



## MEMORANDUM

**TO:** Agency Members and Designees

**FROM:** James T. Townsend, Counsel  
James E. Connolly, Deputy Director, Planning

**DATE:** September 5, 2013

**RE:** Responses to Questions and Issues Raised in August Meeting

The discussion among the Members and Designees during the August State Lands Committee meeting brought out several subjects which are not addressed in the State Environmental Quality Review Act (“SEQRA”) process. These topics range from those outside the scope of the classification process to those covered by DEC’s management responsibilities. This memo addresses those issues.

At the end of this memo in Section XII are questions that will also be addressed in the Final Supplemental Environmental Impact Statement (“FSEIS”). Information relevant to those questions is provided here in advance of the FSEIS, with the intent that some answers may be more fully developed in the FSEIS.

### **I. Force and Effect of Programmatic EIS and 2009 Snowmobile Guidance and Agency’s Ability to Amend**

Several questions were raised regarding amending documents affecting state land classification and management, specifically the Final Programmatic Environmental Impact Statement: Guidelines for Amending the Adirondack Park State Land Master Plan (“FPEIS”) and the Management Guidance: Snowmobile Trail Siting, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park (“Snowmobile Guidance”). Also a question was raised regarding whether the Snowmobile Guidance has the “force of law.”

The FPEIS was adopted in 1979, and it is a programmatic EIS for the classification of state lands; “programmatic” means a set of general guidelines to be followed when analyzing the

environmental impacts of recurring actions such as amendments to the APSLMP. When the Agency has found that a proposed classification or alternative may have a significant effect on the environment, the Agency has prepared a supplement to the FPEIS. This is the process being followed for the 2013 state lands classification for the Finch lands. Having prepared the Draft Supplemental EIS for this classification and reclassification, the Agency must follow the guidelines of the FPEIS.

Changing or amending the FPEIS invokes the same SEQRA process that governs all actions of this Agency subject to SEQRA, including notice, a draft EIS, public comment and public hearings and then a final EIS containing the required findings and conclusions.

The Snowmobile Guidance was developed by the Agency and DEC staff over several years, and it was discussed by the Agency at three meetings before the Agency found that it conformed to the Adirondack Park State Land Management Plan (“APSLMP”) in November 2009. As such, it is considered to be a formal interpretation of the APSLMP. The Snowmobile Guidance is Addendum “E” to the MOU between the Agency and DEC for the implementation of the APSLMP. It has previously been challenged in court and it is again the subject of current litigation.

DEC and the Agency could amend the Snowmobile Guidance if they so agreed and if the Agency found the amendments in conformance with the APSLMP. Such an amendment would follow the same process followed for its initial adoption. The process would begin with consultation between staffs, presentations to the Agency at one or more meetings and agreement on the new language. The amended Snowmobile Guidance could then become an amended addendum to the MOU.

The Snowmobile Guidance is not a legislative enactment or a regulation. It is Management Guidance and is part of an agreement between two agencies. As such it does not have the same legal force as the constitution, a statute, the APSLMP, or a regulation.

## **II. Status of Chain Lakes Road South as a Town Road**

The Town of Indian Lake and others have raised the question of whether the Chain Lakes Road (South) is a town road under state law. The Town asserts that it established and maintained the road from the current Route 28 to Third Lake. The road is located within the Towns of Indian Lake, Minerva and Newcomb, and the portion of the road on the former Finch Pruyn lands was gated and closed to the public for many decades. It is not necessary, however, to determine the status of the road in order to classify the land. Any adjudication of the existence of a town road would generally be done by the courts or by DEC.

A town road may be established by dedication or after ten years of public use and is deemed abandoned after six years of non-use by the public.<sup>1</sup> When a road accesses forest preserve, it may be qualifiedly abandoned by the Town under procedures outlined in Highway Law §205-b. Also, when a town road passes over state land, the state may abandon or discontinue it with the consent of the department having jurisdiction over the road, in this case DEC.<sup>2</sup> Although the Highway Law provides many avenues for determining whether a town road exists and whether it has been abandoned, none of these avenues have been pursued, and the status of the road is undetermined. The process for such a determination is a lengthy one and given its uncertain outcome, should not affect the timing of this classification process.

