



Draft Minutes
State Land Committee
August 2013 Agency Meeting
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**MINUTES OF THE STATE LAND COMMITTEE MEETING
August 8 and 9, 2013**

Committee members in attendance included Agency Chairwoman Leilani Ulrich, William Thomas, William Valentino, Sherman Craig, Designee Robert Stegemann, Department of Environmental Conservation, and Committee Chair Richard Booth. Members Karen Feldman, Dan Wilt, Arthur Lussi, and Designees Dierdre Scozzafava, Department of State and Bradley Austin, Department of Economic Development joined the Committee. Also participating in the meeting was Executive Director Fred Monroe of the Local Government Review Board. Staff included Executive Director Terry Martino, Counsel James Townsend, Planning Director James Connolly, Senior Natural Resource Planner Kathy Regan, Associate Natural Resource Planners Walter Linck and Matthew Kendall, and Senior Attorney Elizabeth Phillips.

The Committee meeting convened at approximately 9:15 a.m.

Approval of Draft Committee Minutes for June 2013

A motion to approve the draft committee minutes was made by Designee Stegemann and was seconded by Member Craig. All were in favor.

General Introduction/SLMP and Decision Criteria/Overview of Material on CD (J. Connolly/E.Phillips)

Mr. Connolly provided a brief review of the Agency's role and responsibility under the State Land Master Plan (SLMP) in the review and classification of newly acquired land by the State. He then reviewed the process of classifying lands and the criteria for each of the seven categories of land classification under the SLMP.

Overview of Purchase of Former Finch Lands from the Nature Conservancy/Snowmobile Planning/DEC Interim Access Plan (J. Connolly)

Mr. Connolly provided a map depicting the area recently acquired by the State in addition to the easement lands surrounding the newly acquired parcels. He noted the importance of the easement lands to working forests and the economy of the Park.

He also noted the Memorandum of Understanding (MOU) between the Agency and the Department of Environmental Conservation (DEC) and how it applies to the review process and the roles each agency has in the review of projects on the Forest Preserve. Member Craig noted that a lot of input was received by the Agency from the five towns that surround the Finch parcels. He asked where the five towns were connected via snowmobile trails. Mr. Connolly stated that in 2005 a unit management plan (UMP) was completed by DEC for the Vanderhacker Mt. Wild Forest area. Several alternatives were identified at that time for snowmobile community connector trails that would connect trails between Minerva, Newcomb, North Hudson and Indian Lake. The Department intends to present the Agency with a UMP amendment for the Vanderhacker unit to include the proposed community connector route.

Member Craig asked if a snowmobile trail loop connection was planned between the Towns of Minerva and Indian Lake. Mr. Connolly responded that the snowmobile plan identified community connector trails linking Indian Lake to Minerva through Newcomb. Mr. Connolly added that in 2006 a snowmobile plan for the Park was adopted that called for a reconfiguration of the snowmobile trail system in the Park with the intention of moving motorized vehicles to the periphery of the units with the desired result of less motorized traffic in the interior areas, reduction of user conflicts, and increased use of easement lands and private lands with consenting landowners. In 2009 Department and Agency staff presented the Board with draft snowmobile guidance for SLMP interpretation and implementation of the snowmobile plan to address community connector trails and appropriate placement of such trails to avoid the more sensitive interior areas of the units. The snowmobile guidance was jointly adopted by the Agency and DEC and is an addendum to the MOU.

Member Thomas asked if there was any possibility that the Polaris Bridge could be used to connect the communities of Indian Lake and Minerva for snowmobile use. Mr. Connolly responded that because the trail would lead into the interior of the Vanderhacker Mt. Wild Forest, the guidance as it is currently adopted would prohibit this. He also noted the existence of difficult terrain and extensive wetlands.

Local Government Review Board Executive Director Fred Monroe noted that the guidelines are simply guidelines and have not been incorporated into the statute or regulations. Mr. Connolly responded that there is always potential to review existing guidance.

Recreational Opportunities (J. Connolly/E. Phillips)

Senior Attorney, Beth Phillips, then reviewed the Americans with Disabilities Act (ADA) and how it applies to the Forest Preserve. She noted that Title II of the ADA requires that a public entity operate each service, program or activity so that such service, program or activity when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. She added that the Americans with Disabilities Act does not require that the State make each of its facilities accessible to and usable by individuals with disabilities.

Review of Alternatives Presented at Public Hearings/Review of Public Hearings and Written Comments (K. Regan)

Kathy Regan reviewed the seven alternatives that were presented at the public hearings.

