

**Access and Public Use Plan for  
Plantation Island Wildlife Management Area  
2022 - 2027**



Plantation Island WMA and the Mohawk River

Photo: NYSDEC

Division of Fish and Wildlife  
Bureau of Wildlife

317 Washington Street  
Watertown, NY 13601

August 2022



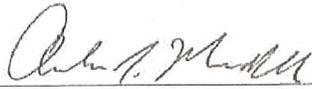
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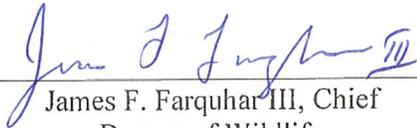
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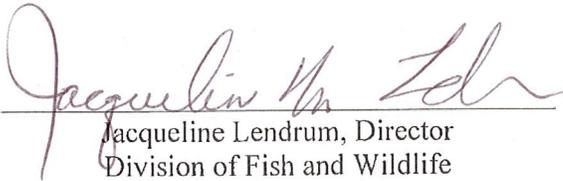
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## TABLE OF CONTENTS

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<i>SUMMARY</i> .....	3
<i>I. BACKGROUND AND INTRODUCTION</i> .....	4
Purpose of Access and Public Use Plans .....	4
Background.....	4
Scope and Intent .....	4
Compliance with State Environmental Quality Review.....	4
WMA Regulations .....	5
<i>II. RECREATIONAL RESOURCES</i> .....	5
Points of Access.....	5
Connectivity to Other Recreation Areas.....	6
WMA Features.....	6
Maintaining and Improving WMA Features .....	7
Parking Areas .....	7
Roads .....	8
Trails.....	8
Boat Launches and Fishing Access .....	8
Observation Towers and Viewing points .....	9
Buildings and Other Permanent Structures .....	9
Managing Habitat to Provide Recreational Opportunities.....	9
<i>III. PUBLIC USE ACTIVITIES</i> .....	10
Recreation on WMAs .....	10
Recreation on Plantation Island WMA.....	10
Primary Activities.....	11
Hunting.....	11
Trapping .....	11
Wildlife observation/bird watching.....	11
Fishing.....	12
Secondary Activities.....	12
Hiking.....	13
Canoeing and kayaking: .....	13
Bicycling .....	13
Cross country (Nordic) skiing and snowshoeing .....	13
Restricted Activities .....	13
Accessible Recreation .....	14
Management Challenges.....	16
Permits and User Agreements .....	16
Temporary Revocable Permits .....	16
Volunteer Stewardship Agreements.....	16

<i>IV. MANAGEMENT SUMMARY</i> .....	17
<i>V. FIGURES</i> .....	18
<i>VI. APPENDICES</i> .....	20
Appendix A. Summary of Public Comments and Responses.....	20
Comments Received.....	20
Summary of Changes Made to the Plan .....	22
Appendix B. Application of the Americans with Disabilities Act .....	23
Appendix C. Text of 6 NYCRR Part 51: Public Use of State Wildlife Management Areas..	24

## **LIST OF FIGURES**

---

FIGURE 1. Connectivity to other public lands and recreation areas. ....	18
FIGURE 2. Location of existing and proposed access features at Plantation Island WMA. ....	19

## **SUMMARY**

Plantation Island Wildlife Management Area (WMA) is located on an island of approximately 330 acres bounded to the north by the Mohawk River and to the south by the New York State Barge Canal. On a map it would be identified as being Jacksonburg, NY. The island is co-owned by the Department of Environmental Conservation (DEC) and the New York State Canal Corporation (Canals). DEC owns 200 acres and Canals the remainder. This portion of the Mohawk Valley is important to both New York and colonial history as it sits at the confluence of the West Canada Creek and the Mohawk River. The general area was home to First Nations people of the Iroquois Federation, witnessed scenes of westward expansion by European settlers, played host to milestones in the Revolutionary War, and was impacted by the creation of the Erie Canal system in the 19<sup>th</sup> century. The island itself, which was created by the construction of the 1913 Barge Canal, is a mixture of open marshes, wet meadows, scrub/shrub habitats, vernal pools, and floodplain forests providing a variety of plant and animal species in the area; however, due to the historical disturbances on the site, there are large stands of invasive plant species scattered throughout the property. The WMA lies across the Barge Canal from the New York State Erie Canalway Trail which spans from Albany to Buffalo and is part of the larger Empire State Trail.<sup>1</sup> Due to the accessibility challenges inherent with an island, DEC has not created infrastructure to support outdoor activities, but fishing, hunting, and bird watching are popular with some users who are willing to hike or boat to the area.

Management objectives for public use and access on Plantation Island WMA include:

- Maintain existing access opportunities to the WMA.

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<sup>1</sup> Information and maps available online at <https://empiretrail.ny.gov/map>

# ***I. BACKGROUND AND INTRODUCTION***

## **PURPOSE OF ACCESS AND PUBLIC USE PLANS**

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### **BACKGROUND**

Providing public access to lands owned by DEC is an integral part of state land management. DEC Division of Fish and Wildlife's (DFW) Bureau of Wildlife (BOW) oversees WMAs, Multiple Use Areas (MUA), Unique Areas, and other properties comprising the WMA system. The Bureau strives to provide safe, convenient, and ecologically-sound public access to these areas.

The priority public use activity on WMAs is wildlife-dependent recreation such as hunting, trapping, fishing, and wildlife observation. Other public use activities may be appropriate if DFW determines they are compatible with both wildlife conservation and the primary public use activities. Guidance on the use and purpose of WMAs and a list of allowable activities is provided on DEC's Wildlife Management Areas webpage.<sup>2</sup>

### **SCOPE AND INTENT**

This Access and Public Use Plan (APUP) complements the Habitat Management Plan (HMP) for Plantation Island WMA and addresses management objectives for wildlife-dependent recreation, access features, and facility development and maintenance. In conjunction with WMA regulations, APUPs serve as the overarching guidance for providing access to wildlife lands and determining public use activities appropriate for each area. APUPs draw from and build upon other management plans that may exist for the area, including Unit Management Plans (UMP), previous management planning documents, and feedback received during a public comment period.

Primary purposes of this plan:

- To foster compatible wildlife-dependent recreation and wildlife conservation priorities.
- To identify public use activities and access features, highlighting exceptional opportunities specific to the WMA.
- To describe current management challenges and discuss potential solutions.
- To prioritize necessary improvements and proposed new features.
- To establish a maintenance schedule for existing facilities and features.

### **COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW**

Activities described in this plan are included in the 1979 *Programmatic Environmental Impact Statement on Public Use Development Activities of the DEC Division of Fish and Wildlife*,<sup>3</sup> which addressed compliance with the State Environmental Quality Review Act, 6 NYCRR Part

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<sup>2</sup> Available online at <https://www.dec.ny.gov/outdoor/7768.html>.

<sup>3</sup> Available online at [https://www.dec.ny.gov/docs/wildlife\\_pdf/eispublic.pdf](https://www.dec.ny.gov/docs/wildlife_pdf/eispublic.pdf).

617. All proposed management also requires compliance with the Endangered Species Act, National Environmental Policy Act, the State Historic Preservation Act, Executive Order 13175 *Consultation and Coordination with Indian Tribal Governments*, and CP-42 *Contact, Cooperation, and Consultation with Indian Nations* prior to implementation.

