



**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

**DRAFT  
RESOLUTION  
ADOPTED BY THE ADIRONDACK PARK AGENCY  
WITH RESPECT TO 2016 AMENDMENTS TO THE  
ADIRONDACK PARK STATE LAND MASTER PLAN**

**March 11, 2016**

**WHEREAS**, Section 816 of the Adirondack Park Agency Act (Executive Law, Article 27) provides that the master plan for the management of state lands (APSLMP) should be reviewed periodically and may be amended and that any amendments shall be prepared by the Adirondack Park Agency (APA or Agency) in consultation with the Department of Environmental Conservation (Department or DEC) and submitted to the Governor for his approval after public hearings have been held on the amendments; and

**WHEREAS**, the APSLMP provides that amendments shall be effectuated in the same manner as its original adoption and should be subject to public hearings within and without the Park; and

**WHEREAS**, the APSLMP also provides that material changes to the guidelines for each classification constitutes a plan revision; and

**WHEREAS**, The Agency has adopted a Final Programmatic Environmental Impact Statement (FPEIS) entitled, "Guidelines for Amending the Adirondack Park State Land Master Plan," dated February 28, 1979, that sets forth the factors to be considered for the alteration of the guidelines for management and use set forth in each classification; and

**WHEREAS**, the Agency and the Department have entered into a Memorandum of Understanding Concerning the Implementation of the State Land Master Plan last dated March 2010 (MOU) providing procedures for consultation and consideration of proposed changes to the APSLMP; and

**WHEREAS**, the Agency has consulted with the Department as required by the Memorandum of Understanding and has prepared recommendations for minor, ministerial and other changes to the APSLMP including the guidelines for the management and use of lands classified as Primitive; and

**WHEREAS**, a Draft Supplemental Environmental Impact Statement (DSEIS) was accepted by the Agency on December 10, 2016 pursuant to the State Environmental Quality Review Act and 6 NYCRR 617 and 618 with respect to the proposed amendments to the APSLMP; and

**WHEREAS**, the Agency held public hearings in Ray Brook, Newcomb, Albany and Saratoga Springs between January 6 and 13, 2016; and

**WHEREAS**, the Agency accepted public comment on the DSEIS and the proposed amendments from December 10, 2015 to January 29, 2016 and received 832 public comments by mail, fax and email; and

**WHEREAS**, a Final Supplemental Environmental Impact Statement (FSEIS) proposing Preferred Alternatives for the Primitive Area guidelines and other ministerial and minor amendments and new material was presented to the Agency on March 11, 2016 pursuant to the State Environmental Quality Review Act and 6 NYCRR 617 and 9 NYCRR 586; and

**WHEREAS**, there are existing leasehold interests reserved on the Essex Chain Lakes Tract until October 1, 2018, including the right to motorized access, to be exercised in accordance with the terms of each lease and Reservation and Leasehold Estate and Management Agreement; and

**WHEREAS**, The Nature Conservancy has a right to access the Essex Chain Lakes Tract and the Indian River Tract by motorized means until October 1, 2019; and

**WHEREAS**, the condition of the former all-season roads on the Essex Chain Lakes Tract indicates that the underlying land has the capacity to withstand human use including All-Terrain Bicycles, also referred to as Bicycles; and

**WHEREAS**, in the adoption of its resolution recommending the classification of the Essex Chain Lakes Tract, the Agency committed to consider a revision of Master Plan guidelines for Primitive Areas to allow for the use of Bicycles on appropriate all-season roads able to withstand such use on the Essex Chain Lakes Tract west of the Hudson River that could otherwise be designated as truck trails were they to be used by the Department to reach and maintain structures and improvements within the unit; and

**WHEREAS**, during consultation between the Agency and the Department, DEC noted that the conversion of the former all-season roads to primitive recreation trails for bicycles, horses and other non-motorized recreation requires periodic but not usual or routine maintenance using motor vehicles and motorized equipment on a long-term basis; and

