

Division of Lands & Forests

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**ZOAR VALLEY MULTIPLE USE AREA  
UNIT MANAGEMENT PLAN**

**FINAL**

Town of Collins, Persia and Otto

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December 2006

NYS Department of Environmental Conservation  
Region 9  
182 East Union Street  
Suite 3  
Allegany, NY 14706



GEORGE E. PATAKI  
GOVERNOR

STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
ALBANY, NEW YORK 12233-1010

DENISE M. SHEEHAN  
COMMISSIONER

**MEMORANDUM**

**TO:** The Record

**FROM:** Denise M. Sheehan *DSH*

**SUBJECT:** Zoar Valley Multiple Use Area Unit Management Plan

**DATE:** 12/25/00

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The unit management plan for the "Zoar Valley Multiple Use Area" has been completed. The Plan is consistent with Department policy and procedure, involved public participation and is consistent with the Environmental Conservation Law, Rules and Regulations. The plan includes management objectives for a ten year period and is hereby approved and adopted.

## **PREFACE**

It is the policy of the Department of Environmental Conservation to manage state lands for multiple benefits to serve the People of New York State. This Unit Management Plan is the first step in carrying out that policy. The plan has been developed to address management activities on this unit for the next 10 year period, with a review due in 5 years. Some management recommendations may extend beyond the 10 year period. Factors such as budget constraints, wood product markets, and forest health problems may necessitate deviations from the scheduled management activities.

### **Acknowledgments**

#### **The Zoar Valley UMP is dedicated in memory of Gerald F. Mikol, Regional Director, Region 9**

Gerald Mikol, Region 9 Director of the New York State Department of Environmental Conservation (DEC), passed away in April 2005. Mr. Mikol was born in Buffalo and grew up in Lancaster. He started his career with DEC in 1978 as a biologist in the Ray Brook office and rose through the ranks to become Coordinator of DEC's Great Lakes Programs. In 1996 he became Director of DEC Region 9, which includes Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Wyoming counties.

Gerald was very interested in the wise stewardship of all DEC administered lands and played an active role in the preparation of this Unit Management Plan. While he wasn't able to see this project to its final completion, his contributions have helped shape the long term stewardship of Zoar Valley and of all DEC administered land in Region 9.

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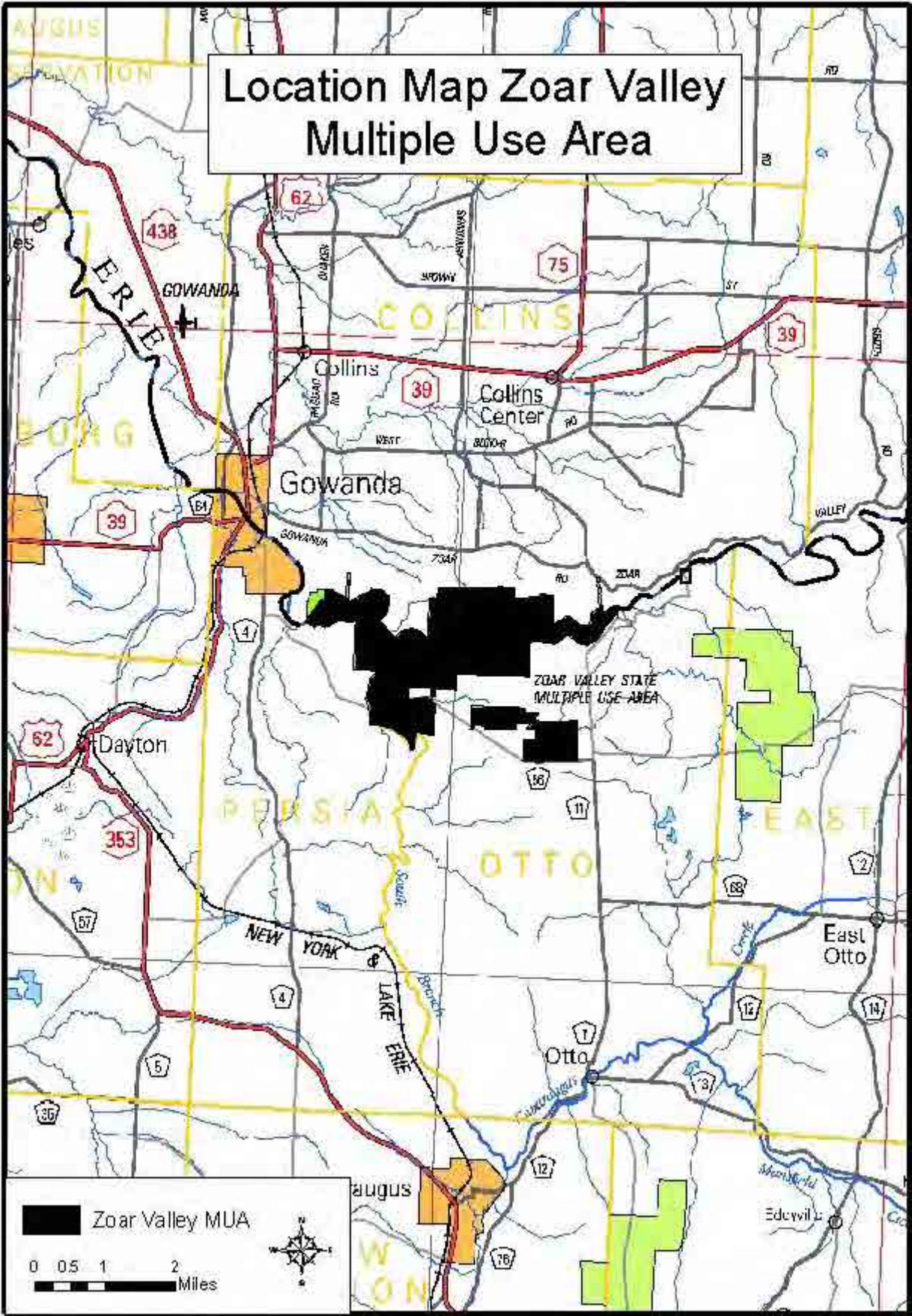
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# Location Map Zoar Valley Multiple Use Area



## I. Introduction

The Zoar Valley Unit contains some of the most scenic, ecologically diverse and potentially sensitive environmental areas in western New York. Approximately 1,912 acres are in Cattaraugus County and about 1,011 acres are in Erie County encompassing 2,923 acres in total. The basis for the development of this Unit Management Plan (UMP) is the future management of the upland portion of the unit and the protection of the unique features associated with the gorge. Protection of this unique area has been recognized as important for decades, even prior to its acquisition by the State of New York as a Multiple Use Area (“MUA”) in the 1960s. Interest in acquiring lands in the Zoar Valley area for protection purposes dates back to the early 1950s, when the NYS Division of Parks recommended State acquisition of about 5000 to 6000 acres. The 1960 Park and Recreation Land Acquisition Bond Act provided the resources for acquiring parcels and helped focus the public interest in acquiring parcels in the Zoar Valley area. The State Conservation Department was the driving force in the acquisition process. Mr. C.W. Mattison, Land Acquisition Consultant for the State wrote a report on Zoar Valley in 1961 in which he stated, “In development and management planning for lands acquired in the Zoar Valley area, the first definite action should be to insure the continued preservation of the gorges (and protective strips along the rims) as they now are” (underlining by author) (Mattison 1961). This philosophy is still held by the New York State Department of Environmental Conservation (DEC), the steward of the area today. Significant public interest in the management of the State lands in the Zoar Valley area also exists. Extensive comments and public input were compiled and incorporated during the development of this UMP.

### A. Generic History of State Forests

The forest lands outside the Adirondack and Catskill regions owe their present character, in large part, to the impact of pioneer settlement. Following the close of the Revolutionary War, increased pressure for land encouraged westward expansion. Up to 91% of woodlands were cleared for cultivation and forage.

Early farming efforts met with limited success. As the less fertile soils proved unproductive, they were abandoned and settlement was attempted elsewhere. The stage of succession was set and new forests of young saplings re-occupied the ground once cleared.

The State Reforestation Law of 1929 and the Hewitt Amendment of 1931 set forth the legislation which authorized the Conservation Department to acquire land by gift or purchase for reforestation areas. These State forests, consisting of not less than 500 acres of contiguous land, were to be forever devoted to “reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber and other forest products, and for recreation and kindred purposes”. This broad program is presently authorized under Article 9, Title 5 of the Environmental Conservation Law.

In 1930, forest Districts were established and the tasks of land acquisition and reforestation were started. In 1933 the Civilian Conservation Corps (CCC) was begun. Thousands of young men were assigned to plant millions of trees on the newly acquired State lands. In addition to tree planting, these men were engaged in road and trail building, erosion control, watershed restoration, forest protection and other projects.

During the war years of 1941-1945, very little was accomplished on the State lands. Plans for further planting, construction, facility maintenance and similar tasks had to be curtailed. However, through the postwar funding, conservation projects once again received needed attention.

The Park and Recreation Land Acquisition Act of 1960, the Environmental Quality Bond Acts of 1972 and 1986 and the Environmental Protection Fund of 1993 contain provisions for the acquisition of State lands. Today these lands serve multiple purposes involving the conservation and development of natural resources, including the preservation of scenic areas, watershed protection, forest management and recreation.

Today there are over 720,000 acres of State forest land throughout the State. The use of these lands for a variety of purposes such as timber production, hiking, skiing, fishing, trapping and hunting is of tremendous importance economically and to the health and well-being of the people of the State.

## **B. History of the Unit**

The Zoar Valley Unit has a rich history. Two sites with archeological evidence of early human use have been documented on private property near the Unit. Since much of the area has been disturbed by farming and other activities, it is not known whether the Unit was occupied by early Native Americans. However, the presence of archeologic findings on nearby parcels indicates the Unit may have been used or inhabited by early people.

The surrounding area including the Unit was deeded to the Holland Land Company in the early 1800s. It was surveyed, subdivided and sold in the 1820s. Historic records from 1842 reveal farming was practiced along both sides of Cattaraugus Creek near what is now Forty Road. A cheese factory was located near the intersection of Forty and Wickham Roads, now private property.

The shale of the Unit has apparently been mined. There are reports of two lime kilns in the Unit area, one near Overlook Point which has not been located, and the other near the Forty Bridge on the South Branch of Cattaraugus Creek. These lime kilns were probably operated in the early 1800s.

At least two sawmills were located in the area. Reports indicate that logs and produce were moved along Cattaraugus Creek. Trees of saw log quality near the river, or that could be easily pulled to the river, would have been cut.

Oil and gas wells were drilled on the property in the late 1890s. One of these abandoned wells was recently plugged near Overlook Point by a contractor to DEC.

Around 1865 the Atlantic and Great Western railroad was planned to cross the Unit near North Otto Road. The approaches to the bridge were built and most of the grade work was done up to Collins Center before the project was abandoned. Small parts of the grade still remain. The rest was converted back to farmland.

For many years a Boy Scout Camp existed on the north side of the confluence of the Cattaraugus Creek and its South Branch. A cable car was used to cross the main branch. The foundations of the camp buildings remain visible today.

The current Valentine's Flats area, at the confluence of Cattaraugus Creek with its South Branch, was first deeded by the Holland Land Company to Elisha Derby (pronounce "Darby") in 1837. The land became known as "Darby Flats." According to old maps, his house was located just below Overlook Point. In 1900, the land was sold to Ernest and Caroline Valentine and later became known as "Valentine's Flats."

In 1926, the Valentine property was deeded to Niagara, Lockport and Ontario Power Company. The power company purchased land from the Valentine's Flats and downstream to Overlook Point, to build a hydroelectric power dam. Test borings were made in the area just above Overlook Point to determine if the rock would hold a dam. The brittleness of the shale, however, made dam building impractical. The Valentine family stayed on the farm as tenants for a time. After the house was no longer occupied, the field in the Flats area was rented out for bean farming.

In 1952, Mr. Herbert Darling purchased land, including the Valentine's Flats area, from the Niagara Mohawk Power Corporation, the successor to Niagara, Lockport and Ontario Power Company. Mr. Darling gifted 1425 acres to the State of New York in 1961 and 1962. This marks the beginning of the New York State ownership and stewardship of the Valentine's Flats area. Other parcels were added later using Bond Act funds.

The Valentine's Flats area has always been a popular recreation area for hiking, swimming, fishing, camping and picnicking. Irresponsible behavior on the part of some campers led to the State's ban on overnight camping and motor vehicles in 1971. The Valentine's Flats and the Forty Road areas still remain popular spots for outdoor recreation. Public access to the Valentine's Flats area is limited by the fact that the Forty Bridge was closed and removed, the road to the Flats was abandoned, and by erosion along the access road from the parking lot.

In April 1968, a black walnut plantation was established in the Valentine's Flats area. About 7,300 black walnut trees were planted on approximately 12 acres in the center of the Flats. Many of the other upland areas used as fields and pasture were planted with conifer trees by the DEC. There is also an experimental American Chestnut plantation on the Unit. Many areas once used as pasture have reverted to hardwood stands. Evidence of the old farms, fields, fences, roads, and final resting places of those who were here before is still visible throughout the Unit.

## II. Information on the Unit

### A. Geographical

The Zoar Valley Unit includes three parcels of land, known collectively as the Zoar Valley Multiple Use Area (MUA). The parcels include the main area located along the Cattaraugus Creek gorge, the 5 acre Cattaraugus Creek Waterway Access and a 387 acre detached parcel. For purposes of this plan, the “Zoar Valley Unit” or “Unit” will be used to refer to these three parcels collectively being addressed in the UMP. Another detached parcel, known as East Otto State Forest, had previously been included in the MUA but has been excluded from this UMP process. Appendix A outlines the entire Unit Management Planning Process.

The Zoar Valley Unit is located in the Town of Collins (Erie County), and in the Towns of Persia and Otto (Cattaraugus County), New York. The gorge area of the Unit is located east and south of the Village of Gowanda and includes upland areas on both sides of Cattaraugus Creek and both sides of the South Branch of Cattaraugus Creek. The Cattaraugus Creek Waterway Access is located on North Otto Road on the Cattaraugus Creek in the Town of Otto, near the bridge at Burt’s Landing.

The Zoar Valley Unit encompasses about 2,923 acres. Approximately 1,912 acres are in Cattaraugus County and about 1,011 acres are in Erie County.

Currently, there is one hiking trail at the Zoar Valley Unit that had been maintained. DEC does maintain several parking areas to provide public access to the Unit. The Unit parking areas and access sites are described below and are shown in Figure 5.

1. The Forty Road parking lot, near the former Forty Road bridge, allows access to the South Branch of Cattaraugus Creek.
2. The Valentine’s Flats Road parking lot is located at the end of Valentine Flats Road in Cattaraugus County. This lot provides access to Overlook Point and unmarked foot trails to Valentine’s Flats, as well as other areas at the top of the gorge.
3. The Cattaraugus Creek Waterway access on North Otto Road has a parking lot with access to the water. Hand-carried water craft can be launched here. It is currently the only public place to start a boat trip on the main branch of Cattaraugus Creek within the Unit.
4. The Vail Road trail starts at Holcomb Pond parking lot and ends at the Ross Pond parking lot. This trail passes by Ross Pond and Holcomb Pond. The Ross parking lot, with room for about 5 vehicles, is off Vail Road near Unger Road. The Holcomb Pond parking lot has room for 2-3 vehicles.
5. The Purdy access is located off Forty Road and is blocked with earthen barriers to prevent vehicular access. Foot access by the public is allowed.
6. The Gravel Pit access trail is located off Forty Road in the southern most portion of the main Unit area and is accessible to the public for foot travel only.

There are several easements for Niagara Mohawk power line right-of-ways on the area. The largest is for a power line that runs across approximately 6000 feet of State land and exists on the main parcel of the Zoar Valley MUA. It crosses the Cattaraugus Creek gorge about 4500 feet east of the confluence with the South branch of Cattaraugus Creek and then goes west, exiting the State land in a northwesterly direction. The second easement is for about 1250 feet before leaving State land.

**B. Vegetative Types & Stages**

The 1987 DEC inventory of forested and other vegetative cover on the Zoar Valley Unit revealed information on the species of trees, size of trees (diameter class) and predominant species of trees found in each forest stand that was inventoried. Figure 2 shows the forest compartments or stands. The trees in the gorge were not inventoried as part of this evaluation since no timber management was planned. The results of the inventory are generalized in the table below.

**Vegetative Types and Stages within the Unit**

Vegetative Type	Acres by Size Class			% of Total
	0-5 “	6-11”	12”+	
Natural Hardwood Forest	411	106	579	38
Natural Forest Conifer	0	0	0	0
Plantation	249	94	0	12
<b>Acres</b>				
Wetland	87			3
Ponds	5			<1
Open/Brush	237			8
Other- gorge, acres not inventoried	1,159			38

Some uncommon vegetation types exist on the Zoar Valley Unit including:

- a. A variety of landscape species not common in forests are found around old house foundations;
- b. Butternut trees are present, however, they are becoming rare due to disease problems;
- c. About 5 acres of rare riverine forest contain sycamore trees of substantial size. They are located near Valentine’s Flats. Other small areas of riverine forest are found along Cattaraugus Creek.

## **1. Tree Plantations**

The Unit contains numerous plantations that were established by the DEC during the late 1960s and early 1970s for the purpose of creating conifer cover on some of the many old field sites on the area. They were also some hardwood plantations planted in an attempt to establish hardwood forest areas without waiting for natural succession. Many of the conifer plantations feature non-native species, while the hardwood plantations feature native species such as black cherry, black walnut, tulip poplar. The majority of the experimental hardwood plantations have not shown the desired growth on the sites where they were planted. One site near the Ross Parking Area off Vail Road is planted with American chestnut. This is a cooperative venture between the American Chestnut Foundation and DEC. Figure 3 shows the locations of the plantations.

## **2. Old Growth Forests**

Several locations in the gorge and near the rim of the gorge contain impressive stands of large trees. Some trees within these forests are reputed to constitute examples of an “old growth” forest. These areas will be assessed according to the old growth definition found on page 25 of the plan. Some specimens have been noted as the tallest of that species in the State and in one case, the world. The ten that are the tallest in New York State include tulip poplar, sugar maple, slippery elm, American sycamore, black walnut, cottonwood, red oak, bitternut hickory, yellow birch and white ash. There is also a 128 foot tall basswood that has been reported to be the tallest in the world. Future inventories and the compilation of existing information are planned to better document and map the status of the mature forested areas of the Unit.

## **3. American Chestnut**

American chestnut trees are scattered throughout the Unit. Most of those trees are found in the chestnut plantation. The New York State Chapter American Chestnut Foundation manages the plantation under an Adopt A Natural Resource Stewardship Agreement. The Agreement covers 18 acres, although trees have only been planted on part of the area so far. This is a research project that will hopefully lead to the restoration of American chestnuts to the forests of New York State. In order to protect the trees, a fence may be installed around the plantation. Cultural work will be undertaken as required.

Starting in 1991, the American Chestnut Foundation planted American chestnuts from various sources in the plantation located near the Vail Road access point. The trees are protected with plastic tree shelters. The young trees are replaced as needed from new stock raised by DEC from plantation seeds collected each fall by the Foundation.

## **C. Wildlife**

The Zoar Valley Unit is home to a variety of wildlife species. A listing of the commonly found mammals and birds are found in Appendices H and D. Historically, wildlife inventories focused primarily on game species. Today numerous recreational and educational users with a variety of wildlife interests, ranging from birdwatching, nature study and

photography to more traditional activities such as hunting and trapping, utilize the Unit. To effectively manage a large, complex ecosystem, or a number of smaller ecosystems like those that make up the Unit, we must consider the entire wildlife spectrum. Given the transient or migratory tendencies of some wildlife species, a species observed in the past may not be on the Unit today or may be present in reduced numbers. Changes in the Unit's habitat may be responsible for fluctuation in some species numbers. Loss of grassland areas due to reforestation and natural succession is one noticeable change since the area was acquired. Likewise, other species may be on the Unit today that were not observed or recorded previously.

In recent years there have been an increasing number of bald eagle sightings on the area which lead Department staff to believe there may be one or more active nests along the gorge portion of the Unit. DEC staff hope to continue to monitor the area by aerial survey annually in order to confirm nest locations.

The forested component of the area is considered to be characteristic of a hemlock - northern hardwood forest. The wildlife species associated with the forest component and its associated open areas reflect this relationship. Commonly observed mammals include the white tailed deer, grey and red squirrels, chipmunk, woodchuck, red and grey fox, raccoon, beaver, muskrat, opossum, skunk, coyote and occasionally a black bear and mink. Other than the common game birds found on the area such as wild turkey and ruffed grouse, other listings of common songbirds and waterfowl are noted in Appendix D. White tailed deer use of the Unit during winter months includes areas which provide adequate conifer cover and terrain which limits exposures to winter winds. No defined deer wintering areas have been identified.

## **D. Wetlands and Water Resources**

### **1. Fisheries**

Fisheries resources within the Zoar Valley Management Unit are primarily associated with seasonal steelhead trout (*Oncorhynchus mykiss*) runs, of both wild and hatchery origin. Upstream migrations of this species occur in Cattaraugus Creek, the South Branch of Cattaraugus Creek and to a lesser degree in Utley and Waterman Brooks. Approximately 7 miles of trout fishing waters occur on the Unit. Water levels can limit access due to the nature of the Cattaraugus Creek gorge. Additional recreational fishing opportunities exist in Holcomb and Ross Ponds that support warm water fish communities. Fisheries surveys indicate the presence of largemouth bass (*Micropterus dolomieu*), yellow perch (*Perca flavescens*), sunfish (*Centrarchidae*) and minnows (*Cyprinidae*). Statewide regulations apply to all recreational fisheries within the Zoar Valley Unit. A listing of the water bodies and common fish species found in them is found in Appendix I.

### **2. Water Resources:**

Along with the water resources associated with Cattaraugus Creek and its tributaries are ponds and small marshes that provide recreational opportunities as well as wildlife habitat. Holcomb Pond and Ross Pond are both located north of the main gorge and south of Vail Road. These ponds are man-made and are accessible by foot trails leading from the

parking areas on Vail Road. The pond dikes and water control structures maintain water levels at a somewhat constant level. Several beaver ponds exist along the trail between Ross and Holcomb Ponds. These ponds are built on natural stream drainage and the water levels are maintained by beaver. Other man-made ponds on the area include the “Wildlife Ponds” located south of the Forty Road and East of the old Purdy gravel pit. Small natural ponds and vernal pools occur throughout the upland areas.

### **3.. Wetlands**

The 1987 DEC forest inventory (NYSDEC 1987) of the area indicates a total of 87 acres of wetland located on the Zoar Valley Unit, none of which is of sufficient size to be protected by State Law. The wetland sites are scattered throughout the wooded and open areas on both sides of the gorge. There are three rich sloping fens and one rich graminoid fen found on the area. One of the rich sloping fens is located just west of the Ross Pond on an unnamed tributary of Cattaraugus Creek that flows toward the Ross access road. The second is found south of Cattaraugus Creek and north of Wickham Road on another unnamed tributary of Cattaraugus Creek. The third is located adjacent to the Forty Road. These fens are characterized as being small, gently sloping, minerotrophic wetlands, with shallow peat deposits, that occur in a shallow depression on a slope composed of calcareous glacial deposits. The graminoid fen is located on Valentine’s Flats just South of Cattaraugus Creek. The fens are fed by small springs or groundwater seepage and are headwater wetlands with water constantly flowing through them.

### **E. Biodiversity**

The New York Natural Heritage Program conducted a survey and identified four endangered and two threatened plant species within the gorges of the Zoar Valley Unit (NYSDEC 1993). The New York State endangered species noted in the report are: mountain watercress (*Cardamine rotundifolia*), rough leaf dogwood (*Cornus drummondii*), giant pine drops (*Pterospora andromedea*) and St. Andrew’s cross (*Hypericum hypericoides* var. *multicaule*) (6NYCRR Part 193.3 and section 9-1503 ECL). Schweinitz sedge (*Carex schweinitzii*), and golden seal (*Hydrastis canadensis*) are both considered threatened in New York State. The unique habitat conditions and remoteness of the gorges provide habitat and natural protection for these species.

### **F. Transportation Corridors**

The State Forest Transportation system provides for both public and administrative access to the unit. Roads and trails are constructed to standards that will provide reasonably safe travel and to keep maintenance costs at a minimum. There are six types of transportation corridors providing different levels of access, depending on the standards to which they are constructed.

Public Forest Access Roads (PFAR) - Permanent, unpaved roads which may be designed for all-weather use depending upon their location, surfacing and drainage. These roads provide primary access for administration and public use within the unit. The design standards for these roads are those of the Class A and Class B access roads as provided in the Unpaved

Forest Road Handbook (8/74). As a general guideline, sufficient access is typically achieved when 1 mile of PFAR is developed for each 500 acres of State land, and no position within the unit lies more than 1 half mile from a PFAR or public highway.

Haul Roads - Permanent, unpaved roads which are not designed for all weather travel, but may have hardened or improved surfaces with artificial drainage. They are constructed according to best management practices primarily for the removal of forest products, providing limited access within the unit by log trucks and other heavy equipment. These roads may or may not be open for public motor vehicle use, depending on management priorities and objectives. They may serve as recreational access corridors, but are not maintained according to specific standards or schedules. The design standards for these roads are below those of the Class B access roads as provided in the Unpaved Forest Road Handbook.

Access Trails - Temporary, unpaved roads which do not provide all weather access within the unit. They are not designed for long term and repeated use by heavy equipment. These corridors were originally constructed for the seasonal removal of forest products by skidding to landings or other staging areas. Constructed according to best management practices, these trails may be used to support other management objectives such as recreational access corridors. Maintenance is limited to activities which minimally support seasonal access objectives.

Recreational Trail - Unpaved recreational corridors which do not provide all weather access within a unit, and are designed to achieve specific recreational access objectives. Constructed according to best management practices, and following accepted regional standards for design, these trails may be used to support multiple types of seasonal recreation access. Maintenance is limited to activities which minimally support the access objectives and design.

Public Road - Permanent, paved or unpaved roads primarily designed for motor vehicle travel which are maintained by Federal, State or local government. These roads may or may not provide year round access.

Rights-Of-Way - Permanent, paved or unpaved roads which allow the Department access to State forest properties while crossing private land, or, corridors across State forests allowing access to private in-holdings.

## **Roads and Trails**

Both public and private roads intersect the Unit. The travel system ranges from unpaved foot trails, to paved public roads accessible by car or truck. Several roads crossed through the Unit in the past, although many have been closed. The remaining roads and trails are listed below. The Forty Road bridge was removed in 1995 due to safety concerns and has not been rebuilt. Several parking lots and access routes have been established in recent years in the Unit.

**County Highways/ Town Roads:**

Forty Road..... 1.7 miles  
Hill Rd. .... 0.6 miles  
North Otto Rd..... 0.03 miles  
Valentine Flats Rd..... 0.4 miles  
Wickham Rd..... 0.6 miles  
Gowanda Zoar Road..... 0.01 miles  
Vail Road.....1.1 miles  
Button Road..... 0.3 miles

**Trails:** (Administrative and foot access only)

Darling Access Rd.....0.2 miles  
Holcomb Pond Access Rd.... 2 miles  
Ross Access Rd.....1 mile  
Wildlife Access Rd.....0.5 miles

**G. Recreation**

Information on public use of the area has not been routinely collected from users except for a recent creel survey of steelhead anglers. The total number of cars at the Valentine’s Flats and the Forty Road access sites indicated that between 7,000 and 12,000 people used the area in the eight month period between September 2002 and May 2003. These figures were obtained by taking the average number of people per vehicle and multiplying by the number of cars counted. The number of anglers interviewed accounted for about 16% of the total number of users at the Valentine’s Flats access site.

Trails and access points are not routinely monitored for use. Available information on use of the area is generally from observances by staff and during patrols by DEC Rangers. Input on uses and potential uses was gained during the scoping sessions held for the purpose of development of this UMP. Appendix B summarizes the comments and input received during those scoping sessions and Appendix C lists the DEC responses to those comments.

Zoar Valley is a popular area for a variety of diverse outdoor recreational activities. Most are traditional and accepted uses of public land. Following is a list of some of the activities that have been documented in the Unit. The list does not indicate DEC’s priority of importance nor significance of those activities. Special regulations for public use of the Zoar Valley MUA currently prohibit some of these activities (see 6 NYCRR 190.25, Appendix F). Most of the prohibitions were implemented in the late 1970s in response to complaints and difficulties with overnight camping and concerns about the impacts of those activities on the Zoar Valley ecosystem. Safety and local laws were also a consideration for prohibiting some of these activities.

<b>Activity</b>	<b>Regulation</b>
All-terrain vehicle (ATV) & 4WD off-road vehicle use	Prohibited (6NYCRR 190.25[c] and [d])
Camping*	Prohibited (6 NYCRR 190.25[b] and [j])
Canoeing	
Cross country skiing	
Fishing	Regulated (6NYCRR 190.25[i])
Fireworks displays	Prohibited (6NYCRR 190.25[e])
Flower picking	Prohibited (6NYCRR 190.25[k])
Geocaching	
Hiking	Regulated (6NYCRR 190.25[i])
Horseback riding	Regulated (6NYCRR 190.8[g])
Hunting	Regulated (6NYCRR 190.8[e])
Kayaking	
Motorcycle riding on & off road	Prohibited (6NYCRR 190.25[c] and [d])
Nature observation	
Nature photography	
Natural Resources research	Regulated Part 8426.08 PPM
Nature & wildlife art	
Paintball games	Prohibited (6NYCRR 190.25[e] and [g])
Picnicking	
Snowmobiling	Prohibited (6NYCRR 190.25[c] and [d])
Snow shoeing	
Sun bathing	
Swimming/wading	Prohibited (6NYCRR 190.25[e])
Target shooting	Regulated (6NYCRR 190.25[e])
White water rafting	

\* Camping on the Unit has been prohibited since July 16, 1971 due to numerous situations involving irresponsible behavior on the part of some individuals who used the area for over night camping in the three years prior to the ban being put in place.

## **H. Inventory of Facilities**

Permanent facilities in the Zoar Valley Unit consist of parking areas, some access roads and the hand launch boat access site on Cattaraugus Creek (Figure 5 ). Trails are evident from use by the public but most are not maintained by DEC. Since the area was originally farmed, there are remnants of old building foundations, lime kilns, dug water wells, and burial sites. Evidence of a family cemetery plot still exists south of Cattaraugus Creek and north of Forty Road and is surrounded by State land. The former Forty Road bridge abutments remain as well as the plugged abandoned gas well near the Valentine’s Flats parking area. The Niagara Mohawk Corporation’s power transmission lines also traverse the Unit.

## **I. Geological**

The gorge of Cattaraugus Creek in the Zoar Valley MUA cuts west for 7.5 miles through Late Devonian shales and silt stones of the Canadaway formation. The heights of the cliffs range from about 100 feet to about 500 feet if you measure to the tops of the hills. Surface expressions of the Alleghenian Bass Island Trend are exposed in the main branch as joints and a pop-up fold trending northeast. Other joint sets trend north, east northeast and northwest. Surficial deposits and land forms provide clues to the sequence of events leading to gorge formation, but present more mysteries. Although flowing parallel to strike, Cattaraugus Creek is not a typical subsequent stream. The stream traverses at least three pre-glacial north-flowing stream valleys dammed by the Valley Heads Moraine. There is a curious erosional remnant at the confluence of the main branch and the South Branch of the Cattaraugus Creek. The creek drops at an average gradient of 0.3 percent from the head of the gorge to the first rapid, 0.6 percent from the first rapid to the mouth of the gorge and 0.4 percent to the end of the rapids one mile downstream of the mouth. Practically all of the drops occur in 19 rapids. A strong correlation exists between rapids, silt stone beds, joints and cross channel cobble and boulder deposits (Meyers 1999).

The soils of the Unit are for the most part of glacial origin. Unlike the shallow glacial hardpan soils of much of Chautauqua County, most of the soils in the Unit are quite deep and were deposited at the edge of the retreating glaciers. As a result, soils here are quite different from those of un-glaciated areas like Allegany State Park. Many of the areas of the Unit that have soil limitations do not support the growth of forests and have high erosion potential, poor drainage, seasonal perched water table and low permeability.

### **Current Storage Leases- National Fuel**

<b>Site</b>	<b>Year</b>	<b>Acreage</b>	<b>Lease Duration</b>
R 4050	1966	222	Leases continue until strata is no longer used for storage.
R 776.9	1966	70	
R 775.9	1966	37	
R 774.9	1966	100	
R 176772	1981	142	Sept. 29, 2011

## Terminated Leases

Lessee	Year	Acreage
Gower Oil	1977- 1987	387
National Fuel	1977- 1987	Unknown
US Energy	1992- 1994	11.44
US Energy	1991- 1994	386.6

A part of the MUA located in Erie County includes the National Fuel Gas-Collins gas storage field. Natural gas is stored there in natural underground formations until it is needed. National Fuel Gas (NFG) has several leases on the Erie County portion of the MUA as part of this storage field as referenced above. One lease is a no-drilling, no-entry lease. The others were inherited by the State when the property was acquired and the State is bound to the terms of the leases which allow NFG entry and drilling rights for storing and withdrawing natural gas.

There are no active gravel pits on the State property of the Unit. Larger gravel pits, located adjacent to or nearby the Unit, are on private property. Two small gravel pits near the Purdy Road access site had historically been used by DEC for minimal amounts of material for road maintenance on the Unit.

### **J. Administrative Facilities**

There are several small historic gravel pit sites on the main part of the Unit which are no longer active. These sites are located near the Purdy Road access site off the Forty Road.

### **K. Deeded Exceptions**

#### **1. Herbert Darling Parcels**

In 1961 and 1962, Mr. Herbert Darling deeded 1425 acres, including the Valentine's Flats and the Forty Bridge area, to the State of New York. There were 5 deeds involved, and each deed contained the following statement:

“This land is conveyed as a gift to the State of New York in the thought that its gorges be retained in their wild state; that for the enjoyment of the public no development other than simple foot trails be made with [sic] the gorges, and that only such development be made at the immediate gorge rims as are necessary to insure the safety of those enjoying the scenic values of the gorges. The state insofar as possible will keep it so but this shall not be deemed a condition as to the grant.”

Although this statement is not a deed restriction, DEC has in the past and intends in the future to follow the spirit of this request by protecting the gorge and the gorge rim as outlined, with public access afforded.

## **L. Cultural Resources**

The Zoar Valley gorge is a significant scenic resource within the Zoar Valley Unit. Scenic resources within the gorge include the steep shale cliffs and the Cattaraugus Creek that flows through the gorge, the South Branch of Cattaraugus Creek, which flows through its own gorge and joins with Cattaraugus Creek near Valentine's Flats, waterfalls located on State property where tributaries cut through the steep cliffs to Cattaraugus Creek or to the South Branch of Cattaraugus Creek and tall trees in areas near the rim of the gorge and along some of the steps of the gorge. Holcomb Pond and Ross Pond are both easily accessible and scenic. They are man-made ponds, but have no built structures near them other than the pond berms and water control devices. Other ponds and marshes in the Zoar Valley Unit provide views of nature and wildlife.

