
FOREST PRESERVE DETAILED PROJECT WORK PLAN

Fiscal Year [Click to enter Fiscal Year](#)

Project # CO-WP-323

<u>Region</u> 6	<u>Project Title</u> Basford Falls and Rainbow Falls Parking Construction
--------------------	--

<u>Project Type</u> New Construction	<u>Town(s)</u> Clare	<u>County</u> St. Lawrence	<u>Management Unit</u> Grass River Wild Forest
---	-------------------------	-------------------------------	---

Description of Desired Condition(s) for Project

The land on which this proposed project will take place is Adirondack Forest Preserve, classified as Wild Forest. The management of these lands are governed by the Grass River Wild Forest Unit Management Plan (2019). The work sites are also within the 0.5-mile-wide regulated corridor of the South Branch of the Grass River, which is classified as a Recreational/Scenic River under the NYS Wild, Scenic and Recreational Rivers Act.

The Adirondack Park State Land Master Plan includes the following management guidelines for Wild Forest:

Basic guidelines

- 1. The primary wild forest management guideline will be to protect the natural wild forest setting and to provide those types of outdoor recreation that will afford public enjoyment without impairing the wild forest atmosphere.*
- 6. When public access to and enjoyment of the wild forest areas are inadequate, appropriate measures may be taken to provide improved access to encourage public use consistent with the wild forest character.*

Structures and improvements

- 1. All structures and improvements permitted under the guidelines covering wilderness areas will be allowed in wild forest areas. In addition, the structures and improvements listed below will be allowed and their maintenance, rehabilitation and construction permitted:*
 - Trailheads adjacent to public highways.*

The proposed workplan meets the above guidelines by providing user facilities of a primitive nature which encourage safe and low impact usage of these Wild Forest lands. The natural wild forest character will be preserved by minimizing tree cutting and earthwork, locating facilities away from sensitive wetlands and plant / animal communities, and providing trailhead information to users about Leave No Trace and low impact recreational techniques.

Description of Project Specifications

This project will involve activities at 3 locations along the Tooley Pond Road.

- A.) Basford Falls Trailhead. Construct a 3-car parking area (1 accessible parking space), along with a 6' Double Sided Kiosk (Kiosk "D"), and a Standard Level 3 Information Kiosk (Trail Register).
- B.) Rainbow Falls Trailhead. Construct a 4-car parking area (1 accessible parking space), along with a 6' Double Sided Kiosk (Kiosk "D"), and a Standard Level 3 Information Kiosk (Trail Register).
- C.) Parking Area at Intersection of the Tooley Pond Road and Lake George Road. Remove an existing kiosk/trail register in poor condition. This will be replaced by the new trail registers and kiosks at the Basford Falls and Rainbow Falls trailheads. The parking area will remain and serve as overflow parking for the area.

Description of Measures Taken to Avoid, Mitigate and Minimize Impacts to Natural Resources

A.) Trees to be Removed.

The parking areas and new facilities have been designed to minimize tree cutting. The Basford Falls parking area will require the cutting of 20 trees 1-2" DBH, 6 trees 3-4" DBH, and 3 trees larger than 4" DBH. The parking area will be located perpendicular to the Tooley Pond Road, with the road serving as the backing / turnaround area.

The Rainbow Falls parking area will take advantage of a former cleared log landing located at the trailhead, which will require only scattered tree saplings to be removed for construction. This will require the cutting of 55 trees 1-2" DBH, 11 trees 3-4" DBH, and no trees over 4" DBH. The parking area will be located approximately 90 feet away from the Tooley Pond Road, accessed by a driveway to the parking area. A strip of uncut trees will remain along the road to provide a visual buffer for the parking area.

A detailed tree cutting list is attached.

B.) Earthwork / Disturbance

Basford Falls Trailhead – The parking area and kiosk / trail register construction will require clearing an area of 25' by 50', removing tree stumps and soil to a depth of 1 foot (46 cubic yards +/-), and spreading 1.5" minus crushed stone to a depth of 1 foot (60 cubic yards +/-). The parking area will be slightly out sloped towards the existing road ditch.

Rainbow Falls Trailhead – The parking area and kiosk / trail register construction will require clearing an area of 50' by 60' for the parking area and 16' x 88' for the driveway, removing tree stumps and soil to a depth of 1 foot (166 cubic yards +/-), and spreading 1.5" minus crushed stone to a depth of 1 foot (200 cubic yards +/-).

Soil and stumps removed from the sites will be disposed of on nearby former log landings along the Tooley Pond Road, or on nearby conservation easement land (with landowner permission).

C.) Impacts to streams / waterbodies / wetlands

The proposed construction activities will be located at least 300' from any classified APA or Federal wetlands, classified streams, or waterbodies. No wetland or water impacts are expected from activities in this workplan.

D.) Impacts to Rare / Threatened / Endangered Species and Habitats

There are no known rare / threatened / endangered plants, animals or sensitive habitats within 1,320 feet of the proposed construction areas. However, the Basford Falls trailhead is approximately 685 feet from the South Branch of the Grass River, which is classified under the NYS Wild Scenic and Recreational Rivers Act at that location as Recreational River. The Rainbow Falls trailhead is located approximately 980 feet from the South Branch Grass River, which is classified at that location as a Scenic River. None of the proposed facilities will be visible from the river and impacts to the regulated river corridor will be minimal.

Analysis of Project Location and Design Alternatives

A.) No Action Alternative.

No new facilities will be constructed, and existing road shoulder parking will continue.

This alternative is unacceptable from a safety perspective. Existing parking along road shoulders has caused negative impacts to vegetation and caused hazards due to decreased visibility and frequent log truck activity along the Tooley Pond Road. Winter parking is difficult due to high snowbanks along the road shoulders.

B.) Construct new parking areas and kiosks / trail registers at existing former log landings, which are located between 300 feet and 0.25 mile of the trailheads.

This alternative would have the advantage of using already cleared areas, with minimal tree cutting needed. However, users would then need to walk along the shoulders of Tooley Pond Road to access the trails. Some of these existing sites are not convenient for trail users, and it is likely that many users would continue to park roadside near the trailhead and would not use the new parking areas.

C.) Construct new parking areas and facilities at the Basford Falls and Rainbow Falls trailheads (preferred alternative).

New off-road parking will increase user safety and reduce potential hazards to other motor vehicle traffic along the Tooley Pond Road. New trail registers and information kiosks will improve visitor information and usage data for these facilities.

Description of Use of Motorized Equipment and/or Motor Vehicles (if any)

Motorized equipment used for this project will include a chainsaw for cutting trees, and a dump truck, skid steer, and mini excavator and roller for earthwork and parking area construction. Miscellaneous hand tools will be used for construction of trail registers and information kiosks.

Description of Applicable Standards for Accessibility by People with Disabilities

Parking areas will be constructed with compacted stone surfaces to meet accessibility standards and will each contain an accessible parking space and loading area.

Other Relevant Considerations

The proposed project will improve user safety and will provide important visitor usage data for these areas.

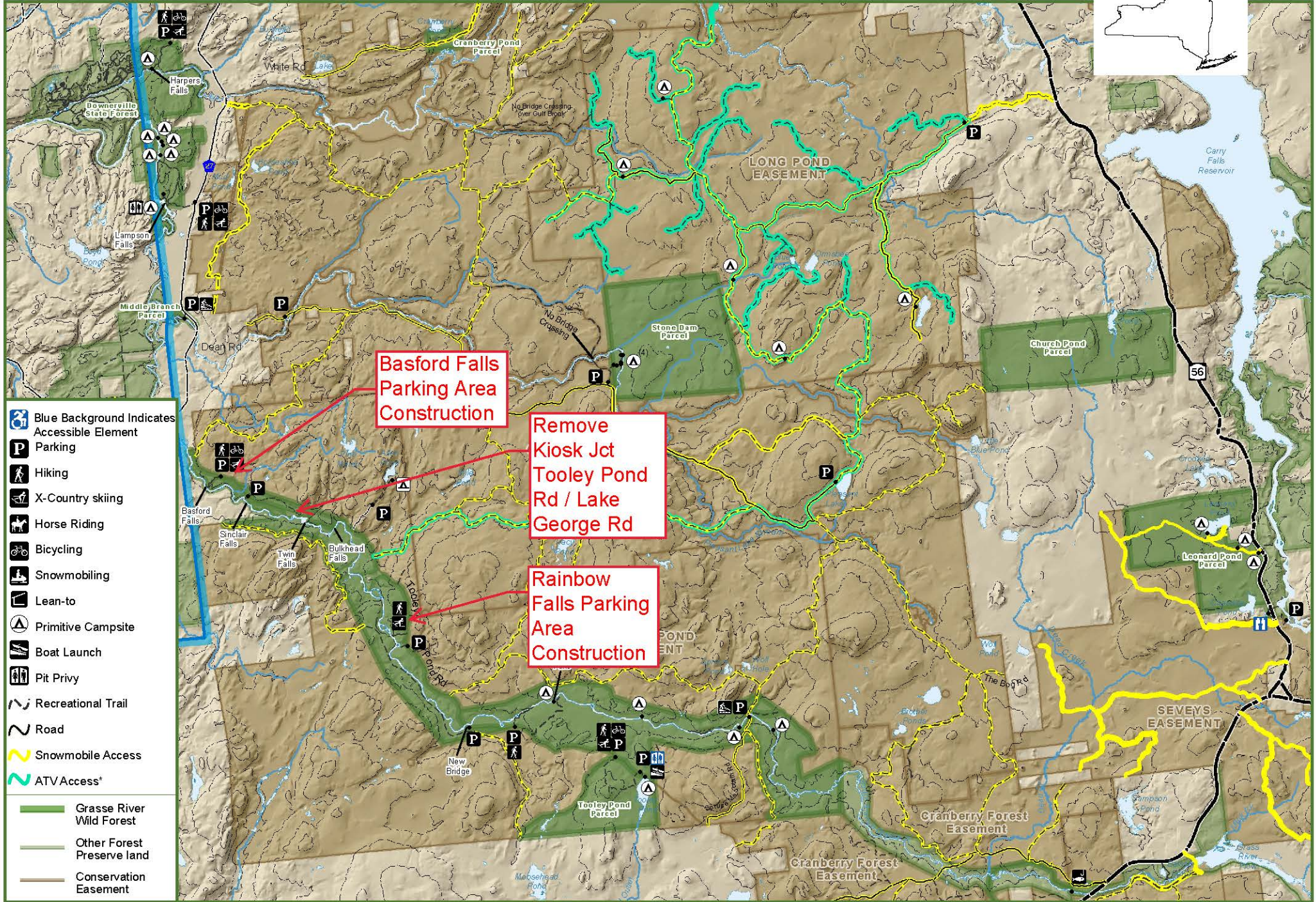
Prepared by (Name & Title): Aaron Graves, Forester 1
Phone: (315) 274-3344