Member Craig asked if a special management area has been used in the past that is equivalent in size as to the one that is being proposed for this area. Mr. Connolly responded that special management areas are not intended to be definitive but rather illustrative and can vary in size. He added that specific acreage for some of the more broadly defined areas (such as the Moose River Plains or Bloomingdale Bog) would be difficult to estimate and does not have a bearing on the classification process now before us.

Member Thomas asked if the land acquisitions that are scheduled for the next five years are in Finch Pruyn ownership. Mr. Connolly responded that they are owned by The Nature Conservancy. He added that some of the parcels are outside of the Blue Line and will not be part of any classification process.

Member Lussi asked what the easement lands are used for. Mr. Connolly responded that the State has purchased the development rights to the land and their primary purpose is for sustainable forestry activities. He referred to an earlier presentation that was given several months prior by Rob Davies (DEC) which explained the concept of easement lands. In addition, the State has purchased recreational access rights to the easement lands and recreational management plans are developed that define public use which could include hunting and fishing access, snowmobile trails, etc. Designee Stegemann added that in some instances hunting leases are continued and opportunities occur for displaced leases from the fee lands to move into the

easement lands so the tradition of hunting leases can continue on the easement lands.

Committee Chair Booth noted that not all easement lands are equally opened to the public. Mr. Connolly responded that a decade ago when the Department was developing the program, some of the earlier purchases from International Paper focused primarily on development rights being acquired by the State. He said the program is evolving and maturing so the more recent purchases are more inclusive in terms of the recreational rights. Executive Director Martino asked Mr. Connolly to provide Members copies of the Memorandum of Understanding between the Department and the Agency in regards to recreational planning on easement lands in the Park. Mr. Connolly provided copies during the scheduled meeting break.

Member Craig then noted that many statements were made during the public comment process by the public that are incompatible with the law governing the Forest Preserve. As an example he stated, the Primitive area around OK Slip Falls, which in all of the alternatives presented by staff will become Wilderness, and no option exists for that area to be classified as anything other than Wilderness as that was part of a previous classification package. Mr. Connolly responded that the Hudson Gorge Primitive Area was originally classified with the expectation that it would be moved to a Wilderness classification and cannot be reclassified from Primitive to a Wild Forest designation. The area description in the SLMP is very specific as it relates to the Hudson Gorge Primitive Area about moving the area to Wilderness upon State acquisition of in-holdings and the key in-holding is the OK Slip parcel which is explained in the Draft Supplemental Environmental Impact Statement (DSEIS). The public comment referred to private land lying adjacent to and north of the Hudson Gorge Primitive area.

Committee Chair Booth noted that the current SLMP anticipates that once OK Slip Falls was acquired, that area would become Wilderness along with the surrounding Primitive area. It would take an amendment to the current SLMP to alter that. The Agency could initiate that and the Governor would need to make a decision. Counsel Townsend added that the programmatic EIS to which this action is a supplement would make that a very difficult process. Mr. Connolly noted that it would not just be a change to the SLMP but the programmatic EIS would also need to be amended.

Local Government Review Board Executive Director Fred Monroe responded that he believed that the Towns affected by this classification action could request an amendment to the SLMP which could exclude amendments to the provision of classification of the Hudson River Gorge as Primitive or any other area as Primitive. Mr. Connolly clarified that what was being stated is that the programmatic environmental impact statement for the SLMP would also have to be reviewed as a part of that process.

Mr. Monroe then asked staff member Matthew Kendall if the access point now going down to the Polaris Bridge, noted as .88 miles from the bridge - was that based on a half-a-mile or a quarter-of-a mile away from the Polaris Bridge. Mr. Kendall responded he believed it to be more than a quarter of a mile from the bridge and added that he believed it is where a single parking area was. Mr. Monroe then asked if the area was managed as Wilderness, would that access area have to be moved back further from where it is now. Mr. Kendall responded that if the Wilderness boundary was a half-a-mile from the river, the parking area could remain where it is now or be moved to the Wilderness boundary depending on final classification recommendation.

Mr. Monroe then asked Senior Attorney Beth Phillips if the land is designated as Wilderness, Canoe or Primitive, would that preclude the CP-3 access for the disabled to those lands. Ms. Phillips asked if Mr. Monroe meant motorized access when he stated CP-3 access. Mr. Monroe responded affirmatively. She responded that it does not preclude motorized access to the lands but if the area is classified as Wilderness, Canoe or Primitive, there has been a determination that motorized recreation is not appropriate for those lands. Persons with disabilities would have an opportunity for non-motorized recreation because that is how the lands are classified. There could be opportunities for access that would be dependent upon DEC to implement, for non-motorized recreation. Counsel Townsend added there is a 500 ft. provision which means for example there are snowmobile trails that cross Wilderness lands but as long as they are within 500 ft. of the boundary (and a public highway), the trail is found to be compliant with the SLMP.