The Unit was impacted by historic uses prior to acquisition by New York State. The area was largely farmed, including the lowlands near the Cattaraugus Creek, commonly referred to as Valentine's Flats. Several saw mills were located in the valley and remnants of stone walls, lime kilns, and other structures are present. Around 1865, the Atlantic and Great Western railroad was planned and would have crossed the Zoar Valley near North Otto Road. This project was abandoned but not until after the approaches to the bridge were built. Some parts of the railroad grade still exist but much of it was converted back into farmland. Oil and gas wells were drilled in the area during the late 1890s. In 1926 the Valentine property was deeded to Niagara, Lockport and Ontario Power Company. The power company wished to develop a hydroelectric power dam and test borings were made in the area just above Point Peter to determine if the rock would support the construction of a dam. The brittleness of the shale rock made the site impractical for dam building.

## **M. Landscape Conditions**

The Zoar Valley Multiple Use Area exhibits topographical features typical of the Allegheny Plateau of which it is a part. Steep valley walls are common place, as are shown by the Zoar Valley gorge and the South branch of the Cattaraugus Creek. Wide flat ridge tops with elevations near 1400 feet mean sea level and a gorge bottom elevation of about 800 feet mean sea level show the wide variance in the topography of the area. The steep shale cliffs which form the gorge walls in the main branch of Cattaraugus Creek reach over 400 feet from the creek bottom. Scenic features include Overlook Point which overlooks Valentine Flats and the confluence of the main branch of Cattaraugus Creek with the South Branch, waterfalls along the steep cliffs and tributaries, rapids and large trees along the gorge walls and stream side add to the scenic attraction of the area. The topographic features are evident when viewing the USGS Topographical Quadrangles for Collins Center and Gowanda. A topographical map that shows the entire area known as Zoar Valley and its associated tributaries can be seen in Figure 6.

## **III. Use and Demand**

### **A. Consumptive Activities**

#### **1. Timber Harvest**

Areas in the Unit that were harvested previously through commercial revenue contracts are shown on Figure 4. The record of these sales only cover the time period since State ownership in 1961. DEC records indicate that a total of 478 acres were harvested through

those contracts. Local sales on small acreages were also administered. DEC Region 9 Forestry staff marked the trees to be removed under contract and administered all aspects of the timber sale. The goal of each timber sale was to manage the timber for an older forest characteristic. Trees were removed that were of poorer quality, showed signs of less vigorous growth, were slower growing, or were a less desirable species. Some of the areas harvested in the past took place near the gorge rim, but trees were not removed from the gorge walls. No commercial harvests took place on the detached parcel. This portion of the Unit is characterized by younger trees and old fields planted to conifer plantations.

## **2. Mineral Resources Use**

Historically, there was limited natural gas production in the Zoar Valley Unit. Private gas well extraction activities on adjacent lands continues today and likely impacts natural gas resources under the Zoar Valley Unit. National Fuel Gas has a permitted gas storage field under a portion of the Unit. Gravel was occasionally removed for on site road construction and maintenance from small pits on the Unit however these pits will not be used in the future.

## **3. Hunting**

Similar to most State land in this Region, deer hunting pressure is assumed to be moderate due to the popularity of the area with big game hunters. There is currently no deer hunting pressure data for the Unit. Black bear are likely found in the Unit but their harvest is currently prohibited in the portion of the Unit north of Cattaraugus Creek. For small game, ring neck pheasant hunting is moderate due to the fact that DEC releases State game farm-raised birds at two sites in the Unit, Button Road and Vail Road. There is also evidence of moderate levels of wild turkey hunting in the area as well. The Unit is utilized to a lesser degree for gray squirrel and grouse hunting. Harvest data for all species is unknown at this time. There is likely limited trapping for beaver at Ross and Holcomb Ponds, but harvest rates are unknown.

## **4. Fishing**

Ross and Holcomb Ponds are utilized by shoreline anglers. Both ponds have populations of largemouth bass and other sunfish species. Harvest rates are unknown. There is also a significant lake-run rainbow trout (steelhead) population that migrates upstream from Lake Erie in the Cattaraugus Creek watershed. Despite limited access points in the Unit, shoreline steelhead angling has been documented and a recent creel survey was conducted to assess catch rates. The total catch of salmonids between 9/10/03 and 5/15/05 were 85,414 individuals of which 82,870 were steelhead.

## **B. Education, Interpretation and Research**

The Zoar Valley area has been of interest to educators for many years. Both professional and amateur naturalists are attracted to the Zoar Valley. The area is popular due to its geography and the old trees found within the gorge area. Private individuals and organizations lead educational tours into the gorge and rim areas. These activities are not currently monitored by the DEC. No observable detrimental effects on the Unit environment have been noted from these groups.

Private research has been conducted on the age and location of old trees in the Zoar Unit. The American Chestnut Foundation is also conducting research and has established a plantation of American chestnut trees on the site.

While the Department is not currently conducting any formal education or research on the area, in the past information was gathered by DEC staff and volunteers in order to update species diversity information for the Breeding Bird and Amphibian and Reptile Atlas (Appendices D and E, respectively). These surveys are generally updated on a ten year basis.

### **C. Opportunities for Persons with Disabilities**

The Federal Americans with Disabilities Act of 1990 (“ADA”) along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973, have important implications for the management of all public lands, including the Zoar Valley Unit. In 1997, DEC adopted policy CP-3, Motor Vehicle Access to State Lands under Jurisdiction of the DEC for People with Disabilities, that establishes guidelines for issuing temporary revocable permits allowing people with disabilities to use motor vehicles to gain access to designated routes on certain State lands. There are no existing CP-3 routes in the planning area.

Two public access points currently lend themselves to the possibility of development of access for persons with disabilities. One is the Forty Road access point and the other is the Valentine’s Road access point. Both are discussed in Section VII under Management Actions.

### **D. Relationship Between Public and Private Land**

The Zoar Valley gorge area is a popular destination for outdoor enthusiasts. However, the State does not own every parcel within the gorge area, and property lines are not always easy to discern. Some adjacent landowners have expressed concern about people trespassing on their property who believe the land is publicly owned or simply want to reach State property. Some waterfalls frequently visited by the public are actually located on private property adjacent to State property. The Nature Conservancy owns property along the South Branch of Cattaraugus Creek south of the State owned Zoar Valley Unit. This preserve, known as the Deer Lick Conservation Area, is separated from State land by other private parcels. This 400 acre area is well marked with trails and a parking area clearly defined. This area provides additional acreage for public access to the gorge and surrounding watershed and is an excellent example of private stewardship of this important ecological area. The Deer Lick Conservation Area contains a popular waterfall that has become a destination for many day hikers.

Search and rescue operations conducted by DEC’s Forest Rangers of the Division of Fire Protection and Forest Management have become fairly routine during the hiking and canoeing season in the area. On occasion, the quickest and easiest access to the lost or injured subjects is through private lands. Improving access for search and rescue has been noted during public meetings as an important issue for the local rescue units in the Village of Gowanda.

The use of some private lands adjacent to the Zoar Valley Unit has recently been noted by public supporters of the area as being in conflict with the preservation philosophy of the general public. One example is the removal of sand and gravel deposits from property close to the gorge on the north side of the Unit. While privately owned, the State has taken this concern into consideration during the comment period of this process and has actively pursued the acquisition of additional parcels in the area.

Another concern is the removal of mineral resources, namely oil and natural gas, from nearby lands and from under State owned land. Subsurface mineral rights are often not sold nor transferred during real property transactions. Many parcels in this part of New York State, including the Zoar Valley Unit, have mineral rights owned by other than the surface owner due to historic reserves of oil and gas. Historic gas wells exist on the Unit as well as on private land adjacent to the Unit. This issue is one noted by the public and has been considered during this process. The mineral resources and leases are described in Section II-I.

#### **IV. Management Goals**

It is the goal of the DEC to manage all State Forests for multiple use to serve the needs of the people of New York State. This management will be considered on a landscape level not only to ensure the biological diversity and protections of the ecosystem but also to optimize the many benefits to the public that these lands provide.

The DEC's approach to management of the Zoar Valley Unit will balance the desire for public passive recreational use with the need to preserve the character of the area and the capacity of the resources to withstand those uses. The following principles will be applied:

- a.** Protect, preserve and restore the natural resources of the Unit.

Management will stress sustaining the existing environmental conditions and potentially restoring those areas and resources which have been or are being degraded.

- b.** Provide for a variety of outdoor recreational uses so long as those uses do not degrade the natural resources of the Unit.

Management will provide for a wide variety of outdoor recreational activities consistent with the resource capacity to withstand use. Care will be taken to prevent overuse of areas within the unit, and areas of the unit which provide some degree of solitude and sense of remoteness will be managed to retain those attributes.

- c.** Manage the Unit as an ecosystem employing interdisciplinary scientific and public interest skills.

The natural resources of the Unit are interrelated and the management of the Unit must deal comprehensively with those resources and their interrelationships. DEC will continue to seek to improve our knowledge of these interrelationships. In addition, our working relationship with natural resource professionals, educators, technicians and local interests will be geared to working as a team to focus on preserving and enhancing the resources of the Unit.

**d. Manage the Unit with the “minimum tool” approach.**

All management actions will be reviewed to determine first if they are necessary, and then to determine the minimum action or tool that will accomplish the task. Management will seek the available alternatives that will have the least possible impact on the resources of the Unit and the visitor’s experience.

**V. Management Objectives**

Following is a summary of the significant findings and management directions to be implemented in the Zoar Valley Unit under this UMP. The unique qualities of the Zoar Valley Unit, its biological diversity, old growth forest, scenic vistas and passive recreational value will be protected and restored by DEC by implementing the following recommendations. DEC will:

1. Divide the main portion of the Zoar Valley Unit into two management areas by designating a “protection area” comprised of the gorge and a 300' buffer zone along the rim of both the north and south sides of the main gorge and east and west sides of the South Branch of Cattaraugus Creek and seek to have that area reclassified as recommended in the next paragraph while maintaining the MUA designation for the remainder of the Unit. This protection area will be complemented by additional buffers along access routes and trails that are within the MUA and lead into the gorge area. These access trails will also be protected by buffer areas of approximately 200 feet in total width. There will be limited cutting of trees or development in the buffer areas along the trails to allow for motor vehicle access by DEC staff and contractors to access adjacent areas for management activities or to construct hiking trails. Buffer areas that are within the MUA will be managed for public safety, aesthetic value and possibly for wildlife habitat improvement along access trails into the protection area. In the protection area there will be no cutting of trees or development except as necessary to develop access for persons with disabilities, for hiking trails and for maintenance of parking lots. The use of motorized vehicles by the public in this protected gorge area will be prohibited by regulation, except for safety and emergency reasons;
2. Ask the New York State Legislature to dedicate the portion of Zoar Valley Multiple Use Area identified as the “protection area” to the Nature and Historic Preserve Trust, as outlined in the NYS Environmental Conservation Law, Article 45;
3. Pursue the protection of additional properties in the area on behalf of the State and in collaboration with other partners. Those parcels should add to the overall gorge areas of the main branch of the Cattaraugus Creek as well as the South Branch of Cattaraugus Creek. The intended use of these properties will be to add to the protected areas already under State and private stewardship in the watershed and classified as indicated in number 2 above.
4. Implement regulation changes for the entire Unit to reflect the change in designation of the gorge and buffer areas to the “protection area” and ultimately the dedication of the “protection area” to the State Nature and Historic Preserve Trust and to support uses that are consistent with current policies and direction;

5. Manage all the forested stands outside the “protection area” on the main Unit including both single species plantations and natural forest stands in the upland areas of the Zoar Valley Unit over time with the intent to restore the biological diversity of the mature eastern hardwood forests, as well as to improve wildlife habitat where appropriate. This action will not be for the purpose of managing for commercial timber value. Recent plantations of American Chestnut will be continued in an effort to provide important research into the restoration of this extirpated species;
6. Pursue Natural Resource Stewardship Agreements with appropriate groups and entities in order to improve the overall stewardship of the Zoar Valley Unit;
7. Emphasize public safety in future DEC publications on recreational use of the area and in future informational kiosks on the area.
8. Review the UMP and potentially revise it on a five year schedule as long as resources for that purpose are available.

A definition of old growth forest is included in this UMP for the first time and represents the working definition New York State will use in the stewardship of the Zoar Valley Unit as well as in other planning and land management efforts statewide. For the Zoar Valley Unit, it will be applied to geographic areas inventoried to determine to what extent and where the areas of old growth forest are in the Unit. Those locations will later be publicized in documents made available to the public. The definition is found in Section VII Management Actions.

The detached parcel of approximately 387 acres currently managed as part of this Unit will continue to be addressed in this UMP. Another detached parcel known as Cattaraugus #15, East Otto State Forest, will not be addressed in this UMP.

The Zoar Valley UMP has been developed pursuant to, and is consistent with, relevant provisions of the New York State Constitution, the Environmental Conservation Law (ECL), the Executive Law, Department of Environmental Conservation (“Department”) rules and regulations, Department policies and procedures and the State Environmental Quality Review Act.(Appendix A)

The DEC’s approach to management of natural resources includes four factors in identifying potential management actions for an area:

1. The identification of acceptable resource and social conditions as defined by measurable indicators;
2. An analysis of the relationship between existing conditions and those desired;
3. Determinations of the necessary management actions needed to achieve desired conditions;
4. A monitoring program to determine if objectives are being met.

The following list of indicators will be used by DEC for measuring and evaluating impacts on the Zoar Valley Management Unit:

1. Condition of vegetation in high use areas and riparian areas near waterbodies;
2. Extent of soil erosion on trails;
3. Noncompliant behavior;
4. Conflicts between different user groups;
5. Diversity and distribution of plant and animal species;
6. Air and water quality;
7. Time and frequency of search and rescue operations and / or recreational accidents;

These indicators form the basis for the proposed management actions proposed. This approach will require flexibility, resources, enforcement, outreach, negotiation, determination and patience.

The proposed management of the Zoar Valley Unit is divided into the following three categories:

- A. Land Protection;
- B. Land Management and Recreation; and
- C. Access and Safety.

These three proposed management action categories are based on the four categories used at the public scoping sessions which included:

- |                     |                           |
|---------------------|---------------------------|
| (1) Access          | (3) Recreation            |
| (2) Land Management | (4) Safety and Evacuation |

These categories were used during the public meetings to address issues and concerns. Each category is further broken down into component units where the present conditions are assessed, management objectives developed and management actions proposed. All recommended actions are consistent with the overall management policies, guidelines and principles outlined above, and are based on information gathered during the UMP development process and through public input.

## **VI. Information in Support of Goals and Objectives**

The Zoar Valley Unit will be specifically managed for protection of the unique characteristics of this gorge ecosystem in a manner that allows open public access and passive recreational use in as safe a means as possible. The Cattaraugus Creek gorge area will not be managed except to provide public access. Those areas adjacent to the gorge and its buffer will be managed for access to the Unit and potentially for habitat improvement, as well as to allow for the natural return of the plantation areas to their former mixed hardwood composition or grassland.

The information gained from the two Public Scoping Sessions held prior to the preparation of this plan indicated strong public interest in protecting the gorge and a buffer area adjacent to it, and any areas which contain the characteristic of old growth forest. This has been accomplished through the designated “protected area” and buffer along access trails leading to the protected area.

There was also strong public opinion requesting the designation of the portion of the Unit which contains the gorge of main and south branch of Cattaraugus Creek and the potential old growth characteristic trees and forest as a separate area. This is accomplished through the intent to request that the State Legislature designate this portion to the State Nature and Historic Trust.

The detached area of the Zoar Valley Unit will be managed to optimize the potential benefits of that area to the public, forest and wildlife habitat while recognizing its place in the Zoar Valley watershed and the necessity to consider any impacts management may have on the Cattaraugus Creek watershed, in general.

The Zoar Valley Unit has been managed by the DEC Region 9 Office of the Division of Lands and Forests. Other programs that have had involvement and input in the management of the Unit include Regional Administration, Operations, Fish, Wildlife and Marine Resources, Mineral Resources, Forest Protection and Fire Management, Law Enforcement and Public Affairs and Education. The DEC’s Central Office Division of Lands and Forests will continue to provide direct policy and program oversight for management of the Unit. Management of the Zoar Valley Unit will continue to be guided by these DEC Regional and Central Office units using existing laws, standards, rules, regulations, guiding documents, the property deeds, and DEC policies.

### **A. Americans with Disabilities Act**

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

activities associated with that program, the Department has the mandated obligation to comply with the ADA, Title II and ADA Accessibility Guidelines, as well as Section 504 of the Rehabilitation Act. Any activities planned in the Zoar Valley Unit will be reviewed relative to the applicability of these acts. This could include the construction and maintenance of facilities, such as trails, bridges, trail heads, signs, etc.

## **B. Minerals Management on the Unit**

There will be no surface disturbance for minerals extraction allowed on the Unit. Existing leases for underground gas storage will be honored and future applications which would request extraction of gas and oil from underneath the Unit via directional drilling from adjoining private properties will be undertaken as per Title 11 Section 23-1101 of the Environmental Conservation Law. Existing surface mining sites (gravel) that are planned to be reclaimed will be completed by following mined land reclamation standards noted in Appendix J.

## **C. Pertinent State Land Classifications**

The Zoar Valley Unit is currently classified as a Multiple Use Area as described and defined below. Other State land classification that have been discussed relative to the Unit include Unique Areas and the dedication of a portion of the Unit to the State Nature and Historical Preserve Trust. The pertinent portions of the Parks, Recreation and Historic Preservation Law and the Environmental Conservation Law for these State land classifications are given below.

### Multiple Use Areas (MUA)

The MUA designation for the Zoar Valley Unit is due to the fact that it was acquired with 1960 Bond Act funds. Parks, Recreation and Historic Preservation Law, 15.01 (1) (b): "...Moneys received by the State from the sale of bonds sold pursuant to the park and recreation land acquisition bond act of 1960 and 1962 shall be expended for the following purposes: For the acquisition of real property for other than State park or municipal park purposes, to provide additional opportunities for outdoor recreation, including public camping, fishing, hunting, boating, winter sports and, wherever possible, to also serve multiple purposes involving the conservation and development of natural resources, including the preservation of scenic areas, watershed protection, forestry and reforestation." Definition: A parcel of land owned by the State acquired for outdoor recreation, including public camping fishing, hunting, boating, winter sports, and, wherever possible, to also serve multiple purposes involving the conservation and development of natural resources, including the preservation of scenic areas, watershed protection, forestry and reforestation. Because the lands of the Zoar Valley Unit were acquired with 1960 Bond Act funds, it is classified as a Multiple Use Area.

### Unique Areas

ECL 51-0703 (4): "A State project to acquire lands of special natural beauty, wilderness character, geological, ecological or historical significance for the State nature and historical preserve and similar lands within a forest preserve county outside the Adirondack and Catskill parks". Definition: A parcel of land owned by the State acquired due to its special natural beauty, wilderness character, or for its geological, ecological or historical significance for the State nature and historical preserve, and may include lands within a forest preserve county outside the Adirondack and Catskill Parks.

## State Nature and Historic Preserve Trust

ECL 45-0117 (3): “Lands dedicated to the preserve (State Nature and Historic Preserve Trust, as referred to in Section 4 of Article XIV of the State Constitution) are declared to be put to their highest, best and most important use and are to be held for one or more of the following purposes:

1. As natural communities for maintaining plants, animals and natural communities;
2. As reservoirs of natural materials and ecological processes that contribute to the State's biological diversity;
3. As field laboratories for scientific research and education in the natural sciences, including the fields of biology, conservation, ecology, natural history and paleontology;
4. As places of natural and historical interest and beauty which provide the public with passive recreational opportunities including, where appropriate, fishing, hunting and trapping, or commercial fishing opportunities that are compatible with protecting the ecological significance, historic features and natural character of the area.”

### **D. Current Rules and Regulations**

The list of specific rules and regulations which govern the public use of the Zoar Valley Unit are found under the Codes, Rules and Regulations of the State of New York, title 6, Chapter II Lands and Forests Part 190 (6 NYCRR 190). Current use regulations are noted in Appendix F. The description of the area covered by these regulations is as follows:

190.25 Zoar Valley Multiple Use Area. Description. For purposes of this section, Zoar Valley Multiple Use Area means all those State lands lying and situated in the towns of Otto and Persia, Cattaraugus County, and the town of Collins, Erie County, including a five-mile segment of the Cattaraugus Creek and a two mile segment of the south branch of Cattaraugus Creek, being the same lands as more particularly described in several deeds conveying said lands to the People of the State of New York, on file in the Department of Environmental Conservation, Albany, NY, and duly recorded in the office of the county clerk of the county of Cattaraugus and the office of the county clerk of the county of Erie, respectively. Said Zoar Valley Multiple Use Area shall be hereinafter referred to in this section as “area.”

The following list includes public uses that are not allowed on the “area”:

- |                              |   |
|------------------------------|---|
| Flower picking 190.25(k)     | Motorcycle riding (on/off road) 190.25(c)(d)  |
| Snowmobiling 190.25(c)(d)    | ATV and 4WD off-road vehicle use 190.25(c)(d) |
| Camping 190.25(b)(j)         | Fireworks displays 190.25(e)                  |
| Paintball games 190.25(e)(g) |   |

## **E. Department and Division Policies**

DEC policy has been developed for the public use and administration of State forest lands. Select policies relevant to the management of this unit include:

1. Motor Vehicle Access to State Lands Under the Jurisdiction of DEC for People with Disabilities (CP-3).
2. Standards and Procedures for Boundary Line Maintenance (NR-91-2; NR-95-1).
3. The Administration of Conservation Easements (NR-90-1).
4. Acquisition of Conservation Easements (NR-86-3).
5. Division Regulatory Policy (LF-90-2).
6. Adopt-A-Natural Resource (ONR-1).
7. Policies and Procedures Manual Title 8400 - Public Land Management.

The recommendations presented in this UMP are subject to the requirements of the State Environmental Quality and Review Act, Article 8 of the ECL. All proposed management activities will undergo an environmental assessment.

## **VII. Management Actions**

DEC obtained information from the public by way of two scoping sessions, held on October 21, 2003 at the American Legion Post 409 in Gowanda and on October 23, 2003 at the Bellevue Fire Hall in Cheektowaga. DEC also accepted comments through the mail for several months following the scoping sessions. Several issues of concern were brought to the attention of the Department during the development of this plan. Appendix C includes a list of issues, needs and desires received from the public and DEC staff. Where concerns have not resulted in Proposed Management Actions being developed, a justification for excluding that point is provided.

### **A. Specific Actions for Land Management**

The entire Zoar Valley Management Unit will be managed for passive recreational use. DEC will limit access to foot traffic and by water craft only. Forest Rangers and Environmental Conservation Officers will continue to patrol the area. Management activities for each forest area or compartment are noted in Appendix G. A more complete inventory and compilation of existing information on possible old growth areas will be undertaken and documented. This information will be used to better monitor impacts of use, potential access improvements and the appropriateness of the management of the area.

#### **1. Old Growth Forest Definition**

Defining old growth forests will assist in the management of the forest ecosystem, not only in the Zoar Valley Unit, but statewide.

DEC defines old growth forest as:

“Old Growth Forest” involves a convergence of many different, yet interrelated criteria. Each of these criteria can occur individually in an area that is not old growth, however, it is the presence of all of these factors that combine to differentiate old growth forest from other forested ecosystems. These factors include: an abundance of late successional tree species, at least 180-200 years of age, in a contiguous forested landscape that has evolved and reproduced itself naturally, with the capacity for self perpetuation, arranged in a stratified forest structure consisting of multiple growth layers throughout the canopy and forest floor, featuring (1) canopy gaps formed by natural disturbances creating an uneven canopy, and (2) a conspicuous absence of multiple stemmed trees and coppices. Old growth forest sites typically are (1) characterized by an irregular forest floor containing an abundance of coarse woody materials which are often covered by mosses and lichens; (2) show limited signs of human disturbance since European settlement; and (3) have distinct soil horizons that include definite organic, mineral, illuvial accumulation, and unconsolidated layers. The understory displays well developed and diverse surface herbaceous layers (Aird 1995; Brady 1984; Commonwealth of Massachusetts 1999; Dahms and Geils 1997; Dunster and Dunster 1996; Davis 1996; Franklin et al. 1981; Helms 1998; Helms 2004; Hubbard et al. 1998; Leopold, Reschke and Smith 1988; Leopold 2003; Lund 2004; Nyland 2004; Spies 2004; Temperate For. Found. 1989; U.S. Dept. Int.; Canadian For. Serv.).

This definition will be applied to areas after the forest inventory is completed (see Section IV) to determine, map and publicize areas that contain old growth forest in the Unit.

## **2. Forest Management**

Forest management activities will be limited to areas outside the “protection area” and management actions will be directed to convert conifer plantations to natural forest stands or grasslands, maintain existing grasslands and shrub land communities, enhance conditions for unique species and habitats, increase overall species and forest diversity, control unwanted exotic species, and create opportunities for the reintroduction of diminishing species such as American chestnut and butternut. Natural stands will be managed to control exotic species, enhance conditions for unique species and habitats and to increase overall species and forest structural diversity. Tree removal would be one of the tools used to meet this management objective. The cutting and removal of trees outside the “protection area” will be done to achieve the desired management goals only, not to generate revenues. While we recognize commercial harvesting was objected to during public meetings and outreach, this method is oftentimes the only viable option due to funding constraints and commercial harvesting under these scenarios would be done only for the purposes stated above. Figure 3 indicates plantation areas that are proposed for conversion to native tree species in the future, as resources permit.

The most recent DEC inventory of trees in the area outside of the gorge was conducted in 1987. The data collected were based on a timber inventory system. Those data are somewhat out of date due to the changes in individual tree growth or decline, and the changing species composition of the plant communities. The trees in the gorge were not inventoried because no management of timber was planned to take place there. A new inventory of the trees in the Unit, excluding the protection area, will be conducted. The DEC is in the process of

developing a Natural Resource Inventory (NRI) system which will be used on all State forests. When finalized, the new system will be implemented on the Zoar Valley Unit. Until that inventory has been completed, it will not be possible to accurately determine the acreage of all forest areas proposed for management. Some of the information that needs to be determined for each timber stand before some management activities can be planned are relative stand density, percent of acceptable grade stock, and the number of years to maturity. In the interim, available data and information on the Unit will be stored in a computer database. Information on the size, species composition, soils, and proposed management activities will be kept in this database.

The New York Natural Heritage Program information also needs to be updated. The last survey of the area was conducted in 1993. A copy of the report is available for public review at the Falconer DEC Office, 215 South Work St. Falconer, NY 14733. DEC is in the process of contracting with Natural Heritage to carry out an update of that work on the Unit and other State forests. Enhancement of conditions for unique species and habitats will be carried out if those species are located. If rare or endangered plants or animals are discovered, they will either be left undisturbed or the surrounding conditions may be modified if it would benefit those species. Natural species and diversity will be improved by managing areas to contain healthy native trees.

There is also an opportunity to reintroduce native vegetation to the area. An experimental American chestnut plantation is maintained to provide plant material to be used to find a resistant tree. The American chestnut plantation is noted on Figure 3. When resistant trees are produced they will be reintroduced to the Unit. Another species suffering from disease and that could be reintroduced is the butternut. Its reintroduction will be considered by DEC.

## **B. Specific Actions for Fish and Wildlife**

### **1. Flora and Fauna Inventory**

A detailed inventory of wildlife habitats and existing wildlife on the Unit will be conducted in 2007. The mapping of wetlands, ponds, fens and potholes should also be improved. Newly discovered rare or endangered animals and their habitats will be documented. The New York Natural Heritage Program and The Nature Conservancy will continue to identify and map unique plants, features, rare or endangered plants or plant communities. Management activities that may have an adverse impact on those species should be modified, postponed or discontinued in that immediate area. Better soils information for Cattaraugus and Erie Counties will be obtained by DEC when available and entered in to the Unit database. Whitetail deer wintering areas will be mapped. Ruffed grouse population levels associated with proposed management activities in the converted upland spruce stands will be monitored.

### **2. Endangered, Threatened and Special Concern Animal Species**

The animal species noted in this section were not necessarily documented on the Zoar Valley Unit but are assumed to be there or in the vicinity due to their evidence during surveys in the area. Similar habitats to those where these species were documented are available on the Unit and therefore, the assumption can be made that these species exist on the Unit. Future

surveys are proposed to be conducted to verify the existence of these species and to attempt to document others that may be utilizing the Unit as well. Management recommendations for each species are noted where appropriate.

**a. Birds**

Species that were observed and showed evidence of breeding within the New York State Breeding Bird Atlas blocks containing the Zoar Valley Unit and are described below. This is interim data representing field work conducted in the mid-1990s. It is possible, but not certain that they breed within the Unit.

Cooper's Hawk (*Accipiter cooperii*) Special Concern. The location of any Cooper's hawk nests are unknown at the present time. Active nest sites should be inventoried by inspection of suitable forest nesting habitat. If this is not possible a record should be kept of locations of any newly discovered nest sites. Areas where tree removal for habitat restoration or trail construction is proposed will be checked before proceeding with the activity. Disturbance of nest sites will be avoided by scheduling management activities outside the nesting period and preventing harvesting or construction near active nests.

Sharp-shinned Hawk (*Accipiter striatus*) Special Concern. The locations of any Sharp-shinned Hawk nests are unknown at this time. The above recommendations for Cooper's Hawk also apply for this species.

Red-shouldered Hawk (*Buteo lineatus*) Special Concern. The above recommended actions for inventory and protection of Cooper's Hawk and Sharp-shinned Hawk nests also apply to this species.

Northern Harrier (*Circus cyaneus*) Threatened. The remaining grassland habitat on the Unit should be surveyed to identify any active harrier nests. Any identified nests should be inventoried and protected from disturbances such as access construction or tree planting during the nesting period. The open field near the Ross access is large enough to provide nesting habitat for harriers as well as other grassland nesting species. This grassland habitat will be maintained by continuing the present management of three-year rotational mowing. The quality of this grassland for harrier nesting could be improved by the application of fertilizer and replanting of grasses. These latter practices would improve the density of grasses at this site. Other open areas or areas of early succession that can be reclaimed as grassland will be considered.

Grasshopper Sparrow (*Ammodramus savannarum*) Special Concern. Grassland habitat is also utilized by this species. Grassy fields will be surveyed to determine if there is any nesting activity. Nesting activity may be determined by observing singing males in their territories. The maintenance and improvement of grassland habitat on the management area as described above for northern harrier would also attract and benefit this species.

Common Nighthawk (*Chordeiles minor*) Special Concern. Nesting of this species has not been recorded in the Unit. The Breeding Bird Atlas records may be for rooftop nesting in the Village of Gowanda. Suitable nesting habitat may exist on gravel bars and rock ledges in the Unit. Since nesting habitat is remote and not normally disturbed, a survey to inventory nest sites is not necessary. However, any newly discovered or reported nest locations will be recorded.

Bald Eagle (*Haliaeetus leucocephalus*) Threatened. This species uses the Zoar Valley gorge area for resting and feeding during migration. It is unknown at this time if nests have been established on or near the Unit. Further surveys will be conducted to locate potential nests in the gorge area. Bald Eagles have been recorded in the Breeding Bird Atlas. Bald Eagles were observed at the fisheries access site at the North Otto bridge by DEC staff in 2004 and in the main gorge area during the summer of 2005. An Eagle nest has been confirmed on Cattaraugus Creek down stream from the Zoar Valley Unit on the Cattaraugus Indian Reservation. Other sightings have been recorded near the village of Gowanda, near the Route 219 bridge south of Springville and at the Route 16 bridge near Yorkshire. The protection of the National Resource Protection Act will continue to provide resting perches and potential nest sites.

The following species were not listed as showing evidence of breeding within Breeding Bird Atlas blocks containing the Zoar Valley Unit. However, some species may use the Unit during migration. Other species may have been overlooked by atlas observers since their breeding habitat occurs within the Unit.

Osprey (*Pandion haliaetus*) Special Concern. This species may use the Zoar Valley Unit for resting and feeding during migration. It is unknown if they nested in or along the rim of the gorge in the past. Future surveys will be conducted to locate potential nests and nest sites. The above recommendations for the Bald Eagle also apply for this species.

Peregrine Falcon (*Falco peregrinus*) Endangered. This species is not known to breed within the Unit at the present time. It may use the gorge area during migration. Peregrines are believed to have nested in similar gorge habitat in Letchworth State Park in the 1930s. A summer sighting of a Peregrine is recorded for Zoar Valley on June 15, 1941. Zoar Valley may provide a future site for natural nesting. Monitoring for this species should occur between April and June.

Vesper Sparrow (*Pooecetes gramineus*) Special Concern and Henslow's Sparrow (*Ammodramus henslowii*) Threatened. These two grassland nesting species are difficult to identify and may have been overlooked by Breeding Bird Atlas workers. Vesper Sparrows were observed in at least one of the atlas blocks covering the Unit. Grassland habitat on the area will be surveyed for these species. The maintenance and improvement of grassland habitat as described for Northern Harrier should also benefit these species if they are present.

## **b. Mammals**

The Zoar Valley Unit is within the described ranges of the following species of concern and are possible residents of the Unit.

Indiana Bat - Endangered. The lack of limestone caves most likely precludes wintering of Indiana bats on the Unit. However, they may feed and roost there during the summer months. Any discovered or reported observation of Indiana bats on the Unit will be recorded and protection should be given to identified summer roost sites.

Small-Footed Bat - Special Concern. Rock crevices in Zoar Valley may provide roosting habitat for this species. Such potential roost sites should be surveyed for the presence of the bats and any confirmed roost sites should be recorded. Confirmed roost sites should be protected from disturbance.

## **c. Amphibians**

Potential breeding habitats such as woodland pools and marshes should be surveyed to determine the presence of all amphibians and reptiles. Confirmed breeding habitats should be recorded and protected from degradation such as filling or draining. Woodland habitat should be maintained around any confirmed breeding sites.

Jefferson Salamander (*Ambystoma jeffersonianum*) and Blue-spotted Salamander (*Ambystoma laterale*) Special Concern. The Unit is within the described range of these species. However, their presence here is presently unknown. Future surveys of woodland pools and marshes should be conducted to determine their presence. Their breeding habitats should be recorded and protected in the same manner as described above.

## **d. Reptiles**

The Zoar Valley Unit is within the range of the species listed below, however, their presence on the Unit is currently unknown.

Spotted Turtle (*Clemmys guttata*) Special Concern. The presence of this species should be determined by examination of woodland streams, wet meadows, ponds, bogs and marshes. Habitat sites found to contain spotted turtles should be protected.

Wood Turtle (*Clemmys insculpta*) Special Concern. The presence of this species should be determined by examination of suitable habitats such as floodplain forest, wooded streambanks and open sandy nesting areas. These habitats should be given protection if wood turtles are documented.

Eastern Hognose Snake (*Heterodon platyrhinos*) Special Concern. Open woodlands and flood plain forest should be examined for the presence of this species. If they are found to be present, only compatible activities should be allowed in their habitat.

Timber Rattlesnake (*Crotalus horridus*) Threatened. This species was likely a historic resident of the Zoar Valley gorge and surrounding forested upland. It was known to inhabit similar habitat in the Niagara River gorge in the past and presently is found in similar habitat at Letchworth State Park. It is believed to be extirpated from Zoar Valley at the present time.