Date: 11/28/2023

REGULATORY CLEARANCE CHECKLIST – STATE LANDS and CONSERVATION EASEMENT PROJECTS

PROGRAM	PERMIT	REQUIRED		SECURED BY	COMMENTS
		YES	NO	(NAME)	
Air Resources	Restricted Burning	<input type="checkbox"/>	<input type="checkbox"/>		
Mineral Resources	Mining	<input type="checkbox"/>	<input type="checkbox"/>		
Materials Management	Solid Waste Mgt. Fac.	<input type="checkbox"/>	<input type="checkbox"/>		
Water	Dam Safety Review	<input type="checkbox"/>	<input type="checkbox"/>		
	Const. in Flood Hazard	<input type="checkbox"/>	<input type="checkbox"/>		
	Public Water Supply	<input type="checkbox"/>	<input type="checkbox"/>		
	SPDES	<input type="checkbox"/>	<input type="checkbox"/>		
Spills Management	Petro. Bulk Storage	<input type="checkbox"/>	<input type="checkbox"/>		
Lands and Forests	Unit Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A. Graves	Proposed in Grass River Wild Forest UMP (2019)
	Tree Cutting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A. Graves	Tree cutting summary is appended
	Protected Native Plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. Graves	Not affected
	Historic Preservation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. Graves	Not affected
Fish and Wildlife	Freshwater Wetlands	<input type="checkbox"/>	<input type="checkbox"/>		
	Wild Scenic & Rec. River	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WSRR permit 6-4024-00047/00001
Compliance Services	Other Protection of Waters	<input type="checkbox"/>	<input type="checkbox"/>		
	EAF	<input type="checkbox"/>	<input type="checkbox"/>		
	Negative Declaration	<input type="checkbox"/>	<input type="checkbox"/>		
	Env. Impact Statement	<input type="checkbox"/>	<input type="checkbox"/>		
	Water Quality Cert.	<input type="checkbox"/>	<input type="checkbox"/>		
DEC (other)	CP-17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A. Graves	Cp-17 motorized use allowed in Wild Forest
	Commissioner (aircraft, motorized equipment)	<input type="checkbox"/>	<input type="checkbox"/>		
	Flight Request	<input type="checkbox"/>	<input type="checkbox"/>		
	Contract Clearance Sh.	<input type="checkbox"/>	<input type="checkbox"/>		
	DOB Exemption	<input type="checkbox"/>	<input type="checkbox"/>		
Other Agencies	APA MOU	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A. Graves	Consultation 2023-0018
	APA Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. Graves	Consultation 2023-0018
	Corps. of Engineers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. Graves	No wetlands affected
	Building Permits	<input type="checkbox"/>	<input type="checkbox"/>		
	Local Permits	<input type="checkbox"/>	<input type="checkbox"/>		
	Easements	<input type="checkbox"/>	<input type="checkbox"/>		
	Highway Enter DOT	<input type="checkbox"/>	<input type="checkbox"/>		
	Wastewater Disposal	<input type="checkbox"/>	<input type="checkbox"/>		

Grass River Complex

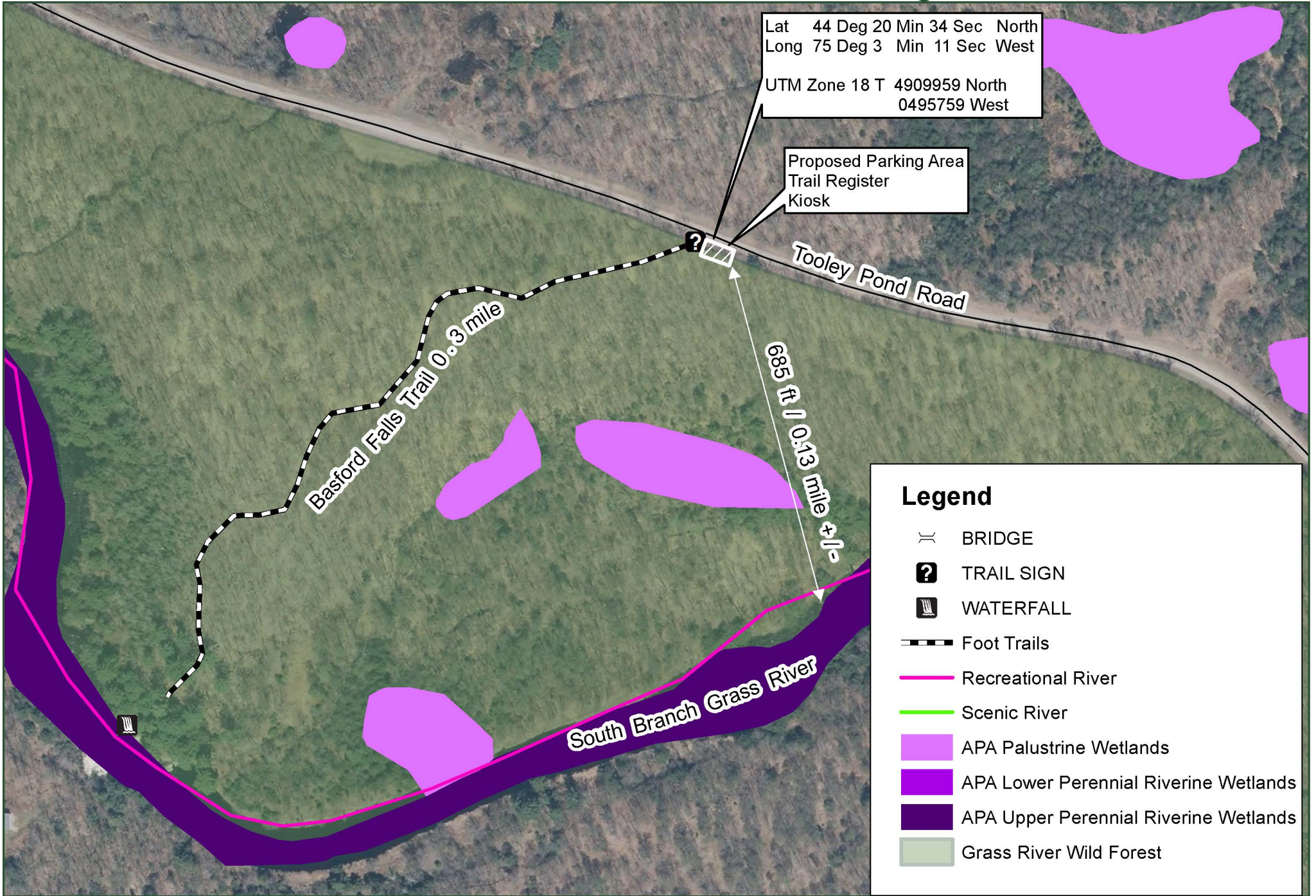


- Blue Background Indicates Accessible Element
- Parking
- Hiking
- X-Country skiing
- Horse Riding
- Bicycling
- Snowmobiling
- Lean-to
- Primitive Campsite
- Boat Launch
- Pit Privy
- Recreational Trail
- Road
- Snowmobile Access
- ATV Access*
- Grasse River Wild Forest
- Other Forest Preserve land
- Conservation Easement

* ATV Access through the Grass River and Tooley Pond Conservation Easements is limited from May 15 to Sept 15



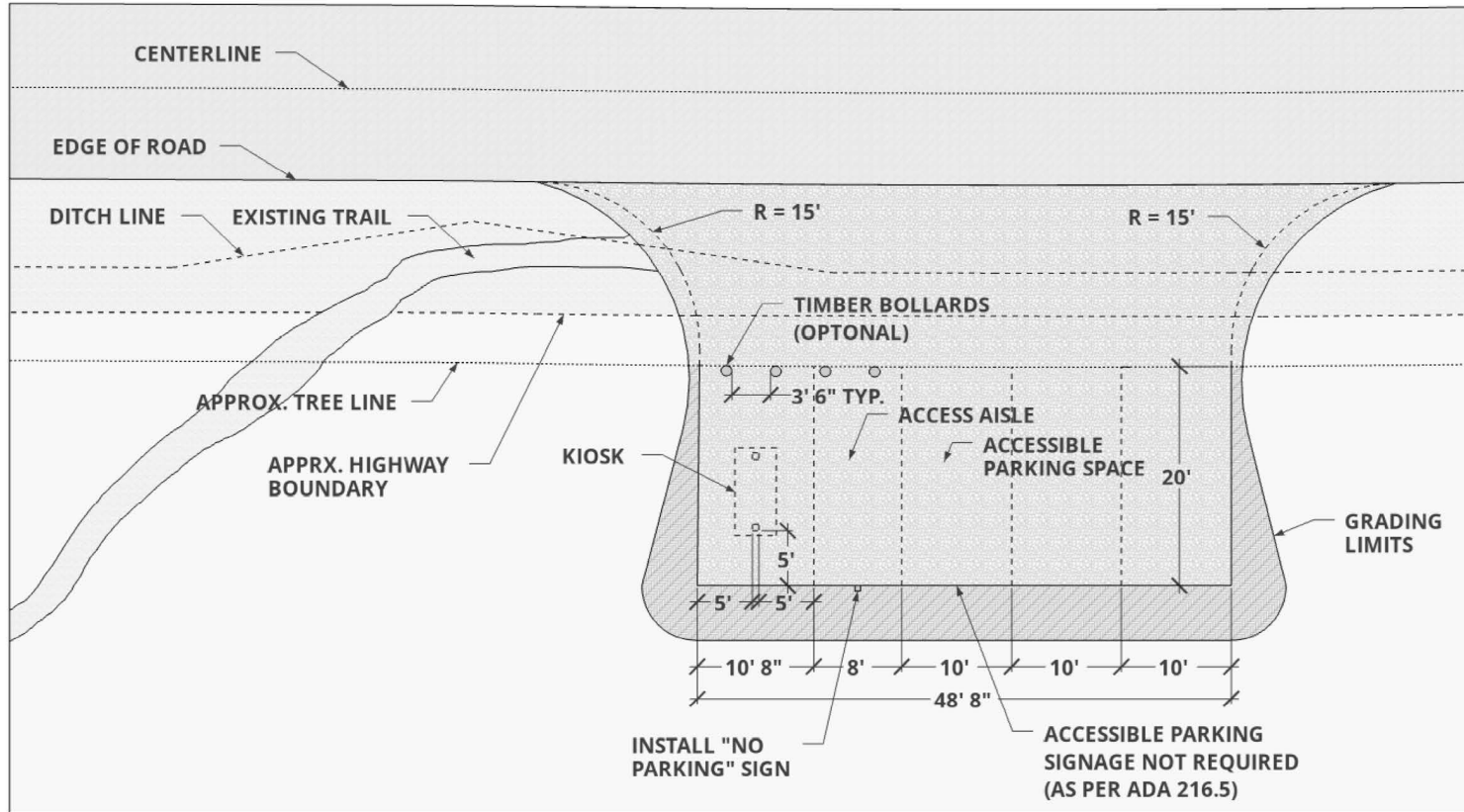
Grass River Wild Forest - Basford Falls / Rainbow Falls Parking Construction 2023 08 23



