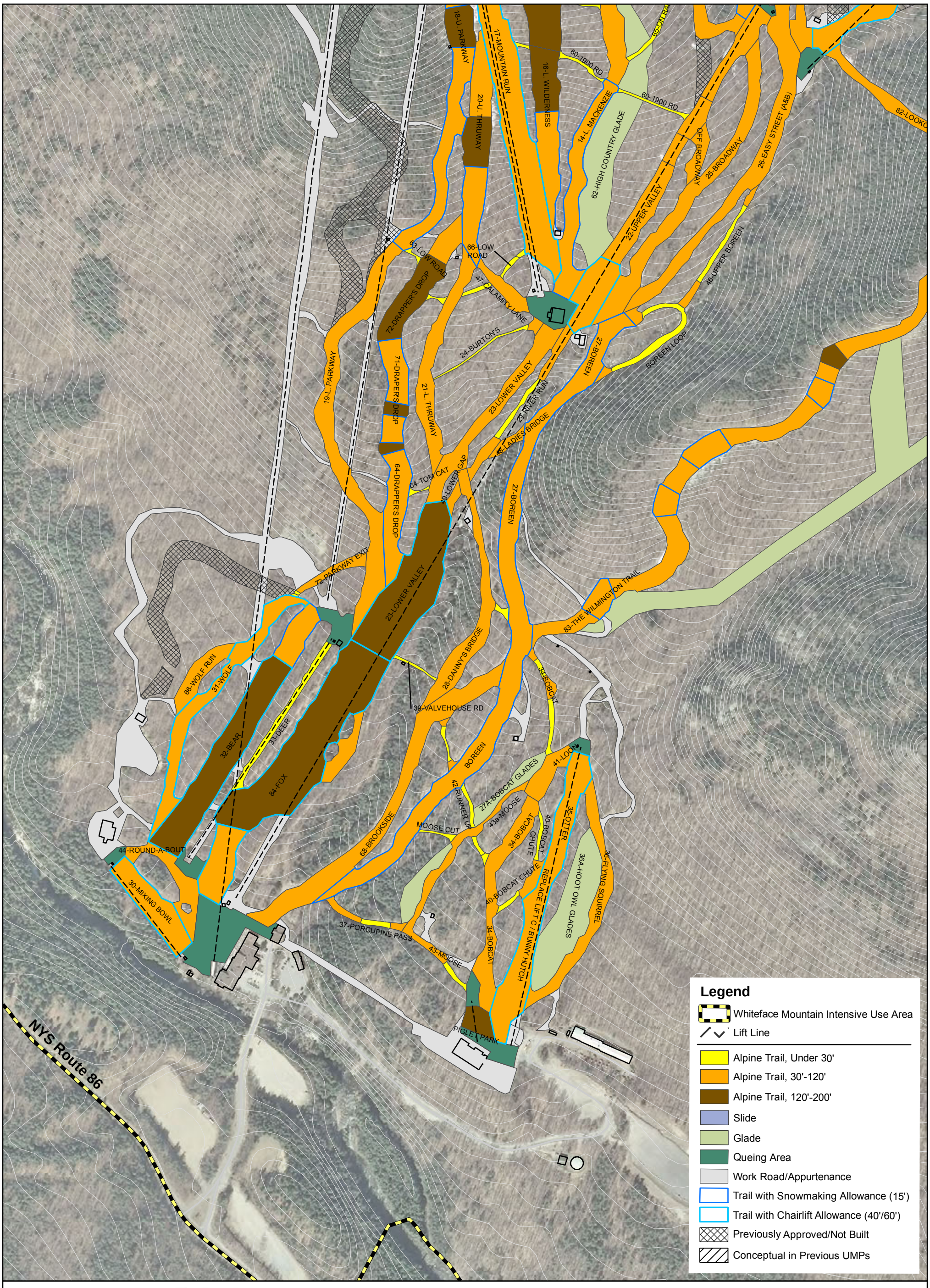
Feet

Date: 04/03/2018

Project No: 201263.02

Drawing No:

2a



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WHITEFACE
LAKE PLACID

Project Title:

Whiteface Mountain: 2018 Unit Management Plan Amendment & Final Generic Environmental Impact Statement

Drawing Title

Existing and Approved Ski Trails and Glade Inventory - Lower Mountain

1 inch = 500 feet
0 250 500
Feet

Date: 04/03/2018
Project No: 201263.02

Drawing No:

2b

15 (12/75)

New York State Department of Environmental Conservation

MEMORANDUM

TO: Olympic Files
FROM: Philip H. Gitlen
SUBJECT: Whiteface Mountain Ski Center - Expansion of Trails

DATE: February 17, 1977

Creation of the Whiteface Mt. Ski Center

On November 4, 1941 the People of the State of New York passed an Amendment to Article 14, Section 1 of the New York State Constitution, the "forever wild" clause authorizing the:

> "constructing and maintaining [of] not more than twenty miles of ski trails thirty to eighty feet wide on the North, East and Northwest slopes of Whiteface Mt. in Essex County."

Chapter 691 of the Laws of 1944 created the Whiteface Mt. Authority from the Whiteface Mt. Highway Commission. The new Authority assumed the responsibility of the Memorial Highway and was further given the authority to "acquire, construct, reconstruct, equip, improve, extend, operate and maintain ski trail developments" at Whiteface Mt., Gore Mt. and Old Forge (Laws of 1944, ch. 691 §1). The term "ski trail development" was defined as meaning;

> "ski trails, ski tows, open slopes made available for skiing, and all such appurtenances, facilities and related developments as in the judgment of the Authority may be necessary for the promotion, use and enjoyment of the ski trails." (Laws of 1944 ch. 691, §1; Public Authorities Law §101 [repealed 1974])

The use of the language underlined above, is of considerable interest because in 1947 an additional Amendment to the "forever wild" clause of the New York Constitution authorized the construction of ski trails at Belleayre and Gore Mountains together with "appurtenances thereto". The absence of the term "appurtenances" in the Amendment authorizing the development of the Whiteface Mt. Ski Center had caused some to argue that Whiteface Mt. was not to be developed as a commercial ski center, complete with lodges, lifts, parking facilities, etc. but was to solely consist of ski trails between thirty and eighty feet wide.

Apparently, however, the Legislature in 1944 was of a different view and authorized the Adirondack Mt. Authority not only to develop ski trails at Whiteface Mt. but to undertake "ski trail development" which was defined to include "ski tows, open slopes made available for skiing, and such appurtenances, facilities and related developments as in the judgment of the Authority may be necessary for the promotion, use and enjoyment of the ski trails."

The limitations, if any, to the development of the Whiteface Mt. Ski Center was further made the subject of an Attorney General's opinion in 1957. In that opinion, the current Attorney General opined that the Amendment to the Constitution authorizing the development of the Whiteface Mt. Ski Center "was intended and must be interpreted to authorize a ski trail development in the full extent as it is defined in Section 101, subd. 4, of the Public Authorities Law (see definition of "ski trail development" cited above).

Accordingly, not only has the Legislature authorized the development of Whiteface Mt. as a modern ski center including "open slopes", "ski tows" and related facilities, but the New York State Attorney General has agreed that the Legislature correctly interpreted the limitations contained in the New York State Constitution when it created the Whiteface Mt. Authority (see report of Attorney General 1957 pp.197 et seq.)

In 1960 the Whiteface Mt. Authority was renamed the "Adirondack Mt. Authority" (Laws of 1960; ch. 958). In 1974 the Adirondack Mt. Authority ceased to exist and the New York State Department of Environmental Conservation assumed responsibility for the continued development, maintenance and operation of the Whiteface Mt. Ski Center.

Existing Conditions at Whiteface Mt. Ski Center

The only significant improvements which have occurred at the Whiteface Mt. Ski Center since the Department of Environmental Conservation assumed jurisdiction over the operation, maintenance and development of that Center, has been the addition of a small building at the Easy Acres area housing the Alpine Training Center and the construction this past Summer of a new "Quad" lift replacing the former chairlift No.1. All other aspects of the facility as it currently exists are as a result of it's development by the Adirondack Mt. Authority and its predecessor. Certain aspects of this development warrant further development here to provide a basis for the discussion of proposed improvements which follows.

Approximately twelve miles of ski trails were developed by the Adirondack Mt. Authority. These ski trails range in width from approximately thirty feet to a maximum where two trails join together of 400 ft. ("Deer" and "Lower Valley Run") and a maximum for a single trail or "slope" of 250 ft. ("Deer"). A review of other trails at the Whiteface Mt. Ski Center indicates that where two or more trails join together they were often developed so as to be a multiple of allowable 80 ft. width, e.g. where "Cloudspin" and "Downhill" join together they are of a combined width of approximately 200 ft., and where "McKenzie", "Wilderness" and "Approach" join together they are of a common width of approximately 300 feet.

There are two conclusions which can be drawn from this pattern of development. The first is that where two or more trails join together a multiple of the constitutionally imposed width limitation may be allowable. The second is that "slopes" may be provided pursuant to the legislation authorizing development of Whiteface Mt. and the Attorney General's opinion, both cited above. The latter conclusion, however, appears to be of doubtful constitutionality, particularly considering the fact that the 1944 legislation has since been repealed.

In addition, trails which have lifts associated with them are often considerably wider than the constitutionally stated maximum width of 80 feet. For example, "Appleknocker" is bisected by chairlift #5 and is as wide as 200 feet in certain places; Valley Run is bisected by chairlift #1 and is 125 feet wide in certain places. Cloudspin, which is bisected in places by chairlift #6, is 150 feet wide in certain places.

From this one can conclude that where a chairlift bisects a trail, an allowance for the width of the chairlift may be allowed in addition to the constitutional requirement for trail widths. This has the beneficial effect of limiting the amount of new clearing required for chairlifts and enhancing the visual appearance of the ski center. Staff have advised that the clearing for a chairlift would be at least thirty to fifty feet.

Whiteface Mt. Ski Center, of course, also contains the normal appurtenances to any modern ski center including a large base lodge, considerable parking facilities and snow-making facilities over a portion of the lower mountain. Each appurtenance has required clearing of forested areas.

Proposed Developments

In connection with the Department's implementation of it's long range plan for further development of the Whiteface Mt. Ski Center for the recreational skiier as well as to provide appropriate facilities for the Alpine events which are part of the 1980 Winter Olympic Games, the following improvements are planned:

1. Expansion of the existing base lodge;
2. The installation of a significant additional amount of snow-making;
3. Construction of a new warehouse and competitor's building;
4. The construction of a new giant slalom trail;
5. The relocation of former chairlift #1 to serve the giant slalom trails;
6. The replacement of a portion of existing chairlift #6 with a surface lift to provide better access to the summit of Whiteface Mt.; and
7. The limited widening of existing trails and the addition of certain safety "run-outs" on "Downhill" and "Cloudspin".

The expansion of the base lodge, installation of snow-making, relocation and modification to lifts, and construction of additional buildings all appear to be in conformance with the earlier legislative interpretation of the Amendment to the New York State Constitution authorizing the development of the ski center by the Whiteface Mt. Authority as further interpreted by the aforementioned opinion of the New York State Attorney General. The aspect of the Department's development plans which have received considerable attention here have revolved around the construction of the new giant slalom trail and the widening of existing trails due to the more explicit limitations contained in the aforementioned Constitutional Amendment with respect to the allowable mileage and width of ski trail.

With respect to the constitutional limitation which authorizes the development of "not more than twenty miles" of ski trails, the addition of the new giant slalom trail will result in a total of 16 miles of ski trails at the Whiteface Mt. Ski Center. Accordingly, the construction of this ski trail will not violate the express limitation on the allowable length of trails to be developed. This is so even if one considers areas where two trails join together as separate trails for the mileage computation.

The more difficult issue is the allowable width of trails at Whiteface Mt. Ski Center. As noted earlier, there already exist trails or perhaps more properly called "slopes" which greatly exceed the 80 ft. limitation contained in the New York State Constitution. In addition, existing "trails" are, in places, considerably wider than 80 feet. This may be a result of original construction of the trails or may be a result of the natural forces which are present whenever one clears an area on a mountain noted for it's high winds and excessive snow cover. More likely, the portions of the trails which are greater than the 80 ft. limitation are probably a combination of man-made and natural (e.g. windthrow) forces. Nevertheless, the New York State Constitution expressly limits the width of ski trails to a maximum of 80 feet.

With this background, this memorandum will examine the need and reasons for the proposed widening of existing ski trails as well as the parameters which ought be established for the construction of the new giant slalom trail.

There are several reasons for widening the existing ski trails at Whiteface Mt. These include: providing a measure of safety for the recreational skier on relatively steep and winding trails, compliance with the FIS rules which require a minimum trail width of thirty meters for FIS approval, adequate provision for access by modern snow grooming machinery without creating an unsafe condition for the recreational skiier, and provision of adequate means of access for use and maintenance of the snow making systems to be installed without decreasing the safety afforded the recreational skiier.

As is apparent from the prior development of Whiteface Mt., where lifts (an "appurtenance") bisect trails, an additional width allowance has been utilized to provide a safe skiing area. Additionally, where trails have joined together it has apparently been assumed that a multiple of the 80 ft. width limitation has been allowed.

Accordingly, several working rules may be derived from both the past history of Whiteface Mt. and the requirements attendant with the development of a modern ski center:

1. Where a lift bisects a trail, an allowance for the clearing required for the lift must be made. In such cases, a minimum of 30 additional feet of clearing is required for the lift line.

2. Where trails join together or at the junction of two trails a multiple of the 80 ft. width is allowable; and

3. Sufficient clearing adjacent to ski trails can be allowed for the purposes of installing and maintaining snow-making systems, an appurtenance to a modern ski center.

The Department staff has prepared a map of all the ski trails to be used during the 1980 Winter Olympics and has indicated thereon all of the areas which are currently less than 30 meters in width and the extent of clearing which would otherwise be required for FIS approval (areas which the FIS has requested be cleared to insure a safe finish area). The Department has considered these drawings in connection with it's proposed plans for expanding the lift and snow-making capacities at Whiteface Mt. and the legal justification for widening each area in order to meet FIS specifications, accommodate the new snow-making system, and provide a reasonably safe skiing environment considering the location of lifts, the topography and similar considerations. The following is a discussion keyed to the map prepared by the Department's staff of each proposed area of widening and/or clearing:

Cloudspin (Women's downhill)

Area 1. This 400 ft. section of trail is relatively steep and is currently as narrow as 50 ft. While the installation of snow-making piping can be accomplished within the trees on the edge of the trail, adequate room for maintenance and operation while maintaining a safe skiing area requires that certain widening of the trail occur. In addition, the use of grooming equipment on this area will require widening so that grooming can be conducted without obstructing the trail or creating a hazard for the recreational skiier. Accordingly, it is proposed that the trail be widened to approximately 90 (plus or minus) feet taking into account the 80 ft. limitation contained in the Constitution and an allowance for 10 feet of clearing for the provision of a suitable area for the maintenance and operation of snow-making equipment as well as to provide adequate room for grooming of the trails without creating an unsafe condition for the skiier. In this connection it should be noted that the grooming machinery to be used by the Department is approximately 15 feet wide and is capable of using implements for snow-grooming which may be as much as 20 feet wide. The area to be cleared contains birch, balsam and spruce averaging 3 inches in width.

Area 2. This 100 ft. section of trail is at the end of a steep curving run which is currently 70 feet in width. The Department proposes to widen this area to approximately 90 feet which is considerably less than the width of the trail just down hill from this area. This widening is necessitated by the installation of the snow-making equipment and the use of snow-grooming equipment as noted above. In addition, chairlift #6 bisects this trail in this area.