**Background Presentations on General Issues Presented During
Public Comment Phase (M. Kendall)**

Matthew Kendall then reviewed the physical characteristics of the proposed unit. He reviewed the soils of the area as well as the forest cover and habitat connectivity. He also reviewed the road infrastructure as it currently exists on the lands and the historic structures that remain.

Committee Chair Booth noted that the roads the Board visited previously would not be conducive to automobile use due to the current state they are in. Mr. Kendall concurred.

Mr. Connolly then reviewed the Outer Gooley Club building that remains on the land. He noted there is an organization that is trying to preserve the building and that many public comments were received in terms of other classification options and whether the building should be considered for historical use under the SLMP. By definition, Historic Areas under SLMP are buildings, structures or sites owned by the State that are significant in the history, architecture, archeology or culture of the Adirondack Park, State or Nation. When the State of New York acquired the property, they were purchasing the lands, not the buildings. The buildings are part of the lease arrangements. Currently the Outer Gooley Club is not being leased. The Department has a bond for removal of buildings and camp structures at the end of the lease agreement in 2018. By 2019 the expectation is that the structures will be removed. There is local interest in the Outer Gooley Club building and the expectation is that the building may not be removed which will move this to a unit management planning issue, not a classification issue. Regarding classification, in order for it to be an historic area under the SLMP, it needs to be considered a State historic site and must be a listed property on the National Historic Registry. Historic Preservation staff has conducted an assessment of this property and feel this building is eligible for the Historic Registry, however it has not been listed thus far. Therefore it is not possible under the SLMP classification criteria for a historic designation at this time. In addition, the State must commit resources to manage for historic objectives which also has not happened.

Member Craig asked if classification could go forward and at a later date if this building becomes registered, then it could be recommended. Mr. Connolly responded the classification process can move forward but staff cannot recommend an historic designation at this time as it does not meet the SLMP criteria.

If the building remains after classification, it then will move to the unit management planning phase to determine how the building can be managed in the future.

Committee Chair Booth asked if there was more than the one building which appears eligible for a historic designation. Mr. Connolly responded that this is the only structure that meets the historic criteria for placement on the National Registry. Agency Chair Ulrich asked for clarification on this site in terms of historic structures and artifacts, including a location of a dug-out canoe, and who owns the remaining structure now. Mr. Connolly responded that there was information in the OPRHP files about a possible report of a dug-out canoe at Pine Lake which is in a different location than the Outer Gooley Club. He also noted that if the Outer Gooley Club building is not removed, DEC will acquire responsibility for it.

Designee Stegemann asked if the Board could take action to classify this area as historic if it is not currently listed on the National Registry. Counsel Townsend advised no, the Board should not take this action as the structure presently does not meet the necessary legal requirements. Member Lussi asked if the fire tower for which an historic area was created by the Agency, was previously listed on the National Registry. Mr. Connolly responded affirmatively.

Committee Chair Booth asked if the public had access to the area since its purchase in 1905 by Finch Pruyn. Mr. Connolly responded that the land was managed for leased camps; the individuals who had access to the area were limited to those people that Finch Pruyn granted permission. People who lived in the community may have had greater access as they may have known the lands or the people leasing the camps. Local Government Review Board Executive Director Monroe stated the public had access to the Hudson, Indian and Cedar Rivers. Mr. Connolly responded affirmatively and noted that the public access was part of the timber operations in that certain bodies of water in the State were declared to be public highways to ensure that the river drives could occur.

Member Craig noted that many of the public comments related to community connectivity. He then asked, in terms of connecting communities, is it possible to reconnect the Northern and Southern Chain Lakes roads that were once connected by a bridge which has since been washed out in order to re-establish that connectivity without undue, adverse environmental impact.

Member Thomas also asked about the Chain Lakes Road extending from the Gooley Club. Committee Chair Booth responded that the road Mr. Thomas was referring to was in fact a town road which then becomes the Chain Lakes Road after it enters onto the Indian River tract. Member Thomas then noted that the roads depicted in black on the map provided by staff and depending on the classification assigned, the roads would be maintained by the Town of Newcomb and the comment that passenger vehicles would not access it might not necessarily be correct. Committee Chair Booth responded that the roads that are depicted in black on the map, particularly those roads north of the Cedar River, were never accessed by the general public. Mr. Connolly responded that the property was operated for timber management by Finch Pruyn and the general public, as well as the camp lessees, were all restricted in regards to general access under Finch ownership.