### **3. Forest Bird Diversity**

Recent research indicates that the breeding success of certain forest birds is diminished by the fragmentation of forest habitat. The reasons for this are the detrimental impacts of nest predation, brood parasitism by brown-headed cowbirds and competition associated with forest edge habitats. Recent research has also indicated that these effects are minimized within core areas of forests which are over 300 feet from the forest edge. Species occurring on the Unit which are likely to be sensitive to forest fragmentation include the hairy woodpecker, pileated woodpecker, acadian flycatcher, veery, yellow-throated vireo, ovenbird, American redstart, hooded warbler and scarlet tanager. Several of these species are also believed to require mature forests.

An examination of the Unit indicates that areas with deciduous and mixed coniferous and deciduous trees exist north of the Cattaraugus Creek gorge in the vicinity of Holcomb Pond. There are similar areas south of the gorge. These areas are within the Natural Resource Protection Area and would not be managed. Future management of areas outside the NRPA will take into consideration forest bird habitat requirements in order to perpetuate a minimum acceptable area of forest bird breeding habitat and maintain the existing bird diversity of the Unit.

### **4. Habitat Improvement**

The following actions will help maintain and improve wildlife habitat in both forested and non-forested areas. It is recognized, however, that all habitat management activities in both forested and non-forested areas as well as wildlife management activities that involve manipulation of the wildlife itself, must be considered in an integrated fashion.

#### **a. Habitat Improvement in Forested Areas**

In general, a mix of forest types in various stages of succession including grasslands and forest openings will provide a variety of wildlife habitat. The US Forest Service - Forest Inventory and Analysis Unit has noted that early successional habitat in the form of seedling sapling forests has declined by over 40% between 1980 and 1993 in the Lake Plain Unit. According to the *2005 Comprehensive Wildlife Conservation Strategy for New York* (CWCS) and studies of the Nature Conservancy, there have been significant changes in the Lake Erie Basin due to changes in agriculture. The CWCS observes “as smaller farms have been consolidated into larger units, monocultures have become more expansive. Consequently, adjacent edge habitats in the form of grasslands, woodlands, and strip cover (e.g., fencerows, hedgerows) have either been lost outright or dramatically altered in size and shape. This loss of habitat not only affects resident wildlife communities but may also have played a role in the decline of migratory species such as Neotropical migratory birds that breed in the basin”. The CWCS has identified 99 species of “greatest conservation need” in New York State. Of those 99 species, 42 depend on grasslands.

Starting in 2007, specific management activities will be conducted outside the “protection area” of the Zoar Unit to enhance and protect wildlife habitat. These activities include:

*i.* Early successional bird species such as the American woodcock, blue-winged warbler and golden winged warbler require varying age classes of hardwoods between 10 and 40 years. Therefore, some upland spruce stands will be cut at the rate of about one quarter of the spruce trees every 5-10 years in order to allow hardwoods to regenerate and mature while providing improved grouse habitat. These harvests will also benefit other species of wildlife by providing early successional browse, nesting and brooding habitat and edge effect.

*ii.* Grasslands provide habitat for a variety of wildlife species including bobolink, grasshopper sparrow, Henslow’s sparrow and northern harriers. Currently the Zoar Valley Unit contains very little of this habitat.

*iii.* Cottontail rabbit populations have also declined as early successional become more scarce in New York State. Cottontails require feeding areas consisting of early succession species and areas of tall grasses and forbs (herbs other than grasses) located very close to escape cover. These must be connected by travel cover so the rabbits do not have to expose themselves to predators.

*iv.* Vernal pools in forested areas are vital habitats for water birds, certain mammals, amphibians and reptiles. Vernal pools are small, seasonally flooded wetlands in shallow depressions within an upland forest (Reschke 1990). They have the greatest amount of water depth generally in the spring and fall and vary in size seasonally as a result of yearly fluctuations in precipitation. Vernal pools should be identified in the Unit and any activity near these vernal pools should be avoided.

*v.* Whitetail deer use some parts of the Unit to overwinter. The most important overwintering areas are those located within about one half-mile of both Cattaraugus Creek and the South Branch of Cattaraugus Creek. When conifer plantations are harvested, several management options are possible. If advanced hardwood regeneration is present, then the area will be left to grow into a hardwood stand. In cases where regeneration is lacking, grasslands will be established through mowing or planting to improve deer habitat.

*vi.* Apple trees provide significant food for wildlife. If resources permit and volunteers are interested in assisting, the existing apple trees outside the protection area could be improved by removing competing vegetation.

## **b. Beaver Habitat and Damage**

Beavers have created wetland habitats on the Zoar Valley Unit. Beaver impoundments provide the major part of the waterfowl, waterbird, mink, muskrat, and amphibian habitat found on the Unit. In addition to these, several reptiles and non-game bird species benefit from beaver activity. The most critical factor in beaver management is the protection of beaver habitat from conflicting human uses of the site. Human uses that conflict with beaver activity include the development of ponds, roads, agricultural drainage systems and timber

production. Such conflicting uses often require the destruction of beaver at the damage site which results in the loss of their valuable wetland habitat. In order to protect beaver habitat within the Unit, the following management actions will be undertaken:

- i.* Beaver habitat sites will be inventoried on the Unit and the inventory updated as new sites are utilized by beaver.
- ii.* Structures and facilities such as trails, should be located away from beaver habitat sites at a sufficient distance to preclude beaver damage.
- iii.* Beaver damage to existing facilities and structures shall be resolved through the use of beaver damage control devices whenever possible in order to allow beaver to remain at habitat sites.

### **c. Fisheries Management**

To improve angling opportunities, DEC will develop and implement fisheries management plans for Unit ponds greater than one acre in size and five feet in depth. DEC will:

- i.* Sample fish populations in existing ponds by electro fishing or with experimental gill nets or seines. Fish management plans will be developed from these data;
- ii.* If management recommendations include the stocking of panfish and/or game fish, they will be collected from other waters with abundant fish populations during ongoing fisheries assessments and then transferred to the Unit ponds;
- iii.* Unit pond fish populations will be monitored and managed as necessary.

### C. Specific Actions for Recreation Development and Enhancement

Regulatory proposal	Zoar Valley	Detached Area
Designate “protection area”	Amend 6NYCRR 190.25. Designate gorge and buffers as “protection area” subsequent to State Legislative dedication to State Nature and Historical Preserve Trust, see pages 24 and 40 of the UMP	
Motor vehicle use	Amend 190.25[c] and [d] to allow motor vehicle use for search and rescue operations, administrative activities and disabled access.  See pages 19, 24, 35 and 38 of the UMP	Amend 190.25[c] and [d] to allow motor vehicle use for search and rescue operations, administrative activities and disabled access.  See pages 19, 24, 35 and 38 of the UMP
Camping	Prohibition in 6 NYCRR 190.25[b] and [j] will remain in effect	Amend 190.25 to allow camping by permit, see page 35 of UMP
Wading /Angling	Amend 190.25(i) to allow for angling in creeks, see page 35 of UMP	
Alcohol and glass containers	Amend 190.25 to prohibit possession of alcohol and glass containers	Amend 190.25 to prohibit possession of alcohol and glass containers
Horseback riding		Development of horse trails will be considered see page 36 of UMP
Emergency Access see page 39 of UMP		

#### 1. Rules and Regulation Changes

DEC will change the existing rule prohibiting wading to allow for angling in the creeks using that technique. Also, DEC will consider allowing camping by permit on the detached parcel only. Camping is currently prohibited on the entire Unit. Possession of alcohol and glass containers on the Unit will also be prohibited. The current list of rules and regulations regarding public use will potentially be revised further based on changes in designations of areas of protection and concerns expressed during the public outreach for this UMP.

## **2. Water Resource Based Recreation**

Current use by canoeists and white water rafters through the Unit will continue to be allowed.

## **3. Hunting, Fishing and Trapping**

Hunting, fishing and trapping will continue to be permitted recreational activities on the entire Zoar Valley Unit. Small game hunting permits will continue to be required for opening day of the fall pheasant season to hunt any small game on the Erie County portion of the Zoar Unit. All dogs will be prohibited from being on the Zoar Unit 48 hours prior to the opening day of the fall pheasant season on the Erie County portion of the Zoar Unit.

Additional hunting regulations for both big game and small game may be adjusted as future hunting pressure and habitat impacts dictate.

The prohibition against wading in the waters of the Unit will be removed to accommodate anglers that use this technique.

## **4. Overnight Camping**

Overnight camping will continue to be prohibited in the main parcel of the Zoar Unit. Continuing concerns about safety and rescue operations after dark are still valid. Camping has been allowed in the nearby East Otto State Forest. Camping by permit in the detached parcel of the Unit will be considered.

## **5. Access by Motor Vehicles**

Access by motor vehicle to the Unit will be prohibited except for search, rescue and administrative purposes. This will include all motorized vehicles, including but not limited to autos, motorcycles, ATVs, snowmobiles, etc.

## **6. Fishing Access**

DEC will seek additional public access to the fisheries resources of the Unit. The areas of focus will include improving access to Cattaraugus Creek, South Branch Cattaraugus Creek, and all pond waters in excess of one acre in size and five feet in depth. To improve fishing access, DEC will pursue improved access as noted below in Section D.

## **7. Access by Horse**

DEC will not develop trails for horse and rider access in the gorge area of the Unit due to safety concerns. The development of horse trails on the detached parcel will be evaluated and considered.

## **8. Trails/Roads**

The DEC will provide educational kiosks and signs at parking lots and access points to show trail locations and points of interest. Trails will be identified with paint blazes on the trees. New trails will be considered in appropriate areas if satisfactory paths can be located that will not adversely impact the terrain and if satisfactory parking sites can be established. Trail development and maintenance will also be encouraged through Adopt-A-Natural Resource agreements with local constituent groups. DEC plans for improved trails and access include the following:

- a.** Maintain Vail Road Trail Upgrading and marking the trail near Holcomb Pond. Currently this trail begins at the Holcomb pond parking lot and ends at the Ross Pond access parking lot.
- b.** Upgrade and mark the trail to Valentine's Flats from the Valentine's Flats Parking lot. This trail is currently in use but is very steep. The new trail will have to be cut into the slumped area where the old road used to go. A portion of this may be used for emergency ATV access.

## **9. ATV/Snowmobile Use**

Multiple use recreational activities such as snowmobiling and ATV use will not be allowed on the main portion of the Zoar Valley Unit gorge area due to safety concerns. Administrative or emergency uses will be permitted. The detached parcel of the unit is too small to be considered for such a trail, but a snowmobile trail could cross the detached unit and be developed and maintained through an Adopt-A-Natural Resource agreement with local interest groups.

## **D. Public Access**

### **1. Parking and Public Access Points**

At the public scoping sessions, concerns were expressed about inadequate parking at public access points. Some specific requests included a parking area suitable for buses used by white water raft companies and requests for new parking lots at several access points. Some users also requested year-round parking access since DEC currently does not plow snow at any of the parking lots. DEC will evaluate the potential for upgrading some parking areas to provide additional parking for fishing and passive recreational use of the area. Those recommendations are as follows:

- a.** Monitor parking lot use at the Holcomb Pond access site. If parking is inadequate, expand the existing parking lot to hold 10 cars.
- b.** Monitor parking lot use at the Ross Pond access site. If parking is inadequate, expand the existing parking lot to hold 10 cars each.

- c. Improve the surface of the Forty Road parking lot with gravel. Designate handicap and emergency parking spots at this lot. Evaluate the potential for additional handicap access to Cattaraugus Creek at this site.
- d. Improve and maintain the Valentine’s Flats parking area. Designate handicap and emergency parking spots at this lot. Evaluate the potential for additional handicap access to Overlook Point at this site.
- e. Maintain the existing parking lot at the waterway access site.
- f. Construct a small parking lot (2 cars) at Gowanda-Zoar Road.
- g. As additional parcels adjacent to Zoar Valley MUA and elsewhere along Cattaraugus Creek and the South Branch become available for purchase, DEC will determine if those parcels can provide new, safe access to the area.

## **2. Maintenance**

DEC will:

- a. Provide routine maintenance of existing roads, access sites and gates.
- b. Evaluate the feasibility of repairing the road to Valentine’s Flats for emergency search and rescue ATV access only.
- c. Upgrade selected access trails by improving drainage, grading in ruts, and spot gravel.
- d. Maintain man-made structures including, but is not limited to signs, gates, guide posts, etc. In some cases, structures may be removed if they cannot be properly maintained.
- e. Mow selected areas including some pond dikes and areas around ponds, along roads, and areas around parking lots, etc.
- f. Discontinue the current trash pick-up program and return to the policy of “carry in, carry out”.
- g. Continue to enforce the rules and regulations which prohibit littering and dumping.

## **3. Access for Persons with Disabilities**

DEC will:

- a. Provide marked parking spots for emergency vehicles and accessible parking at the Forty Road parking area and Valentine’s Flats parking area.
- b. Improve access at the Forty Road Parking Area to the South Branch of Cattaraugus Creek.

- c. Explore the possibility of providing natural surface access at the Valentine's Flats parking lot to Point Peter overlooking Valentine's Flats and the confluence of Cattaraugus Creek and the South Branch of Cattaraugus Creek.

#### **4. Safety**

Considerable safety concerns have been raised by DEC Forest Rangers and local emergency response groups. These concerns are also evident in the numerous search and rescue operations that need to be conducted in the area of the Zoar Valley gorge. Some of these situations have occurred on private property, but in some cases the public accessed those properties via State land and access points. Public education about the serious hazards and risks due to the gorge and seasonal high water events needs to be improved. This issue needs to be considered in light of the limited ability the State has to restrict access to such a large tract of land, the impacts of increased human activity in the area and the increased interests in this unique natural resource area.

##### **a. Boundaries, Maps, Informational Kiosks and Signs**

DEC will:

- i.* Clearly mark the Unit boundary lines with paint and signs.
- ii.* Erect and maintain area identification signs and other informational signs which will help identify areas of interest and safety concern.
- iii.* Develop a map for public distribution when the UMP is finalized and appropriate regulations are changed. The map will identify the locations of parking areas, access roads, hiking trails, and general features of the Unit, including the boundaries. In addition it will list the rules and regulations that are specific to the Unit as well as emergency contacts and DEC contacts.
- iv.* DEC will install informational kiosks at key locations to better inform the public about the Zoar Valley Unit and the potential hazards in the area. These will likely be at major access points such as parking lots and trail heads.
- v.* Information kiosks will be placed at the beginning of designated trail heads and parking areas. The kiosks will include information on terrain challenges along the trail.

##### **b. Regulations**

In response to public concerns and the need to protect public safety, DEC will update the current regulations governing the Zoar Valley Unit. Safety concerns and hazardous areas will be taken into consideration during review and potential revision to the current Unit regulations. As noted previously, DEC will also post signs at parking lots or other access points listing the regulations and noting hazardous conditions.

### **c. Law Enforcement**

Patrolling the Zoar Valley Unit and detached parcels and the enforcement of laws and regulations will continue to be the responsibility of DEC Rangers of the Division of Forest Protection and Fire Management.

### **d. Emergency Access**

Emergency personnel from several municipal agencies have expressed the need to improve the ability of personnel to enter and remove accident victims from the gorge areas of the Unit and nearby private lands. DEC will investigate potential foot and ATV access improvements in the Zoar Unit for this purpose. Outreach to neighboring landowners for this purpose will also be pursued since many of the accidents occur on neighboring private lands after hikers have entered the area from State land.

During the public scoping sessions and in routine meetings with emergency response personnel from the Village of Gowanda area, county sheriff deputies, State Police and DEC Forest Rangers over the years, the concept of establishing a permanent helicopter pad in the Valentine's Flats area was discussed. During search and rescue operations in the gorge areas, it was thought that having access to a developed helicopter pad may improve the speed at which accident victims could be removed from the gorge and transported to medical facilities. During site visits in the fall of 2004 and in meetings with the emergency response personnel, it was determined that development of a permanent helicopter landing pad would not be feasible and in fact, would not provide the anticipated benefit to the rescue operations. Significant numbers of trees and low lying brush would have to be removed from the rim and floor of the gorge in the Valentine's Flats area to provide a cleared flight path for incoming and outgoing helicopters. Long-term routine maintenance of the developed pad, in terms of mowing, etc. would also be necessary but would be very difficult due to the inaccessibility of the Valentine's Flats area to heavy machinery. It was also noted by one of the Erie County Sheriff helicopter pilots who had extensive experience in assisting victims in the gorge areas that the majority of accidents by hikers needing emergency assistance was not in the Valentine's Flats area but generally significant distances upstream of that area. For these reasons, DEC is not considering establishing an emergency helicopter landing area in the Zoar Unit.

### **E. Survey Needs**

No boundary line surveys are needed at this time. Future acquisition would require the survey of those parcels. Updates of existing atlas information for the Breeding Bird Atlas and the Reptile and Amphibian Atlas will be undertaken as updates are scheduled. Natural Heritage information will be updated as new information is obtained. Location of suspected old growth trees and other important habitats such as vernal pools will be surveyed and locations recorded.

### **F. Land Acquisition Needs**

Additional protection for both the main gorge and the South Branch of the Cattaraugus Creek was mentioned during the public scoping meetings held prior to the development of the UMP. Areas of concern focused on providing additional protection for the main gorge perimeter in areas where

the State does not currently own beyond the gorge edge and where timber and mineral resource removal on adjacent properties threaten the integrity of the gorge. Support of additional acquisition is included in the Open Space Conservation Plan.

DEC will pursue the protection of additional properties from willing sellers in the area on behalf of the State and in collaboration with other partners to increase the areas under State and private stewardship in the watershed. Those parcels should add to the overall gorge areas of the main branch of the Cattaraugus Creek as well as the South Branch of Cattaraugus Creek. DEC will also continue to pursue acquisition of property to completely establish the 300-foot “protection area” in those few areas where the current State owned boundary is less than 300 feet from the rim of the gorge. Eminent domain will not be used in the acquisition of properties in order to provide additional "protection area" or add additional property to the Zoar Unit.

## **G. Natural Areas**

The portion of the Unit included in the “protection area” and which the Department proposes to request that the State legislature dedicate to the State Nature and Historic Preserve Trust pursuant to Article 45 of the ECL meets this description.

### **1. Protection Area**

The gorge floor, sides and a buffer area along the rim of the gorge will be maintained in a natural state by establishing a distinct area within the Unit. For administration purposes, this area will be termed the “protection area”(Figure 7). This area is bounded by a line that is at least 300 feet from the rim of the gorge. In a few areas, real property boundaries are less than 300 feet to the rim of the gorge. In those cases, the real property boundary becomes the boundary of the “protection area” No trees will be removed from the “protection area” except for the possibility of removal of trees that present a threat to public safety. An updated inventory of trees in the “protected area” needs to be conducted. No removal of minerals will be allowed from the “protection area” by surface entry. No development will occur in the “protection area” except for possible improvements to public access, search and rescue operations and for signs for safety and educational purposes.

In addition to the protection area a buffer strip 100 feet on either side of the Vail Road Trail will be established. Selected trees may be removed in order to benefit wildlife habitat diversity or if they present a threat to public safety.

### **2. State Nature and Historic Preserve Trust**

The Zoar Valley Multiple Use Area as currently designated, allows DEC to manage the Unit and detached parcels for recreational activities noted in this UMP. Due to the unique ecological significance of the gorge area, the public support for a land use designation that affords maximum protection of the natural character of the State’s holdings in the Unit, and the Darling family’s original interests, the DEC will propose to the New York State Legislature to dedicate the part of the Zoar Valley Unit described as the “protection area” from Multiple Use Area to State Nature and Historic Preserve Trust. While additional protection is accomplished as a DEC policy change, the long-term protection

of the gorge area should be accomplished by dedicating the “protection area” to the State Nature and Historic Preserve Trust, established pursuant to section 4, Article XIV of the New York State Constitution and Article 45 of the Environmental Conservation Law. To achieve this designation a survey would be needed to establish a comprehensive legal description of the intended “protection area” The Preserve designation is extended to State owned lands "in need of the highest level of protection" and "is intended for unique and irreplaceable State-owned lands that are relatively undisturbed and not presently being managed through modern forest management practices." Preserve lands may also be dedicated to passive recreational use, including fishing, hunting, and trapping. Recreational uses must be compatible with protecting the character of the site. The New York State Legislature must pass legislation to dedicate land to the Preserve. Once added to the Preserve, land cannot be sold except by law enacted by two successive regular sessions of the legislature. The upland areas outside the “protection area” would remain in the current land classification of Multiple Use Area since portions have been subjected to modern forest management practices such as plantations and need to be returned to natural diverse hardwood areas and managed for habitat improvement.

Public input during the UMP process included suggestions for changing the land classification to Forever Wild. This is not possible since the Forever Wild land classification is by law only applied to lands in the Adirondack and Catskill Forest Preserves. The State Nature and Historical Preserve Trust is specifically intended to protect lands outside of the Adirondack and Catskill Forest Preserves.

The time needed to enact a change to the Preserve for the “protection area” through legislation will not impede DEC from managing the Unit in the way proposed in this UMP. In fact, in large part, the historic management of the Unit has always been in the context of preserving the natural character of this significant natural resource and will continue to be as such.

Also during the public input period of this plan, it was suggested that the MUA classification be changed to the State land classification of Unique Area. The Zoar property was acquired as a Multiple Use Area using 1960 Bond Act Funds. Acquiring properties using Bond Act allocations requires the designation of state land classification available at the time of acquisition. The Unique Area classification wasn’t available until 1973, after Zoar was acquired, and only applies to properties acquired with 1972 Bond Act funds. For this reason, the Zoar MUA cannot be moved to the Unique Area classification nor would this classification necessarily afford any more protection than the current MUA designation.

## **H. Scenic Vistas**

The Zoar Valley Unit features many scenic vistas. Most notable are from Overlook Point near the Valentine Parking Area and views of the gorge walls from the gorge itself and the existing perimeter trails. No construction is planned that would enhance the opportunity for the public to view these vistas.

## **I. Mineral Resources Management**

National Fuel Gas Supply Corporation has a lease on the Unit and will continue to use the Collins gas storage field in the northern portion of the Unit. No surface disturbance is expected from this use. No additional exploration or extraction of mineral resources will be allowed in the “protection area” in anticipation of that area being designated Nature and Historic Preserve Trust land. No exploration or extraction of minerals will be allowed in the upland areas nor will they be allowed on the detached parcel. There is a potential for extraction of gas and oil under permit from underneath lands where the state owns the mineral rights . This extraction would involve directional drilling from adjacent private lands and would occur without any surface disturbance of state owned property. Small historic gravel pits will be evaluated for restoration and reclamation to natural vegetative cover, in particular, the Purdy Road pit.

## **J. Forest Protection**

There are many species of insects and diseases, as well as pollutants, that are active in the northeastern forests. All play important roles in the ecology of the forest. The following list describes a few of these insects and diseases, in their role as forest pests, and their present or historical impacts on the ecosystem.

### **1. Insects**

Gypsy moth (*Lymantria dispar*) - This insect has received much notoriety since it was introduced into the United States in 1868. Populations of this insect can periodically build to “outbreak levels” resulting in widespread forest defoliation. Gypsy moths will defoliate many species of northeastern trees, but they favor oaks.

High populations of gypsy moths do not typically persist more than three years before they collapse. Until recently, a virus (Nucleoehedrosis Virus) has usually caused the rapid decline of Gypsy Moth populations. In recent years however, a fungus (*Entomophaga maimaiga*) has also proved to be effective in reducing moth populations. This fungus was introduced to the U.S. from Japan in 1910 and again in 1985. Because of the presence of both the virus and the fungus, it is hoped that future Gypsy Moth outbreaks will be less severe and less frequent.

Forest Tent Caterpillar (*Malacosoma disstria*) - This insect can be a serious defoliator of sugar maple. Unlike other “tent caterpillars” the Forest Tent Caterpillar does not construct a tent on the tree branches. Most healthy hardwoods can withstand a single defoliation from this insect.

Eastern Tent Caterpillar (*Malacosoma americanum*) - This is the most common “tent caterpillar” in New York State. The caterpillars build the nests in the crotches of tree branches. They prefer cherry trees and apple trees. The nests are formed in late April or early May each year and the caterpillars feed on the leaves. Most of the feeding is done from dusk, through the evening hours.

Pear Thrips (*Taeniothrips inconsequens*) - Introduced from Europe to the United States in 1904. It attacks a variety of orchard and forest trees. There were several population explosions of Pear thrips in the northeast during the late 1980s. The outbreak of 1988

damaged or defoliated more than 1.5 million acres of sugar maple trees. In addition to causing leaf damage, Pear thrips may also be capable of transmitting a fungal disease, maple anthracnose. This disease often coincides with Pear thrip infestations. Maple anthracnose decreases the photosynthetic ability of leaves, which can kill trees, if they are severely infected. Thrips damage to the forests of the Unit has so far been insignificant.

Elm Spanworm (*Ennomos subsignarius*) (and other species of loopers) - the common name of this insect is deceiving, as it is not only associated with elm trees, but will defoliate beech, oak, hickory, maple and ash as well. More than 20 major outbreaks have occurred in the past century. The forests in the southern tier of New York State and much of Pennsylvania were heavily defoliated by these insects in 1994. Typically, outbreaks of the Elm Spanworm succumb to mortality from a complex of natural agents, including egg parasites and larval diseases.

Peach Bark Beetle (*Phloeotribus liminaris*) - This insect has recently gained increased attention from foresters in the northeast, due to the amount of damage it has caused to black cherry trees. Infestations of this insect can result in large amounts of gum deposits on the trunks of black cherry. The damage can significantly reduce the value of the timber and it causes a general decline in tree health. Peach Bark Beetle populations build up in the tree tops following the harvest of cherry timber. Residual, healthy cherry trees are then attacked. Cultural practices (i.e. reducing quantities of slash and seasonal cutting) are being investigated to minimize the negative impacts of peach bark beetles.

Pine Shoot Beetle (*Tomicus piniperda*) - This beetle, native to Europe and Asia, attacks the new shoots of pine trees, including scotch pine and red pine, stunting the growth of the tree. The USDA's Animal and Plant Health Inspection Service (APHIS) has issued regulations resulting in "quarantines" within the infested counties of New York State and other states, to prevent the spread of this insect. These quarantines are of significance because they affect the transportation of pine logs. All of New York State except New York City and Long Island is designated as a quarantined area. In general, the regulation restricts the transportation of pine logs from a quarantined area to a non-quarantined area.

## **2. Diseases**

Beech Bark Disease - This disease has caused a widespread decline in the health of American beech, and it limits the life span of these trees. Beech trees are infected when the beech scale (*Cryptococcus fagi*) punctures the bark, allowing the spores of the fungus (*nectria coccinea*) to enter the tree. American beech saplings are still abundant to the understory of northeastern forests, however mature beech trees are declining and becoming less common.

Dutch Elm Disease - This disease entered North America in 1930 and it has killed most of the American elm trees in the northeastern United States. The causal agent is a fungus (*Ceratocystis ulmi*) which is spread by elm bark beetles. Although the disease has killed most elms, a few resistant individuals have survived. It is still possible to find mature elm trees within Erie and Cattaraugus Counties.

Chestnut Blight - This is one of the most famous plant diseases in North America. It has resulted in the near extinction of American chestnut trees throughout their natural range. The blight is caused by a fungus (*Cryphonectria parasitica*) that enters through wounds in the bark. American chestnut saplings can still be found in a few, isolated areas of the forest in Erie and Cattaraugus Counties, but it is rare for a tree to survive long enough to attain a stem diameter greater than six inches.

### **3. Fire Control**

Wildfires on the unit can be extinguished to the extent possible by Forest Ranger staff and authorized volunteers.

### **4. Trespass or Encroachment Issues**

Trespasses and encroachments will be investigated by Forest Ranger and Forestry staff. Department resources will be used to prosecute violations and remediate the lands.

### **5. Boundary Line Maintenance**

The boundaries are scheduled to be maintained every seven years or sooner if markings need to be replaced. Maintenance consists of painting existing blazes with yellow paint and installing signs if needed.

### **6. Watershed and Wetlands Protection**

Compliance with the New York State Freshwater Wetlands Act (ECL Article 24) of the Water Resources Law (ECL Article 15, Title 5) is required by NYS DEC when conducting management activities or construction projects that involve regulated activities within protected wetlands, water bodies, or streams. Timber Harvesting Guidelines which are mandatory for all silvicultural practices on state lands, require specific conservation practices which protect soils and water quality. The ECL dictates that among other purposes State Forests within this Unit be managed for watershed protection. This is also clearly consistent with wildlife management area objectives and sound conservation practices and public desires.

Regulated activities within protected wetlands, streams and waterbodies include such things as clear-cutting vegetation and construction of ponds or road crossings. Normal maintenance and repair of existing structures is generally exempt from permit requirements. Well-managed water resources have multiple benefits, including quality fish and wildlife habitats, aesthetically pleasing sites, ground water protection and flood water retention.

## **Cattaraugus Creek Gorges**

### **Protection Areas**

See description in Section G 1.

### **Unique Habitats**

Unique habitats will be maintained for the diversity of plants and animals that occupy those sites.

### **Rare, Threatened or Endangered Species Habitats**

If rare, threatened or endangered species are discovered they will either be left undisturbed or the surrounding conditions may be modified if it would benefit those species.

### **K. Coordination with Adjoining Landowners**

Most of the managements actions proposed for the Zoar Unit will not impact directly on adjoining landowners. In cases where removal of current softwood plantations will take place on borders of the Unit, a buffer of trees may be left as a visual screen for adjoining property owners.

### **L. Forest Inventory**

The current forest inventory is old. New inventory data collection is planned for 2007.

### **M. Cultural Resources - Historic or Architectural Sites**

Historic and archeologic sites on the Zoar Valley Unit have to date not been officially investigated nor recorded. DEC Forestry staff have visited the area on numerous occasions and identified several potential historic sites, including home foundations and remnant structures of a lime kiln. DEC will pursue an official archeological/historical investigation of the Zoar Valley Unit through the NYS Museum. If appropriate sites are determined, DEC will pursue protection of these areas pursuant to recommendations from NYS Museum staff.

## **VIII. Ten-Year Schedule of Management Actions**

The following work plan items and implementation schedule are contingent upon available resources for such purposes. Listed years are targets and will be used to address the overall implementation of the UMP as described.

**Ongoing or Annually:**

<p><b>Administration</b></p>	<p>Pursue Natural Resource Stewardship Agreements with appropriate groups and entities in order to improve the overall stewardship of the Zoar Valley Unit: <u>Ongoing.</u></p>
<p><b>Land Management</b></p>	<p>Pursue the protection of additional properties in the area on behalf of the State and in collaboration with other partners: <u>Ongoing.</u></p> <p>Pursue acquisition of property that would completely establish the 300-foot "protection area" / State Nature and Historical Preserves Trust Lands: <u>Ongoing.</u></p> <p>Mow 10 acres of American Chestnut Plantation: <u>Annually.</u></p>
<p><b>Forest Management</b></p>	<p>Update the New York Natural Heritage Program information: <u>Ongoing.</u></p>
<p><b>Wildlife Habitat Management</b></p>	<p>Install &amp; Maintain blue bird nest boxes located in the field at stand 5: <u>Ongoing.</u></p> <p>Install and maintain a network of 20 wood duck boxes in ponds &amp; potholes.</p> <p>Install and maintain wood duck nest boxes: <u>Annually.</u></p> <p>Mow 7 ac stand 28: <u>Annually.</u></p> <p>Mow 20 acres of stand 5: <u>Annually.</u></p> <p>Mow 7 acres of stand 95.2: <u>Annually.</u></p> <p>Mow 2 acres of pond dikes and trails: <u>Annually.</u></p> <p>Plant and Maintain shrubs: <u>Ongoing.</u></p> <p>Mow between rows of the Vail Road American chestnut plantation: <u>Annually.</u></p> <p>Mow the northern 10 acres section of the Ross access site field annually: <u>Annually</u></p>
<p><b>Fisheries Management</b></p>	<p>Monitor Unit pond fish populations and manage as necessary: <u>Ongoing.</u></p>
<p><b>Public Access/Access for Persons w/ Disabilities</b></p>	<p>Seek additional public access to the fisheries resources of the Unit concentrating on Cattaraugus Creek and South Branch Cattaraugus Creek: <u>Ongoing.</u></p> <p>Maintaining the existing parking lot at the waterway access site: <u>Ongoing.</u></p>
<p><b>General Maintenance</b></p>	<p>Provide routine maintenance of existing roads, access sites, trails and gates: <u>Ongoing.</u></p> <p>Enforce the rules and regulations which prohibit littering and dumping: <u>Ongoing.</u></p>
<p><b>Safety</b></p>	<p>DEC will investigate potential foot and ATV access improvements in the Zoar Unit for search and rescue and conduct outreach to neighboring landowners for this purpose: <u>Ongoing.</u></p>
<p><b>Boundaries, Markers and Informational Signs</b></p>	<p>DEC will:</p> <p>Maintain educational kiosks and signs at parking lots and access points to show trail locations, points of interest and emphasize safety and hazard concerns: <u>Ongoing.</u></p>

**Schedule for 2007:**

<b>Land Management</b>	Designate the "Protection Area" portion of the Zoar Valley Unit from Multiple Use Area to the State Nature and Historical Preserve Trust.
<b>Forest Management</b>	<p>Conduct a new inventory of the trees in the Unit outside of the protection area.</p> <p>Evaluate the potential for the reintroduction of the butternut to the Unit.</p>
<b>Wildlife Habitat Management</b>	<p>Harvest red pine in stand 27.</p> <p>Establish and maintain a network of at least 20 wood duck boxes in ponds and potholes on the Unit.</p> <p>Seek volunteer groups.</p> <p>Mowing of Existing Grassland Areas:</p> <p style="padding-left: 40px;">Mow and maintain pond dikes: Alternate Years Starting in 2007.</p> <p style="padding-left: 40px;">Mow 20 acres of the 60-acre field located off the Ross access site:</p> <p style="padding-left: 40px;">Three year rotational mowing of the entire field by doing 18-100 ft. wide strips each year to control invasion by brush and facilitate access for pheasant hunting</p> <p style="padding-left: 40px;">Manage for Shrubs and Apple Trees in stands 66.0, 68.1 and 17.0</p>
<b>Mineral Resources Management</b>	DEC will evaluate small historic gravel pits for restoration and reclamation to natural vegetative cover.
<b>Historic Preservation</b>	DEC will request an archeological/historical investigation of the Zoar Valley Unit by the NYS Museum.
<b>Regulation Changes</b>	DEC will change the existing rule prohibiting wading to allow for angling in the creeks, plus prohibit possession of alcohol and glass containers.
<b>Hiking Trails</b>	<p>Upgrade and mark the trail to Valentine's Flats from the Valentine's Flats Road parking lot.</p> <p>Upgrade and mark the trail near Holcomb Pond.</p>

<p><b>Public Access/Access for Persons w/ Disabilities</b></p>	<p>Install information kiosks at eight locations including Ross, Holcomb Pond, Valentine's Flats, Forty Road, Button Road, Waterway Access, the detached parcel parking areas with information on points of interest, trail locations, safety concerns and rules and regulations governing use of the area.</p> <p>Place signage at key points where trespass occurs onto private lands from the unit.</p> <p>Evaluate the potential for upgrading some parking areas to provide additional parking for recreational use of the Unit by:</p> <ul style="list-style-type: none"> <li>Improving the surface of the Forty Road parking lot with gravel.</li> <li>Designating accessible and emergency parking spots at the Forty Road parking lot.</li> <li>Develop disabled access to Cattaraugus Creek at the Forty Road site.</li> <li>Improving the Valentine's Flats parking area by designating accessible and emergency parking spots at this lot.</li> <li>Evaluating the potential for additional access to Overlook Point from the Valentine's Flats parking area.</li> <li>Monitoring parking lot use at the Holcomb and Ross Ponds access sites</li> </ul>
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**Schedule for 2008:**

<p>Forest Management</p>	<p>DEC will inventory trees in the protection area.</p>
<p>Wildlife Habitat Management</p>	<p>DEC will:</p> <ul style="list-style-type: none"> <li>Improve white tail deer, ruffed grouse and cottontail rabbit populations during management of upland spruce and red pine plantations outside the "protection area" by removing trees from upland spruce stands at the rate of about one quarter of the trees every 5-10 years to improve ruffed grouse habitat.</li> <li>Apple tree maintenance in stands 28.1, 28.2, 28.3</li> <li>Build and place 20 wood duck boxes.</li> <li>Update maps of wetlands, ponds, fens and potholes.</li> <li>Identify and map vernal pools.</li> <li>Conduct a detailed inventory of wildlife and wildlife habitat on the Unit, including the non-forested habitats.</li> <li>Mow non-planted portions of the fields at the Button Road area to maintain open strips. (Alternate Years Beginning in 2007)</li> <li>Dike repair stand 93</li> </ul>

Fisheries Management	DEC will sample fish populations in existing ponds and develop fish management plans from these data for Unit ponds greater than one acre and deeper than five feet.
Public Access / Access for Persons with Disabilities	DEC will:  Evaluate the potential for developing horse trails on the detached parcel.  Expand parking lot at the Ross Pond access site to hold 10 cars plus an ADA compliant parking spot.  Construct a small parking lot (2 cars) at the Gowanda-Zoar Road.
Snowmobile and Horse Use	DEC will evaluate whether a snowmobile trail could cross the detached unit and be developed and maintained through an Adopt-A-Natural Resource agreement with local interest groups, perhaps in conjunction with a horse trail.
General Maintenance at the Unit	DEC will discontinue the current trash pick-up program and return to the policy of "carry in, carry out" in educational materials and at access kiosks.
Boundaries, Markers and Informational Signs	DEC will:  Maintain educational kiosks and signs at parking lots and access points to show trail locations, points of interest and emphasize safety and hazard concerns.  Develop a map for public distribution that identifies the locations of parking areas, access roads, hiking trails, general features of the Unit, boundaries, list regulations, note hazardous areas and safety concerns, and give emergency contacts and DEC contacts.  Mark Unit boundary lines with paint and signs.