Area 3. This 200 ft. section of trail is between two sections which are considerably in excess of 80 feet wide. The trail here is currently approximately 50 feet wide and it is proposed to widen it to approximately 90 feet to accommodate the installation of the snow-making equipment, the maintenance and grooming vehicles as well as to accommodate the installation of a new overhead electric system. This trail section is also bisected by chairlift #6.

Area 4. This 100 ft. section is at the junction of a crossover from "Downhill" which is currently 70 feet wide. The Department proposes to widen this section of trail to approximately 90 feet, to allow for the installation of the snow-making piping and access thereto, and to accommodate maintenance vehicles. Chairlift #6 currently bisects this section of trail.

Areas 5, 6 and 7. These areas encompass approximately 2300 ft. of trail where the current width ranges from 50 to 70 feet. Although snow-making will be installed in these areas, the trail at these locations is relatively straight and not as steep as in the upper mountain area and accordingly, there is no compelling need to widen these sections beyond the 80 ft. limitation contained in the New York State Constitution.

Area 8. This is an extremely small area at the junction of three ski trails with a current width of approximately 180 feet. The proposed widening will not result in the three trails being wider than a combined total of 240 ft. and accordingly is apparently in conformance with the Constitution. In addition, although snow-making will be installed on this trail, the width provided by the three common trails does not necessitate any additional clearing.

Downhill (Men's downhill)

Area 9. This is a 300 ft. section of steep, twisting trail which is currently 50 feet wide in which the Department proposes to widen to approximately 90 feet. The need and justification for this widening is the same as with area #1 with the addition that a snow-making pumphouse (#4) is proposed for installation in this area.

Areas 10 and 11. These encompass approximately 800 feet of trail where the current width is approximately 70 feet. The Department proposes to widen these sections to approximately 90 feet for the same reasons as given with respect to area #1.

Area 12. This is a 400 ft. section of relatively steep, twisting trail which is currently approximately 40 feet wide. FIS has required that this particular section of trail be widened to provide safety for the competitive skiier. In addition, for the reasons given with respect to area #1, widening is needed for safety for the recreational skiier. This will require a certain amount of clearing as well as the construction of a minor structure to bridge a narrow gorge area to make a trail approximately 90 ft. wide.

Areas 13, 14 and 15. These areas comprise approximately 1,000 feet of trail which are currently 50 to 75 feet in width which are located in a relatively flat straight area. Accordingly, although the Department will be installing snow-making in these areas and will be utilizing snow grooming machinery in these areas, no widening in excess of the 80 ft. limitation contained in the Constitution is required.

Areas 16 and 16a. These are relatively small areas at the junction of "Cloudspin", "Downhill" and the giant slalom trail. The clearing required will not result in a maximum width in excess of the 240 feet, the allowable limit for three merged trails.

Wilderness (Slalom)

Area 18. This section of trail is currently approximately 60 feet wide and the Department proposes to widen it to 90 feet. This area will be the subject of the installation of underground snow-making pipes and accordingly, additional clearing is required to prevent tree roots from interfering with the snow-making pipes and to provide adequate room for maintenance and operation of the snow-making system.

Area 18a. This is actually not a ski trail, but a work road which is currently 20 to 30 feet wide and which will be widened to accommodate maintenance equipment.

Area 18b. This area is approximately 1,000 ft. long and is currently 60 feet wide. The Department proposes to widen this trail to 90 feet for the reasons given for area #18.

Giant Slalom

Area 18c. This area is at the junction of the existing giant slalom and the proposed giant slalom trails as well as the beginning of the slalom trail. In addition, chairlift #2 bisects the existing giant slalom trail. The Department proposes to widen this area to approximately 250 feet wide, taking into account the existence of the three trails and the lift.

Area 19. No cutting is apparently required in this area.

Area 20. This area will be widened from approximately 50 feet to approximately 90 feet to accommodate underground snow-making equipment.

Area 21. This area, over 1,000 feet in length is approximately 50 feet wide and will be widened to approximately 80 feet. Although underground snow-making will be installed in this section, it is relatively straight and not quite as steep as other areas and accordingly the installation of pipes and access for maintenance and operation can be accomplished within an 80 ft. trail width.

Finish Area

Area 17a. This is the confluence of four trails bisected by lift #1 and is currently 120 feet wide. The Department proposes to widen this area to 300 feet well within the allowable limitation for a multiple of four trails.

Area 17. This is below the finish area and can be considered an extension of the above mentioned four trails. Accordingly, the proposed widening to 250 feet from the current 150 feet is, again, well within the multiple allowed for four merged trails.

Area 17b. The Department staff does not see any particular reason for this clearing and accordingly it is not now being proposed.

PHG/jlb

Appendix 6

Tree Cutting Data

Whiteface Tree Cutting Areas by Managment Action Types

Management Action	Trail/Lift	Name / Description	Length (Linear Feet)	Clearing (SF)	Clearing (Ac)	Closest Transect
Proposed Downhill Trails						
	88	New Trail	670	80,400	1.8	3
	89	New Trail	1,030	123,600	2.8	3
	90	New Trail	408	48,960	1.1	3
	91	New Trail	545	34,316	0.8	2
	92	New Trail	970	64,280	1.5	2
	12a	New Trail	1,060	110,000	2.5	4
	Totals			**461,556**	**10.6**	
Proposed Trail Widening						
	45	Easy Way		7,003	0.2	4
	26	Easy Street		51,387	1.2	4
	46	Upper Boreen		25,271	0.6	4
	82	Boreen Loop		23,192	0.5	4
	72	Parkway Exit		46,624	1.1	4
	71	Draper's Drop		29,100	0.7	4
	34	Bobcat		46,396	1.1	2
	36	Flying Squirrel		47,000	1.1	3
	42	Runner Up		11,000	0.3	2
	43	Moose		55,610	1.3	2
	37	Porcupine pass		11,750	0.3	2
	-	Learning Area		46,646	1.1	2
	Totals			**400,979**	**9.2**	
Lifts						
	Lift B	Bear Lift		115,521	2.7	4
	Lift C	Bunny Hutch		70,710	1.6	3
	Lift I	Freeway		91,410	2.1	4
	Totals			**277,641**	**6.4**	

Whiteface Tree Cutting By Nearest Tree Cruise Transect

Nearest Transect #	Management Action	Trail Pod #	Name / Description	Length* (Linear Feet)	Clearing (SF)	Clearing (Ac)
2						
		91	New Trail	545	34,316	0.8
		92	New Trail	970	64,280	1.5
	Widen	34	Bobcat		46,396	1.1
	Widen	42	Runner Up		11,000	0.3
	Widen	43	Moose		55,610	1.3
	Widen	37	Porcupine pass		11,750	0.3
	Widen	-	Learning Area		46,646	1.1
				TOTAL	269,998	
3						
		88	New Trail	670	80,400	1.8
		89	New Trail	1,030	123,600	2.8
		90	New Trail	408	48,960	1.1
	Widen	36	Flying Squirrel		47,000	1.1
		Lift C	Bunny hutch		70,710	1.6
				TOTAL	370,670	
4						
		12a	New Trail	1,060	110,000	2.5
	Widen	45	Easy Way		7,003	0.2
	Widen	26	Easy Street		51,387	1.2
	Widen	46	Upper Boreen		25,271	0.6
	Widen	82	Boreen loop		23,192	0.5
	Widen	72	Parkway Exit		46,624	1.1
	Widen	71	Draper's Drop		29,100	0.7
		Lift B	Bear Lift		115,521	2.7
		Lift I	Freeway		91,410	2.1
				TOTAL	499,508	

Whiteface Tree Cutting for Transect 2 Actions

			ACTION	Trail 91	Trail 91	Trail 92	Trail 92	Widen 34	Widen 34	Widen 42	Widen 42	Widen 43	Widen 43	Widen 47	Widen 47	Learning	Learning
			TOTAL SF	34316	34316	64280	64280	46396	46396	11,000	11,000	55610	55610	11750	11750	46646	46646
WHITEFACE SKI CENTER TREE SPECIES	**PLOT 2** Between Trail 43a & 34		SF/1000	34.316	34.316	64.28	64.28	46.396	46.396	11	11	55.61	55.61	11.75	11.75	46.646	46.646
	3-4" DBH	> 4" DBH		3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH
BALSAM FIR																	
STRIPED MAPLE	2			68.632		128.56		92.792		22		111.22		23.5		93.292	
RED MAPLE	2	1		68.632	34.316	128.56	64.28	92.792	46.396	22	11	111.22	55.61	23.5	11.75	93.292	46.646
SUGAR MAPLE																	
YELLOW BIRCH																	
MOUNTAIN PAPER BIRCH																	
PAPER BIRCH																	
BEECH	3	6		102.948	205.896	192.84	385.68	139.188	278.376	33	66	166.83	333.66	35.25	70.5	139.938	279.876
WHITE ASH																	
IRONWOOD																	
RED SPRUCE																	
RED PINE																	
WHITE PINE																	
BIGTOOTH ASPEN																	
PIN CHERRY																	
MOUNTAIN ASH																	
NORTHERN WHITE CEDAR																	
OAK																	
HEMLOCK	3	3		102.948	102.948	192.84	192.84	139.188	139.188	33	33	166.83	166.83	35.25	35.25	139.938	139.938
TREE TOTALS	**10**	**10**		343.16	343.16	642.8	642.8	463.96	463.96	110	110	556.1	556.1	117.5	117.5	466.46	466.46

TOTAL 3-4" DBH	**2699.98**
TOTAL >4" DBH	**2233.52**
TOTAL All	**4933.5**

Whiteface Tree Cutting for Transect 3 Areas

			ACTION	Trail 88	Trail 88	Trail 89	Trail 89	Trail 90	Trail 90	Widen 36	Widen 36	Lift C	Lift C
			TOTAL SF	80400	80400	123600	123600	48960	48960	47000	47000	70760	70760
WHITEFACE SKI CENTER TREE SPECIES	**PLOT 3** North of Trail 36		SF/1000	80.4	80.4	123.6	123.6	48.96	48.96	47	47	70.76	70.76
	3-4" DBH	> 4" DBH		3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH
BALSAM FIR													
STRIPED MAPLE	2			160.8		247.2		97.92		94		141.52	
RED MAPLE	5	6		402	482.4	618	741.6	244.8	293.76	235	282	353.8	424.56
SUGAR MAPLE													
YELLOW BIRCH													
MOUNTAIN PAPER BIRCH													
PAPER BIRCH													
BEECH	2	3		160.8	241.2	247.2	370.8	97.92	146.88	94	141	141.52	212.28
WHITE ASH													
IRONWOOD													
RED SPRUCE													
RED PINE													
WHITE PINE													
BIGTOOTH ASPEN													
PIN CHERRY													
MOUNTAIN ASH													
NORTHERN WHITE CEDAR													
OAK		2			160.8		247.2		97.92		94		141.52
HEMLOCK													
TREE TOTALS	**9**	**11**		723.6	884.4	1112.4	1359.6	440.64	538.56	423	517	636.84	778.36

TOTAL 3-4" DBH	**3336.48**
TOTAL >4" DBH	**4077.92**
TOTAL ALL	**7414.4**

Whiteface Tree Cutting for Transect 4 Areas

			ACTION	New 12a	New 12a	Widen 45	Widen 45	Widen 26	Widen 26	Widen 46	Widen 46	Widen 82	Widen 82	Widen 72	Widen 72	Widen 71	Widen 71	Lift B	Lift B	Lift I	Lift I
			TOTAL SF	110000	110000	7003	7003	51387	51387	25271	25271	23192	23192	46624	46624	29100	29100	115251	115251	94410	94410
WHITEFACE SKI CENTER TREE SPECIES	**PLOT 4** East of 24 Burtons Trail		**SF/1000**	110	110	7.003	7.003	51.387	51.387	25.271	25.271	23.192	23.192	46.624	46.624	29.1	29.1	115.251	115.251	94.41	94.41
	3-4" DBH	> 4" DBH		3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH	3-4" DBH	> 4" DBH
BALSAM FIR																					
STRIPED MAPLE		1			110		7.003		51.387		25.271		23.192		46.624		29.1		115.251		94.91
RED MAPLE																					
SUGAR MAPLE	5	6		550	660	35.015	42.018	256.935	308.322	126.355	151.626	115.96	139.152	233.12	279.744	145.5	174.6	576.255	691.506	472.05	308.322
YELLOW BIRCH																					
MOUNTAIN PAPER BIRCH																					
PAPER BIRCH																					
BEECH	2	6		220	660	14.006	42.018	102.774	308.322	50.542	151.626	46.384	139.152	93.248	279.744	58.2	174.6	230.502	691.506	102.774	566.46
WHITE ASH																					
IRONWOOD																					
RED SPRUCE																					
RED PINE																					
WHITE PINE																					
BIGTOOTH ASPEN																					
PIN CHERRY																					
MOUNTAIN ASH																					
NORTHERN WHITE CEDAR																					
OAK																					
HEMLOCK																					
TREE TOTALS	**7**	**13**		770	1430	49.021	91.039	359.709	668.031	176.897	328.523	162.344	301.496	326.368	606.112	203.7	378.3	806.757	1498.263	574.824	969.692

TOTAL 3-4" DBH	**3429.62**
TOTAL >4" DBH	**6271.456**
TOTAL ALL	**9701.076**

Appendix 7

Letters of Record

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

September 25, 2017

Robert Fraser
New York State Olympic Regional Development Authority
40 Long Alley
Saratoga Springs, NY 12866

Re: Whiteface Ski Resort Improvements
County: Essex Town/City: Wilmington

Dear Mr. Fraser:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare animals, plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 5 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Colleen Lutz
Assistant Biologist
New York Natural Heritage Program

1158

The following rare animals, rare plants, and significant natural communities have been documented in the Intensive Use Area and in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animal, while not listed by New York State as Endangered or Threatened, is of conservation concern to the state, and considered rare by the New York Natural Heritage Program.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*
Birds			
Bicknell's Thrush	*Catharus bicknelli*	Special Concern	Imperiled in NYS

Breeding

Whiteface and Esther Mountain, in the northwestern corner of the Intensive Use Area, 2012-spr: The birds were encountered in a mountaintop fir forest. 12240

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*
Snowline Wintergreen	*Pyrola minor*	Endangered	Critically Imperiled in NYS

Whiteface Mountain, 0.1 mile northwest from the Intensive Use Area along the toll road, 2016-08-05: Group 1: The plants are next to rock faces in grass. Group 2: The plants are in moss at the bottom of the rock wall above a culvert. 7867

Northern Bentgrass	*Agrostis mertensii*	Threatened	Imperiled in NYS

Whiteface Mountain, in the northwestern corner of the Intensive Use Area, 2016-08-06: Alpine krummholz, in open areas between dwarf fir trees, along the trail, and among rocks. The plants are found mostly in moss. 8567

Bearberry Willow	*Salix uva-ursi*	Threatened	Imperiled in NYS

Whiteface Mountain, at multiple locations on and within 0.1 mile of the northwest corner of the Intensive Use Area, 2016-08-06: Alpine krumholz on thin soil over rocks and also south-facing exposed ledges and cirques. The community is alpine krummholz. The plants are in a small area on the upper slope and ledges on the south side of the summit as well al along cliffs and rock walls of the trail to the summit and along the parking lot. 10516

Alpine Cliff Fern	*Woodsia alpina*	Endangered	Critically Imperiled in NYS

For more information, contact the New York Natural Heritage Program. 4149

Smooth Cliff Fern	*Woodsia glabella*	Endangered	Critically Imperiled in NYS

For more information, contact the New York Natural Heritage Program. 1151

High-mountain Blueberry	*Vaccinium boreale*	Threatened	Imperiled in NYS

Whiteface Mountain, Group 1: The plants are scattered along the northeast trail from Wilmington Turn to the summit. Group 2: The plants are in two areas along the trail from the Castle to the summit. 2016-08-05: Alpine krummholz in open areas between dwarf fir trees.