Discussion ensued as to the present condition of the roads and it was noted that the condition of the roads will be addressed through the unit management planning phase.

Member Valentino asked if a classification of Canoe Area would permit snowmobiling in the area. Mr. Connolly responded only within 500 ft. of the boundary along a public highway would it be possible to locate a snowmobile trail.

Member Thomas asked if alternative 1A was chosen, could that classification be revisited and re-classified in the future. Mr. Connolly explained that anything can be reclassified, however the Programmatic Environmental Impact Statement places a higher value on a Wilderness classification and unless some overriding issue is discovered after-the-fact that would negate the Wilderness classification, the Board should not be re-visiting that. Counsel Townsend reiterated that the SLMP can be amended and is dependent upon the change desired whether the programmatic EIS needs to be amended as well. There is a process for amending the SLMP if necessary.

Member Craig asked for clarification of the use of horses and/or wagons on the roads in the proposed unit. Mr. Townsend replied that the use of horses is a conforming use under all classifications. Mr. Connolly noted that via the unit management planning process, the Department has the ability to designate specific horse trails in any classification category and in some cases there are unique requirements. The Department has to assess whether a particular trail system can sustain that type

of use and specific locations are determined through the unit management process.

Agency Chair Ulrich asked about potential impacts to the deer population and hunting if the area was reclaimed to Wilderness. Kathy Regan responded that staff is required to look at biological considerations and one of the things that are looked at is deer wintering yards. She responded the deer population and all species composition will change over time as the land matures. She added that this is an example of what is generally addressed during the unit management planning phase.

Member Thomas asked if a more detailed plan could be obtained from the Department in terms of snowmobile trails that potentially could exist which would provide a better idea of what is available in terms of community connector trails prior to the Board making a vote on any proposal. Mr. Connolly responded that additional material will be provided to the Board, and noted that none of the alternatives preclude community connectors between Newcomb and Indian Lake and Newcomb to Minerva. He added that the trail between Newcomb and Indian Lake has been established and the trail between Newcomb and Minerva is partly established but requires additional planning to create the connector trails. He noted that an amendment to the Vanderwhacker Mt. Wild Forest UMP is needed to complete planning for a connector trail between Newcomb and Minerva.

Committee Chair Booth stated that on the Agency's Land Use and Development Plan Map much of the Essex Chain tract is designated as Resource Management land with some parcels designated as Low Intensity Use or Rural Use. He added that these designations would not limit potential State land classification of the parcels. Counsel Townsend concurred.

Local Government Review Board Executive Director Fred Monroe asked if it was still possible to have snowmobile trails within 500 ft. of Canoe, Primitive and Wilderness areas if the adjoining lands are classified Wilderness. Mr. Connolly responded that this would be a limiting factor. Committee Chair Booth added snowmobile trails paralleling roads open to public transportation use where there are no other feasible alternatives may exercise the 500 ft. boundary right but it is not a general permission for snowmobile trails in those areas.

Review Board Executive Director Fred Monroe then asked about clear-cuts that have been undertaken by The Nature Conservancy since the purchase of the land from Finch Pruyn. Mr. Kendall

responded that the information obtained from Finch Pruyn indicates there were softwood clear cuts done between 2007 and 2011 but the volume of softwood obtained is unknown at this time.

Mr. Monroe then asked if the history of the land use classification at the time of private ownership could be shared with the Board. Committee Chair Booth asked Matt Kendall if the private land use classifications could be overlaid on the current map staff has provided. Mr. Kendall responded that staff could provide that information.

Committee Chair Booth asked staff to look at walking access to Sixth Lake from the main Road or along the main road as much of it is very level and where it might be feasible for a parking area.

Mr. Connolly noted that at each public hearing staff presented information on the private land use classification as depicted on the Agency's Land Use and Development Plan Map. He said that the most sensitive areas ecologically are in the Essex Chain tract where there are extensive wetlands, steep terrain and soil characteristics that are less suitable for development considerations. He added that it is important to know that the considerations under the SLMP classification scheme are focused on public recreation and whether the resources can withstand such use. Although the information is the same, it is interpreted and applied differently under private versus public use.

Member Valentino asked for clarity on special management areas. Counsel Townsend responded that the guiding principles in the SLMP will apply. Mr. Connolly added that a recommendation, final EIS and area description would come before the Board with full discussion of the options.

