

COVER SHEET
and
NOTICE OF COMPLETION
of
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

PROJECT TITLE:

2013 Amendments to the Adirondack Park State Land Master Plan involving the Classification and Reclassification of State Lands in the Adirondack Park, which include the following:

- Essex Chain Lakes Tract
- Indian River Tract
- OK Slip Falls Tract
- Open Space Conservancy (OSC) Tract
- Hudson Gorge Primitive Area
- Blue Mountain Wild Forest (portion)
- Vanderwhacker Mountain Wild Forest (portion)

NAME OF LEAD AGENCY AND PREPARER OF FSEIS:

NYS Adirondack Park Agency
Post Office Box 99
Ray Brook, NY 12977

PROJECT LOCATION:

The classification proposals involve lands in the Town of Indian Lake, Hamilton County, and Towns of Minerva and Newcomb, Essex County.

PROPOSED ACTION:

Amendments to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of four (4) recently acquired State land parcels of approximately 22,142 acres and two (2) State land reclassification proposals ranging from an estimated 19,868 to 19,943 acres. Total acreage involved in the action covered by this Final Supplemental Environmental Impact Statement (FSEIS) ranges from approximately 42,383 to 42,428 acres. The proposed action involves only the classification or reclassification of State lands according to the provisions of the APSLMP.

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DATE OF ACCEPTANCE OF FSEIS BY LEAD AGENCY: December 13, 2013

**PUBLIC HEARINGS ON THE PROPOSED AMENDMENTS TO APSLMP WERE HELD AT
THE FOLLOWING LOCATIONS AND DATES:**

June 12, 2013
6:00 pm
Adirondack Park Agency
1133 NYS Route 86
Ray Brook

June 17, 2013
1:00 pm
Minerva Central School
1466 County Route 29
Olmstedville

June 17, 2013
7:00 pm
Newcomb Central School
5535 NYS Route 28N
Newcomb

June 19, 2013
6:00 pm
Downtown Conference Center
Pace University
163 William Street (18th floor)
Between Beekman and Ann Streets
NYC

June 25, 2013
6:00 pm
Indian Lake Central School
6345 NYS Route 30
Indian Lake

July 1, 2013
7:00 pm
The Harley School
1981 Clover Street
Rochester

July 2, 2013
1:00 pm
NYS DEC Offices
625 Broadway
Albany

July 2, 2013
7:00 pm
Warren County Offices
1340 NY State Route 9
Lake George

DATE BY WHICH PUBLIC WRITTEN COMMENTS WERE RECEIVED: **July 19, 2013**

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EXECUTIVE SUMMARY

The New York State Adirondack Park Agency (APA or Agency) has proposed a series of alternatives for amending the Adirondack Park State Land Master Plan (APSLMP) involving the classification of certain lands recently acquired by the State of New York and the reclassification of nearby State Forest Preserve. The lands subject to these classification actions are located in the Hamilton County Town of Indian Lake, and the Essex County Towns of Minerva and Newcomb.

The area subject to this classification action (the “subject area”) consists of the recently acquired Essex Chain Lakes Tract (18,230 acres), Indian River Tract (963 acres), OK Slip Falls Tract (2,789 acres), and OSC Tract (160 acres), as well as certain Forest Preserve lands adjacent to these tracts that are being considered for potential reclassification. The lands considered for reclassification are located within the existing Vanderwhacker Mountain Wild Forest, the Blue Mountain Wild Forest and the Hudson Gorge Primitive Area.

The APSLMP and the Final Programmatic Environmental Impact Statement contain standards and guidelines for amending the APSLMP. Agency staff have prepared this Final Supplemental Environmental Impact Statement (FSEIS) in consultation with the Department of Environmental Conservation (Department or DEC). A Draft Supplemental Environmental Impact Statement (DSEIS) was published on May 22, 2013 and the Agency authorized the staff to hold combined public hearings on the DSEIS and the proposed amendments to the APSLMP. Eight hearings were held over the course of two months, both inside and outside the Park.

The public had an opportunity to provide oral comments at the public hearings and to submit written comments throughout the comment period. Approximately 650 people attended these hearings and 250 spoke publicly at the hearings. The Agency received 3,749 letters and emails and 5 petitions (2,380 signatures) during the public comment period which ended on July 19, 2013. Appendix A provides the Response to Public Comment on the Draft Supplemental Environmental Impact Statement. During the public comment period there was strong support for resource protection, community connectivity and recreational access. The preferred alternative addresses these public interests.

Staff have incorporated all comments on the proposed alternatives specific to the classification and reclassification actions into this FSEIS. The FSEIS also includes a written response to public comments and presents final alternatives and a staff recommendation for a Preferred Alternative. The Agency Board will decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are authorized by the Agency, a Board resolution recommending an alternative will be forwarded to the Governor for approval.

The action only involves the classification or reclassification of State lands according to the provisions of the APSLMP. The action does not authorize the development of new uses, structures or improvements without prior Unit Management Plan (UMP) review and SEQRA assessment by the Department and the Agency.

The APSLMP lists seven classifications: Wilderness, Primitive, Canoe, Wild Forest, State Administrative, Historic, and Intensive Use which were considered in the process of developing this FSEIS. The Adirondack Park Agency Act requires the Agency to classify the State lands in the Park according to "their characteristics and capacity to withstand use."¹ Characteristics that determine a land's capacity to withstand use include physical, biological, social and intangible characteristics.

The APSLMP states that the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context, as well as their social or psychological aspects, are not degraded.

The APSLMP prescribes types of permissible uses in each category, but it does not specifically control the levels of use beyond providing general management guidelines. Careful application of guidelines in the APSLMP through this classification process and as applied through the Unit Management Planning (UMP) process should avoid significant adverse environmental impacts caused by types or levels of use. Careful consideration must be given to the levels of recreational use upon the natural resources of these lands.

The area subject to this classification action (the "subject area") consists of the recently acquired Essex Chain Lakes Tract, Indian River Tract, OK Slip Falls Tract, and OSC Tract, as well as certain Forest Preserve lands adjacent to these tracts which are being considered for reclassification. The lands considered for reclassification in the DSEIS are located within the existing Vanderwhacker Mountain Wild Forest (Reclassification Area 1), the Blue Mountain Wild Forest (Reclassification Area 2) and the Hudson Gorge Primitive Area (Reclassification Area 3).

Eight classification alternatives were identified in the DSEIS. The classification alternatives included Wilderness, Primitive, Canoe, Wild Forest, and State Administrative in various configurations.

It was emphasized that the alternatives and their boundaries, as described in the DSEIS, were not final. Final proposed boundaries are described in the Preferred Alternative and staff recommendation; this Preferred Alternative was developed by APA staff following the public hearing and comment period.

Common to all alternatives presented in the DSEIS was the reclassification of the majority of the existing Hudson Gorge Primitive Area to Wilderness and the classification of OK Slip Falls Tract and a portion, or the entire, Indian River Tract to Wilderness. The significant differences among the classification alternatives focused on the lands in the Essex Chain Lakes and Indian River Tracts and the neighboring Blue Mountain Wild Forest and Vanderwhacker Mountain Wild Forest Areas.

¹ Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

Through deliberation of the eight alternatives, consideration of public commentary, and in consultation with DEC, Agency staff developed a ninth, Preferred Alternative 2A that is presented in Map 7A. The Preferred Alternative has a core Primitive Area that allows for resource protection and non-motorized use of the Essex Chain Lakes. The final southern boundary will be determined through the selection of a Wild Forest corridor following additional resource and regulatory review. The Preferred Alternative combines the important attributes of resource protection, recreational access and community connectivity. The alternative opens the door for future Unit Management Planning actions by DEC and ensures that all New Yorkers will share in the opportunities afforded through this historic acquisition and classification.

The following descriptions provide an overview of the alternatives, including a more detailed description of the Preferred Alternative.

ALTERNATIVE 1A: NEW STATE LANDS CLASSIFIED PRIMARILY AS WILDERNESS, WITH WILD FOREST NORTH OF ESSEX CHAIN LAKES

– Map 5

This alternative would create a large Hudson Gorge Wilderness Area comprised of contiguous, State-owned lands on both sides of the Hudson River. As in most of the alternatives presented, the corridor of the Hudson River would offer a wilderness rafting, paddling and camping opportunity, free of significant man-made structures and motorized uses for nearly 7.6 miles. The Essex Chain Lakes, although they would occupy a relatively small portion of this proposed Hudson Gorge Wilderness Area, would also offer a unique wilderness paddling and camping opportunity. The lake experience would not be as rigorous or challenging as the Hudson River trip, but it would still be remote and wild.

The network of private, lease club roads in the newly acquired lands would be closed to motor vehicle and mountain-bike use in this alternative. However, these lands would provide an opportunity for alternative forms of outdoor recreation that conform to wilderness standards, including: hiking, skiing, snowshoeing, horseback riding, and horse and wagon riding.

The Wilderness Area would not include First and Pine Lakes. The beds and waters of these lakes would be classified as Wild Forest, thus enabling commercial float plane access to continue, under DEC permit.

ALTERNATIVE 1B: NEW STATE LANDS CLASSIFIED AS WILDERNESS – Map 6

This alternative would create a larger Hudson Gorge Wilderness Area. This alternative would classify almost the entirety of the Essex Chain Lakes Tract as Wilderness (except a small Primitive area to accommodate a short ROW on Ord and First Left Roads) and extend the boundary southwest to include the entire Indian River Tract and the reclassification of additional land (2,873 acres) from the Blue Mountain Wild Forest, following natural boundaries.

This Wilderness alternative would result in Wilderness fisheries guidelines being applied to three additional ponds (Mud, Clear and Corner), but the boundary would not include the beds and waters of First or Pine Lakes, thus enabling float plane access to remain.

ALTERNATIVE 2: NEW STATE LANDS CLASSIFIED PRIMARILY AS PRIMITIVE, WITH WILDERNESS CORRIDOR ALONG THE HUDSON RIVER – Map 7

Alternative 2 would establish one large Primitive Area and two Primitive Area Corridors. The proposed Essex Chain Lakes Primitive Area would be essentially permanent, not likely to become Wilderness or Canoe due to the non-conforming use of float plane landings on First and Pine Lakes. It would encompass all the Essex Chain Lakes and most lands immediately surrounding them. Two lengths of roadways would be classified as Primitive in order to allow for their use by adjacent landowners. A large Wilderness Area would be created that would include most of the Hudson Gorge Primitive Area as well as all of the OK Slip Falls and OSC Tracts. A possible variation of this alternative would establish two Primitive Areas with some Wild Forest lands – primarily a corridor – between them.

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Truck Trails designated in an approved UMP. In this alternative, commercial float plane operators would continue, under permit from DEC, to provide float plane access for the public to First Lake and Pine Lake.

ALTERNATIVE 2A: NEW STATE LANDS CLASSIFIED PRIMARILY AS PRIMITIVE, WITH WILD FOREST AND WILDERNESS AREAS ALONG THE HUDSON RIVER AND WILD FOREST CORRIDORS BETWEEN THE PRIMITIVE AND WILDERNESS AREAS. (PREFERRED ALTERNATIVE) - MAP 7A (Variation of Map 7) – The Preferred Alternative

The staff recommendation for a Preferred Alternative is a variation of Alternative 2. The boundaries were modified from the DSEIS and the area of reclassification was reduced based on information obtained from additional research and public comment. The Preferred Alternative recommends classification of a southern portion of the Essex Chain Lakes Tract as Primitive, the northern portion between the Boots to Cornell Road and the Hudson River north of the Iron (Polaris) Bridge as Wild Forest, and a Wild Forest Corridor between the Wilderness and Primitive Areas. The Indian River Tract would be split among Wilderness and Wild Forest classifications. As in all alternatives, the OK Slip Falls Tract would be classified Wilderness along with the reclassification of the Hudson Gorge Primitive Area. A portion of the Blue Mountain Wild Forest would be reclassified to Primitive. None of the Vanderwhacker Mountain Wild Forest would be reclassified in the Preferred Alternative.

One-acre State Administrative Areas would be established where the Towns have an easement to extract gravel (only for the purpose of road, trail and infrastructure maintenance on this tract,

with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.²⁾

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Truck Trails designated in an approved UMP.

ALTERNATIVE 3A: NEW STATE LANDS CLASSIFIED AS CANOE WITH WILD FOREST TO THE NORTH OF ESSEX CHAIN LAKES AND WILDERNESS CORRIDOR ALONG THE HUDSON RIVER– Map 8

This alternative would create a new Canoe Area– only the second Canoe Area in the Adirondack Park. Primarily, it would feature the Essex Chain Lakes, excluding the bed and waters of First Lake where landings and take-offs by float planes would be expected to occur under DEC permit. The Essex Chain Lakes are interconnected or within portaging distance of each other and provide an opportunity for a six- to seven- mile canoe route.

This alternative would also feature a Wilderness Area that would include the Hudson Gorge Primitive Area, OK Slip Falls Tract and OSC Tract. Portions of newly acquired lands would be classified Wild Forest. This alternative includes two road sections that would remain open to adjacent landowners and therefore need to be designated as Primitive. One-acre State Administrative Areas would be established where the Towns have an easement to extract gravel (only for the purpose of road, trail and infrastructure maintenance on this tract, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”³⁾).

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Truck Trails designated in an approved UMP.

ALTERNATIVE 3B: NEW STATE LANDS CLASSIFIED PRIMARILY AS CANOE WITH WILD FOREST NORTH OF ESSEX CHAIN LAKES – Map 9

Alternative 3B would create a larger Canoe Area (15,067 acres), extending the boundary southwest to include more of the Cedar River, the Indian River Tract and additional lands (2,083 acres) from the Blue Mountain Wild Forest to the Canoe Area.

² Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718, P.264, Section 3(c) at page 3.

³ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718, P.264, Section 3(c) at page 3.

This alternative would also extend the Canoe Area boundary further north to include a ¼ to ½ mile setback from each bank of the Hudson River in both the Essex Chain Lakes Tract and the Vanderhacker Mountain Wild Forest. The lands to the east and west of the Canoe Area boundary would be classified as Wild Forest.

ALTERNATIVE 4A: NEW STATE LANDS CLASSIFIED PRIMARILY WILD FOREST WITH WILDERNESS CORRIDOR ALONG THE HUDSON RIVER – Map 10

This alternative would significantly expand Blue Mountain Wild Forest to include the Essex Chain Lakes and Pine Lake. Throughout the area of the Essex Chain Lakes, motor-boating, snowmobiling and float plane use could be allowed, subject to an approved UMP, and a much greater portion of the existing road system could be retained for various public motorized and mechanical means of travel and recreation that do not conform to Wilderness, Primitive or Canoe area guidelines. This alternative would have the same Primitive Area Corridors as described for the Canoe Areas. This alternative also includes a Wilderness Area and three State Administrative Areas.

ALTERNATIVE 4B: SAME AS 4A WITH A SPECIAL MANAGEMENT AREA FOR THE WILD FOREST – Map 11

This alternative would include a Special Management Area within the Blue Mountain Wild Forest. Recreational opportunities potentially allowable throughout Wild Forest would be limited in this Special Management Area. The Essex Chain Lakes area is fairly remote and pristine, and some of its resources are sensitive enough – particularly its waters and fisheries – to call for special management guidelines that would prohibit or limit certain uses. Examples could include prohibiting motorized access on the lakes or limiting motorized access on some roads to big game season only and allowing camping at designated sites only.

Some prohibitions or limits considered critical could be effected or partially effected via this classification action. Specific protective management guidelines would be developed through the public comment and hearing process and included in the Final Supplemental Environmental Impact Statement. These guidelines would then be included in prescriptive language for the area description included in the APSLMP. This protective management approach would then need to be implemented through the unit management planning process for the area and the promulgation of special regulations.

ALTERNATIVE 5: NO ACTION

The No Action Alternative is not being considered for the new acquisitions because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands presently in the Blue Mountain Wild Forest, the Vanderhacker Mountain Wild Forest, and the Hudson Gorge Primitive Area is to leave those lands classified in their current classifications, as described in the current APSLMP.

Below is a table showing the classification acreage of each alternative discussed in this FSEIS:

Alternative	Wilderness	Primitive	Canoe	Wild Forest	State Admin
	Total Acres* <i>(Acres of New Classification/ Acres of Reclassification)</i>				
1A	38,563 <i>(15,850/22,713)</i>	17 <i>(17/0)</i>	0 <i>(0/0)</i>	7,032 <i>(5,317/0)</i>	3 <i>(3/0)</i>
1B	45,347 <i>(21,164/24,183)</i>	17 <i>(17/0)</i>	0 <i>(0/0)</i>	251 <i>(6/0)</i>	0 <i>(0/0)</i>
2	32,234 <i>(10,800/21,434)</i>	11,743 <i>(9,658/2,085)</i>	0 <i>(0/0)</i>	1,637 <i>(728/0)</i>	1 <i>(1/0)</i>
2A(1)	23,494 <i>(6,166,/17407)</i>	10,923 <i>(8,101/2,491)</i>	0 <i>(0/0)</i>	12,968 <i>(</i>	3
2A(2)	23,494 <i>(6, 112,/17,382)</i>	10,850 <i>(8,016/2,823)</i>	0 <i>(0/0)</i>	13,041 <i>(8036,0)</i>	3 <i>(3/0)</i>
3A	31,939 <i>(9,226/22,713)</i>	17 <i>(17/0)</i>	6,624 <i>(6,624/0)</i>	7,032 <i>(5,317/0)</i>	3 <i>(3/0)</i>
3B	18,829 <i>(3,074/15,755)</i>	15 <i>(15/0)</i>	15,067 <i>(11,338/3,728)</i>	11,702 <i>(6,757/0)</i>	2 <i>(2/0)</i>
4A	33,942 <i>(11,229/22,713)</i>	17 <i>(17/0)</i>	0 <i>(0/0)</i>	11,653 <i>(9,938/0)</i>	3 <i>(3/0)</i>
4B	33,942 <i>(11,229/22,713)</i>	17 <i>(17/0)</i>	0 <i>(0/0)</i>	11,653 <i>(9,938/0)</i>	3 <i>(3/0)</i>

* Acreages are approximate

Through an extensive public process that began with Agency Board authorization to release the DSEIS in May of 2013, followed by eight public hearings through the summer both in and outside the Park, and the receipt of more than 3700 public comments, and in consultation with DEC, staff developed a Preferred Alternative. The Preferred Alternative offers resource protection while allowing for recreational access and community connectivity.

FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Summary of Proposed Action

The New York State Adirondack Park Agency (APA or Agency) has proposed an amendment to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of certain lands recently acquired by the State of New York and the reclassification of nearby State Forest Preserve. The lands subject to these classification actions are located in the Hamilton County Town of Indian Lake and the Essex County Towns of Minerva and Newcomb.

On May 10, 2013, the Agency accepted a Draft Supplemental Environmental Impact Statement (DSEIS). The DSEIS contained seven classification alternatives which demonstrated a range of alternatives that could be considered.

The Agency conducted eight public hearings on the classification action between June 12 and July 2, 2013. The public had an opportunity to provide oral comments at the public hearings and to submit written comments throughout the comment period. Approximately 650 people attended these hearings and 250 spoke publicly. The Agency received 3,749 letters and emails and 5 petitions (2,380 signatures) during the public comment period which ended on July 19, 2013. Appendix A provides the Response to Public Comment on the Draft Supplemental Environmental Impact Statement. During the public comment period there was strong support for resource protection, community connectivity and recreational access. The preferred alternative addresses these public interests.

Agency staff have reviewed information on the physical and biological resources, together with information provided during the public comment process. Based on this information, the Preferred Alternative recommends classification of a large portion of the Essex Chain Lakes Tract as Primitive, the northern portion along the Hudson River north of and including the Iron (Polaris) Bridge as Wild Forest and provides a buffer between the Wilderness and Primitive areas as Wild Forest. The Indian River Tract would be split among Wild Forest and Primitive classifications. As in all alternatives, the OK Slip Falls Tract would be classified Wilderness along with the reclassification of the Hudson Gorge Primitive Area. A portion of the Blue Mountain Wild Forest area would be reclassified to Primitive. A discussion of the Preferred Alternative can be found starting on Page 70 of the FSEIS. The Agency must then decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are approved by the Agency, the resolution approving them will be forwarded to the Governor for approval.

Background

In 1885, the New York State legislature established the Forest Preserve, stating that the Preserve "shall be forever kept as wild forest lands." In 1892 the Adirondack Park (Park) was established through an act of the legislature, which delineated where State acquisition of private inholdings was to be concentrated. At the Constitutional Convention of 1894, Article VII of the New York State Constitution (now Article XIV) was adopted and soon after was approved by the people of the State. It read:

“The lands of the State, now owned or hereafter acquired, constituting the Forest Preserve, as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.”

In 1971, the Adirondack Park Agency was created by the legislature with essentially two mandates. The Agency was directed to create a State Land Master Plan to classify and provide guidelines for the management and use of State lands within the Park, and a Private Land Use and Development Plan designed to control and channel development on non-State lands to minimize the adverse impacts upon the natural resource quality of the Park. The APSLMP was developed by the Agency and adopted by Governor Rockefeller in 1972. The Private Land Use and Development Plan was approved by the Legislature in 1973. Through these plans, the Agency performs long-range planning for the Park. The Department of Environmental Conservation (DEC) is responsible for the care, custody, and management of the State land in the Park; in carrying out this responsibility DEC drafts the Unit Management Plans (UMPs) for managing publicly owned lands within the Park consistent with the APSLMP. As of 2013, there are approximately 2,547,265 acres of Forest Preserve, currently classified as follows:

<u>Classification</u>	<u>Acres</u>
Wilderness	1,138,423
Primitive	45,756
Canoe	17,646
Wild Forest	1,293,721
Intensive Use	22,705
Historic	531
State Administrative	2,067
Pending	26,415

In 2007, the Nature Conservancy purchased 161,000 acres of land from Finch, Pruyn & Company (Figure 1). These lands, called by some the “jewel in the Adirondack crown,” are remarkable for their ecological diversity, astounding beauty and the recreational opportunities they may provide to residents and visitors alike.