## WMA REGULATIONS

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The NY Codes, Rules and Regulations, Title 6, Chapter 1, Subchapter G, Part 51: Public Use of State WMAs (“Part 51”) lists regulations for public use of the WMA system. Part 51 addresses restricted and prohibited uses of WMAs in order to prevent disturbance to wildlife and interference with wildlife-dependent recreation.<sup>4</sup> A new Part 51 has been adopted by New York, with an effective date of January 1, 2022). The new regulations include necessary changes that keep up with new or evolving public uses, updated laws, and current use concerns on our New York State WMAs.

Certain WMAs and other lands have site-specific regulations which will supersede Part 51. Any site-specific regulations will be cited in these plans as well as on the webpage for the subject location. The public is responsible for reading and complying with all regulations.

Current Part 51 regulations can be found in [Appendix C](#).

## II. RECREATIONAL RESOURCES

### POINTS OF ACCESS

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Plantation Island is located east of the Village of Mohawk in the Town of German Flatts. With the island located between the Mohawk River and the Barge Canal, access to the WMA is inevitably difficult. There is no direct land access to the WMA. Visitors can use a boat or canoe to float to the island from either the Barge Canal side or the Mohawk River side or consider walking across the lock gate at the Canals Lock 18 facility. Lock 18 is located at the end of Lock Road approximately four miles east of the Village of Mohawk along Route 5S in Jacksonburg, NY. Users traveling on the Erie Canalway Trail can also access the WMA by using the trail and then crossing over the Lock 18 gate onto the island.



Lock Road sign off Route 5S

Photo: NYSDEC

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<sup>4</sup> Additional information is available online at <https://www.dec.ny.gov/regulations/regulations.html>.

## CONNECTIVITY TO OTHER RECREATION AREAS

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Plantation Island is accessible from the Erie Canalway Trail, which is a network of approximately 300 miles of trails throughout upstate New York along active and historic sections of the Canal System.<sup>5</sup> This trail has multiple parking areas and access points in the Mohawk Valley and users could visit Plantation Island from any of these points.

There are few publicly accessible recreation areas near the WMA other than the Erie Canalway Trail, but the connectivity provided by the trail system allows opportunity for adventurous users to walk or bike between Plantation Island and Utica Marsh WMA to the west (Figure 1). Visitors wishing to use boats on the Mohawk River can launch non-motorized boats from a public boat launch found three miles to the west off Washington Street in Herkimer. The Village of Herkimer-owned launch provides direct access to the Mohawk River and is about a four-mile float to the WMA.

## WMA FEATURES

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All structures, roads, trails, and other features are documented to track existing conditions and identify future management actions to maintain, repair, or improve public use and access. Table 1 summarizes the existing and proposed features on Plantation Island WMA.

It should be noted that while the features summarized below are not on the WMA proper, some features exist and are owned and maintained by Canals at the Lock 18 facility. Therefore, the public is encouraged to heed and understand any signage provided by Canals on the Lock 18 property. DEC does not own or administer facilities at Lock 18.

Table 1. Summary of current and desired public use features on Plantation Island WMA. Features listed here are those that are available to the public.

Category	Feature	Current Amount (as of 2022)	Proposed Changes
Parking	Vehicle parking lot (Lock 18 parking)	1*	No Change
Roads	None	N/A	No Change
Trails	Foot trail (primitive)	0.2 miles	No Change
Boat launch & fishing access	None	N/A	No Change
Observation structures	None	N/A	No Change

<sup>5</sup> Information and maps available online at <https://www.canals.ny.gov/trails/index.html>.

*Table 1. continued*

		1	
Structures and facilities	Informational kiosks	0	Increase to 1
Accessible features	None	N/A	No Change

## MAINTAINING AND IMPROVING WMA FEATURES

DEC will continue to maintain and improve public use of and access to WMAs in order to provide the following benefits for WMA visitors:

- Provide opportunities for wildlife-dependent recreation that are compatible with wildlife habitat management practices and species management considerations.
- Educate and inform WMA visitors about wildlife and habitat, DEC programs, safety and regulations, recreational activities, and other information pertinent to the WMA.
- Provide and improve inclusivity and usability with accessible facilities (i.e., accessibility for people of all abilities).
- Maintain clean and safe facilities.

Each year, BOW’s Land Management and Habitat Conservation Team develops a work plan specifying maintenance and improvements to WMAs that will enhance access and use of the areas. Implementation of the management recommendations proposed in this plan is dependent upon availability of staff and funding. Locations of features that will be installed, improved, replaced, or removed are shown in Figure 2.

### PARKING AREAS



**Current Conditions:** There are no parking areas on the WMA and the public cannot access the island with a vehicle. Access is by foot or boat. The only parking area available to gain foot access to the WMA is at facilities operated by Canals at Lock 18 at the end of Lock Road, 3.75 miles east of the Village of Mohawk along Route 5S. This parking area is not maintained or owned by DEC but provides foot access to the WMA via the lock gate walk-over.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None



Walk-over at Lock 18 parking area

Photo: NYSDEC

## **ROADS**

### **Current Conditions:**

There are no roads on Plantation Island WMA, nor can motor vehicles access the island.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None

## **TRAILS**



### **Current Conditions:**

There is a 0.2-mile section of primitive foot trail along the Mohawk River on the north side of the island beginning near the bottom of the canal emergency spillway. The trail can be accessed by crossing the canal at the Lock 18 gate and following the mowed grass area downhill approximately 100 yards towards the Mohawk River. This trail may not be suitable for all users since the rocky emergency spillway must be crossed to gain access to the trail. The trail provides immediate access to the WMA but is not intended to terminate at a specific point. The trail is merely an introductory trail to guide the user into the WMA. From there a user may explore the remainder of the WMA which is about two miles in length. The nearby Erie Canalway Trail provides hiking and walking opportunities for the public on a well-maintained trail, although this trail is not on the WMA itself.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Maintain 0.2-mile section of primitive trail.

## **BOAT LAUNCHES AND FISHING ACCESS**



### **Current Conditions:**

DEC does not maintain any formal boat access to the WMA via the Mohawk River or Barge Canal, but users can access the island by paddling along these waterways. There are two access points for those interested in boating to the island. One access is from the fishing access site located approximately three miles to the west on Washington Street in Herkimer or users could launch a non-motorized boat from the shore of the parking area at Lock 18. There are no mooring facilities or docks available on the WMA or at the Lock 18 facility.

Fishing is permitted in the Barge Canal and Mohawk River, but users do not need to visit the WMA to use these waters, and other locations in the area have much easier access to fishing opportunity. However, fishing is permitted on the WMA for anglers wishing to do so, and the area near the bottom of the emergency spillway along the Mohawk River remains popular with many users.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None

### **OBSERVATION TOWERS AND VIEWING POINTS**



#### **Current Conditions:**

There are no observation towers or specific viewing points on the WMA.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None

### **BUILDINGS AND OTHER PERMANENT STRUCTURES**



#### **Current Conditions:**

There are no buildings or other permanent structures on the WMA.

**Actions:** The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Install an informational kiosk near the Lock 18 parking area.