## **III. Access by foot to the Polaris Bridge (Hudson River) and the Essex Chain**

Several questions were asked about the distance and difficulty of alternative possible access points to the waterbodies. Bearing in mind that access points will ultimately be proposed within a Unit Management Plan (UMP) that will come before the Agency, we have examined some alternatives mentioned by Members and Designees.

### **A. Alternate Parking Lot Locations for Access to Iron (Polaris) Bridge**

Questions were asked about the effect of proposed classification boundaries on access to the Hudson River in the vicinity of the Iron (Polaris) Bridge. There are several cleared areas between the current parking lot established by DEC in the Interim Recreation Management Plan

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<sup>1</sup> Highway Law §§ 189, 205.

<sup>2</sup> Highway Law § 212.

for the Essex Chain Tract and the Hudson River. Figure 1 shows the existing parking lot (Area 1), the two cleared areas (Area 2 and Area 3) and possible boundary lines drawn .5 miles from the river (in green) and .25 miles from the river (in yellow). Area 2 is estimated to be approximately .55 miles along the road from the river, and Area 3 is estimated to be approximately .38 miles along the road from the river. However, if the classification area boundary is defined as being a certain distance from the river, it would be measured as the crow flies, which is depicted by the yellow and green lines. Area 2 would be within a .5 mile boundary, but outside a .25 mile boundary. Area 3 would be within a .25 mile boundary. The maximum slope from Area 2 to the river is approximately 6%. Thus, alternatives exist for location and relocation of parking without serious grade or distance challenges. Figure 2 shows a elevation profile from the existing parking area to the bridge and a map depicting the current access route in red.

#### B. Essex Chain

Attached are maps and elevation profiles for potential access routes to the Essex Chain labeled as Figures 3 through 5. These show the distance (miles) and change in elevation (feet) along these potential routes. Because these elevation profiles contain both miles and feet, the grade is amplified. Figure 3 shows the profile and the 2.13 mile route from the existing gate on Chain Lakes Road to a possible access point on Sixth Lake. Figure 4 shows the profile and the .57 mile route from the intersection of Chain Lakes Road and Boots to Cornell Road (known as "The Boots") to the culvert between Fourth and Fifth Lakes. Figure 5 shows the profile and the 1.87 mile route from Deer Pond to the culvert between Fourth and Fifth Lakes. This information, although relevant, is not likely to be the sole basis for DEC's proposed access points in any future UMP. For instance, field experience to date has demonstrated that some of these roads would be difficult or expensive to maintain.

#### **IV. Legal Status of Iron (Polaris) Bridge over the Hudson after Expiration of Lease**

The Polaris Mountain Club, Inc.'s lease with The Nature Conservancy provides for an annual extension to lease a one-acre envelope surrounding each "club house/ cabin/ structure / seasonal trailer" for additional one-year terms until September 30, 2018. The lease provides for road

access to the camps, which requires crossing the Iron (Polaris) Bridge. The Nature Conservancy has a reserved right to access the Polaris Camp area for an additional year, until October 1, 2019.

The bridge was built by Finch Pruyn and Company pursuant to APA permit 91-200 to facilitate timber management. The permit authorized construction of the bridge using cement and galvanized steel, the steel to be painted brown. The construction materials are not prohibited on private lands in a scenic river area. However, these construction materials are not authorized for trail bridges in state lands classified as Wild Forest, Wilderness, Canoe or Primitive. All of these classifications require that trail bridges be constructed of natural materials. If the road were to be opened for public motor vehicle use in the future, and the area classified as Wild Forest, the bridge would be a conforming structure.

The APSLMP defines natural materials:

construction components drawn from the immediate project site or materials brought into the construction site that conform in size, shape and physical characteristics to those naturally present in the vicinity of the project site. Such materials include stone, logs, and sawn and treated timber. Natural materials may be fastened or anchored by use of bolts, nails, spikes or similar means. (APSLMP at 17.)