Member Feldman noted that the reclassification and classification proposals currently being discussed are and will be considered in aggregate as opposed to breaking it out otherwise it may not meet the 10,000 acre requirement for Wilderness. Mr. Connolly responded that it depends on the final EIS and focus on the core area of the Essex Chain. He noted that it could result in a contiguous Wilderness area that is much greater than 10,000 acres in size. Staff said there is a chart in the draft EIS which shows the various alternatives proposed and states the various acreages involved for consideration.

**Background Presentations on General Issues Presented During
Public Comment Phase (E.Snizek, K.Regan)**

Biological Considerations

Mr. Snizek began his presentation by quoting the SLMP as follows: "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."

He continued, "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."

Mr. Snizek reviewed fisheries management highlights which included stocking records and recommendations. He also presented the shoreline characteristics and reviewed the sensitive wetland vegetation and habitats that dominate the areas around the Chain Lakes.

Mr. Snizek noted that no aquatic invasive species have been found to date in the Essex Chain Lakes. He noted that according to Rothberger (2010) much of the ongoing spread of aquatic invasive species is attributed to organisms being inadvertently carried by small craft boats. He also noted that floatplanes are potential carriers of aquatic invasive species.

Kathy Regan reviewed the natural communities and rare plant species found throughout the Essex Chain tracts. She noted that the Blue Ledges on the Hudson Gorge parcel contains the highest concentration of rare species and natural communities. She said there are two reports of invasive species in the area of the Essex Chain that have been treated for eradication. Chair Ulrich asked if the introductions of invasives are likely due to motor vehicle use or other vectors. Ms. Regan responded they are transported more quickly via motor vehicles.

***Intangibles - Social and Other Related Issues Including
Buildings and Existing Infrastructure***

Beth Phillips then presented information on the Wild, Scenic and Recreational Rivers Act which was passed in 1972 which established a system of designated rivers adjacent to both State

and private land. The Agency oversees its own regulations on private land within the Park and the river area boundaries are generally $\frac{1}{4}$ mile from each shore on the private land. DEC oversees its own regulations on State land within the Park and the boundary is generally $\frac{1}{2}$ mile and can be amended to $\frac{1}{4}$ of a mile. Committee Chair Booth asked how this could be amended. Ms. Phillips responded through a consultative process between both agencies. Mr. Booth asked if an amendment of boundaries must go through the Legislature. Ms. Phillips responded no, a boundary change does not have to go through the Legislature. However, rivers are designated as Wild, Scenic or Recreational by the Legislature.

Ms. Phillips noted that the SLMP provides guidelines for each class of river on State lands and are designed to be consistent with and complimentary to the intent and structure of the Rivers Act. She then reviewed the designated rivers in the Essex Chain tract.

Ms. Phillips then reviewed the two recreational club leases - the Inner Gooley Camp on Third Lake in the Essex Chain tract and the Outer Gooley Camp on the Hudson River. She noted a third lease for the Polaris Club on the Hudson River. The Inner Gooley Camp lease expires October 1, 2013, however lease extensions run through October 1, 2018. The Outer Gooley Club lease expired December 15, 2012 with the provision that the buildings would be removed by July 1, 2013. The outer buildings have been removed, however, the farmhouse remains. The Polaris Club has exclusive use until October 1, 2013. Lease extensions have been granted to the Polaris Club until October 1, 2018. Member Craig asked if the members would have access to all of the roads in black on the staff map provided. Ms. Phillips responded that her understanding was that access to the camp is granted as well as access rights for hunting and fishing.

Member Craig then asked if the Gooley Club members had motor boat access on Third Lake until 2018 - she responded affirmatively and noted that the size of the motor is restricted to 10 hp. He then asked about float plane use. Ms. Phillips responded that her understanding is that it was not provided for in the lease. Member Craig asked staff to bring forward additional information for clarification. Mr. Connolly responded that float plane access has historically occurred on Third Lake although such use has not been occurring recently. Committee Chair Booth asked if the club members have float plane access rights on Third Lake until the end of their lease terms. Ms. Phillips responded there is nothing contained in the lease

terms that specifically provide float plane access to Third Lake.

Member Lussi asked if there was a classification that would allow parking at the Polaris bridge. Ms. Phillips responded that staff are still assessing classification options. Committee Chair Booth asked if the classification is Wild Forest, could a parking area be located next to the river. Counsel Townsend responded affirmatively subject to the Department's management plan.

