



**Board of Directors**

April 11, 2022

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Adirondack Park Agency

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PO Box 99  
Ray Brook, NY 12977

Barbara Rottier  
**Secretary**

**RE: Public Comments on Whiteface Mountain Intensive Use Area Unit  
Management Plan Amendment**

David Quinn  
**Treasurer**

Dear Ms. Phillips:

Nancy Bernstein  
John Caffry  
Andy Coney  
Dean Cook  
James C. Dawson  
Lorraine Duvall  
Robert Glennon  
Roger Gray  
Evelyn Greene  
Sidney Haring  
Dale Jeffers  
Mark Lawton  
John Nemjo  
Peter O'Shea  
Philip Terrie  
Chris Walsh

Protect the Adirondacks has reviewed the final Whiteface Mountain Intensive Use Area Unit Management Plan Amendment ("WMIUA Amendment") submitted to the Adirondack Park Agency (APA) by the Olympic Regional Development Authority (ORDA). We offer the following comments to the APA with regards to conformance with the Adirondack Park State Land Master Plan ("APSLMP"). The APSLMP states:

If there is a unifying theme to the master plan, it is that the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded. This theme is drawn not only from the Adirondack Park Agency Act (Article 27 of the Executive Law – "The Act") and its legislative history, but also from a century of the public's demonstrated attitude toward the forest preserve and the Adirondack Park. (p. 1)

Peter Bauer  
**Executive Director**

Compliance of Alpine Ski Trails with Two Whiteface Mountain Article 14 Amendments

The new WMIUA Amendment provides updated data about its compliance with the two amendments to New York Constitution Article 14, Section 1, that authorized the initial construction of the Whiteface Mountain Ski Center

**Protect the Adirondacks**

PO Box 48, North Creek, NY 12853 · 518.251.2700

[www.protecttheadirondacks.org](http://www.protecttheadirondacks.org) · [info@protectadks.org](mailto:info@protectadks.org)

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and its expansion. The WMIUA amendment states that with the planned new trails it will remain under the 25-mile cap for alpine ski trails, which appropriately includes “glade” trails. It’s also important to recognize that there are no State Constitution tree cutting limits on the 25 miles of alpine ski trails authorized in the two amendments, other than the limits on trail width and trail mileage. While the APSLMP states that it is constitutionally neutral, it’s important to note that as far as operating the Whiteface Mountain alpine ski trails and necessary appurtenances, it appears that ORDA is generally in compliance with these two amendments.

We do, however, have concerns about the widening of Upper Parkway and Upper Thruway, because it appears that there will no longer be any forest between them, creating one, much wider trail for a stretch. ORDA states these are two trails, though they appear as one. The width of this new super-wide trail appears to exceed limits imposed in the Whiteface Article 14 amendments.

#### Compliance of Proposed Hiking and Mountain Bike Trails with Article 14

There are other issues, relative to tree cutting, terrain alteration, and trail widths on hiking and mountain bike trails, which are activities not covered by the alpine winter ski area amendments, that must be resolved to ensure that the WMIUA Amendment complies with the State Constitution.

ORDA asserts that the use of alpine ski trails and appurtenances, such as lifts, parking lots, roads, and buildings, for sight-seeing, hiking, and mountain biking activities is not prohibited by Article 14. Use of the word “appurtenances” in the 1941 Whiteface Mountain amendment has consistently been taken to mean only the infrastructure that supports downhill skiing. The phrase “together with appurtenances thereto” is used not only for Whiteface Mountain, but also for the Gore Mountain and Belleayre Mountain ski areas that were similarly approved through constitutional amendments. The infrastructure to support downhill skiing has been taken to include ski lifts (from T bars to chair lifts to gondolas), snowmaking systems of pumps, sprayers, and water pipes, base lodges, maintenance buildings, ski racing association buildings, reservoirs, and parking lots. Merriam Webster’s Collegiate Dictionary, 10th ed., says an appurtenance is “ ... (b) “a subordinate part or adjunct,” and “(c) accessory objects.”