Following the 2007 purchase, The Nature Conservancy worked with the DEC, elected officials and other stakeholders regarding the future of these lands. The Nature Conservancy conducted an assessment of the land, which includes timber productivity, ecological value and recreation value, and developed a plan for the 161,000 acres. The plan included 89,036 acres to continue as working commercial forests, protected by a conservation easement; 65,000 acres to be acquired by the State of New York from The Nature Conservancy as new public lands; and 1,170 acres set aside for community purposes in Newcomb, Long Lake and Indian Lake.

In 2011, conservation easements were acquired by New York State on the 89,036 acres. The easements allow for forest products to be harvested from these lands, while providing some opportunities for public recreation. In 2012 New York State announced a plan for the fee acquisition of the remaining 65,000 acres of land, to be included in the Adirondack Forest

Preserve, beginning in 2012 and continuing over a five year period. Each annual fee acquisition is a separate, distinct action, independent of other acquisitions at other locations.

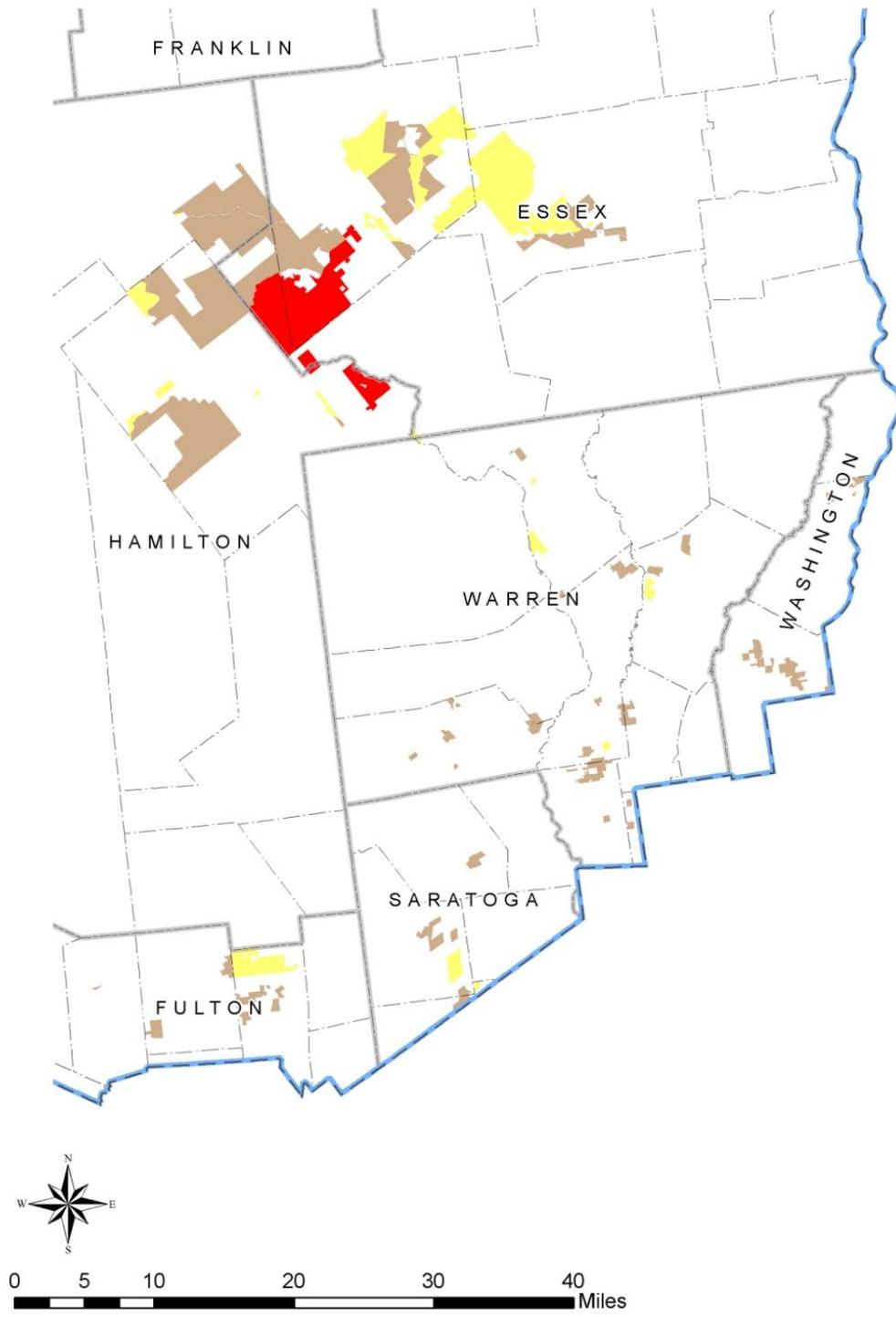
Within the entire 65,000 acres of fee acquisition lands (Figure 1), there are 180 miles of rivers and streams, 175 lakes and ponds, 465 miles of undeveloped shoreline (rivers, streams, lakes, ponds), six mountains taller than 2,000 feet and countless smaller hills. There are a variety of mountains, cliffs, wilderness lakes, ponds, bogs, fens, swamps, alluvial forests, and for flat-water and white-water rivers. Terrestrial habitat exists for mammals such as moose, bobcat, and black bear, and aquatic habitat exists for brook trout, landlocked salmon, and smallmouth and largemouth bass.

Sixty-four New York Natural Heritage Program (NYNHP) elements (rare species and natural communities) were located on these 65,000 acres during field work conducted by biologists. These elements include plant and animal species, as well as natural communities. Of these, 13 are ranked as globally significant and 37 are significant within New York State. Examples include rich graminoid fen, medium fens, Hill's pondweed, and the Pygmy Snaketail (a dragonfly).

Parcels slated for acquisition will be classified pursuant to the APSLMP after they are acquired by the State of New York. Key parcels slated for acquisition in fee over a five-year time period include the Essex Chain Lakes, Boreas Ponds, portions of the Hudson Gorge, Blue Ledge and Opalescent River headwaters.

The classification action that is the subject of this FSEIS is the Essex Chain Lakes Tract (18,230 acres), Indian River Tract (963 acres), the OK Slip Falls Tract (2,789 acres), and OSC Tract (160 acres). The reclassification action described within this FSEIS includes portions of the Hudson Gorge Primitive Area, Blue Mountain Wild Forest and Vanderwhacker Mountain Wild Forest.

Figure 1: Map showing Finch lands purchased by The Nature Conservancy



STANDARDS FOR AGENCY DECISION

The Adirondack Park State Land Master Plan (APSLMP) sets forth in clear terms the fundamental principles governing the classification considerations and the Agency's responsibilities for the long range planning for the State lands within the Park.

In Part I, INTRODUCTION, the Master Plan sets forth the fundamental principles and states:

If there is a unifying theme to the master plan, it is that the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded. (APSLMP at p. 1.)

The APSLMP was adopted in 1972 following the requirement of the Adirondack Park Agency Act to "classify [state lands] lands according to their characteristics and capacity to withstand use... ." (APA Act § 807.)

Part II of the Master Plan entitled, "CLASSIFICATION SYSTEM AND GUIDELINES" sets forth three "determinants" and an additional consideration.

The first determinant is "the physical characteristics of the land or water which have a direct bearing upon the capacity of the land to accept human use." After listing several characteristics, the discussion of physical characteristics concludes, "[T]hese factors highlight the essential fragility of significant portions of the state lands within the Park. These fragile areas include most lands above 2,500 feet in altitude, particularly the boreal (spruce-fir), sub-alpine and alpine zones, as well as low-lying areas such as swamps, marshes and other wetlands. In addition, rivers, streams, lakes and ponds and their environs often present special physical problems. (APSLMP at p. 13).

The second determinant is biological considerations which are related to the physical characteristics including deer wintering yards and nesting habitat of rare, threatened or endangered species. This determinant also recognizes that, "Wetland ecosystems frequently are finely balanced and incapable of absorbing material changes resulting from construction or intensive human use." (APSLMP at p. 13).

The third determinant involves "certain intangible considerations that have an inevitable impact on the character of land." These include "a sense of remoteness and degree of wildness available to users of a particular area, which may result from the size of an area, the type and density of its forest cover, the ruggedness of the terrain or merely the views over other areas of the Park obtainable from some vantage point." (APSLMP at pp. 13, 14).

The final consideration is the presence of established public uses and facilities such as highways, ski areas or campgrounds; these uses are generally viewed as inconsistent with a Wilderness or Wild Forest setting.

The APSLMP contains nine classifications, seven of which are briefly described below:

Wilderness - A Wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man--where man himself is a visitor who does not remain. A Wilderness Area is further defined to mean an area of State land or water having a primeval character, without significant improvement or permanent human habitation, which is protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least ten thousand acres of contiguous land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic or historical value.

Primitive - A Primitive area is an area of land or water that is either:

- Essentially wilderness in character but, (a) contains structures, improvements, or uses that are inconsistent with wilderness, as defined, and whose removal, though a long term objective, cannot be provided for by a fixed deadline, and/or, (b) contains, or is contiguous to, private lands that are of a size and influence to prevent wilderness designation; or,
- Of a size and character not meeting wilderness standards, but where the fragility of the resource, or other factors, requires wilderness management.

Canoe - A Canoe area is an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water-oriented recreation in an essentially wilderness setting.

Wild Forest - A Wild Forest area is an area where the resources permit a somewhat higher degree of human use than in wilderness, primitive or canoe areas, while retaining an essentially wild character. A Wild Forest area is further defined as an area that frequently lacks the sense of remoteness of Wilderness, Primitive or Canoe areas and that permits a wide variety of outdoor recreation.

Intensive Use - An Intensive Use area is an area where the State provides facilities for intensive forms of outdoor recreation by the public. There are two types of Intensive Use areas: campgrounds and day use areas.

Historic - Historic areas are locations of buildings, structures or sites owned by the State (other than the Adirondack Forest Preserve itself) that are significant in the history, architecture, archeology or culture of the Adirondack Park, the State or the Nation; that fall into one of the following categories:

- State historic sites;
- properties listed on the National Register of Historic Places;

- properties recommended for nomination by the Committee on Registers of the New York State Board For Historic Preservation; and that are of a scale, character and location appropriate for designation as an historic area under this master plan and the state has committed resources to manage such as primarily for historic objectives.

State Administrative - State Administrative areas are areas where the state provides facilities for a variety of specific state purposes that are not primarily designed to accommodate visitors to the Park.

Each of these classifications contains further statements setting forth basic guidelines and specific guidelines for improvements, uses and activities. These specific guidelines should be read for a detailed understanding of the APSLMP's structure and intent. One overarching practice is clear: the Wilderness classification sets the base line upon which each following classification then adds permitted structures or activities.

In addition to the nine classifications, the APSLMP also contains guidelines for areas deserving Special Management. Classifications reflect the minimum management constraints for the lands affected. "Certain parcels of land may require special management to reflect unusual resource or public land factors." (APSLMP, at p. 49). Special Management is not a classification category but rather provides specific protective measures which are more restrictive than the classification in which the area of special concern lies. Special Management Areas are developed after the classification process is complete and specific management protections are developed during the unit management planning process.

Hierarchy of Guidelines

The Guidelines for Management and Use are found in each land use classification establish an important emphasis on Wilderness guidelines. The structure of the management guidelines begins with Wilderness restrictions, which are listed first, and adds permitted activities for each subsequent category, thus implying that each is subordinate to Wilderness. Primitive and Canoe Areas are very close to Wilderness, and all three have resource considerations and values that require similarly greater protection than Wild Forest areas. For example, in Primitive areas, "All structures and improvements that conform to wilderness guidelines will be acceptable in primitive areas." (APSLMP at p. 26); the motor vehicle, road and all terrain bicycles guidelines all begin with a statement that wilderness guidelines apply and add some possibilities for administrative use of some roads "to reach and maintain existing structures and improvements." (APSLMP at p. 27). No "structures and improvements" have been located or identified in the lands subject to this classification action. Thus, it is clear that the Master Plan guidelines and the requirements of the Final Programmatic EIS, discussed under the next heading, place an emphasis on resource protection, remoteness and self-sufficiency found in the Wilderness, Primitive and Canoe classifications.

PROCEDURES UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

This Final Supplemental Environmental Impact Statement (FSEIS) is a supplement to the Final Programmatic Environmental Impact Statement Guidelines For Amending the Adirondack Park State Land Master Plan (1979) (FPEIS). The proposed classifications and reclassifications of the State lands in the Essex Chain Lakes Tract, the Indian River Tract, the OK Slip Falls Tract, the OSC parcel and the Blue Mountain Wild Forest are an amendment to the APSLMP. The FPEIS lists classification of any newly acquired parcel greater than 5,000 acres to Wilderness, Primitive or Canoe as a Type 1 action. This FSEIS proposes classifications of over 5,000 acres as Wilderness, Primitive or Canoe; therefore this action is a Type 1 action under the FPEIS.

The FPEIS repeats and reaffirms the principles guiding the classification opportunities. Like the SLMP, the FPEIS begins with a foundation of Wilderness classification noting that opportunities for outdoor activities in large unconfined spaces like the Adirondack Park are rare in New York State. The FPEIS also notes that the constitutional protection for the Forest Preserve does not guide management; further actions are necessary so that areas can be upgraded to wilderness type protection. In particular the FPEIS encourages Primitive classification for:

Particularly remote or fragile tracts of land that require Wilderness management but do not meet the 10,000 acre size criterion for Wilderness designation and do not lie adjacent to existing Wilderness should be classified as Primitive. Also, lands which otherwise would receive a Wilderness classification but contain significant non-conforming uses, the removal of which cannot be scheduled, or lands which contain or lie contiguous to private lands that are of a size and influence to prevent Wilderness designation, will be classified as Primitive. (FPEIS at p. 25).

Examples of non-conforming uses that can lead to a Primitive Classification are reserved rights for private inholdings, float plane activity and access rights for timber or gravel removal.

The creation of additional Canoe areas is dependent upon the acquisition of large tracts of private land which surround substantial acreages of water suitable for canoeing. The FPEIS states, “the canoe classification is given to an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water recreation in essentially a Wilderness setting.” (FPEIS at p. 19.) Factors such as the reserved rights of float plane access, private inholdings and gravel extraction must be considered in the pending classification process.

Wild Forest areas are described in the FPEIS as having “[r]esources which allow a somewhat higher level of human use which does not degrade resource quality while retaining a wild character...” Examples of such uses include snowmobiling “where such use will not adversely impact the natural resources quality and wild forest character of the area.” (FPEIS at p. 19.); these uses might be appropriate on an existing road network.

The FPEIS also contains a section governing the reclassification from one category to another. In general, the FPEIS strongly discourages reclassification from a more protective category to a less protective one. It also states, “The reclassification of Wilderness, Primitive, Wild Forest, or Intensive Use to Canoe should occur only if such a reclassification will aid in the consolidation of scattered tracts where the number and proximity of lakes and ponds makes possible a remote

and unconfined type of water oriented recreation in an essentially wilderness setting.” (FPEIS at p. 26). However, the reclassification from Wild Forest to Wilderness, Primitive or Canoe would result in added protection of natural resources.” (FPEIS at p. 27.) The FPEIS calls for reclassification from Wild Forest to Primitive if there are limited facilities, slight usage, or unusual natural resources requiring greater protection. Such reclassification is particularly appropriate where necessary “to protect the resources or character of existing, adjacent or nearby designated Wilderness, Primitive or Canoe areas.” (FPEIS at p. 28)

DESCRIPTION OF ACTION

The area subject to this classification action (the “subject area”) consists of the recently acquired Essex Chain Lakes Tract, Indian River Tract, OK Slip Falls Tract and OSC Tract, as well as certain Forest Preserve lands adjacent to these tracts which are being considered for potential reclassification. The lands considered for reclassification are located within the existing Vanderwhacker Mountain Wild Forest (Reclassification Area 1), the Blue Mountain Wild Forest (Reclassification Area 2) and the Hudson Gorge Primitive Area (Reclassification Area 3). Figure 2 is a map showing the areas and their current classifications. Discussion of the range of alternative classifications can be found in the Alternatives section of this document.

The Essex Chain Lakes Tract is an approximately 18,230 acres in size and is located within the Towns of Newcomb and Minerva, Essex County. This tract has a northern portion and a southern portion, with the Cedar River dividing the two. A bridge over the Cedar River, which used to connect the two portions, no longer exists. The northern portion, which contains the Essex Chain Lakes, is accessible from the north from Newcomb on Route 28N via the Chain Lakes Road (North). The southern portion of this tract is accessible from the south from Indian Lake on Route 28 via the Chain Lakes Road (South). The two Chain Lakes Roads are separated into north and south sections because there is no bridge over the Cedar River.

The Indian River Tract is an approximately 963-acre tract of land in the Towns of Minerva, Essex County and Indian Lake, Hamilton County. This tract is accessible from the south from Indian Lake on Route 28 via the Chain Lakes Road (South).

The OK Slip Falls Tract is an approximately 2,789-acre tract of land in the Town of Indian Lake, Hamilton County. There is a privately owned inholding within this tract of land. The OK Slip Falls Tract is accessible from the south from Route 28.

The OSC Tract is approximately 160 acres, located in the Town of Newcomb, Essex County. This tract is an inholding in the Vanderwhacker Mountain Wild Forest.

CLASSIFICATION CONSIDERATIONS

As discussed in “Standards for Agency Decision” (pp. 17-19), the Adirondack Park Agency Act requires the Agency to classify the State lands in the Park according to "their characteristics and capacity to withstand use." ⁴ Characteristics that determine a land’s capacity to withstand use include physical, biological and social characteristics. The characteristics specific to the area under consideration for this action can be found in the Environmental Setting section of this FSEIS.

A fundamental determinant of land classification is the **physical characteristics** of the land or water which have a direct bearing upon the capacity of the land to accept human use. Soil, slope, elevation and water are the primary elements of these physical characteristics. These characteristics affect the carrying capacity of the land or water both from the standpoint of the construction of facilities and the amount of human use the land or water itself can absorb.

Biological considerations also play an important role in the structuring of the classification system. Many of these are associated with the physical limitations just described. Wetland ecosystems, habitats of rare, threatened or endangered species and sensitive wildlife habitats are relevant to the characteristics of the land and sometimes determine whether a particular kind of human use should be permitted or prohibited.

Another significant determinant of land classification involves certain **intangible considerations** that have an inevitable impact on the character of land. Some of these are social or psychological, such as the sense of remoteness and degree of wildness.

Finally, the classification system takes into account the **established facilities** on the land, the uses now being made by the public and the policies followed by the various administering agencies. Examples of this would be the presence of an existing campground or ski area which would require the classification of intensive use.

Physical Characteristics

Geology/Soils:

Soils are an important factor that relate to the capacity of land to withstand a certain level of use. Soil properties such as texture, permeability, water table depth and slope are important considerations in understanding the potential impacts of land use.

The Natural Resource Conservation Services (NRCS), in its soil surveys of Essex and Hamilton Counties, has identified 53 soil series within the subject area. These soils have been mapped by

⁴ Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

soil unit, many of which contain several soil types. Map 1 shows the soils in the subject area. A more detailed map of the soil units, as well as a description of each is found in Appendix E.

Several limestone outcrops occur along the Cedar and Hudson Rivers. The rock constituting these outcrops is Grenville Marble. The longest and highest exposures of this substrate are along the Hudson River near the Hudson Gorge.

Topography:

The subject area contains varied terrain, ranging from lower-lying river valleys of the Cedar, Goodnow, Hudson and Indian Rivers to mountain peaks. Prominent topographical features include five named mountains with peaks over 2,000 feet; four are located in the Essex Chain Lakes Tract and one in the OK Slip Falls Tract. The five named mountains are: Cedar Mountain (2,554 feet), Little Pisgah Mountain (2,020 feet), Polaris Mountain (2,515 feet), Sixth Lake Mountain (2,396 feet), and P. Gay Mountain (2,340 feet). Within the portion of the Blue Mountain Wild Forest (Reclassification Area 2) being considered for reclassification are the western slopes of Big Pisgah Mountain (2,102 feet). Total acreage of lands over 2500 feet is approximately 15 acres.

Another prominent feature is an approximately four-mile long ridge that runs in east-west direction south of the Essex Chain Lakes that includes five peaks over 2000 feet. Distinct valleys exist along the Hudson and Cedars Rivers.

The OK Slip Falls Tract of land contains OK Slip Falls, the Adirondack's second highest falls (at 250 feet) and one of the highest waterfalls in the State.

The Cedar and Hudson Rivers divide the Essex Chain Lakes Tract into three separate areas. Current access to the eastern section is available over a major bridge that crosses the Hudson River. Access between the two sections separated by the Cedar River is more difficult. A bridge that connected these two sections was destroyed in a storm in 1968.

Slopes within the subject area vary from gentle to severely steep. Generally these steep slopes are problematic for certain recreational improvements such as campsites. These areas can also be problematic for trail development because of the high risk of erosion. Map 2 shows the subject area topography.

Water Resources:

The Introduction section of the Master Plan states:

The water resources of the Adirondacks are critical to the integrity of the Park. The protection of the major watersheds of the state was a major reason for the creation of the Forest Preserve and continues to be of significant importance. Waters, particularly lakes and ponds, have their carrying capacity from a physical, biological and social standpoint just as do tracts of public or private land. The use made of state waters also has a direct impact on adjacent land holdings.
(APSLMP at p. 3).

The Essex Chain Lakes, Indian River, and OK Slip Falls Tracts lie within the Hudson River watershed.

There are 18 lakes and ponds in the Essex Chain Lakes parcel. A dominant feature of the landscape is the Essex Chain Lakes, a series of eight interconnected lakes. Together with nearby ponds, this tract has eleven lakes and ponds that are interconnected or within portaging distance of each other to provide a six- to seven- mile canoe route. The following is a list of the lakes and ponds in the Essex Chain Lakes Tract with their acreage:

- Cedar Pond – 8 acres
- Chain Lakes
 - 1st Lake – 51 acres
 - 2ndLake - 23 acres
 - 3rd Lake – 262 acres
 - 4th Lake – 27 acres
 - 5th Lake – 71 acres
 - 6th Lake – 36 acres
 - 7th Lake – 9 acres
 - 8th Lake – 17 acres
- Clear Pond – 23 acres
- Cheney Pond – 18 acres
- Corner Pond – 20 acres
- Deer Pond – 48 acres
- Jackson Pond – 29 acres
- Mud Pond (near Chain) – 22 acres.
- Mud Pond (near Pine) – 15 acres
- Pine Lake – 91 acres.
- Shadow Pond – 51 acres

The Indian River Tract does not have any lakes or ponds. The OK Slip Falls Tract has two ponds: one, 4 acres and the other, 8 acres. OK Slip Pond is located on private property and is not included in this tract.