Local Government Review Board Executive Director Fred Monroe noted that if the Hudson River Corridor is designated as Wilderness, would the river then have to be managed as a Wild river. Ms. Phillips responded that the river corridor could be within the Wilderness but sections of the Wild, Scenic and Recreational Rivers Act that apply to Wild rivers would not apply to the scenic section of the Hudson by virtue of a Wilderness classification. Mr. Monroe asked if the corridor is classified as Wilderness, would a parking area be required to be setback $\frac{1}{2}$ mile from the bridge. Counsel Townsend responded that the Wild River legislative setback would not apply in this corridor; wherever the Wilderness/Wild Forest boundary is will determine where parking may occur. If the Wilderness/Wild Forest boundary is a $\frac{1}{4}$ mile from any water body, that becomes the boundary unless there is a Wild river on the other side of the boundary line. Counsel Townsend responded that the SLMP classification uses a different set of guidelines and has more flexibility in determining where the boundary between Wilderness and Wild Forest takes place. Ms. Phillips added that a Wilderness classification does not automatically make a river Wild with statutory limitations going into effect.

Ms. Phillips then reviewed the easements that were granted to the Towns and noted that these easements are permanent unless some conveyance extinguishes them. On the Indian River Tract, the Towns of Minerva and Indian Lake have a non-exclusive easement to mine gravel from a pit known as the Outer Gooley pit to maintain the road and other infrastructure. This right is subject to a Department permit and all applicable laws, rules, and regulations. This easement provides that ownership in fee title of the road will remain with the grantor which is now the State of New York. The easement acknowledges that the State owns the road and the parties being The Nature Conservancy and the two Towns agree that the easement does not create a public highway. The second easement was granted to the Towns of Minerva and Newcomb and traverses the Essex Chain Lakes tract

and will allow under the sole discretion of the Department, float plane access to First Lake and Pine Lake. In addition to the Towns obtaining a permit, individual float plane operators must also obtain a permit from the Department. The stated purpose of the float plane easement is to load and unload passengers to facilitate access for non-motorized public recreational use. The same document also provides for access to roads designated in a permit from the Department for administrative and emergency purposes and grants access to and use of materials to and from gravel pits at two locations in the Essex Chain tract to provide gravel for roads, trails and other infrastructure. The gravel pits are not to exceed one acre in size and the rights to use of the pits will be extinguished once the pits are deemed exhausted. She added that use of the easement and permits are subject to all applicable rules and regulations including Master Plan guidelines.

Committee Chair Booth noted that depending on how the area around the Gooley Farm is classified will ultimately determine if the roads will stay open. Ms. Phillips stated she believed so.

Fred Monroe asked if any analysis had been done to determine if the Essex Chain roads were ever Town roads. Ms. Phillips responded that the easement does not go beyond the Indian River parcel.

Member Feldman asked if the area around the Gooley Farmhouse was designated Wilderness, would its prior use perhaps allow the farmhouse to remain. Ms. Phillips responded that it now belongs to the State and the farmhouse does not have any grandfathered rights. Counsel Townsend responded that an amortization period exists under SLMP guidelines that provide a three year timeframe for removal of all nonconforming structures from the date of classification.

Committee Chair Booth noted that the language provided in the deeds establishing the easements is subject to classification guidelines.

Dan Kelleher, Special Assistant for Economic Affairs, then reviewed economic factors relating to classification. Although economic factors are not necessarily a criterion of the SLMP, SEQR does require the Agency to take into account economic impacts of decisions made. Mr. Kelleher then presented data obtained from various resources including: 2010 Tourism Economics report commissioned by NYS Empire State Development;

2012 Visitor Profile and Return on Investment - Conversion Rate Analysis for Essex County, New York Regional Office of Sustainable Tourism (ROOST), by Placemaking; the 2012 Adirondack Forest Preserve Visitor Study Summary by Chad P. Dawson, SUNY College of Environmental Science and Forestry (ESF); Essex County and SUNY-ESF Comparisons for Spring, Summer and Fall activities; 2006 Economic Impact of Expenditures by Tourists on Northern New York State Prepared for The Northern New York Travel and Tourism Research Center, SUNY Potsdam by consultant, Davidson-Peterson Associates; Outdoor Industry Foundation; and the 2011 NYSSA survey conducted by Potsdam Institute for Applied Research, SUNY Potsdam. Much of the data was broken out into categories of visitors and the types of spending for each category. He noted that data is not sufficient to predict overall usage. He concluded by saying that land classification primarily impacts the supply of potential recreation opportunities and data is limited in showing effects on demand. He added that every classification offers recreation opportunities as developed by DEC through the UMP planning process which then provides a marketable asset. Attraction data indicates that other amenities complementing outdoor recreation opportunities is imperative to attracting and capturing visitor spending.

