



New York State
Adirondack
Park Agency

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

FINAL RESOLUTION

ADOPTED BY THE ADIRONDACK PARK AGENCY WITH RESPECT TO THE PROPOSAL TO CLASSIFY AND RECLASSIFY STATE LANDS

January 11, 2024

WHEREAS, the Adirondack Park State Land Master Plan (APSLMP), adopted pursuant to the Adirondack Park Agency Act (Executive Law, Article 27), 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 Guidelines for Amending the APSLMP (FPEIS) and has consulted with the Department; and

WHEREAS, the Department has acquired approximately 5,800 acres of land within the Adirondack Park in Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, St. Lawrence, and Warren counties; and

WHEREAS, proposed reclassifications of land from a more restrictive to a less restrictive category are Type I actions under APA Rules and Regulations (9 NYCRR 586.5(a)(6)(i)), and the package contains eight such reclassification proposals totaling approximately 145 acres; and

WHEREAS, the Agency determined that the proposed action to reclassify lands from a more restrictive to a less restrictive classification may have a significant adverse impact on the environment and noticed a positive declaration in the Environmental Notice Bulletin on September 27, 2023; and

WHEREAS, Agency staff prepared a Draft Supplemental Environmental Impact Statement (DSEIS) regarding reclassification of state lands pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, 9 NYCRR Part 586 and the FPEIS; and

WHEREAS, the DSEIS discussed potential alternatives for the proposed reclassification actions warranting further review under SEQRA; and

WHEREAS, in addition to the Type I reclassification actions, the package includes nineteen proposals for the classification of recently acquired State lands totaling approximately 5,455 acres, three reclassification proposals from less restrictive to more restrictive land classifications totaling approximately 105 acres, and six proposals involving map corrections totaling approximately 350 acres; and

WHEREAS, these additional classifications/reclassifications are Type II SEQRA actions pursuant to Part 586 of the Agency's rules, requiring no further SEQRA review; and

WHEREAS, the Agency accepted the DSEIS on October 12, 2023, and 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 accepted written public comment from October 12, 2023 through November 27, 2023 and received five written public comment letters; and

WHEREAS, between November 1 and November 13, 2023 the Agency held three public hearings pursuant to SEQRA and the APSLMP in Ray Brook, Albany, as well as a virtual option; and

WHEREAS, approximately thirteen people attended the hearings; and

WHEREAS, the Agency accepted written public comment from October 12, 2023 through November 27, 2023 and received five written public comment letters; and

WHEREAS, based on the DSEIS and public comment, Agency staff have prepared a Final Supplemental Environmental Impact Statement (FSEIS), dated January, 2024, in compliance with 6 NYCRR § 617.9; and

WHEREAS, THE Agency has considered the foregoing recitals, the January 2024 FSEIS and associated appendices, APA staff's January 11, 2024 presentation, public comment and the deliberations of Agency Board Members and Designees at the Agency's January 11, 2024 meeting.

NOW, THEREFORE, BE IT RESOLVED that the Agency adopts the January 2024 FSEIS and makes the following findings:

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 of the proposed action, including the impacts of the proposed action on the physical

and biological resources, area character and landscape quality, unavoidable adverse environmental effects, effects on the use and conservation of energy resources, irreversible and irretrievable commitments of resources, growth inducing aspects, economics impacts, and climate change impacts; and

3. The classification and reclassification proposals contained in the package apply the guidelines of the APSLMP to protect sensitive ecological resources and intangible values such as remoteness, and prevent significant adverse environmental impacts associated with types of use. The guidelines vary from one classification to another and may prescribe the types of recreational opportunities available in conformance with the APSLMP's unifying theme 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" (APSLMP, p. 1). In addition, all of the lands described in this package are afforded protection pursuant to Article XIV of the New York State Constitution and the New York State Freshwater Wetlands Act (ECL Article 24); and
4. The Agency has met the procedural and substantive requirements of 6 NYCRR Part 617, including, but not limited to: (i) the development of a DSEIS for the proposed reclassification of land from a more restrictive to a less restrictive classification; (ii) the holding of hearings and provision of a public comment period on the DSEIS; and (iii) the preparation of a FSEIS that responds to the public comments provided on the DSEIS; and
5. Consistent with social, economic and other essential considerations, from among the reasonable alternatives available, the proposed classifications and reclassifications described in the package will avoid or minimize adverse environmental impacts to the maximum extent practicable.

BE IT FURTHER RESOLVED, that the Agency determines that all of the proposed classifications and reclassifications described in the package would classify the involved State lands according to their characteristics and capacity to withstand use based on the criteria set forth in the APSLMP; and

BE IT FURTHER RESOLVED that the Agency authorizes and directs the Executive Director to make any non-substantive technical corrections to the FSEIS, to prepare a Findings Statement and Decision in conformance with this Resolution and pursuant to 6 NYCRR § 617.11(d); 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 determination to recommend the classifications described in the FSEIS for approval by the Governor will not be effective until ten 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 FINALLY RESOLVED that, upon expiration of the ten calendar day 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 Agency Chairperson shall forward the recommendations for classification to the Governor for her approval.

Ayes: Benita Law-Diao, Zoe Smith, Ken Lynch, Joseph Zalewski, John Ernst, Dan Wilt, Art Lussi, Rebecca Martin, Matt Tebo

Nays: None

Abstentions: None

Absent: Mark Hall