Rivers in these tracts include the Goodnow, Cedar, Hudson, and Indian. This includes approximately 14 miles of the Hudson River and 7.6 miles of the Cedar River. The Indian River Tract borders both sides of the river for approximately one miler. The Essex Chain Tract contains an approximate 1 mile stretch of the Goodnow River, an unclassified river, which flows from the Goodnow Flow, a 438 acre impoundment, into the Hudson River. Each of these rivers is important from a biological, recreational and scenic perspective. These rivers and several smaller streams are also associated with significant wetland complexes.

The Hudson, Cedar, and Indian Rivers are designated (Map 2) pursuant to the Wild, Scenic and Recreational Rivers Act, ECL Article 15, Title 27 (Rivers Act). The Hudson River is designated as a Wild River south of the confluence with the Cedar River and as a Scenic River north of that

confluence. The Indian River is designated as a Recreational River, and the Cedar River is designated as a Scenic River within the Essex Chain Lakes Tract and a Wild River within the Blue Mountain Wild Forest. DEC Regulations established under the Rivers Act restrict certain management actions on lands adjacent to these rivers regardless of the land's final classification (6 NYCRR 666.4). The State Land Master Plan also provides guidelines for management and use of Wild, Scenic, and Recreational Rivers and adjacent lands.

Biological Characteristics

Temperate Deciduous Forest:

In the United States, there are five areas of Temperate Deciduous Forest identified for restoration or protection. The largest area of unbroken forests greater than 100,000 acres is in the Adirondacks. The temperate deciduous forest represents the most fragmented and degraded closed forest habitat on the planet. Approximately 50% of what had once occurred has been lost to agriculture and development. What remains of this forest type is widely scattered with less than 10% secured in ecological reserves. Those forests that are protected tend to be in patches of a few thousand acres, making them too small to support viable populations of wide-ranging species or able to maintain ecosystem processes that shape natural features⁵.

Within the Adirondacks are areas referred to as “matrix blocks”, or intact forests. These blocks are significant due to their diverse underlying abiotic factors (elevation, land form and geology), the overall condition of the forest, and by being less fragmented by roads. Ten of these matrix blocks intersect with TNC/Finch lands, four in the Essex Chain Lakes, Indian River, OSC and OK Slip Falls Tracts.

Matrix blocks are important for habitat and species resilience. Resilience concerns the ability of a living system to adjust to climate change, to moderate potential damages, to take advantage of opportunities, or to cope with consequences; in short, its capacity to adapt. The Essex Chain Lakes, Indian River, OK Slip Falls and OSC Tracts add to these matrix blocks and enhance the resiliency of the Park's Temperate Deciduous Forest.

The majority of forest cover on these tracts of land is northern hardwood forests, but there are also numerous less common forest types that provide habitat for unique species. The intact forest here provides high connectivity and a functional landscape, which can combat habitat fragmentation, protect water quality, provide habitat for numerous species, enable natural disturbance regimes to operate and buffer against detrimental effects of large environmental changes.

It is unlikely that there are any old growth forests on these tracts of land. These forests have been logged by previous owners. Larger, and presumably older, trees occur in the Hudson Gorge Primitive Area on the trail to Blue Ledge and along the shore of the Hudson River between Blue Ledge and OK Slip Falls.

⁵ <http://conserveonline.org/workspaces/ecs/documents/resilient-sites-for-terrestrial-conservation-1>

In addition to deciduous forests, there are conifer and alluvial forests. Alluvial forests are forests on river-deposited soils which are subject to a flooding regime. Alluvial forests provide valuable wildlife habitat and contribute to the scenic qualities of the streams on which they occur.

Species diversity will change as these forests mature. Species which require open or edge habitats are likely to migrate to the adjacent easement lands, which are being managed for timber. Conversely, the mature forest will attract a range of species that is not likely to occur on the land today.

Wetlands:

There are approximately 1800 acres of wetlands in the four tracts of land being classified. Many of these wetlands are associated with streams and other waterbodies. Map 2 shows the locations of wetlands in the four tracts. This wetland mapping uses the Cowardin classification system⁶, which does not specifically identify or differentiate among peatlands, wet meadows or emergent marsh.

There are numerous wetland types on these tracts of land ranging from coniferous swamps to alluvial forests, to sphagnum- shrub bogs, to beaver flows and other open wetlands. The substrate of these tracts and the species diversity within these wetlands varies from location to location. Regardless of species diversity, wetlands are significant. Wetlands play a critical role in modulating the flow of water in any watershed, reducing flooding and erosion. Wetlands filter pollutants and purify water and they provide critical habitat for many species of plants and animals.

Table 1 lists acreage of common wetland types in the four tracts being classified.

Acreage of Common Wetland Cover Types

	FO1	FO4	SS1	SS3	EM1	Total*
Chain Lakes	24	569	360	61	254	1460
OK Slip Falls	5	81	39	3	47	212
Indian River	10	15	9	0	25	67
OSC	0	20	7	0	46	74
Total	39	685	415	64	372	1813

*Total of all wetlands, including cover types not included in this table.

Following is a description of the cover types in Table 1:

FO1 – Hardwood swamp, usually dominated by Red or Silver Maple.

⁶ Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of wetlands and deepwater habitats of the United States*. U.S. Fish and Wildlife Service FWS/OBS-79/31, Washington, D.C., 103 pp.

FO4 – Conifer swamp, dominated by Balsam Fir, Tamarack or Black Spruce.

SS1 – Shrub swamp, with alder and willow as dominant species.

SS3 – Shrubby peatland, characterized by Ericaceous shrubs and peat moss.

EM1 – Either wet meadows or emergent marsh, or a combination of the two.

Wetlands associated with the Essex Chain Lakes:

The channels connecting Third Lake to Fourth Lake, Fourth Lake to Fifth Lake, and Fifth Lake to Sixth are large (greater than 20 acres) emergent marsh and deepwater marsh wetlands. Due to their size, wetland covertypes present, diversity and abundance of aquatic macrophytes, and hydraulic connection to the main waterbodies, they have the highest value rating of 1 as defined in 9 NYCRR Part 578. Emergent marsh is the most valuable individual covertype and one of the highest in biological productivity. These wetlands provide nesting habitat, food and cover for wildlife, and the capacity to stabilize lake sediment and cycle large quantities of nutrients. Deepwater marsh wetlands provide valuable fish spawning and nursery habitat and are a food source for waterfowl and other wildlife.

Agency staff and Adirondack Park Invasive Plant Program staff completed site visits on July 11 and September 18, 2013. A total of 15 emergent and deepwater marsh wetland plant species were identified during the two site visits. This diverse wetland community is represented by the following species: watershield (*Brasenia schreberi*), bladderwort (*Utricularia spp.*), naiad (*najas spp.*), Farwell's milfoil (*Myriophyllum farwellii*), Robbins pondweed (*Potamogeton robinsii*), Largeleaf pondweed (*Potamogeton amplifolius*), water marigold (*Bidens beckii*), white-stemmed pondweed (*Potamogeton praelongus*), bur reed (*Sparganium sp*), pickerelweed (*Pontederia cordata*), white water lily (*Nymphaea odorata*), yellow-lily (*Nuphar variegata*), pipewort (*Eriocaulon aquaticum*), threeway sedge (*Dulichium arundinaceum*), and rush (*Juncus spp.*). The species list was developed from two cursory Agency site visits, and a more thorough quantitative aquatic plant assessment by the Adirondack Park Invasive Plant Program or one of their partners will provide more detailed information. This quantitative assessment will identify additional species in order to determine the full extent and value of the aquatic plants found in these critical wetland habitats.

Rare, Threatened or Endangered Species and Natural Communities:

The Adirondack landscape is largely acidic-granitic. The underlying geology of much of the Essex Chain Lakes and Indian River Tracts is calcareous, yielding numerous rare plants and bryophytes (mosses and lichens). Many of these species are considered uncommon or unusual in the Adirondacks, but are not considered to be State rare species. Some rare plant species are protected in New York State. Bryophytes have no legislative protection.

Within the Essex Chain Lakes, Indian River, and OK Slip Falls Tracts, and along portions of the Hudson River in the Hudson Gorge Primitive Area, ten rare, threatened or endangered species

(vascular plants and animals) occur, some with multiple populations. In addition to these ten known occurrences of rare species, two species, the Golden Eagle (*Aquila chryseatos*) and the Bald Eagle (*Haliaeetus leucocephalus*), were known to occur historically but have not been reported since the early to mid 1900's.

Listed below are the rare, threatened and endangered species reported from the properties:

<u>Name</u>	<u>US Listed</u>	<u>NY Listed</u>	<u>NYNHP Rank</u> ⁷
<i>Calamagrostis stricta</i> (Northern Reedgrass)		T	G5S2
<i>Carex capillaries</i> (Hair-like Sedge)		E	G5S1
<i>Draba arabisans</i> (Rock-cress)		T	G4S2
<i>Erigeron hyssopifolius</i> (Daisy Fleabane)		E	G5S1
<i>Gavia immer</i> (Common Loon)		SC	G5S4
<i>Halenia deflexa</i> (Spurred Gentian)		E	G5S1
<i>Prunus pumila</i> var. <i>depressa</i> (Dwarf Sand-cherry)		T	G5T5S2
<i>Saxifraga oppositifolia</i> ssp. <i>oppositifolia</i> (Purple Mountain-saxifrage)		E	G4G5T4T5S1
<i>Trisetum melicoides</i> (Melic-oats)		E	G4S1
<i>Woodsia glabella</i> (Smooth Cliff Fern)		E	G5S1

Field work conducted during the summer of 2013 located two NYS protected aquatic plant species: Farwell's milfoil (*Myriophyllum farwellii*) was identified in Third Lake and in the channel between Third and Fourth Lake. It is listed as threatened in Environmental Conservation Law, Section 193.3. (Plants listed as threatened are likely to become endangered within the foreseeable future throughout all or a significant portion of their ranges within the State.) Water marigold (*Bidens beckii*) was found in Third Lake and in the channel between Third and Fourth Lake. It is listed in the 2010 New York Natural Heritage Program (NHP) rare plant watch list as threatened. The NHP watch list contains native species that are considered rare, uncommon, or declining in numbers and need continued periodic monitoring to determine if they should be removed from the list.

<i>Myriophyllum farwellii</i> (Farwells' Water Milfoil)		T	G5S2
<i>Bidens beckii</i> (Water Marigold)		R	G4G5S3

Agency staff observations during these site visits describe the wetlands in the lake channels as consisting of a diverse assemblage of healthy native aquatic macrophytes with some areas exhibiting moderately dense pockets of Farwell's milfoil and Water marigold.

⁷ www.acris.nynhp.org/ranks.php

Additionally, several significant natural community types are documented:

<u>Name</u>	<u>NY Listed</u>	<u>NYNHP Rank</u>
Calcareous Cliff Community	U	G4S3
Calcareous Shoreline Outcrop	U	G3G4S2
Calcareous Talus Slope Woodland	U	G3G4S3
Northern White Cedar Rocky Summit	U	G3G4S2
Riverside Ice Meadow	U	G2G3S1

Natural communities, like bryophytes, have no legislative protection.

Botanist Jerry Jenkins conducted biological surveys of the entire TNC/Finch acquisition lands, including the tracts being classified in this action, tracts scheduled to be purchased by the State over the next five years, and tracts that have been protected by conservation easements and are currently privately owned. Jenkins' summary of biological significance does not always follow the NYNHP ranking system and includes regional specialties in addition to State, Global and Federal rankings. Although his summary is not as easily quantifiable as NYNHP surveys, his information is included for a more comprehensive understanding of these lands (Appendix C).

Jenkins also documents bryophytes that the NYNHP does not document. The limey outcrops along the Hudson and Cedar Rivers, along with additional limey cliffs and wetlands, represent one of the largest diversities of bryophytes and vascular plants that he has ever seen in the Adirondacks.⁸

Fisheries:

Data shared with the DEC by the previous owners and lessees, along with data collected by the DEC on some lakes and ponds during 2012, have provided background information on fisheries management for the Essex Chain Lakes and Indian River Tracts⁹. Many lakes and ponds have been stocked historically. These bodies of water are neutral in pH due to the underlying calcareous bedrock. Third, Fourth, Fifth, and Eighth Lakes and Jackson, Clear, Cedar and Deer Ponds have the temperatures necessary for long-term trout survival. One pond has a self-sustaining population of Windfall strain brook trout (heritage) introduced by the DEC in the 1990's.

⁸ Jenkins, Jerry. 2001. Finch-Prunyn Biological Survey 2000-2001 Summary of Results. Unpublished paper, Attached as Appendix C.

⁹ Preall, L. DEC Fisheries. September 26, 2012. Fisheries Recreation for former Finch-Prunyn Lands. Ray Brook. Attached as Appendix D.

The Department has also noted that the Redbreast Sunfish (*Lepomis auritus*) is more common in some of these lakes and ponds than in other parts of the State. Although not endangered, anecdotal evidence suggests that the species is less common than once believed and disappearing from other lakes.

The Essex Chain Lakes, Indian River and OK Slip Falls Tracts, along with existing Hudson Gorge Primitive Area, contain approximately 14 miles of the Hudson River. The portion of the Hudson River that is north of the confluence with the Cedar River contains warm water fisheries, primarily pike and bass. From the confluence of the Cedar River south to North Creek, the Hudson River is considered to be a cold water fishery. That section is stocked with brown trout and rainbow trout. Smallmouth bass and northern pike occur in some of the pools and runs, but are less abundant than upstream of the Cedar.

A comprehensive study was conducted to determine if white water releases from Lake Abanakee, down the Indian River to the Hudson River, affected trout fisheries¹⁰. The study found that in hot dry summers, water temperatures in this section can hit 80+ Fahrenheit - killing all the stocked trout. During cool, wet summers the trout survive, leading to good fishing the next spring for larger fish. Lately, there have been a lot of hot, dry summers. There are almost no thermal refugia in this section of the Hudson River to sustain trout during these hot spells.

The approximately 3.8-mile stretch of the Cedar River that is located in the subject area contains brown and brook trout. The approximately 2 miles of the Goodnow River shoreline located in the subject area is likely to contain bass, which are found in Goodnow Lake.

Bird Studies:

A limited amount of work was conducted to inventory birds. NYNHP has records of Common Loons, Golden Eagles (historical) and Bald Eagles (historical). Boreal bird species were concentrated on tracts north of the three being classified. The common birds of mixed woods (Hermit Thrush, Solitary Vireo, Black-throated Green Warbler and the like) were found in the Essex Chain Lakes, Indian River, and OK Slip Falls Tracts during field work conducted by Jenkins.

In total, over 100 bird species were documented in the blocks covering the majority of the Essex Chain Lakes Tract during the NY Breeding Bird Atlas survey¹¹. Of them, 16 are designated as Species of Greatest Conservation Need by the DEC.

Invasive Species:

¹⁰ <http://ny.cf.er.usgs.gov/nyprojectsearch/projects/2457-BI7-1.html>

¹¹ McGowen, K.J., and K. Corwin, eds. *The second atlas of breeding birds in New York State*. Comstock Publishing Associates: 2008. .

Invasive species are defined as non-native species that pose serious threats to our native species and ecosystems.

One terrestrial invasive species, Japanese Knotweed (*Fallopia japonica*), was found on the Essex Chain Lakes Tract along one of the interior roads and is believed to have been brought in with fill during road construction. This small population has been treated by The Nature Conservancy.

Beech scale (*Cryptococcus fagisuga*) was first reported in 1969. No other forest pest species have been reported.

No aquatic invasive species were found during field work conducted by both The Nature Conservancy and NYS DEC. A review of current literature concerning the transport of aquatic invasive species from infested waterbody to uninfested waterbodies indicates that “Much of the ongoing spread of AIS to inland waters throughout North America can be attributed to the overland movement of small-craft boats^{12 13 14 15}.”

Furthermore, “Translocation of organisms by boaters can be intentional (e.g. as bait¹⁶), but is often unintentional, with organisms inadvertently carried in bilge water, live wells, and bait buckets. Organisms can also be entrained on boat exteriors, e.g., entangled on propellers and trailers, attached to other entangled organisms^{17 18}.”

Float planes are recognized as potential vectors for spreading AIS. In 1998 the Great Lakes Panel of the national Aquatic Nuisance Species Task Force (ANSTF) developed “generic” voluntary guidelines for float planes that were adopted by the ANSTF as national guidelines in

¹² Bossenbroek, Jonathan M., Clifford E. Kraft, and Jeffrey C. Nekola. “Prediction Of Long-Distance Dispersal Using Gravity Models: Zebra Mussel Invasion Of Inland Lakes.” *Ecological Applications* 11.6 (2001): 1778–1788.

¹³ Johnson, Ladd E., Anthony Ricciardi, and James T. Carlton. “Overland Dispersal Of Aquatic Invasive Species: A Risk Assessment Of Transient Recreational Boating.” *Ecological Applications* 11.6 (2001): 1789–1799.

¹⁴ Leung, Brian, Jonathan M. Bossenbroek, and David M. Lodge. “Boats, Pathways, and Aquatic Biological Invasions: Estimating Dispersal Potential with Gravity Models.” *Biological Invasions* 8.2 (2006): 241–254.

¹⁵ Rothlisberger, John D. et al. “Aquatic Invasive Species Transport via Trailered Boats: What Is Being Moved, Who Is Moving It, and What Can Be Done.” *Fisheries* 35.3 (2010): 121–132.

¹⁶ Keller, R.P., A.N. Cox, C. Van Loon, D.M. Lodge, L.M. Herbor, and J. Rothlisberger. 2007. From bait shops to the forest floor: earthworm use and disposal by angler. *American Midland Naturalist* 158:321-328.

¹⁷ Johnson, Ladd E., Anthony Ricciardi, and James T. Carlton. “Overland Dispersal Of Aquatic Invasive Species: A Risk Assessment Of Transient Recreational Boating.” *Ecological Applications* 11.6 (2001): 1789–1799.

¹⁸ Puth, Linda M., and David M. Post. “Studying Invasion: Have We Missed the Boat?” *Ecology Letters* 8.7 (2005): 715–721.

April of 1999. Those guidelines still serve as the national standard even though some local jurisdictions have recently expanded on them, and, in a couple of cases, made them mandatory.

Float planes are currently allowed to land on First Lake, and this practice will not be affected by this classification. Since First Lake is downstream of the other Chain Lakes and is connected to Second Lake by a shallow unnavigable channel, the probability of transporting AIS (via watercraft to the other Essex Chain Lakes) that may be introduced to First Lake by float planes is greatly reduced.

Float planes can also damage fragile wetlands and shoreline vegetation by wave action and repeated drop-offs and pick-ups from the same shoreline locations.

Intangible Characteristics

The addition of slightly more than 21,000 acres of land adjacent to existing Forest Preserve provides the public with new opportunities for experiencing remoteness. There are five mountains with summits over two thousand feet in elevation, numerous ponds ranging from 4 to 264 acres in size, and close to twenty miles of rivers including the Hudson, Indian, Cedar, Rock and Goodnow Rivers. The Goodnow, Cedar, Indian and Hudson River corridors have beautiful, undeveloped shorelines. The Hudson Gorge is considered by many to be the most beautiful part of the river. Along the Hudson are two areas with high ledges that are biologically rich and also provide spectacular views of the river. The vast beauty of this area, along with numerous opportunities for solitude and remoteness can provide the public with an extraordinary experience.

Additionally, one can find a variety of natural community types including marble ledges, bogs, fens, and alluvial forests. There is extensive terrestrial habitat for mammals such as moose, bobcat, and black bear and aquatic habitat for brook trout, landlocked salmon, and smallmouth and largemouth bass. Access to this land affords paddling opportunities on some of the wildest stretches of rivers in the eastern United States.

Established Facilities and Retained Rights

Structures and Improvements

The Essex Chain Lakes and Indian River Tracts contain unpaved forest management roads. There is a bridge on the Essex Chain Lakes Tract known as the Iron (Polaris) Bridge; this bridge spans the Hudson and allows access to the eastern portion of the Essex Chain Lakes Tract including the area leased to the Polaris Club. There is also a road providing access to a private inholding on the OK Slip Falls Tract.

There are several camps located on the Essex Chain Lakes and Indian River Tracts associated with the Gooley Club and Polaris Club. The State did not purchase these structures with the

land, and according to the terms of the respective leases they will be removed by the previous owner or lessees.

Map 3 shows the location of snowmobile trails, roads, bridges, gravel pits, and rights-of-way.

Historic Structures

The State did not acquire the structures on the Essex Chain Lakes Tract as part of the land acquisition; however, the State is responsible for the structures now that the lands have changed from private to public ownership. All buildings and structures on the property are scheduled to be removed after the leases expire in 2018. A bond has been established to insure that the structures are removed. Staff at the NYS Office of Parks Recreation and Historic Preservation (OPRHP) have indicated that the camp structure at the Outer Gooley Club on the Indian River Tract is eligible for listing on the State and National Register of Historic Places. Information supplied to OPRHP by the Outer Gooley Historical Association indicates the possible presence of a dugout canoe in or near Pine Lake.

The ultimate disposition of the camp structure at the Outer Gooley Club will be determined by the Unit Management Planning process. Historic classification under the Adirondack Park State Land Master Plan was not considered for the Outer Gooley Club because one of the requirements for this classification is that the structure must already be either on the National Register of Historic Places or be recommended for listing by the NYS Board for Historic Preservation. Neither of these requirements has been met. In addition, the State must make a commitment of resources to manage the location primarily for historic objectives (APSLMP at p. 41).

The DEC submitted Building-Structure Inventory Forms to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) for the main camp building and 8 cabins at the Inner Gooley Club located on Third Lake. On September 25, 2013, the OPRHP found that the main camp and six of the cabins met the eligibility criteria for inclusion in the State and National Register of Historic Places, based on the limited information provided. According to the inventory forms submitted by DEC, the camp was constructed in 1890, the cabins were constructed between 1946 and 1955, and the bath house and a shed were constructed in 1994.