## **MANAGING HABITAT TO PROVIDE RECREATIONAL OPPORTUNITIES**

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Habitat and vegetative management on DEC managed properties are done to provide quality wildlife habitat, facilitate safe public access and create viewing opportunities. However, many traditional management activities are impractical on the island due to the nature of the floodplain, the difficult access, and the necessity to limit impacts to historical features.

Historical cattle grazing pressure can be seen on the island in the form of compacted soils and minimal understory vegetation in some locales. On Canals portions of the property, invasive plant species have been introduced due to deposited dredge spoils and canal maintenance activities over the decades. The island is heavily colonized by multiple invasive plant species and control of any of them would be a significant undertaking, requiring a combination of biological and chemical control, as well as the use of machinery.

DEC is currently planning to create multiple small openings/patches throughout the WMA by hand felling trees. These openings are intended to release established desirable plants species like apple/thornapple trees which will be followed by plantings of bur oak. These management actions are intended to improve existing fruit bearing trees for wildlife food. Targeted herbicide treatments will be used in conjunction with chainsaws in these areas to combat the dense invasive shrub layer (honeysuckle, buckthorn, and various other species) that inhibits regeneration of native vegetation.

The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Create small openings throughout the WMA to promote younger aged forest patches and limit invasive species growth in these areas.

### ***III. PUBLIC USE ACTIVITIES***

#### **RECREATION ON WMAS**

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WMAs are unique among other state lands because they are managed for wildlife conservation and wildlife-dependent recreation. DEC adheres to a set of broad goals based on statutory, regulatory, and policy guidance as a basis to determine compatibility of public uses. Briefly, the primary goals are: (1) providing and enhancing wildlife habitat, and (2) providing and enhancing opportunities for wildlife-dependent recreation. Secondary goals include: (3) fostering understanding and appreciation of wildlife and their habitats, and (4) allowing non-wildlife-dependent recreation when it is compatible with the primary goals. DEC carefully considers public use activities and determines whether they are compatible with these goals and the management objectives specific to each WMA. Some activities may be restricted to protect sensitive wildlife or habitats in specific areas or during certain times of year, or to reduce conflicts between user groups. Some activities may be allowed only under certain conditions or by permit. Other activities are not allowed on WMAs because they conflict with the purposes and management of WMAs.

#### **RECREATION ON PLANTATION ISLAND WMA**

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All WMA visitors are responsible for complying with WMA regulations. See [Appendix C](#). In addition, certain locations have area-specific regulations that apply. Any area-specific regulations would be cited in this document and the corresponding webpage of the DEC website at <https://www.dec.ny.gov>.

WMAs are unique among other state lands because they are managed for wildlife conservation and wildlife-dependent recreation. DEC adheres to a set of broad goals based on regulatory guidance as a basis to determine compatibility of public uses. Briefly, the primary goals are: (1) providing and enhancing wildlife habitat, and (2) providing and enhancing opportunities for wildlife-dependent recreation. Secondary goals include: (3) fostering understanding and appreciation of wildlife and their habitats, and (4) allowing non-wildlife-dependent recreation when it is compatible with the primary goals. DEC carefully considered public use activities and determined whether they were compatible with these goals and the management objectives specific to each WMA.

## **PRIMARY ACTIVITIES**

Primary activities include wildlife-dependent recreation that is compatible with the primary goals and purposes of WMAs. Hunting, trapping, wildlife watching, wildlife/nature photography, and fishing are the primary uses of Plantation Island WMA. All statewide hunting, trapping, and fishing regulations apply.<sup>6</sup>



### **Hunting:**

Located within Wildlife Management Unit (WMU) 6S, Plantation Island provides hunting opportunity for white-tailed deer and small game species. The previously mentioned habitat management efforts should improve hunting opportunity for cottontail rabbits and American woodcock in certain areas on the WMA. Wild turkey also inhabits the property. The Mohawk River corridor and the non-forested wetlands on the WMA provide waterfowl hunting opportunity. Given the accessibility constraints of the island, some hunters choose to access the area by boat.



### **Trapping:**

Many furbearing species are found on the WMA due to the variety of wetland habitat types. They include beaver, muskrat, mink, raccoon, weasel, skunk, opossum, red and gray fox, and coyote. The unique location between the Barge Canal and Mohawk River provides travel corridors for these species through the WMA. Both water and land trapping are possible on the WMA, but the characteristics of the island and surrounding landscape makes water trapping more popular, especially given the difficult access to many of the upland areas. Trappers may find the best opportunities if they choose to access the WMA by boat.



Plantation Island WMA

Photo: NYSDEC



### **Wildlife observation/bird watching:**

Wildlife observation and bird watching are allowed on the WMA. The variety of non-forested wetlands and floodplain forest provide great habitat for wetland dependent bird

<sup>6</sup> Available online at <https://www.dec.ny.gov/regs/2494.html>.

species and a variety of mammals. The waterways surrounding the island provide opportunity to see view waterfowl species throughout the year including hooded and common mergansers, mallards, American black ducks, goldeneye, and Canada geese, among a variety of other species. Other notable species that are likely to be encountered by visitors are ospreys and bald eagles. Both species nest in the floodplain and can be observed flying along either water body.

A variety of marsh dependent bird species can also be found on the WMA including Virginia rail, common egret, green and blue herons. Snapping and painted turtles can be found in wetland areas and even occasionally in the Mohawk River. River otter tracks have been noted by staff along the banks of the Mohawk.



### **Fishing:**

Fishing on the island is popular along the Mohawk River at the bottom of the emergency spillway. Some anglers use the marked primitive trail beginning at the spillway to access a short section of the Mohawk River along the north side of the island. Though specific fishing sites are fairly limited within the WMA, there is abundant opportunity to fish in the Barge Canal and Mohawk River nearby. Additionally, West Canada Creek spills into the Mohawk River just upstream of the WMA. The confluence of the two rivers creates excellent fishing opportunity. Individuals may fish in the Barge Canal along the Erie Canalway Trail adjacent to the WMA or on the Mohawk River if they walked across the canal gate and fished along the bank of the Mohawk River below the emergency spillway. The public may also fish from canoes and kayaks on both bodies of water. Both water bodies harbor typical cool and warm water species and there is a great variety of species for anglers to pursue, including yellow perch, walleye, rock bass, sunfish, walleye, northern pike, catfish, carp, smallmouth bass, and tiger musky.

Users should be aware that the Mohawk River north of Plantation Island has the potential for high, swift water, and seasonal flooding. Canals seasonally lowers portions of the Barge Canal in late fall, so users may find boat access to the island hindered by low water levels.

### **SECONDARY ACTIVITIES**

Secondary activities are not necessarily wildlife-dependent, but they are generally compatible with the goals and purposes of WMAs. Secondary activities including hiking, bicycling on WMA roads, cross country (Nordic) skiing, and snowshoeing are generally compatible with the goals of Plantation Island WMA, although no infrastructure is maintained for such activities. These activities are also permitted when used in conjunction with a primary activity (e.g., snowshoeing to go hunting or trapping).



### **Hiking:**

The short section of primitive foot trail along the Mohawk River allows access to the eastern side of the island by foot. Users should exercise discretion when accessing the property, but ample opportunity exists to reach many portions of the island beyond the marked trail. The island has many game trails that can be used for hiking. There is also abundant hiking and walking opportunity adjacent to the WMA along the popular Erie Canalway Trail that passes by the island on the south side of the Barge Canal.