The APSLMP generally requires that non-conforming structures be removed within three years of classification of Wild Forest, Wilderness, or Canoe Areas. For Primitive Areas, non-conforming uses of essentially a permanent nature whose removal, though anticipated, cannot be provided for by a fixed deadline, will be phased out on a reasonable timetable as soon as their removal becomes feasible. If the bridge is used as trail bridge and classified as Primitive, it will not need to be removed within three years.

**V. Vanderhacker Mountain WF UMP Amendment Update Status; Where is Snowmobiling Allowed in Wilderness Classification.**

A. Vanderhacker Mountain WF UMP Amendment

According to DEC, the UMP Amendment is in draft stage and being reviewed internally before release for public comment.

B. Where is Snowmobiling Allowed in Lands Classified as Wilderness?

Snowmobile trails can be located within 500 feet from a public highway in wilderness, when the boundary of Wilderness area abuts a public highway, in limited instances. (APSLMP at 25.) Where the boundary of a Wilderness Area abuts Wild Forest without an intervening or adjacent public highway, a snowmobile trail could not cross into the Wilderness Area.

**VI. Roads Open within Essex Chain Lakes Tract and Plans for Managing These Roads.**

During the term of the extended leases for Inner Gooley and Polaris, the lessees 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. Cornell Road is located on Conservation Easement lands on the edge of the Essex Chain Tract.

According to DEC, the Clubs will have access to their buildings along the access road to and beyond the Iron Bridge and to Third Lake via the Chain Lakes Road. All gravel roads on Polaris camp lands will be open to motor vehicles and ATVs during the hunting season and all gravel roads south of the Essex Chain will be open to Gooley Club lessees for motor vehicles and ATVs during the hunting season. Such motor vehicle use may continue until October 2018.

**VII. Scenic Vista Maintenance**

The maintenance of scenic vistas by cutting live trees, including maintaining the view from the Outer Gooley Club location, implicates the Forever Wild clause of Article XIV of the NYS Constitution, which states:

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.<sup>3</sup>

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<sup>3</sup> NY Const Art. XIV, § 1.

The courts have allowed a non-material amount of tree cutting for purposes compatible with the use of Forest Preserve land. In an opinion dated January 17<sup>th</sup>, 1935, the Attorney General responded to a question from the Conservation Department Commissioner regarding maintenance of open views or vistas along trails, opining that such maintenance was “*within the intent and laws governing the preserve and its management.*” He concluded that the Conservation Department could make the proposed improvement but that the work must be carried out with care and with as little cutting as possible.<sup>4</sup> DEC’s Forest Preserve Foot Trail Policy (March 1986) recognizes the importance of scenic and aesthetic qualities as part of the user experience. It states:

Tree cutting for the opening of new scenic vistas should not be permitted in Wilderness, Primitive or Canoe areas. However, existing scenic vistas may be maintained by the cutting of brush and tree limbs and by minor tree cutting if the continuance of the scenic vista is specified in the unit management plan for the State Land involved . . . New scenic vistas may be permitted in Wild Forest areas and existing scenic vistas may be maintained, with minimal tree cutting as appropriate, if provided for in the unit management plan for the State land area involved.

DEC adopted Policy LF 91-2 regarding “Cutting, Removal or Destruction of Trees and Endangered and Threatened or Rare Plants on Forest Preserve Lands” in 1991, and it is appended to the APA/DEC Memorandum of Understanding regarding Implementation of the Adirondack Park State Land Master Plan (MOU) as Appendix 1. It does not address maintenance of scenic vistas on trails, but does mention them in connection with intensive use and administrative areas. DEC and the Agency staff continue to consult with each other on this issue.

At this time, tree cutting to maintain vistas in the Forest Preserve would be a management action subject to a Unit Management Plan and the MOU.

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<sup>4</sup> Bennett, John J. Jr., Attorney- General, Annual Report of the Attorney General for the Year ending December 31, 1935.