The Inner Gooley Club is also not being considered for classification as Historic Use under the APSLMP. Similar to the Outer Gooley Club, the structures are not on the National Register of Historic Places and have not been recommended for listing by the NYS Board for Historic Preservation as required by the APSLMP for Historic Use classification.

Deeded and Other Rights

The Towns of Minerva and Newcomb have an easement over portions of the Essex Chain Lakes Tract that will allow, as determined by the Department, for: (1) float plane access to First Lake and Pine Lake. and (2) access to, and use of materials from, two gravel pits located on the

periphery of the property in order to provide gravel to maintain roads, trails and other infrastructure on this tract that may be open for motorized use. The Towns also have non-exclusive rights-of-way on roads to be designated by DEC for administrative and emergency purposes.

The Towns may allow others non-exclusive float plane access as well, which is subject to any limitations in a permit issued by DEC. The stated purpose of the float plane easement is to load and unload passengers to facilitate access for non-motorized public recreational use. The gravel pits will not exceed one acre in size and the use of these pits will be extinguished once the pits are deemed exhausted. These rights have been considered in development of the preferred alternative for classification.

There is a non-exclusive right-of-way on Ord Road/ Ord Falls Road and First Left Road held by Upper Hudson Woodlands ATP, LP in a northern corner of the Essex Chain Lakes Tract, which is designated as a primitive corridor in the Wilderness and Canoe alternatives considered in the DSEIS.

On the Indian River Tract, the Towns of Minerva and Indian Lake have a non-exclusive right to provide for public motorized access on the Chain Lakes Road (South) and to mine gravel from a gravel pit known as the Outer Gooley Pit for the purpose of maintaining the road and other infrastructure, subject to a Department permit and all applicable laws, rules and regulations. The easement does not convey a fee interest to the Town and states that it does not create a public highway.

A substantial section of Chain Lakes Road (South) and the parking area at the Outer Gooley Club is within one-half mile of a section of the Hudson River that has been designated as a Wild river under the NYS Wild, Scenic and Recreational Rivers System Act (WSRRA). The WSRRA provides that “[i]n wild river areas, no new structures or improvements, no development of any kind and no access by motor vehicles shall be permitted other than forest management pursuant to forest management standards duly promulgated by regulations.”¹⁹ It further provides: “In general, the minimum distance from the river shore to a public highway or a private road open to the public for motor vehicle use, shall be one-half mile except where a physical barrier exists which effectively screens the sight and sound of motor vehicles.”²⁰ The interpretation and enforcement of these provisions is given to DEC. Neither this FSEIS nor the Preferred Alternative affects DEC's responsibilities regarding the WSRRA. Likewise, the Preferred Alternative does not direct DEC to take any particular action.

The only new or reconstructed improvements allowed in a Wild river area under the APSLMP are foot and horse trails, foot trail bridges constructed with natural materials, primitive tent sites and pit privies.

¹⁹ N.Y. Env'tl. Conserv. Law § 15-2709 (McKinney). “Notwithstanding anything herein contained to the contrary, existing land uses within the respective classified river areas may continue, but may not be altered or expanded except as permitted by the respective classification.” N. Y. Environmental Conservation Law § 15-2709(2)(McKinney).

²⁰ N.Y. Env'tl. Conserv. Law § 15-2707 (McKinney).

When The Nature Conservancy acquired the Essex Chain Lakes and Indian River Tracts in 2007, there were several outdoor recreation leases on the properties. The Nature Conservancy has continued those outdoor recreation leases and preserved two of the leasehold estates until September 30, 2018. The Gooley Club, Inc. has a lease (“Gooley sublease”) for land on the Essex Chain Lakes Tract on the south shore of Third Lake (“Inner Gooley”), with a term of October 1, 2012 to September 30, 2013. After October 1, 2013, the State may enter into additional one-year leases for the Inner Gooley camps until September 30, 2018, leasing exclusive use of a one-acre envelope surrounding each club house and/or cabin. The remainder of the lands outside the one-acre envelopes is available for public use shared with the sublessees. All clubhouses, cabins, structures and seasonal trailers are to be removed by the end of the lease and no later than September 30, 2018.

The Outer Gooley portion of the sublease expired on December 15, 2012 and was extended. The sublease requires all buildings and improvements be removed by July 31, 2013. The DEC released the Gooley Club from that obligation as to the Outer Gooley main camp building, which now stands on the tract.

The Polaris Mountain Club, Inc. has a lease for land east of the Hudson River in the Essex Chain Lakes Tract with a term of October 1, 2012 to September 30, 2013 (“Polaris Sublease”). The Polaris Mountain Club may also lease a one-acre envelope surrounding each “club house/ cabin/ structure /seasonal trailer” for additional one-year terms until September 30, 2018. All clubhouses, cabins, structures and seasonal trailers are to be removed by the end of the lease term. During the term of the extended leases for Inner Gooley and Polaris, the sublessees also have a right to access the camps by vehicles and snowmobiles on roads designated by DEC, to use ATVs during mud season to access the camps on roads designated by DEC and to use motorboats on waters designated by DEC if such waters border the camps.

The Nature Conservancy has a reserved right to motorized access to the Essex Chain Lakes Tract until October 1, 2019 to manage and police the leasehold estate, and to remove any remaining structures. The Nature Conservancy has provided a performance bond for the removal of all structures as required by the leases and the purchase agreement between DEC and The Nature Conservancy. On the OK Slip Pond Tract, the Northern Frontier Brigade Camp has a private inholding, which includes the pond itself and the shoreline of the pond. The Camp also has a right-of-way on the existing road for motorized access to the inholding.

The OSC Tract within the existing Vanderwacker Mountain Wild Forest was acquired in September of 2013 and has no easements or leases encumbering it.

This summary of easements, leases and other rights is not intended to be a full description of the rights and encumbrances on these lands. For complete descriptions, one should refer to the deeds recorded in the offices of the Hamilton County Clerk and the Essex County Clerk.

Community Connector Snowmobile Trails

Determinations on the siting and construction of snowmobile trails is guided by Article XIV, the Adirondack Park State Land Master Plan, the Snowmobile Plan for the Adirondacks, the 2009 Management Guidance, and individual Unit Management Plans (UMPs). The trails are designated after the classification process is completed. Only after the Governor approves the Agency classification recommendations for amending the Master Plan would DEC, as lead agency, initiate its unit management planning for the newly classified areas. A DEC UMP would then propose a range of recreational activities consistent with the classification of the unit. These activities might include trails for snowmobiles, bicycles, horses and wagons; other improvements might be trailhead parking and campsites.

In 2006, the “Snowmobile Plan for the Adirondack Park” (“Snowmobile Plan”) was developed by DEC and OPRHP as co-lead agencies, in consultation with the Adirondack Park Agency as an involved agency under SEQRA. The Snowmobile Plan was developed with considerable input from the public and public interest groups. This plan recognizes the snowmobile community’s goal of completing a network of snowmobile trails across the Park that will provide a trail system that will connect communities using both public and private lands under easements and landowner agreements. The Agency supports this objective and the DEC includes community connector trail planning in the management of any area where it has been determined public motor-vehicle recreational uses may be permitted.

The Snowmobile Plan identified a need to connect Indian Lake to Newcomb and Newcomb to Minerva. The land classification alternatives developed for this action do not preclude DEC from constructing the community connector snowmobile trail system called for by the plan.

In 2009, the Management Guidance for Snowmobile Trail Design and Placement was developed and included as an appendix to the “Memorandum of Understanding between the Adirondack Park Agency and the Department of Environmental Conservation Concerning Implementation of the State Land Master Plan for the Adirondack Park (Revised March, 2010).” This guidance had the support of most user groups. The Management Guidance addresses snowmobile trail siting, construction and maintenance. Siting requirements include placing Community Connector trails, known as Class II trails, at the periphery of Wild Forest as close as possible to motorized travel corridors. The guidance also allows for Class I trails, also known as secondary trails, to be groomed with snowmobiles and which might be located further from motorized travel corridors in Wild Forest areas.

DEC’s 2005 UMP for Vanderwhacker Mountain Wild Forest was adopted prior to both the 2006 plan and the 2009 guidance. The UMP identifies multiple snowmobile trail alternative routes for connecting Minerva to Newcomb, plus other alternative trail routes for connecting Minerva to Pottersville and Schroon Lake (now completed). The UMP states that it will be amended to select a preferred alternative for the community connector trail between Newcomb and Minerva. The UMP amendment is prepared and has not been brought to the Agency to date, but the proposed route would also not be precluded by the Preferred Alternative contained in this FSEIS.

In 2010, a critical community connector trail between Newcomb and Indian Lake was established over the former Finch Paper, and now easement, lands immediately adjacent to the Essex Chain Lakes Tract under an easement purchased by New York State. Snowmobilers can

now ride between Indian Lake and Newcomb. Once the snowmobile trail that connects Newcomb to Minerva is built, snowmobilers will also be able to ride from Indian Lake to Minerva, through Newcomb.

ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

Physical, biological and intangible impacts may result from the proposed classification action. The FPEIS lists general impacts associated with amendments to the APSLMP:

A. Changes in existing use or levels of use which exceed the physical, biological or social carrying capacity of State lands could result in significant adverse impacts on the natural resources and open space character of State lands.

The proposed action involves the classification of recently acquired lands and reclassification of existing State lands classified as Primitive and Wild Forest. The existing use on the unclassified State lands consists of private hunting camps that will no longer be used and will be removed at the end of the leases or October 1, 2018, whichever is sooner. Regardless of which alternative classification for these lands is selected, the level of public use will increase. DEC has developed a public access plan for the Essex Chain Lakes and the Indian River Tracts detailing uses allowed prior to classification of these lands. This access plan should not foreclose any of the options for eventual classification under consideration in this FSEIS .

The APSLMP prescribes types of permissible uses in each category, but it does not specifically control the levels of use beyond providing very general management guidelines. Careful application of guidelines in the APSLMP, through this classification process and as applied through the UMP process, should prevent significant adverse environmental impacts caused by types or levels of use.

Careful consideration must be given to the levels of recreational use, both motorized and non-motorized, in relation to the potential carrying capacity of an area. Under Wilderness, Primitive or Canoe area designations, public use of motor vehicles and aircraft are prohibited. Limited use of motor vehicles may be allowed for emergency and administrative purposes under these classifications. Mountain biking on specific administrative roads, designated for fisheries management or water protection, may be allowed under a Canoe area classification, subject to their designation in an adopted UMP. In a Primitive area, bicycles are allowed on DEC truck trails designated in an adopted UMP. There are no administrative roads or State truck trails, or uses and improvements requiring such roads, currently open in any of the lands subject to this action. Administrative roads and State truck trails would be identified through the UMP planning process. Mountain biking may also be allowed in Wild Forest areas on designated roads and trails, as specified in a UMP. Under a Wild Forest classification, public motorized use may be allowed on roads, rivers, lakes and ponds, and by snowmobiles on designated trails during the winter season.

Development of snowmobile trails and roads open to public use are subject to the “no material increase” provision of the State Land Master Plan (Guideline 4 under Wild Forest). This guideline limits the total mileage of snowmobile trails and roads that can be designated for public motorized use on Forest Preserve Wild Forest lands above which any increase will be considered a material increase. Through consultation with DEC, the Agency has interpreted the Master Plan snowmobile trail mileage guideline to be 848.88 miles; above that number any increase will be considered material. Even under a Wild Forest classification, the Department of Environmental Conservation may restrict use of motor vehicles and aircraft by the public and by administrative personnel where in its judgment the character of the natural resources of the area make additional restrictions desirable or necessary.²¹

An Intensive Use area is an area of State land where facilities are provided for more intensive public uses such as campgrounds, downhill and cross-country ski areas, motor boat launches or intensive day use areas. Major commitments to facility development and mitigation of impacts from higher levels of public use are required. The FPEIS states that “the resource characteristics must be unusually capable of withstanding such intensive use with little or no degradation in natural or scenic resource quality.” FPEIS at 25. The overriding consideration when classifying newly acquired lands adjacent to state lands with two or more classifications is a “determination that any use allowed by classification should not exceed the physical, biological, or social carrying capacity of the land’s resources.” FPEIS at 24. The sensitive water bodies in the Essex Chain Lakes Tract have had relatively restricted past recreational use by hunting camp lessees. There has been no general public access and as a result the lakes and ponds have retained their pristine condition. The present condition is not compatible with more intensive recreational use. In addition, an existing DEC Intensive Use campground facility already exists nearby at Lake Harris in the Town of Newcomb which provides a more intensive recreational experience in a more developed setting. For these reasons, a separate alternative for an Intensive Use Area for the Essex Chain Lakes is not proposed in the Alternatives section of this FSEIS.

B. Diminishment in quality of recreational opportunities requiring vast acreages of open space, such as hunting, backpacking and wilderness canoeing, could cause significant adverse economic impacts.

None of the alternatives proposed in this document considers the reclassification of existing Forest Preserve lands from a more restrictive classification to a less restrictive classification; therefore there will be no diminishment in quality of recreational opportunities requiring vast acreages of open space.

²¹ See APSLMP at p. 49. Also see DEC Proposal for “Essex Chain Canoe Recreation Area” in Public Access and State Land Classification of the Former Finch Pruyn Lands, December, 2012, pages 4 - 6, proposing Special Management Area. http://www.dec.ny.gov/docs/lands_forests_pdf/finchrecfull.pdf (last accessed December 2, 2013).

C. Diminishment in area of lands designated Wilderness, Primitive or Canoe would significantly decrease the availability of primitive recreational opportunities which are at present extremely limited in New York State and rare in the Northeastern United States.

None of the alternatives proposed in this document considers the reclassification of existing Forest Preserve lands from a more restrictive classification to a less restrictive classification; therefore there will be no diminishment in area of lands currently designated as Wilderness, Primitive or Canoe.

D. The designation of large tracts of State land as Wilderness, Primitive or Canoe provides the unusual opportunity for the reintroduction of extirpated species of wildlife which require significant acreages of habitat essentially undisturbed by man.

The alternatives described in this document include classifying large tracts of land as Wilderness, Primitive, or Canoe. The reintroduction of extirpated species is possible, but the feasibility needs to be analyzed through the UMP process. The reintroduction of certain extirpated species may not be limited to Wilderness, Primitive or Canoe classifications, but may also be possible with Wild Forest classification.

E. Deterioration of the quality or character of Wilderness, Primitive or Canoe area resources could adversely impact the educational and research values of those areas.

None of the alternative proposals in this document considers the reclassification of existing Forest Preserve lands from a more restrictive classification to a less restrictive classification; therefore there are no adverse impacts to the educational and research values for these areas.

F. Deterioration in the quality of the natural or scenic resources of State lands could adversely affect the Park economy.

This area includes several natural and scenic resources, including lakes and ponds with high quality fisheries, mountains, a significant waterfall, and several miles of undeveloped rivers. The extent of the impacts to these resources on the Park economy will depend on the level and type of use of the land, which may be controlled through both the classification and UMP process.

Threats to the fisheries in these waters include the release of non-native and invasive species. Vectors for these species include fishing waders, trailers, boats (with and without motors), floatplanes, and man himself. Deterioration of the natural resources could directly impact tourism and the local economy.

G. Potential Impacts Of Classification Options

The Department is bound to guidelines of each classification when developing UMPs as defined in the APSLMP. These guidelines vary from one classification category to another and may prescribe the types of recreational opportunities available in conformance with the APSLMP's unifying theme that "the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded." (APSLMP at p. 1).

Classification of these lands could result in management actions that could diminish the overall quality of the natural resources. The classification hierarchy establishes strong guidelines that are incorporated into UMP's and direct DEC's management planning.

The principal difference between the Wilderness, Primitive and Canoe classifications involves the degree to which motor vehicles may be used for administrative purposes.

In Wilderness areas, the use of motor vehicles is prohibited except for sudden, actual on-going emergencies involving the protection or the preservation of human life or intrinsic resource values.

In Primitive areas, the use of motor vehicles is subject to Wilderness guidelines except that existing roads and snowmobile trails may be used by administrative personnel to the extent necessary to reach and maintain existing structures and improvements. Currently, there are no existing roads open to the public, nor are there any structures and improvements requiring maintenance; thus there are no truck trails available for public use under this guideline.

In Canoe areas, the use of motor vehicles is also subject to Wilderness guidelines except that motor vehicles may (along with aircraft and motorized equipment) be used by administrative personnel for purposes designed to protect or enhance the water or fisheries resources as specified in a duly adopted UMP.

Another significant difference between the three classifications involves the use of all terrain bicycles, often referred to as mountain bikes. The use of all terrain bicycles is prohibited in all Wilderness areas. In Primitive and Canoe areas all terrain bicycles are allowed on roads legally open to the public and on State truck trails designated by DEC in an adopted UMP. However, as stated above, there are no roads that meet this guideline; mountain bikes would not be allowed in this area without an amendment to the Master Plan's guidelines.

A Wild Forest classification would broaden the range of conforming structures and improvements and allow bicycles on all trails where they are not explicitly prohibited. The Wild Forest classification would also allow use of motor vehicles by administrative personnel where necessary to reach, maintain, or construct permitted structures and improvements, for appropriate law enforcement and general supervision of the public or appropriate purposes, including research to preserve fish and wildlife and other natural resources. Public use of motor vehicles is allowed on a limited and regulated basis that will not materially increase motorized uses that conformed to the Master Plan at the time of its adoption in 1972 and will not adversely affect the essentially wild character of the land. Snowmobile use is limited to snowmobile trails designated by DEC, and ATV use is restricted to public roads and DEC roads open to such use.

UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

Most adverse impacts upon the resource quality and character of State lands within the Park as the result of land classification are avoidable. Strong guidelines for the classification of State lands protect resource quality and character from overuse and degradation while still providing public recreational use opportunities. Further protection of these resources will be addressed in the UMP process.

MEASURES TO MITIGATE POTENTIAL ADVERSE ENVIRONMENTAL EFFECTS

The APSLMP is designed to allow only those uses of State land that will not degrade resource quality or character. The discussion of alternatives in this FSEIS allows the Agency to evaluate the various classifications and the potential adverse impacts of those classifications. The only means of mitigating impacts is the selection of more restrictive classifications. Therefore the discussion of alternatives is the discussion of mitigation.

DEC can manage land more restrictively than the guidelines in the APSLMP prescribe. The UMPs for these areas should address potential impacts and prescribe management that would mitigate impacts to the greatest extent possible to specific areas deserving of special protection.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

The proposed classification alternatives have no measureable effect on the use or conservation of energy resources.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The classification of these lands itself does not provide irreversible or irretrievable commitments to the resources.

GROWTH INDUCING ASPECTS OF PROPOSED ACTION

The APSLMP provides alternatives for a diversity of recreation opportunities within the Park, which can have a positive impact on the local economy while also resulting in an increase in demand for local services. The number of visitors is affected by various factors including tourism marketing programs and tourist accommodations. Recreational visitors have an insignificant demand for most public services from local governments but may increase demand on emergency services and increase wear on roads.

The recreation and tourism industry is the backbone of the Adirondack economy. Lodging, food and automobile services provide the primary source of income from this industry. Recreational equipment supply stores also benefit significantly from the recreational opportunities available on State lands. These expenditures result in jobs and have a multiplier effect when the original expenditure is used to buy additional goods and services within the Park. Recreationists and tourists tend to be transient visitors in the Park and therefore have an insignificant demand for public services from local governments.

Due to the scarcity of designated Wilderness in the Eastern United States and due to the existence of private land adjacent to such Wilderness, individuals may find it desirable to purchase property for residential purposes adjacent to Wilderness. An increase in home construction would increase the demand for certain public services, such as police and fire protection, sewer service and water service, and may increase the tax base a community may use to pay for these services.

ECONOMIC IMPACTS OF THE PROPOSED ACTION

SEQRA demands that the Agency's action find a "suitable balance of social, economic and environmental factors be incorporated into the planning and decision-making processes of State, regional and local agencies."

Visitation to the Adirondack Park is critical to the local, regional and State economies. Visitors are attracted by a number of factors including outdoor recreation, shopping and dining, relaxation, and scenery viewing. Publicly available professional and scholarly studies using a quantitative and qualitative analysis of the impacts associated with outdoor recreation on the Forest Preserve provide insights about the potential impacts of land classification on the local, regional, and State economies. Some also assess the Park's visitation economy, visitor attraction factors, outdoor activity participation, winter recreation economy, visitor spending habits and visitor originations. The future programming and marketing of the affected lands' potential recreation opportunities are also addressed. Business and resident attraction factors, as well as any differentiation in impact between existing land classifications, are examined in these studies.

Agency staff also conducted an extensive literature review and obtained information providing the available data regarding visitation and spending in the Adirondacks. This information is limited, however, and additional research, including market analyses, must be undertaken to provide for quantitative predictions of total economic impacts related to the addition of new recreation opportunities on the land being considered for classification. Such research should

take into account shifts of economic activity from one Park or State community to another to better estimate total impacts to the State and regional economies.

The Adirondack Park Visitation Economy

Tourism is a major driver of the Park’s economies. More than 20,000 Adirondack jobs are supported by the industry and visitor attraction and spending are integral components of an economically sustainable region. The Park benefited from more than \$1.1 billion in Adirondack region tourism spending in 2010. According to a report commissioned by New York State Empire State Development, and performed by the firm Tourism Economics, Hamilton and Essex counties - those counties most affected by this classification action - are the most tourism-reliant counties in the region. Forty-seven percent of labor income in Hamilton County and 32% of labor income in Essex County is directly related to tourism. In Hamilton County, 46% of its workforce is employed in a tourism-related industry and in Essex County, about 37% of workers are employed in the sector²². It should also be noted that these are the only two counties in New York State wholly located inside the Adirondack Park boundary.