The 1941 Article 14 amendment authorized “appurtenances” to support “ski trails” at Whiteface Mountain. Facilities, infrastructure, and improvements for summertime non-alpine ski related activities, such as hiking and mountain bike riding, are not “appurtenances” that support alpine skiing. A mountain bike trail can hardly be considered to be a subordinate part or accessory object of a downhill ski area. Riding a bike does not require skis, nor is it part of the sport of skiing.

PROTECT does not believe that the proposed downhill mountain biking trail network and hiking trails at Whiteface Mountain are covered by the 1941 constitutional amendment under the “appurtenances” umbrella. These trails must be analyzed under the generally applicable limits to trail construction that apply elsewhere in the Forest Preserve.

The plan references a “skills park” for mountain biking. We do not see how this facility is covered as an alpine ski area “appurtenance.” We question the legality of this facility, as it does not comply with the APSLMP.

#### Approval of New Mountain Bike Trails and Hiking Trails Should be Delayed Until Specific Information is Provided

ORDA’s plans to expand the mileage of hiking trails by 4 miles, and make “improvements” to another 5 miles of trails. ORDA plans to expand the mileage of mountain bike trails by 9 miles, and make “improvements” to another 10 miles of trails, including 4 miles on alpine ski trails. This marks a major expansion of these activities in the WMIUA. While ORDA has provided maps that show these routes, and provided the mileage for new and existing routes, they have not provided important information about trail widths and tree cutting.

Given the important information that is not provided about how the new hiking and mountain bike trails will be constructed we do not see how a determination about APSLMP and Article 14 conformance can be made. The plan does not provide trail widths, or a description of materials, terrain alteration, and estimated tree cutting. On page 156 of the WMIUA Amendment, ORDA states “no trail construction will occur until DEC has finalized the comprehensive review of applicable trail construction policies. All proposed trail work will be reviewed in accordance with that policy, and final siting and design must be approved through the updated Work Plan process. All proposed trails will also comply with the revised NYSDEC Management Guidelines for Siting, Construction and Maintenance of Singletrack Bicycle Trails on Forest Preserve Lands in the Adirondack and Catskill Parks.” We commend ORDA for facing reality and suspending further actions on these trails until these vital constitutional issues are resolved.

As it stands now, the “comprehensive review of applicable trail construction policies” is incomplete and there is no “revised” NYSDEC-APA Management Guidelines for Siting, Construction and Maintenance of Singletrack Bicycle Trails on Forest Preserve Lands in the Adirondack and Catskill Parks. The APA’s responsibility is to evaluate ORDA’s proposed amendment for conformance with the APSLMP. That evaluation cannot be completed with regards to new hiking and mountain bike trails given uncertainties about tree cutting, trail widths, terrain alterations, and types of materials to be used.

#### Bicknell’s Thrush Habitat

PROTECT is pleased to see that the WMIUA amendment lays out a plan that attempts to protect Bicknell’s thrush habitat and mitigate negative impacts during breeding and nesting season.

#### Compliance with the Mountain Bike Trail Guidance

The WMIUA amendment states that ORDA plans to construct new trails consistent with the APA-DEC Mountain Bike Trails Guidance. Trail widths are important with regards to the

Guidance. We do not see how 72"-wide mountain bike trails conform with the Guidance for mountain bike trails. The widest trail tread authorized in the Guidance is 36 inches.

On behalf of the Board of Directors of the Protect the Adirondacks, please let me express our gratitude for the opportunity to submit these public comments on this UMP amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with the first name "Peter" being more prominent than the last name "Bauer".

Peter Bauer  
Executive Director

**From:** [Bob Dickie](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Comments on the Proposed Whiteface upgrades  
**Date:** Monday, March 14, 2022 11:57:53 AM

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To whom it may concern,

Noticeably absent from the proposed upgrades to Whiteface MTN. are anything designed to promote uphill skiing. As a Whiteface pass holder, I am very much interested in having the mountain develop uphill routes and associated infrastructure, such as signage, etc that would benefit the growing numbers of skiers who enjoy uphill skiing.