### **VIII. Provision for Emergency Services**

DEC is authorized under the APSLMP to respond to emergencies with motorized vehicles in all proposed land classifications. The Wilderness Guidelines, which apply to Canoe and Primitive Areas as well, provide:

Irrespective of the above or any other guidelines in this master plan, use of motor vehicles, motorized equipment and aircraft will be permitted, by or under the supervision of appropriate officials, in cases of sudden, actual and ongoing emergencies involving the protection or preservation of human life or intrinsic resource values -- for example, search and rescue operations, forest fires, or oil spills or similar, large-scale contamination of water bodies (APSLMP at 23).

In Wild Forest Areas, the APSLMP also allows DEC to use motorized vehicles for law enforcement in addition to emergency response:

Any use of motor vehicles, motorized equipment and aircraft permitted under wilderness guidelines is also permitted in wild forest areas, and may also be used by "administrative personnel where necessary to reach, maintain or construct permitted structures and improvements, for appropriate law enforcement and general supervision of public use (APSLMP at 34).

### **IX. Ownership of the Outer Gooley Club Structure**

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, and for land on the Indian River Tract, west of the confluence of the Hudson River and the Indian River ("Outer Gooley") with a term of September 1, 2012 to December 15, 2012.

The Outer Gooley portion of the sublease expired on December 15, 2012 and cannot be extended. The sublease requires all buildings and improvements be removed by July 31, 2013. Staff have been told that the DEC released the Gooley Club from that obligation as to the main camp building, which now stands on the tract. It is therefore our belief that this structure now belongs to the owner of the underlying fee interest, the State of New York.



## **X. Distinction between Wilderness under APSLMP and Wild River under WSRRA**

The Wild, Scenic and Recreational River Act (“WSRRA”) defines wild rivers as:

Those rivers or sections of rivers that are free of diversions and impoundments, inaccessible to the general public except by water, foot or horse trail, and with river areas primitive and undeveloped in nature and with development, if any, limited to forest management and foot bridges.<sup>5</sup>

Furthermore, the WSRRA states, “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.”<sup>6</sup> These provisions are enforced by DEC on state lands.

The APSLMP provides that no river area shall be managed in a way that would be less restrictive than the WSRRA requirements and specifically provides that wild river areas be managed in accordance with the guidelines for wilderness areas. The only new or reconstructed improvements allowed in wild river areas under the APSLMP are foot and horse trails, foot trail bridges constructed with natural materials, primitive tent sites and pit privies (APSLMP at 44). The WSRRA also provides that in the case of conflict between the other laws and the WSRRA, the more restrictive provisions apply.<sup>7</sup>

The WSRRA also limits access by motor vehicles in wild river areas:

In 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.<sup>8</sup>

If a scenic or recreational river runs through an area classified as Wilderness, all of the guidelines applicable to Wilderness apply to the river area within Wilderness. However, inclusion of a scenic or recreational river in land classified as Wilderness does not transform the river into a wild river for the purposes of the Wild, Scenic and Recreational River Act. The designation of wild rivers can only be accomplished by the legislature. Therefore, classification

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<sup>5</sup> ECL §15-2707(2)(a).

<sup>6</sup> ECL §15-2707(2)(a)(2).

<sup>7</sup> ECL §15-2721.

<sup>8</sup> ECL §15-2709(2)(a).

of lands along the sections of the Hudson or Cedar Rivers which have been designated as a scenic river will not require that the WSRRA provisions relating to wild rivers apply to those sections designated as scenic, including the half-mile buffer from shore to a road open to the public.

Examples of scenic rivers flowing through Wilderness Areas include the Middle Branch of the Oswegatchie and Round Lake Outlet in Five Ponds Wilderness and the North and South Branches of the Boquet in Dix Mountain Wilderness.

## **XI. Bridge over Cedar River**

A question was asked whether it is possible to reconnect the Northern and Southern Chain Lakes roads with a bridge over the Cedar River without undue adverse environmental impact. Although it is technically possible to build a bridge over the Cedar River, it is beyond the scope of the classification process to evaluate the environmental impact of such a project. After classification, any DEC proposal to build a bridge over the Cedar River would need to be proposed within a UMP; that process would be subject to SEQRA and this Agency's determination that such a bridge is consistent with the APSLMP.