The tourism industry in the Adirondacks is highly seasonal. In 2006, 71% of Adirondack visitor spending occurred in the period of May through September. In Warren County, a county that shares many recreation resources with both Essex and Hamilton Counties and is located mostly within the Park, 78% of tourism spending occurred during those months. In Essex County, 60% of expenditures occurred during those months and in Hamilton County, 82% occurred during that period²³. These numbers correlate to strong seasonality trends in employment. From February to August of 2006, Essex County’s unemployment rate dropped 3.2 percentage points, Warren County’s dropped 3.9 percentage points, and Hamilton County’s dropped 6.3 percentage points. By February 2007, each county’s unemployment rate had risen nearly completely to its February 2006 level. Figure 3 highlights the seasonality of Adirondack employment in both 2006 and 2012.

Figure 3. County Unemployment Rate Fluctuations

	Feb-06	Aug-06	Feb-07
Essex County	7.4%	4.2%	7.6%
Hamilton County	8.9%	2.6%	8.2%
Warren County	6.3%	2.4%	5.9%

	Feb-12	Aug-12	Feb-13
Essex County	11.5%	8.7%	11.9%
Hamilton County	11.3%	5.2%	12.2%
Warren County	10.1%	7.3%	10.3%

²² Tourism Economics, 2010. The Economic Impact of Tourism in New York: Calendar Year 2010, Adirondacks Focus. Albany, NY.

²³ Davidson-Peterson Associates and the Northern New York Travel and Tourism Research Center, SUNY Potsdam. 2006. 2006 Economic Impact of Expenditures by Tourists on Northern New York State. Potsdam, NY.

Occupancy tax data from both Essex and Warren County also display the seasonality of visitation. In 2012, 58% of Essex County occupancy taxes were collected from May through October. In Warren County, most visitation occurs from July to September with the 3rd quarter bringing in between 51%-60% of the County's total occupancy tax revenues from 2004 to 2012; the 4th quarter (October-December) is the second highest occupancy tax-generating quarter, resulting in between 19% and 35% of the County's total for those same years.

The local towns most affected by this classification - Indian Lake, Long Lake, Minerva, Newcomb and North Hudson - are also highly dependent upon tourism for their tax base. As such, these five towns have resolved to work together as the Upper Hudson Recreation Hub to help realize the economic potential of all of former Finch lands and expand tourism and outdoor recreation-related business in the area.

In the five towns, a region whose combined population decreased 8.2% between 2000 and 2010 (compared to a 1.3% population decrease Park-wide), nearly 18% of the workforce is employed in the arts, entertainment, recreation, accommodation and food services sector, a percentage twice the amount of a typical New York region. An additional 14% of the workforce is employed in the construction sector and 5% is employed in the retail sector. Both of these industries are also highly reliant upon tourism and second home development. Figure 4 outlines the employment characteristics of the five towns combined.

Figure 4. Employment by Industry in the Upper Hudson Recreation Hub

	2010		2000		Change 2000- 2010
	Employees	%	Employees	%	
Agriculture, forestry, fishing, hunting, mining	64	3.9%	51		25.5%
Construction	227	13.8%	228		-0.4%
Manufacturing	107	6.5%	91		17.6%
Wholesale trade	10	0.6%	12		-16.7%
Retail trade	97	5.9%	147		-34.0%
Transportation, warehousing, and utilities	74	4.5%	61		21.3%
Information	14	0.8%	13		7.7%
Finance, insurance, real estate, rental, leasing	32	1.9%	45		-28.9%
Professional, scientific, management, administrative, waste management services	82	5.0%	42		95.2%
Educational services, health care, social assistance	438	26.5%	376		16.5%
Arts, entertainment, recreation, accommodation, food services	296	17.9%	226		31.0%
Other services, except public administration	83	5.0%	96		-13.5%
Public administration	126	7.6%	196		-35.7%

Source: U.S. Census Bureau

Tourism plays a significant role in the State, regional, and local economies. The seasonal nature of tourism in the Adirondacks has led to large fluctuations in unemployment in Adirondack communities and the towns closest to the lands being classified are heavily reliant upon tourism-related employment. These facts highlight the imperative to examine what is attracting visitors to the Park.

Visitor Attraction Factors

Research indicates that outdoor recreation is the major driver of visitation to the Adirondack Park with a variety of activities being attractive to these visitors. According to a 2012 report by the firm Placemaking and commissioned by the Regional Office of Sustainable Tourism (ROOST), the largest draw to Essex County is “outdoor activities,” with 77% of respondents indicating that this was an attractor²⁴. Activities “relax/dine/shop” (67%) and “sightseeing” (55%) rounded out the top three. The significant overlap between outdoor activities and “relax/dine/shop” suggests recreation-oriented visitors seek to visit places that have a critical mass of commercial enterprises such as restaurants and stores in addition to recreation assets.

A national market segmentation analysis performed by the firm Longwoods International divides potential trips to the region into four primary groups, touring trips, country resort trips, special event trips, and outdoors trips. Each type of trip has different characteristics according to the firm²⁵:

24 Placemaking and the Regional Office of Sustainable Tourism/Lake Placid Convention and Visitor’s Bureau. 2012. Leisure Travel Study: 2012 Visitor Profile and Return on Investment- Conversion Rate Analysis. Essex County, NY. <http://www.roostadk.com/files/2012LeisureTravelStudy.pdf>

25 Longwoods International. 2008. Lake Placid Image Study and Regional Visitor/Market Opportunity Analysis. Lake Placid, New York <http://www.roostadk.com/files/Final%20Presentation%20for%20May%202008%20Public%20Meetings%2005%205%2008.pdf>

- A **Touring Trip** is a trip taken by car, bus, or train through areas of scenic beauty, cultural, or general interest. Visitors may have flown to a destination before beginning their trip.
- A **Country Resort Trip** is a trip taken to a resort to relax, enjoy sports, recreation, etc.
- A **Special Event Trip** is a trip taken primarily for the purpose of attending an event such as a fair, festival, pageant, race, sports meet, or a professional or college ball game.
- An **Outdoors Trip** is a trip whose main purpose is to experience the natural environment where a visitor may engage in outdoor activities such as camping, hunting, fishing, hiking or rafting.

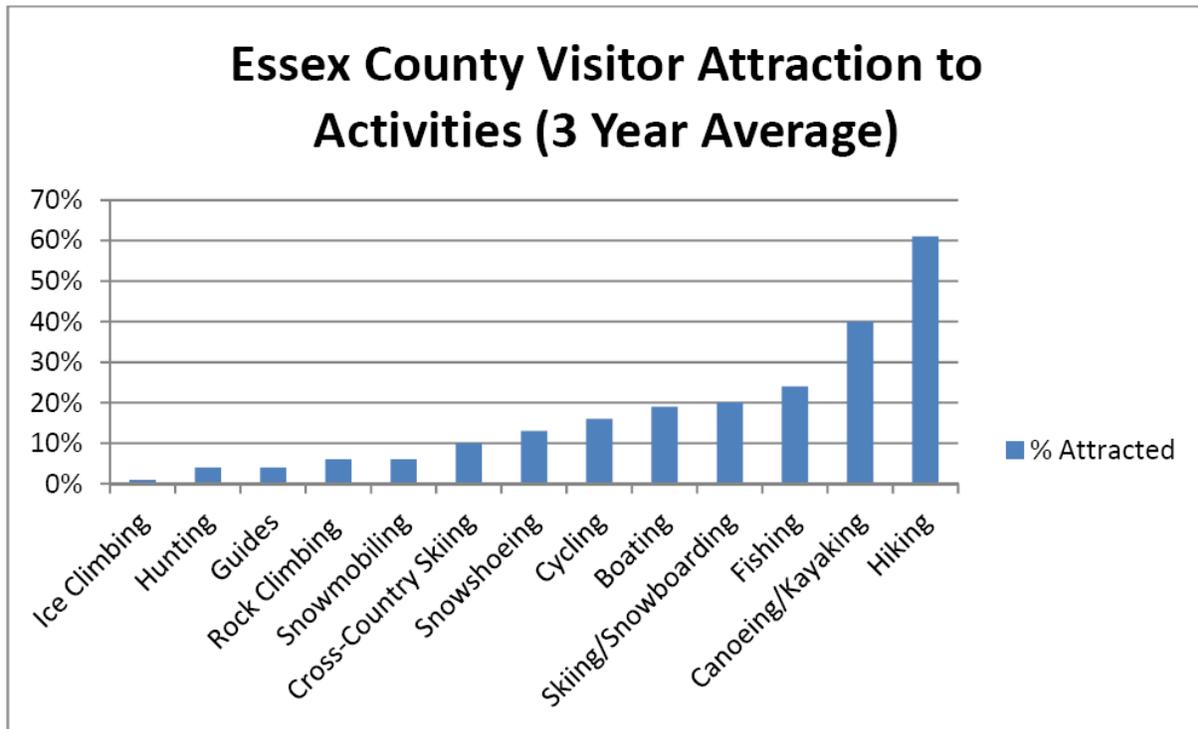
Based upon Longwoods’ analysis, the three groups most likely to participate in recreation on Forest Preserve lands are people on country resort trips, special event trips to various programmed activities on the Forest Preserve, and outdoors trips.

A diverse group of users participate in activities on the Forest Preserve and several studies have examined which activities are participated in on Forest Preserve lands. While future activity on the subject lands cannot be determined based upon past or existing use patterns because of potential changes in interests, current outdoor activity participation provides the best overview of potential use patterns on the newly classified lands by visitors.

Outdoor Activity Participation

For the 77% of visitors to Essex County attracted by outdoor activities, the ROOST study found that, “hiking” was the greatest draw (62%), followed by “canoeing/kayaking” (41%), and “fishing” (24%). “Skiing” (22%), “boating” (20%), and “cycling” (16%), rounded out the top six. Figure 5 shows the full list of activities and their associated participation levels.

Figure 5. Essex County Visitor Attraction to Activities (3 Year Average)



Research commissioned by the NYS Department of Environmental Conservation and conducted by the State University of New York College of Environmental Science and Forestry examined outdoor recreation patterns of Forest Preserve users throughout the Park. The data for this study was collected through more than 1,890 trailsides interviews conducted at Forest Preserve access points in all four quadrants of the Park and 2,177 mail surveys. The study was conducted throughout all four seasons during the years of 2008-2011. The information gathered provides insights on which activities users of State Forest Preserve lands in the Adirondack Park participated in in recent years. While there were significant methodological differences from Essex County’s tourism study, the two most popular activities common to both surveys were “hiking or walking” and “non-motorized water travel”. Figure 6 shows which outdoor activities recreation users had participated in within the Park in recent years and Figure 7 examines the most popular outdoor activities that are common to both surveys²⁶.

²⁶ Dawson, Chad, P., SUNY College of Environmental Science and Forestry and New York State Department of Environmental Conservation. *Adirondack Forest Preserve Visitor Study Summary*. Syracuse, NY: 2012.

Figure 6. Forest Preserve Users' Participation in Recent Years

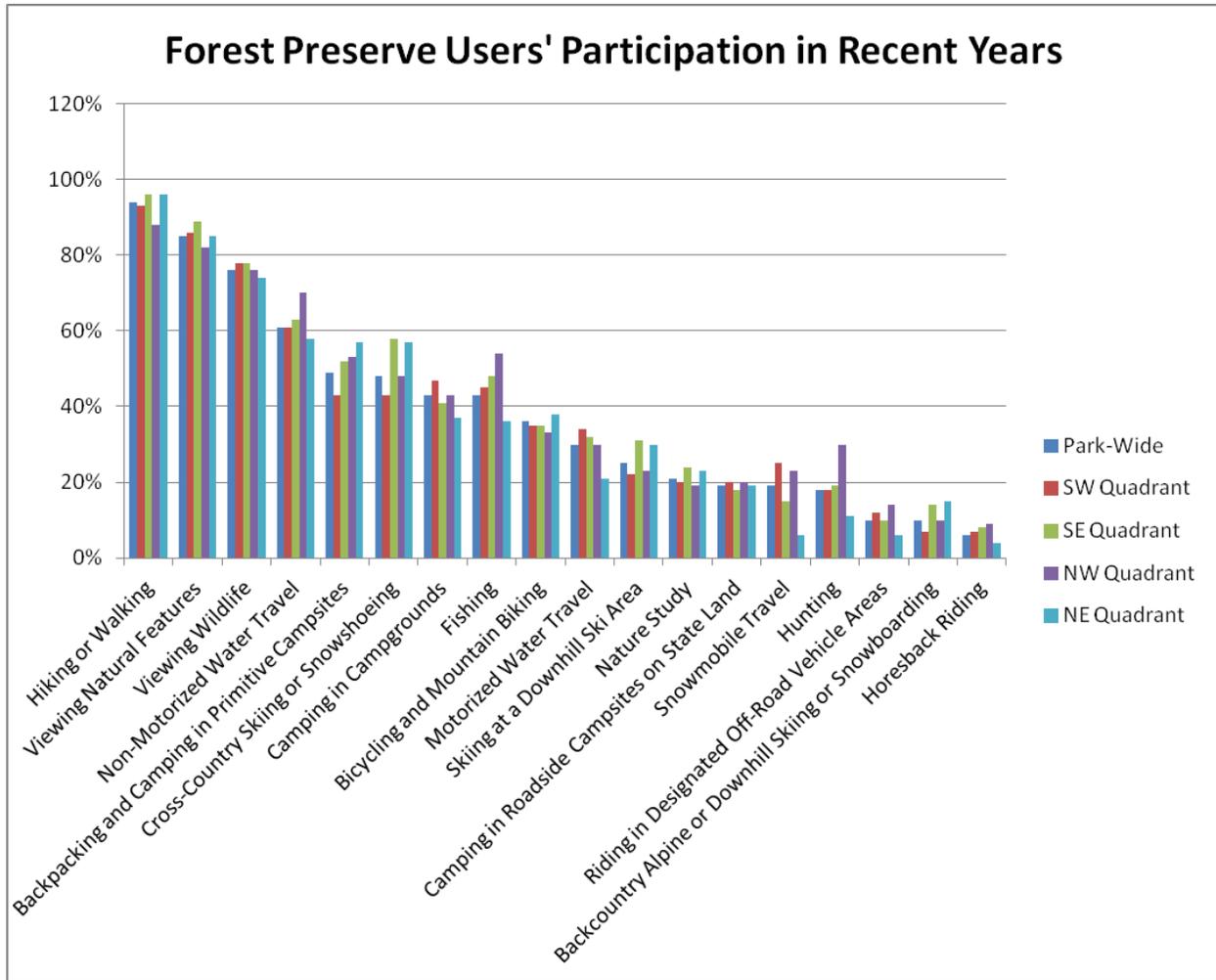
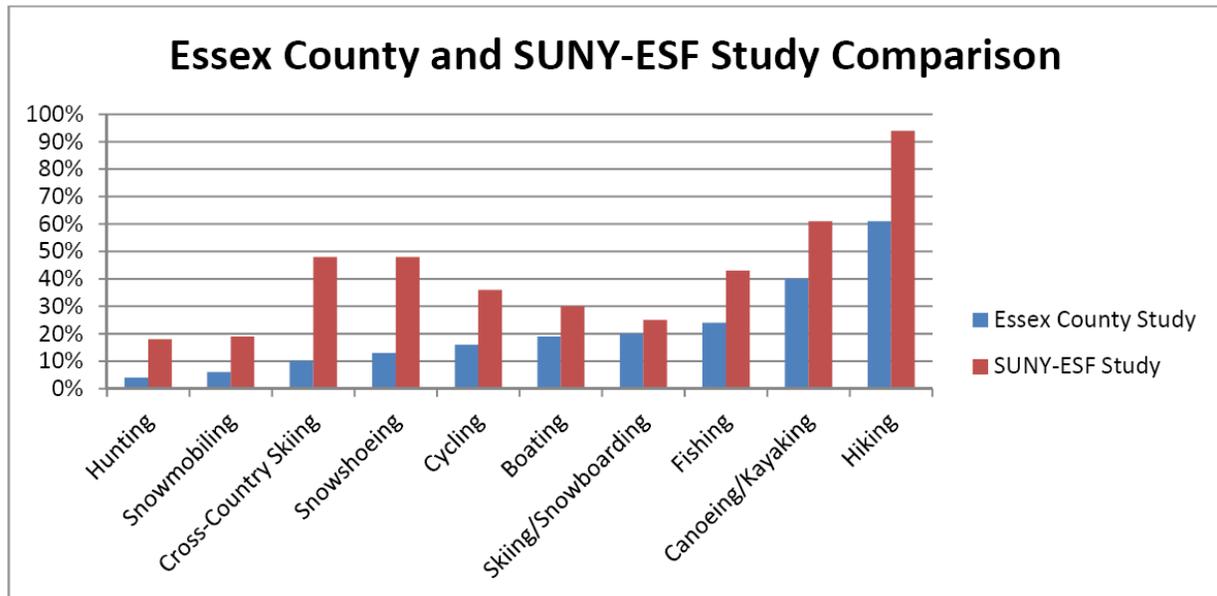


Figure 7. Essex County and SUNY-ESF Study Comparison



These surveys display a greater level of participation in three-season, spring-summer-fall, recreation than in winter sports. Data from both surveys are consistent with visitor spending, unemployment rate, and occupancy tax data discussed above. The surveys are also consistent with Outdoor Industry Foundation participation data and the New York Statewide Comprehensive Outdoor Recreation Plan. According to research commissioned by the Foundation, “cycling” (29%) is the most popular activity in New York State followed by “wildlife viewing” (23%) and “trail” sports (22%)²⁷. Figure 8 highlights participation according to the Outdoor Industry Foundation and Figure 9 lists overall New York participation in outdoor activities according to the 2009-2013 Statewide Comprehensive Outdoor Recreation Plan.

Figure 8. New York Participation in Outdoor Activities

Sport	Overall NY Participation
Bicycling (Paved and Off-Road)	29%
Wildlife Viewing (Bird Watching, Other)	23%
Trail (Trail Running, Day Hiking, Backpacking, Rock/Ice Climbing)	22%
Camping (RV, Tent, Rustic Lodging)	19%
Paddling (Kayaking, Rafting, Canoeing)	12%
Snow Sports (Downhill Skiing, Snowboarding, XC Skiing, Snowshoeing)	8%
Fishing (Fly and Non-Fly)	8%
Hunting (Shotgun, Rifle, Bow)	4%

²⁷ Southwick Associates Incorporated and the Outdoor Industry Foundation. 2005. The Active Outdoor Recreation Economy: A \$730 Billion Contribution to the U.S. Economy. Boulder, CO.

Figure 9. New York Outdoor Activity Participation

Activity	2005 Statewide Participation Days
Cycling	51,482,470.00
Boating (Including Paddle Sports)	24,665,177.00
Hiking	20,821,392.00
Fishing	16,763,916.00
Hunting	7,702,896.00
Skiing/Snowboarding	6,400,664.00
XC Skiing/Snowshoeing	4,456,481.00
Snowmobiling	2,109,036.00

The recreation participation data highlight the sports that engage the greatest number of people. Additional data are required to determine the total number of user days of each recreation activity in the Park to better understand the impacts of each activity on the local economy. For example, one sport may be popular to a large percentage of the population but there may be more user days of another activity if individuals are participating in that other activity more frequently. The total number of participation days in the Adirondack Park would be the most informative indicator of economic impact for each respective Forest Preserve activity.

Winter Recreation Economy

The economic contribution of wintertime visitation resulting from recreation is an important economic driver in the Adirondacks because it represents a major source of “off-season” income to businesses that may otherwise close during the winter season. Overall, 15% of North Country visitor expenditures occur in the period of January-April. In Hamilton County, 9% of visitor expenditures occurred during that period, in Essex County, 20% occurred during that period, and in Warren County, 10% occurred during those months.

According to SUNY-ESF’s visitor survey, “cross-country skiing or snowshoeing” is the most popular winter activity for Forest Preserve users with 48% of survey respondents indicating that they had participated in those activities in recent years. “Skiing at a downhill ski area” (25% of respondents), “snowmobile travel” (19% of respondents), and “backcountry alpine or downhill skiing or snowboarding” (10% of respondents) rounded out winter activity participation. This trend is relatively consistent with the number of user days estimated in the New York Statewide Outdoor Recreation Plan 2009-2013. The plan estimated that in 2005 the overall user days were 6,400,664 for downhill skiing, 4,456,481 for cross-country skiing and snowshoeing, and 2,109,036 for snowmobiling²⁸.

²⁸ New York State Office of Parks, Recreation and Historic Preservation, 2008. Statewide Comprehensive Outdoor Recreation Plan. Albany, NY. <http://nysparks.com/recreation/trails/statewide-plans.aspx>

While direct spending by visitors relating to each winter activity is not available, a 1999 study commissioned by the New York State Snowmobile Association and performed by Merwin Rural Services Institute found that snowmobiling brought approximately \$23 million in direct spending to the Adirondack region in 1998²⁹. Adjusted for inflation, that would equate to \$33.3 million in direct spending in 2013. Additionally, there were 116,725 snowmobiles registered in New York State during the 2012-2013 snowmobile season and the New York State Snowmobile Association estimates a total direct spending amount of \$434 million in New York State related to snowmobile activity³⁰. The Study also estimated that 28.3% of all snowmobile activity days in New York State occurred in the Adirondack Park.

The combination of all winter sports helps to sustain an economy in which each county's unemployment rates fluctuate between three and six percentage points. Given that Adirondack Park communities are reliant on the winter economy, economic impact studies of all winter activities are necessary in order to determine the full value of winter recreation activities in the Adirondacks. The expansion and diversification of all winter activities will help to provide winter jobs to individuals with seasonal employment as well as provide revenue to businesses during a season in which they may otherwise be closed.

Visitor Spending

Visitor spending contributes to profits (proprietor income), jobs, tax revenues, and workforce income, with the most direct effects occurring within the lodging, restaurant, amusement, and retail trade sectors. Through secondary multiplier effects, visitor spending reaches most sectors of the economy. As such, increased visitor spending has the potential to help maintain and expand jobs, preserve community services, diversify existing retail offerings, attract new business enterprises, and broaden the tax base. The level and sectors of spending by Adirondack visitors has a significant impact on the tourism economy.

According to Longwoods International, users on different types of trips spend different amounts of money. The firm's market segmentation technique notes that visitors on "touring trips" spend \$183 per-person, per day; people on "country resort trips" spend \$164 per-person, per-day; people on "special event trips" spend \$158 per-person, per-day; and people on "outdoors trips" spend \$75 per-person, per-day³¹.