Canadian Single-spike Sedge	*Carex scirpoidea ssp. scirpoidea*	Endangered	Critically Imperiled in NYS

Wilmington Notch, 0.1 mile southwest of the Intensive Use Area boundary along the west branch of the Ausable River, 1999-06-22: A high mountain pass with a series of vertical granite cliffs with limestone dikes. There is large cool talus at the base of the cliffs. 363

Whiteface Mountain, on the northwest corner of the the Intensive Use Area boundary, near the summit of the mountain, 2016-08-06: Alpine meadows on thin soil over rocks in an alpine krummholz community. 6307

Dwarf White Birch	*Betula minor*	Endangered	Critically Imperiled in NYS

Whiteface Mountain, in the northwest corner of the Intensive Use Area, near the toll road, 2013-07-22: 14099

Boott's Rattlesnake-root	*Nabalus boottii*	Endangered	Critically Imperiled in NYS and Globally Rare

Whiteface Mountain, in the northwest corner of the Intensive Use Area, 0.1 mile south of the toll road, 2016-08-05: Alpine meadows and rocks, near a very disturbed summit and observation building. The plants are along the trail, often hugging rocks. Plants are also along the wall of the parking lot. 6892

Alpine Goldenrod	*Solidago leiocarpa*	Threatened	Imperiled in NYS

Whiteface Mountain, in the northwest corner of the Intensive Use Area, 2016-08-06: Alpine grassland, krumholz and a roadside/trail. 2565

Bigelow's Sedge	*Carex bigelowii ssp. bigelowii*	Threatened	Imperiled in NYS

Whiteface Mountain, in the northwest corner of the Intensive Use Area, 0.1 mile south of the toll road, 2016-08-05: The plants are growing in alpine meadows on thin soil over rocks in an Alpine krummholz community. 898

Arctic Rush	*Oreojuncus trifidus*	Threatened	Imperiled in NYS

Whiteface Mountain, in the northwest corner of the Intensive Use Area and along the toll road, 2016-08-05: Alpine meadows on upper ledges on thin soil over rocks. The community is alpine krummholz. 2433

Rock-cress	*Draba arabisans*	Threatened	Imperiled in NYS

Wilmington Notch, 0.1 mile southwest of the Intensive Use Area boundary along the west branch of the Ausable River, 1999-06-22: A high mountain pass with a series of vertical granite cliffs with limestone dikes. There is a large cool talus at the base of the cliffs. There is a small ledge at the base of the cliff. 5589

Black Crowberry	*Empetrum nigrum*	Rare	Imperiled in NYS

Whiteface Mountain, on the northwest boundary of the Intensive Use Area, 2016-08-06: Alpine kummmholz at the edge of rock outcrops or among plants of Vaccinium uliginosum. 3071

Appalachian Firmoss	*Huperzia appressa*	Rare	Vulnerable in NYS

Whiteface Mountain, along the northwestern border of the Intensive Use Area, along the trail to the summit, and along the toll road, 2016-08-06: Alpine grassland, krummholz and spruce-fir forest. The plants are growing in open to partial light. They are not trampled, but there is much soilerosion. The plants grow best in the protected shadows of boulders. 9748

Deer's Hair Sedge	*Trichophorum cespitosum ssp. cespitosum*	Threatened	Imperiled in NYS

Whiteface Mountain, along the northwestern border of the Intensive Use Area, 2016-08-06: Thin soil among rocks beside a concrete trail to the summit of an Adirondack High Peak. A clearing along the trail may mimic alpine meadow, but this part of the trail is krummholz. There are also plants along the top of a cliff in openings in the shrubs. 6914

Smooth Cliff Brake	*Pellaea glabella ssp. glabella*	Threatened	Imperiled in NYS

Wilmington Notch, 0.1 mile southwest of the intensive use area boundary along the west branch of the Ausable River, 1999-06-22: There are three main chimneys of these impressive cliffs. There is some calcareous influence, probably from high pH groundwater. 5728

Alpine Sweetgrass	*Anthoxanthum monticola ssp. monticola*	Endangered	Imperiled in NYS

Whiteface Mountain, in the northwest corner of the Intensive Use Area along the trail to the summit, 2016-08-05: Alpine meadows on thin soil over rocks. The community is Alpine krummholz.

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*
Mountain Fir Forest			Rare Community Type and Globally Uncommon

Whiteface Mountain: in the north and northwestern portions of the Intensive Use Area: This is a large occurrence with large undisturbed areas yet bisected by a seasonally active, paved road and partially cleared for ski trails in one section. It is within a large, high-quality landscape. 12624

Alpine Krummholz			Rare Community Type

Whiteface Mountain: in the northwest corner of the Intensive Use Area. This is a small to moderate-sized occurrence in moderate condition adjacent the summit development (paved road, paved trails, meterological station, visitors center) of Whiteface Mountain. Beyond the summit development is a high quality landscape. User visitation and construction at the summit reduce the size, extent, and condition of this occurrence. 6542

Ice Cave Talus Community — High Quality Occurrence of Rare Community Type and Globally Uncommon

Wilmington Notch: 0.1 mile south of the Intensive Use Area along the west branch of the Ausable River. This is a moderate-sized, diverse, well-protected, mature community, but not fully developed. Along a disturbance corridor in a large intact landscape. 9076

Open Alpine Community — Rare Community Type

Whiteface Mountain: in the northwest corner of the Intensive Use Area. This is a moderate-sized occurrence under heavy human disturbance, but with patches that are less disturbed and adjacent to some high-quality and moderate quality landscape. 396

Mountain Spruce-Fir Forest — High Quality Occurrence of Rare Community Type and Globally Uncommon

Whiteface Mountain: in the center of the Intensive Use Area, within the operations of the ski facility. A large forest with high quality sections, but also with portions sustaining moderate to high disturbance well connected to a large lanscape of moderate to high quality. 2875

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/97703.html for Ecological Communities of New York State.

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

November 09, 2017

Mr. Robert Fraser
Environmental Scientist
The LA Group
40 Long Alley
Saratoga Springs, NY 12866

Re: APA
Whiteface Ski Resort Trail and Infrastructure Improvements
5021 NY-86 , Wilmington, NY 12997
17PR07441

Dear Mr. Fraser:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA

Director, Division for Historic Preservation

Appendix 7A

Adirondack Sub-Alpine Bird Conservation Area

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Adirondack Sub-Alpine Forest Bird Conservation Area

General Site Information: This BCA includes Adirondack Mountain summits above 2,800 feet - more specifically, those with dense subalpine coniferous forests favored by Bicknell's thrush. Bicknell's thrush prefers dense thickets of stunted or young growth of balsam fir and red spruce. Found less frequently in other young or stunted conifers, and heavy second growth of fir, cherry and birch.

Adirondack Sub-Alpine Forest BCA Management Guidance Summary

Site Name: Adirondack Sub-Alpine Forest Bird Conservation Area

State Ownership and Managing Agency: Department of Environmental Conservation

Location: Adirondack Mountain summits above 2,800 feet in Clinton, Essex, Franklin, Hamilton, and Warren counties. Surveyed and confirmed nesting locations for Bicknell's thrush (Atwood and Rimmer, et al. 1996) include: Mount Marcy, Algonquin Peak, Blue Mountain, Cascade Mountain, Giant Mountain, Kilburn Mountain, Hurricane Mountain, Lower Wolfjaw Mountain, Lyon Mountain, Mount Haystack, Phelps Mountain, Porter Mountain, Rocky Ridge Peak, Santanoni Peak, Snowy Mountain, Vanderwhacker Mountain, Wakely Mountain, Whiteface Mountain, and Wright Peak.

Size of Area: Approximately 69,000 acres

DEC Region: 5

Vision Statement: Continue to maintain the wilderness quality of the area, while facilitating recreational opportunities in a manner consistent with conservation of the unique bird species present.

Key BCA Criteria: Diverse species concentration site; individual species concentration site; species at risk site (ECL §11-2001, 3.f, g, and h). Peaks over 2,800 feet with dense subalpine thickets provide habitat for a distinctive bird community, which includes Bicknell's thrush (special concern), blackpoll warbler and Swainson's thrush.

Critical Habitat Types: Dense subalpine coniferous thickets. To a lesser degree, young or stunted and heavy second growth of cherry or birch.

Operation and Management Considerations:

- *Identify habitat management activities needed to maintain site as a BCA.*
  None identified for certain, although human access and acid rain could be impacting.

- *Identify seasonal sensitivities; adjust routine operations accordingly.*
  The BCA is comprised of lands that are within the Adirondack High Peaks Wilderness Area, and other lands within the broader Adirondack Forest Preserve. The Adirondack High Peaks Wilderness Area portion is subject to relatively stringent regulations and use limitations. Portions of the BCA that are not within the High Peaks Wilderness Area may have less stringent use limitations.

  Access to wilderness areas is completely limited to foot trails and non-motorized access, including horse trails. Access in wild forest and intensive use areas may include motorized forms of access. Examples include a road up Blue Mountain to transmitters, and a road up Whiteface. The road up Blue Mountain is used largely for administrative access to the transmitter towers. Whenever possible, routine maintenance on these towers or the access road should be scheduled outside the nesting season for Bicknell's thrush (May through July). The road up Whiteface sees considerable use by the public.

  Trail and road maintenance activities have the potential to disturb nesting activities of high altitude birds (in particular, Bicknell's thrush). Whenever possible, routine maintenance should be planned so that it can be completed outside of the normal nesting season. Should maintenance be needed during the nesting season, the use of non-motorized equipment would help to minimize the impacts.

- *Identify state activities or operations which may pose a threat to the critical habitat types identified above; recommend alternatives to existing and future operations which may pose threats to those habitats.*
  Ensure that bird conservation concerns are addressed in the Adirondack Park State Land Master Plan, individual unit management plans, and other planning efforts. For those areas where plans have already been completed, incorporate concerns for subalpine bird communities at the earliest opportunity.

  On May 18, 2000, Emergency Regulations were adopted for the High Peaks Wilderness Area, which comprises part of the BCA. These regulations prohibit camping above 4,000 feet; limit camping between 3,500 and 4,000 feet to designated areas; prohibit campfires above 4,000 feet, and require the leashing of pets above 4,000 feet.

- *Identify any existing or potential use impacts; recommend new management strategies to address those impacts.*
  There has been little research on what effect normal use of hiking trails has on nesting birds. Recreational use in some areas of the BCA is relatively high. More research is needed on whether there is a significant impact to bird populations from the current level of human visitation. The Adirondack High Peaks Wilderness portions of the BCA are remote locations and access is largely limited to foot trails. Motorized vehicles are not normally allowed. Those areas of the BCA outside of the High Peaks Wilderness Area allow the use of motorized vehicles and have fewer restrictions on other uses. The Unit Management Planning process for these areas should assess the effects of current levels of recreational use, and the need for new trails (including placement, timing, and construction method) on subalpine bird species (in particular, Bicknell's thrush). Consideration should be given to prohibiting motorized vehicle access to subalpine forests above 2,800 feet.

Education, Outreach, and Research Considerations:

- *Assess current access; recommend enhanced access, if feasible.*
  Recreational use in some areas of the BCA is relatively high. Further study or research would help to assess impacts of recreational activities on nesting high altitude species. The need for protective measures will be discussed and incorporated as part of the planning process for the Adirondack Forest Preserve and Wilderness Areas that form the BCA, or at the earliest opportunity.

- *Determine education and outreach needs; recommend strategies and materials.*
  There is a need to identify to the public the distinctive bird community present in subalpine forests over 2,800 feet. The potential impacts of human intrusion need to be portrayed to the public, and a "please stay on the trails" approach may be beneficial. Continue partnerships with the National Audubon Society, High Peaks Audubon Society, Adirondack Mountain Club and other groups involved in education and conservation of birds of the Adirondack High Peaks.

- *Identify research needs; prioritize and recommend specific projects or studies.*
  Acid rain deposition may be having an impact on nesting success of songbirds at high elevations by causing die-offs of high altitude conifer forests, and killing snails and other sources of calcium needed for egg production. More research is needed on this. The curtailment of sulphur dioxide emissions and the reduction of acid rain is currently

a significant New York State initiative.

A detailed inventory and standardized monitoring of special concern species is needed for the area. In particular, all peaks above 2,800 feet should be surveyed for Bicknell's thrush.

The impact of the current levels of human use on nesting success needs to be assessed.

Contacts:
DEC Region 5 Wildlife Manager, 518-897-1291

DEC Region 5 Forester, 518-897-1276

Sources:
Atwood, J. L., C. C. Rimmer, K. P. McFarland, S. H. Tsai, and L. R. Nagy. 1996. *Distribution of Bicknell's thrush in New England and New York.* Wilson Bulletin 108(4):650-661.

Bull, John L. 1998. *Bull's Birds of New York State.* Comstock Publishing Associates, Ithaca, NY.

NYSDEC Division of Lands and Forests. 1999. *High Peaks Wilderness Complex Unit Management Plan.* NYSDEC, Albany, NY.

Rimmer, C. C., Atwood, J., and L. R. Nagy. 1993. *Bicknell's Thrush - a Northeastern Songbird in Trouble?* Vermont Institute of Natural Science, Woodstock, VT.

State of New York Endangered Species Working Group. 1996. *Species Dossier for Bicknell's Thrush.* New York State Department of Environmental Conservation.

Wells, J. V. 1998. *Important Bird Areas in New York State.* National Audubon Society, Albany, NY.

Date BCA Designated: 11/16/01

Date MGS Prepared: 12/6/01

Appendix 8

DGEIS Public Hearing Transcript

2935

Adirondack Daily Enterprise

54 BROADWAY, PO BOX 318
SARANAC LAKE, NEW YORK 12983

COUNTY OF FRANKLIN SS.
STATE OF NEW YORK

Emily Luxford, Adirondack Publishing Co., Inc., of the Town of Harrietstown, in said County, being duly sworn, deposes and says that she represents the ADIRONDACK DAILY ENTERPRISE, printed and published six times each week in the Village of Saranac Lake, in said town and county, and that a notice of which the annex is a true copy has been published 1 times a week for 1 weeks successfully, and that it was first so published on the 5th day of January 2018 and last so published on the 5th day of January 2018. Said publication occurred on:

January 5, 2018

Adirondack Publishing Co., Inc.

Sworn to before
17th day of
January, 2018

Donna A. Leonard
Notary Public

Donna A. Leonard
State of New York
No. 01LE5044887
Franklin County
Expires 6/05/19

PUBLIC NOTICE
Notice of SEQRA Public Hearing

The NYS Olympic Regional Development Authority will hold a public hearing on **Thursday, January 25 at 7:00 PM in the Whiteface Mountain Base Lodge** to receive public comment on the 2017 Amendment to the 2004 Whiteface Mountain Unit Management Plan/Draft Generic Environmental Impact Statement. Copies of the UMP/DGEIS are available for review at Whiteface Mountain, NYSDEC offices in Ray Brook and in Albany, at ORDA's Lake Placid office and at the Wilmington Town Hall. The UMP/DGEIS is also available online at *http://www.dec.ny.gov/lands/90459.html.*

New actions proposed at Whiteface Mountain in the 2017 UMP Amendment include the following; replace and extend Bunny Hutch Lift with related ski trail work, construct new intermediate Trail 12A on Little Whiteface, install a Base to Base transfer lift (conceptual action), replace and extend Bear Lift, replace and extend Freeway Lift, create additional parking at Bus Lot, create a formal drop-off at Bear Den, replace culverts behind NYSEF building with a bridge, examine options for a snowmaking reservoir (conceptual action), add mountain biking trails from Mid-Station and install a people mover between parking lots and Base Lodge (conceptual action).