**Schedule for 2009:**

Wildlife Habitat Management	DEC will:  Harvest larch on eastern 9 ac. stand 3  Apple tree maintenance stand 66  Seek volunteer organizations to assist in improving existing apple tree crops outside the protection area the for deer and other wildlife.
Fisheries Management	DEC will implement fish stocking plans if appropriate.
General Maintenance at the Unit	DEC will evaluate the feasibility to repair the road to Valentine's Flats for emergency search and rescue (ATV access only).

**Schedule for 2010:**

Wildlife Habitat Management	DEC will:  Harvest Norway spruce on 11 ac in stand 77  Apple tree & shrub maintenance stand 68.1
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**Schedule for 2011:**

Wildlife Habitat Management	<p>DEC will:</p> <p>Apple tree and shrub maintenance stand 17</p>
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**Schedule for 2012:**

Administration	DEC will review the Unit Management Plan and potentially revise.
Wildlife and Habitat Management	<p>DEC will:</p> <p>Improve white tail deer, ruffed grouse and cottontail rabbit populations during management of upland spruce and red pine plantations outside the “protection area” by:</p> <p>Removing trees from upland spruce stands at the rate of about one quarter of the trees every 5-10 years to improve ruffed grouse habitat.</p> <p>Harvest Norway Spruce in stand 82</p>
Forest Management	<p>DEC will:</p> <p>Update available DEC databases on the Unit.</p> <p>Reintroduce disease resistant American chestnut trees to the Unit.</p>
Boundaries, Markers and Informational Signs	<p>DEC will:</p> <p>Mark the Unit boundary lines with paint and signs.</p> <p>Post signs at parking lots or other access points listing the regulations and noting hazardous conditions.</p>

## IX. Budgetary Needs for Management Actions

<b>2007 - Development and Maintenance</b>	<b>Cost</b>
◆ Construct and place 6 education/information kiosks	\$ 15,000
◆ Maintain bluebird and woodduck nest boxes	\$ 500
◆ Grassland mowing - 46 acres	\$ 2,000
◆ Administrative road maint., access sites ,trails, gates and parking lots	\$ 5,000
◆ Forest Inventory	\$ 10,000
◆ Upgrade and mark existing foot trails (volunteer labor)	\$ 100
◆ Develop Disabled access to South Branch of Cattaraugus Creek at Forty Road	\$ 15,000
◆ Parking lot upgrades to facilitate more parking and designate	\$ 8,000
◆ Holcomb Pond and Ross Pond dike mowing	\$ 50
<b>Total 2007</b>	<b>\$ 55,650</b>
<b>2008 - Development and Maintenance</b>	<b>Cost</b>
◆ Maintain bluebird and woodduck nest boxes	\$ 500
◆ Grassland mowing - 46 acres	\$ 2,000
◆ Maintain administrative roads, access sites, trail and gates	\$ 5,000
◆ Expand parking lots at and Ross Access	\$ 8,000
◆ Construct small 2 car parking lot at the Gowanda-Zoar Road.	\$ 7,000
◆ Develop a map for public distribution that identifies locations of public use facilities, general features of the area, regulations for use and hazardous areas. emergency contact and DEC contacts.	\$ 1,000
◆ Boundary line maintenance with signs and paint	\$ 10,000
◆ Apple tree maintenance	\$ 500

◆	Dike repair	\$ 5,000
◆	Holcomb Pond and Ross Pond dike mowing	\$ 50
	<b>Total 2008</b>	<b>\$ 39,050</b>

**2009 - Development and Maintenance**

**Cost**

◆	Maintain bluebird and woodduck nest boxes	\$ 500
◆	Grassland mowing - 46 acres	\$ 2,000
◆	Administrative road maint., access sites, trails, gates, parking areas.	\$ 5,000
◆	Apple tree maintenance	\$ 500
	<b>Total 2009</b>	<b>\$ 8,000</b>

**2010 - Development and Maintenance**

**Costs**

◆	Maintain bluebird and woodduck nest boxes	\$ 500
◆	Grassland management and access mowing - 46 acres	\$ 2,000
◆	Administrative road maint., access sites, parking lots, trails, gates.	\$ 5,000
◆	Apple tree & shrubs maintenance	\$ 500
	<b>Total 2010</b>	<b>\$ 8,000</b>

<b>2011</b>	<b>Development and Maintenance</b>	<b>Cost</b>
◆	Maintain 30 bluebird and 20 woodduck nest boxes	\$ 500
◆	Grassland management and access mowing - 46 acres	\$ 2,000
◆	Administrative road maintenance, access sites, parking lots, trails, gates.	\$ 5,000
◆	Apple tree and shrub maintenance	\$ 500
	<b>Total 2011</b>	<b>\$ 8,000</b>

<b>2012</b>	<b>Development and Maintenance</b>	<b>Cost</b>
◆	Maintain bluebird and woodduck nest boxes	\$ 500
◆	Grassland management and access mowing - 46 acres	\$ 2,000
◆	Administrative road maint.,access sites, parking lots, trails, gates.	\$ 5,000
◆	Boundary line maintenance with signs and paint	\$ 10,000
◆	Maintenance of kiosks and regulations signs at access points	\$ 1,000
	<b>Total 2012</b>	<b>\$ 18,500</b>

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**Appendix A.**

Unit Management Planning Process

The development of unit management plans for classified public lands in the State follow a stepwise process that will culminate in the preparation of a draft and final UMP. The eight tasks in this process are:

1. **Conduct a comprehensive *Resource and Use Inventory and Analysis*.**
2. **Develop and implement a comprehensive *Public Participation Plan*.**
3. **Prepare a *Management and Policy Overview*.**
4. **Propose *Goals, Objectives, and Management Actions for the Area*.**
5. **Prepare a *Draft Unit Management Plan For Public Review*.**
6. **Meet appropriate *State Environmental Quality Review Act (SEQR)* requirements.**
7. **Prepare a *Draft Unit Management Plan*.**
8. **Prepare the *Final Unit Management Plan*.**

The activities associated with these eight tasks are described below:

#### **Task 1 - Conduct a Comprehensive Resource and Use Inventory and Analysis**

Conduct an inventory of the natural, scenic, cultural, wildlife (including game and non-game species) and other appropriate resources along with an analysis of the area's ecosystems.

1. Conduct an inventory of natural resources including an assessment of physical resources (geology, soils, topography, water, wetlands, air and climate), biological resources and ecological communities (plant life, wildlife and fish) and scenic resources (travel corridors, observation points, open space and other natural areas) and information, such as the occurrence of general vegetative community types.
2. Conduct an inventory of all existing man-made facilities for public or administrative use in the unit. Conduct an assessment of existing facilities to determine compliance with ADAAG and proposed ADAAG. For trail assessments the Universal Trail Assessment Program (UTAP) will be used. Utilize the Maintenance Management System (MMS) format for the inventory of all man-made facilities in the unit. All point and line data will be gathered using global positioning system (GPS) technology and organized to be suitable for incorporation into NYSDEC's geographic information system (GIS).
3. Conduct an inventory of past influences and existing cultural and historic resources that are found in the unit.
4. Conduct an inventory of the types and extent of actual and projected public use within the unit. This inventory should involve a review of information gathered at trailhead and waterway access site registers and interviews with DEC staff and the public.
5. Conduct an inventory and evaluation of existing recreational opportunities available to persons with disabilities within the unit.
6. Conduct an assessment of the relationship between public and private land in the vicinity of the unit. This assessment will include an examination of the impacts of public land ownership and use on adjacent private lands and nearby communities, and vice versa.

7. Conduct an assessment of the physical, biological, and social carrying capacity of the resources of the unit, with particular attention to portions of the area threatened by overuse in light of its resource limitations and classification. Identify existing and potential resource concerns related to the impacts of present and projected use on the resources of the area.
8. Identify current activities related to the use of the area for education, interpretation and research.

### **Task 2 - Public Participation**

Develop and implement a comprehensive public participation plan designed to assure participation in the planning process by all stakeholders including , but not limited to, local governments, tourist-oriented businesses, recreation advocates, people with disabilities, environmental groups, and neighboring landowners. At a minimum, the plan must involve:

1. The compilation of a mailing list of all identified stakeholders.
2. The development of a press release and the mailing of an announcement of the beginning of the planning process with a request for comments.
3. The holding of two public meetings at which the public comment will be effectively and efficiently received and recorded. One meeting shall be held early in the planning process to present information about the planning area to the public and to receive preliminary comments. Two additional meetings shall be held to present the draft UMP and receive public comments on the document.
4. A description of the methods to be used to analyze oral and written public comments and incorporate them into the UMP. The analysis of public comments should include a review of the existing resources.
5. The preparation of a responsiveness survey which documents a summary of all public comments received.

### **Task 3 - Prepare a Management and Policy Overview for the Area**

Prepare a management and policy overview of the area that identifies the following:

1. Past Management - Assess past management activities in the unit, including DEC management activities, academic research projects and activities undertaken by organizations outside the DEC.
2. Management Guidelines - Identify existing guidelines for the management, development or other use of the area including provisions of the state constitution, the guidelines and criteria set forth in the ECL and related rules & regulations, DEC policies and other federal and state laws, rules, regulations, policies and plans that are relevant to the use & management of State lands. Identify any deed restrictions & private rights that exist.
3. Management Principles - Identify management policies and principles that exist to guide the DEC in managing Forest Preserve units.
4. Issues - Prepare a list of the management issues to be addressed in the UMP that were identified in Task 1.

### **Task 4 - Propose Management Goals, Objectives, and Actions for the Area**

Based on information gathered during the resource inventory, through public input and in consultation with the UMP Team, propose management goals, objectives, and action for the unit.

1. Develop *Goals and Objectives* that will guide the management of the area for the next five years. Proposed goals and objectives must reflect existing legal requirements, such as the New York State Constitution, and the Environmental Conservation Law, as well as DEC policies and established management principles. They must be refined through an analysis of the area's natural resource characteristics and an assessment of the recommendations made to the DEC by local governments, organizations, and individuals in the course of the public participation process.
2. Work with the UMP Team to identify the specific *Management Actions* needed to meet the goals and objectives of the plan. Each action or group of actions proposed to address major issues will be presented along with a complete analysis of alternatives.

### **Task 5 - Prepare Draft Unit Management Plan**

Prepare a Draft Unit Management Plan after completion of Tasks 1-3 above:

1. Prepare an *Executive Summary*. The executive brief will list the major management issues identified during the planning process, describe the level of controversy associated with each issue, and describe the management actions proposed to address the issues, along with the alternatives considered.
2. Prepare a *Preliminary Draft UMP*. The preliminary draft UMP will present the information gathered in Tasks 1 through 3 above and the management goals, objectives, and actions as described in Task 3. The content and organization of the preliminary draft UMP will correspond to the UMP template.
3. After review of the preliminary draft UMP, incorporate necessary modifications, and prepare a *Draft UMP for Public Review*.
4. Complete a long environmental assessment form (EAF) if necessary. The long EAF is not required when writing an environmental impact statement (EIS).
5. Prepare a positive or negative declaration.
6. Prepare the draft UMP in the form of a draft environmental impact statement (DEIS) if required.

### **Task 6 - Public Participation**

Implement the final steps of a DEC prescribed comprehensive public participation plan. This portion of the public participation plan will involve:

1. The holding of an open house style public meeting to present the draft UMP and receive public comments on the document. The meeting may also serve to meet SEQR requirements.
2. An analysis of oral and written public comments. The results of the comment analysis will be incorporated in the final draft UMP.
3. The preparation of a comment and response summary to be included as an appendix to the final draft UMP.

### **Task 7 - Prepare Final Unit Management Plan**

After review of the final draft UMP by the public, incorporate necessary modifications and prepare a Final UMP for the DEC Commissioner approval. The Final UMP will meet the requirements of the State Environmental Quality and Review Act. Prepare a findings statement, if required.

**Appendix B.**

Zoar Valley Multiple Use Area

Unit Management Plan Public Scoping Meetings

Summary of Comments

## Discussion Groups

### **1. Land Management**

### **2. Access**

### **3. Recreation**

### **4. Safety/Evacuation**

(#) number in parenthesis indicates frequency of comment.

## **1. Land Management Group**

### Old Growth

- ▶ Recognize and protect old growth (39)
- ▶ Map old growth (39)
- ▶ Publicize old growth (39)
- ▶ Preserve champion trees in gorge
- ▶ People are awed by large trees
- ▶ Concern over dead trees in gorge
- ▶ Look to Mr. Diggins, old growth survey & others for definition of old growth & buffers
- ▶ Old growth can withstand fires
- ▶ Have old growth experts lead walks to the old growth area
- ▶ Unique old growth in and near the gorge
- ▶ Acknowledge old growth in UMP and show it on maps
- ▶ Old growth definition found in Lake Erie gorges report
- ▶ Work with other organizations that recognize old growth to draft this plan
- ▶ If timber management is allowed, no old growth to be cut
- ▶ Don't cut old trees (large or small)
- ▶ Old growth area not prone to fires
- ▶ Don't put up signs for old growth trees
- ▶ No human disturbance in the gorge
- ▶ Old growth area should be limited access

## Unique/Forever Wild

- ▶ Rededication to Unique Area
- ▶ Designate entire area as Forever Wild (26)
- ▶ If we designate entire area Forever Wild, you lose ability to manage some species (6)
- ▶ Promote conservation of gorge
- ▶ Legal rededication of all Zoar to Unique area (20)
- ▶ Article 14, Section 4, (1970), S.45-0117 of ECL
- ▶ Rededicate all of Zoar to State nature preserve
- ▶ Have an opportunity to have a special place
- ▶ Survey for unique plants and animals
- ▶ State Policy to protect old growth
- ▶ No new classes of land use (e.g. Establish wilderness areas) (27)

## Upland Habitat Management

- ▶ Explain the deed restrictions and tell if any exceptions
- ▶ No cutting of trees
- ▶ No timber harvesting (31)
- ▶ This area is one of the greatest hardwood producing areas in the world
- ▶ Manage black walnut & other plantations
- ▶ Don't manage lands/preserves
- ▶ See Heart's Content in Pennsylvania to see what is possible
- ▶ Keep in natural state
- ▶ Protect unique plants/animals and their habitats
- ▶ Bald Eagles observed
- ▶ Maintain habitats that are there (e.g. meadows)
- ▶ No management = no fire suppression
- ▶ lose biodiversity as forests age
- ▶ NiMo kept people out of the gorge
- ▶ Use Mr. Darling's words for management/non-management of land
- ▶ Maintain Ross Farm Meadows

- ▶ No logging or salvage
- ▶ Preserve farmland & habitat diversity (old growth) (17)
- ▶ No management
- ▶ Honor the deed language
- ▶ Explain the deed restriction & how DEC considers logging to be appropriate considering the deed restrictions
- ▶ Consider logging on other than Mr. Darling's gift
- ▶ Have management study done on eagles, goshawks, and red shouldered hawks to see effects of management
- ▶ Determine the value of the timber resources on the area - excluding the gorge
- ▶ What did state receive in revenue on sales? By year?
- ▶ Create an alternate plan to revenue from timber resources
- ▶ Explain blue marked trees along Valentine Flats Road (thinning proposed but not completed)
- ▶ Want open areas - keep the fields that are there now
- ▶ Repair damaged areas
- ▶ Do not allow gas drilling
- ▶ Identify all mineral rights
- ▶ Upland areas managed, not gorge
- ▶ No resource management, have trails
- ▶ E.I.S. for changes in the UMP/current regs.

#### Buffer Management

- ▶ 300' buffer strip along gorge (31)
- ▶ 500' buffer
- ▶ Significant buffers along watershed boundaries
- ▶ If logging, need 500' buffer from all old growth

#### Recreation

- ▶ No restrictions of recreational use that don't have trees/ecosystem
- ▶ Consider value of ecotourism
- ▶ Opportunity for recreation, have people behave

## Gravel Mining/Gas Wells

- ▶ No gravel mining
- ▶ Buffer strip to prevent erosion
- ▶ Should not have cut trees to gas well. Remove gravel there and plant it to trees

## Acquisition

- ▶ Look for more acquisition
- ▶ Expand Zoar to Springville by acquisition
- ▶ Buy additional acreage along perimeter to protect gorge

## Misc. Comments

- ▶ “In wilderness is the preservation of the world” H.D. Thoreau
- ▶ Enforcement of each area
- ▶ Enforcement of enforcers
- ▶ Provide staff and maps, describe the unique characteristics
- ▶ Citizen advisory board for oversight
- ▶ Any revenue generated should be returned to the area
- ▶ Include in UMP: Lake Erie gorges, Natural Heritage Study and older study
- ▶ Preserve these notes
- ▶ Notify Seneca Nation before starting projects

## 2. Access

### Roads/bridges

- ▶ Open up the Forty Road bridge and have the State pay for it
- ▶ Improve road down into Valentine Flats (emergency access and better parking)
- ▶ Is the Forty Road going to be repaired?
- ▶ Replace Forty Road bridge for seasonal use
- ▶ Access to Valentine Flats - gated, emergency use only
- ▶ No further building of roads in the area
- ▶ Keep Forty Road bridge closed and open up Gibson Hill bridge (off property)

## Trails

- ▶ Include horse trails and connect to other trails (5)
- ▶ Better foot access for fishing (4)
- ▶ Combine horse trails & snowmobile trails, ID to stay on trail, develop a 2-3 hour horse trail loop
- ▶ Trail access to state land will be limited by topography
- ▶ AANR is for trail maintenance (Adopt A Natural Resource)
- ▶ Tie number of trails into habitat preservation plan
- ▶ Access for nature study, birding
- ▶ Interpretive nature trails
- ▶ Better signs for trail system, ID trails with numbers
- ▶ Require permit for access to gorge - sign off to accept conditions of use
- ▶ Trail system along creek gorge (2)
- ▶ Trail system from each parking area (2)
- ▶ Should have recreational trails
- ▶ Use corrections prisoners for trail maintenance
- ▶ Trails for off road vehicle use
- ▶ Protect from overuse - consider reservation system for access to area
- ▶ Allow horse trail system
- ▶ No horses to be allowed or new horse trails

## Vehicle Use

- ▶ Use existing logging roads for motorized access (2)
- ▶ No motorized vehicles - as it is now
- ▶ Paid permit for motorized (OHV) trail use to pay for maintenance of trail
- ▶ If there are no snowmobile trails on Zoar, it may lead to closing other state lands to snowmobiles
- ▶ No ATV's or dirt bikes or snowmobiles
- ▶ No motorized access (31)
- ▶ Have ATV trails on logging roads, manage small area from revenue generated by permit
- ▶ Only non-motorized/no snowmobiles - to protect ecology

- ▶ Allow snowmobiles on trail
- ▶ Enforce ATV and snowmobile use regulations

#### Parking Access/Access Points

- ▶ Better marking of access points
- ▶ Access now is adequate, don't improve it (15)
- ▶ Better parking lot at Unger and Vail Road
- ▶ Parking for horse trailers
- ▶ Parking lots large enough for horse trailers and trucks (1)
- ▶ Improve access/launch boats (non-motorized)
- ▶ Develop site in Gowanda for removal of canoes and boats
- ▶ Provide year round parking
- ▶ Keep parking areas open for hunters
- ▶ Provide Port-A- Jons in parking area
- ▶ Litter management - carry it in - carry it out

#### Camping/Boating

- ▶ Canoe & hike in camping in valley, permanent basis
- ▶ Permit only camping for organized groups
- ▶ Overnight camping by permit
- ▶ Allow boat camping
- ▶ Repeal no wading rule in the creek

#### Acquisition

- ▶ Purchase development and conservation easements on adjacent private property
- ▶ Acquire adjoining lands along gorge (north side) to accommodate hiking trails

#### Cooperative Ventures

- ▶ Access for university research
- ▶ DEC staff should become familiar with other Multiple Use Areas
- ▶ Info. to Public - Signage

- ▶ In planning process, consider the staging areas (Peter Cooper tannery) in Gowanda
- ▶ Seasonal use indication signs (e.g. hunting, horseback riding)
- ▶ Brochures/maps on site, explaining natural history info, uses, etc.
- ▶ Signs to direct people to Zoar Valley MUA
- ▶ Directional signs tied in with area businesses - related to recreational businesses
- ▶ Web site information
- ▶ Better boundary line identification (17)

### 3. Recreation

#### Horses

- ▶ Area for horseback riding - trail system, marking layout (circular) Bits and Spurs trail riders (12)
- ▶ Horseback riding but not during hunting season
- ▶ Special area “Horses only” during hunting (non-hunters included)
- ▶ Trails established wide enough for horses and wagons
- ▶ Establish horse trail system (10)

#### Snowmobiles/ATV's

- ▶ MUA for ATV's and/or snowmobiles (specific seasons) (10)
- ▶ ATV's Use (3)
- ▶ Snowmobile use (3)
- ▶ Use existing (logging) trails for motorized vehicles (1)
- ▶ Motorized access for people with mobility impairments (including ATV use possibly by special permit)

#### Hunting/Fishing

- ▶ Preserve hunting and fishing opportunities (pheasant stocking & habitat management) (12)
- ▶ Continue support of hunting and fishing opportunities (17)
- ▶ Manage ponds for fishing, including stocking of fish/bait fish
- ▶ Allow passive (hunting/fishing) recreation (20)

## Non-motorized

- ▶ Non-motorized use only
- ▶ Cross country skiing (27)
- ▶ Bike path
- ▶ Only trails as stated by Mr. Darling, foot trails with little impact to the area (14)
- ▶ Leave use as is
- ▶ State liable for accidents?
- ▶ Clothing optional area established (6)
- ▶ Ban alcohol possession and consumption - No glass containers
- ▶ Adjacent landowner rights observed (2)
- ▶ Adjacent landowners liability for people exiting state property (2)
- ▶ Open areas for swimming, wading and bathing (16)

## Boats/Canoes

- ▶ Continued use for canoes and rafting
- ▶ More put-in and take out access points
- ▶ Improve access for boats and canoes, etc. (23)

## Wildlife Observation

- ▶ Bird and observation area for other wildlife
- ▶ Establish interpretive trails, have educational walk by DEC staff or colleges (6)
- ▶ Continue with nest box structures
- ▶ Guided tours and walks by DEC (17)
- ▶ Interpretive signs (history, plant ID, geology, wildlife use)

## Camping

- ▶ Camping by permit restricted to organized groups only (e.g. boy scouts)
- ▶ Allow limited backpacking & overnight camping (21)
- ▶ Camping by permit (15)

## Sanitation

- ▶ Carry in and carry out
- ▶ Enforce carry in - carry out regulations. (21)

## Tourism

- ▶ Tourism expansion potentials (12)
- ▶ Brochure showing foot trails & unique areas, parking directions to MUA (15)
- ▶ Don't publicize unique areas (e.g. old growth)

## Boundary

- ▶ Better posting/marketing of property lines (17)

## **4. Safety / Evacuation**

### Access

- ▶ Need good access for rescue operations
- ▶ Need access from private land
- ▶ Restrict use during harsh weather
- ▶ Better access for emergency equipment and vehicles
- ▶ Better trails for enforcement access
- ▶ Support a "dusk to dawn" use policy
- ▶ Handicapped access for handicapped horseback riding
- ▶ Have a log book available at trail heads for trail maintenance/safety comments to be noted
- ▶ Need "strainers" (dead trees & limbs, debris) removed along creek bed

### Signs

- ▶ Put up signs and educate the public
- ▶ More signs needed to indicate - If you pack it in/pack it out
- ▶ Bigger signs needed to mark the entrances, to demarcate dangerous areas
- ▶ Signs needed that say "Leaving State Property: Entering Private Property - You are trespassing"
- ▶ Sign at Forty Road parking area indicating that "the Falls" is privately owned & trespassing is not allowed

- ▶ Better signs for rules and regulations
- ▶ Signs showing the property boundaries and entrance/exits
- ▶ Signs noting when hunting seasons are open (for hikers to know)
- ▶ Sign that shows law enforcement phone number to call to report violations or emergencies
- ▶ If venomous snakes present, inform users
- ▶ If quicksand present, inform users

#### Enforcement/Regulations

- ▶ More/better enforcement on adjacent properties (trespass, drinking, garbage)
- ▶ Prohibit alcohol possession & use on MUA
- ▶ No alcohol, no glass, no drugs
- ▶ Support no swimming, no bathing
- ▶ No glass containers
- ▶ Increase enforcement with patrol
- ▶ Address indecent exposure: nude sunbathing affects other users
- ▶ Increase fines for ECL violations (Environmental Conservation Law)
- ▶ Repeal rule on wading in the creek

#### Rescue

- ▶ Lower numbers of volunteer firemen - can state help recruit
- ▶ More money to compensate fire departments who do rescues
- ▶ Charge the person that is rescued
- ▶ More training in search and rescue needed
- ▶ Replace Forty Road bridge (even if for seasonal use only)
- ▶ Emergency response equipment - stretchers modified with “dune buggy” tires for use on rough trails (Outward Bound Voyagers, Minneapolis)
- ▶ Designate a coordinator for emergency response
- ▶ Train emergency crews in white water rescue or have people with that expertise available
- ▶ Examine historic info on rescues and accidents to develop a baseline
- ▶ Grass landing pad for emergency helicopter use - Valentine Flats
- ▶ Designated parking and access for emergency vehicles with signs to maintain access for emergency vehicles - Forty Road and south branch of creek

## **Appendix C**

### **Responsiveness Summary to Public Comments**

**(Written comments and those voiced at public meetings)**

**The following meetings were held to solicit public comments for this plan:**

#### **Scoping Meetings:**

**Oct. 21, 2003      American Legion Post 409, 100 Legion Drive, Gowanda, NY 7:00 - 9:00 PM**

**Oct. 23, 2003      Bellevue Fire Hall, 511 Como Park Boulevard, Cheektowaga, NY 7:00 - 9:00PM**

#### **Draft Plan Public Hearings**

**July 11, 2006      Bellevue Fire Hall, 511 Como Park Boulevard, Cheektowaga, NY 7:00 - 9:00PM**

**July 13, 2006      American Legion Post 409, 100 Legion Drive, Gowanda, NY 7:00 - 9:00PM**

### Responsiveness Summary to Public Comments

<b>Management Action Item</b>			<b>Comments</b>
Access	<b>1</b>	<b>Ensure adjacent land owner rights are observed.</b>	<b>DEC's public outreach activities will be to encourage visitors to respect private property and refrain from trespassing. This includes additional signage.</b>
	<b>2</b>	<b>Repair Forty Road bridge.</b>	<b>DEC will not be pursuing repair of this bridge</b>
	<b>3</b>	<b>Access adequate/do nothing.</b>	<b>DEC believes improved public access is warranted.</b>
	<b>4.1</b>	<b>Better parking.</b>	<b>Parking lots will be upgraded where feasible.</b>
	<b>4.2</b>	<b>At Unger and Vail (Ross Access).</b>	<b>DEC will pursue some expansion at this lot.</b>
	<b>4.3</b>	<b>At Valentine Flats.</b>	<b>DEC will pursue some expansion at this lot.</b>
	<b>4.4</b>	<b>For horse trailers.</b>	<b>The main Zoar Unit is designated a foot traffic only area.</b>
	<b>4.5</b>	<b>Provide year-round parking.</b>	<b>DEC currently does not have funding for this but will pursue Adopt A Natural Resource agreements with Town and/or DOT.</b>
	<b>4.6</b>	<b>Parking for hunters.</b>	<b>No problems have been recorded or reported.</b>
	<b>4.7</b>	<b>Add parking at Gowanda-Zoar Road (near Britt property).</b>	<b>DEC will pursue parking at this location.</b>
<b>4.8</b>	<b>Create parking area at Forty Road, Persia side which is suitable for rafter buses to park and/or turn around.</b>	<b>Parking lot already exists.</b>	

<b>Management Action Item</b>			<b>Comments</b>
<b>Access</b>	<b>4.9</b>	<b>Post Forty Road Persia parking lot “Parking For Zoar Access Only” and “Falls is Private Property”.</b>	<b>DEC will place kiosks with property maps outlining the boundaries of Zoar MUA.</b>
	<b>4.10</b>	<b>Create parking area on Forty Road, Town of Otto.</b>	<b>DEC will investigate this option.</b>
	<b>4.11</b>	<b>Plow parking at Holcomb and Unger Ponds.</b>	<b>DEC will pursue an “Adopt A Natural Resource” agreement with Town.</b>
	<b>4.12</b>	<b>Investigate potential use of Button Road for parking area development.</b>	<b>DEC to pursue having Town repair and maintain road year round for better access.</b>
	<b>5</b>	<b>Better foot access for fishing.</b>	<b>Currently access exists at Holcomb and Ross Ponds via Unger Road and via Valentine Flats Road to gorge. DEC will pursue additional parcels for public access.</b>
	<b>6</b>	<b>Port-a-johns.</b>	<b>One facility exists at Forty Road parking area during the summer only. DEC will pursue funding for an additional facility at Valentine Flats parking area.</b>
	<b>7.1</b>	<b>Motorized access.</b>	<b>DEC will continue to prohibit public motorized access to the Zoar Unit due to safety concerns and minimum trail size guidelines for ATV use on state lands. DEC administrative activities and emergency response access may involve the use of motorized/ mechanized equipment.</b>
	<b>7.2</b>	<b>Do not allow motorized access.</b>	<b>Same as Item 7</b>

<b>Management Action Item</b>			<b>Comments</b>
<b>Access</b>	<b>7.3</b>	<b>Allow motorized access on existing logging roads.</b>	<b>Same as Item 7</b>
	<b>7.4</b>	<b>Develop paid permit only system for motorized vehicles.</b>	<b>Same as Item 7.</b>
	<b>8</b>	<b>Better ID of adjoining trails.</b>	<b>Currently there are no formal adjoining trails. However, additional trail development and marking will be evaluated.</b>
	<b>9.1</b>	<b>Combine horse and snowmobile trails.</b>	<b>Horses and snowmobiles are prohibited. The area is designated “foot traffic only”. Snowmobile clubs could adopt a trail and cross the detached as part of an existing trail system.</b>
	<b>9.2</b>	<b>Develop 2-3 hr. horse trail loop.</b>	<b>Zoar MUA is not large enough for this size loop trail. DEC will consider a loop trail on the detached parcel if interest groups establish a cooperative agreement for trails on adjacent private land.</b>
	<b>10</b>	<b>Limit access to old forest areas.</b>	<b>DEC will not limit the number of people who enter and use the Zoar Unit. Education about impacts will be part of the public outreach process.</b>

<b>Management Action Item</b>			<b>Comments</b>
<b>Access</b>	11.1	Camping - allow it.	Currently, the site is a “day use area” only due to safety concerns. Campers are directed to nearby East Otto State Forest.
	11.2	Permit-based system for canoe and hike-in camping.	
	11.3	Do not allow camping.	
	12.1	Develop site in Gowanda for removal of canoes and boats.	DEC will investigate sites which could be used for hand launching of boats and water craft.
	12.2	Improve access and launch for non-motorized boats.	
	13	Establish separate areas for each type of recreation - e.g.: hiking, motorized/non-motorized, wildlife viewing, etc.	DEC provides a variety of recreational activities to the public via its lands and forests holdings in Region 9 and across the State. Some sites, such as Zoar Valley, are not conducive to every type of recreation and thus have limitations and restrictions.
	14	Use area as natural area, not a state park.	DEC agrees
	15	Create recreational opportunities for senior citizen use.	DEC will consider loop trails of different lengths at the Zoar Unit.
	16	Charge no fees.	DEC agrees and no fees are charged.

<b>Management Action Item</b>			<b>Comments</b>
<b>Land Management</b>	1.1	Recognize and protect old growth.  Permanent designation and protection of old growth areas.	DEC will update its Forest inventory for the Unit and evaluate likely stands for old growth.  DEC will designate a “protection area” for the gorge and a 300' buffer which will provide protection for areas likely to be identified as having old growth areas.
	1.2	Map old growth.	
	1.3	Publicize old growth.	
	1.4	Define old growth.	DEC will define Old Growth using current academic research and practical knowledge.
	1.5	Look to Diggins old growth survey and others for definition of old growth and buffers.	Public outreach on the Unit will be evaluated and conducted if needed.
	2.1	Explain deed restrictions and any exceptions.	There are no deed restrictions except utility easements and a cemetery. In addition, Zoar Unit includes properties acquired by DEC which were not included in the Darling family gift.
	2.2	Rededicate as Unique Area.	DEC will identify the gorge area and a 300' buffer as a “protection area” and ask the State Legislature to dedicate the area include within the “protectionarea” to the Nature and Historical Preserve Trust.
	2.3	Designate entire MUA as Forever Wild.	The remaining property will remain in the Multiple Use Area land use category.
	2.4	Promote conservation of gorge.	The Unit cannot be designated Unique or forever Wild as per State law. See Section on Pertinent State Land Classifications for details.