**WHEREAS**, the APSLMP allows for a three-year period for the removal of non-conforming uses in areas classified as Primitive which period normally begins at the

time of classification but in the unique circumstances presented in the Essex Chain Lakes Management Complex by the presence of leasehold and reserved rights until October 1, 2019, the three-year period will commence on the expiration of these rights and run until October 1, 2022 during which period the Department may use motor vehicles and motorized equipment to remove non-conforming structures such as culverts as it converts the former all-season roads to trails; and

**WHEREAS**, after October 1, 2022 the Department may use motor vehicles to maintain the primitive recreation trails on a periodic but not usual or routine basis and will consult with the Agency through a work planning process to identify work needed on these trails and to specify the minimal amount and type of equipment needed to conduct the work; and

**WHEREAS**, the Agency is amending the APSLMP to allow for universal access along the Boots-to-Cornell Road, and then to the south shore of Fifth Lake, the Essex Chain Lakes Management Complex Plan can now provide that the six-car parking area near the "Tube" be designated for universal parking; and

**WHEREAS**, the Department and the Agency have also consulted about the use of a minimum requirement approach for bridge design in areas classified as Wild Forest and have agreed that such an approach, similar to the approach set out in the 2009 snowmobile trail siting and construction guidance and the 2015 Invasive species guidance, might provide a reasonable approach to the use of non-natural materials in the construction of bridges in areas classified as Wild Forest; and

**WHEREAS**, the Department and the Agency have committed to adopting an appendix to the MOU following a public process which appendix will set forth the interagency consultation process to establish the need for a bridge and the minimum requirement approach and construction method that fundamentally protects the wild forest character of the area whenever possible; and

**WHEREAS**, the proposed action balances the environmental impacts, facts and conclusions discussed in the FSEIS with the related social and economic considerations.

**NOW, THEREFORE BE IT RESOLVED**, that the Adirondack Park Agency recommends amendments described in the FSEIS and the Preferred Alternatives dated March 3, 2016 be approved by the Governor; and

**BE IT FURTHER RESOLVED**, that the requirements under the State Environmental Quality Review Act and implementing regulations, 9 NYCRR Part 586 and 6 NYCRR 617, have been met; and

**BE IT FURTHER RESOLVED**, that all amendments are consistent with the Final Programmatic Environmental Impact Statement – Guidelines for Amending the Adirondack Park State Land Master Plan filed in 1979; and

**BE IT FURTHER RESOLVED**, that the Final Supplemental Environmental Impact Statement dated March 3, 2016 with minor and ministerial corrections approved by the Agency on March 11, 2016 be accepted by the Agency; and

**BE IT FURTHER RESOLVED**, that the Agency authorizes and directs the Executive Director, in consultation with Counsel, to make non-substantive ministerial corrections to the FSEIS, to publish notice of the acceptance of the Final Supplemental Environmental Impact Statement in the Environmental Notice Bulletin, and to issue a Findings Statement and Decision in conformance with this Resolution; and

**BE IT FURTHER RESOLVED**, agencies and the public shall be afforded with an opportunity to consider the final environmental impact statement consistent with the requirements of 6 NYCRR 617.11(a) and this decision will not be effective until ten calendar days from the date that Agency staff published the notice of completion of the final environmental impact statement in the Environmental Notice Bulletin (see 6 NYCRR 617.12[c]) and satisfies the applicable filing and distribution requirements in 6 NYCRR 617.12(b); and

**BE IT FURTHER RESOLVED**, that the Essex Chain Lakes Management Complex Plan, last revised November 23, 2015, will be amended to establish that universal access is allowed along the Boots-to-Cornell Road to the six-car parking area near the “Tube” designated for universal parking. This parking area will include four parking spaces for the general public by permit, and two parking spaces for persons with disabilities; and

**BE IT FINALLY RESOLVED**, that the Agency Chairwoman is authorized to forward the recommendations for amendments to the Adirondack Park State Land Master Plan to the Governor for his approval.

**Ayes:**

**Nays:**