The purpose and need for the UMP Amendment is the ongoing improvement and modernization of facilities at Gore

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5 SEQRA PUBLIC HEARING
6 NYS Olympic Regional Development Authority
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12 January 25, 2018
7:00 p.m.
13 Whiteface Mountain
Base Lodge
14 North Creek, New York
15
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19 Contact: Kevin Franke
The LA Group
20 40 Long Alley
Saratoga Springs, New York 12866
21 518-587-8100
22 kfranke@thelagroup.com
23

P R O C E E D I N G S :

MR. LUNDIN: Tonight's SEQRA public hearing involves the proposal for Whiteface Mountain's 2017 Unit Management Plan Amendment. The purpose and the need for the UMP Amendment is the ongoing improvements and the modernization of the facilities here at Whiteface that will add public accessibility, increase users' safety and enhance recreational pursuits, while also complying with the Adirondack Park State Land Use Master Plan in Article XIV of the New York State Constitution.

So at this time, I would like to introduce the president and CEO of the New York State Olympic Regional Development Authority, Mr. Mike Pratt.

MR. PRATT: Thanks, John.

Thanks everybody for coming. This is really important to the Olympic Authority. Certainly, a commitment of this magnitude takes a lot of time, a lot of energy, it takes a lot of money. We were happy to make this commitment because we need to modernize our plans and make sure that we're positioning Whiteface to be successful.

So first of all, we've been very inclusive with this project, getting feedback from the staff at Whiteface, who I'd like to recognize and thank, and also from the leadership at the Olympic Authority, and it's something that we've all worked hard for.

With that said, I'll move right on and continue with the program. So Kevin Franke from the LA Group will speak next.

MR. FRANKE: Thanks, Mike. Just a couple of procedural things to get

on the record tonight. Tonight's public hearing is being held in accordance with the New York State Environmental Quality Review Act and Article 8 of Environmental Conservation Law.

The document that's been issued today is a Draft Unit Management Plan, Draft Environmental Impact Statement. Your comments will be taken into account and responded to in a Final Unit Management Plan Environmental Impact Statement.

There is a sign-in sheet for those who wish to make a public comment tonight. John will be calling speakers from that list. We do have a stenographer present tonight to get an accurate recording of the hearing. We would ask you to state your name for the record when it's your turn to speak so we can have that as part of the record.

In addition to the comments that will be received tonight, public comments will also be accepted through February 9th, 2018. Directions for submitting written comments via e-mail or regular mail are posted by the sign-in sheet. They'll also be up on the screen during the public comment portion of the hearing.

Copies of the Unit Management Plan itself are available to view in hard copy or online and these locations are also posted by the sign-up sheet.

A Notice of the Public Hearing was published in the Environmental Notice Bulletin on January 10th, 2018. The legal notice announcing the public hearing was also published in the Adirondack Daily Enterprise on January 8th, 2018. I'd like to take a moment now to read the legal notice

into the record, the Aaron will give a brief presentation of the UMP, and then we'll be accepting your public comments.

Notice of SEQRA Public Hearing. New York State Olympic Regional Development Authority will hold a public hearing on Thursday, January 25th, 2018, at 7:00 PM in the Whiteface Mountain Base Lodge to receive public comment on the 2017 Amendment to the 2004 Whiteface Mountain Unit Management Plan/Draft Generic Environmental Impact Statement (UMP/DGEIS). Copies of the UMP/DGEIS are available for review at Whiteface Mountain, NYSDEC offices in Raybrook and in Albany, at ORDA's Lake Placid office and at the Town of Wilmington Town Hall. The UMP/DGEIS is also available online at http:www/dec/ny/gov/lands/ 90459.html.

The action involves a proposal for Whiteface Mountain in the 2017 Unit Management Plan (UMP) Amendment to include the replacement and extension of the Bunny Hutch Lift with related ski trail work, construction of a new intermediate Trail 12A on Little Whiteface, installation of a Base to Base transfer lift (conceptual action), replacement and extension of the Bear Lift, replacement and extension of the Freeway Lift, creation of additional parking at Bus Lot, creation of a formal drop-off at Bear Den, replacement of culverts behind NYSEF building with a bridge, examine options for a snowmaking reservoir (conceptual action), add mountain biking trails from Mid-Station and install a people mover between parking lots and Base Lodge (conceptual action).

The purpose and need for the UMP Amendment is the on-going improvement and modernization of facilities at Whiteface that will add to the public accessibility, increase user safety and enhance recreational pursuits while simultaneously complying with the Adirondack Park State Land Master Plan and Article XIV of the New York State Constitution.

Oral and written public comments will be accepted at the January 25, 2018 Public Hearing. Written public comments may also be submitted before or after the public hearing until the public comment period closes February 9th, 2018. Written public comments can be submitted by mail to the Olympic Regional Development Authority, 2634 Main Street, Lake Placid, New York, 12976, Attention: Department of Environmental Planning and Construction, or electronically

to Whiteface_2017_UMP_ comments@ORDA .org.

And that's the end of the legal notice that was published for the hearing.

With that, I'll turn it over to Aaron.

MR. KELLETT: Thanks, Kevin. I very happy to be here. I wish we had some more people to present this to, but thank you all for coming. Those of you that don't know, this is actually the 60th anniversary of the day Whiteface opened. Today, January 25th, 60 years ago, Whiteface opened its doors to skiers at that time. And we've really grown into a multi-seasonal, multi-use venue that makes a lot of people happy. And we're all excited to be here to kind of go over what we're looking at in the future. So it's a great day for us.

As everyone said before, you know, the goals of these projects are to make us more efficient, make us more competitive in the marketplace, and really to enhance the experience of skiers and riders and get people -- you know, one of the biggest things for us is to get people from New York to stay skiing in New York, and we need to up our game a little bit and we'll go over some of our proposed actions.

So some of the main actions involve some new trail cutting, mainly to enhance the intermediate experience. Some trail widening, which is going to allow for a safer, better skiing experience. Lift improvements that are going to get people up the mountain, replace some of our older, aging lifts, and get people to new locations and open up that intermediate terrain.

New snowmaking reservoir, which we discussed, is very important for us. We rely very heavily on the Ausable River and we have increasing restrictions on how we pump water from there. And this is going to allow us to be better at snowmaking, while not having an impact on the environment of the river, which is very important for all of us.

Expanded parking. That's pretty self-explanatory. We are working on how vehicles get in and out of Whiteface. We don't have a whole lot of access. We have basically one lane in, one lane out, so there's some proposed actions there. And, you know, most of our improvements are focused in these areas.

So this slide kind of shows where all of our actions are. There's some new intermediate trails up on Little Whiteface. We have

replacement of the lifts, which is -- both of these -- all three of the lift terminals are based out of the base of the mountain. One of them is out of Bear Den and the other two are out of the main side of the ski resort.

The new reservoir is proposed and conceptual in this area, which is behind our main pump house for the whole ski resort. This is the base area, obviously, we have improvements and continuing on with these improvements is very important for us.

So this kind of highlights the new trails that we're proposing. So, right now, this is -- for those of you that know the mountain, here's Mid-Station. This is Mountain Run. So this is the face of the mountain. Here's Approach. Here's the top of the Gondola. So this trail right

here is called Approach. Right now, if you're an intermediate skier, this is the only trail you have. It's not Approach. It's a trail called Excelsior. So every single person that goes up the Gondola that's an intermediate skier has one way down off the Gondola.

So one of the benefits of these new trails are, it adds another option for these people, it reduces the crowding and increases the safety level of the skiers on the mountain. Tying into these two trails here is a new proposed lift, which would be a replacement of one of our Olympic Air lifts. It would start at the bottom and it would finish right up here. And it would access both of these new trails. So we would have another intermediate option for people out of the base area.

Over here is our Bear Den area.

I have another -- there's another slide right after this that kind of blows it up. So this highlights the trail widening and the new trails. So this trail over here is a new trail. This trail right here is an connector trail. Right now, we don't have very good connection between the Base Lodge and the Bear Den Lodge. So there's also a new lift proposed. So currently the Bear Den lift -- or the Bunny Hutch Triple starts down here and it ends right here. The proposed new lift would start a little bit higher. So the base terminal would be a little bit higher and a little bit more in the center of the open area and would finish a little bit higher. The previous lift to the one that's in place used to finish right over here. So we basically would be ending up in the same area.

And what that does for us, it allows us to have better connection in and out of the main side of this ski area. So right now this whole area is pretty isolated because this lift ends up here. So if you're basing yourself out of that Base Lodge, there is not a very good tie-in for you to get over to the main side. Extending this lift up allows good connection to the main trails, and it also allows us to open up some more better intermediate -- well, beginner trails for people to learn on.

This area right here is the new connector trail between the Base Lodge and the Bear Den Lodge. This is the proposed bridge that had been brought up before by Kevin. And it just allows people to ski out of the Bear Den Lodge and go directly to the Base Lodge without having to go up a

lift. It might not seem like a lot, but if you guys are skiers, which I know a lot of you are, people want to be based out of here, but to get over to here can be a problem, can be a hassle. So this is going to open that up, allow for better flow.

You can kind of see right here this dotted line. This dotted line is a proposed lift that connects the two lodges. We see a lot of families that are coming here that don't ski. And this helps bridge that gap. It gives them something to do, allows them to come back and forth without being on our roads. So as I mentioned earlier, it's one way in, one way out, one way up, one way down from the Base Lodge to Bear Den. This takes the road and vehicular access out of the mix for these people so they don't have to go on the shuttle bus, they don't have to

get back in their car. They can hop on this new lift and connect between the two lodges.

These little shaded areas are just some proposed trail widening that would also enhance the connection in and out and the flow of these lower level trails. Also, right here, we have the proposed improvements to our dropoff zone. It would just allow better flow in and out of the area.

This is kind of an overview of the base area, which shows the base, kind of where the lift terminals are going to be located for the two proposed lifts out of the base area. So this is the proposed Bear Lift. This the proposed other lift. This is the current Bear Lift.

So, right now, if you want to -- that next step for skiers, you have to somehow make your way from the

Base Lodge up to this lift. And the way to do that right now is to ride up this lift, ski over to get over to this lift. And it doesn't seem like a lot before, but we're trying to take some of these intermediary steps out of what these guests are experiencing. They want more direct lift access. They want to have an easier time getting to their location.

Over here is the location of our proposed reservoir. This is our main pump house. So, basically, the way our system works, we pump water from right down here, up to this pump house. So we would divert from the pump house and go into this reservoir. This would allow us not to be relying on the Ausable River during times when the Ausable River doesn't want us to take water out of it, which are times of low flow,

which are times of high flow, which are times of slush, and there are other events that restrict our ability to pump water.

This area right here, this little red area, if you can see it, is the location of a conceptual bridge that would also go to battle that circulation and that traffic in and out of the ski resort. And there's also a proposed lift from the larger parking lot, which we call the Lake Placid parking lot, to our premiere lot, which is our paid parking lot. This also is kind of the same area that people would be going back and forth from to and from Bear Den Lodge on that other proposed connector lift. There's a little additional parking shaded in here, just to allow for more customers coming, which we're trying to get to and we have.

So, aside from these new proposals, we also have, you know, some outstanding UMP items which we would like to move forward on. There's ongoing trail development for trail widening, improving the safety, improving the experience of the customers.

The Base Lodge improvements is an ongoing process. We've done some extensive renovations in the past couple of years, which are getting a lot of good reviews and we would like to carry on with those.

Bear Den Lodge is a main area of focus for this past year and this coming year. We're going to be shifting the way we teach skiing at Whiteface. Right now, if you have kids, you basically go over to our Bear Den Lodge to drop your kids off for their program. Wait in the line for tickets and rentals. And then

you, if you have a lesson yourself and you're an adult, you have to somehow then make your way from Bear Den Lodge over to the Base Lodge, so we're moving everything up there. So continuing improvements over there is extremely important.

Continued modernization of our snowmaking system, snow guns and pumps and compressors. It's a constant process. Efficiencies are changing very rapidly and we have unique opportunities that are incentive -- the state is incentivizing us to be more efficient. So for us, it's a win/win, and we're trying to take full advantage of that.

Once again, more energy efficient projects. It's a main focus of ours. We have lodges that were built in the '50s -- 1958, 60 years ago, so we're carrying on with

the modernization and the efficiency projects in all of our lodges.

And vehicular and pedestrian transportation improvements. And, as always, maintenance area improvements. We're trying to be better. We're trying to be better all around as a ski resort. So these are some of the outstanding UMP items that we'll be addressing.

And this is -- for those of you that didn't have time to write down what Kevin was saying earlier about the hyper link, this is the actual address where you can pick up your copy of the UMP -- the full copy.

We gave a bird's-eye view of everything we're doing and, like I said earlier, we are very excited and I want to say thanks to all of our staff. We have all these improvements going on, but without all these guys and gals out there

doing it, we're dead in the water, so thanks to all of them for all their hard work and dedication.

Thank you all. Thanks for coming. I'll pass it off to John.

MR. LUNDIN: Okay. Thank you, Aaron.

At this time we will take some public comment. I guess I'll ask our individuals who would like to make a public comment to please stand and then identify yourself and your affiliation.

We will begin with Willie Janeway.

FROM THE FLOOR: I'm Willie Janeway. Thank you for being here. I appreciate it. I'll be brief so we can get home earlier. I see that there's a huge crowd and a long line of speakers. Thank you to Mike and Kevin and Jack. I appreciate the introductions.

I'm Willie Janeway, executive director of the Adirondack Council and resident of Keene. The Adirondack Council is an organization devoted to protecting the wild character and ecological integrity of the Adirondacks, making sure that the constitution of Forever Wild requirements are honored.

ORDA, you can think of us a little bit like your auditor or your dentist, where you may not always appreciate us coming in and looking through things with a fine-tooth comb, but, believe me, it's much better for us to find things and then work with you to get them resolved, rather than have them become problems down the road.

Towards that end, in our initial review of the documents, we did find a few technical issues regarding the ski trail mileage and I want to thank

Mike and the team for quickly responding and acknowledging and making those corrections, so I want the record to reflect our appreciation for that.

On a macro level, we recognize that the park and these facilities are and need to be maintained as world class destinations for the park. They need to be continually upgraded, maintained and funded. We recognize that these facilities need to be legal, they need to be operated in an environmentally sustainable way, in the current event and competitive needs of athletes while supporting the community and the tourism economy.

The Adirondack Council supports efforts to secure state funds for ORDA facilities, properties and operations. We thank ORDA for the early outreach to the environmental

community and the scoping efforts regarding this process. The details of these plans are going to be important.

A few things just to put on the record early. We will provide more detailed comments that really all go to one theme, which is, when things are legal, this is good. So on the top of our list is compliance with Article XIV, making sure the trail mileage and all of that is independently verified as being accurate, consistent, in terms of what the trails are.

If a trial is less than 30 feet, we don't believe that makes it as a sectioned trail that should not still be counted. My understanding is that you're still counting those as part of the mileage still under the cap.