Department of
Environmental
Conservation

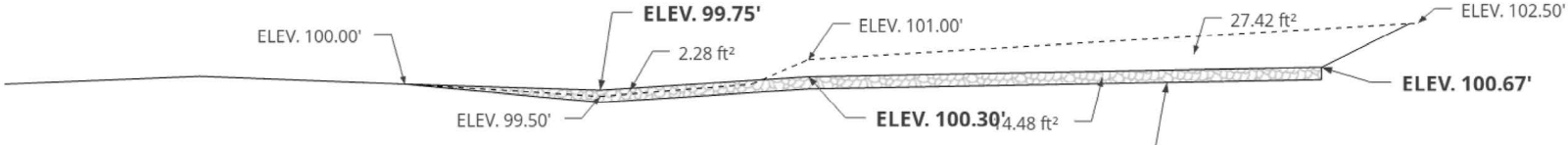
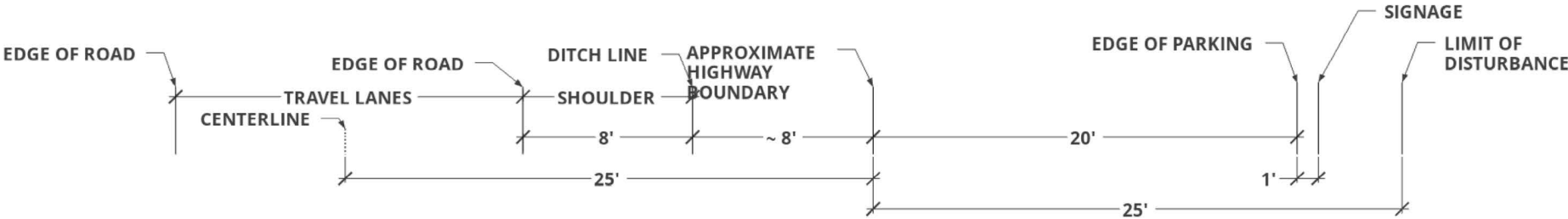


BASFORD FALLS PARKING AREA



PLAN VIEW

BASFORD FALLS PARKING AREA



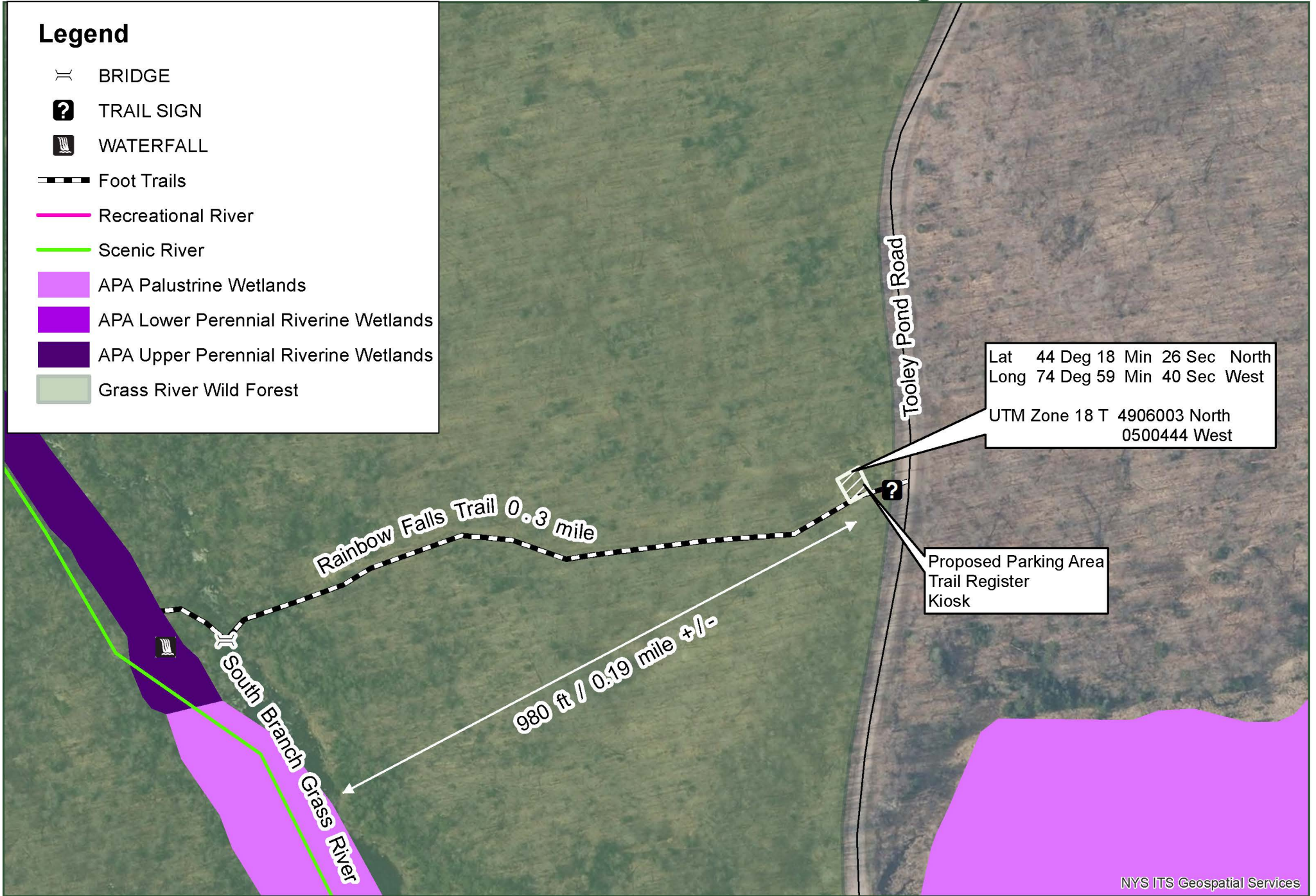
EXCAVATION = 41.9 SF X 50' = 2095 CF = 77.6 CY
 FILL = 16.76 SF X 50' = 838 CF = 31.1 CY X 1.5 = 46.65 TON

PROFILE

Grass River Wild Forest - Basford Falls / Rainbow Falls Parking Construction 2023 08 23

Legend

-  BRIDGE
-  TRAIL SIGN
-  WATERFALL
-  Foot Trails
-  Recreational River
-  Scenic River
-  APA Palustrine Wetlands
-  APA Lower Perennial Riverine Wetlands
-  APA Upper Perennial Riverine Wetlands
-  Grass River Wild Forest

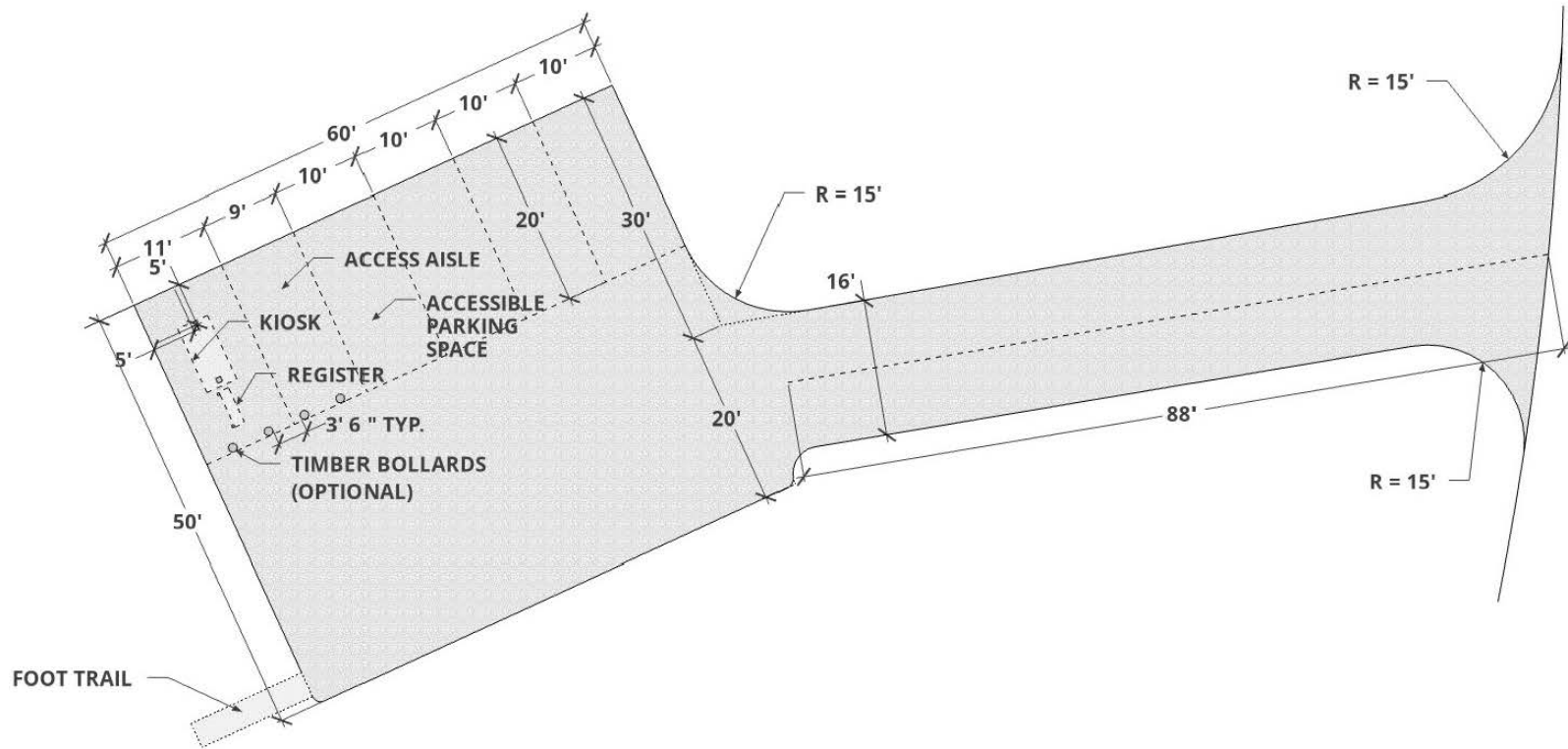


Department of
Environmental
Conservation

0 0.03 0.06 0.12 0.18 0.24 Miles



RAINBOW FALLS PARKING AREA




PLAN VIEW

This is the ONE
53"