Davidson-Peterson Associates estimates that the average per-person, per-day expenditure of the average Northern New York visitor was \$139.16 for those staying at a hotel, motel or resort; \$98.93 for those staying in a cabin or cottage; \$81.23 for those staying with friends or relatives;

29 Merwin Rural Services Institute, 1999. Snowmobiling in New York State: An Analysis of Economic Impact and Overview of the Industry in the Empire State. Potsdam, NY.

30 New York State Snowmobile Association (NYSSA) and SUNY Potsdam Institute for Applied Research, 2012. 2011 Snowmobile Owners Survey. <http://www.nysnowmobiler.com/images/pdf/2012/NYSSA-Economic-Study-Executive-Summary-And-Discussion-9-13-12.pdf>.

31 Longwoods International. 2008. Lake Placid Image Study and Regional Visitor/Market Opportunity Analysis. Lake Placid, New York

\$76.18 for campground guests; and \$50.63 for “day-trippers.”³². According to the study, 45% of visitors stayed at a hotel, motel or resort, 26% stayed in campgrounds, 21% stayed with relatives or friends, and 7% stayed in a cabin or cottage. This indicates that the visitors staying in hotels, motels, and resorts are both the highest spenders and the largest visitor group. The study found significant spending differences between day visitors and overnight visitors and also found spending differences between overnight visitors staying in a variety of types of accommodations.

According to the Regional Office of Sustainable Tourism, the average visitor party to Essex County (3.9 people) spends \$436 per-day on per trip or \$111.80 per-person, per-day. The ROOST study did not segment visitor spending by accommodation type but found that 37% of overnight visitors stayed in a hotel or resort, 18% stayed in a motel, 12% stayed in a recreational vehicle or tent, 12% stayed in a cottage or cabin, 6% stayed with family or friends, 6% stayed in a bed and breakfast, 6% rented a home, and 3% rented a condominium. Davidson-Peterson found that visitor expenditures in the entire Northern New York region were in the recreation (27%), shopping (23%), food (22%), lodging (19%) and transportation (9%) sectors. The Regional Office of Sustainable Tourism study presented a spending breakdown similar to the Davidson-Peterson study with visitors spending their money on events and attractions (7%), entertainment (7%), transportation (9%), lodging (37%), meals (18%), souvenirs/shopping (11%), and other (10%).

The SUNY-ESF study did not examine Forest Preserve user’s expenditures but did survey respondents about type of accommodations during their trip. The study found that 35% of users traveled from their place of residence, 17% stayed in a primitive campsite on state land, 10% rented a home, condominium, cabin or lodge, 9% stayed at a hotel or motel, 9% stayed with a friend or relative, 9% stayed at their second home, cabin, or condominium, 7% stayed at a New York State campground, and 4% stayed at another type of accommodation. The study also found that in recent years, 66% of Forest Preserve users had dined in the Park, 55% had visited museums or historic sites in the Park, 45% had shopped for “non-essential items” in the Park, 37% had attended festivals or cultural events in the Park, 21% had attended an art event or visited an gallery in the Park, and 21% had attended a musical or theater event in the Park.

A review of New York State user group visitation spending studies examined spending estimates for snowmobile users, anglers, and canoeists/kayakers. In 2011, the New York State Snowmobile Association (NYSSA) estimated that each snowmobile trip in New York State generates \$106.94 per-snowmobile, per day³³. The 2007 New York Statewide Angler Survey found that “out-of-county” anglers spent \$42.27 and \$24.62 per-person, per-day in Essex and Hamilton Counties respectively³⁴. Additionally, a 2007 study of users of the Northern Forest Canoe Trail found that “non-local” paddlers using those recreation resources spend about \$46

³² Davidson-Peterson Associates and the Northern New York Travel and Tourism Research Center, SUNY Potsdam. 2006. 2006 Economic Impact of Expenditures by Tourists on Northern New York State. Potsdam, NY.

³³ New York State Snowmobile Association (NYSSA) and SUNY Potsdam Institute for Applied Research, 2012. 2011 Snowmobile Owners Survey. <http://www.nysnowmobiler.com/images/pdf/2012/NYSSA-Economic-Study-Executive-Summary-And-Discussion-9-13-12.pdf>.

³⁴ New York State. Department of Environmental Conservation Bureau of Fisheries. 2009. New York Statewide Angler Survey 2007. Albany, NY, http://www.dec.ny.gov/docs/fish_marine_pdf/nyswarpt3.pdf.

per-person, per day³⁵. While the data in each of the New York specific surveys can be used to examine the individual user group's impacts, a comparison between user groups cannot be made due to the differentiation in methodology and metrics.

Additional research from the State of Minnesota presents a useful analysis of user groups' impacts³⁶. In 2009, the University of Minnesota Tourism Center commissioned a survey of recreational trail users across Minnesota to determine their spending habits while on recreation-oriented trips. The study broke users into local users and users greater than 30 minutes from their home. Figure 10 outlines the results of the non-local users. The spending ranges are similar for all users although the study suggests that winter recreation users spend slightly more per-person than other user groups.

Figure 10. Spending by Non-Local Trail Users in Minnesota

Non-Local Activity Participants	Spending (Per-Person, Per-Day)
Walkers/Hikers	\$26.70 - \$39.08
Bicyclists	\$30.82 - \$43.87
Snowmobilers	\$31.19 - \$49.36
Horseback Riders	\$19.69 - \$43.03
Cross-Country Skiers	\$43.04 - \$53.66

The Minnesota study used a distance of 30 miles to define non-local users and does not differentiate between overnight visitors and day visitors and thus these numbers represent the average spending for both day and overnight users. It could be possible to further segment each user-group into day and overnight visitors, as well as into different overnight accommodation user groups (i.e. overnight horseback riders staying in campgrounds and cross-country skiers staying in hotels), but that information was not found after a significant literature review. The data presented in the University of Minnesota study does not suggest there would be a significant difference between user group segments staying in the same type of accommodations (i.e., between day-use bicyclists and day-use snowmobilers).

Visitor Origination

The place of origin, or the area where a visitor resides, affects the flow of money between local, regional, state, and national economies and taxing jurisdictions. For example, if a person traveled from one town to another town and spent money in the visited town, the money spent would have a net impact to the visited town and a flow of capital away from that person's town of residence. If those two towns were in the same county, however, the net impact to the county

³⁵ Pollock, Noah. University of Vermont Tourism Data Center. 2007. [Economic Impact Assessment of Paddler Recreation in the Adirondacks](http://www.uvm.edu/~snrvtdc/NFCT/NFCTAdirondackSummaryReport.pdf). Albany, NY.
<http://www.uvm.edu/~snrvtdc/NFCT/NFCTAdirondackSummaryReport.pdf>.

³⁶ Venegas, Ernesto C.. Minnesota Department of Employment and Economic Development, 2009. [Economic Impact of Recreational Trail Use in Different Regions of Minnesota](http://www.tourism.umn.edu/prod/groups/cfans/@pub/@cfans/@tourism/documents/asset/cfans_asset_167538.pdf).
http://www.tourism.umn.edu/prod/groups/cfans/@pub/@cfans/@tourism/documents/asset/cfans_asset_167538.pdf

would be the same as if that individual had spent the money in the town in which the individual resided. It is also possible for an individual to spend that same money in a neighboring county, causing money to flow out of both the individual's town and county, highlighting the importance of both attracting out-of-jurisdiction visitors as well as retaining in-jurisdiction spending. These flows of capital through economies and taxing jurisdictions occur on a variety of scales, and, as such, the origination of visitors is an important component of impacts to local, regional, state, and national economies.

According to the Regional Office of Sustainable Tourism study, 73% of visitors to Essex County reside in New York State, 14% of visitors reside in Canada, and 13% reside in other U.S. states. The SUNY ESF study also found that 73% of Forest Preserve users reside in New York State, 7% of users reside in Canada and 20% reside in U.S. states other than New York. Data from both studies were consistent in finding that about 27% of users travel into the Park from out of New York State, suggesting that over 27% of visitor spending is brought in from outside of the State and 73% of spending is retained in-State.

This data highlights the importance and opportunity of marketing the Forest Preserve both regionally and State-wide to retain money in the regional and State economies, as well as marketing outside of these jurisdictions to bring new money into the communities, Park, and State.

The Forest Preserve as a Programmable and Marketable Asset

The Adirondack Park's 103 towns and villages serve as gateways to the Forest Preserve and link Forest Preserve users to services, leisure opportunities, and accommodations. The communities and Forest Preserve complement each other with the Forest Preserve providing a range of recreation opportunities that attract people to the local municipalities and the local municipalities providing recreation users with the services necessary to support Forest Preserve activities. Many communities take an active approach in utilizing the Forest Preserve to attract visitors and visitor spending to their local businesses. Events such as birding, rafting, and ice climbing festivals, mountain bike races, canoe competitions, and backcountry ski get-togethers are all co-sponsored and marketed by local Adirondack businesses and municipalities to provide stimulus to local enterprises. In Keene Valley, The Mountaineer outfitting company hosts trail runs, ski festivals, ice climbing festivals, and fly fishing festivals to attract customers into the region. In Old Forge, the Mountainman Outdoor Supply Company hosts whitewater, kayak, and stand-up paddle boarding events to attract potential consumers. Throughout the Park communities such as Inlet, Wilmington, and Indian Lake all use Forest Preserve resources for events hosted during all seasons.

In addition to assisting in event development, local communities, regional organizations, and the State of New York all market Forest Preserve assets to attract both tourism and businesses to the area. For instance, communities such as the Village of Saranac Lake, the Towns of Clifton and Fine, and Hamilton County have developed incentive programs for visiting the Forest Preserve. In Saranac Lake, hikers of six local mountains surrounding the community can receive a "Saranac Lake 6'er" badge. A similar program, administered by a subcommittee of the Clifton-Fine Local Development Corporation, exists for people completing the "Cranberry Lake 50" hiking route in St. Lawrence County. In Hamilton County, visitors can earn a pin for finding

various species of plants or animals, or a badge for climbing five mountains with firetowers, or traveling into the wild to view a certain number of waterfalls. All of these methods help attract visitors to the Forest Preserve as well as local businesses.

Nature tourism is also a growing and important sector of the visitor economy that occurs on the Forest Preserve. According to the US Fish and Wildlife Service, wildlife viewers spent \$659,871,000 during visitation in New York State in 2010³⁷. Fishing and hunting combined to bring an additional \$1,868,035,000 in visitor spending during that period. The natural resources of the Forest Preserve are a major component of the recreation experience for all users, as the SUNY-ESF study found that 85% of all Forest Preserve users participated in viewing natural features and 76% of all users viewed wildlife. It is for these reasons that many states, including Texas, North Carolina, and Washington are investing in the promotion of nature tourism on their respective park lands.

Marketing the Park's assets to various media markets has proven successful in attracting visitors to the region. A conversion analysis of the 2003 Adirondack North Country Fall Scenic Byways Advertising Campaign found that 36,639 people responded to the Adirondack Regional Touring Council's promotions, resulting in over \$30 million in direct visitor spending. The Council spent about \$675,000 on the campaign, indicating a more than 44:1 return on investment³⁸. An analysis of a 2002 New York State-wide Scenic Byways campaign found that over 30,500 households traveled New York's byways as a result of that year's marketing efforts, earning a 30:1 return on investment³⁹. These studies indicate that marketing is an important component of attracting visitors to a recreation asset.

The Adirondack Partnership's Adirondack Park Recreation Strategy provides communities with a potential guide on how to leverage New York State's Forest Preserve for economic advantage⁴⁰. The Strategy outlines the availability of access for a full range of recreation activities and group of users, the expansion of tourism-related amenities and infrastructure, the growth of the outdoor recreation industry, and the marketing of the entire Park as opportunities for the expansion of the Park's economy. Communities can use these recommendations at the local level to attract additional visitors and investment to their local businesses.

Business and Resident Attraction

³⁷ United States Fish and Wildlife Service and United State Census Bureau, 2011. 2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation—New York. Washington D.C. <http://www.census.gov/prod/2013pubs/fhw11-ny.pdf>

³⁸ Adirondack Regional Tourism Council, 2003. Conversion Survey Results: Adirondack North Country Fall Scenic Byways Advertising Campaign. Plattsburgh, NY_

³⁹ Adirondack Regional Tourism Council, 2002. Conversion Survey Results: New York State Fall Scenic Byways Advertising Campaign. Plattsburgh, NY_

⁴⁰ Adirondack Partnership Recreation Planning Workgroup, 2013. Adirondack Park Recreation Strategy: Capitalizing on the Economic Potential of our Natural Environment.

As visitation to a community or region increases, so too does the market potential for visitor-oriented businesses. If new businesses open, there is also greater potential for new residents to staff the ventures.

There are many existing businesses in the Park that directly benefit from Forest Preserve recreation amenities. In addition to the guides and outfitters that rely upon Forest Preserve recreation resources, businesses in the lodging and hospitality, entertainment, transportation, retail, and events businesses all benefit from recreation users. Through multiplier effects, visitor spending reaches all corners of the Adirondack and State economy. As the number of new visitors to the Park and its communities increases, the opportunities for existing and prospective ventures in all of these sectors also increase.

Additional research must be undertaken to allow for the quantitative prediction of new economic impacts related to the recreation opportunities on the land being considered for classification. The impending recreation assets on the classified lands offer potential for new users being attracted to the region and State thus helping to increase economic opportunities for businesses.

Economic Impacts of Different Land Classifications

Every land classification provides the potential for a range of recreation opportunities. The specific potential activities are detailed in an adopted DEC prepared UMP. In addition to assessing the natural resources of a particular unit, UMPs manage recreation opportunities based upon environmental limitations and APSLMP land classification.

The economic impact resulting from recreational use of a unit is dependent upon the total use of that unit and the spending of the users. A variety of factors influence the use of a unit including the appeal of the natural resource itself, available recreation infrastructure (including trails, camping sites, etc.), proximity to population centers and accommodations, access points, local event programming, and the marketing of the resource. The State University of New York College of Environmental Science and Forestry is currently tabulating use data for each the Park's units. A complete set of use data for the Forest Preserve is required in order to determine any accurate correlation between land classification and use.

Economic Impacts from Preferred Alternative

The diversity of classifications in the preferred alternative provides for a range of uses including hiking, kayaking, cross-country skiing, snowmobiling, hunting, fishing, bicycling, and other motorized and non-motorized uses. While market research would be required to project quantitative economic impacts related to the potential recreation opportunities on these lands, the variety of recreation options allowed under this classification scenario provides new assets which communities, local businesses, and the State can market and program to attract new visitors to their respective jurisdictions and market areas.

Conclusions

Visitation to the Adirondack Park is critical to the local, regional and State economies. Visitors are attracted by a number of factors including outdoor recreation, shopping and dining, relaxation, and scenery viewing. Those seeking outdoor recreation opportunities participate in a variety of activities ranging from hiking, canoeing/kayaking, and fishing in the warmer months to cross-country skiing, snowshoeing and snowmobiling in the winter. Each recreation activity is essential to a diversified Adirondack visitation economy. Data suggests that Forest Preserve users stay in a variety of accommodations during their stay. Within each user group there are different levels of spending; the data also shows similar spending amounts per-person, per day between user groups. About 27% of visitor spending potentially originates from states other than New York and about 73% of visitor spending is the retention of money in the State economy.

The presented data highlights the available information regarding visitation and spending in the Adirondacks but additional research, including market analyses, must be undertaken to provide for quantitative predictions of total economic impacts. Such research should take into account shifts of economic activity from one Park or State community to another to better estimate total impacts to the State and regional economies. The impending recreation opportunities on the classified lands provide each community and region, as well as the State, new assets that can be programmed and marketed to attract visitors. As visitation associated with the classified land increases, so too does the potential for visitor-oriented businesses and their employees to locate in the region.

Every land classification will provide for a range of new recreation opportunities. Specific facilities and activities will be contained in appropriate UMPs prepared by DEC. The diversity of classifications in the preferred alternative allows for a range of uses that can be marketed and programmed to attract visitors. To assure that adequate recreation amenities are included in UMPs, it is essential that local communities and constituents participate in the DEC's unit management planning process.

CLASSIFICATION ALTERNATIVES

Maps have been created for each alternative described in the DSEIS and the Preferred Alternative and are titled accordingly. These maps should be referred to as the alternatives are read and compared. The maps depict precise boundaries; however, during the hearing and public comment process, it was stressed that the boundaries shown in each alternative might be adjusted and that the final proposal for a preferred alternative would likely have different boundaries from those presented in the DSEIS. The final proposed boundaries are described in the staff recommendation of a preferred alternative.

On each map is a legend identifying each major land classification relevant to the alternative depicted. Provided beneath the name for each land classification is a list of sample recreational uses that are allowed, as per APSLMP guidelines and criteria, on lands so classified – subject to DEC regulations and UMPs. These are short lists not intended to be complete; they are intended only to help persons understand how each major land classification affects some of the most popular outdoor recreational activities pursued on State land in the Adirondacks.

Not depicted on the numbered alternative maps, due to their small scale, are the Inner and Outer Gooley Club lease camps and the Polaris Club lease camps. Instead, these clubs' existing features are depicted on three larger scale maps provided – one each for the Outer Gooley Club, the Inner Gooley Club and the Polaris Club (Map 3). The camp structures of all three clubs exist on State-owned lands and are nonconforming with the guidelines of the APSLMP. The area descriptions within the APSLMP will note the fixed deadlines by which these nonconforming structures and associated uses will cease to exist. Consequently, many of the alternative descriptions provided below ignored the interim time periods during which the various nonconforming lease-club structures and uses could continue. The Preferred Alternative does recognize continuing uses and the presence of lease-club structures.

ALL ALTERNATIVES: HUDSON GORGE PRIMITIVE AREA RECLASSIFIED TO WILDERNESS OR CANOE AND SOME UNCLASSIFIED LANDS ADDED TO THIS WILDERNESS

Common to all alternatives presented below is the reclassification of the majority of the existing Hudson Gorge Primitive Area to Wilderness (approximately 17,000 acres) or Canoe (Alternative 3B) and the classification of the OK Slip Falls Tract and a portion of the Indian River Tract to Wilderness. Other alternatives for the Hudson Gorge Primitive Area are not considered because the APSLMP directs this area to be so classified subsequent to these significant private inholdings being “acquired or their uses limited by conservation easement so as to be compatible with the adjacent state lands” (APSLMP at p. 82). The addition of these lands to Forest Preserve triggers this reclassification requirement. In each alternative presented below, therefore, a Hudson Gorge Wilderness Area is created. Within it, the wildest and most remote section of the Hudson River, along with the sensitive ecological communities of this unique area, can be afforded the highest degree of protection possible for State lands in the Adirondack Park.

ALTERNATIVE 1A: NEW STATE LANDS CLASSIFIED PRIMARILY AS WILDERNESS, WITH WILD FOREST NORTH OF ESSEX CHAIN LAKES

MAP 5

Wilderness

Alternative 1A would create a Hudson Gorge Wilderness Area of approximately 38,563 acres, comprised of a large expanse of contiguous, State-owned lands on both sides of the Hudson River, extending from just south of Newcomb to and through the “Gorge” and Blue Ledges to the vicinity of the Boreas River confluence near North River. All newly acquired lands east of the Hudson would be classified Wilderness and existing State lands also east of the river to a naturally occurring boundary (a series of tributaries), now part of Vanderwhacker Mountain Wild Forest, would be reclassified to Wilderness. West of the river, all newly acquired lands north of the Goodnow River would receive Wilderness classification. South of the Goodnow Flow and Goodnow River, most of the newly acquired lands and waters of the Essex Chain Lakes, excluding the beds and waters of First and Pine Lakes, would also become part of this new Wilderness area. In addition, 1,403 acres of Blue Mountain Wild Forest located southwest of the Essex Chain Tract and east of the Cedar River would be reclassified as Wilderness.

Primitive Area

This alternative includes two road sections which will remain open to adjacent landowners and therefore need to be designated as Primitive. The first is a short section of Ord and First Left Roads, which provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

Wild Forest

In two areas, portions of newly acquired lands would be classified Wild Forest. One would be the area generally north of the Essex Chain Lakes and south of Goodnow Flow, and the second would be the area just west of the South Chain Lakes Road, between the Indian River confluence and the vicinity of an unnamed tributary adjacent to the Outer Gooley Pit.

Due to the existence of deeded rights allowing float plane access to First and Pine Lakes, this alternative would place the beds and waters of the lakes entirely within the Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on the parcels on which each pit is located, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.⁴¹ Each of these one-acre pits would be classified as State Administrative.

Discussion of Selected Recreational Opportunities

As in most of the alternatives presented, the corridor of the Hudson River would offer a wilderness rafting, paddling and camping opportunity, free of significant manmade structures and motorized uses for nearly fourteen miles. Lands classified Wild Forest would be situated near the Hudson River in two critical locations to allow for public motor vehicle access to the general vicinity of important river take-outs and put-ins for visitors accessing the river. The Essex Chain Lakes, although they would occupy a relatively small portion of this proposed Hudson Gorge Wilderness Area, would also offer a unique wilderness paddling and camping opportunity. The lake experience would not be as rigorous or challenging as the Hudson River trip, but still remote and wild.

The network of private lease club roads in the newly acquired lands would be closed to motor vehicle and mountain-bike use in this alternative. However, these lands would provide an opportunity for alternative forms of outdoor recreation that conform to Wilderness standards, including: hiking, skiing, snowshoeing, horseback riding, and horse and wagon riding.

The Towns of Newcomb and Minerva have a non-exclusive easement for float plane access to First Lake and Pine Lake, subject to permit from DEC. The Towns can allow others non-exclusive float plane access as well, which is also subject to any limitations in a permit duly issued by DEC. The purpose of the easement is to load and unload passengers to facilitate access for non-motorized public recreational use. Historically, the public has had float plane access to First and Pine Lakes, as both lakes were partially on public land (Blue Mountain Wild Forest).

In this alternative, commercial float plane operators could continue, under permit from DEC, to provide float plane access for the public to First Lake, the westernmost of the Essex Chain Lakes, and Pine Lake. For recreationists who arrive at First Lake by float planes and desire to explore the rest of the lakes in the Chain, a 1/6-mile carry could provide direct and relatively easy access to them.