<b>Management Action Item</b>			<b>Comments</b>
<b>Land Management</b>	3.1	No cutting trees.	DEC will not remove trees from the “protection area” other than for public health, safety or trail maintenance. Some trees may be removed along access roads leading to the 300’ buffer for wildlife habitat improvement.
	3.2	No cutting old growth.	
	3.3	No timber harvesting.	
	3.4	Use deed wording for management/non-management of land.	
	4.1	Better ID of state lines.	DEC agrees. Improved state land boundary marking is included in the UMP implementation plan.
	4.2	Post all boundaries.	
	5.1	Post land for hunting and fishing on the MUA.	DEC agrees. Hunting and Fishing regulations will be posted. Kiosks will also be used for information dissemination.
	5.2	Allow passive recreation - hunting and fishing.	These recreational activities will continue on the Zoar MUA.
	6.1	Create 300-foot buffer along gorge.	DEC agrees. See Section on Management Objectives.  DEC cannot restrict all human activities within the gorge.
	6.2	Buffer strips to prevent erosion.	
	6.3	No human disturbance in gorge.	
	7	No gravel mining on MUA.	DEC agrees. See Section on Management Actions

<b>Management Action Item</b>			<b>Comments</b>
<b>Land Management</b>	<b>8.1</b>	<b>No management on MUA/preserve it.</b>	<b>Management will be for the preservation of the “protection area” and multiple use of the remaining upland areas and the detached parcel.</b>
	<b>8.2</b>	<b>Keep in natural state.</b>	<b>DEC’s goal is to balance the natural state with some public access, limited to foot trails.</b>
	<b>9</b>	<b>Manage black walnut and other plantations.</b>	<b>DEC agrees. DEC plans to convert non-native conifer plantations to native species via removal of conifers and regeneration of native vegetation.</b>
	<b>10</b>	<b>Complete an EIS for changes in the UMP/current regulations.</b>	<b>SEQRA will be compiled, as required by Article 8 of the ECL.</b>
	<b>11</b>	<b>No management - no fire suppression.</b>	<b>DEC disagrees. If necessary, DEC will attempt to stop a wild fire.</b>
	<b>12</b>	<b>Lose biodiversity as forests age.</b>	<b>DEC feels that enhancement of forest biodiversity is an important goal of forest management.</b>
	<b>13.1</b>	<b>Protect unique plants/animals and their habitats.</b>	<b>DEC agrees. Protection is afforded to these and other species via DEC’s habitat and species management activities.</b>
	<b>13.2</b>	<b>Continue nest box structures.</b>	<b>DEC agrees. DEC plans to continue nest boxes.</b>
	<b>14.1</b>	<b>Maintain habitats that are there (e.g.: meadows).</b>	<b>DEC agrees. Meadow/grassland habitats will be maintained and possibly expanded where feasible.</b>
	<b>14.2</b>	<b>Maintain Ross Farm Meadow.</b>	<b>See Section VII Management Actions</b>
	<b>14.3</b>	<b>Preserve farm land and habitat diversity (old growth).</b>	

<b>Management Action Item</b>			<b>Comments</b>
<b>Land Management</b>	<b>15.1</b>	<b>Look for more acquisitions.</b>	<b>DEC will pursue acquisition of properties to protect the unique ecological characteristics of the area. DEC will investigate the acquisition of additional parcels along the South Branch of Cattaraugus Creek.</b>
	<b>15.2</b>	<b>Expand Zoar to Springville.</b>	
	<b>16</b>	<b>No additional building of roads in MUA.</b>	<b>DEC has no plans to build additional roads in the Zoar Unit. Existing access routes may be upgraded and/or repaired.</b>
	<b>17</b>	<b>Signs at all entrances and exits.</b>	<b>DEC agrees. Signs are and will continue to be posted at Zoar Unit boundaries. Information kiosks will be placed at some parking areas.</b>
<b>Recreation</b>	<b>1.1</b>	<b>Create circular horseback riding trail system.</b>	<b>See Access, Item # 9</b>
	<b>1.2</b>	<b>Year-round horseback riding, except during big game season.</b>	
	<b>1.3</b>	<b>Special “horses only” areas (no hunters) during hunting seasons.</b>	
	<b>1.4</b>	<b>Establish trails wide enough for horses and wagons.</b>  <b>Include horse trails and connect to other trails.</b>	

Management Action Item			Comments
Recreation	2.1	MUA for ATVs and/or snowmobiles during specific seasons.	Recreational access will be limited to “foot traffic only” and water craft.
	2.2	Non-motorized vehicles only.	
	2.3	Allow ATV, dirt bike, trucks, NYSORVA use - all purpose, off-highway motorized trail system.	
	2.4	Allow snowmobile use.	
	2.5	Establish NYTRO trail system for ATV’s, 4-wheelers.	
	2.6	Establish special fees for off-road vehicle use.	
	3	Cross-country skiing trails.	Cross-country skiing and snowshoeing are allowed activities. DEC will not establish any “ski-only” trails.
	4.1	Leave as is - no additional recreational uses.	Recreational access will be limited to “foot traffic only” and water craft.
	4.2	Only use trails per Mr. Darling; foot trails with little impact to area.	
	5	Continue raft and canoe use.	DEC agrees. This use will be continued.
6	Establish a bike path.	Bike paths will not be established due to the nature of geology and topography of the Zoar Unit. There are other venues in Region 9 to accommodate bike traffic (e.g. Golden Hill, Cattaraugus 16, Cattaraugus 5 and Cattaraugus 8 State Forests).	

<b>Management Action Item</b>			<b>Comments</b>
<b>Recreation</b>	<b>7.1</b>	<b>Address indecent exposure.</b>	<b>DEC agrees. DEC Forest Rangers and Law Enforcement officers have, and will continue, to address this issue on state property.</b>
	<b>7.2</b>	<b>Establish a “clothing optional” area.</b>	<b>DEC disagrees and will not pursue this idea.</b>
	<b>7.3</b>	<b>Open areas for wading, swimming and bathing.</b>	<b>DEC is proposing a change of NYCRR Section 190.25 to allow for wading since it is a technique used by anglers.</b>
	<b>7.4</b>	<b>Repeal rule on wading in creek.</b>	
	<b>8</b>	<b>Use for bird and wildlife observation.</b>	<b>DEC agrees. This is a current use which will continue.</b>
	<b>9</b>	<b>Preserve hunting and fishing opportunities.</b>	<b>These uses will continue to be allowed.</b>
	<b>10.1</b>	<b>Establish interpretive trails.</b>	<b>DEC proposed a minimal approach to interpretive trails be taken. Signage and maps at parking lots and minimal trail marking will be implemented.</b>

	10.2	Have educational walks and tours by DEC.	<p>DEC does not encourage nor condone or condone large group activities at the Zoar Unit. Foot trails are intended to accommodate individuals, not large groups. Waste management and sanitary facilities become problems if large groups routinely utilize an area.</p> <p>According to state land use policy, a Temporary Revocable Permit (TRP) and liability insurance are required for some events taking place on state forest lands. TRP's are currently not required for group walks at the Zoar Unit.</p>
	10.3	Have educational walks by colleges.	
	10.4	Have walks by old growth experts.	

Management Action Item			Comments
Recreation	11	Handicapped access, including ATV use by special permit.	<p>DEC will consider providing a handicapped accessible pathway/ramp at the forty Road parking area to accommodate wheelchair access to Cattaraugus Creek.</p> <p>DEC will post handicapped parking spaces.</p> <p>DEC will consider developing the access route at Valentine's Flats Road as a handicapped accessible pathway.</p>

	12	<b>Increase fines for ECL violators.</b>	<b>Fines are established by statute. DEC will monitor detrimental activities to see if current fines are sufficient.</b>
	13	<b>Explore liability for people exiting state property and onto private property.</b>	<p><b>DEC will make reasonable efforts to post state property and will use maps and brochures to make visitors aware of state property boundaries. DEC Law Enforcement personnel will issue tickets when violations are discovered.</b></p> <p><b>Individuals visiting the Zoar Unit are responsible for their behavior.</b></p>

<b>Management Action Item</b>			<b>Comments</b>
<b>Safety/Evacuation</b>	<b>1</b>	<b>Establish a good rescue access on state property.</b>	<b>DEC will investigate potential access improvements in the unit for this purpose.</b>
	<b>2</b>	<b>Establish a good rescue access from private property.</b>	<b>DEC will work with local rescue services and private property owners to investigate rescue access opportunities to/from private properties.</b>
	<b>3</b>	<b>Recruit volunteer firemen.</b>	<b>This is a responsibility of local emergency response organizations.</b>
	<b>4.1</b>	<b>Put up information kiosks.</b>	<b>DEC will place kiosks at/near some access points. Information relevant to these topics will be posted on kiosks, at state property boundaries, and other locations as determined necessary.</b>
	<b>4.2</b>	<b>Post carry-in/out signs.</b>	
	<b>4.3</b>	<b>No alcohol/glass/drugs signs.</b>	
	<b>4.4</b>	<b>“Hunting Allowed” signs.</b>	
	<b>4.5</b>	<b>Post hunting seasons.</b>	
	<b>4.6</b>	<b>Post “no target shooting” signs.</b>	
	<b>4.7</b>	<b>Post “Fire Danger” signs.</b>	
	<b>4.8</b>	<b>Place a log book at trail head for “needed trail maintenance”.</b>	
	<b>4.9</b>	<b>Place sign-in log book in parking lot.</b>	
<b>4.10</b>	<b>Post Law Enforcement phone numbers.</b>		
<b>4.11</b>	<b>“Falls Privately Owned/No Trespassing” signs.</b>		
		<b>Log books will be added to kiosks to evaluate their effectiveness.</b>	
		<b>DEC will post signs notifying visitors as to when they are leaving state property. It is up to the individual to respect private property.</b>	

<b>Management Action Item</b>			<b>Comments</b>
<b>Safety/Evacuation</b>	4.12	<b>Demarcate dangerous areas.</b>	<b>Hazards will be noted at the kiosks and that individuals using the property do so at their own risk.</b>
	4.13	<b>Better marking of access points.</b>	
	5.1	<b>Compensate rescuing fire departments.</b>	<b>DEC cannot compensate other agencies performing rescues nor can DEC establish a rescue fee. Local rescue squads are encouraged to pursue the insurance company of those rescued to recoup costs.</b>
	5.2	<b>Establish a fee schedule which rescued people pay.</b>	
	5.3	<b>Establish “emergency vehicle parking only” areas.</b>	
	5.4	<b>Gated emergency access only to Valentine Flats.</b>	<b>This currently exists.</b>
	6.1	<b>Provide search and rescue training to fire departments.</b>	<b>Local fire departments may contact DEC Forest Rangers at any time.</b>
	6.2	<b>Train emergency crews in white water rescue or have experts available.</b>	<b>DEC emergency responders are trained. DEC cannot offer such training to outside agencies.</b>
	6.3	<b>Purchase more/better rescue equipment.</b>	<b>DEC emergency responders currently have no equipment needs.</b>
	7	<b>Designate an emergency response coordinator for Zoar MUA.</b>	<b>DEC’s emergency response coordination responsibilities are assigned to a forest Ranger. Contacts will noted at information kiosks.</b>
	8.1	<b>Increase number of Law Enforcement patrols.</b>	<b>DEC Forest Rangers and Environmental Conservation police officers currently patrol Zoar MUA several times a week. This practice will continue.</b>
	8.2	<b>Establish better Law Enforcement access.</b>	
	9	<b>Replace Forty Bridge.</b>	<b>This will not be pursued by DEC.</b>

<b>Management Action Item</b>			<b>Comments</b>
<b>Land Management</b>	<b>10.1</b>	<b>Enforce “dawn to dusk” operational policy for MUA.</b>	<b>The Zoar Unit is a “dawn to dusk” facility, meaning the public is welcome to use the property during daylight hours.</b>
	<b>10.2</b>	<b>No restriction of hours.</b>	
<b>Mailed In Comments</b>	<b>1</b>	<b>Watersheds of all gorge tributaries should be put into “no logging” zones.</b>	<b>The “protection area” includes portions of the tributaries and their gorges within the boundaries of the Zoar Unit.</b>
	<b>2</b>	<b>Prohibit all deliberate human disturbances except for passive recreation.</b>	<b>See Section V Management Objectives and management of the “protection area”. Upland areas outside the “protection area” and on the 400 ac. Detached parcel will continue to be managed as an MUA.</b>
	<b>3</b>	<b>Identify measures to enhance passive recreation (improve parking, trail conditions, signage, trail maps).</b>	<b>DEC agrees and has accomplished this during the Unit Management Plan process.</b>
	<b>4</b>	<b>No human activity, via establishment of buffer zones, should disturb any rare plants or animals.</b>	<b>DEC encourages all visitors to refrain from encroaching on areas known to have rare plants/animals.</b>
	<b>5</b>	<b>Remove gravel road to gas well near Point Peter. Replant forest here. Restore the wetland that was filled.</b>	<b>DEC will consider using this area to provide handicapped access to the gorge vista.</b>
	<b>6.1</b>	<b>Blaze trails in a consistent manner.</b>	<b>DEC agrees.</b>
	<b>6.2</b>	<b>Paint blaze and map trails on Erie County plateau north of gorge.</b>	
	<b>7</b>	<b>Construct and paint blaze and map trails to selected vistas and erect appropriate safety fencing.</b>	<b>Trail markings will be improved. Safety fencing will not be erected.</b>

<b>Management Action Item</b>			<b>Comments</b>
<b>Mailed In Comments</b>	<b>8</b>	<b>Print and publicize old growth forest protection policy printed in Buffalo News.</b>	<b>Old growth definition has been included in this UMP.</b>  <b>Protection policy is noted in Section V Management Objectives.</b>
	<b>9</b>	<b>List all timber harvest records, include quantity cut, revenue collected and location of each sale.</b>	<b>Areas harvested previously are noted in Figure 4. Additional details can be obtained from the DEC Office in Falconer.</b>
	<b>10.1</b>	<b>Manage upland regions for timber, mineral resources and appropriate recreational uses.</b>	<b>DEC will continue to manage the upland areas for recreational use, wildlife habitat and timber resources. Tree removal will be for plantation conversion to native species and habitat improvement .</b>  <b>No surface disturbance will be allowed for removal of mineral resources. Current gas storage agreements must continue to be met.</b>
	<b>10.2</b>	<b>No timber extraction anywhere on parcel.</b>	
	<b>10.3</b>	<b>No commercial fiber extraction.</b>	
	<b>10.4</b>	<b>Manage chestnut plantation only.</b>	<b>The chestnut plantation will continue to be managed as part of DEC's upland management practices.</b>
	<b>10.5</b>	<b>Do not touch black walnuts on Valentine Flats.</b>	<b>The Valentine's Flats area is included in the "protection area" and no trees will be removed unless for public safety or trail maintenance.</b>
	<b>10.6</b>	<b>Reestablish native woodland communities of uneven age.</b>	<b>DEC's plan is to establish an overall upland woodland community of uneven age.</b>
	<b>11</b>	<b>Use horse logging techniques and provide public demonstrations.</b>	<b>Bidders on logging projects on upland areas of the Unit are required to meet DEC's specifications regarding preferred method of logging.</b>

	12.1	State DEC strategy to protect all rare, special concern, threatened and endangered species.	State and Federal laws provide the basis for protection of rare, special concern, threatened and endangered species.
	12.2	Develop a habitat preservation program. Apply for federal funding for this.	
	12.3	Allow American chestnut plantation and some grassland mowing at outer part of Vail Road.	DEC agrees. This current management practice will continue.

<b>Management Action Item</b>			<b>Comments</b>
<b>Mailed In Comments</b>	13	Gain river access on South Branch Cattaraugus upstream of Forty Road, preferably at Skinner Hollow Road on west side of South Branch.	DEC will continue to pursue additional properties in the Zoar Valley Area.
	14	Add self-inflating air mattresses in canisters along the creek bank to increase safety.	DEC disagrees that this will increase safety and will not consider this request.
	15	Leave all current NYCRRs intact.	DEC disagrees and will propose updates and appropriate changes to the regulations affecting the Zoar Unit reflecting current management objectives.
	16	Allow professors to conduct classes and research projects in gorge.	DEC agrees. Temporary Revocable Permits (TRP) and liability insurance are required to conduct this activity on state land.
	17.1	Allow removal of individual fossil specimens and/or rock slabs the size a single person can carry out of the gorge.	DEC disagrees. Removal of any rocks, minerals, plants and animals from state property is prohibited by NYS Environmental Conservation Law and will be enforced at the Zoar Unit as it is on all other state lands.
	17.2	Allow fossil and rock collecting by amateurs and professionals for personal or scientific use, but not for the purpose of monetary gain in the form of payment through resale or tax credits via donation.	
	18	Pursue State Bird Conservation Area status for gorge.	DEC will consider this suggestion.
	19	Buffer zone should encompass the railroad line that runs between Village of Cattaraugus and Gowanda.	This is beyond the scope of this Unit Management Plan.

<b>Management Action Item</b>			<b>Comments</b>
<b>Mailed In Comments</b>	<b>20.1</b>	<b>Incorporate Smart Growth and Quality Communities concepts and techniques, not just water quality techniques and regulatory controls. Seek state and federal funding for this.</b>	<b>DEC will investigate such opportunities.</b>
	<b>20.2</b>	<b>Coordinate with Cattaraugus County programs.</b>	
	<b>21.1</b>	<b>Allow Zoar MUA to remain as is - recreational opportunities with minimum effect on the environment and low cost to New York State taxpayers.</b>	<b>DEC feels some management is necessary to protect the natural resources at Zoar MUA and to provide for some public access and some recreational activities.</b>
	<b>21.2</b>	<b>Allow Zoar to remain as is. Want no additional publicity or public attendance at Zoar.</b>	
	<b>21.3</b>	<b>Do not create any greater access to the area. It creates too many intrusions to landowners.</b>	
	<b>22.1</b>	<b>Listen to local landowners and protect them, not other people from other parts of the State.</b>	
	<b>22.2</b>	<b>Create a “hotline” for landowners to get an immediate response when state land users violate rights of private property owners.</b>	<b>DEC agrees. Adjacent landowners are very important. DEC will continue to listen to and work with adjacent property owners due to challenges created by the proximity of the Zoar Unit as they arise.</b>
	<b>23.</b>	<b>Set aside a part of Zoar MUA that is closed to the public - similar to Reinstein Woods Nature Preserve.</b>	<b>Contact numbers will be provided at kiosks and to adjacent landowners.</b>
			<b>DEC disagrees. Due to the size and topography of the Unit this would not be feasible.</b>

<b>Management Action Item</b>			<b>Comments</b>
<b>Mailed In Comments</b>	<b>24</b>	<b>Conduct an objective environmental assessment of quality and value of natural resources in the MUA. Include estimated costs of preservation, including capital costs, increased law enforcement, educational programming, trail building and maintenance and revenues NOT earned from potential timber and/or resource extraction.</b>	<b>Some of these suggestions are addressed within the applicable sections of the UMP.</b>
	<b>25.1</b>	<b>Use parking other than private property.</b>	<b>DEC agrees. Parking on private property is discouraged.</b>  <b>The Zoar Unit is a “carry in/carry out” facility. All visitors should take their trash with them when they leave the area. This message and reference to respecting private property will be part of our educational message on kiosks and brochures</b>
	<b>25.2</b>	<b>Fence the DEC parking lots to keep trash left behind inside the DEC property and not on private property.</b>	<b>Additional Adopt-A-Natural Resource Agreements may be sought by DEC with an interest groups to conduct additional clean-up days throughout the most heavily used months of the year.</b>
	<b>26</b>	<b>“I would also like to state that my conservation teacher gets many wildlife samples and examples from Zoar Valley.”</b>	<b>It is illegal to take plant and/or animal samples (specimens) from Zoar Unit or any other state property. The exception to this being fish and/or game legally harvested by hunters, trappers or anglers who hold a valid New York State hunting/fishing/trapping license.</b>

## Management Action Item

The following additional oral comments were made at the Draft UMP Public Hearing:

**1. Comment:** The DEC should continue to manage the property to enhance wildlife habitat to increase small game populations, continue to stock pheasants and continue to allow public access.

**Response:** The lands outside of the protection area will be managed to maintain or enhance wildlife habitats. The pheasant stocking program will continue and measures have been taken to ensure safer hunting conditions. The public will be able to access the entire property as they have been able to do in the past.

**2. Comment:** The protection area should be extended to cover the entire property and not just the gorge.

**Response:** The protection area includes the gorge and a buffer area along the gorge which will protect that sensitive area. The remainder of the area will be managed as a Multiple Use Area.

**3. Comment:** Eminent Domain should not be used to take lands from private citizens.

**Response:** Lands purchased for inclusion as State land in order to protect the Cattaraugus Creek gorge will *only be purchased from willing sellers*. Unfriendly Eminent Domain will not be used for conservation purposes in this unit.

**4. Comment:** Change the designation of the area to be under the State Nature and Historic Preserve Trust.

**Response:** The DEC is taking steps to get that designation changed for the protection area which comprises about one half of the entire area.

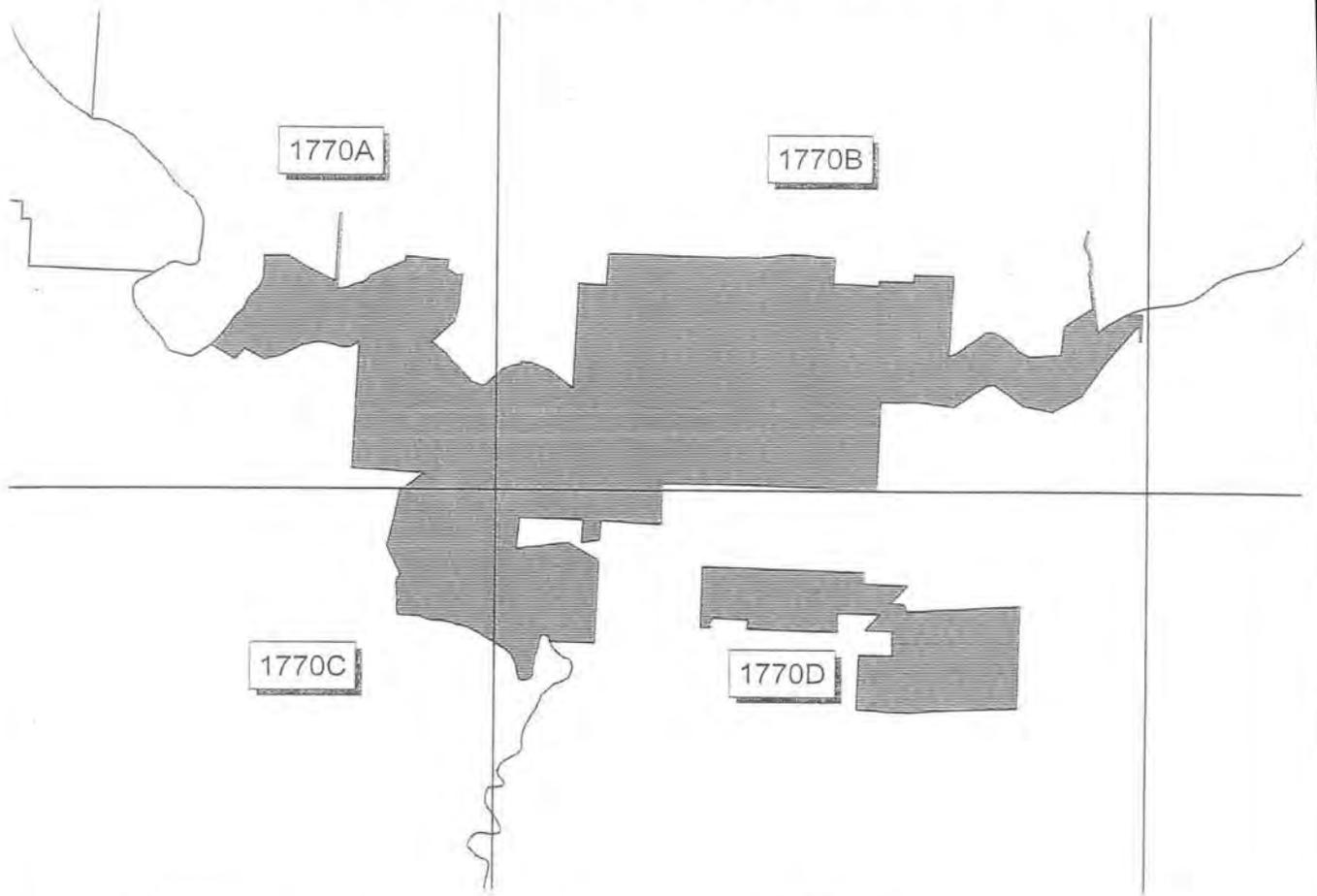
**5. Comment:** The special rules and regulations should be changed.

**Response:** Once the plan is approved regulation changes will be requested. Those changes are outlined in the plan.

## **Appendix D**

New York State Breeding Bird Atlas

# Breeding Bird Atlas Blocks Covering Zoar Valley Multiple Use Area



 Breeding Bird Atlas Block  
 DEC Lands



# *NYS Breeding Bird Atlas*

## *Interim Data for Square 1770*

<i>Common Name</i>	<i>Scientific Name</i>	<i>Date</i>	<i>Breeding Code and Category</i>	
Canada Goose	<i>Branta canadensis</i>	4/28/2001	NE	Confirmed
Wood Duck	<i>Aix sponsa</i>	7/14/2001	FL	Confirmed
Mallard	<i>Anas platyrhynchos</i>	6/2/2001	X1	Possible
Common Merganser	<i>Mergus merganser</i>	4/28/2001	P2	Probable
Hooded Merganser	<i>Lophodytes cucullatus</i>	6/13/2002	FL	Confirmed
Ruffed Grouse	<i>Bonasa umbellus</i>	4/28/2001	X1	Possible
Wild Turkey	<i>Meleagris gallopavo</i>	6/2/2002	FL	Confirmed
Great Blue Heron	<i>Ardea herodias</i>	6/2/2001	X1	Possible
Green Heron	<i>Butorides virescens</i>	6/23/2002	X1	Possible
Turkey Vulture	<i>Cathartes aura</i>	6/24/2000	X1	Possible
Bald Eagle	<i>Haliaeetus leucocephalus</i>	6/10/2001	X1	Possible
Northern Harrier	<i>Circus cyaneus</i>	5/9/2002	P2	Probable
Sharp-shinned Hawk	<i>Accipiter striatus</i>	6/17/2001	X1	Possible
Red-shouldered Hawk	<i>Buteo lineatus</i>	7/14/2001	X1	Possible
Broad-winged Hawk	<i>Buteo platypterus</i>	6/29/2002	D2	Probable
Red-tailed Hawk	<i>Buteo jamaicensis</i>	6/17/2001	FL	Confirmed
American Kestrel	<i>Falco sparverius</i>	6/17/2001	FL	Confirmed
Killdeer	<i>Charadrius vociferus</i>	6/9/2002	NE	Confirmed
Spotted Sandpiper	<i>Actitis macularia</i>	7/20/2002	FL	Confirmed
Wilson's Snipe	<i>Gallinago delicata</i>	6/9/2002	P2	Probable
Rock Pigeon	<i>Columba livia</i>	6/23/2002	P2	Probable
Mourning Dove	<i>Zenaida macroura</i>	6/9/2002	FL	Confirmed
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	6/23/2001	X1	Possible
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	6/23/2002	X1	Possible
Barred Owl	<i>Strix varia</i>	7/14/2001	T2	Probable
Chimney Swift	<i>Chaetura pelagica</i>	6/29/2002	FL	Confirmed
Ruby-throated Hummingbird	<i>Archilochus colubris</i>	6/2/2002	D2	Probable

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<i>Common Name</i>	<i>Scientific Name</i>	<i>Date</i>	<i>Breeding Code and Category</i>	
Belted Kingfisher	<i>Ceryle alcyon</i>	7/20/2002	FY	Confirmed
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>	7/4/2001	FY	Confirmed
Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>	7/20/2002	FL	Confirmed
Downy Woodpecker	<i>Picoides pubescens</i>	6/2/2002	ON	Confirmed
Hairy Woodpecker	<i>Picoides villosus</i>	6/2/2001	D2	Probable
Northern Flicker	<i>Colaptes auratus</i>	7/20/2002	FL	Confirmed
Pileated Woodpecker	<i>Dryocopus pileatus</i>	6/9/2002	T2	Probable
Eastern Wood-Pewee	<i>Contopus virens</i>	6/24/2001	T2	Probable
Acadian Flycatcher	<i>Empidonax virescens</i>	6/17/2001	T2	Probable
Alder Flycatcher	<i>Empidonax alnorum</i>	6/10/2001	T2	Probable
Willow Flycatcher	<i>Empidonax traillii</i>	6/17/2001	T2	Probable
Least Flycatcher	<i>Empidonax minimus</i>	6/10/2001	T2	Probable
Eastern Phoebe	<i>Sayornis phoebe</i>	7/14/2001	FL	Confirmed
Great Crested Flycatcher	<i>Myiarchus crinitus</i>	6/13/2002	D2	Probable
Eastern Kingbird	<i>Tyrannus tyrannus</i>	//2000	FY	Confirmed
Yellow-throated Vireo	<i>Vireo flavifrons</i>	6/24/2000	X1	Possible
Blue-headed Vireo	<i>Vireo solitarius</i>	7/4/2001	NE	Confirmed
Warbling Vireo	<i>Vireo gilvus</i>	6/10/2001	T2	Probable
Red-eyed Vireo	<i>Vireo olivaceus</i>	6/10/2001	NE	Confirmed
Blue Jay	<i>Cyanocitta cristata</i>	7/14/2001	FY	Confirmed
American Crow	<i>Corvus brachyrhynchos</i>	6/9/2002	FY	Confirmed
Purple Martin	<i>Progne subis</i>	6/17/2001	X1	Possible
Tree Swallow	<i>Tachycineta bicolor</i>	6/23/2001	FY	Confirmed
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	7/4/2001	FY	Confirmed
Bank Swallow	<i>Riparia riparia</i>	6/10/2001	ON	Confirmed
Cliff Swallow	<i>Petrochelidon pyrrhonota</i>	6/23/2002	X1	Possible
Barn Swallow	<i>Hirundo rustica</i>	6/17/2001	FY	Confirmed
Black-capped Chickadee	<i>Poecile atricapillus</i>	6/17/2001	FY	Confirmed
Tufted Titmouse	<i>Baeolophus bicolor</i>	7/4/2001	FL	Confirmed
Red-breasted Nuthatch	<i>Sitta canadensis</i>	6/29/2002	P2	Probable

<i>Common Name</i>	<i>Scientific Name</i>	<i>Date</i>	<i>Breeding Code and Category</i>	
White-breasted Nuthatch	<i>Sitta carolinensis</i>	6/10/2001	FY	Confirmed
Brown Creeper	<i>Certhia americana</i>	6/10/2001	X1	Possible
Carolina Wren	<i>Thryothorus ludovicianus</i>	7/20/2002	X1	Possible
House Wren	<i>Troglodytes aedon</i>	6/23/2001	T2	Probable
Winter Wren	<i>Troglodytes troglodytes</i>	6/24/2001	FY	Confirmed
Golden-crowned Kinglet	<i>Regulus satrapa</i>	7/14/2001	X1	Possible
Blue-gray Gnatcatcher	<i>Polioptila caerulea</i>	6/10/2001	B2	Probable
Eastern Bluebird	<i>Sialia sialis</i>	6/29/2002	FY	Confirmed
Veery	<i>Catharus fuscescens</i>	6/24/2001	FY	Confirmed
Hermit Thrush	<i>Catharus guttatus</i>	7/20/2002	FL	Confirmed
Wood Thrush	<i>Hylocichla mustelina</i>	6/23/2002	NY	Confirmed
American Robin	<i>Turdus migratorius</i>	6/2/2001	FY	Confirmed
Gray Catbird	<i>Dumetella carolinensis</i>	6/17/2001	FY	Confirmed
Brown Thrasher	<i>Toxostoma rufum</i>	6/9/2002	T2	Probable
European Starling	<i>Sturnus vulgaris</i>	7/14/2001	FY	Confirmed
Cedar Waxwing	<i>Bombycilla cedrorum</i>	6/23/2002	P2	Probable
Blue-winged Warbler	<i>Vermivora pinus</i>	6/29/2002	FL	Confirmed
Yellow Warbler	<i>Dendroica petechia</i>	6/24/2001	FY	Confirmed
Chestnut-sided Warbler	<i>Dendroica pensylvanica</i>	6/24/2001	FY	Confirmed
Magnolia Warbler	<i>Dendroica magnolia</i>	6/23/2002	FY	Confirmed
Yellow-rumped Warbler	<i>Dendroica coronata</i>	7/4/2002	D2	Probable
Black-throated Green Warbler	<i>Dendroica virens</i>	6/24/2001	FY	Confirmed
Blackburnian Warbler	<i>Dendroica fusca</i>	6/2/2001	T2	Probable
Prairie Warbler	<i>Dendroica discolor</i>	6/10/2001	T2	Probable
Black-and-white Warbler	<i>Mniotilta varia</i>	6/2/2001	T2	Probable
American Redstart	<i>Setophaga ruticilla</i>	6/2/2002	B2	Probable
Ovenbird	<i>Seiurus aurocapilla</i>	6/9/2002	T2	Probable
Louisiana Waterthrush	<i>Seiurus motacilla</i>	6/17/2001	FY	Confirmed
Mourning Warbler	<i>Oporornis philadelphia</i>	6/24/2001	FY	Confirmed
Common Yellowthroat	<i>Geothlypis trichas</i>	7/14/2001	FY	Confirmed

<i>Common Name</i>	<i>Scientific Name</i>	<i>Date</i>	<i>Breeding Code and Category</i>	
Hooded Warbler	<i>Wilsonia citrina</i>	6/24/2001	D2	Probable
Canada Warbler	<i>Wilsonia canadensis</i>	6/24/2000	FY	Confirmed
Scarlet Tanager	<i>Piranga olivacea</i>	6/23/2002	FY	Confirmed
Eastern Towhee	<i>Pipilo erythrophthalmus</i>	6/9/2002	T2	Probable
Chipping Sparrow	<i>Spizella passerina</i>	6/23/2002	FY	Confirmed
Field Sparrow	<i>Spizella pusilla</i>	7/14/2001	D2	Probable
Vesper Sparrow	<i>Pooecetes gramineus</i>	6/2/2001	T2	Probable
Savannah Sparrow	<i>Passerculus sandwichensis</i>	6/9/2002	FY	Confirmed
Grasshopper Sparrow	<i>Ammodramus savannarum</i>	6/17/2001	T2	Probable
Song Sparrow	<i>Melospiza melodia</i>	6/24/2001	FY	Confirmed
Swamp Sparrow	<i>Melospiza georgiana</i>	7/20/2002	FY	Confirmed
Dark-eyed Junco	<i>Junco hyemalis</i>	7/8/2001	FY	Confirmed
Northern Cardinal	<i>Cardinalis cardinalis</i>	6/10/2001	FY	Confirmed
Rose-breasted Grosbeak	<i>Pheucticus ludovicianus</i>	6/24/2001	FY	Confirmed
Indigo Bunting	<i>Passerina cyanea</i>	7/4/2001	FY	Confirmed
Bobolink	<i>Dolichonyx oryzivorus</i>	6/29/2002	FY	Confirmed
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	6/17/2001	FY	Confirmed
Eastern Meadowlark	<i>Sturnella magna</i>	4/28/2001	T2	Probable
Common Grackle	<i>Quiscalus quiscula</i>	6/2/2002	FY	Confirmed
Brown-headed Cowbird	<i>Molothrus ater</i>	7/4/2001	FL	Confirmed
Orchard Oriole	<i>Icterus spurius</i>	6/24/2001	FY	Confirmed
Baltimore Oriole	<i>Icterus galbula</i>	7/14/2001	FL	Confirmed
Purple Finch	<i>Carpodacus purpureus</i>	4/28/2001	T2	Probable
House Finch	<i>Carpodacus mexicanus</i>	4/28/2001	B2	Probable
American Goldfinch	<i>Carduelis tristis</i>	6/9/2002	T2	Probable
House Sparrow	<i>Passer domesticus</i>	6/2/2001	FY	Confirmed