4-16-14

17
22
39

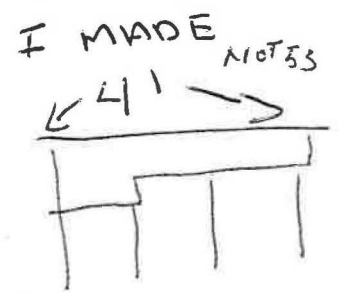
Picked
DETAILS - Proposed
STANDARD Level Two
TRAILHEAD
INFORMATION KIOSK
FRONT VIEW

Generic Name Wild Forest Area 
Adirondack Forest Preserve

<p>PLEASE REGISTER</p> <p><i>It Could Save Your Life!</i></p>	<p>Other Signage</p>	<p>AREA USGS or Local MAP</p> <p>17" x 22" or smaller</p>
---	----------------------	---

- NOTES:
1. Kiosks should be located within sight or in close proximity to parking area. Allow space for persons to read the messages unobstructed.
 2. Laminate map to prevent damage. Enclose map with plexiglass cover with a bead of silicone around the perimeter.
 3. Letter size:
Area Name - 2-1/2"
Forest Preserve - 1-1/4"
Register Door - 1-1/2"
 4. Use 4" DEC logo decal

66" to 78"

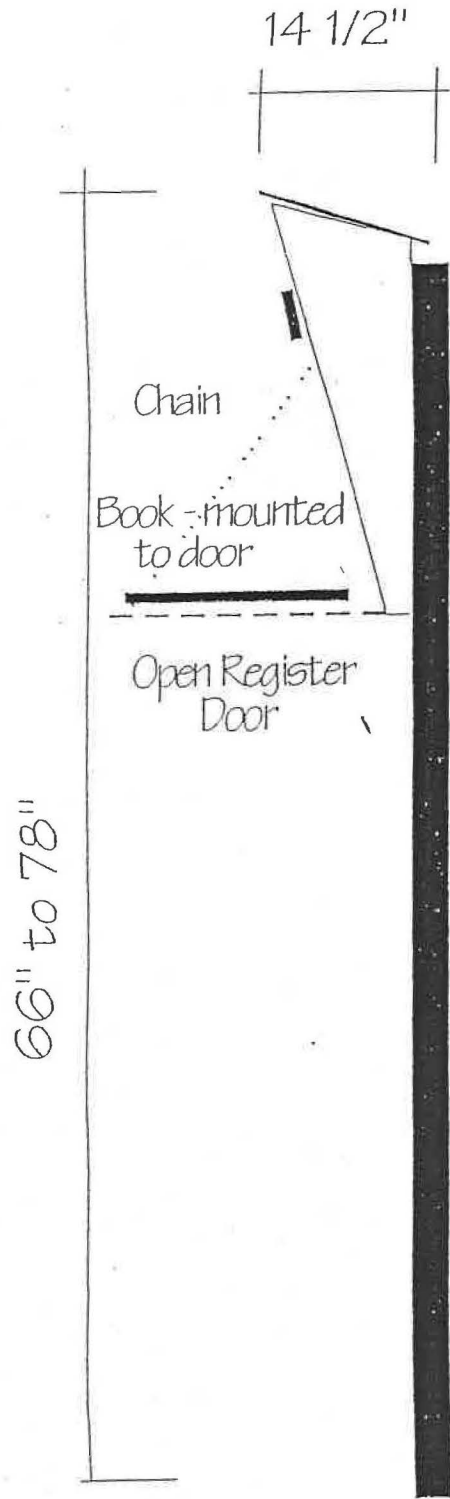


Jon Shoff's changes written in

4" x 4" PT Posts

NYS Department of Environmental Conservation
23 May 2000, by T. Kapelawski, R. Fenton,
Operations staff

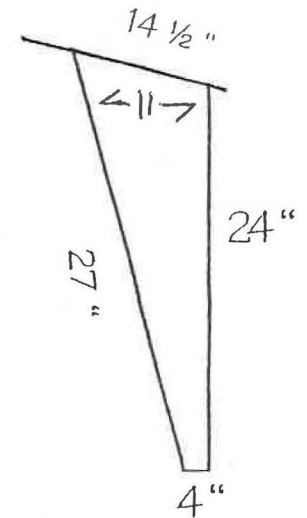
SCALE: 1"=10'



DETAILS - Proposed STANDARD Level Two TRAILHEAD INFORMATION KIOSK SIDE VIEW

NOTES:

1. Front roof overhang approximately 2"
2. Rear roof overhang approximately 1-1/2"
3. Small 4" wood turnbuckle used to hold door closed.
4. The register book is mounted to the door with recessed T nuts and machine bolts.
5. Caulk around roof.
6. Reinforcement wood pieces at top of display area to allow for screwing in of the back and roof MDO pieces.
7. Wood latch with washer spacers.
8. 1" PVC pipe pencil holder.
9. Small cross piece in register box for brochures.



Close-up
Dimensions

NYS Department of Environmental Conservation
23 May 2000, by T. Kapelowski, R. Fenton
& Operations Staff

SCALE: 1"=10"

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF OPERATIONS
BUREAU OF DESIGN & CONSTRUCTION**

**DEC STANDARD ACCESSIBLE DESIGNS
FOR OUTDOOR RECREATIONAL FACILITIES**

REVISED MARCH 9, 2015

DRAWING NO. 31 D

SCALE AS NOTED

DATE 2015

PROJECT NO.

FACILITY NO.

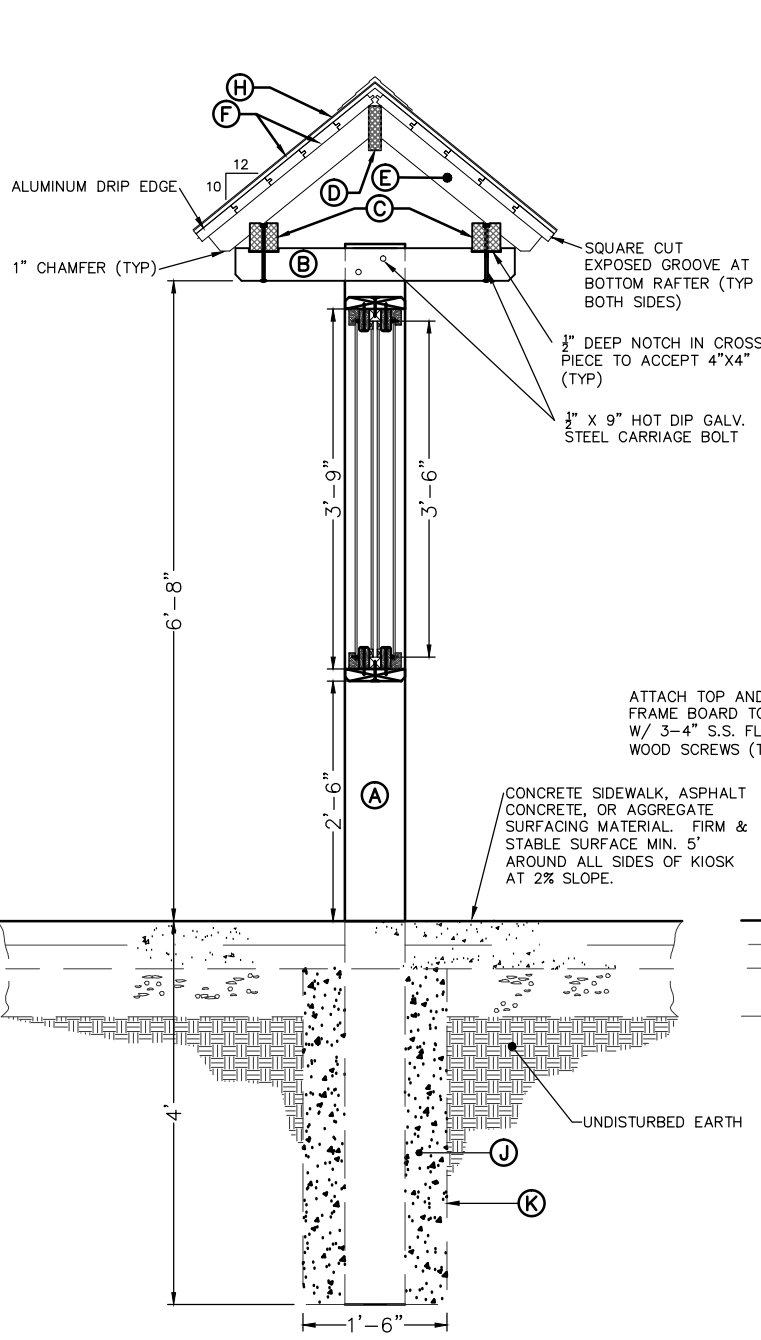
FACILITY NAME

PROJECT DESCRIPTION
 DEC STANDARD ACCESSIBLE
 DESIGNS FOR OUTDOOR
 RECREATIONAL FACILITIES
 KIOSK D - 6' DOUBLE
 FRONT & SIDE VIEWS

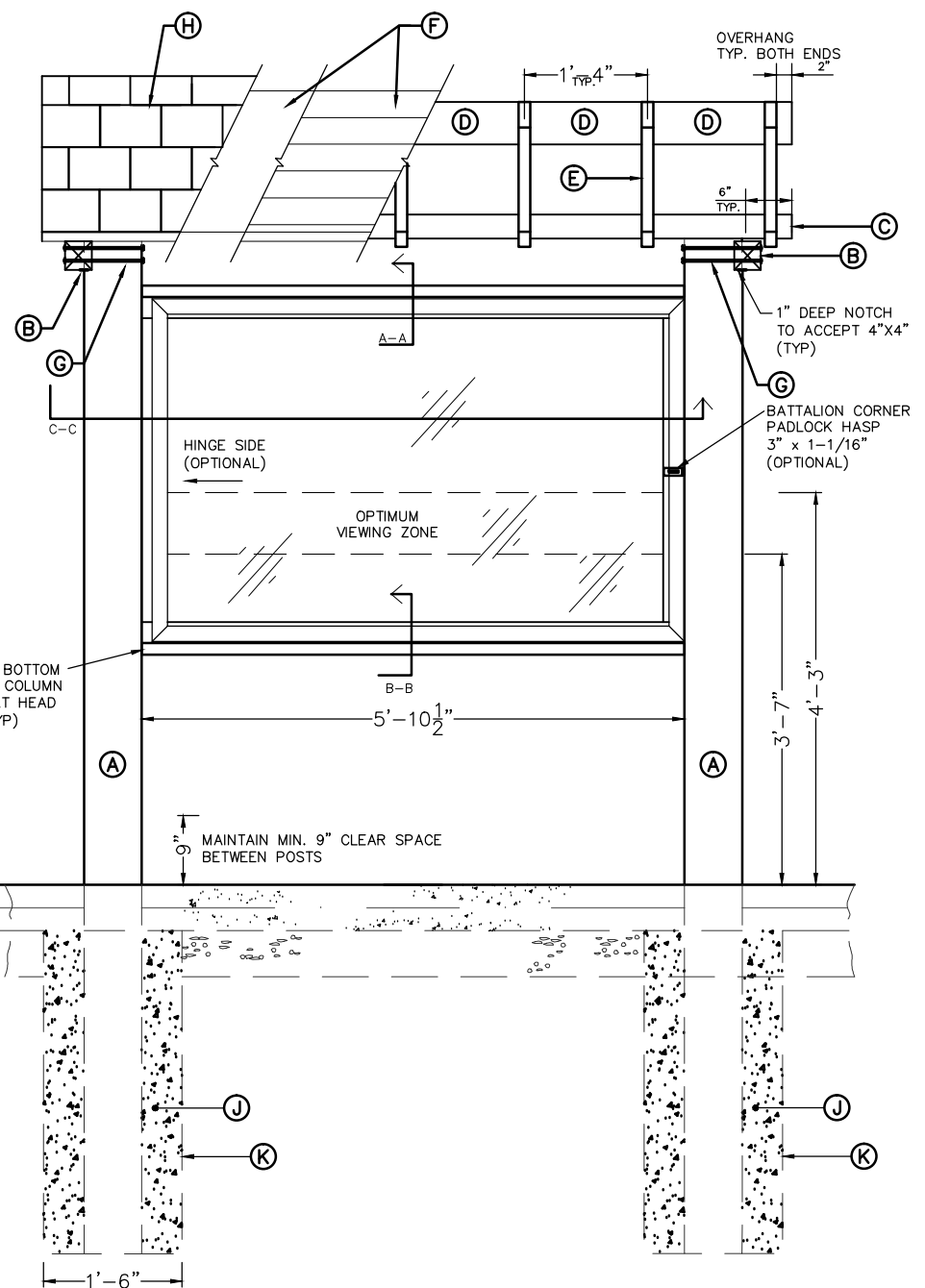
NO.	DATE	REVISIONS	BY

BY	DESIGNED	CHECKED	DRAWN

STATE OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DIVISION OF OPERATIONS
 BUREAU OF DESIGN & CONSTRUCTION



KIOSK SIDE VIEW
 SCALE: 1/2" = 1'-0"



KIOSK FRONT VIEW
 SCALE: 1/2" = 1'-0"

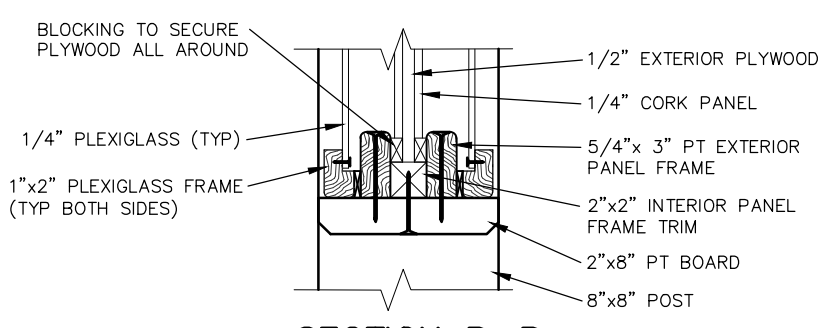
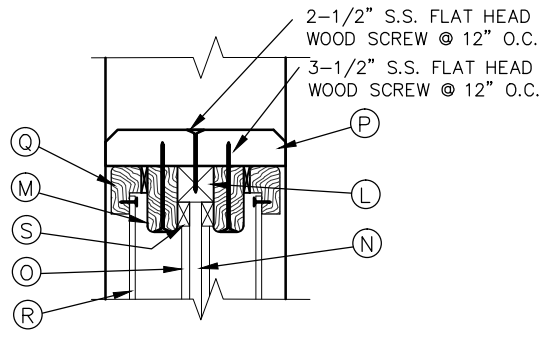
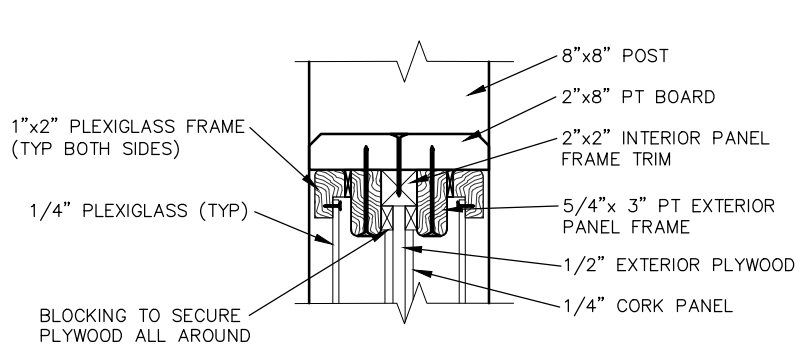
DRAWING NO. 32
 SCALE AS NOTED
 DATE 2015
 PROJECT NO.
 FACILITY NO.
 FACILITY NAME

PROJECT DESCRIPTION
 DEC STANDARD ACCESSIBLE
 DESIGNS FOR OUTDOOR
 RECREATIONAL FACILITIES
 KIOSK D-6, DOUBLE
 DETAILS

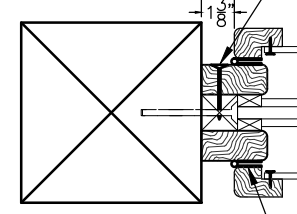
NO.	DATE	DESCRIPTION	BY

DESIGNED BY	CHECKED BY	DRAWN BY

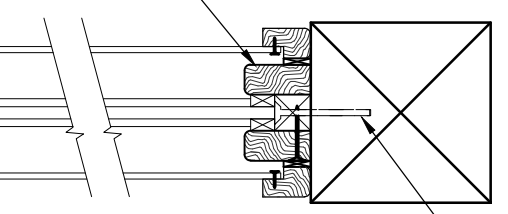
STATE OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DIVISION OF OPERATIONS
 BUREAU OF DESIGN & CONSTRUCTION



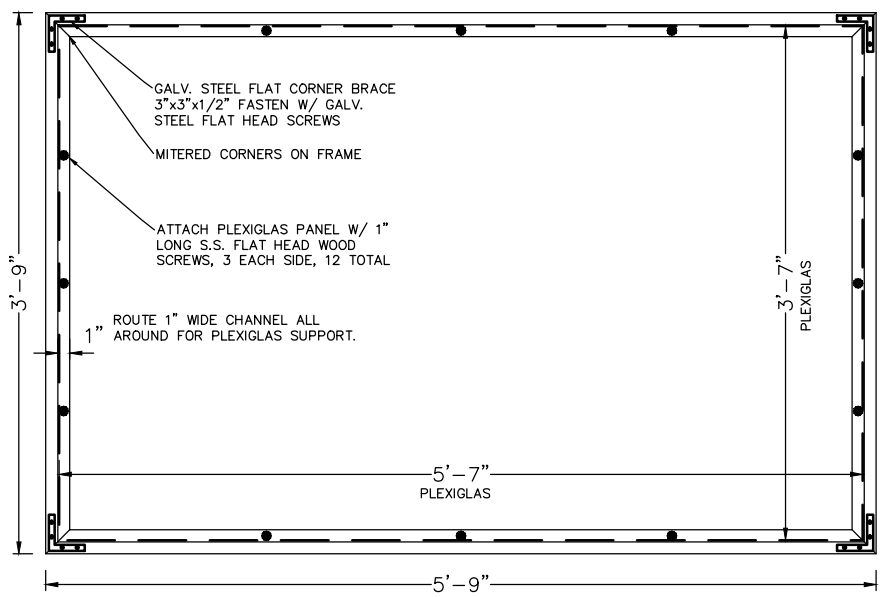
ATTACHED EXTERIOR PANEL FRAME W/ 2-1/2" SS FLAT HEAD WOOD SCREWS @ 12" O.C. ALTERNATE LOCATION FRONT & BACK.



EXTERIOR PANEL FRAME CONSTRUCTED BY RIPPING PT 5/4"x6" DECK MEMBERS IN HALF.