Making sure the planning for ORDA facilities is sensitive to

regional planning. You can't plan one part of Adirondack Park in a vacuum from others. This is mostly relevant to the Mt. Van Hoevenberg area when you look at summer use and possibly the relocations of trailheads at Route 73. We had a very successful experiment at the Cascade trailhead last summer. We need to make sure that we work together on a regional basis to make sure the ORDA plans fit in well with other DEC Unit Management Plans.

We also want to recognize the poster behind people here that says the Climate Reality Project. We applaud efforts with the reservoir and the water conservation and water recycling and efforts on energy. It's really important that all the ORDA facilities be modeled in illustrations of maximum use of renewable energy. The governor's

goals in that regard are something that we applaud and support and we appreciate ORDA working to implement those.

Finally, there are a bunch of important smaller details that we're going to need to follow up on. Making sure issues of light pollution are addressed, the Bicknell's thrush's needs, fish habitat impacts -- although, I think the reservoir goes a long ways to addressing those.

And with regards to the plans down at Gore, making sure that any map amendments are net positive for wilderness and net positive for the forest preserve.

So that's a taste of some of our comments. Thank you very much. I hope everybody gets home early and safely tonight.

MR. LUNDIN: Thank you, Willie.

Are there others who would like to make a public comment this evening?

With that, we'll call this meeting to rest.

MR. FRANKE: Just for the record, the Public Hearing for the 2017 Draft Unit Management Plan, Environmental Impact Statement for Whiteface Mountain is closed at this time, but I will remind people that written public comment is being accepted until February 9th, 2018.

Thank you.

(Whereupon, the proceedings in the above-entitled matter were concluded at 7:32 p.m.)

C E R T I F I C A T I O N

I, Kelly Wegg Joseph, Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me at the place and date noted in the heading hereof is a true and accurate transcript of same to the best of my ability and belief.

Kelly Wegg Joseph

Dated: February 12, 2018

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Appendix 9

DGEIS Written Public Comments

Kevin Franke

From: Bob Hammond <BHammond@orda.org>
Sent: Tuesday, February 06, 2018 7:37 AM
To: Mark Taber; Kevin Franke
Subject: FW: Gore/Whiteface Capital Improvements

Follow Up Flag: Follow up
Flag Status: Flagged

Robert W. Hammond
Director of Environmental, Planning and Construction
NYS Olympic Regional Development Authority
(518) 302-5332

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From: Munier Salem [mailto:salem.munier@gmail.com]
Sent: Saturday, February 03, 2018 10:25 AM
To: Bob Hammond <BHammond@orda.org>
Subject: Gore/Whiteface Capital Improvements

Hi Robert,

Hope this finds you well.

I came across ORDA's plans for major capital improvements at Gore and Whiteface, which have likely been accelerated by Governor Cuomo's recent proposal of $62mn for the resorts.

From the documents, it looks like plans are in place for a substantial widening of many existing trails across both resorts. While I'm disappointed by these plans--as much of the character of these Adirondack mountains come from their narrow, winding runs through the northwoods--I understand the financial imperative of expanding capacity.

However, one proposed trail widening struck me as particularly unfortunate. Upper Mackenzie, on Little Whiteface, has always been a personal favorite. The top two-thirds of the trail is very narrow, with an s-curve that prevents the skier from seeing especially far down the run. Cut through thick conifer forest, and often home to massive bumps from which you can only pick a couple lines, it's a thrilling experience unlike any other trail on the mountain.

Capital improvements are a great way to create jobs upstate, and Gore and Whiteface deserve modern trails and infrastructure because they are truly wonderful mountains. But when you straighten-out and widen all the runs these mountains start to resemble Stratton or Mount Snow. A push to attract more new skiers needs to be balanced with maintaining some of the character that draws us to the Adirondacks in the first place.

best,

Munier

--
Munier A. Salem // 845.489.6450

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February 9, 2018

Robert W. Hammond, Director of Planning & Construction
NYS Olympic Regional Development Authority
Olympic Center, 2634 Main Street
Lake Placid, NY 12946
(Via electronic submission)

RE: *Draft Amendments to the Gore Mountain and Whiteface Mountain Unit Management Plans*

Dear Mr. Hammond,

On behalf of the Adirondack Council, I would like to thank you for the opportunity to offer the following comments on the *Draft Amendments to the Gore Mountain and Whiteface Mountain Unit Management Plans*. We appreciate the Olympic Regional Development Authority's (ORDA) efforts to conduct meaningful public outreach while taking questions and feedback on technical elements for the proposals. Given the important role these recreational facilities play in the Adirondack Park, the Adirondack Council supports ORDA's efforts to modernize the facilities, increase energy efficiency and improve infrastructure reliability, *if the facilities, operations and improvements are legal and environmentally responsible*.

In reviewing the detailed amendments for both the Gore Mountain (Gore Mtn.) and Whiteface Mountain (Whiteface Mtn.) Unit Managements Plans (UMPs), the Council believes that most of the proposed actions are warranted and necessary to maintain these Adirondack Park ski centers as world-class facilities. They need to be updated, funded and protected. As a whole the facilities complement our region's world-class wilderness areas and provide for beneficial recreational opportunities for a wide spectrum of users within our mountain communities. When designed and managed properly these facilities thrive in areas designated for intensive recreation in the largest Wilderness Park in the contiguous United States.

The details of these plans are of critical importance in realizing the recreational and economic benefits of the huge investment of taxpayer dollars in these facilities. The Council is concerned with some of the UMPs' important details that are missing, including: compliance with all constitutional requirements, net positive land reclassifications for Wilderness, regional planning, and other environmental considerations. The following comments note our concerns:

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103 Hand Avenue, Suite 3 P.O. Box D-2 Elizabethtown, New York 12932-0640 tel 518.873.2240 fax 518.873.6675

Whiteface Mtn. UMP

The Council suggests that select changes be made. Particularly, we request that glades be counted towards the total trail mileage allowed under the constitutional amendment. This would require ORDA to adjust the proposed management actions to adhere to the 25 mile limit. And, we request that an updated, detailed trail mileage calculation be included in the plan to reflect these changes.

Based on Article XIV of the NY Constitution, trail mileage and width requirements are applied to trails that are constructed and maintained. The constitutional amendment language does not exclude glades from the trail mileage calculation as this UMP suggests. Because glade skiing areas are maintained and treated as trails, they should be considered trails and counted towards total trail mileage. Glades are trails for the following reasons:

1. There is physical preparation, such as clearing of brush, or grubbing, and/or cutting of down logs or small growth;
2. Drawing 3 of the draft amendment illustrates where glades and trails less than 30 feet are located. These downhill routes are also advertised as trails available to the public in the map published for Whiteface visitors, serving as an invitation for public use (see map, below);
3. At various times the glades are posted as "open" or "closed;" and,
4. They are patrolled by Ski Patrol.

According to the draft UMP, there are 21.30 miles of currently constructed or approved to be constructed trails for this Intensive Use Area, and with this draft amendment, 0.89 miles of trails are proposed to be constructed. These numbers combined bring the total trail mileage to 22.19 – well within the 25 mile cap. However, according to this draft UMP, this number excludes glades from the total trail mileage, thus excluding 2.86 miles of trail; if the glade mileage is counted, the constitutional cap would be (very slightly) exceeded. There must be a modest change to honor the cap.

The Slides are not counted towards the constitutional limit within this draft. However, the Council believes that if the following criteria are met, a reasonable argument could be made that the Slides should count:

a. Ski area maps and promotional materials show the slides as skiing terrain (as is currently done), and;
b. They are listed as "open" or "closed," and/or;
c. They are patrolled (by ski patrol), and/or;
d. Access to the slides from the top lift and access from the bottom of the slides to other trails is maintained (cleared, etc.).

The constitutional protections of Article XIV are not such that they must be complied with when convenient and easy. They are not a policy, regulation or law. If there are issues with compliance, and therefore issues with the legality of proposed UMP amendments and ORDA plans, either the plans or the constitution (or both) must be changed.

We ask ORDA to be transparent with its methodology in determining ski trail mileage totals and how they relate to the overall mileage cap. A change in almost three miles of trails between the proposed 2018 and approved 2006 amendments is significant. Although these changes can be

reasonably attributed to improved aerial photos and technology, a map showing where the totals were miscalculated should be included for public review. ORDA should include a detailed account of the calculations it used to arrive at the total trail mileage, including which trails were chosen to be counted as one or two trails where two or more trails merge.

Gore Mtn. UMP

The two land reclassifications proposed in this UMP, though conceptual, raise questions over the amount of land requested for re-classification to Intensive Use or Wilderness. Specifically, the 33 acres of proposed Wilderness is insufficient compared to the 159 acres proposed to be classified as Intensive Use. When looking at past land reclassifications, there is a precedent to re-classify or add Wilderness lands to the Forest Preserve at a two to one, or greater, ratio. As a reference point, the NYCO land swap amendment passed with the state suggesting a ratio of seven to one, committing to add 1,500 to 2,000 acres or more of Wilderness to the Forest Preserve in a swap for 200 acres of Wild Forest coming out of the Forest Preserve. As the Council noted at the January 25th public hearing held for Whiteface Mtn. UMP, state land dedicated for Intensive Use should be combined with expanded Wilderness in the same general area for a net positive for Wilderness. If these reclassifications are pursued in a separate UMP process, a net positive for Wilderness approach should be employed.

Lastly, based on the trail mileage information provided within the Draft Generic Environmental Impact Statement, Gore Mtn. is well within its constitutionally allotted 40 miles of trail limit. The Council requests that ORDA clearly outline how it arrived at the listed 32.9 miles of total mileage within this UMP.

Additional Comments

In addition to those above, the Council provides the following comments for both UMPs:

- Compliance with Forever Wild: The facilities on state lands must comply with the strict and not always convenient requirements of the "Forever Wild" clause of the constitution. These requirements include: constitutional amendments that provide for functions and facilities at Whiteface and Gore that would not otherwise be allowed; adherence to the tightly restricted total miles and widths of downhill ski trails; and, no new tree cutting, clearing, disturbance, or expansion to year-round activities beyond what is now allowed without a constitutional amendment. (Under the constitution, all uses must be winter recreation based.)

- Planning Sensitive to other Regional Adirondack Needs: The state lands and operations at Whiteface Mtn. are part of a larger network of state lands, recreational uses, trails, and trailheads within the very popular High Peaks region. As the state looks at making important upgrades to the ORDA facilities, and simultaneously develops plans to manage the overuse of the Rt. 73 corridor and the High Peaks, planning needs to be coordinated. For example, one element of overlap could be relocation of parking for the Cascade and Porter Mountains on popular weekends to the Mt. Van Hoevenberg complex, as was done on an experimental basis on Columbus Day weekend in 2017.

- Climate Smart, Energy Smart Models: Climate change threatens to redefine Adirondack winter recreation as we now know it. The ORDA facilities can and should combat climate change and be showcases for visitors from across the country and around the world for the latest and best in climate smart renewable energy practices. The facilities should support the Governor's renewable energy goals and comply with Adirondack Park Agency policies.

- Additional Environmental Issues: These upgrades provide an opportunity to:
    - Improve protections for fish and wildlife, including the rare Bicknell Thrush on Whiteface and Adirondack trout in the Ausable River.
    - Address light pollution, by protecting rare dark skies and reducing light pollution (at the Mt Van Hoevenberg sliding center, for example).
    - Protect water quality.
    - Expand recycling.

As Intensive Use Areas, Whiteface Mtn. and Gore Mtn. ski centers are integral to the identity and vibrancy of the Adirondack Park. Environmental planning and review of these plans should not be "segmented" from other ORDA facilities. Together these facilities support our region's world class wilderness areas, provide for necessary recreational opportunities across a wide spectrum of users close to or within our mountain communities, and continue to be economic staples for many surrounding communities. The proposed management actions will allow these ORDA facilities to remain competitive and attractive to both professional and amateur users. And while we understand and appreciate the unique nature of these ski resorts, we must not forget that these lands are still Forest Preserve and as such are subject to a level of accountability, protection, and process that make the Adirondacks one of America's true conservation success stories and make our ski centers especially appealing to visitors because of the limited on-mountain development and the exceptional beauty of nature that is part of the skiing experience.

In closing, the Adirondack Council supports legal improvements to ORDA facilities and programs that comply with the constitution, the law and the legal protections which are what keep the Adirondacks a national treasure, a legacy we've inherited, and hold in trust for future generations.

Thank you for reviewing our comments. We appreciate the opportunities to meet leading up to this point, and suggest and hope that we can meet again to review these points and your proposed responses.

Sincerely,

William C. Janeway
Executive Director

WHITEFACE SUMMIT
4,867'
4,650'
4,286'
LOOKOUT MOUNTAIN
4,000'
LITTLE WHITEFACE
3,676'
The Saddle
Upper Skyway
Upper Northway
Upper Southway
Upper Middle
Upper Valley
Upper Parallel
Upper Skyway
Upper Middle
Upper Valley
Upper Parallel
Upper Southway
Upper Northway

Kevin Franke

From: Bob Hammond <BHammond@orda.org>
Sent: Friday, February 09, 2018 2:07 PM
To: Mark Taber; Kevin Franke
Subject: FW: Whiteface Mt UMP Comments

Robert W. Hammond
Director of Environmental, Planning and Construction
NYS Olympic Regional Development Authority
(518) 302-5332

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From: Wayne Feinberg [mailto:topbroker@roadrunner.com]
Sent: Friday, February 09, 2018 12:23 PM
To: Bob Hammond <BHammond@orda.org>
Subject: Whiteface Mt UMP Comments

Dear Mr. Hammond,

I am writing offer my comments to the Whiteface Mountain UMP. First, I would like the record to show that I am very excited that ORDA and New York State are considering investing at Whiteface Mountain which is such a strong economic driver for this region. The terrain is second to none in the East but in my opinion has some areas of neglect that do not appear to be addressed in the UMP or are not properly addressed.

The UMP appears to focus on new lifts and trails presumably to enhance the ski resort experience. While lifts and trails should be a concern, the absolute #1 issue that should be addressed is snowmaking. People first come on a ski trip for the skiing. This winter has been one of the colder and best snowmaking periods yet it is February and much of the mountain is not open. In mid-December, competitors in New England were 100% open and Whiteface was 25% open. It does not take much experience in the ski industry to know that people that look online at conditions will see that Whiteface has minimal amounts open as compared to the competition. Lifts, lodges and trails won't help if they cannot be covered with snow. None of the other proposed improvements will matter if Whiteface can't at a minimum triple the snow making capacity. Covering as much of the facility as soon as possible will drive traffic to the resort when people compare it to the other options in the northeast. If there are issues with taking enough water out of the river due to sediment and slush, a significant snow making pond should be the absolute first priority. The pond, piping and pumps should be large enough to allow for making snow making simultaneously at all parts of the mountain.

I am also concerned with the lifts that are planned. Whiteface has many days that the only lift that runs other than the beginner ones at the bottom is lift I. While lift I is older and near or past its useful life, replacing it with a lift that goes to the Approach brings it right to an exposed section that has high winds where the only lift that serves expert terrain on windy days would also be closed. It does not appear that any of the proposed lifts enhance the facility for use in training or for the many events that are hosted each year at the mountain. Replacement or adding of lifts should enhance the race and freestyle uses that are plentiful and significant at Whiteface and part of the Lake Placid and Olympic culture. The plan appears to make a concerted effort to make Whiteface more intermediate friendly but at the expense of the Olympic and race heritage that has been so important.