Wetland area at the end of the 0.2-mile trail

Photo: NYSDEC



### **Canoeing and kayaking:**

There is no opportunity for canoeing or kayaking on the island itself, but it is a popular form of recreation on the Barge Canal and Mohawk River. Canoes and kayaks are commonly used to access the WMA, but DEC does not maintain formal mooring sites from the surrounding waters, so users accessing the WMA in this capacity do so at their own discretion.



**Bicycling:** [Bicycling](#) is allowed on open WMA roads but not allowed on most trails. Only trails specifically posted and designated by DEC are open to bike use. There are no bicycle trails on the WMA; however, bicycling is very popular on the nearby Erie Canalway Trail. Users may park at the Lock 18 parking area and begin biking from there.



**Cross country (Nordic) skiing and snowshoeing:** These activities are allowed but practitioners should not remove or destroy vegetation. Trails are generally not groomed or improved by DEC. The property is available for snowshoeing and can be accessed via the short section of marked trail. Cross country skiing could be difficult on the property due to heavy thick vegetation and no formal trail system. The Erie Canalway trail may be suitable for cross country skiing, although it is not groomed specifically for that activity in the winter.

### **RESTRICTED ACTIVITIES**

Restricted activities are typically not wildlife-dependent and have the potential to adversely affect wildlife or wildlife-dependent recreation.

The following restricted activities may be allowed on Plantation Island WMA on a limited basis, with conditions and/or a permit:

**Snowmobiling:** Snowmobiling is only allowed during a restricted period on snow-covered routes posted and designated by DEC. See [Appendix C](#) for all conditions. However, snowmobile access to Plantation Island is non-existent.

**Operating motorized vehicles, including ATVs:** Motorized vehicles are only allowed on WMA roads. They are prohibited off road, including on trails. See [Appendix C](#).

**Dog walking and training:** While walking dogs on leash is allowed, training is restricted for specific purposes and during specific seasons. See [Appendix C](#).

**Taking edible plants, fruit, or fungi:** Only immediate personal consumption is allowed.

**Fires:** Fires are only allowed for cooking or for warmth and subject to additional conditions. See [Appendix C](#).

The following activities are not allowed on Plantation Island WMA:

- Horseback riding
- Snowmobiling
- Operating motorized vehicles, including ATVs and boats
- Camping
- Overnight mooring and or boat storage
- Swimming
- Fires
- Target shooting

The following restricted activities on Plantation Island WMA are authorized only under permits issued through the Regional DEC office:

- Dog trials and group training events
- Organized competitive races or group events
- Geocaching
- Scientific Research
- Drone use for legitimate commercial or research activities may be allowed via permit from the Department per 6NYCRR Part 51 and consistent with CP-71. Use of drones for recreational purposes is not allowed.

## **ACCESSIBLE RECREATION**



**Providing Accessible Recreation through the WMA System:** Wildlife-dependent recreational opportunities are available on many state lands for people of all ages and abilities.<sup>7,8</sup> The WMA system includes accessible trails, hunting blinds, observation

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<sup>7</sup> Information about accessible recreation on state lands is available at <https://www.dec.ny.gov/outdoor/34035.html>.

<sup>8</sup> Information about public use of State Forests is available in the *Strategic Plan for State Forest Management* at [https://www.dec.ny.gov/docs/lands\\_forests\\_pdf/spsfmfinal.pdf](https://www.dec.ny.gov/docs/lands_forests_pdf/spsfmfinal.pdf).

platforms, canoe launches, and other opportunities for visitors to hunt, fish, observe, and enjoy wildlife. Throughout the WMA system:

- Service animals (dogs, miniature horses) are welcome at all DEC facilities.
- Hunters with disabilities can apply for various permits and reduced fee licenses through DEC's Special Licenses Unit.<sup>9</sup>
- Through the Motorized Access Program for People with Disabilities (MAPPWD), DEC has established vehicular routes on certain WMAs to facilitate access for wildlife-dependent activities. These mapped routes are accessible by permit only, available through DEC's regional offices.<sup>10</sup>
- WMA visitors may apply for case-by-case accommodation permits to request the use of other power-driven mobility devices on state lands beyond MAPPWD routes.<sup>11</sup> Applications for accommodation permits are available through DEC's Central Office (Albany) or regional offices.
- To maintain and improve access for persons with disabilities, DEC employs a network of accessibility coordinators throughout the regions and in Central Office.
- Accessible destinations are shown on DEC's Accessible Recreation Destinations webpage. All WMA maps and webpages show available accessible features and how to get to them.

While not all existing facilities on WMAs are accessible, new features or existing features requiring repair will be evaluated and designed to be inclusive and accessible to the greatest extent possible while retaining the ecological integrity and wildlife value of the site.

Management proposed in this plan is in accord with the Americans with Disabilities Act (ADA), the Architectural Barriers Act of 1968 (ABA), the Rehabilitation Act of 1973, Title V, Section 504, the Application of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Principles of Universal Design. For more information on how DEC follows ADA guidelines on WMAs please see Appendix B at the end of this document.

**Accessible Recreation on Plantation Island WMA:** During the development of this plan, an inclusivity assessment was completed at Plantation Island WMA to determine the current accessible features, determine their condition, and identify appropriate actions such as updating existing facilities or installing new ones. The following accessible recreational opportunities are currently available on Plantation Island WMA:

- None - The WMA is an island bounded by a working canal system (canal berms, spillways, lock gates, etc.), a river and a single avenue for foot access, the development of reasonably accessible features is impractical.
- The adjacent Erie Canalway trail has been created with accessible recreation in mind and a user with limited mobility can still enjoy the area and see many of the same viewsapes from this trail system<sup>12</sup>.

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<sup>9</sup> Information about permits for hunters with disabilities is available at <https://www.dec.ny.gov/permits/30419.html>.

<sup>10</sup> Information about MAPPWD is available at <https://www.dec.ny.gov/outdoor/2574.html>.

<sup>11</sup> Information about accommodation permits is available at <https://www.dec.ny.gov/outdoor/73029.html>.

<sup>12</sup> Information about Erie Canalway Trail accessibility is available at <https://www.canals.ny.gov/legal/accessibility.html>

Recommendations for improving usability and inclusivity of wildlife-related recreation are included in this plan. The existing and proposed accessible features on this WMA are also noted in Table 1 and throughout the *Public Use Activities* section above.

## **MANAGEMENT CHALLENGES**

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Providing safe, accessible, and ecologically responsible public access on WMAs requires balancing recreation with wildlife and habitat conservation. Challenges may arise when these two priorities conflict, such as balancing protection of and providing access to or through inherently fragile habitats (e.g., wetlands, dunes). Responsible management of public access requires maintaining miles of property boundaries, working with user groups to minimize impacts of certain activities, and enforcing violations. This requires regulatory support as well as constant mindfulness of the unique purpose of WMAs.

As stated previously, the inherent nature of the island, bounded by a working canal system and the Mohawk River, impedes reasonable public access to the property. While there is currently foot access over the Barge Canal Lock 18 gate, there is no other dry land access opportunity and no practical plan to provide additional access. Canal operations such as dredging (and associated spoils areas) and the arrangement of canal lock features further restrict options for increased access development.