## **Appendix E**

New York State Amphibian and Reptile Atlas

ZOAR VALLEY MUA AMPHIBIANS BY COMMON NAME,  
SCIENTIFIC NAME, OCCURRENCE & PROTECTIVE STATUS

<u>Common Name</u>	<u>Scientific Name</u>	<u>Occurrence</u>	<u>State</u>
Mudpuppy	<i>Necturus maculosus</i>	Poss Res	Un
Jefferson Salamander	<i>Ambystoma jeffersonianum</i>	Poss Res	Un-Spec
Spotted Salamander	<i>Ambystoma maculatum</i>	Poss Res	Conc
Red-spotted Newt	<i>Notophthalmus viridescens</i>	Poss Res	Un-Spec
Dusky Salamander	<i>Desmognathus fuscus</i>	Poss Res	Conc
Mountain Dusky Salamander	<i>Desmognathus ochrophaeus</i>	Poss Res	Un
Redback Salamander	<i>Plethodon cinereus</i>	Poss Res	Un
Slimy Salamander	<i>Plethodon glutinosus</i>	Poss Res	Un
Four-toed Salamander	<i>Hemidactylium scutatum</i>	Poss Res	Un
Spring Salamander	<i>Gyrinophilus porphyriticus</i>	Poss Res	Un
Two-lined Salamander	<i>Eurycea bislineata</i>	Poss Res	Un
Blue-spotted Salamander	<i>Ambystoma laterale</i>	Poss Res	Un-Spec
American Toad	<i>Bufo americanus</i>	Poss Res	Conc
Spring Peeper	<i>Pseudacris crucifer</i>	Res	Game Spec
Gray Tree Frog	<i>Hyla versicolor</i>	Poss Res	Game Spec
Bullfrog	<i>Rana catesbeiana</i>	Res	Game Spec
Green Frog	<i>Rana clamitans</i>	Poss Res	Game Spec
Wood Frog	<i>Rana sylvatica</i>	Poss Res	Game Spec
Pickereel Frog	<i>Rana palustris</i>	Poss Res	Game Spec
Northern Leopard Frog	<i>Rana pipiens</i>	Poss Res	Game Spec
Western Chorus Frog	<i>Pseudacris triseriata triseriata</i>	Poss Res	Game Spec
			Un

ZOAR VALLEY MUA REPTILES BY COMMON NAME,  
SCIENTIFIC NAME, OCCURRENCE & PROTECTIVE STATUS

<u>Common Name</u>	<u>Scientific Name</u>	<u>Occurrence</u>	<u>State</u>
Snapping Turtle	<i>Chelydra serpentina</i>	Poss Res	Un
The Common Musk Turtle	<i>Sternotherus odoratus</i>	Poss Res	Un
Spotted Turtle	<i>Clemmys guttata</i>	Poss Res	Un-Spec
Wood Turtle	<i>Clemmys insculpta</i>	Poss Res	Conc Game Spec- Spec Conc
Map Turtle	<i>Graptemys geographica</i>	Poss Res	Un
Painted Turtle	<i>Chrysemys picta</i>	Poss Res	Un
Blanding's Turtle	<i>Emydoidea blandingii</i>	Poss Res	Thr
Eastern Box Turtle	<i>Terrapene carolina</i>	Poss Res	Game-Spec
Eastern Spiny Softshell	<i>Apalone spinifera</i>	Poss Res	Spec-Con Un-Spec
Common Watersnake	<i>Nerodia sipedon</i>	Poss Res	Con
Queen Snake	<i>Regina septemvittata</i>	Poss Res	Un
Eastern Hog-nosed Snake	<i>Heterodon platirhinos</i>	Poss Res	Un-end Un-Spec
Shorthead Garter Snake	<i>Thamnophis brachystoma</i>	Poss Res	Conc
Northern Brownsnake	<i>Storeria dekayi</i>	Poss Res	Un
Northern Redbelly	<i>Storeria occipitomaculata</i>	Poss Res	Un
Eastern Garter Snake	<i>Thamnophis sirtalis</i>	Poss Res	Un
Common Ribbon Snake	<i>Thamnophis sauritus</i>	Poss Res	Un
Northern Rig-necked Snake	<i>Diadophis punctatus</i>	Poss Res	Un
Northern Black Racer	<i>Coluber constrictor</i>	Poss Res	Un
Eastern Smooth Green Snake	<i>Opheodrys vernalis</i>	Poss Res	Un
Black Rat Snake	<i>Elaphe obsoleta</i>	Poss Res	Un
Eastern Milk Snake	<i>Lampropeltis triangulum</i>	Poss Res	Un
Timber Rattlesnake	<i>Crotalus horridus</i>	Poss Res	Un Thr

AMPHIBIANS AND REPTILES IN VICINITY OF ZOAR VALLEY MUA			
Town	Detailed Location	Scientific Name	Common Name
EAST OTTO	UTLEY BROOK WOODS ON EAST OTTO STATE FOREST.	<i>Notophthalmus v. viridescens</i>	Red-spotted Newt
EAST OTTO	UTLEY BROOK WOODS ON EAST OTTO STATE FOREST.	<i>Desmognathus</i> spp.	Dusky Salamander
EAST OTTO	STATE REFORESTATION AREA NEAR SMALL PONDS NORTH AND SOUTH OF TRAFFIC STREET	<i>Bufo a. americanus</i>	Eastern American Toad
EAST OTTO	WOODED SWAMP IMMEDIATELY EAST OF HARVEY ROAD, 1/2 MI. NORTH OF SWAMP ROAD	<i>Pseudacris c. crucifer</i>	Northern Spring Peeper
EAST OTTO	WETLAND 2/10 MI. WEST OF HARVEY ROAD, 1/2 MI. NORTH OF SWAMP ROAD	<i>Rana catesbeiana</i>	Bullfrog
EAST OTTO	WETLAND 2/10 MI. WEST OF HARVEY ROAD, 1/2 MI. NORTH OF SWAMP ROAD	<i>Rana clamitans melanota</i>	Green Frog
EAST OTTO	WOODED SWAMP IMMEDIATELY EAST OF HARVEY ROAD, 1/2 MI. NORTH OF SWAMP ROAD	<i>Rana clamitans melanota</i>	Green Frog
EAST OTTO	WOODED WETLAND/BEAVER POND 2/10 MI. SOUTHWEST OF THE INTERSECTION WITH HARVEY ROAD AND SWAMP ROAD	<i>Rana clamitans melanota</i>	Green Frog
EAST OTTO	STATE REFORESTATION AREA NEAR SMALL PONDS NORTH AND SOUTH OF TRAFFIC STREET	<i>Rana pipiens</i>	Northern Leopard Frog
EAST OTTO	WOODED SWAMP IMMEDIATELY EAST OF HARVEY ROAD, 1/2 MI. NORTH OF SWAMP ROAD	<i>Rana pipiens</i>	Northern Leopard Frog
EAST OTTO	POND IMMEDIATELY NORTHWEST OF THE INTERSECTION WITH HARVEY ROAD AND SWAMP ROAD; AND ON SWAMP ROAD	<i>Rana pipiens</i>	Northern Leopard Frog
EAST OTTO	UTLEY BROOK WOODS ON EAST OTTO STATE FOREST.	<i>Storeria o. occipitamaculata</i>	Northern Redbelly Snake
OTTO	WICKHAM ROAD WOODS, WICKHAM ROAD, ~1.7 MI W OF NORTH OTTO ROAD, S SIDE OF ROAD, ACROSS FROM ZOAR VALLEY MULTIPLE USE AREA.	<i>Desmognathus</i> spp.	Dusky Salamander
OTTO	WEST TRIBUTARY OF WATERMAN BROOK, IMMEDIATELY NORTH OF NORTH OTTO ROAD	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
OTTO	IN BROOK 1/2 MI. NORTH OF WICKHAM ROAD, 4/10 MI. WEST OF NORTH OTTO ROAD	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
OTTO	IN TALUS BANK ON SOUTH SIDE OF CATTARAUGUS CREEK IMMEDIATELY WEST OF THE JUNCTION WITH WATERMAN BROOK	<i>Plethodon glutinosus</i>	Northern Slimy Salamander
OTTO	WATERMAN BROOK, 1/8 MI. NORTHWEST OF NORTH OTTO ROAD	<i>Gyrinophilus p. porphyriticus</i>	Northern Spring Salamander
OTTO	WICKHAM ROAD WOODS, WICKHAM ROAD, ~1.7 MI W OF NORTH OTTO ROAD, S SIDE OF ROAD, ACROSS FROM ZOAR VALLEY MULTIPLE USE AREA.	<i>Pseudacris c. crucifer</i>	Northern Spring Peeper
OTTO	WETLAND 100M WEST OF GAS PIPELINE 4/10 MI. NORTH OF SWAMP ROAD 6/10 MI. EAST OF COLVIN ROAD	<i>Rana catesbeiana</i>	Bullfrog
OTTO	IN BROOK 1/2 MI. NORTH OF WICKHAM ROAD, 4/10 MI. WEST OF NORTH OTTO ROAD	<i>Rana clamitans melanota</i>	Green Frog

AMPHIBIANS AND REPTILES IN VICINITY OF ZOAR VALLEY MUA			
OTTO	SMALL SWALE IMMEDIATELY SOUTH OF SWAMP ROAD, 1/10 MI. EAST OF COLVIN ROAD	<i>Rana sylvatica</i>	Wood Frog
OTTO	FORTY ROAD ERIE-CAT #1	<i>Chrysemys picta</i>	Painted Turtle
OTTO	IN BROOK 1/2 MI. NORTH OF WICKHAM ROAD, 4/10 MI. WEST OF NORTH OTTO ROAD	<i>Nerodia s. sipedon</i>	Northern Water Snake
OTTO	FORTY ROAD ERIE-CAT #1	<i>Lampropeltis t. triangulum</i>	Eastern Milk Snake
COLLINS	VAIL ROAD PONDS (INCLUDING HOLCOMB POND & SMALL FERN POND W OF HOLCOMB), AT ZOAR VALLEY MULTIPLE USE AREA	<i>Ambystoma maculatum</i>	Spotted Salamander
COLLINS	VAIL ROAD, ~1 MI W OF WEST BUTTON ROAD, NEAR INTERMITTENT STREAM CROSSING ZOAR VALLEY MULTIPLE USE AREA	<i>Ambystoma maculatum</i>	Spotted Salamander
COLLINS	IN WOODS ON ZOAR VALLEY MUA, 8/10 MI. WEST OF BUTTON ROAD, 10-200M NORTH OF CATTARAUGUS CREEK GORGE RIM	<i>Ambystoma maculatum</i>	Spotted Salamander
COLLINS	BREEDING POND AT TOP OF WOODED HILL, APPROX. 1/4 MI. SOUTH OF ZOAR VALLEY ROAD, AT CONCORD TOWNLINE	<i>Ambystoma maculatum</i>	Spotted Salamander
COLLINS	IN WOODS ON ZOAR VALLEY MUA, 8/10 MI. WEST OF BUTTON ROAD, 10-200M NORTH OF CATTARAUGUS CREEK GORGE RIM	<i>Notophthalmus v. viridescens</i>	Red-spotted Newt
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, PONDS SOUTH OF VAIL ROAD AND TRAIL IN THE NEARBY FOREST.	<i>Desmognathus</i> spp.	Dusky Salamander
COLLINS	OUTLET BROOK OF HOLCOMB POND WITHIN 100M OF CATTARAUGUS CREEK GORGE RIM	<i>Desmognathus fuscus</i>	Northern Dusky Salamander
COLLINS	IN WOODS ON ZOAR VALLEY MUA, 2/10 MI. SOUTH OF VAIL ROAD, 6/10 MI. WEST OF BUTTON ROAD	<i>Plethodon cinereus</i>	Northern Redback Salamander
COLLINS	IN WOODS ON ZOAR VALLEY MUA, 8/10 MI. WEST OF BUTTON ROAD, 10-200M NORTH OF CATTARAUGUS CREEK GORGE RIM	<i>Bufo a. americanus</i>	Eastern American Toad
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, PONDS SOUTH OF VAIL ROAD AND TRAIL IN THE NEARBY FOREST.	<i>Hyla versicolor</i>	Gray Treefrog
COLLINS	VAIL ROAD PONDS, HOLCOMB POND AND SMALL "FERN POND" W OF HOLCOMB, AT ZOAR VALLEY MULTIPLE USE AREA	<i>Pseudacris c. crucifer</i>	Northern Spring Peeper
COLLINS	IN MARSH IMPOUNDMENT 3/10 MI. SOUTH OF VAIL ROAD, 8/10 MI. WEST OF BUTTON ROAD	<i>Pseudacris c. crucifer</i>	Northern Spring Peeper
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, PONDS SOUTH OF VAIL ROAD AND TRAIL IN THE NEARBY FOREST.	<i>Rana clamitans melanota</i>	Green Frog
COLLINS	OUTLET BROOK OF HOLCOMB POND WITHIN 100M OF CATTARAUGUS CREEK GORGE RIM	<i>Rana clamitans melanota</i>	Green Frog
COLLINS	ZOAR VALLEY ROAD, APPROX. 0.75 MI. EAST OF NORTH OTTO ROAD, BRIDGE OVER CATTARAUGUS CREEK, CROSSING DRIVEWAY OF R.F. DARLING PROPERTY	<i>Rana sylvatica</i>	Wood Frog

AMPHIBIANS AND REPTILES IN VICINITY OF ZOAR VALLEY MUA			
COLLINS	VAIL ROAD PONDS (INCLUDING HOLCOMB POND & SMALL FERN POND W OF HOLCOMB), AT ZOAR VALLEY MULTIPLE USE AREA	<i>Chrysemys picta</i>	Painted Turtle
COLLINS	IN BEAVER POND SOUTH OF VAIL ROAD ON THE ERIE CAT #1	<i>Nerodia s. sipedon</i>	Northern Water Snake
COLLINS	ZOAR VALLEY ROAD, AT ALEXANDER PRESERVE, APPROX. 2 MI. EAST OF NORTH OTTO ROAD	<i>Storeria o. occiptomaculata</i>	Northern Redbelly Snake
COLLINS	VAIL ROAD WOODS, N SIDE OF CATTARAUGUS CREEK GORGE, ZOAR VALLEY MULTIPLE USE AREA	<i>Thamnophis sirtalis</i>	Common Garter Snake
PERRYSBURG	ALONG THE CATTARAUGUS CREEK ON SENECA INDIAN LAND.	<i>Bufo a. americanus</i>	Eastern American Toad
PERRYSBURG	1/2 MILE FROM CORNERS STAFFORD HILL ROAD & ROUTE 39. LITTLE CREEK CROSSES THE ROAD HERE.	<i>Clemmys insculpta</i>	Wood Turtle
PERSIA	END OF VALENTINE FLATS ROAD	<i>Notophthalmus v. viridescens</i>	Red-spotted Newt
PERSIA	ALONG SOUTH BRANCH OF CATTARAUGUS CREEK, NEAR SKINNER HOLLOW ROAD	<i>Notophthalmus v. viridescens</i>	Red-spotted Newt
PERSIA	VALENTINE FLATS, STEEP SLOPES LEADING DOWN TO CATTARAUGUS CREEK, AT END OF VALENTINE FLATS ROAD, ZOAR VALLEY MULTIPLE USE AREA.	<i>Desmognathus spp.</i>	Dusky Salamander
PERSIA	EAST END OF SKINNER HOLLOW ROAD, PRIVATE UNPAVED ROAD LEADING DOWN TO THE SOUTH BRANCH OF CATTARAUGUS CREEK	<i>Desmognathus fuscus</i>	Northern Dusky Salamander
PERSIA	NEAR CONFLUENCE OF SOUTH BRANCH AND CATTARAUGUS CREEK - GORGE FLOOR, WEST BANK OF THE SOUTH BRANCH	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
PERSIA	END OF VALENTINE FLATS ROAD	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
PERSIA	STATE LANDS OFF FORTY ROAD, ON THE SOUTH BRANCH OF THE CATTARAUGUS CREEK	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
PERSIA	ALONG SOUTH BRANCH OF CATTARAUGUS CREEK, NEAR SKINNER HOLLOW ROAD	<i>Desmognathus ochrophaeus</i>	Allegheny Dusky Salamander
PERSIA	NEAR CONFLUENCE OF SOUTH BRANCH AND CATTARAUGUS CREEK - GORGE FLOOR, WEST BANK OF THE SOUTH BRANCH	<i>Bufo a. americanus</i>	Eastern American Toad
PERSIA	STATE LANDS OFF FORTY ROAD, ON THE SOUTH BRANCH OF THE CATTARAUGUS CREEK	<i>Bufo a. americanus</i>	Eastern American Toad
PERSIA	EAST END OF SKINNER HOLLOW ROAD, PRIVATE UNPAVED ROAD LEADING DOWN TO THE SOUTH BRANCH OF CATTARAUGUS CREEK	<i>Rana clamitans melanota</i>	Green Frog
PERSIA	ALONG SOUTH BRANCH OF CATTARAUGUS CREEK, NEAR SKINNER HOLLOW ROAD	<i>Rana clamitans melanota</i>	Green Frog

AMPHIBIANS AND REPTILES IN VICINITY OF ZOAR VALLEY MUA			
PERSIA	NEAR CONFLUENCE OF SOUTH BRANCH AND CATTARAUGUS CREEK - GORGE FLOOR, WEST BANK OF THE SOUTH BRANCH	<i>Rana palustris</i>	Pickerel Frog
PERSIA	NEAR CONFLUENCE OF SOUTH BRANCH AND CATTARAUGUS CREEK - GORGE FLOOR, WEST BANK OF THE SOUTH BRANCH	<i>Nerodia s. sipedon</i>	Northern Water Snake
PERSIA	NEAR CONFLUENCE OF THE SOUTH BRANCH & CATTARAUGUS CREEK - GORGE FLOOR WEST BANK OF THE SOUTH BRANCH	<i>Thamnophis sirtalis</i>	Common Garter Snake
PERSIA	NEAR CONFLUENCE OF SOUTH BRANCH AND CATTARAUGUS CREEK - GORGE FLOOR, WEST BANK OF THE SOUTH BRANCH	<i>Liochlorophis vernalis</i>	Smooth Green Snake
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Notophthalmus v. viridescens</i>	Red-spotted Newt
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Desmognathus spp.</i>	Dusky Salamander
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Plethodon cinereus</i>	Northern Redback Salamander
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Plethodon glutinosus</i>	Northern Slimy Salamander
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, SMALL ISLAND IN CATTARAUGUS CREEK JUST SOUTH OF SOUTH QUAKER ROAD	<i>Bufo a. americanus</i>	Eastern American Toad
COLLINS	ON VAIL ROAD, 6/10 MI. WEST OF UNGER ROAD	<i>Bufo a. americanus</i>	Eastern American Toad
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Bufo a. americanus</i>	Eastern American Toad
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Hyla versicolor</i>	Gray Treefrog
COLLINS	SOUTH OF VAIL ROAD, DEC PROPERTY ON NORTH SIDE OF ZOAR VALLEY, ON TOP OF CLIFF	<i>Pseudacris c. crucifer</i>	Northern Spring Peeper
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, SMALL ISLAND IN CATTARAUGUS CREEK JUST SOUTH OF SOUTH QUAKER ROAD	<i>Nerodia s. sipedon</i>	Northern Water Snake
COLLINS	CATTARAUGUS CREEK AT ZOAR VALLEY, ON ISLAND IN CREEK DUE SOUTH OF SOUTH QUAKER ROAD	<i>Nerodia s. sipedon</i>	Northern Water Snake
COLLINS	ZOAR VALLEY MULTIPLE USE AREA, SMALL ISLAND IN CATTARAUGUS CREEK JUST SOUTH OF SOUTH QUAKER ROAD	<i>Storeria o. occiptomaculata</i>	Northern Redbelly Snake
COLLINS	CATTARAUGUS CREEK AT ZOAR VALLEY, ON ISLAND IN CREEK DUE SOUTH OF SOUTH QUAKER ROAD	<i>Storeria o. occiptomaculata</i>	Northern Redbelly Snake
COLLINS	ZOAR VALLEY OFF OF VAIL ROAD	<i>Thamnophis sirtalis</i>	Common Garter Snake
	NYS AMPHIBIAN AND REPTILE ATLAS PROJECT 1990 - 1999		

## **Appendix F**

### **Current Regulations for the Zoar Valley Unit**

Sec. 190.25 Zoar Valley Multiple Use Area.

(a) Description. For purposes of this section, Zoar Valley Multiple Use Area means all those State lands lying and situated in the towns of Otto and Persia, Cattaraugus County, and the town of Collins, Erie County, including a five-mile segment of Cattaraugus Creek and a two-mile segment of the south branch of Cattaraugus Creek, and being the same lands as more particularly described in several deeds conveying said lands to the People of the State of New York, on file in the Department of Environmental Conservation, Albany, NY, and duly recorded in the office of the county clerk of the county of Cattaraugus and the office of the county clerk of the county of Erie, respectively. Said Zoar Valley Multiple Use Area shall be hereinafter referred to in this section as "area."

(b) The area shall be closed to any and all public use of any kind between the hours of sunset and sunrise.

(c) Motor vehicles, including snowmobiles but not limited thereto, are prohibited from operating in or on the area, except on town or county roads therein, or as permitted on roads and parking areas designated and marked for motor vehicle use by the commissioner.

(d) No person shall park any motor vehicle, including self-propelled and nonself-propelled vehicles, except on and within areas designated and marked as such parking areas by the commissioner.

(e) No person, other than employees of the department, State Police and police officers, shall possess, carry, discharge or use firearms, ammunition, explosives or explosive substances or fireworks on the area, except that during the small game and big game hunting seasons, provided for by law, firearms and bows and arrows may be possessed and discharged.

(f) Fires shall be permitted for cooking, warmth or smudge, provided that and only under such conditions that:

(1) no fires shall be lit until all flammable material within three feet or more of the fire, as is necessary to prevent its spread, has been removed;

(2) no fire shall be left unattended until extinguished; and

(3) all lighted matches, cigars, cigarettes or burning tobacco must be extinguished or deposited where they will not cause fire; and no wood, except from dead and down trees or from supplies furnished by the department, shall be used for fuel.

(g) No person shall deposit in or on any part of the area any garbage, sewage, refuse, waste or other obnoxious material otherwise than in receptacles provided for such purposes.

(h) No person shall throw, cast, lay, deposit or discharge into or leave in any waters flowing within or standing on said area, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

(i) No person shall bathe, swim or wade in any of the waters flowing or standing through or on the area.

(j) No camp, tent, trailer, shelter, lean-to or structure of any kind shall be erected or maintained within the area.

(k) No person shall injure, deface, disturb, steal, molest or defoul any part of the area or building, spring, well, sign equipment or other structure or property found therein; nor shall any tree, flower, fern, shrub, grass, rock or other mineral, or any part thereof, be removed, injured or destroyed.

(l) No person shall: disobey an order of a ranger, member of the State Police or any other police officer, or refuse to obey a lawful order given by an employee of the department authorized to give orders and identified by a uniform, badge or other identification; or disobey the directions of any departmental sign; use threatening, abusive, insulting language; do any obscene or indecent acts; throw stones or other missiles; annoy persons, interfere with, encumber, obstruct or render dangerous any drive, spring, well, path, walk or public place; do any act tending to or amounting to a breach of peace; engage in, instigate, aid or encourage a contention or fight; or assault any person.

(m) No person shall erect a sign, notice or poster at any place within the area without a permit therefor; nor shall any musical instrument, radio, talking machine or drum be operated or any noise be made for the purpose of attracting attention to any exhibition of any kind.

(n) No person shall erect any structure, stand or platform, hold any meeting, perform any ceremony, make a speech, address or harangue, exhibit or distribute any sign, placard, notice, declaration or appeal of any kind or description; or being in or on a vehicle, race with another vehicle, whether such race be founded on any stake, bet or otherwise; except by permit.

(o) No Parade, drill or maneuver of any kind shall be conducted, nor shall any procession from parade or proceed on the area without a permit therefor.

## **Appendix G**

### Land Management Compartments & Proposed Mgt. Activities

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
1.00	9.01	Experimental chestnut plantation	American chestnut, grasses, goldenrod	Experimental plantation - maintain and replant/plant trees  Adopt-A-Natural Resource Stewardship Agreement.  Mow grasses annually.
1.10	5.64	Farm building site - wet - open	Grasses and shrubs	Maintain as open area - possible parking lot expansion, mow on rotation
2.00	3.42	Black walnut plantation	Black walnut	Maintain for wildlife food - no cultural work - maintain hiking trail/access road
3.00	18.87	Japanese larch	Japanese larch	Harvest larch in eastern 9 ac. 09-10
3.10	3.54	Northern hardwood - along Vail Road	Northern hardwood and old field - hard maple, early succession hardwoods - goldenrod	No Treatment Scheduled
4.00	6.31	Norway spruce	Norway spruce	Harvest plantation - convert to hardwoods
4.10	3.73 1.70	Norway spruce - open. 2 parcels	Norway spruce and goldenrod	Maintain hiking trail, mow openings
5.00	56.78	Field - open	Grasses, goldenrod, shrubs	Mow 20 acres annually.  Remove individual trees - 08-09

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
6.00	2.27	Tulip poplar plantation	Tulip poplar	No Treatment Scheduled
7.00	5.40	Black cherry plantation	Black cherry	No cultural work - <u>Mow Trail</u>
7.10	1.89	Wet - open - some planted black cherry	Black cherry and grass	Maintain as open area, keep trail mowed
7.20	.85	Wet area-planted to black cherry	Black cherry and grass	Maintain trail No Treatment Scheduled
8.10	3.98	Beaver habitat	Beaver pond	Beaver maintained habitat - maintain wood duck nest boxes
9.00	10.87	Beaver habitat	Beaver pond	Beaver maintained habitat - maintain wood duck nest boxes
10.00	38.73	Northern hardwood - hemlock	Mixed hardwood and conifer with ponds - red maple, hemlock, black cherry, ash	Reinventory
10.10 10.20	1.37 .24	Wooded wetlands within Stand 10	Red maple, ash	Maintain wood duck nest boxes
11.00	2.49	Norway spruce	Norway spruce	Maintain as plantation

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
12.00	10.97	Norway spruce	Norway spruce	Convert to hardwoods by commercial sale
13.00	19.17	Northern hardwoods, hemlock, ponds	Red maple, ash, tulip, hemlock	Reinventory
13.10	3.48	Wet area-Wooded wetland within Stand 13.00	Red maple, ash, hemlock	Retain as habitat for wood ducks, reptiles and amphibians
13.20	1.53			
14.00	7.78	Holcomb Pond and dike/dam	Aquatic	Mow and maintain dikes, stock fish - maintain wood duck nest boxes
15.00	5.06	Northern hardwood	Maple	Reinventory
15.10	4.19	Pond protection zone	Northern hardwood mix - red maple, hemlock	Maintian access to pond and Stand 15 No Treatment Scheduled
16.00	4.12	Japanese larch	Japanese larch	Reinventory
17.00	12.19	Northern hardwood - red pine	Maple, cherry, red pine	Apple tree and shrub maintenance 11-12
18.00	9.22	Wet - alder - open - ponds	Alder, grass, red maple	Create new ponds, mow accessible areas

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
18.10	5.73	Wet - alder - open	Alder, grass and hardwood mix	Get clear title and combine with Stand 18
18.20	0.08	Pond	Wetland species	Maintain wood duck nest box
18.30	0.39	Pond protection area	Northern hardwood and shrubs, sugar maple	Maintain as natural succession area
18.40	0.21	Pond	Wetland	No management necessary
18.50	0.56	Wet - alder - open - ponds	Alder	Maintain as pond and alder habitat.
19.00	2.57	Norway spruce - Scotch pine	Norway spruce - Scotch pine	No cultural work planned
21.00	1.52	Northern hardwood	Maple, tulip, hemlock, cherry	Maintain trail
22.00	33.11	Northern hardwood - hemlock	Red maple, hemlock, cherry, tulip	Maintain mature hemlock - Reinventory
23.00	6.42	Northern hardwood - mature	Sugar maple, hemlock, basswood	Maintain mature trees and hiking trail - Reinventory
24.00	24.64	Northern hardwood - hemlock	Hemlock, sugar maple, beech, red maple	Reinventory

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
24.10	1.83	Pond protection zone	Hardwood, hemlock	Maintain protection
25.00	5.86	Northern hardwood	Hickory, aspen, maple, shrubs	Reinventory
27.00	8.68	Red pine	Red pine	Convert to native species by commercial sale 07-08
28.00	20.35	Old field	Grass, shrubs	Maintain open areas by mowing on rotational schedule and remove individual trees  Move 7 ac. annually
28.10	5.88	Old field - Norway spruce	Grass, shrubs, Norway spruce	Mow selected areas  Apple tree maintenance - 08-09
28.20	6.96	Old field with sumac and northern hardwoods	Sumac, maple, grass, goldenrod	Maintain open areas through rotational mowing  Apple tree maintenance - 08-09
28.30	6.35	Old field - Norway spruce	Norway spruce, goldenrod, sumac	Mow selected areas on rotational basis  Apple tree maintenance - 08-09
28.40	0.80	Wet area near end of Button Road	Cattails	Remove trash

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
29.00	5.01	Old field - shrubs and northern hardwood	Red maple, sumac, white ash	Reinventory
29.10	1.64	Wet area along stream	Northern hardwoods	Natural succession area - No Treatment Scheduled
30.00	5.57	Northern hardwood	Maple, cherry, hemlock	Reinventory
30.10	1.39	Wet area along stream	Northern hardwoods	Natural succession area No Treatment Scheduled
31.00	4.27	Northern hardwood	Maple, cherry	Reinventory
32.00	5.30	Northern hardwood	Maple, tulip	Reinventory
33.00	9.67	White pine - Scotch pine	White pine, Scotch pine	Convert from plantation Scotch Pine to a mixed natural forest, may be commercial sale
34.00	4.35	Old hayfield - beaver meadow - wet	Marsh species, alder	Upgrade old gas well access road for handicap access No Treatment Scheduled
39.00	1,522.8	Zoar Valley Gorge and Protection Area.	Various	Protection area Inventory of trees - 08-09

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
40.00	40.93	Northern hardwood - hemlock - vines	Maple, hemlock, grapevines, tulip, beech	Reinventory
41.00	27.61	Northern hardwood	Maple, hemlock, pine, aspen	Reinventory
42.00	7.78	Northern hardwood, hemlock	Maple, hemlock, beech	Reinventory
43.00	3.82	Pine - northern hardwood	Scotch pine, maple, tulip, larch	Reinventory
44.00	17.14	Northern hardwood	Maple, ash, white pine	Reinventory
45.00	3.28	Northern hardwood	Maple, aspen, red oak	Reinventory
46.00	41.50	Old field with individual large trees and pole sized trees	Maple, ash, aspen	Reinventory
48.00	6.05	Northern hardwood - white ash	Maple, ash, hickory	Reinventory
49.00	8.94	Old field - northern hardwood	Maple, ash, goldenrod	Reinventory
50.00	11.82	Northern hardwood	Maple, tulip, hickory, ash	Reinventory

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
51.00	7.18	Northern hardwood	Maple, tulip	Reinventory
52.00	23.71	Northern hardwood - old field	Maple, ash, hickory	Reinventory
53.00	41.00	Northern hardwood	Maple, tulip, ash	Reinventory
54.00	8.25	Norway spruce	Norway spruce	Reinventory
55.00	11.49	Northern hardwood - red oak	Maple, oak, tulip, cherry	Reinventory
56.00	34.59	Northern hardwood	Red maple, cherry, open	Reinventory
57.00	2.09	Northern hardwood - black walnut	Maple, walnut	Reinventory
58.00	10.82	Norway spruce	Norway spruce	Reinventory
59.00	18.21	Northern hardwood - old field	Maple, hickory, elm, ash, goldenrod	Reinventory
60.00	15.84	Northern hardwood	Maple, aspen, ash	Obtain administrative and public access
61.00	4.67	Norway spruce	Norway spruce	Reinventory
62.00	3.53	Northern hardwood	Maple, ash, cherry	Reinventory

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
63.00	17.54	Norway spruce	Norway spruce	Convert 1/4 of plantation to native hardwood.
64.00	17.48	Northern hardwood	Maple, aspen, cherry	Reinventory
64.10	3.31	Conifer	Conifer - hardwood	Reinventory
66.00	23.61	Old field - northern hardwood - conifer plantation	Old field mix of species	Mow selected areas to maintain small openings  Apple tree maintenance 09-10
66.10	3.87	Rich sloping fen	Fen species	Maintain protection
66.20	3.63	Wet area - old field	Mix of old field species	Apple tree maintenance and maintain small openings
67.00	11.25	Japanese larch	Japanese larch	Allow natural hardwood regeneration
68.00	26.24	Northern hardwood	Red maple	Reinventory
68.10	3.38	Wet - shrubs - open	Shrubs, conifer	Reinventory  Apple tree & shrub maintenance 10-11
68.20	10.34	Very wet - shrubs - open	Sedges, grass, shrubs	Natural succession area

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
69.00	8.06	Northern hardwood	Maple, ash, aspen, beech, tulip	Reinventory
70.00	32.23	Northern hardwood	Maple, beech, basswood	Reinventory
70.10	0.39	Norway spruce	Norway spruce	Reinventory
70.20	15.97	Northern hardwood pole stand	Maple, beech, basswood	Reinventory
71.00	6.47	Northern hardwood pole stand	Maple beech	Reinventory
72.00	36.49	Old field	Maple, ash, goldenrod	No Treatment Scheduled
73.00	10.47	Norway spruce	Norway spruce	Reinventory
74.00	24.87	Northern hardwood - old field	Northern hardwood, shrubs, grass	Reinventory
74.10	4.47	Old field	Grass, shrubs, northern hardwood	No Treatment Scheduled
75.00	7.79	Plantation with hardwoods	Larch, northern hardwood	Allow natural hardwood regeneration
76.00	21.12	Northern hardwood	Maple, ash, hemlock	Fill in hazardous well site. Reinventor