Agency Chair Ulrich then asked what time of year the surveys were conducted and if county specific surveys were conducted. She noted that much of the data might look differently depending on the section of the Park the data was gathered from. Mr. Kelleher responded the Essex County survey was done via random sampling of year-round visitors which yielded approximately 4,000 year round user responses. The SUNY ESF study was broken out into four seasons conducted throughout the four quadrants of the Park. A verbal survey was initially conducted and was followed-up with a written survey. There were approximately 6,000 respondents to the ESF study. Chair Ulrich asked if such a survey had been conducted for Hamilton County. Mr. Kelleher responded that Hamilton County does not have data similar to the Essex County research. Committee Chair Booth asked if such data was available county by county in the Park, would the information presented by Mr. Kelleher hold true for all counties. Mr. Kelleher highlighted that the SUNY ESF study was broken down into quadrants and that the general participation trends were the same in each.

Member Valentino asked about invasive species transmission between paddle craft, motor craft and float planes and if data exists which specifies the risks of each mechanism. Mr. Snizek

responded he would search for more data to see if such information exists. Member Feldman asked if an action plan is in place if an invasive species is found in the Essex Chain Lakes. Mr. Snizek responded to his knowledge there is no current plan to address potential invasive species in the area.

Designee Scozzafava asked for review of the ownership of the hunting club that is still there. Ms. Phillips responded that the land is owned by the State for both the Gooley Club lease and the Polaris Club lease. When TNC sold the land to the State, they reserved a lease hold interest until 2018 for a number of extended terms and has contracted it out to Finch Pruyn for management of the leases. Mr. Connolly added that float plane access is not currently restricted under the active leases, nor are there any specific rights listed for float plane access in the lease agreements.

Designee Austin asked for clarification on the use of the road and whether there is a historic designation. Counsel Townsend noted that the road would not be eligible for the historic registry, just the Gooley structure. Mr. Austin asked about the road access; Counsel Townsend responded it depends on classification and status of preexisting town road and other variables. Mr. Connolly added that it also depends on classification and the unit management process.

Designee Stegemann asked about the economic impact potential and asked if a study exists that provides data on new recreational activities that are provided in areas that did not previously have opportunities in the past. Mr. Kelleher and Mr. Connolly both responded that marketing strategies play a crucial role in attracting new visitors to an area. Designee Stegemann added that connecting the Forest Preserve with communities is dependent on how UMPs are developed and cooperation efforts with the Towns. He added that it is something to be mindful of as the process goes forward.

Local Government Review Board Executive Director Fred Monroe noted that the proposal goes beyond the land acquired from TNC to include reclassification of lands in the Blue Mountain Wild Forest and the Vanderwhacker Wild Forest area. Mr. Connolly stated that in terms of responding to the SLMP the reclassification proposals for the Hudson River Gorge area was essential for this process. Under SEQOR, the Agency is required to look at alternatives and other unit boundaries.

Mr. Monroe then asked if First Lake and Pine Lake have always been opened to float plane use. Ms. Phillips responded affirmatively. Counsel Townsend responded the historic use of these lakes for float plane use can be found in the Blue Mountain Wild Forest UMP.

Mr. Monroe noted that local governments have spent significant funds on the control of aquatic invasive species and said that towns are now focusing on prevention such as boat washing stations, inspection stations, etc. He asked if a preventative plan has been developed to help protect the waters. Mr. Snizek responded that this is part of the unit management planning process and prevention is very important to the control of invasive species.

Mr. Monroe noted that the economy in this region has traditionally been resource based and is now moving towards a tourist based economy. He asked Mr. Kelleher if he had data on average worker income between the economy based on forestry use and tourism based economies in the Park. Mr. Kelleher responded he would provide that data at a later date.

Member Craig asked if motors are currently used on any of the rivers. Mr. Connolly responded he believed small motors had been historically used on the Stillwater.

Member Craig then asked about the Polaris Bridge and what the reasons are for removing the bridge versus leaving it in place. He asked for additional information. Member Thomas followed with a similar question regarding the Polaris Bridge crossing and community connector trail requirements and then asked for further information regarding a community connector trail in that area. Committee Chair Booth referred to the snowmobile policy that was agreed to by the Department and the Agency in 2009. Counsel Townsend noted that these questions will be addressed in the final EIS. Agency Chair Ulrich noted that the bridge will remain in place for the length of the Polaris Club lease term.