It does appear that the UMP recognizes that there is a shortage of intermediate terrain at Whiteface. A new trail (12a) from the Approach back to Empire seems like a good idea if terrain allows for an intermediate run in this area. It would give another option off the Gondola for an intermediate skier other than Excelsior. This area faces north and would hold snow well all winter. All of the C trails are conceptually ok but appear to be a waste of money as there is no need to add more trails to an area that is not regularly open most years. Hoyts High faces South and is one of the last trails to be opened and many years it does not open as there is not enough snow making capacity to open it. Unless there is a serious commitment to expanding snowmaking there is no need for more trails.

On a personal wish list, some consideration should be made to putting snow guns in the slides. This terrain is unmatched in the East but rarely open. Some snow would allow it to be open much of the winter and not be a disappointment to people that hear about it but never find them open.

I would summarize my comments by saying that the absolute number one priority should be a snow making pond to allow for better conditions. Once conditions are improved then upgrading the lifts will be needed as skier visits will rise. Skier visits will not rise due to lifts but people will come if they see more trails open and better conditions as compared to other competitive options.

Thank you for taking my comments and feel free to call or email me if there are any questions or if anyone would like to discuss any of my thoughts in more detail.

Wayne

Wayne A. Feinberg, President
S. Curtis Hayes, Inc.
20 Broadway, PO Box 1325
Saranac Lake, NY 12983
518-891-2020 x 202
518-524-2351 (cell)
518-891-2990 (fax)
topbroker@roadrunner.com

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Middlebury College Box 2493
14 Old Chapel Road
Middlebury, VT 05753
sferguson@middlebury.edu

February 9, 2018

Michael Pratt
Olympic Center
2634 Main St.
Lake Placid, NY 12946

Dear Mr. Pratt,

Across the country, ski resorts are changing. Lifts are going faster, lodge food is getting better, villages are being developed, and year-round attractions are being built. These changes have helped the ski industry adapt to climate change and maintain corporate profits. As you consider how to develop the Adirondack resorts, I encourage you to also ask the question of to what extent *should* these resorts be developed. Governor Cuomo announced a vast and expensive expansion plan for Whiteface, Gore, and Mt. Van Hoevenberg, and some of these changes, such as updates to base lodge facilities, are long since overdue. Other amenities, however, seem to be unnecessary expansions that have no place within the Adirondacks.

The Adirondack resorts are unique because they are state-owned facilities focused on serving New York residents. They are not private corporations solely focused on increasing profits. In the winter, these resorts attract millions of visitors and are an important part of the Adirondack experience. However, in the summer, these resorts play a secondary role as people come from all over to hike the High Peaks and conquer the 46ers. When considering future developments, it is important that the developments are not seen as an addition to the individual resorts, but as added amenities to Adirondack Park as a whole. Route 73 is already overburdened during the summer months, and adding summer attractions to these ski resorts would increase the strain on the already existent infrastructure.

Specifically, I urge ORDA to consider how the proposed 'mountain coaster' fits within the culture of the Adirondacks. The Whiteface Mountain Unit Management Plan states that "Whiteface development will blend with the Adirondack environment and have minimum adverse impacts on surrounding state lands." The metal track of a mountain coaster would not blend into the Adirondack environment, but instead it would stick out like a sore thumb. The Adirondack environment, and especially publicly owned land, is fundamentally made up of wilderness. Constitutional exceptions already had to be made in order to allow ski resort infrastructure, and adding a mountain coaster would further contradict the 'forever wild' promise. A mountain coaster is a tamed and controlled way to experience nature. Riders would not be exposed to the real Adirondack wilderness, but instead they would glimpse nature from a man-made metal track. Outdoor recreation is an important part of the Adirondacks, but a

mountain coaster is something that belongs in an amusement park, not the Adirondack wilderness.

All this is not to say that Whiteface, Gore, and Van Hoevenberg should ignore profits, but instead of adding unnecessary infrastructure, they should focus on thriving within their ski industry niche. As other resorts continue to develop, Adirondack resorts should fall back on their skiing roots. They are located in a protected wilderness area that will never have the storefronts and commercial villages of Vail and Jackson Hole, yet the ski mountains themselves offer some of the best terrain east of the Mississippi. While a mountain coaster offers tempting profits, I urge you to embrace the ski culture that already exists at these mountains. Keep them as wild mountains nestled in the middle of the Adirondacks, and people will continue to come and enjoy these resorts for what they are—ski resorts where skiing comes first.

Sincerely,

Samuel Ferguson

Kevin Franke

From: Bob Hammond <BHammond@orda.org>
Sent: Monday, February 12, 2018 6:38 AM
To: Kevin Franke; Mark Taber
Subject: FW: Whiteface 2017 UMP Comments

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Robert W. Hammond
Director of Environmental, Planning and Construction
NYS Olympic Regional Development Authority
(518) 302-5332

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From: John Norton [mailto:johnn@nysef.org]
Sent: Friday, February 09, 2018 4:56 PM
To: Bob Hammond <BHammond@orda.org>; Whiteface_2017_UMP_comments <Whiteface_2017_UMP_comments@orda.org>
Cc: Aaron Kellett <AKellett@whiteface.com>; Mike Pratt <mike.pratt@orda.org>; Jeff Byrne <byrne@orda.org>; Mike LeBlanc <MLeBlanc@whiteface.com>
Subject: Whiteface 2017 UMP Comments

To Whom It May Concern:

There are many exciting and some concerning items in the newest UMP proposed by ORDA Management at Whiteface. Please accept the following comments:

1. **Conceptual Snow Making Reservoir:** This needs to become #1 on the list of improvements. While the Ausable River offers a great water source to draw from, many variables significantly limit the ability to make snow consistently. Varying water levels, sediment, volume, flow and temperatures make drawing directly from the River extremely troubling and inconsistent. December of 2017 is a great example, which had the lowest average temperature in the last 7 years (source: Weather Underground). With favorable temperatures and substantial water levels, Whiteface struggled to pull water quickly and efficiently from the River to expand skiable terrain. This occurred just before the busy holiday period due to the changes in water level, temperature and sediment in the river. While management makes efforts to expand terrain for the holidays, visiting skiers are checking trail counts on TV and social media. Whiteface lagged behind and visitors chose other resorts. A reservoir would significantly minimize and potentially eliminate these variables by allowing sediment to settle, provide consistent volume to draw from, as well as consistent water temperature. This is a "game-changer" - the bigger the better.
2. **Proposed Bear Chairlift:** This is a **great option to provide more appropriate terrain to intermediate skiers**, something many ski areas including Whiteface struggle with. It will also provide access to this terrain on windy days. Notes of caution: **it will be important to consider where lift**

towers are placed as the lift crosses Draper's Drop which hosts many national and international level FIS competitions - tower placement may prohibit the use of this trail and safety of the athletes if not placed properly. Additionally, when designing the mid-station (near the current Top of B or Bear Lift), consideration should be given to having not only a traditional "unloading" option for skiers to enjoy the beginner terrain, but to also have **a "loading" option at the mid-station for intermediate skiers and to support high-level athletic training** on the intermediate terrain. Additionally, it would also be wise to build the base at the bottom on the Mixing Bowl trail so guests don't have to walk uphill to load.

3. **Proposed Bunny Hutch Triple, Trails 88-92, Trail Widening, and Transport Lift:** This is all great and appropriate development for the beginner area of Bear's Den and it's new lodge. A common challenge for beginners is getting to/from Bear's Den and the Main Lodge. In combination with the new Bear Lift, the proposed expansion in this beginner area will make the getting to/from each area much more user friendly. Any efforts in this area will better the skier experience.
4. **Proposed Freeway Chairlift and Trails 12A, 73 and 73A:** While this proposal is a huge step forward in bringing the dated infrastructure of Whiteface into the modern era, it is troubling as presented when considering the variables of weather and the natural terrain of the newly proposed trail 12a. **The current Freeway Chairlift serves as a safe option** during windy days at Whiteface as it is well-protected from winds coming from most common directions. It services mostly intermediate terrain at it's mid-station and mostly expert terrain at the top. Many times during the winter, it is the only chairlift able to service more than beginner terrain (intermediate and expert) due to high winds. As proposed, the new Freeway Chairlift would be exposed to significant winds and risk failure to function on windy days - similar to the Cloudsplitter Gondola. Additionally, while it appears that the new terminal will open up new "intermediate" terrain in trail 12A, **that proposed terrain is significantly steeper than the appropriate intermediate terrain and, likely, expensive to develop.** By keeping the terminal of the new lift at the location of the current Freeway lift, it will be more likely to operate on windy days and still allow access to the proposed intermediate trails 73 and 73a - trails with gradients more suited for intermediate terrain. Furthermore, and perhaps most importantly, the existing trails "**2200 Road**" and "**1900 Road**", if developed and maintained, can provide the **"<u>easiest way down</u>"** for skiers that may be "over their head" on the popular expert trails serviced by the current Freeway Lift. The "2200 Road" and "1900 Road" are <u>existing</u> trails that can be widened and maintained for beginner and intermediate skiers. Furthermore, the "2200 Road" already provides most of the desired connection to the "Summit Quad" and "Lookout Chair" with minimal trail work. This would be a MUCH more appropriate option than trail 12A.
5. **Conceptual Transport Lift to/from Parking**: Getting to/from parking areas at Whiteface is a challenge for visitors. The current bridge is narrow, busy with vehicles and often filled with snow. The proposed lift is a reasonable attempt to address this issue. However, a more "maintenance-free" option may be an enclosed walking deck above the vehicle bridge. This would keep precipitation off the vehicle bridge, provide a route protected from the wind/weather for visiting families, and eliminate the conflict between people and vehicles. Consideration would need to be given to the ability to get heavy equipment and large items to/from the ski area if the walking bridge were to prohibit this.
6. **Trails C1, C2, C3, C4, C5, C6, 74, 75:** Further expansion of Lookout Mountain may seem exciting and there is great <u>expert</u> terrain there. However, the exposure to wind/weather makes it difficult to open and challenging to maintain. In the long term, this could make sense. However, current focus should go to existing trails and expansions served by more regularly operated lifts and areas protected from weather.

In summary:

- Focus on improving infrastructure before expanding terrain. **If we can't open all the trails we currently have, we don't need more trails - we need improved snow-making capacity** (**<u>Reservoir is key, bigger the better!!!</u>**).

- Install chairlifts that service current **intermediate terrain** (proposed Bear Lift, Bunny Hutch) and **avoid new chairlifts prone to exposure to wind** and shutdown (proposed Freeway Lift).
- **Expand existing intermediate trails** that provide relief to skiers/riders who find themselves where they shouldn't be (1900 Road and 2200 Road). Additionally, consider **widening Excelsior**, a main vein for intermediates all season.
- **Make visiting Whiteface easier for families and first-timers** with user-friendly systems to/from lodges and parking lots that are easy to maintain.

Thank you for considering these comments and suggestions. Feel free to contact me anytime with questions.

John Norton
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Kevin Franke

From: Bob Hammond <BHammond@orda.org>
Sent: Monday, February 12, 2018 6:36 AM
To: Kevin Franke; Mark Taber
Subject: FW: Whiteface 2017 UMP Comments

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Robert W. Hammond
Director of Environmental, Planning and Construction
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From: John Norton [mailto:johnn@nysef.org]
Sent: Friday, February 09, 2018 7:47 PM
To: Bob Hammond <BHammond@orda.org>; Whiteface_2017_UMP_comments <Whiteface_2017_UMP_comments@orda.org>
Cc: Aaron Kellett <AKellett@whiteface.com>; Mike Pratt <mike.pratt@orda.org>; Jeff Byrne <byrne@orda.org>; Mike LeBlanc <MLeBlanc@whiteface.com>
Subject: Re: Whiteface 2017 UMP Comments

Additionally, the proposed "Freeway Lift" starting at the base instead of the top of Bear trail could be good, yet could be problematic. There are many factors that come into play.

On one hand, it gets people out of base area during busy periods.

On the other hand, it potentially exposes more beginners to intermediate and expert terrain (without an appropriate alternative). I realize this is the reason for introducing 12A, but there are too many variables to make that work well. The terrain is too steep.

If the new Bear Lift is approved and in place from the current Mixing Bowl trail, it will be wise to keep the base of Freeway in its current location at the top of the Bear trail.

Thanks for listening.

John Norton

Executive Director
New York Ski Educational Foundation
5021 Route 86 or PO Box 300
Wilmington, NY 12997

Appendix 10

DGEIS Comments and Responses to Comments

Responses to Public Comments Regarding the 2018 Amendment to the 2004 Whiteface Mountain Unit Management Plan and Draft Generic Environmental Impact Statement

Comment Topics
1. Lifts and Trails
2. Snowmaking
3. Appurtenances
4. Constitutional Limits
5. Regional Planning
6. Renewable Energy
7. Environmental Issues

1. LIFTS AND TRAILS

(1.A) Munier Salem, February 3, 2018
I came across ORDA's plans for major capital improvements at Gore and Whiteface, which have likely been accelerated by Governor Cuomo's recent proposal of $62mn for the resorts.

From the documents, it looks like plans are in place for a substantial widening of many existing trails across both resorts. While I'm disappointed by these plans--as much of the character of these Adirondack mountains come from their narrow, winding runs through the northwoods--I understand the financial imperative of expanding capacity.

However, one proposed trail widening struck me as particularly unfortunate. Upper Mackenzie, on Little Whiteface, has always been a personal favorite. The top two-thirds of the trail is very narrow, with an s-curve that prevents the skier from seeing especially far down the run. Cut through thick conifer forest, and often home to massive bumps from which you can only pick a couple lines, it's a thrilling experience unlike any other trail on the mountain.

Capital improvements are a great way to create jobs upstate, and Gore and Whiteface deserve modern trails and infrastructure because they are truly wonderful mountains. But when you straighten-out and widen all the runs these mountains start to resemble Stratton or Mount Snow. A push to attract more new skiers needs to be balanced with maintaining some of the character that draws us to the Adirondacks in the first place.

Response: As shown in the graphics included in the 2018 draft UMP Amendment/GEIS (Figure ES-1 and Figure 8), the limited widening of Upper Mackenzie is a previously approved action that has not yet been constructed. The proposed widening of some of the middle and lower portions of Upper Mackenzie shown on these figures was approved in the 1996 UMP, but has not been undertaken. Whiteface strives to keep the unique characteristics of all of the expert trails. Whiteface does not intend to widen Upper Mackenzie at this time.

(1.B) Wayne Feinberg, February 9, 2018
I am also concerned with the lifts that are planned. Whiteface has many days that the only lift that runs other than the beginner ones at the bottom is lift I. While lift I is older and near or past its useful life,

replacing it with a lift that goes to the Approach brings it right to an exposed section that has high winds where the only lift that serves expert terrain on windy days would also be closed. It does not appear that any of the proposed lifts enhance the facility for use in training or for the many events that are hosted each year at the mountain. Replacement or adding of lifts should enhance the race and freestyle uses that are plentiful and significant at Whiteface and part of the Lake Placid and Olympic culture. The plan appears to make a concerted effort to make Whiteface more intermediate friendly but at the expense of the Olympic and race heritage that has been so important.

It does appear that the UMP recognizes that there is a shortage of intermediate terrain at Whiteface. A new trail (12a) from the Approach back to Empire seems like a good idea if terrain allows for an intermediate run in this area. It would give another option off the Gondola for an intermediate skier other than Excelsior. This area faces north and would hold snow well all winter. All of the C trails are conceptually ok but appear to be a waste of money as there is no need to add more trails to an area that is not regularly open most years. Hoyts High faces South and is one of the last trails to be opened and many years it does not open as there is not enough snow making capacity to open it. Unless there is a serious commitment to expanding snowmaking there is no need for more trails.