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
76.10	0.09	Trash dump	Blackberry, shrubs	Remove trash and convert to open site
77.00	15.40	Norway spruce	Norway spruce	Convert to natural forest- Harvest Norway spruce 11 ac. in 10-11
77.10	4.92	Open fire lane near spruce stand	Goldenrod, blackberry, shrubs	No Treatment Scheduled
78.00	16.43	Norway spruce	Norway spruce	Reinventory
79.00	28.47	Northern hardwood - alder, wet	Alder, hardwood, old field mix	No Treatment Scheduled
80.00	12.70	Northern hardwood	Maple, basswood, beech	Reinventory
81.00	24.22	Old field - wet - open	Shrubs, goldenrod, northern hardwood	No Treatment Scheduled
81.10	2.15	Norway spruce - old field	Norway spruce, goldenrod	Reinventory
82.00	9.09	Norway spruce	Norway spruce	Convert to natural hardwoods- harvest Norway spruce in 12-13
83.00	3.19	Japanese larch	Japanese larch	Reinventory
84.00	6.76	Northern hardwood	Maple, beech, basswood	Reinventory

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
85.00	4.21	Norway spruce	Norway spruce	Reinventory
86.00	11.15	Old field - fen?	Cattails, shrubs	Natural succession area No Treatment Scheduled
86.10	1.87	Norway spruce - old field	Norway spruce, shrubs, goldenrod	Apple tree maintenance and log landing for harvest of Stand 87
87.00	6.60	Norway spruce	Norway spruce	Harvest to allow re-establishment of native hardwoods
88.00	9.67	Old wet field with Norway spruce	Shrubs, goldenrod, Norway spruce	Apple tree maintenance
89.00	18.79	Norway spruce 11,600	Norway spruce, goldenrod	Reinventory
90.00	38.37	Northern hardwood - hemlock	Maple, hemlock, ash	Reinventory
91.00	13.05	Norway spruce - 8,000	Norway spruce, goldenrod	Reinventory
93.00	8.82	Wildlife ponds - open - wet	Open water habitat	Maintain dikes and wood duck nest boxes Dike and control box repair 08-09
94.00	2.86	Ross Pond	Open water	Maintain dike and wood duck nest boxes
95.10	1.59	Rich sloping fen	Cattails, shrubs	Natural succession area

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
95.20	22.75	Open field - with wet areas	Goldenrod, grass, shrubs	Mow select areas adjacent to Ross Pond - apple tree maintenance
710.00	1.02	Vail - gravel pit access	Grass	Maintain right-of-way access and boundary identification  No Treatment Scheduled
710.00	1.31	Access from Zoar Valley Road	Grass, shrubs, northern hardwood	Mark trail - construct 2 car parking lot, maintain boundary marking
710.00	0.30	Access to top of Zoar off North Otto Road	Northern hardwood	Mark trail and maintain boundary  No Treatment Scheduled
711.00	4.41	Vail Road	Town road	Town road
711.00	0.22	Ross access and parking area	Grass	Vehicle parking and access, expansion of parking area
711.00	2.59	Holcomb Pond access and parking	Grass	Vehicle parking and access, maintain parking lot
711.00	1.30	Button Road - town road	Town road	Town road
711.00	1.31	Wickham Road	Town road	Town road
711.00	15.79	Forty Road	Town road	Vehicle parking and access maintenance
722.00	3.70	Power line	Grass	Power line
722.00	7.33	Power line	Grass	Power line

**ZOAR VALLEY LAND MANAGEMENT STANDS**

<b>STAND #</b>	<b>ACRES</b>	<b>VEGETATION TYPE</b>	<b>PRIMARY SPECIES</b>	<b>PROPOSED MGT. NEXT 20 YEARS</b>
722.00	0.78	Power line	Grass	Power line
722.00	0.05	Power line at intersection	Grass	Power line
722.00	0.74	Power line off Forty Road	Grass	Power line
730.00	0.28	Ross Cemetery	Grass	Private cemetery
820.00	2.51	Old Purdy gravel pit	Grass and shrubs	No Treatment Scheduled

## **Appendix H**

### Common Mammals

**ZOAR VALLEY MUA MAMMALS BY COMMON NAME,  
SCIENTIFIC NAME, OCCURRENCE & PROTECTIVE STATUS**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Occurrence</u>	<u>State</u>
Opossum	<i>Didelphis virginiana</i>	Res	Game Spec
Masked Shrew	<i>Sorex cinereus</i>	Poss Res	Un
Water Shrew	<i>Sorex palustris</i>	Poss Res	Un
Smoky Shrew	<i>Sorex fumus</i>	Poss Res	Un
Longtailed Shrew	<i>Sorex dispar</i>	Poss Res	Un
Pygmy Shrew	<i>Sorex hoyi</i>	Poss Res	Un
Northern Short-tail Shrew	<i>Blarina brevicauda</i>	Poss Res	Un
Least Shrew	<i>Cryptotis parva</i>	Poss Res	Un
Hairy-tailed Mole	<i>Parascalops breweri</i>	Poss Res	Un
Star-nosed Mole	<i>Condylura cristata</i>	Poss Res	Un
Little Brown Bat	<i>Myotis lucifugus</i>	Poss Res	Un
Keen's Bat	<i>Myotis septentrionalis</i>	Res	Un
Indiana Bat	<i>Myotis sodalis</i>	Poss Res	Un
Small-footed Bat	<i>Myotis leibii</i>	Poss Res	End
Silver-haired Bat	<i>Lasiorycteris noctivagans</i>	Poss Res	Un-Spec
Eastern Pipistrel	<i>Pipistrellus subflavus</i>	Poss Res	Conc
Big Brown Bat	<i>Eptesicus fuscus</i>	Poss Res	Un
Red Bat	<i>Lasiurus borealis</i>	Poss Res	Un
Hoary Bat	<i>Lasiurus cinereus</i>	Poss Res	Un
Coyote	<i>Canis latrans</i>	Res	Un
Red Fox	<i>Vulpes vulpes</i>	Res	Game Spec
Gray Fox	<i>Urocyon cinereoargenteus</i>	Res	Game Spec
Black Bear	<i>Ursus americanus</i>	Res	Game Spec
Raccoon	<i>Procyon lotor</i>	Res	Game Spec
Ermine	<i>Mustela erminea</i>	Poss Res	Game Spec
Long-tailed Weasel	<i>Mustela frenata</i>	Res	Game Spec
Mink	<i>Mustela vison</i>	Res	Game Spec
Striped Skunk	<i>Mephitis mephitis</i>	Res	Game Spec
Bobcat	<i>Lynx rufus</i>	Res	Game Spec
White-tailed Deer	<i>Odocoileus virginianus</i>	Poss Res	Game Spec
Eastern Chipmunk	<i>Tamias striatus</i>	Res	Game Spec
Woodchuck	<i>Marmota monax</i>	Res	Un
Gray Squirrel	<i>Sciurus carolinensis</i>	Res	Un
Red Squirrel	<i>Tamiasciurus hudsonicus</i>	Res	Game Spec
Southern Flying Squirrel	<i>Glaucomys volans</i>	Poss Res	Un
Northern Flying Squirrel	<i>Glaucomys sabrinus</i>	Poss Res	Un

## **Appendix I**

### Fisheries Resources

FISHERIES REFERENCES

*Cattaraugus Creek (E23)*

Quad - Gowanda and Collins Center

Miles of Stream - 5.8

Access - North Otto Road (0.5 mi.)

Valentines Flats Road off Point Peter Road (0.5 mi.) South Branch via Forty Road (1.5 mi.)

Parking - Limited

Primary Sportfish - Steelhead/rainbow trout, chinook salmon, coho salmon

Protected Classification Species - None

Use Potential - Moderate potential for migratory salmonid species if access is improved

and wading regulations problems are resolved

Stream Classification - B

*South Branch - Cattaraugus Creek (E23-20)*

Quad - Gowanda

Miles of Stream - 1.5 (impassable barrier just upstream of Forty Road)

Access - Forty Road (0.25 mi.)

Parking - Limited

Primary Sportfish - Steelhead/rainbow trout, chinook salmon, coho salmon

Protected Classification Species - None

Use Potential - Low to moderate

Stream Classification - C(T)

*Utley Brook (E23-23)*

Quad - Collins Center

Miles of Stream - 0.5

Access - Meyers Road (0.75 mi.)

Parking - Limited

Primary Sportfish - Migratory salmonids

Protected Classification Species - None

Use Potential - Low

Stream Classification - D

*Waterman Brook (E23-21)*

Quad - Collins Center

Miles of Stream - 2.1

Access - Traffic Street

Parking - Limited

Primary Sportfish - Steelhead/Rainbow trout in lower sections, brook trout in headwaters

Protected Classification Species - None

Use Potential - Low

Stream Classification - Mouth to Trib 1 - D

Trib 1 to Source - B

*Holcomb Pond (P5678)*

Quad - Collins Center

Acres - 6 Maximum depth - 10 ft.

Access - 0.25 mi. path from Vail Road

Parking - Limited

Primary Sportfish - Largemouth bass, panfish  
Protected Classification Species - None  
Use Potential - Low to moderate  
Water Classification - D

*Ross Pond (P5641)*

Quad - Collins Center  
Acres - 3  
Access - Limited  
Parking - Limited  
Primary Sportfish - Largemouth bass, panfish  
Protected Classification Species - None  
Use Potential - Low to moderate  
Water Classification - D

## **Appendix J**

### Mineral Resources

## **Mineral Resources**

**With the exception of existing gas storage leases, no other extraction of mineral resources will be allowed in the Zoar Valley Unit. The procedures outlined below are for information purposes only.**

**Any party desiring to procure minerals, rocks or oil & gas resources (or the use of the mineral estate in the case of gas or liquid storage in geological formations) from the mineral estate under state lands included in this unit management plan, must obtain contractual rights (such as a lease contract) to those minerals from the appropriate state entity administering those resources. The party must also obtain appropriate consent (temporary revocable permit) from the state to access the surface estate during operations. Prior to the commencement of operations the appropriate permits must be obtained. These procedures are further outlined below.**

**Any activity involving the procurement of oil and gas resources and/or storage of gas and liquids in the subsurface on state lands in this unit management plan are administered by the NYS DEC Division of Mineral Resources. The procurement of minerals and rocks (inorganic substances), including the solution mining of minerals (such as salt) on these same state lands are administered by the Office of General Services. All activity associated with mining minerals and rocks, solution mining of minerals and oil & gas drilling, including production, are regulated by the NYS DEC Division of Mineral Resources (including the issuance of mining permits and drilling permits).**

**The surface estate of these state lands is managed through the NYS DEC Division of Lands and Forests or Division of Fish, Wildlife and Marine Resources. In the event the surface estate is to be used in the evaluation and/or extraction of mineral resources from state lands, a Temporary Revocable Permit (TRP) must be obtained from the NYS DEC Division of Lands and Forests prior to conducting any operations. It should be noted that if the mineral estate is under a lease agreement, only the lessee, or entities authorized by the Lessee, will be issued a TRP for these purposes.**

**It is NYS DEC policy to recommend excluding operations in surface areas with sensitive habitats (stream banks, wetlands, steep slopes, rare communities etc.) or intensive recreational use. Any proposal for mineral development other than oil and gas would require SEQR review.**

### **Procedures for Oil & Gas Procurement**

**In the event a party has an interest in exploring and developing oil and gas reserves under lands administered by the NYS DEC. The NYS DEC will receive requests to nominate specific lands for leasing of the mineral rights. Prior to leasing lands where the mineral estate is owned by New York State, a thorough review of the lands nominated for leasing is conducted to determine:**

- 1.) Which areas can be leased with full rights granted (100% surface entry and no special conditions required),**
- 2.) Which may require special environmental and safety conditions, and**
- 3.) Which may be leased with no surface-disturbance/entry conditions (non-drilling clause).**

**This review is conducted by the area's land manager (Division of Lands and Forests or Division of Fish, Wildlife and Marine Resources) in coordination with the Division of Mineral Resources. A tract assessment is then conducted that identifies sensitive resources of the unit. These resources include certain management strategies, wetland, riparian zones, steep slopes, recreational trails and areas, unique ecological communities, habitat of rare and endangered species, archeological and cultural sites and scenic vistas and view sheds.**

**A public meeting will be held to provide information about natural gas development specific to the Unit and receive comments. A 30-day public comment period will follow. The Department will consider all comments prior to making a decision. If the Department decides to pursue leasing, the site specific conditions for limiting impacts on natural resources will be drafted by the Division of Mineral Resources in coordination with the Division of Lands & Forests and/or Division of Fish, Wildlife and Marine Resources and incorporated into contract documents. These conditions will include but not be limited to criteria for site selection, mitigation of impacts and land reclamation upon completion of drilling. A number of factors are considered. Riparian areas, steep slopes, significant recreation areas, presence of rare, threatened or endangered species or unique ecological communities, are all areas which may be excluded from surface disturbance. Certain land management strategies, such as reserves, where timber harvesting is precluded, which may be incompatible with oil and gas well development, may result in exclusion from surface disturbance. This determination is made as part of the tract assessment process on a case by case basis. Individual tract proposal reviews for each forest within this Unit have been completed, and determinations deciding which areas would be excluded from surface disturbance (should leasing be initiated) have been made. Included in the appendix are maps depicting these areas. Any parcel designated as a non-surface entry lease will no longer be subject to the process detailed above due to the prohibition of surface disturbance(s). Exceptions to these tract assessments are possible if additional analysis, protective measures, new technology, or other issues warrant a change in the compatibility status of an area.**

**If it is determined that oil and gas exploration and development can proceed on these State minerals, a lease sale is conducted. The DEC Division of Mineral Resources is the oil and gas leasing agent for these state lands. Lease sales are then conducted through a competitive bid process administered by the Division of Mineral Resources and in accordance with Article 23, Title 11 of the Environmental Conservation Law and State Finance Law.**

**Revenues from State Reforestation Areas and Multiple Use Areas (State Forests) are deposited into the General Fund while revenues from Wildlife Management Areas are deposited into the Conservation Fund.**

**In the event leases are granted and the drilling of a well is desired by the lessee on the leased property, an Application for Permit to Drill, Deepen, Plug Back or Convert a Well subject to the Oil, Gas and Solution Mining Law (form 85-12-5) must be submitted to the Division of Mineral Resources. Site-specific impacts will then be identified by NYS DEC staff during review process and inspection of the proposed well site. The Final Generic Environmental Impact Statement On the Oil, Gas and Solution Mining Regulatory Program (1992) is used to guide the Department in determining whether the proposal will have a significant impact on the environment. Conditions are then attached to the drilling permit as well as the Temporary Revocable Permit (TRP) which covers the mitigation and/or control of surface disturbances.**

**In the event underground pipelines are planned to transport gas and/or oil across state lands; the Division of Mineral Resources in conjunction with the Division of Lands and Forests, and Division of Fish, Wildlife and Marine Resources will coordinate with the mineral estate lessee to determine the best route for the pipeline(s). It should be noted that any pipelines greater than 1,000 feet in length and/or containing pressures greater than 125 pounds per square inch are regulated by the New York State Public Service Commission.**

**Once the proposal is approved, a drilling permit with site specific conditions is issued by the Division of Mineral Resources along with a Temporary Revocable Permit issued by either the Division of Lands and Forests or Fish, Wildlife and Marine Resources. These permits are administered by their respective programs and are designed to prevent and/or mitigate environmental impacts. Site inspections are conducted by the Division of Mineral Resources to ensure compliance with Article 23 of the Environmental Conservation Law and 6NYCRR Part 550 - 559. The Division of Lands and Forests or Fish, Wildlife and Marine Resources will also inspect the site to ensure compliance with the TRP.**

### **Procedures for Mineral and Rock Procurement**

**In the event a party desires to explore and procure minerals and/or rock (including salt) from state lands. The party must be issued a permit, consent or lease of such duration as the commissioner may deem advisable, from the General Services Office, under Article 7 of the New York Consolidated Laws / Public Lands. Prior to operations, a Mining Permit or Drilling Permit in the case of solution mining, must be obtained from the Division of Mineral Resources and a Temporary Revocable Permit (for access and use of land) must be obtained from the Division of Lands and Forests or the Division of Fish, Wildlife and Marine Resources. Mining operations are regulated by the Division of Mineral Resources.**

**There are no mining contracts, permits, or operations on any areas in this unit management plan. Under Article 7 of the New York State Consolidated Laws, any citizen of the United States may apply for permission to explore and/or extract any mineral on State lands. However, current department policy is to decline any commercial mining application(s) pertaining to any lands covered by this unit management plan.**

### **Surface Use for Evaluation of Mineral Resources**

**In the event a party desires to use the surface estate to conduct geophysical (such as a seismic survey), geochemical and/or surface sampling procedures on Department lands prior to, or after leasing they must first obtain a Temporary Revocable Permit (TRP) for the access and use of state lands. If the area is subject to a lease agreement, only the lessee, or parties authorized by the lessee, can be issued a TRP for these purposes. A TRP can be applied for through the NYSDEC Division of Lands and Forests, 182 East Union Street Suite 3 Allegany, NY 14706.**

**For further information contact the NYS DEC Mineral Resource staff, Region 9, 182 East Union Street Suite 3 Allegany, NY 14706. Additional contacts include; New York State Department of Environmental Conservation-Division of Mineral Resources- Bureau of Oil and Gas Regulation, 3<sup>rd</sup> Floor, 625 Broadway, Albany, New York 12233.**

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## Management Objectives and Actions for Mineral Resources

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Management Objectives	Mgt.	Management Actions	Frequency of Action
1. Decide to approve or not approve extraction of mineral resources.	1.0	Nominated properties are reviewed by Division of Mineral Resources (DMN) and Division of Lands and Forests (L&F) and Division of Fish, Wildlife and Marine Resources (Wildlife) per above process. Mining minerals are reviewed by Office of General Services (OGS) instead of the DMN. As Needed	
	1.1	A public meeting is held with a 30 day comment period after. As Needed	
If extraction is permitted...			
2. Execute consent contracts.	2.0	DMN conducts lease sale through competitive bid process and executes contracts for oil and gas. OGS executes contracts for minerals. As Needed	
3. Regulate operations; and access surface estate to extract mineral resources.	3.0	Division of Lands and Forests reviews proposed operations and if approved, issues a "Temporary Revocable Permit" Every Time	
	3.1	DMN reviews proposed operation and issues "Drilling Permit" or "Mining Permit". Every Time	
	3.2	DMN inspects & regulates operations, production and administers royalty payments to State. Every Time	
4. Monitor reclamation & well plugging	4.0	DMN enforces Rules and Regulations pertaining to plugging procedures. Every Time	
	4.1	DMN and L&F monitors and enforces surface reclamation. Every Time	
5. Administer mineral estate	5.0	DMN monitors lease, production and royalty payments for oil and gas. Every Time OGS does same for minerals.	

- 6. Pipeline access and construction**
  - 6.0** **Granted and directed by terms of lease agreement administered by DMN. Every Time**
  - 6.1** **L&F and/or Wildlife reviews proposed operations and if approved, issues a “Temporary Revocable Permit” (TRP) Every Time**
  - 6.2** **Division of Lands and Forests and/or Division of Fish, Wildlife and Marine Resources enforce TRP provisions. Every Time**

**Appendix K.**

The Americans with Disabilities Act (ADA) and  
Its Influence on Management Actions for Recreation and Related Facilities

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

The ADA requires a public entity to thoroughly examine each of its programs and services to determine the level of accessibility provided. The examination involves the identification of all existing programs and services and an assessment to determine the degree of accessibility provided to each. The assessment includes the use of the standards established by Federal Department of Justice Rule as delineated by the Americans with Disabilities Act Accessibility Guidelines (ADAAG, either adopted or proposed) and/or the New York State Uniform Fire Prevention and Building Codes, as appropriate. The development of an inventory of all the recreational facilities or assets supporting the programs and services available on the unit was conducted during the UMP planning process. The assessment established the need for new or upgraded facilities or assets necessary to meet ADA mandates. The Department is not required to make each of its existing facilities and assets accessible. New facilities, assets and accessibility improvements to existing facilities or assets proposed in this UMP are identified in the "Management Actions" section.

#### The Americans with Disabilities Act Accessibility Guidelines

The Americans with Disabilities Act (ADA) requires public agencies to employ specific guidelines which ensure that buildings, facilities, programs and vehicles as addressed by the ADA are accessible in terms of architecture and design, transportation and communication to individuals with disabilities. A federal agency known as the Access Board has issued the ADAAG for this purpose. The Department of Justice Rule provides authority to these guidelines.

Currently adopted ADAAG address the built environment: buildings, ramps, sidewalks, rooms within buildings, etc. The Access Board has proposed guidelines to expand ADAAG to cover outdoor developed facilities: trails, camp grounds, picnic areas and beaches. The proposed ADAAG is contained in the September, 1999 Final Report of the Regulatory Negotiation Committee for Outdoor Developed Areas.

ADAAG apply to newly constructed structures and facilities and alterations to existing structures and facilities. Further, it applies to fixed structures or facilities, i.e., those that are attached to the earth or another structure that is attached to the earth. Therefore, when the Department is planning the construction of new recreational facilities, assets that support recreational facilities, or is considering an alteration of existing recreational facilities or the assets supporting them, it must also consider providing access to the facilities or elements for people with disabilities. The standards which exist in ADAAG or are contained in the proposed ADAAG also provide guidance to achieve modifications to trails, picnic areas, campgrounds (or sites) and beaches in order to obtain programmatic compliance with the ADA.

## ADAAG Application

Current and proposed ADAAG will be used in assessing existing facilities or assets to determine compliance to accessibility standards. ADAAG is not intended or designed for this purpose, but using it to establish accessibility levels lends credibility to the assessment result. Management recommendations in each UMP will be proposed in accordance with the ADAAG for the built environment, the proposed ADAAG for outdoor developed areas, the New York State Uniform Fire Prevention and Building Codes, and other appropriate guiding documents. Until such time as the proposed ADAAG becomes an adopted rule of the Department of Justice, the Department is required to use the best information available to comply with the ADA; this information includes, among other things, the proposed guidelines.

**Appendix L.**  
**Glossary Of Terms**

**Access trails** - Temporary, unpaved roads which do not provide all weather access within the unit. They are not designed for long term and repeated use by heavy equipment. These corridors were originally constructed for the seasonal removal of forest products by skidding to landings or other staging areas. Constructed according to best management practices, these trails may be used to support other management objectives such as recreational access corridors. Maintenance is limited to activities which minimally support seasonal access objectives. (T)

**Aesthetics** - Forest value, rooted in beauty and visual appreciation and providing a distinct visual quality. (L)

**Age Class** - Trees of a similar size originating from a single natural event or regeneration activity. *see cohort.* (H)

**All-Aged** - A condition of a forest or stand that contains trees of all or almost all age classes. (D)

**Allowable Cut** - The amount of timber considered as available for cutting during a specified planned period of operation. (F)

**Basal Area** - The cross sectional area, measured in square feet, of a single stem, including the bark, measured at breast height (4.5 ft above the ground). (H)

**Basal Area/Acre** - A measure of forest density, the sum total of the basal areas of all trees on one acre. (L)

**Best Management Practices** - A practice or a combination of practices that are designed for the protection of water bodies and riparian areas, and determined to be the most effective and practicable means of controlling point and non-point source water pollutants. (H)

**Biomass** - the weight of organic matter in a tree, stand, or forest, in units such as living or dead weight, wet or dry weight, etc. (H)

**Biological Diversity (Biodiversity)** - The variety of life on earth. The variety of things and the variability found within and among them. Biodiversity also encompasses processes –both ecological and evolutionary that allow organisms to keep adapting and evolving. Includes genetic diversity (unique combinations of genes found within and among organisms), species diversity (numbers of species in an area), ecological diversity (organization of species into natural communities and the interplay of these communities with the physical environment – interactions among organisms and between organisms and their environment is the key here), Landscape diversity (refers to the geography of different ecosystems across large areas and the connections between them. (R)

**Blowdown - Tree or trees felled or broken off by wind. (H)**

**Browse - Portions of woody plants including twigs, shoots, and leaves consumed by animals such as deer. (L)**

**Buffer Zone / Buffer Area - A strip of land where little disturbance occurs. (H)**

**Cavity Tree / Den Tree - A tree containing an excavation sufficiently large for nesting, dens or shelter; tree may be alive or dead. (L)**

**Clear Cut - A harvesting and regeneration technique that removes all the trees, regardless of size, on an area in one operation. This practice is done in preparation of the re-establishment of a new forest through reforestation, stump sprouting, or changing habitats, i.e., from forest to brush or grass cover. (A) (L)**

**Climax Forest - An ecological community that represents the culminating stage of a natural forest succession for its locality / environment. (H)**

**Coarse Woody Debris (CWD)- Any piece(s) of dead woody material on the ground in forest stands or in streams. (H)**

**Cohort - A population of trees that originate after some type of disturbance. The disturbance makes growing space available. (L)**

**Community - An assemblage of plants and animals interacting with one another, occupying a habitat, and often modifying the habitat; a variable assemblage of plant and animal populations sharing a common environment and occurring repeatedly in the landscape. (M)**

**Conversion - A change from one silvicultural system to another or from one tree species to another. (H)**

**Coppice - Stems originating primarily from vegetative reproduction; e.g. the production of new stems from stumps, roots or branches. *see* low forest. (H)**

**Corridor - A linear strip of land identified for the present or future location of a designed use within its' boundaries. *Examples:* recreational trails, transportation or utility rights-of-way. When referring to wildlife, a corridor may be a defined tract of land connecting two or more areas of similar management or habitat type through which a species can travel from one area to another to fulfill any variety of life-sustaining needs. (H)**

**Cover type - The plant species forming a majority of composition across a given area. (H)**

**Crown - the part of a tree or woody plant bearing live branches and foliage. (H)**

**Crown Class - A category of tree based on its crown position relative to those of adjacent trees.**

**Examples:**

*dominant* - a tree whose crown extends above the general level of the main canopy and receives full light from above and partial to full light from the sides.

*co-dominant* - a tree whose crown helps to form the general level of the main canopy and receives full light from above and comparatively little from the sides.

*intermediate* - a tree whose crown extends into the lower portion of the main canopy and receives little direct light from above and none from the sides

*suppressed/overtopped* - a tree whose crown is completely overtopped by the crowns of one or more neighboring trees and receives little or no direct sunlight. (H)

**Crown Closure - The point at which the vertical projections of crown perimeters within a canopy touch. (H)**

**Cull - Any item of production, e.g., trees, logs, lumber, or seedlings, rejected because it does not meet certain specifications of usability or grade. (H)**

**Cultural Resources - Significant historical or archaeological assets on sites as a result of past human activity which are distinguishable from natural resources. (L)**

**Cutting Interval - The number of years between harvest or regeneration cuts in a stand. (L)**

**Deciduous - Tree and shrub species that lose their foliage in autumn. (L)**

**Defoliation - The partial or complete loss of foliage, usually caused by an insect, disease, or drought.(L)**

**Diameter Breast Height (DBH) - The diameter of the stem of a tree (outside bark) measured at breast height (4.5 ft) from the ground. (H)**

**Diameter-Limit Cut - A timber harvesting treatment in which all trees over a specified diameter may be cut. Diameter-limit cuts often result in high-grading. (A)**

**Disturbance** - An event that causes significant change from the normal pattern in an ecosystem. A disturbance can be endogenous, or part of the developmental process that weakens, for example, a tree, making it susceptible to physical or biological forces. Disturbance can also be exogenous, or external to the developmental process, such as intense winds or fires. (B) (C)

**Disturbance Regime** - Describes a repeating pattern of disturbance in a community or across a landscape, such as seasonal flooding, daily tidal flooding, insect outbreaks, periodic fires, windthrow, erosion, and ice scouring/ice storms. (B) ©

**Early Successional Wildlife Species** - Animal species which require early vegetative stages such as grass, shrubs or aspen. (L)

**Ecosystem** - A spatially explicit, relatively homogeneous unit of the earth that includes all interacting organisms and components of the abiotic environment within its boundaries - *note* an ecosystem can be of any size, e.g., a log, pond, field, forest or the earth's biosphere. (H)

**Ecosystem Management** - The appropriate integration of ecological, economic, and social factors in order to maintain and enhance the quality of the environment to best meet our current and future needs. Means keeping natural communities of plants, animals, and their environments healthy and productive so people can benefit from them year to year. (G)

**Edge** - The more or less well-defined boundary between two or more elements of the environment, e.g., a field adjacent to a woodland or the boundary of different silvicultural treatments. (H)

**Endangered Species** - Any species of plant or animal defined through the Endangered Species Act of 1976 as being in danger of extinction throughout all or a significant portion of its range, and published in the Federal Register. (H)

**Even-Aged** - A class of forest or stand composed of trees of about the same age. The maximum age difference is generally 10-20 years. (U)

**Even-Aged System** - A program of forest management directed to the establishment and maintenance of stands of trees having relatively little (10-20 yrs) variation in ages. The guidelines to be applied in using this system at all stages of tree development are uniquely different from the uneven-aged system. (L)

**Exotic** - Any species that is not native to a particular geographic region or ecosystem. (V)

**Flood Plain** - The level or nearly level land with alluvial soils on either or both sides of a stream or river that is subject to overflow flooding during periods of high water level. (H)

**Forest** - An assemblage of trees and associate organisms on sites capable of maintaining at least 60% crown closure at maturity. (L)

**Forestry** - The profession embracing the science, art, and practice of creating, managing, using, and conserving forests and associated resources for human benefit and in a sustainable manner to meet desired goals, needs, and values. (H)

**Forest Management** - The application of business methods and technical forestry principles to the operation of a forest property. (B) (Q)

**Forest Succession** - The gradual replacement of one community of plants by another.

*Example:* an area of open grass becoming shrub which then becomes shade intolerant trees (pioneer species) and finally climax forest of mostly shade tolerant trees. (L)

**Forest Type** - A group of stands of similar character as regards composition and development due to given physical and biological factors, by which they may be differentiated from other groups of stands. (B) (Q)

**Forested Wetland** - An area characterized by woody vegetation where soil is periodically saturated with or covered by water. (L)

**Fragipan** - A dense and brittle layer of soil. Its hardness results mainly from extreme density or compactness rather than from high clay content. The material may be dense enough to restrict root, nutrient, and water penetration. (L)

**Fragmentation** - A biophysical process of breaking forests into dispersed blocks separated by non forest, or in some areas, dispersed blocks of mature forest separated by young forest. (N)

**Gaps** - Communities, habitats, successional stages, or organisms which have been identified as **lacking in the landscape.** (L)

**Geocaching** - A high-tech, hide and seek, outdoor activity for utilizing the Global Positioning System (GPS) where an item is “cached” on the landscape. (L)

**Grassland** - Land on which the vegetation is dominated by grasses, grasslike plants, or forbs. (H)

**Green Tree Retention** - The practice of retaining live trees after a release cut. This practice creates higher levels of structural diversity providing varied wildlife habitat and future downed wood. The residual overstory trees also moderate the microclimate of the site and provide continuity of habitat for plant and animal species between uncut forest areas. These residual trees are left through the next rotation. (L)

**Habitat** - The geographically defined area where environmental conditions (e.g., climate, topography, etc.) meet the life needs (e.g., food, shelter, etc.) of an organism, population, or community. (A)

**Harvest /Cut/ Logging** - Altering a forest by removing trees and other plants so as to control the composition and form of forest stands. (O)

**Haul roads** - Permanent, unpaved roads which are not designed for all weather travel, but may have hardened or improved surfaces with artificial drainage. They are constructed according to best management practices primarily for the removal of forest products, providing limited access within the unit by log trucks and other heavy equipment. These roads may or may not be open for public motor vehicle use, depending on management priorities and objectives. They may serve as recreational access corridors, but are not maintained according to specific standards or schedules. The design standards for these roads are below those of the Class B access roads as provided in the Unpaved Forest Road Handbook. (S) (T)

**Header** - See Log Landing.

**Herbicide** - A chemical used for killing or controlling the growth of plants. (H)

**High Forest** - A forest originating mainly from natural reproduction. (O)

**High-Grading** - The removal of the most commercially valuable trees (high-grade trees), often leaving a residual stand composed of trees of poor condition or species composition. (H)

**Improvement Cut** - The removal of less desirable trees of any species in a stand of poles or larger trees, primarily to improve composition and quality. (H)

**Indicator Species** - Species with such specialized ecological needs that they can be used for assessing the quality, condition, or extent of an ecosystem on the basis of their presence and density, or the accumulation and effect of materials in their tissues. (A)

**Intermediate Treatment** - Any silvicultural treatment designed to enhance growth, quality, vigor, and composition of the stand after establishment or regeneration and prior to final harvest. (H)

**Invasive - Species that, after they have been moved from their native habitat to a new location, or following disturbance in their native habitat, spread on their own, displacing other species, and sometimes causing environmental damage. (B)**

**Large Poles - Trees 9-11 inches diameter at breast height. (L)**

**Large Sawtimber - Trees 18 inches or greater diameter at breast height. (L)**

**Log Landing / Log Deck - A cleared area in the forest to which logs are skidded and are temporarily stored before being loaded onto trucks for transport. (L)**

**Low Forest - A forest produced primarily from vegetative regeneration, i.e. coppice. (H)**

**Mast - All fruits of trees and shrubs used as food for wildlife. Hard mast includes nut-like fruits such as acorns, beechnuts, and chestnuts. Soft mast includes the fleshy fruits of black cherry, dogwood and serviceberry. (A)**

**Mature Stand - Pertaining to an even-aged stand that has attained most of its potential height growth, or has reached merchantability standards -*note* within uneven-aged stands, individual trees may become mature but the stand itself consists of trees of diverse ages and stages of development. (H)**

**Medium Sawtimber - Trees 15-17 inches diameter at breast height. (L)**

**Mesic - Of sites or habitats characterized by intermediate moisture conditions, i.e., neither decidedly wet nor dry. (H)**

**Multiple Use - A strategy of land management fulfilling two or more objectives, e.g. forest products removal and recreation. (L)**

**Multiple Use Area - Lands acquired pursuant to Article 15, Section 15.01 (b) of the Parks and Recreation Land Acquisition Bond Act. Multiple Use Areas are acquired to provide additional opportunities for outdoor recreation, including public camping, fishing, hunting, boating, winter sports, and, wherever possible, to also serve multiple purposes involving the conservation and development of natural resources, including the preservation of scenic areas, watershed protection, forestry and reforestation. (L)**

**Native - Species believed to have existed in a particular geographic region or ecosystem of the Northeast prior to European settlement and subsequent large-scale alteration of the landscape. The state reference for native species is Mitchell. 1997 Revised Checklist of New York State Plants. (B)**

**Natural Area -** These areas are not managed for the production of wood products. A physical and biological area left in a natural condition, usually without direct human intervention, to attain and sustain a climax condition, the final stage of succession. (H) (L)

**Natural Regeneration -** The establishment of a forest stand from natural seeding, sprouting, suckering or layering. (H)

**Non-Commercial Forest -** Areas of a forest permanently inoperable due to conditions such as inaccessibility, altitude and poor growing conditions. Meyer, Arthur H. and Others. 1961. Forest Management. New York: Ronald Press. (B)

**Neo-Tropical Migratory Birds -** Bird species which migrate between the Northern and Southern hemispheres. These species represent more than 50% (340 of the 600 species) of North American birds. (L)

**Northern Hardwood Forest Type -** A forest type usually made up of sugar and red maple, American beech, yellow birch, and to a lesser extent black cherry and white ash. This type represents about 70 percent of all forests in New York State. (A)

**Old Growth Forest -** The definition of "Old Growth Forest" involves a convergence of many different, yet interrelated criteria. Each of these criteria can occur individually in an area that is not old growth, however, it is the presence of all of these factors that combine to differentiate "Old Growth Forest." from other forested ecosystems. These factors include: An abundance of late successional tree species, at least 180 - 200 years of age in a contiguous forested landscape that has evolved and reproduced itself naturally, with the capacity for self perpetuation, arranged in a stratified forest structure consisting of multiple growth layers throughout the canopy and forest floor, featuring (1) canopy gaps formed by natural disturbances creating an uneven canopy, and (2) a conspicuous absence of multiple stemmed trees and coppices. Old growth forest sites typically (1) are characterized by an irregular forest floor containing an abundance of coarse woody materials which are often covered by mosses and lichens; (2) show limited signs of human disturbance since European settlement; and (3) have distinct soil horizons that include definite organic, mineral, illuvial accumulation, and unconsolidated layers. The understory displays well developed and diverse surface herbaceous layers. (B)

**Overstory -** That portion of the trees in a forest forming the upper or uppermost canopy layer. (H)

**Parcelization -** The subdivision of land into smaller ownership blocks. This intrudes new features and activities into the forest and changes its character but does not necessarily fragment it in biophysical terms. Richards, N.A., Forest Resources of Central NY, NY Forest Owner 9/93 (B)

**Pioneer - A plant capable of invading bare sites (newly exposed soil) and persisting there or colonizing them until supplanted by successional species. (H)**

**Plantation - A stand composed primarily of trees established by planting or artificial seeding - a plantation may have tree or understory components that have resulted from natural regeneration. (H)**

**Poletimber - Trees that are generally 6-11 inches diameter at breast height. (L)**

**Protection Area- Land excluded from most active management including wood product management, oil and gas exploration and development, and some recreational activities to protect sensitive sites. (L)**

**Public Forest Access Roads - Permanent, unpaved roads which may be designed for all-weather use depending upon their location, surfacing and drainage. These roads provide primary access for administration and public use within the unit. The design standards for these roads are those of the Class A and Class B access roads as provided in the Unpaved Forest Road Handbook (8/74). As a general guideline, sufficient access is typically achieved when 1 mile of PFAR is developed for each 500 acres of state land, and no position within the unit lies more than 1 half mile from a PFAR or public highway. (S) (T)**

**Public Roads - Permanent, paved or unpaved roads primarily designed for motor vehicle travel which are maintained by federal, state or local government. These roads may. Or may not provide year round access. (T)**

**Pulpwood - Low grade or small diameter logs used to make paper products, wood chips, etc. (L)**

**Recreational Trail - Unpaved recreational corridors which do not provide all weather access within a unit, and are designed to achieve specific recreational access objectives. Constructed according to best management practices, and following accepted regional standards for design, these trails may be used to support multiple types of seasonal recreation access. Maintenance is limited to activities which minimally support the access objectives and design. (T)**

**Reforestation - The re-establishment of forest cover by natural or artificial means. (A)**

**Regeneration - Seedlings or saplings of any origin. The Society of American Foresters. 1958. Forest Terminology, 3<sup>rd</sup> edition. Washington, DC. (B)**

**Release - 1.) A treatment designed to free trees from undesirable, usually overtopping, competing vegetation. (H) 2.) A treatment designed to free young trees not past the sapling stage from undesirable competing vegetation that overtops or closely surrounds them. (K)**

**Residual Stand - A stand composed of trees remaining after any type of intermediate harvest. (H)**

**Rights-Of-Way - Permanent, paved or unpaved roads which allow the Department access to state Forest properties while crossing private land, or, corridors across state Forests allowing access to private in-holdings. (T)**

**Riparian zone - Areas of transition between terrestrial and aquatic ecological systems. They are characterized as having soils and vegetation analogous to floodplains, or areas transitional to upland zones. These areas help protect the water by removing or buffering the effects of excessive nutrients, sediments, organic matter, pesticides, or pollutants. (A)**

**Rotation - The period of years between stand establishment and timber harvest as designated by economic or natural decisions. (B)**

**Salvage Cutting - Recovery of the values represented by damaged trees or stands. Smith, David M.. 1962, The Practice Of Silviculture. New York: John Wiley & Sons. (B)**

**Sapling - A small tree, usually defined as being between 1 and 5 inches diameter at breast height. (L)**

**Sawtimber - Trees that are generally 12 inches and larger diameter at breast height. (L)**

**Second Growth - The forests re-established following removal of previously unharvested or old growth stands. Most northeastern forests are either second or third growth. (A)**

**Seedling - A young tree originating from seed that is less than 4 feet tall. (A)**

**Seedling/Sapling - Trees less than 6 inches diameter at breast height. (L)**

**Seed Tree Cut/Method - The removal of the mature timber in one cutting, except for a small number of trees left singly, or in small groups, as a source of seed for natural regeneration. (O)**

**Significant Natural Community - Communities that are either rare in New York State or are determined by New York Natural Heritage Program staff to be outstanding examples of more common natural communities. (B)**

**Selective Cut - High Grade (Replaces Selective Thinning) - A type of exploitation cutting that removes only certain species (a) above a certain size, (b) of high value; Known silvicultural requirements and/or sustained yields being wholly or largely ignored or found impossible to fulfill. Society of American Foresters. Ford-Robertson, F. C., editor. 1971. Terminology of Forest Science, Technology, Practice and Products. Cambridge: England. (B)**

**Shade Tolerance - The ability of a tree species to germinate and grow at various levels of shade.**

*Shade tolerant:* having the capacity to compete for survival under shaded conditions.