Whiteface is sadly a laggard in this area, having to date paid only minimum attention to this rapidly growing segment of the wonderful sport of skiing. I believe it is time for the mountain to more fully embrace uphill skiing, and want to urge for the inclusion of designated uphill routes that could be used both before lift opening and during normal lift operation. This concept is already the norm at many ski areas, but not at Whiteface. It's time for Whiteface to listen to their customers on this issue and to meaningfully include these types of provisions in their planning.

Bob Dickie  
Uphill Skier and Whiteface Customer

**From:** [Chris Gosling](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Whiteface Mountain Ski Center Unit Management Plan  
**Date:** Saturday, March 19, 2022 10:03:41 PM

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Ms. Phillips-

I am writing today regarding the Whiteface Mountain Ski Center Unit Management Plan. I am in favor of the upgrades so long as the environmental issues can be adequately handled. I am particularly in favor of adding more mountain bike trails.

Kind Regards,

Chris Gosling, Saranac Lake

**From:** [Francis Krueger](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Whiteface Mountain ski trails  
**Date:** Friday, March 18, 2022 9:20:14 PM

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I live in Jay, NY, and have skied Whiteface for over 25 years. I love Whiteface and ORDA. But the trails are too wide. So I am against widening the trails more. Wide trails mean more wind blowing snow into the woods. Also, skiing on narrower trails is more enjoyable because they block wind and hold snow. When the visibility is low due to fog, clouds, and snow, narrower trails help with visibility and are safer. It is just more fun skiing narrower trails.

**From:** [Heidi Jones](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Whiteface  
**Date:** Thursday, March 17, 2022 8:06:05 AM

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Hello-

I am responding to the article in the Adirondack Daily Enterprise.

I am against a new lift at Whiteface. There is no need for a connector lift when there are enough ways to get to the Legacy Lodge from the Bear Den. It's a very easy ski for a beginner from the top of the Face Lift to the Legacy Lodge-if anything more signage could be added to point to the easiest way down. Or having a mountain host at the Face Lift would be useful. There is more of an issue with the existing lifts and making sure they are running properly and staffed regularly. I would also argue that 2 of the existing lifts and exit ramps need to be replaced before a new lift is added. The Little Whiteface Chair and the Parkway/Racer chair are both in need of an overhaul. Please don't allow more construction in regard to a lift, unless to fix the ones that already exist.

I'm not against widening a trail when it comes to safety.

Thanks for listening!  
Heidi Jones  
Lake Placid, NY  
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Sent from me.

**From:** [Jonas Kelly](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Date:** Thursday, March 17, 2022 9:21:57 AM

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Adding a new chairlift from Bear Den to mid mountain lodge lodge is unnecessary. Access to mid mountain lodge for skiers of all levels already exists via the FaceLift. Do not approve this.

Yellow Dot trail expansion at the proposed scale is unnecessary. Make the trail 6' wide and improve the entrance, exit and signage. The proposed width is unnecessary.

Jonas Kelly  
Lake Placid NY

**From:** [Mohamedi](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Trail expansion at whiteface  
**Date:** Monday, March 14, 2022 7:55:03 PM

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ORDA can't maintain the existing trails, total waste of taxpayers money. Improve the antiquated infrastructure

**From:** [ray worth](#)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** ORDA Proposal for Whiteface Trail Improvements.  
**Date:** Tuesday, March 15, 2022 10:12:15 AM

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As both a skier and birder, and a seasonal homeowner in the Park as well, I am in support of ORDA's proposal to widen and extend ski trails at Whiteface. Often, breaking up the forest cover provides a transition margin that enhances feed and cover for many species of wildlife, not just birds. In addition, the provision of additional beginner and lower level ski trails would have two benefits. From a safety standpoint, many lower level skiers often venture on to runs beyond their level because they want more "variety" in their Whiteface experience. They can often end up putting themselves and other skiers at risk for injury. Secondly, improving and adding to the beginner and intermediate level trails would immensely benefit the facility and community's economic growth. Many families with kids, newer skiers, and "occasional" shy away from "Iceface" simply because of its steepness, lack of on-site amenities, and lack of less challenging terrain for occasional recreational skiers. Instead they opt to take their winter vacation and dollars to Gore or the resorts in Vermont. Needless to say, I support ORDA's plan to improve trails and facilities at Whiteface.