Response: Management within ORDA and at Whiteface Mountain considered a number of alternative configurations for the lifts serving this part of the mountain when deciding on the configuration that is proposed in the draft UMP Amendment/GEIS. See section VI.B of the UMP Amendment/GEIS, Alternative Lift Configurations. ORDA and Whiteface determined that the proposed configuration was the alternative that would best serve the skiing public – beginner, intermediate and expert – as well the training and racing activities hosted at the mountain.

Unit Master Plans serve as long range planning documents that are updated and amended on a semi-regular basis. As evidenced by the response to comment 1.A above regarding Upper Mackenzie, some actions are approved, but remain unconstructed for sometimes significant periods of time. Conversely, some actions get implemented shortly after they are approved. Adding the currently proposed trail 12a would provide new intermediate terrain that is currently lacking and very much needed on this part of the mountain. The evolution of mountain use patterns and operational capabilities generally dictate when approved management actions get implemented. This UMP Amendment deals with more immediate needs at the mountain. A future UMP Update could involve addition of some new management actions, but UMP Updates also often involve actions that fall under the category of Previously Approved, But No Longer Proposed. This category can include those mountain management actions that were suitable at the time of approval, but because of changing mountain circumstances, are no longer considered desirable actions to undertake.

(1.C) John Norton (NYSEF), February 9, 2018

Proposed Bear Chairlift: This is a **great option to provide more appropriate terrain to intermediate skiers**, something many ski areas including Whiteface struggle with. It will also provide access to this terrain on windy days. Notes of caution: **it will be important to consider where lift towers are placed as the lift crosses Draper's Drop which hosts many national and international level FIS competitions** - tower placement may prohibit the use of this trail and safety of the athletes if not placed properly. Additionally, when designing the mid-station (near the current Top of B or Bear Lift), consideration should be given to having not only a traditional "unloading" option for skiers to enjoy the beginner terrain, but to also have **a "loading" option at the mid-station for intermediate skiers and to support**

high-level athletic training on the intermediate terrain. Additionally, it would also be wise to build the base at the bottom on the Mixing Bowl trail so guests don't have to walk uphill to load.

Response: The more detailed construction drawings for the Bear Lift that will be developed following the completion of the UMP process will deal with specific tower placements. Whiteface will insure that tower placement does not negatively affect any of its existing facilities and operations.

Likewise, Whiteface will examine the suggested midstation loading option as more detailed plans are developed for this lift prior to construction.

Options for the lower lift terminal were examined by ORDA prior to the current location that is proposed in the UMP Amendment. It was felt that the proposed location was the most appropriate given all of the activities that are occurring in the base area and the levels of abilities of guests involved in all of the various activities.

(1.D) John Norton (NYSEF), February 9, 2018

Proposed Bunny Hutch Triple, Trails 88-92, Trail Widening, and Transport Lift: This is all great and appropriate development for the beginner area of Bear's Den and it's new lodge. A common challenge for beginners is getting to/from Bear's Den and the Main Lodge. In combination with the new Bear Lift, the proposed expansion in this beginner area will make the getting to/from each area much more user friendly. Any efforts in this area will better the skier experience.

Response: This supportive comment is noted, and no response is required.

(1.E) John Norton (NYSEF), February 9, 2018

Proposed Freeway Chairlift and Trails 12A, 73 and 73A: While this proposal is a huge step forward in bringing the dated infrastructure of Whiteface into the modern era, it is troubling as presented when considering the variables of weather and the natural terrain of the newly proposed trail 12a. **The current Freeway Chairlift serves as a safe option** during windy days at Whiteface as it is well-protected from winds coming from most common directions. It services mostly intermediate terrain at it's mid-station and mostly expert terrain at the top. Many times during the winter, it is the only chairlift able to service more than beginner terrain (intermediate and expert) due to high winds. As proposed, the new Freeway Chairlift would be exposed to significant winds and risk failure to function on windy days - similar to the Cloudsplitter Gondola. Additionally, while it appears that the new terminal will open up new "intermediate" terrain in trail 12A, **that proposed terrain is significantly steeper than the appropriate intermediate terrain and, likely, expensive to develop.** By keeping the terminal of the new lift at the location of the current Freeway lift, it will be more likely to operate on windy days and still allow access to the proposed intermediate trails 73 and 73a - trails with gradients more suited for intermediate terrain. Furthermore, and perhaps most importantly, the existing trails "**2200 Road**" and "**1900 Road**", if developed and maintained, can provide the **"easiest way down"** for skiers that may be "over their head" on the popular expert trails serviced by the current Freeway Lift. The "2200 Road" and "1900 Road" are existing trails that can be widened and maintained for beginner and intermediate skiers. Furthermore, the "2200 Road" already provides most of the desired connection to the "Summit Quad" and "Lookout Chair" with minimal trail work. This would be a MUCH more appropriate option than trail 12A.

Response: Management within ORDA and at Whiteface Mountain considered a number of alternative configurations for the lifts serving this part of the mountain when deciding on the configuration that is proposed in the draft UMP Amendment/GEIS. See section VI.B of the UMP Amendment/GEIS, Alternative Lift Configurations. ORDA and Whiteface determined that the proposed configuration was the alternative that would best serve the skiing public – beginner, intermediate and expert – as well the training and racing activities hosted at the mountain.

Some significant terrain alterations, possibly even including blasting, may be required to create trail 12A. This is not unusual when creating intermediate terrain on Whiteface. Potential impacts associated with blasting were fully evaluated in the DGEIS.

Whiteface also evaluated the possibility of widening 2200 road, but this alternative will also come with its share of terrain challenges and put low level skiers directly onto the face.

(1.F) John Norton (NYSEF), February 9, 2018

Conceptual Transport Lift to/from Parking: Getting to/from parking areas at Whiteface is a challenge for visitors. The current bridge is narrow, busy with vehicles and often filled with snow. The proposed lift is a reasonable attempt to address this issue. However, a more "maintenance-free" option may be an enclosed walking deck above the vehicle bridge. This would keep precipitation off the vehicle bridge, provide a route protected from the wind/weather for visiting families, and eliminate the conflict between people and vehicles. Consideration would need to be given to the ability to get heavy equipment and large items to/from the ski area if the walking bridge were to prohibit this.

Response: This initially appears to be a viable alternative worthy of consideration when this conceptual action is given further consideration in the future.

(1.G) John Norton (NYSEF), February 9, 2018

Trails C1, C2, C3, C4, C5, C6, 74, 75: Further expansion of Lookout Mountain may seem exciting and there is great expert terrain there. However, the exposure to wind/weather makes it difficult to open and challenging to maintain. In the long term, this could make sense. However, current focus should go to existing trails and expansions served by more regularly operated lifts and areas protected from weather.

Response: The "C" trails referenced in this comment are only conceptual at this time as shown on Figure ES-1 and 8 and currently cannot be constructed. Trails 74 and 75 are approved, but not yet constructed. Whiteface does not plan to create new terrain at Lookout Mountain at this time.

(1.H) John Norton (NYSEF), February 9, 2018

Install chairlifts that service current **intermediate terrain** (proposed Bear Lift, Bunny Hutch) and **avoid new chairlifts prone to exposure to wind** and shutdown (proposed Freeway Lift).

Response: Management within ORDA and at Whiteface Mountain considered a number of alternative configurations for the lifts serving this part of the mountain when deciding on the configuration that is proposed in the draft UMP Amendment/GEIS. ORDA and Whiteface determined that the proposed

configuration was the alternative that would best serve the skiing public – beginner, intermediate and expert – as well the training and racing activities hosted at the mountain.

(1.I) John Norton (NYSEF), February 9, 2018

Expand existing intermediate trails that provide relief to skiers/riders who find themselves where they shouldn't be (1900 Road and 2200 Road). Additionally, consider **widening Excelsior**, a main vein for intermediates all season.

Response: Some widening of Excelsior was undertaken after it was approved in the 1996 UMP. Whiteface will be looking at options for additional widening of Excelsior in the future.

(1.J) John Norton (NYSEF), February 9, 2018

Additionally, the proposed "Freeway Lift" starting at the base instead of the top of Bear trail could be good, yet could be problematic. There are many factors that come into play.

On one hand, it gets people out of base area during busy periods.

On the other hand, it potentially exposes more beginners to intermediate and expert terrain (without an appropriate alternative). I realize this is the reason for introducing 12A, but there are too many variables to make that work well. The terrain is too steep.

If the new Bear Lift is approved and in place from the current Mixing Bowl trail, it will be wise to keep the base of Freeway in its current location at the top of the Bear trail.

Response: Management within ORDA and at Whiteface Mountain considered a number of alternative configurations for the lifts serving this part of the mountain when deciding on the configuration that is proposed in the draft UMP Amendment/GEIS. ORDA and Whiteface determined that the proposed configuration was the alternative that would best serve the skiing public – beginner, intermediate and expert – as well the training and racing activities hosted at the mountain.

Whiteface is committed to do everything they can to create a great intermediate experience on the new proposed trails. Whiteface will also have appropriate signage to help direct guests to the correct lifts.

2. SNOWMAKING

(2.A) Wayne Feinberg, February 9, 2018

I am writing offer my comments to the Whiteface Mountain UMP. First, I would like the record to show that I am very excited that ORDA and New York State are considering investing at Whiteface Mountain which is such a strong economic driver for this region. The terrain is second to none in the East but in my opinion has some areas of neglect that do not appear to be addressed in the UMP or are not properly addressed.

The UMP appears to focus on new lifts and trails presumably to enhance the ski resort experience. While lifts and trails should be a concern, the absolute #1 issue that should be addressed is

snowmaking. People first come on a ski trip for the skiing. This winter has been one of the colder and best snowmaking periods yet it is February and much of the mountain is not open. In mid-December, competitors in New England were 100% open and Whiteface was 25% open. It does not take much experience in the ski industry to know that people that look online at conditions will see that Whiteface has minimal amounts open as compared to the competition. Lifts, lodges and trails won't help if they cannot be covered with snow. None of the other proposed improvements will matter if Whiteface can't at a minimum triple the snow making capacity. Covering as much of the facility as soon as possible will drive traffic to the resort when people compare it to the other options in the northeast. If there are issues with taking enough water out of the river due to sediment and slush, a significant snow making pond should be the absolute first priority. The pond, piping and pumps should be large enough to allow for making snow making simultaneously at all parts of the mountain.

On a personal wish list, some consideration should be made to putting snow guns in the slides. This terrain is unmatched in the East but rarely open. Some snow would allow it to be open much of the winter and not be a disappointment to people that hear about it but never find them open.

I would summarize my comments by saying that the absolute number one priority should be a snow making pond to allow for better conditions. Once conditions are improved then upgrading the lifts will be needed as skier visits will rise. Skier visits will not rise due to lifts but people will come if they see more trails open and better conditions as compared to other competitive options.

Response: ORDA continues to consider options for a snowmaking reservoir including the conceptual action presented in the 2018 draft UMP Amendment/GEIS. See Section IV.A.3 and accompanying figure 22.

There are many other snowmaking priorities that preclude giving consideration to installing snowmaking on the Slides at this time. ORDA plans to continue to operate the Slides as backcountry off-piste skiing that is available when ski patrol deems conditions to be safe.

(2.B) John Norton (NYSEF), February 9, 2018

Conceptual Snow Making Reservoir: This needs to become #1 on the list of improvements. While the Ausable River offers a great water source to draw from, many variables significantly limit the ability to make snow consistently. Varying water levels, sediment, volume, flow and temperatures make drawing directly from the River extremely troubling and inconsistent. December of 2017 is a great example, which had the lowest average temperature in the last 7 years (source: Weather Underground). With favorable temperatures and substantial water levels, Whiteface struggled to pull water quickly and efficiently from the River to expand skiable terrain. This occurred just before the busy holiday period due to the changes in water level, temperature and sediment in the river. While management makes efforts to expand terrain for the holidays, visiting skiers are checking trail counts on TV and social media. Whiteface lagged behind and visitors chose other resorts. A reservoir would significantly minimize and potentially eliminate these variables by allowing sediment to settle, provide consistent volume to draw from, as well as consistent water temperature. This is a "game-changer" - the bigger the better.

Response: See the response to the substantively similar comment 2.A.

(2.C) John Norton (NYSEF), February 9, 2018
Focus on improving infrastructure before expanding terrain. **If we can't open all the trails we currently have, we don't need more trails - we need improved snow-making capacity** (**Reservoir is key, bigger the better!!!**).

Response: See the response to substantively similar comment 2.A.

3. APPURTENANCES

(3.A) Samuel Ferguson, February 9, 2018
Across the country, ski resorts are changing. Lifts are going faster, lodge food is getting better, villages are being developed, and year-round attractions are being built. These changes have helped the ski industry adapt to climate change and maintain corporate profits. As you consider how to develop the Adirondack resorts, I encourage you to also ask the question of to what extent *should* these resorts be developed. Governor Cuomo announced a vast and expensive expansion plan for Whiteface, Gore, and Mt. Van Hoevenberg, and some of these changes, such as updates to base lodge facilities, are long since overdue. Other amenities, however, seem to be unnecessary expansions that have no place within the Adirondacks.

The Adirondack resorts are unique because they are state-owned facilities focused on serving New York residents. They are not private corporations solely focused on increasing profits. In the winter, these resorts attract millions of visitors and are an important part of the Adirondack experience. However, in the summer, these resorts play a secondary role as people come from all over to hike the High Peaks and conquer the 46ers. When considering future developments, it is important that the developments are not seen as an addition to the individual resorts, but as added amenities to Adirondack Park as a whole. Route 73 is already overburdened during the summer months, and adding summer attractions to these ski resorts would increase the strain on the already existent infrastructure.

Specifically, I urge ORDA to consider how the proposed 'mountain coaster' fits within the culture of the Adirondacks. The Whiteface Mountain Unit Management Plan states that "Whiteface development will blend with the Adirondack environment and have minimum adverse impacts on surrounding state lands." The metal track of a mountain coaster would not blend into the Adirondack environment, but instead it would stick out like a sore thumb. The Adirondack environment, and especially publicly owned land, is fundamentally made up of wilderness. Constitutional exceptions already had to be made in order to allow ski resort infrastructure, and adding a mountain coaster would further contradict the 'forever wild' promise. A mountain coaster is a tamed and controlled way to experience nature. Riders would not be exposed to the real Adirondack wilderness, but instead they would glimpse nature from a man-made metal track. Outdoor recreation is an important part of the Adirondacks, but a mountain coaster is something that belongs in an amusement park, not the Adirondack wilderness.

All this is not to say that Whiteface, Gore, and Van Hoevenberg should ignore profits, but instead of adding unnecessary infrastructure, they should focus on thriving within their ski industry niche. As other resorts continue to develop, Adirondack resorts should fall back on their skiing roots. They are located in a protected wilderness area that will never have the storefronts and commercial villages of Vail and Jackson Hole, yet the ski mountains themselves offer some of the best terrain east of the Mississippi. While a mountain coaster offers tempting profits, I urge you to embrace the ski culture that already exists at these mountains. Keep them as wild mountains nestled in the middle of the Adirondacks, and

people will continue to come and enjoy these resorts for what they are—ski resorts where skiing comes first.

Response: There is no "mountain coaster" or any similar type of appurtenance proposed in the draft UMP Amendment/GEIS for Whiteface Mountain.