Designee Austin asked for clarification of motorized use for access versus motorized use for recreation. Senior Attorney Beth Phillips responded that motorized use for access would be in accordance with DEC's CP-3 policy which allows motorized access to a certain access point. Mr. Connolly referred Designee Austin to the June 2013 Committee minutes which summarizes the presentation given by Carole Frasier concerning the Department's CP-3 policy. Ms. Phillips added that motorized

wheel chairs are permissible on Wilderness trails however other motorized mobility devices are reviewed on a case-by-case basis.

Agency Chair Ulrich asked if the option to move the club buildings exists for lease holders to move their camps to areas such as Deer Pond or other easement land areas. Designee Stegemann responded he believed that date has passed to exercise the option of moving the club buildings but he would need to confirm that.

Committee Chair Booth asked if there was access on the road that runs parallel to Goodnow Flow to the south across Shadow Dam. Matt Kendall responded that road is not open to the public.

Local Government Review Board Executive Director Fred Monroe asked whether any Town roads have been discovered anywhere on the Finch tract. Senior Attorney Beth Phillips responded that other than one public comment letter which refers to a Town road, no evidence has surfaced which indicates or supports the claim that there are any town roads in the area. Staff are still assessing the information. Mr. Monroe asked if in the future it is adjudicated as a town road, would that necessitate a Primitive corridor classification. Mr. Connolly responded affirmatively if it is legally determined for motorized use and the Town is responsible for maintenance.

Member Valentino asked for a more detailed description of the road infrastructure and further definition on the various access points for the various alternatives. Counsel Townsend responded that staff will provide a copy of the map depicting the roads and various road categories. Agency Chair Ulrich asked that the base maps be enhanced to show the various areas such as the Polaris Bridge, gravel pits etc.

Member Lussi asked Mr. Kelleher if there was any data that could be obtained to reflect economic impacts of prior land acquisitions such as Whitney and Lyon Mountain to the surrounding communities. Committee Chair Booth noted that classification will not affect what the State of New York will need to pay in taxes. Member Thomas asked if a negative economic impact of camp closures is initially realized after State land acquisitions. Mr. Connolly responded that effective marketing campaigns are vital to the economies of the areas surrounding newly acquired State land. Member Lussi responded a classification of Wilderness requires educating people as to whether activities such as mountain biking can be undertaken in Forest Preserve areas with this type of classification. He

added that classification is important in determining market strategy for these areas.

The meeting was adjourned at approximately 4:00 p.m.

The State Land Committee reconvened on Friday, August 9 to hear the following.

Next Steps for Development of FEIS (J. Connolly)

Planning Director Jim Connolly reviewed the next steps Agency staff will take in developing the Final Environmental Impact Statement which will include the following: staff response to public comments received, revisions to the Draft Environmental Impact Statement with updated information, development of staff recommendation, and consultation with DEC on classification recommendations.

Committee Chair Booth asked if staff could prepare a map/chart depicting access routes that might be possible for public access particularly for walking access to the various lakes. Mr. Connolly responded that staff could do this.

Designee Scozzafava asked if more of a summarization of public comments would be provided to the Board for review. Mr. Connolly responded that substantive public comments would be addressed through the FEIS.

Staff then gave a virtual tour of the land via Google maps which provided an aerial view of the area.

Local Government Review Board asked what impact classification can have on the prevention of invasives other than a Wilderness classification. He asked if special conditions could be imposed or if a special management area might be developed. Mr. Connolly responded that this would be addressed through the unit management planning process.

Agency Chair Ulrich asked staff to compare and contrast this purchase by the State with prior acquisitions such as that of Lake Lila and describe how the classification of said purchase has impacted recreational opportunities. She noted this was a common theme in some of the public comments that were received.

Member Thomas asked if future possible snowmobile routes would be part of the FSEIS prepared by staff. Mr. Connolly noted that the issue of snowmobile routes is a substantive issue that will

be addressed by the FSEIS. Agency Counsel Townsend noted that the Department has indicated that within the next few months a draft UMP amendment for the Vanderwhacker Wild Forest area will be forthcoming.

Member Feldman asked when the Board will hear staff's preferred alternative so that she will be better able to refine her questions to fit the preferred proposal. Committee Chair Booth responded that he felt a preferred staff alternative would come before the Board likely in September with a decision being reached in October.

Executive Director Martino added that staff will be working very hard to bring a draft final EIS before the Board in September.

Member Craig asked for clarity of the process between the Department and Agency staff. Mr. Connolly responded that it is a collaborative process that is on-going between the agencies. The consultation between Agency and Department staff begins with the DSEIS and continues on and often is a lengthy process.

The meeting was adjourned at approximately 10:45 a.m.

Old Business

None

New Business

None

The meeting was adjourned at approximately 3:30 p.m.