In addition, the creation of new facilities or amenities are further challenged by the historical significance of the overall area. Plantation Island and the surrounding area are important for both First Nations peoples and early colonial settlement. The richness of historical land use in the area presents significant hurdles to the development of projects requiring soil disturbance and displacement.

## **PERMITS AND USER AGREEMENTS**

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### **TEMPORARY REVOCABLE PERMITS**

Temporary Revocable Permits (TRPs) are short-term permits for certain individual or group activities or events on DEC-managed public lands.<sup>13</sup> A TRP may be required for some activities on WMAs. TRPs are issued by DEC regional offices and can be revoked at any time due to violations of TRP conditions.

### **VOLUNTEER STEWARDSHIP AGREEMENTS**

Volunteer Stewardship Agreements (VSAs) are issued when an individual or organization engages in activities to provide positive benefits to state lands.<sup>14</sup> For example, a VSA may be

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<sup>13</sup> Information about TRPs is available at <https://www.dec.ny.gov/regulations/51387.html>.

<sup>14</sup> Information about VSAs is available at <https://www.dec.ny.gov/regulations/90822.html>.

established for a local trail group to maintain a hiking trail on a WMA. VSAs are issued by DEC regional offices.

None to-date have been granted for Plantation Island.

## ***IV. MANAGEMENT SUMMARY***

In summary, Table 2 lists facility maintenance and public access actions planned for Plantation Island WMA for the duration of this plan. Location of management actions are shown in Figure 2. Completion of actions are dependent on staff and funding availability.

Table 2. Summary of management actions recommended for Plantation Island WMA, 2022-2027.

<b>Description of Action</b>	<b>Priority</b>	<b>Estimated cost <sup>a</sup></b>
Install Informational Kiosk at Lock 18	High	\$2500
Habitat/Vegetation Management	Medium	\$7500
Maintain proper area ID and rule signs	Medium	\$1500

<sup>a</sup> Cost estimate provided for planning purposes only and is subject to change.

# V. FIGURES

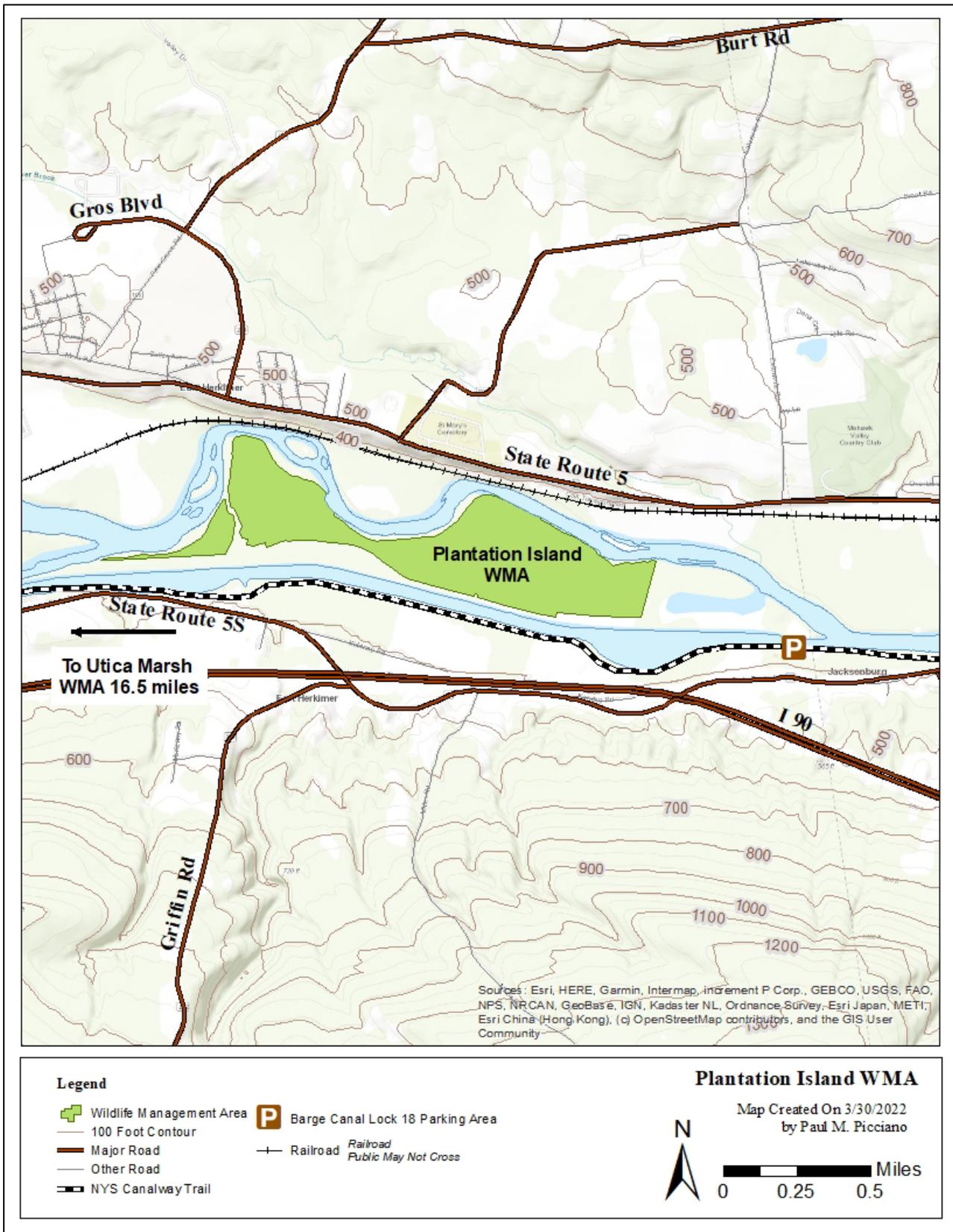


FIGURE 1. Connectivity to other public lands and recreation areas.