(3.B) John Norton (NYSEF), February 9, 2018

Make visiting Whiteface easier for families and first-timers with user-friendly systems to/from lodges and parking lots that are easy to maintain.

Response: Transport lifts and similar devices are currently included as conceptual items in the draft UMP Amendment/DEIS. See Sections IV.A.6 and IV.A.7.

4. CONSTITUTIONAL LIMITS

(4.A) William Janeway (Adirondack Council), February 9, 2018

The constitutional protections of Article XIV are not such that they must be complied with when convenient and easy. They are not a policy, regulation or law. If there are issues with compliance, and therefore issues with the legality of proposed UMP amendments and ORDA plans, either the plans or the constitution (or both) must be changed.

We ask ORDA to be transparent with its methodology in determining ski trail mileage totals and how they relate to the overall mileage cap. A change in almost three miles of trails between the proposed 2018 and approved 2006 amendments is significant. Although these changes can be reasonably attributed to improved aerial photos and technology, a map showing where the totals were miscalculated should be included for public review. ORDA should include a detailed account of the calculations it used to arrive at the total trail mileage, including which trails were chosen to be counted as one or two trails where two or more trails merge.

Response: A detailed account of the calculations used to arrive at the total trail mileage calculated in 2017 is included Appendix 5, Trail Inventory and Analysis', and in Table 1A, Trail Length Data in the 2017 draft UMP. Figures 3, 3a and 3b provided in the Trail Inventory and Analysis show where the calculation of trails begins and ends, the trail sections that fall within specific width classifications, and the trail categories.

The appearance of a change in almost 3 miles (2.72 miles) between the 2017 draft UMP and the 2006 UMP Amendment is because of the differences in the way the trails were categorized in each UMP. In order to provide an appropriate comparison, trails listed in the 2006 UMP Amendment must be categorized and broken down in detail similarly to the way they are categorized in the 2017 Draft UMP.

The 2006 UMP amendment reported a total of 24.96 miles of trails, including proposed activities on page I-2 of the document. Table T1, "Proposed Terrain Specifications" in the 2006 UMP Amendment calculated only 24.02 total miles of trails, including proposed activities. The difference appears to be because no trails categorized as "Conceptual Actions" are included in Table T-1. Since conceptual

actions are not 'approved' actions, trails that are conceptual actions should not be included as approved mileage.

The 24.02 total miles of trails reported in the 2006 UMP Table T1 includes existing trails, proposed trails, glades, and 'previously approved but not constructed' trails collectively in a single table. These trail categories were not independently 'broken out' or categorized, and therefore require further analysis in order to appropriately compare the data to the 2017 data. For example, the upper portion of Table T-1 lists a total of 19.48 miles of trails. This total includes existing trails, glades, proposed trails and previously approved/not constructed trails. But it does not include ALL proposed trails. Additional proposed trails are categorized in a lower section of the Table titled Proposed Tree Island Pod. In order to determine the total amount of proposed trails in 2006, one must add the proposed Tree Island Pod data with proposed trails listed in the upper section of the Table. Similarly, in order to determine the amount of existing ski trails calculated in 2006, one must identify and subtract out the proposed trails, glades, and previously approved/not constructed trails from the upper section of the Table. The area known as "The Slides" are not included in the Table T-1.

Table 1 that accompanies this response includes the 2017 Draft UMP trail calculations and trail categories. Glades have also been included in this table. "The Slides" are not included. The total existing, approved and proposed trails and glades in the 2017 Draft UMP is 24.57 miles.

Table 1
2018 Trail and Glade Mileage Summary

Summary of Totals	***(In Miles)***
Total Existing Trails	19.82
Total Approved/Not Constructed Trails	1.98
Total Existing and Approved Trails	***21.80***
Total Proposed Trails	0.89
Total Existing/Approved and Proposed Trails	***22.69***
Constitutional Trail Mileage Limit	25.00
Total Allowable Trail Mileage Remaining	***2.31***
Total Existing/Approved and Proposed Trails	22.69
Total Existing Glades	1.88
Total Existing/Approved and Proposed Trails and Glades	***24.57***
Conceptual Trails and Glades from Previous UMP's	*1.14*

Table 2 that accompanies this response tabulates the same trail and glade data presented in Table T1 of the 2006 UMP. However it breaks the trails into categories similar to the categories presented in the 2017 data (Table 1), so the data can be appropriately compared. The re-organized data is shown in Table 2. Other factors considered in Table 2 include trails built between 2006 and 2017, and trails proposed in previous UMP's that were not accounted for in 2006.

Table 2
2006 Trail and Glade Mileage Summary

Existing Trails in 06	16.97
Previously Approved, Not Constructed Trails in 06*	1.35
Existing and Approved Trails in 06	***18.32***
Proposed Trails in 06	3.89
Total Existing, Approved and Proposed Trails	***22.22***

Existing Glades in 06	0.99
Previously Approved Glades in 06	0.00
Existing and Approved Glades in 06	***0.99***
Proposed Glades in 06	0.81
Total Existing, Approved and Proposed Glades	***1.80***

Total Existing, Approved and Proposed Trails and Glades	***24.02***

Assumed Conceptual Trails in Previous UMP's	0.94
Total Reported in 2006	***24.96***

*Some Previously approved, not constructed trails from previous UMPs were not accounted for.

The re-categorized 2006 data is summarized and compared to the data calculated in 2017 in Table 3. The comparison shows a calculated difference of only 0.18 miles of existing trails and glades.

Table 3
2006-2018 Trail and Glade Mileage Comparison Summary

Existing Trails in 2006	16.97
Trails Built between 2006 and 2017	3.03
Total	20.00
Total Existing Calculated in 2018	***19.82***
Difference	-0.18
Existing Glades in 2006	0.99
Glades Built between 2006 and 2017	0.89
Total	1.88
Total Existing Calculated in 2018	***1.88***
Difference	0.0
Existing Trails and Glades in 2006	17.96
Trails and Glades Built between 2006 and 2017	3.92
Total	21.88
Total Existing Calculated in 2018	***21.70***
Difference	-0.18
Previously Approved, Not Constructed Trails reported in 06	1.35
Previously Approved, Not Constructed Trails not accounted for in 06	0.14
Trails Approved in 2006 UMP, but not constructed.	0.89
Total	2.39
Total Previously Approved, Not Constructed Trails Calculated in 2018	***1.98***
Difference	-0.40

(4.B) William Janeway (Adirondack Council), February 9, 2018

According to the draft UMP, there are 21.30 miles of currently constructed or approved to be constructed trails for this Intensive Use Area, and with this draft amendment, 0.89 miles of trails are proposed to be constructed. These numbers combined bring the total trail mileage to 22.19 – well within the 25 mile cap. However, according to this draft UMP, this number excludes glades from the total trail mileage, thus excluding 2.86 miles of trail; if the glade mileage is counted, the constitutional cap would be (very slightly) exceeded. There must be a modest change to honor the cap.

The Council suggests that select changes be made. Particularly, we request that glades be counted towards the total trail mileage allowed under the constitutional amendment. This would require

ORDA to adjust the proposed management actions to adhere to the 25 mile limit. And, we request that an updated, detailed trail mileage calculation be included in the plan to reflect these changes.

Based on Article XIV of the NY Constitution, trail mileage and width requirements are applied to trails that are constructed and maintained. The constitutional amendment language does not exclude glades from the trail mileage calculation as this UMP suggests. Because glade skiing areas are maintained and treated as trails, they should be considered trails and counted towards total trail mileage. Glades are trails for the following reasons:

1. There is physical preparation, such as clearing of brush, or grubbing, and/or cutting of down logs or small growth;
2. Drawing 3 of the draft amendment illustrates where glades and trails less than 30 feet are located. These downhill routes are also advertised as trails available to the public in the map published for Whiteface visitors, serving as an invitation for public use (see map, below);
3. At various times the glades are posted as "open" or "closed;" and,
4. They are patrolled by Ski Patrol.

Response: Whether or not glades are counted in the calculations, the constitutional limit of 25 miles at Whiteface Mountain is not exceeded. See the data included in the response to comment 4.A.

(4.C) William Janeway (Adirondack Council), February 9, 2018

The Slides are not counted towards the constitutional limit within this draft. However, the Council believes that if the following criteria are met, a reasonable argument could be made that the Slides should count:

a. Ski area maps and promotional materials show the slides as skiing terrain (as is currently done), and;
b. They are listed as "open" or "closed," and/or;
c. They are patrolled (by ski patrol), and/or;
d. Access to the slides from the top lift and access from the bottom of the slides to other trails is maintained (cleared, etc.).

Response: The Slides are rightfully not counted towards the constitutional limit since they are natural, unmaintained, backcountry areas suitable for skiing, and not maintained ski trails. The Slides consist of areas of bare rock exposed by historic landslides. This off-piste backcountry skiing is similar to what occurs on other exposed rock face areas skied in the Adirondacks such as Angel Slides on Wright Peak and Bennies Brook on Lower Wolf Jaw. The Slides present an attractive nuisance to skiers at Whiteface (as well as "poachers") due to the challenging terrain and limited accessibility. It is imperative that this part of the Intensive Use Area be regularly patrolled to protect the public.

(4.D) William Janeway (Adirondack Council), February 9, 2018

Compliance with Forever Wild: The facilities on state lands must comply with the strict and not always convenient requirements of the "Forever Wild" clause of the constitution. These requirements include: constitutional amendments that provide for functions and facilities at Whiteface and Gore that would not otherwise be allowed; adherence to the tightly restricted total miles and widths of downhill ski trails; and, no new tree cutting, clearing, disturbance, or expansion

to year-round activities beyond what is now allowed without a constitutional amendment. (Under the constitution, all uses must be winter recreation based.)

Response: See the responses to comments 4.A, 4.B and4.C.

(4.E) William Janeway (Adirondack Council), Public Hearing Transcript p. 26
If a trial is less than 30 feet, we don't believe that makes it as a sectioned trail that should not still be counted. My understanding is that you're still counting those as part of the mileage still under the cap.

Response: Trails less than 30 feet wide are included in the current mileage calculations.

5. REGIONAL PLANNING

(5.A) William Janeway (Adirondack Council), February 9, 2018
Planning Sensitive to other Regional Adirondack Needs: The state lands and operations at Whiteface Mtn. are part of a larger network of state lands, recreational uses, trails, and trailheads within the very popular High Peaks region. As the state looks at making important upgrades to the ORDA facilities, and simultaneously develops plans to manage the overuse of the Rt. 73 corridor and the High Peaks, planning needs to be coordinated. For example, one element of overlap could be relocation of parking for the Cascade and Porter Mountains on popular weekends to the Mt. Van Hoevenberg complex, as was done on an experimental basis on Columbus Day weekend in 2017.

Response: All ORDA UMP's for their Adirondack venues are prepared in consultation with NYS DEC and in cooperation with NYS APA. This ensures that proper consideration is given to regional planning issues during the preparation of ORDA venue UMP's.

(5.B) William Janeway (Adirondack Council), Public Hearing Transcript pp. 26-27
Making sure the planning for ORDA facilities is sensitive to regional planning. You can't plan one part of Adirondack Park in a vacuum from others. This is mostly relevant to the Mt. Van Hoevenberg area when you look at summer use and possibly the relocations of trailheads at Route 73. We had a very successful experiment at the Cascade trailhead last summer. We need to make sure that we work together on a regional basis to make sure the ORDA plans fit in well with other DEC Unit Management Plans.

Response: See the response to substantively similar comment 5.A. The issue of trailheads and Mount Van Hoevenberg will be addressed in a forthcoming UMP amendment for that ORDA venue.

6. RENEWABLE ENERGY

(6.A) William Janeway (Adirondack Council), February 9, 2018
Climate Smart, Energy Smart Models: Climate change threatens to redefine Adirondack winter recreation as we now know it. The ORDA facilities can and should combat climate change and be showcases for visitors from across the country and around the world for the latest and best in climate smart renewable energy practices. The facilities should support the Governor's renewable energy goals and comply with Adirondack Park Agency policies.

Response: The following is from page II-38 of the Draft UMP Amendment/GEIS:

***"*Whiteface currently obtains approximately 100% of its electrical supply through renewable sources provided by Direct Energy, including energy provided at its wind farm in Altona.**

On March 3, 2017 Governor Andrew M. Cuomo announced the three New York-owned ski resorts, Belleayre Ski Resort, Gore Mountain and Whiteface Mountain, have pledged to be powered by 100 percent renewable energy by 2030, joining The Climate Reality Project I AM PRO SNOW *100% Committed* campaign. The initiative corresponds with Governor Cuomo's Clean Energy Standard, which requires that half of all electricity used in New York come from renewable sources by 2030.

The I AM PRO SNOW *100% Committed* program helps meet the Governor's Reforming the Energy Vision's strategic plan for building a cleaner, more resilient and affordable energy system across the state. By committing to this important cause, Belleayre, Gore, and Whiteface mountains are working to move away from the fossil fuels driving climate change and shift to 100 percent clean, renewable energy. The initiative, coordinated by The Climate Reality Project's I AM PRO SNOW program, encourages ski resorts, towns, businesses and other mountain communities around the world to commit to being powered by 100-percent renewable energy by 2030."

(6.B) William Janeway (Adirondack Council), Public Hearing Transcript pp. 27-28

We applaud efforts with the reservoir and the water conservation and water recycling and efforts on energy. It's really important that all the ORDA facilities be modeled in illustrations of maximum use of renewable energy. The governor's goals in that regard are something that we applaud and support and we appreciate ORDA working to implement those.

Response: See the response to substantively similar comment 6.A.

7. ENVIRONMENTAL ISSUES

(7.A) William Janeway (Adirondack Council), February 9, 2018

Additional Environmental Issues: These upgrades provide an opportunity to:

Improve protections for fish and wildlife, including the rare Bicknell Thrush on Whiteface and Adirondack trout in the Ausable River.

Response: See section V.B.5 of the draft UMP Amendment for measures protecting Bicknell's thrush. Section V.A.4 contains measures to be implemented to protect water quality.

Address light pollution, by protecting rare dark skies and reducing light pollution (at the Mt Van Hoevenberg sliding center, for example).

Response: No new lighting is proposed for Whiteface Mountain.

Expand recycling.

Response: It is estimated that Whiteface recycles approximately 10 tons of materials annually (page II-38). Whiteface will continue to explore means of increasing its recycling efforts.

(7.B) William Janeway (Adirondack Council), Public Hearing Transcript p. 28

Finally, there are a bunch of important smaller details that we're going to need to follow up on. Making sure issues of light pollution are addressed, the Bicknell's thrush's needs, fish habitat impacts -- although, I think the reservoir goes a long ways to addressing those.

Response: See the response to substantively similar comment 7.A.

Appendix 11

Errata – Narrative Summary of Changes Made to the DGEIS in the FGEIS

Errata – Narrative Summary of Changes Made to the DGEIS in the FGEIS

1. The executive summary and section I.E have both been supplemented with descriptions of the additional steps taken in the SEQRA process following the issuance of the Public Draft UMP/DGEIS and leading up to the issuance of this Proposed Final UMP/FGEIS.

2. Additional information has been added to Section II.C.1.a that provides a more detailed description of the factors that resulted in the differences in ski trail mileage data presented in the 2006 UMP Amendment and the current UMP Amendment.

3. The following appendices have been added; Appendix 8 DGEIS Public Hearing Transcript, Appendix 9 DGEIS Written Public Comments, Appendix 10 DGEIS Comments and Responses to Comments, Appendix 11 Errata – Narrative Summary of Changes Made to the DGEIS in the FGEIS.