In managing most of the sensitive fisheries of the Essex Chain Lakes in this alternative (excluding First Lake if appropriate), DEC would follow the Wilderness Fisheries Guidelines

⁴¹ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

which state: *(f)ish species, other than indigenous species and species historically associated with the Adirondack Park, will not be stocked in waters of Wilderness, Primitive or Canoe Areas.*⁴²

This policy would not apply to Pine and First Lakes, possibly allowing nonnative and warm water species to be introduced and stocked. The Department, however, strives to reintroduce a native species where a self-sustaining population can maintain itself, although there is not a formal policy requiring this action in Wild Forest.

Alternative 1A	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	12,408	2	0	4,909
Indian River Tract	517	0	0	408
OK Slip Falls Tract	2,765	15	0	0
"OSC Tract"	160	0	0	0
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	1,403	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 1A

Alternative 1A is not the preferred alternative.

Regarding classification of Wilderness, the APSLMP provides:

In addition, another significant determinant of land classification involves certain intangible considerations that have an inevitable impact on the character of land. Some of these are social or psychological such as the sense of remoteness and degree of wildness available to users of a particular area, which may result from the size of an area, the type and density of its forest cover, the ruggedness of the terrain or merely the views over other areas of the Park obtainable from some vantage point. Without these elements an area should not be classified as wilderness, even though the physical and biological factors would dictate that the limitations of wilderness management are essential.

(APSLMP at p. 14 (emphasis added)). The APSLMP further describes wilderness as an area with "outstanding opportunities for solitude or a primitive and unconfined type of recreation." (APSLMP at p. 20).

⁴² Guidelines for Fisheries Management in Wilderness, Primitive and Canoe Areas, adopted by the Adirondack Park Agency on April 26, 1990 and amended July 10, 1992.

The preferred alternative does include a substantial section of Wilderness to be added to the Hudson Gorge Wilderness Area from the newly acquired lands in the Essex Chain Lakes and Indian River Tracts, which is more thoroughly described in the Preferred Alternative discussion. However, Alternative 1A is not preferred because the Essex Chain Lakes and Indian River Tracts are encumbered by reserved rights and easements which support uses which would be nonconforming in Wilderness. Until October 2018, the Inner Gooley and Polaris Club sub-lessees may be allowed to access those camps by vehicles and snowmobiles on roads designated by DEC, to use ATVs during mud season to access the camps on roads designated by DEC and to use motorboats on waters designated by DEC if such waters border the camps. The Nature Conservancy has a reserved right to motorized access to the Essex Chain Lakes Tract until October 1, 2019 to manage and police the leasehold estate, and to remove any remaining structures. These reserved rights preclude a Wilderness classification for the area until these reserved leasehold rights expire.

There are also more permanent restrictions on the land, which preclude Wilderness classification. Prior to transferring these lands to the State, The Nature Conservancy granted easements to the Towns of Minerva and Newcomb over portions of the Essex Chain Lakes Tract which will allow, as determined by DEC, for float plane access to First and Pine Lakes. The Towns also have a non-exclusive rights-of-way on roads to be designated by DEC for administrative and emergency purposes. The easement also grants the Towns access to, and use of materials from, two gravel pits located on the periphery of the property in order to provide gravel to maintain roads, trails and other infrastructure on this tract that may be open for motorized use. These activities would be nonconforming in lands classified as Wilderness. Even on adjacent lands and waters, such as the Essex Chain Lakes other than First Lake, the presence of float planes in such close proximity to the Chain Lakes would defeat the sense of remoteness expected in Wilderness.

On the Indian River Tract, the Towns of Minerva and Indian Lake have a non-exclusive right to provide for public motorized access on the Chain Lakes Road (South) and to mine gravel from a gravel pit known as the Outer Gooley Pit for the purpose of maintaining the road and other infrastructure, subject to a DEC permit and all applicable laws, rules and regulations. Again, this limited motorized use on the parcel is inconsistent with a classification which applies to lands “with the imprint of man's work substantially unnoticeable” with “outstanding opportunities for solitude or a primitive and unconfined type of recreation.” For these reasons, a Wilderness classification for the Essex Chain Lakes Tract is not appropriate.

Regarding the Upper Hudson from the northern boundary of the Essex Chain Lakes Tract to the Iron (Polaris) Bridge, staff found that the lands surrounding the river could withstand the higher level of use and that section is recommended for inclusion in the Vanderwhacker Mountain Wild Forest. The Preferred Alternative also contains additional protection for the Upper Hudson River prohibiting motorboat use; this prohibition is consistent with the APSLMP guidelines for a Scenic River. The lease-camp owners have certain rights on the Hudson River which are not affected by this prohibition.

ALTERNATIVE 1B: NEW STATE LANDS CLASSIFIED AS WILDERNESS

MAP 6

Alternative 1B creates a larger Wilderness area. This alternative would classify almost the entirety of the Essex Chain Lakes Tract as Wilderness (excepting a small primitive area to accommodate a short ROW on Ord and First Left Roads) and extend the boundary southwest to include the entire Indian River Tract and the reclassification of additional land (2,873 acres) from the Blue Mountain Wild Forest, following natural boundaries (rivers and tributaries).

This Wilderness alternative adds Wilderness fisheries guidelines to three additional ponds (Mud, Clear and Corner), but the boundary does not include the beds and waters of First or Pine Lakes, thus enabling float plane access.

This alternative would classify the three gravel pits and the roads they would provide gravel for as Wilderness. Including these gravel pits and roads in Wilderness would likely render the gravel pits unnecessary to maintain the roads or other infrastructure. Since the right to extract gravel is limited to the purpose of maintaining roads, trails and other infrastructure, according to the terms of the easement, this alternative would eliminate the need for the three State Administrative areas.

Alternative 1B provides additional Wilderness protection to the Indian and Hudson Rivers and would move potential structures and motorized activities further from these rivers.

Alternative 1B requires potential parking areas be further away from access points to the Hudson River and the Essex Chain Lakes than is possible in Alternative 1A.

Alternative 1B	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	17,313	2	0	6
Indian River Tract	926	0	0	0
OK Slip Falls Tract	2,765	15	0	0
"OSC Tract"	160	0	0	0
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	2,873	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 1B

Alternative 1B is not the preferred alternative. Although the natural resources, particularly the Essex Chain Lakes and the Hudson and Cedar Rivers, are sensitive and justify wilderness management, intangible considerations impacting the Essex Chain Lakes preclude a Wilderness classification. The considerations are detailed above in the analysis of Alternative 1A.

The preferred alternative includes a substantial section of Wilderness to be added to the Hudson Gorge Wilderness Area from the newly acquired lands in the Essex Chain and the Indian River Tracts, which is more thoroughly described in the preferred alternative discussion. However, Alternative 1B is not preferred because the Essex Chain Lakes and Indian River Tracts are encumbered by reserved rights and easements which support uses that are nonconforming in Wilderness. Also, the presence of floatplanes landing and taking off from First and Pine Lakes will impact the sense of remoteness experienced by paddlers, hikers and campers in the Essex Chain Lakes. The motorized access on the roads, the gravel pits, and the floatplane easements would prevent “outstanding opportunities for solitude or a primitive and unconfined type of recreation” expected in Wilderness, and therefore the acreage of Wilderness proposed in Alternative 1B is not included in the preferred alternative.

Regarding the Upper Hudson from the northern boundary of the Essex Chain Lakes Tract to the Iron (Polaris) Bridge, staff found that the lands surrounding the river could withstand the higher level of use and that section is recommended for inclusion in the Vanderwhacker Mountain Wild Forest. The Preferred Alternative also contains additional protection for the Upper Hudson River prohibiting motorboat use; this prohibition is consistent with the APSLMP guidelines for a Scenic River. The lease-camp owners have certain rights on the Hudson River which are not affected by this prohibition.

ALTERNATIVE 2: NEW STATE LANDS CLASSIFIED PRIMARILY AS PRIMITIVE, WITH WILDERNESS CORRIDOR ALONG THE HUDSON RIVER

MAP 7

Primitive

Alternative 2 would establish one large Primitive Area and two narrow Primitive Area Corridors. The proposed Essex Chain Lakes Primitive Area would be essentially permanent, not likely to become Wilderness or Canoe, due to the non-conforming use of float plane landings on First and Pine Lakes. This Primitive area would be approximately 11,743 acres and would encompass all the Essex Chain Lakes and most lands immediately surrounding them, generally from the northern boundary of the newly acquired Essex Chain Lakes Tract south to the Camp 6 Road and a section of the North Chain Lakes Road near the Cedar River. It would also include Pine Lake, Corner, Mud and Clear Ponds, and would be bounded largely by the Cedar River to the west and an unnamed tributary in the Indian River Tract to the south.

A possible variation of this alternative would establish two Primitive areas with some Wild Forest lands – primarily a corridor – between them. The Primitive area encompassing the Essex Chain Lakes would be isolated to the north and over 9,000 acres in size; the Primitive area encompassing Pine Lake would be much smaller and would adjoin the Hudson Gorge Wilderness Area on its eastern boundary.

Alternative 2 includes two roadways that will remain open to adjacent landowners and therefore need to be designated as Primitive. The first is comprised of short sections of Ord and First Left Roads, providing access to neighboring easement lands across a 0.3-mile section of Forest

Preserve in the northern section of the Essex Chain Lakes Tract. The second is OK Slip Road, crossing 2.6 miles of the OK Slip Falls Tract and providing access to the privately owned inholding. Neither of these roads will be open to motor vehicle use by the public.

2,085 acres of Blue Mountain Wild Forest, following natural boundaries (rivers and tributaries), would be reclassified as Primitive in this alternative.

Wilderness

This alternative would have a Wilderness area of 32,234 acres. This area would include most of the Hudson Gorge Primitive Area, the entire OK Slip Falls and OSC Tracts. Additionally, lands to the east of the Chain Lakes Road (South) in the Indian River Tract and land to the east of the Camp 6 Road in the Essex Chain Lakes Tract would be classified Wilderness.

A 125-acre section of the Blue Mountain Wild Forest, located between the Essex Chain Lakes and Indian River Tracts, north of the road, would be reclassified as Wilderness. Land along the western edge of the Vanderwhacker Mountain Wild Forest, extending from a series of tributaries of Wolf Creek to the Hudson River, would also be reclassified as Wilderness.

Wild Forest

One relatively small portion of the newly acquired Essex Chain Lakes Tract would be classified Wild Forest. This area would be at the southwestern end of the Essex Chain Lakes Tract between First and Pine Lakes. (In the possible variation noted above, this area would be extended as a Wild Forest Corridor east toward the Hudson River and north toward the east end of Goodnow Flow.) In addition, approximately half the Indian River Tract— all that portion of it lying immediately to the west of the Chain Lakes Road (South) and south of an unnamed tributary – would also be added to Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited rights use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.⁴³ Classification of the

⁴³ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

Chain Lakes and Deer Pond gravel pits as Primitive would prevent the Towns from using the pits. Only the one-acre Outer Gooley gravel pit would be classified State Administrative.

Discussion of Selected Recreational Opportunities

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads as designated in an approved UMP.

In this alternative, commercial float plane operators would continue, under permit from DEC, to provide float plane access for the public to First Lake and Pine Lake. For recreationists who arrive at First Lake by float planes and desire to explore the rest of the lakes in the Chain, a 1/6-mile carry could provide direct and relatively easy access to them.

As with Alternative 1B, potential parking areas for access to the Hudson River and the Essex Chain Lakes would be farther away than in other alternatives.

Alternative 2	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	7,385	9,616	0	320
Indian River Tract	489	28	0	408
OK Slip Falls Tract	2,765	15	0	0
"OSC Tract"	160	0	0	0
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	124	2,085	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 2

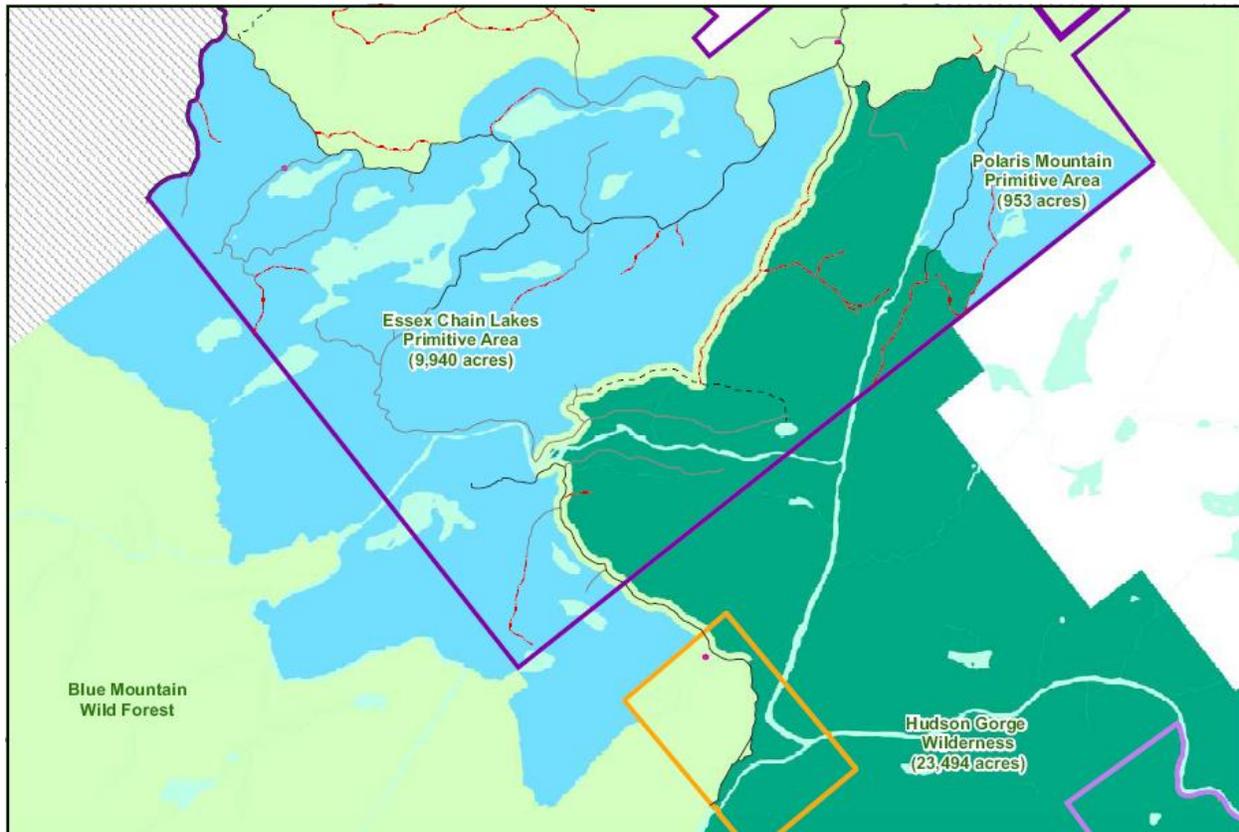
Alternative 2 is the Preferred Alternative, although with areas and their boundaries modified as described below and as depicted on Map 7A. This alternative complies with the guidelines and criteria established in the APSLMP, which include evaluation of physical and biological characteristics, intangible considerations and established facilities.

ALTERNATIVE 2A: NEW STATE LANDS CLASSIFIED PRIMARILY AS PRIMITIVE, WITH WILD FOREST AND WILDERNESS AREAS ALONG THE HUDSON RIVER AND WILD FOREST CORRIDORS BETWEEN THE PRIMITIVE AND WILDERNESS AREAS. (PREFERRED ALTERNATIVE)

MAP 7A (Variation of Map 7) – Preferred Alternative

Primitive

The Preferred Alternative is a variation of Alternative 2 that will ultimately establish, in the southwestern portion of the Essex Chain Lakes Tract and adjoining Blue Mountain Wild Forest (including all lakes and ponds of the Essex Chain), EITHER: one Primitive area; OR, two Primitive areas encompassing the same lands except for a Wild Forest Corridor running between them. At issue is the ultimate location of the southern portion of a Wild Forest corridor discussed below that will extend from Drakes Mill Road south along and including Camp 6 Road and then will EITHER: cross the Cedar River heading south to follow Chain Lakes Road (South) to the Indian River Tract (thereby creating one very large Primitive area to its west); OR, follow the north bank of the Cedar River heading west (i.e., not crossing the Cedar River) to follow Chain Lakes Road (North) toward First Lake before leaving the road and continuing west toward the Rock River (thereby creating a Primitive area to the north and a second Primitive area to the south





Pending resolution of legal and regulatory issues concerning potential resource impacts to recreational uses of the corridor, lands of these two alternatives in the southern end of the Wild Forest corridor will remain unclassified. Following APA's analysis and decision in this matter, only one corridor "leg" of unclassified land will be classified Wild Forest, while the other will be classified Primitive. If one Primitive area is the result, it will comprise approximately 9,940 acres and be named Essex Chain Lakes Primitive Area. If two Primitive areas are the result, the northern one will comprise approximately 6,955 acres and will be named Essex Chain Lakes Primitive Area and the southern one will comprise approximately 2,912 acres and will be named Pine Lake Primitive Area.

IN THE FIRST INSTANCE, the larger Essex Chain Lakes Primitive Area will be surrounded by lands of the Blue Mountain Wild Forest and conservation easement lands to the northwest.

IN THE SECOND INSTANCE, the Pine Lake Primitive Area will directly adjoin the Hudson Gorge Wilderness Area to its east and the Blue Mountain Wild Forest to the south, west and north.

In both instances, approximately 2,800 acres of Blue Mountain Wild Forest, following natural boundaries (primarily rivers and tributaries), will be reclassified as Primitive in the Preferred Alternative.

The OK Slip Road (2.6 miles, 19 acres) and its associated distribution power line, both of which serve a small private inholding within the Hudson Gorge Wilderness, will be part of a newly formed Primitive Area named the OK Slip Primitive Area. The road will not be open to motor

vehicle use by the public. An 11-acre parcel abutting State Route 28 and occupied by a transmission power line will also be included as part of this new Primitive Area.

This alternative will also establish the Polaris Mountain Primitive Area. This Primitive area will be 953 acres in size, bounded on the west by the western shore of the Hudson River and the Hudson Gorge Wilderness Area, on the north and east by Vanderwhacker Mountain Wild Forest south of the Iron (Polaris) Bridge, and on the south by the Hudson Gorge Wilderness Area. This area is encumbered by reserved rights and easements which support uses that are nonconforming in Wilderness. Until October 2018, Polaris Club sub-lessees may be allowed to access their camps by vehicles and snowmobiles on roads designated by DEC, to use ATVs during mud season to access the camps on roads designated by DEC and to use motorboats on waters designated by DEC if such waters border the camps. The Nature Conservancy has a reserved right to motorized access to this land until October 1, 2019 to manage and police the leasehold estate, and to remove any remaining structures. These reserved rights preclude a Wilderness classification for the area until these reserved leasehold rights expire. Upon expiration of the reserved leasehold rights, this entire Primitive Area will be reclassified to Wilderness and added, automatically and without further Agency action, to the Hudson Gorge Wilderness.

Wilderness

This Alternative will feature a new 23,494-acre Hudson Gorge Wilderness Area. It will consist of all of the existing Hudson Gorge Primitive Area and the interior, newly acquired OK Slip Falls Tract, plus: newly acquired lands east of a Wild Forest corridor along the Camp 6 Road, across and including the Hudson River in the Essex Chain Lakes Tract; newly acquired lands to the east of the Chain Lakes Road (South) in the Essex Chain Lakes and Indian River Tracts; and a reclassified, 112-acre portion of the Blue Mountain Wild Forest, located between the Essex Chain Lakes and Indian River Tracts, northeast of the Chain Lakes Road (South).

Wild Forest

A large portion of the newly acquired Essex Chain Lakes Tract will be classified Wild Forest in this Alternative. All of the lands to be classified Wild Forest within the Essex Chain Lakes Tract lying west of the center of the Hudson River and within the Indian River Tract will become part of the Blue Mountain Wild Forest. Included in the Blue Mountain Wild Forest will be the lands east of and including the Boots-to-Cornell Road, north of the Essex Chain Lakes Primitive Area and the Hudson Gorge Wilderness to the center of the Hudson River. Also included is a 1/10-mile wide corridor of land in the Essex Chain Lakes Tract along and including Camp 6 Road south to its intersection with the Cedar River, plus a Wild Forest access route along the road to the south shore of Fifth Lake intended to provide access to the lakes for persons with disabilities.

In the Indian River Tract, all that portion of the tract lying immediately to the west of the Chain Lakes Road (South), including this road, and south of the north boundary of the Indian River Tract will be classified Wild Forest and added to the Blue Mountain Wild Forest.

In addition, a 1/10 mile wide corridor of land along and including Chain Lakes Road (South) within the existing Blue Mountain Wild Forest leading northwest from the boundary of the Indian River Tract to the boundary of the Essex Chain Lakes Tract, will remain classified as Wild Forest. A 1/10 mile wide corridor of land along the Chain Lakes Road (South) within the Essex Chain Lakes Tract will remain unclassified. This unclassified area will be classified as Wild Forest and connected to the Wild Forest corridor from the north, if the first option outlined in the Primitive section above is chosen. This corridor will essentially serve as the boundary between the Essex Chain Lakes Primitive Area, to the west, and the Hudson Gorge Wilderness Area to the east. In the event the second option outlined in the Primitive area discussion above is chosen, this area from the north boundary of the Indian River Tract to the Cedar River will be classified Primitive and added to the Pine Lake Primitive Area.

The lands east of the center of the Hudson River that are classified as Wild Forest, including portions of the Essex Chain Lakes Tract and the OSC Tract will become part of the Vanderwhacker Mountain Wild Forest. These lands will be bounded on the south by the Polaris Mountain Primitive Area, on the west by the Blue Mountain Wild Forest and on the north by private lands.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited rights use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns' rights are in the form of an easement allowing gravel extraction, only, for the purpose of road, trail and infrastructure maintenance on the Essex Chain Lakes Tract, with a permit from the NYSDEC and "subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit." The Chain Lakes, Deer Pond and Outer Gooley gravel pits are classified State Administrative but will be reclassified once the gravel pits are exhausted.