## **XII. Issues raised in Board Discussion to be Further Addressed in FSEIS**

### **A. Special Management Areas – What are the Sizes of Other SMAs?**

Special Management Areas (SMAs) are not a classification category. SMAs vary greatly in size, from small historic sites like French Louie's Cabin to large geographic features like Chimney Mountain and the Moose River Plains. Those identified in the list in Chapter III of the Master Plan are illustrative examples only. In the one recent instance in which an SMA was added to this list, the specific area ("Historic Great Camps," over 2,900 ac.) and a special management plan for it was proposed and adopted during the unit management planning processes for both the Blue Ridge Wilderness and Moose River Plains Wild Forest. This took place after the lands were classified, as the APSLMP indicates it should for those "appropriate areas" that may need such special planning and management restrictions. No SMAs have ever been proposed, designated and planned as part of the Agency's classification process, as though they are

equivalent to a land classification category. SMAs are a designation that is used during the unit management planning process.

B. An Evaluation of Historic Resources at Outer Gooley

Staff at the NYS Office of Parks Recreation and Historic Preservation have indicated that camp structures at the Outer Gooley Club on the Indian River Tract may be eligible for listing on the State 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. Additional information on the historic significance of the Outer Gooley Club has been added to the appendix of the FSEIS.

Historic classification under the APSLMP was not considered for the Outer Gooley Club since one of the requirements for this classification is that the structure must already have been either on the National Register of Historic Places or have been designated for listing by the NYS Board for Historic Preservation. In addition, the State must make a commitment of resources to manage the location primarily for historic objectives (APSLMP at 41).

C. Where Horses and Horses with Wagons can be Used for Recreation

Horses and horses with wagons can be ridden on horse trails designated by DEC, with these designations guided by APSLMP guidelines and DEC policy. On Wild Forest lands, the APSLMP treats horse trails as conforming improvements that may, generally speaking, be sited anywhere it is determined the land can support them. In Wilderness, Primitive and Canoe areas, APSLMP guidelines concerning horse trails are more restrictive; while they can be conforming improvements there, any new horse trails may only be designated by means of converting “appropriate abandoned roads, snowmobile trails, or state truck trails” to this use. In addition, use of all existing horse trails in Wilderness, Primitive and Canoe areas must be “strictly controlled and limited to suitable locations and trail conditions to prevent adverse environmental damage.”

D. How Classification Will Affect Species Habitat, Particularly White-Tailed Deer

The classification of land does not directly impact species diversity. The addition of these working forests to Forest Preserve will cause a change in the forest maturity and is likely to influence species composition. Regardless of classification, the forest will no longer be harvested and will mature. Species that favor open and immature woodlands will migrate to other lands, likely the neighboring easement lands which will continue to be managed for timber. Species which favor habitat edge or disturbed areas are likely to do the same. Conversely, species which prefer a mature forest will migrate to the new Forest Preserve lands.

With specific reference to White-tailed deer (*Odocoileus virginianus*), D. A. Saunders describes their range and habitat in his book “Adirondack Mammals” (1988). White-tailed deer prefer the openings and edges of deciduous and mixed forest, early successional forests, fields and farmland, together with mature conifer forests that provide winter shelter. As the forests mature a portion of the deer population is likely to migrate to less mature woodlands. Mature conifer forests may provide additional deer wintering yards.<sup>9</sup>

E. The Invasive Species Introduction and Management Implications of Boats With and Without Motors

Invasive species can occur on State lands regardless of their classification category. However, invasive species are generally more abundant on lakes with motorized access, along roads open to motor vehicles, and waterbodies open to float planes.

No aquatic invasive species were found during preliminary 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 uninfected waterbodies indicates that “[m]uch of the ongoing spread of AIS to inland waters throughout North America can be attributed to the overland movement of small-craft boats.”<sup>10</sup>

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<sup>9</sup> Saunders, D. A., *Adirondack Mammals*. State University of New York, College of Environmental Science and Forestry, (1988), White-tailed Deer excerpt accessed on September 4, 2013 <<http://www.esf.edu/aec/adks/mammals/wtd.htm>>.