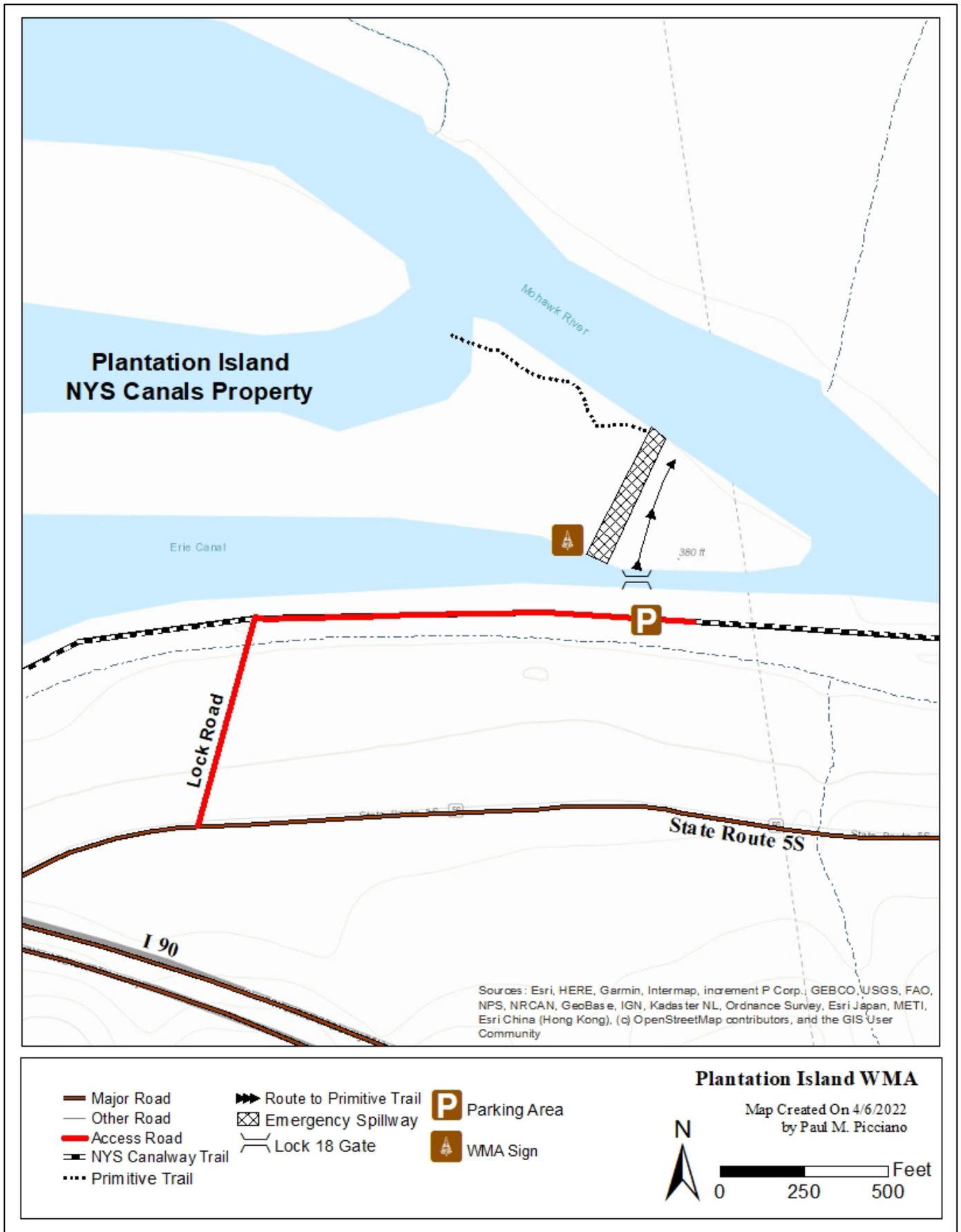


FIGURE 2. Location of existing and proposed access features at Plantation Island WMA.

## **VI. APPENDICES**

### **APPENDIX A. SUMMARY OF PUBLIC COMMENTS AND RESPONSES**

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The following is a summary of the public comments that were received during the creation of the Cranberry Creek WMA and Plantation Island WMA Access and Public Use Plans and subsequent changes to the plan. Comments are in **bold** text, with DEC responses in *italics*.

#### **COMMENTS RECEIVED**

**I am in favor of the Draft Access and Public Use Plans for Plantation Island Wildlife Management area (WMA) (PDF) and Cranberry Creek WMA (PDF). I support the draft Access and Public Use Plans (APUP) which contain objectives for maintaining existing features—such as trail, parking areas, and kiosks—and wildlife-dependent recreation—including fishing, and wildlife observation.**

**Cranberry Creek WMA contains 13 acres of primarily forest in Jefferson County near the St. Lawrence River. The WMA also has a memorial grave site dedicated to the American soldiers that died during the War of 1812 Battle of Cranberry Creek.**

**Plantation Island WMA is located in Herkimer County and contains 200 acres of island riparian habitat in the Mohawk Valley that is bounded to the north by the Mohawk River and to the south by the New York State Barge Canal. The island is co-owned by the DEC and the New York State Canal Corporation. The island itself, which was created by the construction of the 1913 Barge Canal, is a mixture of open marshes, wet meadows, scrub/shrub habitats, vernal pools, and floodplain forests. It provides habitats for a variety of plant and animal species in the area.**

**Thank you for reviewing my comment on these Plans.**

*DEC Response:*

*Thank you for your comment and support for these Access and Public Use Plans.*

**I receive your weekly updates and am always happy to read about responsible activities like food scrap recycling and evolving farming methods and the park rescue missions. DEC seems to be heading in a good direction with all of this good activity. And, as a taxpayer I feel good about knowing my money goes toward this.**

**However, it is noticeable that DEC is also very promotive of hunting and trapping. These are not responsible activities. To open land to hunting and trapping is even more irresponsible and abuses taxpayer funds. The hunting community is small and male-oriented, and potentially promotes toxic-masculinity. It is a thing of the past. Let's move**

**on and do something all genders are good with and feel good about--something most New Yorkers support, rather than not support.**

**I see you try to send a picture that women are hunters too....that photo in this week's mailing was faker than my hair coloring--and to sexualize it, too, was just gross. Women in hunting are not even close to being a tipping point and they likely aren't catwalk models. Women may hunt but they are a very small group.**

**Hunting and trapping may still be something a small group of people wish to do but the taxpayer should not be flipping the bill for it. They need to stay off public lands and stop creating "animal-oriented recreation"....so deceitful. Call it what it is... DEC can't stop using taxpayer money to create more hunting and trapping opportunities for a small group of people. For money? Why? Now DEC is promoting 4-wheeling activities in our parks too? How grotesque an abuse of money and supporting a niche of men with bad-behavior. What about horse riding and bird watching and actually walking and enjoying the silence from cars and listening to nature? "*But those machines are so fun in the mud and we get to kill something.....*"**

**Please stop..... It's just another thing that makes New York seem undesirable. We need people to stay.... not leave. Stop making New York look like a bunch of cro-magnum-men and neanderthals 4-wheeling around in the bush! Stop using our money to support a bunch of hillbilly attitudes with toxic-masculine tendencies. It's a reflection of an immature society.**

**DEC figured it out with the farming, right? Time to do it with our public lands and parks.**

**Try doing what DEC does best....what we pay you to do.....protect our environment, and our air, and our water, and our animals. Create good space, not killing fields.**

*DEC Response:*

*Thank you for your comment. Wildlife Management Areas (WMAs) are acquired and managed to provide quality habitat for numerous wildlife species, both rare and common, and to provide opportunities for the public to observe and enjoy those species. The priority public use activity on WMAs is wildlife-dependent recreation such as hunting, trapping, fishing, and wildlife observation. Other public use activities may be appropriate if they are compatible with both wildlife conservation and the primary public use activities.*

*Contrary to popular belief, the funds that are used to acquire and manage WMAs do not come from taxes paid by all residents of New York. The majority of DEC Bureau of Wildlife funding is derived from excise taxes on the sale of firearms, ammunition, and other outdoor equipment and from the sale of hunting, trapping, and fishing licenses. Some improvements on WMAs are funded with monies from the state Environmental Protection Fund such as kiosks, benches, and wildlife observation towers that appeal to a wide array of wildlife enthusiasts, not just hunters and trappers.*

*The increase in female participation in hunting is undeniable. The “2022 Special Report on Hunting and the Shooting Sports” demonstrated that 27 percent of participants are female, up from 16% over the last ten years.*

**SUMMARY OF CHANGES MADE TO THE PLAN**

None.