Discussion of Selected Recreational Opportunities

The most extraordinary recreational opportunities that will be created as a result of this classification action will be the largely quiet, new non-motorized boating opportunities that will be available on the Hudson River, Essex Chain Lakes, Pine Lake and a few other smaller water bodies in those lands classified as Primitive. Immediately surrounding these lakes and ponds, the majority of the network of private, lease-club roads in the newly acquired lands classified as Wilderness and Primitive will remain closed to public motor vehicle use in this alternative, and may be abandoned or converted to various types of trails through the UMP planning process. This network could well form the basis of a significant new opportunity in the Adirondacks for horseback and horse-and-wagon riding, in fact. Additionally, if these roads in the new Primitive Area(s) meet the definition of State Truck Trails, all-terrain bicycles ("mountain bikes") could be allowed on such designated roads as approved in a UMP. (If there are no roads meeting the State Truck Trail definition, amendment to the APSLMP guidelines for the new Primitive Area(s) would be required to allow use of bicycles.)

In this alternative, commercial float plane operators may continue, under permit from DEC, to provide float plane access to First Lake and Pine Lake. For visitors who arrive at First Lake by float planes and desire to explore the rest of the lakes in the Essex Chain, a 0.6-mile carry could be developed to provide direct and relatively easy access to them.

Areas classified as Wild Forest could provide additional recreational opportunities, both motorized and non-motorized, through an approved UMP. The Wild Forest corridor that will be established along Camp 6 Road may, for instance (subject to guidelines and criteria of the Master Plan and other considerations), allow for public use of mountain bikes and snowmobiles for traveling to and back from the north bank of the Cedar River. If, through future classification action by the Agency, this Wild Forest corridor is extended either south or west, it could provide an opportunity for longer travel by mountain bikes and snowmobiles between those large blocks of Blue Mountain Wild Forest lands north/northeast and south/southwest of the Essex Chain Lakes.

Alternative 2A:

Preferred Alternative with Unclassified Lands	Wilderness	Primitive	Canoe	Wild Forest	State Admin
New Acquisition					
Essex Chain Lakes Tract	2821	7913	0	7298	2
Indian River Tract	510	0	0	452	1
OK Slip Falls Tract	2770	19	0	0	0
"OSC Tract"	0	0	0	160	0
Reclassification					
Hudson Gorge Primitive Area	17281	0	0	0	0
Blue Mountain Wild Forest (portion)	112	2793	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	0	0	0	0	0
Preferred Alternative – One Primitive Area (Southern Route Option)					
New Acquisition					
Essex Chain Lakes Tract	2821	8025	0	7382	2
Indian River Tract	510	0	0	452	1
OK Slip Falls Tract	2770	19	0	0	0
"OSC Tract"	0	0	0	160	0
Reclassification					
Hudson Gorge Primitive Area	17281	0	0	0	0
Blue Mountain Wild Forest (portion)	112	2868	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	0	0	0	0	0
Preferred Alternative – Two Primitive Area (Northern Route Option)					
New Acquisition					
Essex Chain Lakes Tract	2821	7997	0	7410	2
Indian River Tract	510	0	0	452	1
OK Slip Falls Tract	2770	19	0	0	0
"OSC Tract"	0	0	0	160	0
Reclassification					
Hudson Gorge Primitive Area	17281	0	0	0	0
Blue Mountain Wild Forest (portion)	112	2823	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	0	0	0	0	0

ALTERNATIVE 3A: NEW STATE LANDS CLASSIFIED AS CANOE WITH WILD FOREST TO THE NORTH OF ESSEX CHAIN LAKES AND WILDERNESS CORRIDOR ALONG THE HUDSON RIVER

MAP 8

Canoe

Alternative 3A would create a new Canoe area of approximately 6,624 acres – only the second Canoe area in the Adirondack Park. Primarily, it would feature the Essex Chain Lakes, excluding the bed and waters of First Lake where landings and take-offs by float planes can be expected to occur as noted above. The Canoe area would include Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Lakes and Deer, Jackson, and (one of the two) Mud Ponds. This Canoe area would be bounded on the north by Long Six Lake Road, extending east to the Hudson River, south to the Cedar River and west to the tract boundary, excluding the bed and waters of First Lake.

The Essex Chain Lakes Tract contains an additional seven (7) water bodies that are not considered to be within easy portaging distance of each other and have not been included in this Canoe classification.

Wilderness

This alternative would feature a Wilderness area of 31,939 acres that would include the Hudson Gorge Primitive Area and the entire OK Slip Falls and OSC Tracts. Additionally, lands to the south of the Cedar River, including Mud, Corner and Clear Ponds in the Essex Chain Lakes Tract and north of an unnamed tributary in the Indian River Tract would also be classified Wilderness.

1,403 acres of Blue Mountain Wild Forest located southwest of the Essex Chain Lakes Tract, east of the Cedar River, would be reclassified as Wilderness.

Land along the western edge of the Vanderwhacker Mountain Wild Forest, extending from a series of tributaries of Wolf Creek to the Hudson River, would be reclassified as Wilderness.

This alternative would not feature Wilderness designated along both sides of the Hudson River as would alternatives 1A, 1B, and 2. Instead, this alternative would have 2.8 miles of the western edge of the Hudson River bounded by a Canoe area.

Primitive Area

This alternative would have the same Primitive areas as described in Alternative 1A, which includes two road sections which will remain open to adjacent landowners. The first is a short section of Ord and First Left Roads, which provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and

provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

Wild Forest

In this alternative, 7,032 acres of land would be classified as Wild Forest. The area classified as Wild Forest would be identical to Alternative 1A.

In two areas, portions of newly acquired lands would be classified Wild Forest. One would be the area generally north of the Essex Chain Lakes and south of Goodnow Flow, and the second would be the area just west of the Chain Lakes Road (South), between the Indian River confluence and the vicinity of an unnamed tributary adjacent to the Outer Gooley Pit.

Due to the existence of deeded rights allowing float plane access to First and Pine Lakes, this alternative places the beds and waters of the lakes entirely within the Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.⁴⁴ Each of these one-acre gravel pits would be classified as State Administrative.

Discussion of Selected Recreational Opportunities

Throughout this area, non-motorized, water-oriented recreation on lakes, ponds and rivers would be the primary activity enjoyed by visitors seeking a wilderness-type experience. The lakes and ponds listed above are interconnected or within portaging distance of each other and provide an opportunity for a six- to seven-mile canoe route. These lakes have seen little recreational use and are in pristine condition.

The majority of the network of private lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads, designated in an approved UMP.

In one fundamental contrast with the Wilderness classification alternative for this area, the Department would have the option to more intensively manage the area’s high-quality, sensitive

⁴⁴ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

fisheries by means of the administrative use of motor vehicles and aircraft, even though the same wilderness fisheries management would be prescribed. Any roads designated by the Department for administrative use for fisheries purposes could then be designated for public recreational use by mountain bikers – a use that could not be allowed in Wilderness.

Commercial float plane operators could continue, under permit from DEC, to provide float plane access for the public to First Lake and Pine Lake. The beds and waters of First and Pine Lakes would be in the Blue Mountain Wild Forest.

Alternative 3A	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	5,783	2	6624	4,909
Indian River Tract	517	0	0	408
OK Slip Falls Tract	2,765	15	0	0
“OSC Tract”	160	0	0	0
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	1,403	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 3A

Alternative 3A is not the Preferred Alternative.

The creation of additional Canoe areas is dependent upon the acquisition of large tracts of private land which surround substantial acreages of water suitable for canoeing. The FPEIS states, “the canoe classification is given to an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water recreation in essentially a Wilderness setting.” (FPEIS, p. 19.)

The preferred alternative includes a substantial section of Wilderness to be added to the Hudson Gorge Wilderness Area from the newly acquired lands in the Essex Chain Lakes and Indian River Tracts, which is more thoroughly described in the preferred alternative discussion. However, Alternative 3A is not preferred because the Essex Chain Lakes and Indian River Tracts are encumbered by reserved rights and easements which support uses which would be nonconforming in Wilderness. Also, the presence of floatplanes landing and taking off from First and Pine Lakes would detract from the sense of remoteness experienced by paddlers, hikers and campers in the Essex Chain Lakes. The motorized access on the roads, the gravel

pits, and the floatplane easements would prevent “outstanding opportunities for solitude or a primitive and unconfined type of recreation” expected in wilderness.

Factors such as the easements for float plane access, motorized use, and gravel extraction have been considered in this classification process. For many of the same reasons that Alternatives 1A and 1B are not preferred, it has been determined that this alternative does not comply with the guidelines and criteria established in the APSLMP for Canoe areas.

ALTERNATIVE 3B: NEW STATE LANDS CLASSIFIED PRIMARILY AS CANOE WITH WILD FOREST NORTH OF ESSEX CHAIN LAKES

MAP 9

Alternative 3B creates a larger Canoe Area (15,067 acres). This alternative extends the boundary southwest to include more of the Cedar River, the Indian River Tract and the additional reclassification of 2,083 acres from the Blue Mountain Wild Forest to the Canoe area.

This alternative also extends the Canoe Area boundary further north to surround a ¼ to ½ mile setback from the Hudson River in both the Essex Chain Lakes Tract and the Vanderwhacker Mountain Wild Forest. The lands to the east and west of the Canoe area boundary would be classified as Wild Forest.

The boundary of the Canoe Area would not include First or Pine Lakes, thus enabling float plane access. The beds and waters of First and Pine Lakes would be in the Blue Mountain Wild Forest.

This alternative would include two State Administrative one-acre gravel pits (Chain Lakes and Deer Pond). Classification of the Outer Gooley gravel pit as Canoe would prevent the Towns from using that pit.

Alternative 3B	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	0	0	10,818	6,501
Indian River Tract	309	0	520	96
OK Slip Falls Tract	2,765	15	0	0
“OSC Tract”	0	0	0	160
Reclassification				
Hudson Gorge Primitive Area	15,754	0	606	0
Blue Mountain Wild Forest (portion)	0	0	2,083	0
Vanderwhacker Mountain Wild Forest (portion)	1	0	1,039	0

Analysis of Alternative 3B

Alternative 3B is not the Preferred Alternative

The creation of additional Canoe areas is dependent upon the acquisition of large tracts of private land which surround substantial acreages of water suitable for canoeing. The FPEIS states, “the canoe classification is given to an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water recreation in essentially a Wilderness setting.” (FPEIS, p. 19.)

The preferred alternative includes a substantial section of Wilderness to be added to the Hudson Gorge Wilderness Area from the newly acquired lands in the Essex Chain Lakes and Indian River Tracts, which is more thoroughly described in the Preferred Alternative discussion. However, Alternative 3B is not preferred because the Essex Chain Lakes and Indian River Tracts are encumbered by reserved rights and easements which support uses which would be nonconforming in Wilderness. Also, the presence of floatplanes landing and taking off from First and Pine Lakes would impact the sense of remoteness experienced by paddlers, hikers and campers in the Essex Chain Lakes. The motorized access on the roads, the gravel pits, and the floatplane easements would prevent “outstanding opportunities for solitude or a primitive and unconfined type of recreation” expected in Wilderness.

For many of the same reasons that Alternatives 1A, 1B and 3A are not preferred, it has been determined that this alternative does not comply with the guidelines and criteria established in the APSLMP for Canoe areas.

ALTERNATIVE 4A: NEW STATE LANDS CLASSIFIED PRIMARILY WILD FOREST WITH WILDERNESS CORRIDOR ALONG THE HUDSON RIVER

MAP 10

Wild Forest

Alternative 4A would significantly expand Blue Mountain Wild Forest to include the Essex Chain Lakes and Pine Lake. Throughout the area of the Essex Chain Lakes, motor-boating, snowmobiling and float plane use could be allowed, subject to an approved UMP, and a much greater portion of the existing road system could be retained for various public motorized and mechanical means of travel and recreation that do not conform to Wilderness, Primitive or Canoe area guidelines. This could foster a greater diversity of recreational activities.

Wilderness

The proposed Hudson Gorge Wilderness Area in this alternative would be expanded further toward the Essex Chain Lakes than in the Canoe alternative, as well as somewhat further north to the northern boundary of State land. That would include classifying a portion of the Essex Chain Lakes Tract and reclassifying a portion of the Vanderwhacker Mountain Wild Forest to Wilderness. The Hudson River would flow through Wilderness (on both sides of the river) from just downstream of Route 28N in Newcomb south to the confluence with the Boreas River. 1,403

acres of Blue Mountain Wild Forest located southwest of the Essex Chain Tract, east of the Cedar River and north of the Rock River, would be reclassified as Wilderness.

Primitive

This alternative would feature the same Primitive Areas as described in Alternative 1A, which includes two roads sections which will remain open to adjacent landowners. The first is a short section of Ord and First Left Roads, which provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

State Administrative

This alternative would include the same State Administrative Areas as described in Alternative 1A.

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.⁴⁵ Each of these one-acre pits would be classified as State Administrative.

Discussion of Selected Recreational Opportunities

This Alternative could provide easier access to the northern section of the Essex Chain Lakes Tract and across the Hudson to parts of the Vanderhacker Mountain Wild Forest, which could result in increased recreational use.

Commercial float plane operators would continue, under permit from DEC, to provide float plane access for the public to First Lake and Pine Lake. Float plane access could also be permitted at Third Lake and any other water bodies in Wild Forest that would be considered large enough for safe landings and take-offs.

⁴⁵ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

The Department’s Wilderness fisheries policy would not apply to the lakes and ponds classified as Wild Forest.

Alternative 4A	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			
Essex Chain Lakes Tract	7,787	2	0	9,530
Indian River Tract	517	0	0	408
OK Slip Falls Tract	2,765	15	0	0
“OSC Tract”	0	0	0	160
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	1,403	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 4A

Alternative 4A is not the Preferred Alternative.

Additional analysis of the natural resources in the Essex Chain Lakes Tract notes the presence of lakes, ponds, and wetlands that are considered to be the area’s most sensitive natural resources and require wilderness type management. High value wetlands ring the lakes and are found in the channels which connect the lakes. These resources require protection from overuse. Motorized watercraft would degrade the aquatic ecosystem through a variety of mechanisms, including re-suspension of sediment by propeller contact and wave action. Usage patterns would likely disturb the habitat of fish and wildlife and lead to the destruction of aquatic plants. This alternative might also allow greater pollution of the water resources.

The three channels interconnecting the Essex Chain Lakes are shallow (less than 6 feet) and have a bottom substrate consisting of silt, muck, and organic substrate that is easily disturbed. Research has shown that boats capable of traveling in shallow waters may cause physical damage to emergent and submerged aquatic macrophytes, which creates subsequent biological impacts as habitat is altered or damaged. The primary mechanism appears to be direct cutting of plants, but other researchers have determined that scouring of the sediment, uprooting of plants, and increased wave activity may also be factors^{46 47 48}.

⁴⁶ McEwen, A., Dawson, C., and Gerstenberger, L. 2011. Adirondack Park Forest Preserve Carrying Capacity of Water Bodies Study: Phase 1- Selecting Indicators for Monitoring Recreational Impacts. State University of New York, College of Environmental Science and Forestry.

⁴⁷ Asplund, T.R. 2000. The Effects of Motorized Watercraft on Aquatic Ecosystems. Madison(WI):Wisconsin Department of Natural Resource, Bureau of Integrated Science Services; University of Wisconsin. Report No. PUBL-SS-948-00.

Motorboats are also known to affect water quality by increasing turbidity, phosphorous and chlorophyll *a*. Any increase in nutrients, such as phosphorous, will contribute to increases in aquatic macrophyte growth and algae. Shallow lakes, shallow parts of lakes and rivers, and channels connecting lakes are the most susceptible to impacts⁴⁹. Motor boats can also impact water quality by releasing chemical contaminants into the water column from unburned gasoline and oil. These contaminants consist of the breakdown of gasoline compounds such as benzene, toluene, ethyl benzene, xylene (collectively known as BTEX), methyl tertiary butyl ether (MTBE) and polycyclic aromatic hydrocarbons (PAHs)⁵⁰. PAHs and BTEX represent the most toxic of gas and oil components to aquatic life.

Wilderness type protection of these waterbodies will also decrease the likelihood of the introduction of aquatic invasive species, both from boat propellers and float planes.

The channels connecting Third Lake to Fourth Lake, Fourth Lake to Fifth Lake, and Fifth Lake to Sixth have large (greater than 20 acres) emergent marsh and deepwater marsh wetlands. Due to their size, wetland covertypes present, diversity and abundance of aquatic macrophytes and hydraulic connection to the main waterbodies, they have the highest value rating as defined in 9 NYCRR Part 578. Emergent marsh is the most valuable individual covertype and one of the highest in productivity. These wetlands provide nesting habitat and food and cover for wildlife, as well as the capacity to stabilize lake sediment and cycle large quantities of nutrients. Deepwater marsh wetlands provide valuable fish spawning and nursery habitat and are a food source for waterfowl and other wildlife. Several emergent and deepwater marsh wetland plants are found in these channels, including the following species: bladderwort (*Utricularia spp.*), bur reed (*Sparganium sp*), pickerelweed (*Pontederia cordata*), white water lily (*Nymphaea odorata*), yellow-lily (*Nuphar variegata*), pipewort (*Eriocaulon aquaticum*), and watershield (*Brasenia schreberi*). These sensitive wetland habitats also require wilderness type management.

In addition to the aquatic macrophytes referenced previously, two NYS protected aquatic plants were identified by Adirondack Park Agency and Adirondack Park Invasive Plant Program staff during site visits on July 11 and September 18, 2013. Farwell's milfoil (*Myriophyllum farwellii*) was identified in Third Lake and in the channel between Third and Fourth Lake. It is listed as threatened in Environmental Conservation Law, Section 193.3. Plants listed as threatened are likely to become endangered within the foreseeable future throughout all or a significant portion of their ranges within the State. Water marigold (*Bidens beckii*) was found in Third Lake and in the channel between Third and Fourth Lake. It is listed in the 2010 New York Natural Heritage

⁴⁸ Asplund, T.R. and C.M.Cook. 1997. Effects of motor boats on submerged aquatic macrophytes. Lake and Reservoir Management. 13(1):1-12.

⁴⁹ Yousef, Y.A., W.M. McLellon, and H.H. Zebtuh. 1980. Changes in phosphorus concentrations due to mixing by motor boats in shallow lakes. Water Research 14:841-852.

⁵⁰ Asplund, T.R. and C.M.Cook. 1997. Effects of motor boats on submerged aquatic macrophytes. Lake and Reservoir Management. 13(1):1-12.

Program (NHP) rare plant watch list as threatened. The NHP watch list contains native species that are considered rare, uncommon, or declining in numbers and need continued periodic monitoring to decide if they should be actively inventoried or removed from the list. Agency staff observations during the two site visits describe the wetlands in the channels as consisting of a diverse assemblage of healthy native aquatic macrophytes with some areas exhibiting large densities of Farwell’s milfoil and water marigold. These species will benefit from wilderness type protection.

ALTERNATIVE 4B: NEW STATE LANDS CLASSIFIED PRIMARILY WILD FOREST WITH A SPECIAL MANAGEMENT AREA FOR THE WILD FOREST AND WILDERNESS CORRIDOR ALONG THE HUDSON RIVER ⁵¹

MAP 11

Alternative 4B would include the same classification proposal as Alternative 4A, with a 12,759 acre Special Management Area within the Blue Mountain Wild Forest. Recreational opportunities potentially allowable throughout Wild Forest would be limited in this Special Management Area. The Essex Chain of Lakes area is fairly remote and pristine, and some of its resources are sensitive enough – particularly its waters and fisheries – to call for special management guidelines that would prohibit or limit certain uses. Examples could include prohibiting motorized access on the lakes or limiting motorized access on some roads to big game season only and allowing camping at designated sites only.

Some prohibitions or limits considered critical could be effected or partially effected via this classification action. Specific protective management guidelines would be developed and then be included in prescriptive language for the area description included in the APSLMP. This protective management approach would then need to be implemented through the unit management planning process for the area and the promulgation of special regulations.

The Primitive Area for the Ord and Left Turn Road in the Essex Chain Lakes Tract would no longer be needed in this alternative.

Unlike with a Canoe classification, this alternative would allow, with an approved UMP, additional access for persons with disabilities and mountain biking opportunities beyond use on State Administrative Roads.

Alternative 4B	Wilderness	Primitive	Canoe	Wild Forest
New Acquisition	acres			

⁵¹ This alternative is most similar to the Proposal for Public Access and State Land Classification of the Former Finch Lands suggested by the NYSDEC <http://www.dec.ny.gov/lands/89400.html>

Essex Chain Lakes Tract	7,787	2	0	9,530
Indian River Tract	517	0	0	408
OK Slip Falls Tract	2,765	15	0	0
"OSC Tract"	0	0	0	160
Reclassification				
Hudson Gorge Primitive Area	16,360	0	0	0
Blue Mountain Wild Forest (portion)	1,403	0	0	0
Vanderwhacker Mountain Wild Forest (portion)	4,950	0	0	0

Analysis of Alternative 4B

Alternative 4B is not the Preferred Alternative.

Additional analysis of the natural resources in the Essex Chain Lakes Tract showed that the lakes, ponds, and wetlands are considered to be the area's most sensitive natural resources and require wilderness type management (see Analysis of Alternative 4A above).

Further analysis of the APSLMP and its use of Special Management Guidelines determined that a Special Management Area (SMA) may not be used as a substitute for classification or a classification category. SMA's are created during the Unit Management Planning (UMP) process, which follows classification. The APSLMP makes specific mention of "special management to reflect resource or public use factors" (APSLMP at p. 49) and notes that these exist in all land use classifications. Guideline #1 states that SMA's are addressed during the UMP process.

Thus, the process for adopting special management restrictions are governed by the planning process and when specific management guidelines best serve the natural resource, those guidelines (which are identified in each classification category) are a basis for choosing the appropriate classification.

ALTERNATIVE 5: NO ACTION

The **No Action Alternative** is not being considered for the new acquisitions because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands presently in the Blue Mountain Wild Forest, the Vanderwhacker Mountain Wild Forest and the Hudson Gorge Primitive Area is to leave those lands classified in their current classifications, as described in the current APSLMP.

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www.acris.nynhp.org/ranks.php

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APSLMP October 2011

http://apa.ny.gov/Documents/Laws_Regs/SLMP-20120201-Web.pdf

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