<sup>10</sup> 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. See also Bossenbroek, Jonathan M.,

Furthermore, “Translocation of organisms by boaters can be intentional (e.g. as bait)<sup>11</sup>, but is often unintentional<sup>12</sup>, 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 or attached to other entangled organisms.”<sup>13</sup>

F. Hunting, Fishing and Trapping Information Available from Lessees

Members of the Outer and Inner Gooley Clubs have collected hunting, trapping and fishing data as part of the Fish and Game Committee report to the Gooley Club Board of Directors. The reports list the data over an eight year period from 2003 through 2010. Included in these reports are the numbers of hours members fished, the number of fish caught, the number and type of species stocked, hunting results, and trapping results.

To summarize, the species of fish reported caught (some, but not all released) include landlocked salmon, rainbow trout, brook trout, lake trout. Hunting records show that deer, coyote, and bear were taken. Trapping records report the removal of beaver, otter, muskrats, mink, fisher, martin, ermine, red fox and raccoons.

G. Additional Clarification of the Snowmobile Guidance, with Emphasis on the Use and Location of Community Connector and Interior Trails

The Snowmobile Guidance is Appendix E to the APA/DEC MOU, discussed above in Section I. The location of Class II Community Connector and Class I interior trails is discussed in sections II and III of the Guidance, at pages 4-7. The Guidance calls for reconfiguration of the snowmobile system within the Park to establish park-wide connections between communities to

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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; 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; 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.

<sup>11</sup> **Keller RP**, C VanLoon, AN Cox, DM Lodge, L-M Herborg & J Rothlisberger. “From bait shops to the forest floor: earthworm use, transport and disposal by anglers.” *American Midland Naturalist* (2007): 158:321-328.

<sup>12</sup> Johnson et al. 2001; Puth, Linda M., and David M. Post. “Studying Invasion: Have We Missed the Boat?” *Ecology Letters* 8.7 (2005): 715–721.

<sup>13</sup> Johnson et al. 2001; Rothlisberger et al. 2010

be located in the periphery of Wild Forest units to be as close to motorized travel corridors as practicable. Similarly, Class I trails are to be located within one mile of a travel corridor but may reach the interior in special circumstances of high recreational value with minimal impacts. Trails are to be designated and laid out in the unit management planning process.

#### H. The Economic Impacts of Past Classification Actions

Every land classification provides the potential for a range of recreation opportunities pursuant to a 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 the recreational use of a unit is dependent upon the total use of that Unit and the spending of the users. There is limited data on spending by specific user groups but research does indicated different spending levels between users staying in diverse types of accommodations. 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; \$76.18 for campground guests; and \$50.63 for “day-trippers.”<sup>14</sup>

A SUNY College of Environmental Science and Forestry study found that 35% of Forest Preserve 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 other.<sup>15</sup>

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

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<sup>14</sup> 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.

<sup>15</sup> Dawson, Chad, P., SUNY College of Environmental Science and Forestry and New York State Department of Environmental Conservation. (2012). Adirondack Forest Preserve Visitor Study Summary. Syracuse, NY.

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currently tabulating use data for each of the Park's units. A complete set of use data for the Forest Preserve is required in order to most accurately determine any potential correlation between land classification and use.

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I. Additional Maps

The following maps were requested and are attached to this memorandum:

1. *A map which shows the existing and proposed alternative snowmobile trails as described in the 2005 Vanderwhacker Mountain Wild Forest UM, the existing road network, and*
2. *A map which shows The Nature Conservancy lands acquired by and to be acquired by the State. The conservation easement lands are shown in brown and fee lands are shown in yellow.*
3. *An overlay of the soils maps with the private land classification categories of these parcels.*

J. Issues Under Consideration

The following additional issues were raised and responses are being developed for the FSEIS:

1. *A discussion of sound and how motorized use would affect classification.*
2. *The likely patterns of air traffic for float planes landing on lakes in the Essex Chain tract.*
3. *A comparison of Essex Chain tract to the St. Regis Canoe Area and Lake Lila.*