## **APPENDIX B. APPLICATION OF THE AMERICANS WITH DISABILITIES ACT**

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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.

Consistent with ADA requirements, the Department incorporates accessibility for people with disabilities into the siting, planning, construction and alteration of recreational facilities and assets supporting them.

In addition, Title II of the ADA requires in part, that services, programs and activities of the Department, when viewed in their entirety, are readily accessible to and usable by people with disabilities. The Department is not required to take any action which would result in a fundamental alteration to the nature of the service, program or activity or would present an undue financial or administrative burden. When accommodating access to a program, the Department is not necessarily required to make each existing facility and asset accessible, as long as the program is accessible by other means or at a different facility.

This plan incorporates an inventory of all the recreational facilities and assets on the unit or area, and an assessment of the programs, services and facilities provided to determine the level of accessibility. In conducting this assessment, DEC employs guidelines which ensure that programs are accessible, including buildings, facilities, and vehicles, in terms of architecture and design, transportation and communication to individuals with disabilities.

For outdoor recreation facilities not covered under the current ADA standards, the Department will use standards provided under the Architectural Barriers Act, to lend credibility to the assessment result and to offer protection to the natural resource.

All new facilities, and parts of facilities that are constructed for public use, are to be accessible to people with disabilities. Full compliance is not required where DEC can demonstrate that it is structurally impracticable to meet the requirements. Compliance is considered structurally impracticable only in those rare circumstances where the unique characteristics of terrain prevent the incorporation of accessibility features. Compliance is still required for parts of the facility that can be made accessible to the extent that it is not structurally impracticable, and for people with various types of disabilities.

A record of accessibility determination is kept with the work planning record. Any new facilities, assets and accessibility improvements to existing facilities or assets proposed in this plan are identified in the section containing proposed management actions.

For further information contact the ADA Coordinator at [accessibility@dec.ny.gov](mailto:accessibility@dec.ny.gov)

## APPENDIX C. TEXT OF 6 NYCRR PART 51: PUBLIC USE OF STATE WILDLIFE MANAGEMENT AREAS

Parts 51, 61, 75 and 84 are repealed. A new Part 51 is added as follows:

EFFECTIVE January 1, 2022.

### §51.0 Applicability and Definitions

- (a) Except as otherwise provided, the provisions of this Part shall apply to all persons entering upon or using State lands under the Department's jurisdiction that are administered by the Division of Fish and Wildlife, including but not limited to wildlife management areas, fish and wildlife management areas, and the following unique areas and multiple use areas: Bog Brook Unique Area, Seward's Island Unique Area, Junius Ponds Unique Area, Harwood Lake Multiple Use Area, and Carlton Hill Multiple Use Area. Additional area-specific regulations may also apply and will supersede the general regulations found in this Part in case of conflict.
- (b) Definitions.
1. *Bicycle* shall mean a non-motorized vehicle with two or more wheels, a steering handle, a seat, or seats and is propelled solely by muscle power and/or gravity.
  2. *Camping* shall mean using any form of temporary shelter, including but not limited to a tent, motor home, travel trailer, mobile home, or any vehicle used for overnight shelter or sleeping.
  3. *Department* means the New York State Department of Environmental Conservation.
  4. *Motorized vehicle* shall mean a device for transporting persons, supplies or material incorporating a motor or an engine of any type for propulsion, and with wheels, tracks, skids, skis, air cushion or other contrivance for traveling on or adjacent to land, water or ice. It shall include such vehicles as automobiles, trucks, jeeps, off-road vehicles, all-terrain vehicles, utility vehicles, golf carts, motorcycles, electric powered bicycles (e-bikes), snowmobiles, snowcats, bulldozers and other earth-moving equipment.
  5. *Motorized equipment* shall mean machines not designed for transporting people, supplies or material, or for earth moving but incorporating a motor, engine or other nonliving power source to accomplish a task, such as, but not limited to, chain saws, brush saws, rotary or other mowers, rock drills, cement mixers, and generators.
  6. *Off-road* shall mean on a trail, road or terrain other than a public road or parking area.
  7. *Regional Manager* shall mean the Regional Wildlife Manager.

8. *Written Permission* shall mean a written permit (including but not limited to a Temporary Revocable Permit for Use of State Lands, abbreviated as TRP) issued at the sole discretion of the Department and signed by the Regional Manager authorizing temporary public use of applicable lands pursuant to the conditions cited in the document. Permits will only be issued for activities in compliance with all constitutional, statutory, and regulatory requirements.

9. *Watercraft* includes every motorized or non-motorized boat or vehicle capable of being used or operated as a means of transportation or recreation in or on water.

### **§51.1 Hunting, trapping and fishing**

Hunting, trapping and fishing are permitted on wildlife management areas and other lands subject to Subchapter A of this Part, except as specifically restricted by posted notice.

### **§51.2 Boating**

(a) No person shall operate a watercraft under mechanical power other than electric motor, except as specifically permitted by posted notice or under written permit by the Department.

(b) No person shall moor, anchor or store a boat overnight.

(c) No person shall transport or cause to be transported any aquatic invasive species.

1. No person shall launch, or attempt to launch a watercraft into any waterbody, or depart from a waterbody with any plant or animal, or parts thereof, visible to the human eye, in, on, or attached to any part of the watercraft, including live wells and bilges, the motor, rudder, anchor, or other appurtenances; any equipment or gear; or the trailer or any other device used to transport or launch a watercraft that may come into contact with the water, except under the written permission of the Regional Manager.

2. No person shall launch, or attempt to launch a watercraft into any waterbody, or depart from such waterbody without draining the watercraft, including bilge areas, live wells, bait wells, and ballast tanks, except under the written permission of the Regional Manager.

3. Exceptions.

The provisions of Part 51.2 shall not apply to:

- i. Plants not otherwise defined in law or regulation as invasive species or suspected of being or becoming invasive affixed to or transported in watercraft for use as camouflage for hunting or wildlife viewing purposes.
- ii. Bait, including baitfish, that can legally be used on a waterbody and is possessed consistent with Department regulations.
- iii. Legally taken game as defined in section 11-0103(2) of Environmental Conservation Law or fish as defined in section 11-0103(1)(a).

### **§51.3 Camping**

No person shall camp on lands subject to this Part except under the written permission of the Regional Manager.

### **§51.4 Roads, trails and parking areas**

- (a) No person shall operate a bicycle or motorized vehicle on roads posted by the Department against such uses.
- (b) No person shall operate a motorcycle, motor scooter, moped, e-bike, snowmobile or any other motorized vehicle off-road except as specifically permitted by posted notice or as otherwise permitted in writing by the Regional Manager.
- (c) No person shall operate a motorized vehicle on any road, trail or parking area maintained by the Department at a speed in excess of 25 miles per hour.
- (d) Where required by posted notice, parking shall be confined to designated parking areas or spaces
- (e) No person shall operate a bicycle or ride, drive, or lead a horse on lands subject to this Part except:
  - 1. on roads and parking areas, and those trails designated and posted by the Department as open to the activity. ;
  - 2. on other areas posted or otherwise designated as open; or
  - 3. with written permission of the Regional Manager.
- (f) No person shall possess or operate a snowmobile except:
  - 1. on routes designated and posted by the Department ; and
  - 2. following the close of the regular big game hunting season until March 31 of the following year; and

3. when the route is covered with a minimum of three inches of snow and/or ice.