*Shade intolerant:* having the capacity to compete for survival only under direct sunlight conditions; light demanding species. (H) (L)

**Shelterwood Cut/Method - A regeneration action designed to stimulate reproduction by implementing a series of cuts over several years that will gradually remove the overstory trees. Gradual reduction of stand density protects understory trees and provides a seed source for stand regeneration. (A)**

**Shrub (replaces Brush) - Shrubs and stands of scrubby tree species that do not reach a merchantable size. The Society of American Foresters. 1958. Forest Terminology, 3<sup>rd</sup> edition. Washington, DC. (B)**

**Silviculture - The application of art, science and practice to influence long term forest development.**

**Even aged Silviculture - A system for maintaining and regenerating forest stands in which trees are approximately the same age (cohort). This system favors shade intolerant species such as aspen, white ash and black cherry.**

**Uneven aged Silviculture - A system for maintaining and regenerating forest stands with at least three distinct age classes (cohorts). this system favors shade intolerant species such as sugar maple, hemlock and beech. Uneven aged silviculture creates a stratified stand structure with trees of different heights represented in all levels of the forest canopy. (B)**

**Site - The area in which a plant or forest stand grows, considered in terms of its environment, particularly as this determines the type and quality of the vegetation the area can support. (H)**

**Site Index - A species-specific measure of actual or potential forest productivity, expressed in terms of the average height of trees included in a specified stand component at a specified age. (H)**

**Site Preparation - Hand or mechanized manipulation of a site, designed to enhance the success of regeneration. (H)**

**Site Quality - The sum of soil and topographic factors of a particular place for growth of a particular species. (B)**

**Skid Trail - A temporary or permanent trail used to skid or forward felled trees from the stumps to the log landing. (L)**

**Small Poles - Trees 6-8 inches diameter at breast height. (L)**

**Small Sawtimber - Trees 12-14 inches diameter at breast height. (L)**

**Snags - Standing, dead trees, with or without cavities; function as perches, foraging sites and/or a source of cavities for dens, roosting and/or nesting for wildlife. (L)**

**Species Richness - The number of different species present within an area. (B) (Q)**

**Stand - A contiguous group of trees sufficiently uniform in species composition, arrangement of age classes, and condition to be a homogeneous and distinguishable unit. (O) (B)**

**Stand Structure - The horizontal and vertical distribution of components of a forest stand including the height, diameter, crown layers, and stems of trees, shrubs, herbaceous understory, snags, and down woody debris. (H)**

**Stand Treatment - Work done in a stand which is directed towards the management of the stand. (L)**

**State Forest - The collective term applied to lands administered by the Division of Lands and Forests which are located outside the forest preserves. State forests include acreage acquired and classified as Reforestation Areas, Multiple Use Areas and Unique Areas. (L)**

**State Reforestation Area - Lands acquired by the Department pursuant to Title 3 Article 9-0501 of the Environmental Conservation Law. Reforestation Areas are adapted for reforestation and for the establishment and maintenance thereon of forests for watershed protection, the production of timber and other forest products, and for recreation and kindred purposes. (L)**

**Stocking - The number of trees per unit area in relation to the desired number for optimum growth and management. Guides and tables have been developed that illustrate the optimum number of trees per acre based on the average diameter. (L)**

**Succession - The natural series of replacements of one plant community (and the associated fauna) by another over time and in the absence of disturbance. (A)**

**Sustainable Forest Management - Management that maintains and enhances the long-term health of forest ecosystems for the benefit of all living things, while providing environmental, economic, social and cultural opportunities for present and future generations. (A)**

**Sustained Yield - The achievement and maintenance in perpetuity of a reasonable regular periodic output of the various renewable resources without impairment of the land's productivity. (E)**

**Temporary Revocable Permit - A Department permit which authorizes the use of state land for a specific purpose for a prescribed length of time. (L)**

**Thinning - Intermediate cuttings that are aimed primarily at controlling the growth of stands through adjustments in stand density. (O) (B)**

**Threatened Species - A species likely to become endangered in the foreseeable future, throughout all or a significant portion of its range, unless protected. (A)**

**Timber Stand Improvement (TSI) - Pre-commercial silvicultural treatments, intended to regulate stand density and species composition while improving wood product quality and fostering individual tree health and vigor, through the removal of undesirable trees. (L)**

**Understory - The smaller vegetation (shrubs, seedlings, saplings, small trees) within a forest stand, occupying the vertical zone between the overstory and the herbaceous plants of the forest floor. (A)**

**Uneven-Aged Group Selection** - A type of uneven-aged forest management used to create openings in the forest canopy. Trees are removed and new age classes are established in small groups. (L)

**Uneven-Aged System** - A planned sequence of treatments designed to maintain and regenerate a stand with three or more age classes. (H)

**Uneven-Aged Stand/Forest** - A stand with trees of three or more distinct age classes, either intimately mixed or in small groups. (H)

**Unique Area** - Lands acquired pursuant to Sections 45-0101, 51-0701, 51-0705, 54-0303, 56-0307 & 49-0203 of the Environmental Conservation Law. (L)

**Watershed** - A region or area defined by a network of stream drainage. A watershed includes all the land from which a particular stream or river is supplied. (L)

**Water Quality Classes** - A system of classification in ECL Article 17 which presents a ranked listing of the state's surface waters by the letters AA, A, B, C or D according to certain quality standards and specifications. AA is the highest quality rank and has the greatest suitability for human usage. (L)

**Wetland** - A transitional area between aquatic and terrestrial ecosystems that is inundated or saturated for periods long enough to produce hydric soils and support hydrophytic vegetation. (H)

**Wetland Classes** - A system of classification set forth in ECL Article 24, section 664.5 which ranks wetland I through IV based upon wetland functions and benefits, I being the highest rank. (L)

**Wildlife Management Areas** - Lands acquired by the Department pursuant to Title 21 Section 11-2103 of the Environmental Conservation Law. Wildlife Management Areas are managed by the Division of Fish, Wildlife and Marine Resources for the purpose of establishing and maintaining public hunting, trapping and fishing grounds. (L)

**Windthrow** - Trees that have been broken, uprooted, or felled by strong winds. (L)

**Appendix M**  
State Environmental Quality Review

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

Identifying # 2007-SLM-9-196

Date December 12, 2006

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The NYS Department of Environmental Conservation as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Adoption of the Zoar Valley Multiple Use Area Unit Management Plan

**SEQR Status:**     **Type 1**   X    
                          **Unlisted**       

**Conditioned Negative Declaration:**            **Yes**  
  X   **No**

**Description of Action:** The Zoar Valley Multiple Use Area Unit Management Plan sets forth the proposed goals, objectives, management actions and associated costs for 2,923 acres of the Multiple Use Area. The plan details all proposed activities for a 10 year period, dating from the time of approval and adoption. A review and update will take place at the end of the tenth year. Public input has been given to the completion of this final draft plan.

General management activities planned for the unit include: boundary line maintenance, forest inventory, enhanced wildlife habitat practices by maintaining bluebird and wood duck nest boxes, construction of a parking area, expansion of an existing parking area and the maintenance of existing parking areas, acquisition of additional properties from willing sellers, conduct routine maintenance of existing roads, access sites, trails and gates, construct access for persons with disabilities, develop a public use brochure and law enforcement. Most of the forest land objectives will be attained through commercial forest product harvesting.

**Land Management Actions:**

An average of 10 acres of land will receive treatments annually to convert softwood plantations to more natural mixed hardwood forests. Ten acres of the chestnut plantation will be mowed annually. Forty six acres of fields will be mowed annually. The acreage of plantations will be reduced and the acreage of natural forests increased. Approximately 75 acres will receive treatments over the next 10 years to enhance wildlife habitat by improving the health of scattered

apple trees.

#### Improve Public Access:

A new two car parking area will be constructed on the Gowanda-Zoar road and the parking area at Ross Pond access will be expanded to hold 10 cars. Both projects will include parking spaces for individuals with disabilities. Access at Forty road will be improved to accommodate individuals with disabilities.

#### Boundary Line Surveys and Maintenance:

Boundary line surveys will be carried out when new properties are acquired in order to allow posting and painting. Maintenance on a recurring basis is warranted in order to facilitate administrative and public use as well as discourage trespass.

#### Forest Inventory:

An inventory is needed on a 20 year cycle in order to monitor vegetative conditions and provide necessary data to guide decision making for ecosystem management.

#### Acquisition of Private Parcels through Fee Simple Title:

The plan proposes the acquisition, through fee simple title, of parcels within or adjacent to the Cattaraugus Creek gorges. These purchases will facilitate public and administrative access to the gorges yet protect the gorges from development. All purchases will be made from willing sellers only and must be approved through local Town government.

#### Public Information on the Unit:

Informational signs at kiosks will be installed at eight locations across the unit. A brochure will also be developed to describe the unit's features, recreational opportunities and rules and regulations to the public.

#### Maintenance:

Periodic maintenance will be conducted on roads, trails and parking areas.

#### **Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)**

The unit consists of three parcels of land which include the main Multiple Use Area, a Cattaraugus Creek Waterway Access and a detached parcel of Multiple Use Area. It is located in the Town of Collins in Erie County and the Towns of Persia and Otto in Cattaraugus County

#### **Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration) Activities planned for this unit will be covered by the following Generic Environmental Impact Statements: State Forest Commercial Product Sales Program, Wildlife Management Program, Oil and Gas Drilling, Red Pine Plantation Program, Plan and Final GEIS for Conserving Open Space in New York State and the State Forest Recreation Management Program.

Activities which would require a site specific environmental review include: site preparation with herbicide and clearcuts larger than 40 acres. If, after the final approval of the plan, activities are added to the plan to provide better management of the unit and are not covered by this negative declaration or cited under the Generic Environmental Impact Statements, the Department will undertake a site specific environmental review for such activities. Oil and gas well pad developments will require additional impact studies.

Activities in the plan will be performed in accordance with the standards and policies set forth in the following documents: Continuous Forest Inventory Handbook, State Forest Multiple Use Management Handbook, Unpaved Forest Roads Handbook and the Timber Management Handbook. In addition, activities in the plan will be guided by the Environmental Conservation Law, Best Management Practices, the expertise of the Department's foresters and biologists and the views expressed by the participating public.

Parking area designation and relocation projects will incorporate the use of Best Management Practices, including but not limited to such considerations as:

- Locating parking areas to minimize necessary cut and fill;
- Locating parking areas away from streams, wetlands, and unstable slopes wherever possible;
- Locating parking areas on flat, stable, well-drained sites;
- Locating parking areas in areas that require a minimum amount of tree cutting;
- Limiting construction to periods of low or normal rainfall;
- Wherever possible, using wooded buffers to screen parking areas from roads;
- Limiting the size of the parking area to the minimum necessary to address the intended use

**If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)**

**For Further Information:**

**Contact Person:** Wayne W. Cooper, Regional Forester

**Address:** NYSDEC  
182 East Union Street  
Suite 3  
Allegany, NY 14706

**Telephone Number:** (716) 372-0645

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this**

**Notice is sent to:**

**Appropriate Regional Office of the Department of Environmental  
Conservation**

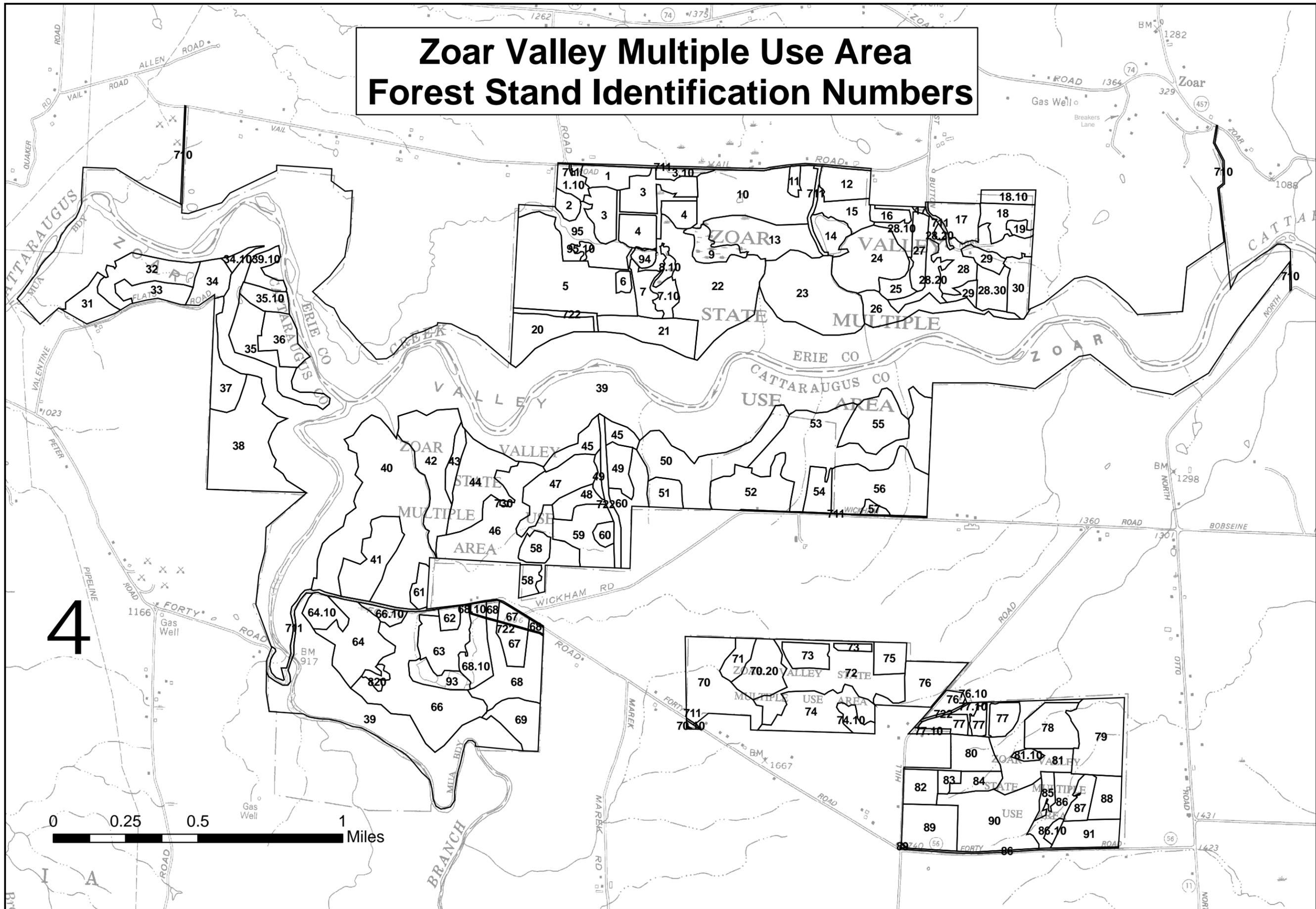
**Chief Executive Officer, Town/City/Village of**

**Other involved agencies (if any)**

**Applicant (if any)**

**Environmental Notice Bulletin - NYS DEC - 625 Broadway - Albany,  
NY 12233-1750 (Type One Actions Only)**

Figure 2.



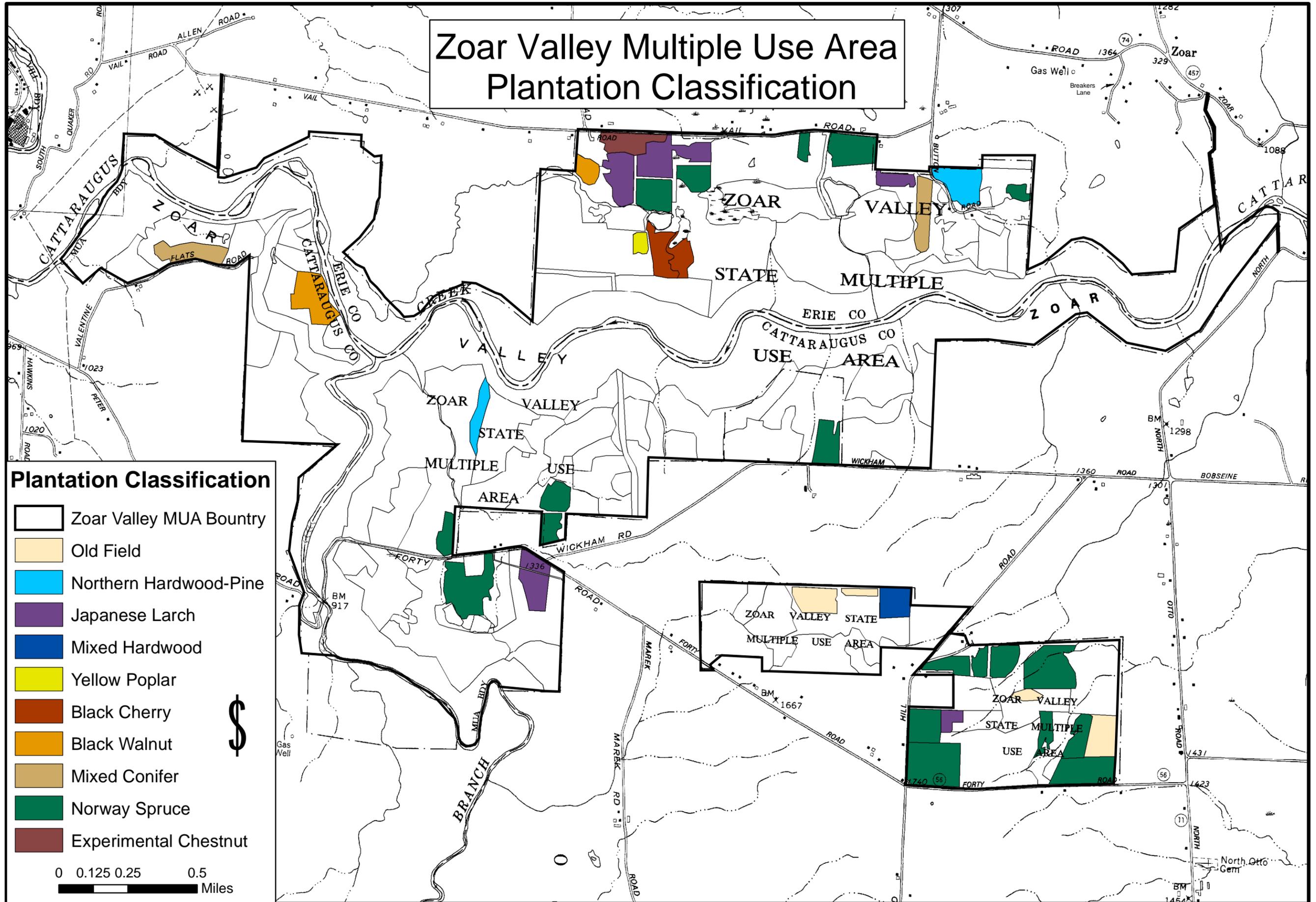
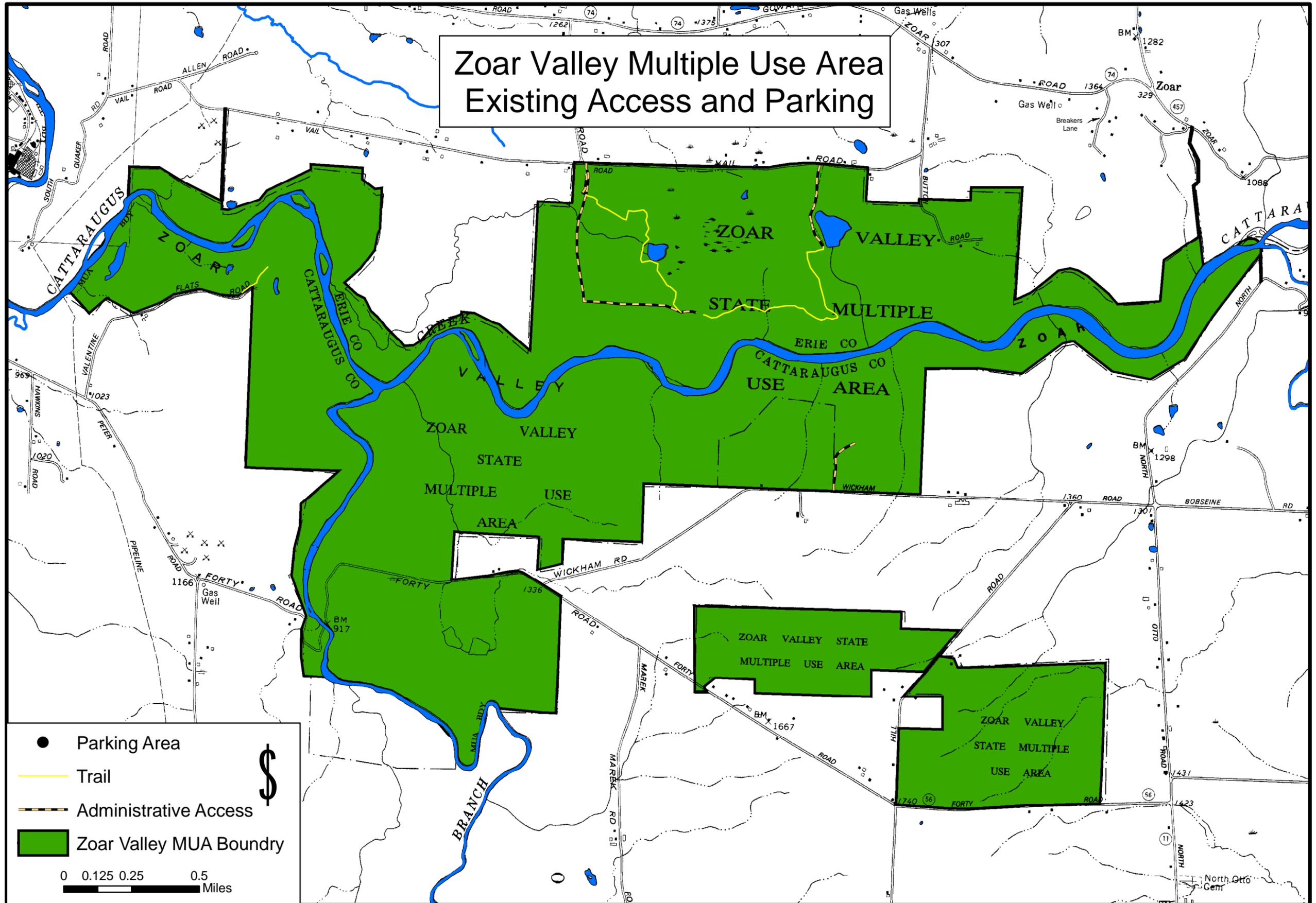




Figure 5.



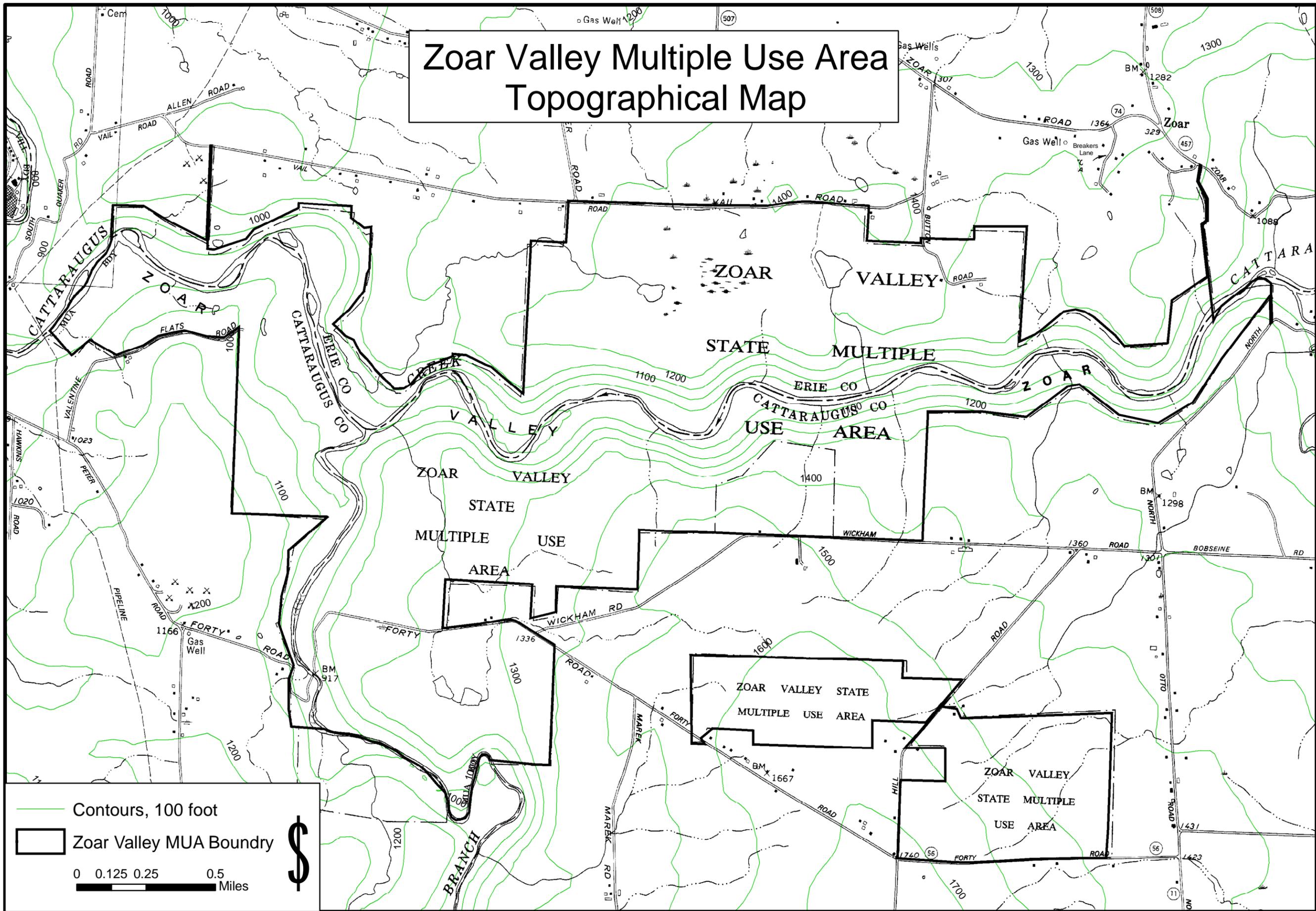






Figure 9.

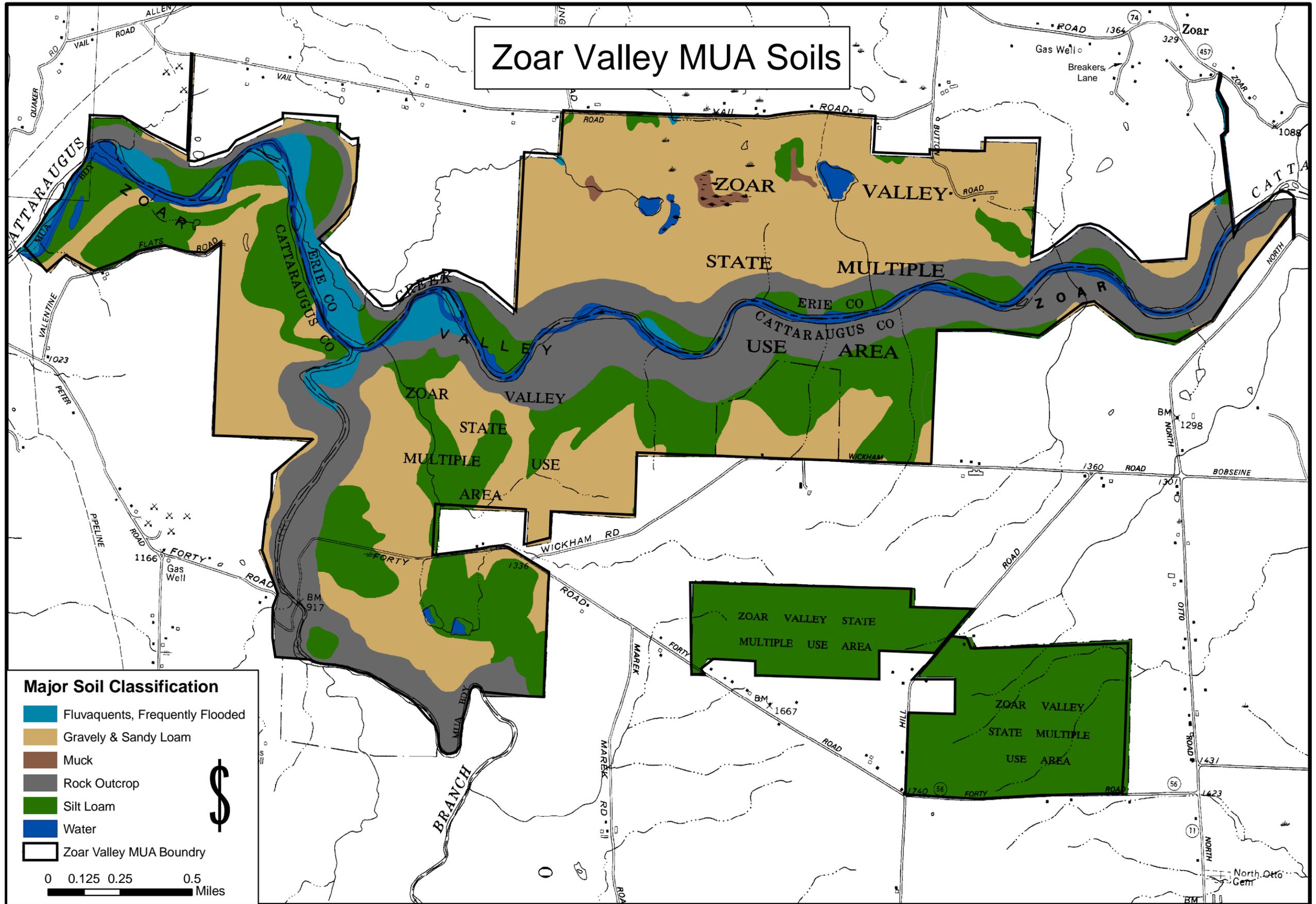


Figure 10.