SECTION C-C
 SCALE: 1-1/2" = 1'-0"



DRAWING NO. 33
 SCALE - S NOTED
 DATE 2015
 PROJECT NO.
 FACILITY NO.
 FACILITY NAME

PROJECT DESCRIPTION
 DEC STANDARD ACCESSIBLE
 DESIGNS FOR OUTDOOR
 RECREATIONAL FACILITIES
 KIOSK D - 6' DOUBLE
 SCHEDULE

NO.	DATE	REVISIONS	BY

DESIGNED	CHECKED	DRAWN
BY	BY	BY

STATE OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DIVISION OF OPERATIONS
 BUREAU OF DESIGN & CONSTRUCTION

6' DOUBLE SIDED KIOSK			
	Qty	Size	Description
(A)	(2)	8"x8"x11'-0" PT.	Main Support Post
(B)	(2)	4"x4"x2'-11" PT.	Cross Members
(C)	(2)	4"x4"x8' PT.	Plate Beam
(D)	(1)	2"x6"x8' PT.	Ridge Beam
(E)	(14)	2"x4"x2'-2"PT.	Rafters
(F)	(10)	1"x6"x8'	T&G Roof Sheathing under 1/2" thick CDX Plywood
(G)	(12)	1/2" CARRIAGE BOLTS	Cross Members & Plate Beam Fasteners
(H)	As Req'd.	See Specifications	50 Year Asphalt Shingle, 30 lb. Felt Roofing Paper
(I)	As Req'd.	See Specifications	Brown Aluminum Drip Edge
(J)	As Req'd.		Concrete - 4000 psi mix
(K)	(2)	18" Dia. Sono-tube	Post Form
(L)	(4)	2@ 5'10-1/2" + 2@ 3'6"	2"x2" Interior Panel Frame
(M)	(8)	4@ 5'10-1/2" + 4@ 3'6"	5/4"x3" Exterior Panel Frame
(N)	(1)	5'7-1/2" X 3'6" X 1/2"	A/B Plywood
(O)	(2)	5'5-1/2" X 3'4" X 1/4"	Rolled Cork - glue to plywood
(P)	(2)	2"x8" X 5'10-1/2"	Frame board w/ chamfered edge
(Q)	(8)	4@ 5'-9" + 4@ 3'-9"	1" x 2" Plexiglas Frame
(R)	(2)	2@ 5'-7" x 3'-7"	1/4" thick Plexiglas
(S)	As Req'd.		1"x 1/2" Blocking Members
	(2)	1-1/16" high x 3" wide	Battalion Corner Padlock Hasp
	(6)	3" high x 2" wide	Stainless Steel Hinge Type 304

Proposed New Parking Areas – Basford Falls and Rainbow Falls.

Grass River Wild Forest, Tooley Pond Road, Town of Clare, St. Lawrence Co.



Photo 1.1. Proposed Basford Falls Parking Area. Looking south from Tooley Pond Road. Photo taken 4/18/23. 2 PM.



Photo 1.2. Proposed Basford Falls Parking Area. Looking east from corner towards Tooley Pond Road. Photo taken 4/18/23. 2 PM.



Photo 1.3. Proposed Basford Falls Parking Area. View from the southeast corner of the proposed parking area, looking south towards the closest part of the South Branch Grass River. The river here is approximately 685 feet away, and 70 feet lower in elevation. Photo taken 4/21/23. 11:30 AM.



Photo 1.4. Proposed Basford Falls Parking Area. View from the edge of the South Branch Grass River, looking northeast towards the proposed Basford Falls Parking Area. The proposed parking area is approximately 685 feet away, and 70 feet higher in elevation. Photo taken 4/21/23. 11:30 AM.



Photo 2.1. Proposed Rainbow Falls Parking Area. Looking west from Tooley Pond Road along the driveway leading to the Parking Area. Photo taken 4/18/23. 1:30 PM.



Photo 2.2. Proposed Rainbow Falls Parking Area. Looking north at proposed parking area. Trees to be removed are scattered saplings in a former log landing. Photo taken 4/18/23. 1:30 PM.



Photo 2.3. Proposed Rainbow Falls Parking Area. Looking east towards the Tooley Pond Road. Most of the proposed parking area is open ground, with a few scattered hardwood saplings. Photo taken 4/18/23. 1:30 PM.



Photo 2.4. Proposed Rainbow Falls Parking Area. View from the southwest corner of the proposed parking area, looking southwest towards the closest part of the South Branch Grass River. The river here is approximately 980 feet away, and 40 feet lower in elevation. The foot trail to Rainbow Falls is at the right. Photo taken 4/21/23. 1 PM.



Photo 2.5. Proposed Rainbow Falls Parking Area. View from the edge of the South Branch Grass River, looking northeast towards the proposed Rainbow Falls Parking Area. The proposed parking area is approximately 980 feet away, and 40 feet higher in elevation. Photo taken 4/21/23. 1 PM.



Photo 3.1. Existing Trail Register near the corner of the Tooley Pond Road and Lake George Road. This is in poor condition and is proposed for removal, and will be replaced by new registers at the Basford Falls and Rainbow Falls trailheads. Photo taken 4/21/23. 1:30 PM.

Table 1. Summary of Trees to be cut for a new Parking Area, Kiosk, and Trail Register at the Basford Falls Trailhead, Grass River Wild Forest.

DBH / Species	IW	HM	BE	YB	Totals
1-2"	All Species				20
3-4"	6				6
5-6"					0
7-8"					0
9-10"				1	1
11-12"					0
13-14"					0
15-16"		1			1
17-18"					0
19-20"		1			1
Totals	6	2	0	1	29

IW = Ironwood / Hophornbeam, HM = Sugar Maple,
BE = Beech, YB = Yellow Birch

Tallied trees are painted orange. 04/18/23

Table 2. Summary of Trees to be cut for a new Parking Area, Kiosk, and Trail Register at Rainbow Falls Trailhead, Grass River Wild Forest.

DBH /Species	YB	Asp	Will	Totals
1-2"	All Species			55
3-4"	6		5	11
Totals	6	0	5	66

YB = Yellow Birch, Asp = Bigtooth Aspen,
Will = Willow

Tallied trees are painted orange.

04/18/23



**Adirondack
Park Agency**

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

September 7, 2023

Aaron Graves
Forester 1
New York State Department of Environmental Conservation
190 Outer Main St - Suite 103
Potsdam, NY 13676

RE: State Land Consultation Determination SL2023-0018

Dear Aaron:

Agency staff reviewed the above referenced consultation pursuant to the “MOU Between the Adirondack Park Agency and the Department of Environmental Conservation Concerning Implementation of the State Land Master Plan for the Adirondack Park.” The proposed parking area construction and kiosk removal in the Grass River Wild Forest is sufficiently described in an approved Unit Management Plan (2019) and therefore does not require additional consultation with APA state land staff before being undertaken.

Agency staff have also determined that the project, as proposed, does not involve wetlands.

Thank you for consulting with us on the details of this important project. If you have any questions, please do not hesitate to contact the Agency.

Sincerely,

/s/Kevin Prickett

Kevin Prickett
Environmental Program Specialist 2 (Natural Resources)

Enclosure: Consultation

cc: Josh Clague, DEC Lands and Forests
Keith Rivers, Regional Forester, Region 6
Henry Dedrick, Supervising Forester, Region 6

State Land Consultation

File Number:



**Adirondack
Park Agency**

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

STATE LAND PROJECT CONSULTATION FORM

Completion of this form is required to receive a determination of Adirondack Park State Land Master Plan (APSLMP) and/or Unit Management Plan compliance and wetland jurisdiction for all DEC State land projects from the Agency. A site visit by Agency staff may be required depending on the complexity of the project, the natural resources involved and the level of documentation provided.

Part 1

(To be completed by DEC staff)

A. Project Identification

Project Name:

DEC Contact Person:

Telephone:

Email:

B. Project Location and Other Information

State Land Unit:

Region:

Town:

County:

Is a UMP for this unit completed and approved? Yes No

(If yes, please attach a copy of the cover page and all pages relevant to this project.)

Is the proposal to replace an existing structure? Yes No

If yes:

a) When was the structure constructed?

b) Will the new structure be the same size and located in the same place?

Yes No (Describe in the narrative, section D.)

C. Prior Agency Contact

Has there been prior contact (including any wetland delineation work) with the Agency regarding this project? Yes No

If yes, name of contact person(s) and date(s) (approximate, if not known):

Contact person: Date:

D. Project Description

Provide a brief, narrative description as precisely as possible with any additional location information necessary. Include/attach map(s), photograph(s) and plan(s) whenever possible. (attach another sheet if needed)

Construct a 3 Car Parking Area (1 space accessible), trail register, and kiosk at the Basford Falls Trailhead. Construct a 4 car Parking Area (1 space accessible), trail register and kiosk at the Rainbow Falls Trailhead. Remove an existing trail register in poor condition at the junction of the Tooley Pond Road and Lake George Road. We would also like to apply for any wetland permit needed for these projects, although GIS layers do not portray any APA or Federal wetlands within 320 feet of the proposed construction areas.

If the proposed project is determined to be compliant with the APSLMP but jurisdictional for wetlands, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or if an individual Article 24 Freshwater Wetlands permit will be required. If either of these wetlands permits is applied for, additional information about the project will likely be requested. Agency staff can provide the appropriate permit application form with the return of this completed State Land Consultation Form, if requested.

Submitted by:

Date:

Return this form to the Agency (preferably electronically) for APA staff completion of Part 2.

Part 2

(To be completed by APA staff)

ADIRONDACK PARK STATE LAND MASTER PLAN COMPLIANCE REVIEW

Planning Status (check one)

- A) The project, as planned, is described sufficiently in an approved UMP and does not require additional consultation with APA State land staff before being undertaken.
- B) The project is proposed in insufficient detail in an approved UMP and so does require additional consultation with APA State land staff before being undertaken.
- C) The project is not proposed in an approved UMP and – via this submission - is the subject of consultation with APA State land staff to determine if it may be undertaken, as per Section V of the DEC/APA MOU.

DEC/APA Consultation Guidelines

Planning Status “A” Projects:

- The proposed project has been determined by the APA Board, via approval of a UMP, to conform to APSLMP guidelines and criteria in all respects other than potential wetland impacts.
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:
 - WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
 - MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

Planning Status “B” Projects:

- The proposed project, via review and approval of a UMP, has received conceptual approval by the APA Board but must still be reviewed by APA State land staff in sufficient detail before it may be determined to conform to APSLMP guidelines and criteria in all respects other than potential wetland impacts.
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:
 - WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
 - MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.
- IF the result of the “APSLMP Compliance Review” is a conclusion that the proposed project:
 - DOES NOT CONFORM to APSLMP guidelines and criteria regardless of wetland impacts, THEN, the project should not be undertaken by DEC staff.