### **§51.5 Reserved.**

### **§51.6 Structures**

- (a) No person shall erect, construct, occupy or maintain a permanent structure, blind, stand or platform without the written permission of the Regional Manager.
- (b) No person shall erect, construct, occupy or maintain any structure that is affixed to a tree by nails, screws, or other means that injure or damage the tree without the written permission of the Regional Manager.

### **§51.7 Dogs**

Pursuant to Environmental Conservation Law sections 11-0529 and 11-0923, no owner or trainer of a dog shall allow that dog to enter lands subject to this Part without being leashed and under immediate physical control at all times except:

1. dogs may be allowed off-leash during open hunting seasons when legally used for hunting and accompanied by an appropriately licensed hunter and under the control of the hunter or handler;
2. when being legally trained for hunting in a designated dog training area or during designated training seasons as governed by Part 66 of this Chapter and accompanied by an appropriately licensed hunter;
3. when participating in a licensed field trial permitted in writing by the Regional Manager, or;
4. with written permission of the Regional Manager.

### **§51.8 General provisions**

#### **(a) Fires**

- (1) No person shall ignite or maintain a fire except for cooking or warmth.
- (2) No wood, except from dead and down trees, shall be used for fuel
- (3) No person shall ignite a fire until all flammable material surrounding it has been removed to the extent necessary to prevent its spread.
- (4) No person shall leave a fire unattended.

- (b) No person shall swim in waters subject to this Part.
- (c) No person shall possess or operate any motorized equipment while afield without the written permission of the Department except for equipment commonly employed in hunting, trapping, or fishing when being used for these activities. These exceptions are limited to:
  - 1. Drills or augers used for ice fishing.
  - 2. Battery-powered drills used for setting traps.
  - 3. Any motorized decoys legally permitted for hunting.
- (d) No person shall deface, remove, cut or willfully damage, destroy or otherwise injure in any manner whatsoever any tree, flower, shrub, fern, moss, fungus or other plant organism, or other living or dead vegetation of any kind, found or growing on State lands, except for immediate personal consumption, or with the written permission of the Regional Manager.
  - 1. No person shall erect, construct, maintain, occupy or use any tree stand that is used, operated, accessed or reached by methods or means which injure or damage a tree, and no person shall gain access to any structure in a tree by means that injure or damage the tree.
    - (e) No person shall deface, remove, destroy or otherwise injure in any manner whatsoever any rock, soil, fossil or mineral except under written permit from the Department.
    - (f) No person shall deface, remove, or damage, destroy or otherwise injure in any manner whatsoever any object of archaeological or paleontological interest found on State land, except under written permit from the Department and the Commissioner of Education, pursuant to section 233 of the Education Law.
  - 1. No person shall use or possess a metal detector afield, except under written permit from the Department. Licensed surveyors using a metal detector to locate survey markers shall not be prohibited.
    - (g) All personal property shall be removed from the area at the time of leaving the area. No person shall erect, construct, install, maintain, store, discard or abandon any structure or any other property or subsequently use such structure or property, except under the written permission of the Regional Manager. This subdivision shall not apply to:
      - 1. a legally placed trap or appurtenance that is placed and used during the appropriate trapping season;
      - 2. a tree stand or hunting blind that does not injure a tree, is properly marked or tagged with the owner's name and address or valid hunting license identification number and is placed and used for the duration of the big game season, migratory gamebird season or turkey season; or
      - 3. a wildlife viewing blind that is placed for a duration not to exceed ten (10) days in one location per calendar year, does not injure a tree, and is properly

marked with the owner's name and address or valid hunting or fishing license identification number.

- (h) No person shall enter, remain upon, or use any access road, truck trail, road, trail, facility or any other area that is posted or designated by the Department as closed to public use, except under the written permission of the Regional Manager.
- (i) No person shall discard or deposit any trash, waste or litter on lands or waters, except in waste receptacles provided for such purpose.
- (j) No person shall use any lands for agricultural purposes, including but not limited to growing crops or grazing by domestic animals, except with the written permission of the Department.
- (k) No person under 21 years of age shall possess alcoholic beverages, unless accompanied by a parent or guardian. All persons who possess alcoholic beverages must produce adequate identification and proof of age upon demand of any peace or police officer.
- (l) No person shall fail to comply with the instructions contained on a sign of the Department.
- (m) No person shall remove, deface, mutilate or destroy any Department sign, structure, barrier or object.
- (n) No person shall:
  - 1. intentionally obstruct, prevent or attempt to prevent any officers or employees of the Department from performing their legal duties, by means of intimidation, physical force, interference or disobedience of any lawful order or by means of any independently unlawful act;
  - 2. engage in any activity which violates the Penal Law.
- (o) No person shall discharge firearms unless legally engaged in the act of hunting or trapping.
  - 1. Except that target shooting may occur in areas designated and posted by the Department as open to such use, and;
  - 2. No person shall possess or use breakable targets, including but not limited to clay pigeons, and
  - 3. No person shall target shoot at objects other than paper targets with a safe and sufficient earthen or other suitable backstop.
- (p) No person shall possess paint balls or paint ball guns, and no person shall sponsor, conduct or participate in any activities associated with the discharging of paint balls.
- (q) No person shall sponsor, conduct or participate in any organized event of more than twenty people without the written authorization of the Regional Manager. Examples of organized events include but are not limited to sponsored hikes; archery and fishing

tournaments; dog trials or training events; bicycle, horse and orienteering races, runs, races, rides or competitions; encampments; re-enactments. weddings, funerals and other ceremonies.

- (r) No person shall sponsor, conduct or participate in any research project except under written permit from the Department. Examples of research include, but are not limited to, population studies, collection of scientific samples, placement of scientific instruments, seismic exploration and archaeological studies. This subdivision shall not apply to observation-only population data collection such as, but not limited to, Audubon's Christmas Bird Count, the USGS Breeding Bird Survey and Cornell Lab of Ornithology's e-Bird database or other studies where animals or specimens are not caught or handled; nor shall it apply to any other research exempted by the Department in writing on a case by case basis.
- (s) No person shall sponsor, conduct or participate in: advertising, weddings, funerals, commercial film making activities or film making activities that exclude other public use of the area, and other similar events, except under the written permission of the Regional Manager.
- (t) No person shall conduct any business, buy, sell, offer or expose for sale, hire, lease, or vend any article or merchandise of any kind without a written permit from the Department. This subdivision shall not apply to recreational activities undertaken in connection with the services of a licensed outdoor guide, to landscape or wildlife photography (products not offered for sale on-site), or wildlife observation activities that do not otherwise violate any subdivisions in this Part.

### **§51.9 Severability**

If a provision of this Part or its application to any person or circumstance is determined to be contrary to law by a court of competent jurisdiction, such determination shall not affect or impair the validity of the other provisions of this Part or the application to other persons and circumstances.