Raymond Worth,  
Hamburg, NY & Chesterfield, NY

**From:** [sshafer1121@gmail.com](mailto:sshafer1121@gmail.com)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Cc:** [sshafer1121@gmail.com](mailto:sshafer1121@gmail.com)  
**Subject:** APA Project 2022-WFMSC Public Comments  
**Date:** Sunday, April 10, 2022 2:29:17 PM

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\*\*\*\*\* PLEASE NOTE \*\*\*\*\*

The following public comment was made with your email address as the source.  
If this is an error, please contact the New York State Adirondack Park Agency at 518-891-4050 or by sending an email to [RPCComments@apa.ny.gov](mailto:RPCComments@apa.ny.gov).  
Please copy "2022-WFMSC, Stephen Shafer, [sshafer1121@gmail.com](mailto:sshafer1121@gmail.com)" into your message for our reference.

\*\*\*\*\*

Attn: Megan Phillips  
Comments from: Stephen Shafer  
Email from: [sshafer1121@gmail.com](mailto:sshafer1121@gmail.com)  
Address: 40 Scott Drive Malone NY 12953  
Re: Agency Project 2022-WFMSC, Whiteface Mountain Ski Center UMP Amendment

My Comments:

Dear APA Members,  
Thank you for the opportunity to comment on the proposed changes to the Whiteface Mountain Ski Center UMP. As the name states this is a ski center as authorized in the the constitutional amendment authorizing it's establishment. The inclusion of additional mountain biking trails proposes to add to the current and ongoing violation of the constitutional amendment that established the ski center. The mountain biking portion of the proposed changes to the UMP should be denied. Further, the DEC/ORDA should immediately cease use of existing mountain bike trails and mitigate the damage.  
The proposed extension of a hiking trail with a termination in the area known as the slides should be denied on the lack of merit. While this area is within the intensive use area, it has been rarely used in recent years since insufficient snowfall, combined with frequent thaws, has seldom allowed use of the slides as part of the regular operation of Whiteface Ski Center. This cirque is a unique feature of Whiteface Mountain and should be preserved rather than risking degradation by the establishment of a hiking trail across extremely steep terrain.  
The proposed additional lift should be denied on the merits. Whiteface rarely utilizes all of the lifts currently at the facility. In addition, the area near the Legacy Lodge already has a high level of skier congestion. Directly adding additional skiers into this area is a safety concern.  
Finally, NYSDEC and ORDA should endeavor to ensure that any project they complete is carbon neutral during the construction and operation phases. That does not seem to have been considered in this proposal nor in the construction that is occurring at numerous sites operated by ORDA. The current approach certainly is not in the spirit of meeting the CLCPA.  
Sincerely,  
Steve Shafer

**From:** [tedvolz@gmail.com](mailto:tedvolz@gmail.com)  
**To:** [SLMP\\_UMP\\_Comments@apa.ny.gov](mailto:SLMP_UMP_Comments@apa.ny.gov)  
**Subject:** Center Unit Plan Amendments  
**Date:** Monday, March 14, 2022 11:24:44 AM

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Hi Megan,

Thank you for your work on the Center Unit Plan.

I am a season Downhill ticket holder and also an Uphill pass holder and participant. I am grateful for the opportunity to use this wonderful venue for Uphill activities.

Recognizing the risk management issues associated with Uphill, the ski Industry and IOC continue to evolve and Uphill/Ski Mo is now part of the future. Hopefully, the Center Unit Plan will be designed to recognize that trend.

I notice that there are no amendments to the plan specific to the Uphill Ski(Ski Mo) operation. As a new Olympic event, and Whiteface being an Olympic mountain which accommodates not only regular customers, but a training ground for aspiring athletes with Olympic ambition, I request that the Uphill operation being given Ski Mo amendment consideration, as follows(1) daily, or more weekday uphill opportunity(2)daily summit access, subject to safety considerations because of variable weather conditions(3)\$60 uphill pass costs for non- downhill seasons pass holders(4)in conjunction with the ski patrol, ability of uphillers to help identify anyone not following the rules

Thank you for your consideration

Best Regards,

Ted Volz

Thank

Sent from [Mail](#) for Windows