Planning Status “C” Projects:

- The project has NOT been proposed within a UMP approved by the APA Board, and so it has not been determined to conform to APSLMP guidelines and criteria. It must therefore be determined by APA State land staff to meet the definition of “ordinary maintenance,” “rehabilitation” or “minor relocation” of conforming structures or improvements as per Section V of the DEC/APA MOU if it is to be undertaken without being included in such a UMP.
- IF the result of the determination is that the proposed project:
 - CANNOT BE so defined, THEN, the project should not be undertaken by DEC staff at this time.
 - CAN BE so defined, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:

- WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
- MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

APA State Land Staff Determination Regarding Consistency with the Adirondack Park State Land Master Plan

Staff have determined the proposed project – in all respects other than potential wetlands impacts – conforms , does not conform , to the guidelines and criteria of the Adirondack Park State Land Master Plan.

/s/ Megan Phillips

9/1/23

Deputy Director, Planning or designee

Date

Rationale for Determination

See attached Rationale for Determination.pdf

PRELIMINARY APA WETLANDS JURISDICTION ASSESSMENT

1) Is the proposed project located in a wetland? Yes No

2) Does the project involve any of the following activities whether or not it is located in a wetland? Yes No

Discharge of liquid wastes into (or so as to drain into) a wetland, including sewage treatment effluent within 100' of a wetland? Yes No

Any other form of pollution of a wetland? Yes No

Any activity that may substantially impair the functions served by, or the benefits derived from, wetlands?

Yes No

APA RASS Staff Preliminary Assessment Regarding Adirondack Park Freshwater Wetlands Jurisdiction

Staff have determined that wetlands subject to the review jurisdiction of the Adirondack Park Agency may , will not be involved or affected by the proposal.

Mary O'Dell

8/31/23

Supervisor, Natural Resource Analysis or designee

Date

Rationale for Determination

Review of aerial and site photos do not indicate the presence of wetlands in the vicinity of the proposed work.

If the project is determined to be jurisdictional for wetlands, the Agency will determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

Form completed by APA State Land member: Kevin Prickett

Completion Date: 9/1/23

Distribution:

DEC Contact: Aaron Graves

Regional Forester: Keith Rivers

Natural Resources Supervisor of Region: Henry Dedrick

Forest Preserve Coordinator, Central Office: Josh Clague

Rationale for Determination

This consultation proposes three actions:

1. Constructing a parking area at the Basford Falls Trailhead that includes parking for three cars (including one accessible space), a trail register, and a kiosk
2. Constructing a parking area at the Rainbow Falls Trailhead that includes parking for four cars (including one accessible space), a trail register and kiosk.
3. Removing an existing kiosk at the junction of the Tooley Pond Road and Lake George Road.

The January 2019 Grass River Wild Forest UMP, approved by the Adirondack Park Agency on November 9, 2018, included a proposal for two parking areas: the Basford Falls (three-car parking capacity) and Rainbow Falls (four car capacity). The UMP proposed the installation of trail registers and information kiosks on new facilities as they are constructed. The proposed construction activities outlined in this consultation conforms with the Adirondack Park State Land Master Plan (APSLMP).

The removal of the existing trail register or kiosk at the junction of the Tooley Pond Road and Lake George Road conforms with the APSLMP.



Department of
Environmental
Conservation

GRASS RIVER WILD FOREST

Unit Management Plan

River Area Management Plans

for the

Middle Branch Grass River

and

South Branch Grass River

NYS DEC, REGION 6, DIVISION OF LANDS AND FORESTS

6739 US Highway 11, Potsdam, NY 13676
r6.ump@dec.ny.gov



3. Trailheads (Informational Facilities)

Present Situation and Assumptions

A trailhead is defined as the starting or termination point of one or more designated trails at a point of entrance to State land which may contain some or all of the following: vehicle parking, trail signs, and peripheral registration structures (Van Valkenburg, 1987).

Trailheads make excellent locations for providing visitor information. It is important that trail users have access to information regarding trails to enhance their experience. If trail users are uncertain about trail location or direction, they may become disoriented, or they may create new trails that damage the environment. Trailhead registers also provide important information about visitor use to the DEC. Information is used to plan facility maintenance, measure use and effects, and locate users in case of an emergency.

Visitors receive their first impression of the Forest Preserve area that they are about to enter from the nature and condition of the trailhead and/or parking facility. To allow visitors to readily identify the many separate parcels of the Grass River Wild Forest unit as part of a single entity, and to provide complete information in a consistent format, trailhead designs should be standardized.

A trailhead classification system was adopted in 1986 to provide for consistency in their location and development. Class I trailheads are the most developed and are found at the main entrances to the backcountry. Class II and III trailheads are associated with lesser used trails with correspondingly less development.

An expanded trail register structure - type 2, or "Storey kiosk," originally designed by Mike Storey of the APA, has been developed by the Department. It contains a space on the side where the drop-down door contains a mounted trail register. There are also exposed panels for the posting of information, and rules and regulations, along with a map of the area. Installation of new trail registers shall follow this design, where space and the use or nature of the trail justifies this action.

The following information should be displayed at all DEC trailheads:

- Trail name
- Total trail mileage
- Total elevation
- DEC trail marker(s)

IV. Proposed Management Actions

- DEC rules and regulations (restrictions)
- Leave No Trace (LNT) principles
- Trail Map
- DEC Emergency contact (Forest Ranger Dispatch) number

Objectives

- Provide trailhead facilities to protect resource values and to accommodate visitor needs.
- Indirectly manage interior use by balancing parking area capacities to interior visitor capacities.
- Provide trail registers, complete with maps, that clearly show trail routes and destinations available in the Grass River Wild Forest unit. Applicable rules and regulations and emergency numbers should be posted at these locations.
- Obtain better visitor use data by installing additional trail registers at known points of access.

Management Actions

- Inspect all trailheads on a regular basis. Maintain all trailhead informational facilities in a neat, litter free condition. Trail registers should be kept up and monitored regularly. Schedule routine maintenance of all trailheads and litter removal.
- Obtain more reliable visitor use data. Use infrared trail counters or other visitor use estimation methods to more accurately determine use within the unit.
- Develop a standardized method of collecting, compiling and reporting user data collected from trail register sheets.
- Install a trail register at the new foot trail to Church Pond.
- Install a trail register on the canoe carry trail on the Middle Branch parcel.

4. Trail Registers

Present Situation and Assumptions

DEC trail registers, whose original purpose was to help locate people who were lost, can also be used to provide important visitor use information. Trail registers enable the DEC to monitor visitor use for a particular location. These registers provide data on:

date of entry, type (day or overnight), party size, location, destination, amount and purpose of visit. However, many trail users do not sign registers, and register sheets are occasionally destroyed or lost through vandalism. Nevertheless, trailhead registrations can give an indication of relative use levels, particularly if they are calibrated with more accurate forms of use monitoring systems. Trail registers will be installed at all new facilities as they are constructed or acquired on the Grass River Wild Forest unit.

All registers in this unit are of the standard box type. The following locations all have these style registers which are in good condition: Tooley Pond, Tooley Pond Mountain, Sinclair Falls/Lake George Rd. and Lampson Falls. The trail register data can be found in Table 2.

Objectives

- Record public use numbers.
- Provide a list of users for search and rescue activities.

Management Actions

- Maintain all register boxes in the unit.
- Install trail registers on new facilities as they are constructed.

5. Gates/Barriers

Present Situation and Assumptions

Gates are employed at selected locations to curtail illegal motor vehicle use and/or to protect road and/or trail surfaces from use during inclement weather. Gates are painted bright yellow, marked with red **STOP** signs and have “barrier ahead” cautionary signs posted 150 feet on either side of the gate.

Metal pipe gates and rock barriers are typically used to stop or limit motor vehicle use in locations where such use is not permitted. Although gates and barriers provide a deterrent, they are often circumvented, especially by ATV's. Evidence of illegal use around gates and barriers is an indication that current management strategies need to be re-evaluated and new management actions proposed. Where closure is permanent, and does not involve use of a trail by snowmobiles, gates should be removed and replaced with large rock barriers.

Objectives

- Control access to roads closed to motor vehicle use.
- Protect road surfaces during mud seasons.

IV. Proposed Management Actions

- Maintain all gates in working order with proper cautionary signage.

Management Actions

- Update all gates to current health and safety guidelines.
- Install a pipe gate on the access road near Gate 10 on the Tooley Pond Road.
- Install rock barriers on side roads leading to Leonard Pond.



6. Kiosks

Present Situation and Assumptions

Trail information can be disseminated in a wide variety of formats, including: maps and brochures. Providing information to users using informational kiosks not only enhances their enjoyment of the area but also educates them to guidelines, areas of interest, and other opportunities available within the unit. A new kiosk was constructed at Lampson Falls in 2007.

DEC kiosks are used to provide a wide variety of educational information at one location. Standard kiosks include a plexi-glass covered display board. Educational information includes: water supply, human waste, fire, litter, tree and vegetation cutting, and camping restrictions. The kiosks in the unit presently contain: DEC general rules and regulations, maps, and educational and emergency contact information, (877-457-5680).

Objectives

- Provide educational information, DEC rules and regulations and emergency contact information to users.

Management Actions

- Maintain all information kiosks in the unit.
- Install information kiosks as required at new facilities as they are constructed.

7. Primitive Tents Sites

Present Situation and Assumptions

Existing camping regulations require camping to be either at designated sites or undesignated locations that are at least 150 feet or more from road, trail or water (6 NYCRR S 190.3 (b)). The latter is referred to as the "150 foot rule". A primitive tent site, commonly referred to as a designated primitive tent site, is one identified by a DEC sign or yellow 4 ½ " diameter marker. Per the APSLMP, this primitive tent site provides

12. Parking Facilities

Present Situation and Assumptions

The Department provides two types of parking facilities: parking areas and pull-offs. Parking areas are designed and designated for parking with signs and established perimeters. The perimeter can be guard rails, boulders or natural features. Pull-offs are areas where the public can safely pull off the road to park. These areas are wide spots on the road or just off the road shoulder. Pull-offs are not formally designated or signed and are generally only suitable for a few vehicles.

While the Grass River Wild Forest unit has a fair amount of public highway road frontage, there are few places to safely park motor vehicles off the road shoulder to access State lands. Parking is even more restrictive along town and county roads in the winter due to deep snowfall and banked snow. In some popular locations, parking can be a problem particularly on weekends and holidays. When these areas reach their capacity, visitors often park on the roadsides, creating unsafe road conditions for passing motorists. In one location, at Twin Falls, the public currently uses private land to park vehicles to access the trail to the waterfalls.

Objectives

- Improve and maintain existing parking areas.
- The construction of new parking facilities is intended to provide parking while protecting the natural resources and is not intended to increase use of the facilities.
- Provide for safe, adequate parking where appropriate.
- Prohibit parking where necessary.
- Indirectly manage interior use by balancing parking lot size to interior visitor use capacities.
- Minimize resource degradation at parking areas. Design trailheads and parking areas to reflect allowed uses and the capacity of the resource to withstand use.
- Insure that all new or expanded parking facilities have accessible spaces, pursuant to ADA guidelines.
- Prevent illegal motor vehicle use.
- Mitigate parking problems in cooperation with affected parties.

- Provide for parking during winter months at locations accessible from plowed roads. Develop partnerships with local governments to maintain and snowplow roadside trailhead parking facilities.

Management Actions

- Obtain permits under 6 NYCRR Part 666.8 for water access parking areas as required by 6 NYCRR Part 666.13(j).
- Construct a four-car capacity Church Pond parking area along State Highway 56, and provide a trail register and information kiosk at this location, if a suitable location for the parking area is found.
- Investigate the feasibility of acquiring land for a five to six car parking facility for Twin Falls from the private landowners adjacent to the pool at the base of the falls. Alternatively, provide parking across the road.
- Provide pull-off parking facilities at the other waterfall sites on Tooley Pond Road, - Basford Falls (three-car capacity); Sinclair Falls (three car capacity); Bulkhead Falls (three car capacity); Rainbow Falls (four car capacity); and Copper Rock Falls (four car capacity).
- Improve roadside pull-off parking facilities at the Cranberry Pond parcel along the White Road. Construct a three-car capacity parking area adjacent to the White Road.
- Construct a four-car capacity parking lot on the Leonard Pond parcel, approximately 100 yards from State Highway 56. Provide a trail register, information kiosk, and pit privy at this location. Use, especially in winter by snowmobilers, is heavy at this location.

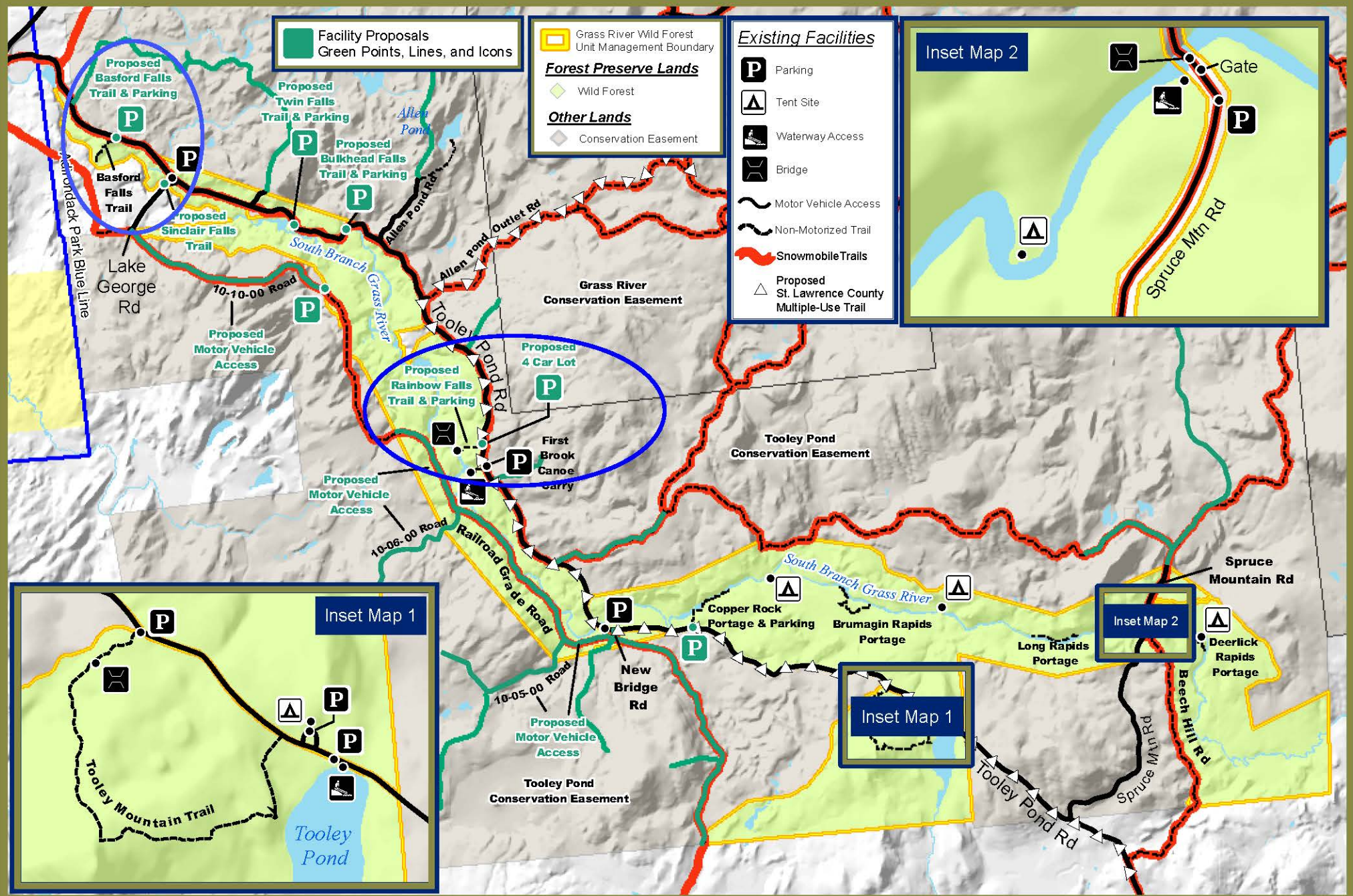
13. Fishing and Waterway Access Sites

Present Situation and Assumptions

Current access to area waters is by use of three formal and several informal sites. Constructing formal fishing and waterway access sites will provide for safer managed access to those waters. Constructing many of these facilities to accessibility guidelines will help meet the Department’s goal of providing recreational opportunities for people with disabilities.

A canoe-launch/hand-carry access site exists on Tooley Pond Road at Tooley Pond. The launch consists of a short, graded trail down to the pond, and an adjacent parking area large enough for five to six cars. The site also includes a picnic table, kiosk and

Grass River Wild Forest Unit Management Plan



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 6

Dulles State Office Building, 317 Washington Street, Watertown, NY 13601-3787

P: (315) 785-2245 | F: (315) 785-2242

www.dec.ny.gov

NOVEMBER 28, 2023

NYS DEC
625 BROADWAY
ALBANY, NY 12233

RE: DEC PERMIT #6-4024-00047/00001

Dear Permittee:

Enclosed is your permit for construction. It is essential that you give particular attention to the **Notice/Permit Sign** enclosed with your permit and to the **Conditions**. The attached plans are also a part of the permit. You must print the Notice/Permit Sign, post it in a conspicuous location, and protect it from the elements during work on your project.

You may require authorization from the U.S. Army Corps of Engineers. You can reach them at the Buffalo District, 1776 Niagara Street, Buffalo, New York 14207, phone (716) 879-4330. You are also responsible for obtaining any other federal, state, or local authorizations required for this project.

This electronic copy of the permit will be the only copy you will receive. We will not mail a hard copy you. If you have any questions regarding your permit, please contact Christopher Swamp by email at christopher.swamp@dec.ny.gov.

Sincerely,



Donna Iloff
Program Aide
Region 6
Enclosures

ec: Steve Sliwinski (w/attachment)
Law Enforcement (w/attachment)



Department of
Environmental
Conservation



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
NYS Dept of Environmental Conservation

625 BROADWAY
ALBANY, NY 12233

Facility:
BASFORD AND RAINBOW FALLS PARKING
AREAS
TOOLEY POND RD
CLARE, NY

Facility Location: in CLARE in ST LAWRENCE COUNTY

Facility Principal Reference Point: NYTM-E : 496.421 4909.418
44°20'16.9" N Latitude: 75°02'41.6" Longitude

Authorized Activity:

Construct a 48' 8" x 25' water access parking area for 3 cars, kiosk and trail register adjacent to the public road at the Basford Falls trailhead in the Recreational Rivers area of the South Branch of the Grasse River, a class C(T) waterbody. Construct a 16' x 88' driveway and 50' x 60' water access parking area for 4 cars, kiosk and trail register at a former timber landing site at the Rainbow Falls trailhead in the Scenic Rivers area of the South Branch of, class C(T) waterbody, the Grasse River.

Permit Authorizations

Wild, Scenic & Recreational Rivers - Under Article 15, Title 27

Permit ID 6-4024-00047/00001

Permit

Effective Date: 11/28/2023

Expiration Date: 11/27/2026

New

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JESSICA J HART, Regional Permit Administrator
Address: NYSDEC Region 6 Headquarters
State Office Building - 317 Washington St
Watertown, NY 13601

Authorized Signature: _____

Date 11 / 28 / 23



Distribution List

Law Enforcement
BEH

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Drawings/Blueprints
Permit Sign

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: WILD, SCENIC & RECREATIONAL RIVERS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by New York State Department of Environmental Conservation.
- 2. Notify DEC** Notify our office at least 72 hours before starting your project. Include the DEC Identification Number, the permittee's name, project start date, and the address for the project site in an email to R6BEH@dec.ny.gov. If you don't have access to email, please call (315) 785-2263.
- 3. Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).
- 4. Install, Maintain Erosion Controls** Necessary erosion control measures, i.e., straw bales, silt fencing, etc., are to be placed on the downslope edge of any disturbed area. This sediment barrier is to be put in place before any disturbance of the ground occurs and is to be maintained in good and functional condition until thick vegetative cover is established.
- 5. Minimize Adverse Impacts to Wetlands, Wildlife, Water** All work must be performed in a manner which minimizes adverse impacts to wetlands, wildlife, water quality and natural resources.
- 6. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.



7. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. **Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. **Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. **Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 6 Headquarters
State Office Building - 317 Washington St
Watertown, NY13601

4. **Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Wild, Scenic & Recreational Rivers.

5. **Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.