



KAREN FELDMAN
Acting Chairwoman

TERRY MARTINO
Executive Director

RESOLUTION

ADOPTED BY THE ADIRONDACK PARK AGENCY WITH RESPECT TO THE RECLASSIFICATION OF LANDS FROM THE GORE MOUNTAIN INTENSIVE USE, VANDERWHACKER MOUNTAIN WILD FOREST AND SIAMESE PONDS WILDERNESS AREAS, AND AN ACCOMPANYING GORE MOUNTAIN INTENSIVE USE AREA UMP AMENDMENT

Proposed for Adoption
by the Adirondack Park Agency
on August 9, 2018

WHEREAS, the Adirondack Park State Land Master Plan (APSLMP), adopted pursuant to Section 816 of the Adirondack Park Agency Act (APA Act), provides criteria for classifying State lands within the Adirondack Park according to their characteristics and capacity to withstand use; and

WHEREAS, the classification of State lands amends the APSLMP, and APSLMP amendments must be approved by the Governor upon a recommendation by the Adirondack Park Agency (Agency) that is made in consultation with the Department of Environmental Conservation (Department); and

WHEREAS, the Agency has followed the 1979 Final Programmatic Environmental Impact Statement (FPEIS) Guidelines for Amending the APSLMP and has consulted with the Department; and

WHEREAS, the Agency, in consultation with the Department and the Olympic Regional Development Authority (ORDA), proposes to reclassify lands in the Gore Mountain Intensive Use Area, the Siamese Ponds Wilderness Area and the Vanderwhacker Mountain Wild Forest Area as follows:

1. The addition of 38.7 acres of lands from the Gore Mountain Intensive Use Area to the Siamese Ponds Wilderness Area; and
2. The addition of 29.0 acres of lands from the Vanderwhacker Mountain Wild Forest Area to the Gore Mountain Intensive Use Area; and

WHEREAS, the APSLMP requires that any request for reclassification of existing lands from another land use category to Intensive Use will be accompanied by a draft unit management plan (UMP) for the proposed Intensive Use area that demonstrates how the applicable use guidelines will be respected; and

WHEREAS, Section 816 of the APA Act further directs the Department to develop, in consultation with the Agency, UMPs and requires such management plans to conform to the guidelines and criteria of the APSLMP; and

WHEREAS, in addition to such guidelines and criteria, the APSLMP prescribes the contents of UMPs and provides that the Agency will determine whether a proposed UMP complies with such guidelines and criteria; and

WHEREAS, the Department, in consultation with ORDA and the Agency, has prepared a UMP Amendment for the lands proposed for addition to the Gore Mountain Intensive Use Area as required by the APSLMP; and

WHEREAS, the Agency and the Department, as co-lead agencies, prepared a Draft Supplemental Environmental Impact Statement (DSEIS) regarding the proposed reclassifications and UMP Amendment pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, 9 NYCRR Part 586 and the FPEIS; and

WHEREAS, the DSEIS describes the proposed reclassifications and UMP Amendment as the Preferred Alternative; and

WHEREAS, the Agency accepted the DSEIS on June 7, 2018, and the Agency and the Department complied with the document preparation, filing, distribution and publication requirements of 6 NYCRR § 617.12 for a notice of completion of a DSEIS; and

WHEREAS, the Agency and the Department held concurrent public hearings on the proposed reclassifications and UMP Amendment pursuant to SEQRA and the APSLMP in Albany and North Creek on June 27, 2016 and June 28, 2018, respectively; and

WHEREAS, approximately fourteen people attended the hearings and three people spoke for the record; and

WHEREAS, the Agency and the Department accepted written public comment from June 13, 2018 through July 13, 2018 and received four written public comments; and

WHEREAS, based on the DSEIS and public comment, Agency and Department staff have prepared a Final Supplemental Environmental Impact Statement (FSEIS), dated August 2018, in compliance with 6 NYCRR § 617.9; and

WHEREAS, the FSEIS includes the Preferred Alternative and responds to the public comment received by the Agency and the Department; and

WHEREAS, the Agency has considered the foregoing recitals, the August 2018 FSEIS, Agency staff's August 9, 2018 presentation, public comment and the deliberations of Agency Board Members and Designees at the Agency's August 9, 2018 meeting.

NOW, THEREFORE, BE IT RESOLVED that the Agency adopts the August 2018 FSEIS and makes the following findings required by 6 NYCRR § 617.11(d):

1. The Agency has considered all of the relevant environmental impacts, facts and conclusions disclosed in the FSEIS; and
2. The Agency has weighed and balanced the relevant environmental impacts with the social and economic benefits of the proposed actions; and
3. The Agency has met the procedural and substantive requirements of 6 NYCRR Part 617; and
4. Consistent with social, economic and other essential considerations, from among the reasonable alternatives available the Preferred Alternative would avoid or minimize adverse environmental impacts to the maximum extent practicable while providing additional recreational opportunities within the Gore Mountain Intensive Use Area.

BE IT FURTHER RESOLVED that the Agency determines that the proposed reclassifications of Gore Mountain Intensive Use Area, Vanderwhacker Mountain Wild Forest and Siamese Ponds Wilderness lands are in accordance with their characteristics and capacity to withstand use based on the criteria set forth in the APSLMP, and recommends the proposed reclassifications for approval by the Governor; and

BE IT FURTHER RESOLVED that pursuant to Section 816 of the APA Act, the Agency determines that the proposed UMP Amendment, dated August 2018 conforms with the APSLMP guidelines and criteria for Intensive Use lands; and

BE IT FURTHER RESOLVED that the Agency authorizes and directs the Executive Director to make non-substantive technical corrections to the FSEIS, to prepare a Findings Statement and Decision in conformance with this resolution, and to provide notice of completion of the Agency-adopted FSEIS in compliance with the procedural requirements of 6 NYCRR § 617.12; and

BE IT FURTHER RESOLVED that, in order to provide the public and other agencies with an opportunity to consider the FSEIS consistent with the requirements of 6 NYCRR § 617.11(a), the Agency's Findings Statement and Decision will not be issued and the Agency's determinations herein will not be effective until 10 calendar days from the date that the notice of completion of the FSEIS is published in the Environmental Notice Bulletin (see, 6 NYCRR § 617.12(c)) and the applicable filing and distribution requirements in 6 NYCRR § 617.12(b) for such notice are satisfied; and

BE IT FURTHER RESOLVED that, upon expiration of the period for public consideration of the FSEIS, the Agency Executive Director shall issue the Agency's Findings Statement and Decision by filing and distributing them as required by 6 NYCRR § 617.12(b) and the Acting Agency Chairwoman shall forward the recommendations for reclassification described in the Preferred Alternative of the FSEIS to the Governor for his approval; and

BE IT FINALLY RESOLVED that, upon approval of the proposed reclassifications by the Governor, the Agency Executive Director shall advise the Commissioner of Environmental Conservation of the Agency's determination regarding the proposed UMP Amendment.

Ayes:

Nays:

Abstentions:

Absent: