

COVER SHEET
and
NOTICE OF COMPLETION
of
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

PROJECT TITLE:

2016- 2017 Amendments to the Adirondack Park State Land Master Plan involving the Classification and Reclassification of 54,418 acres of State Lands in the Adirondack Park, which include:

- Boreas Ponds Tract (20,543 acres)
- 32 Additional Classification Proposals (30,284 acres)
- 13 Reclassification Proposals (1,642 acres)
- 56 Classifications involving map corrections (1,949 acres)

NAME OF LEAD AGENCY AND PREPARER OF DSEIS:

NYS Adirondack Park Agency
Post Office Box 99
Ray Brook, NY 12977

PROJECT LOCATION:

The classification proposals involve lands in all 12 Counties of the Adirondack Park: Clinton, Essex, Fulton, Franklin, Hamilton, Herkimer, Lewis, Oneida, St. Lawrence, Saratoga, Warren and Washington.

PROPOSED ACTION:

Amendments to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of recently acquired State land parcels of approximately 50,827 acres and thirteen (13) State land reclassification proposals of approximately 1,642 acres. Total acreage involved in the action covered by this Draft Supplemental Environmental Impact Statement (DSEIS) is approximately 54,418 acres. The proposed action involves only the classification or reclassification of State lands according to the provisions of the APSLMP.

AGENCY CONTACT FOR INFORMATION, COPIES OF DSEIS, OR WRITTEN
COMMENTS:

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DATE OF ACCEPTANCE OF DSEIS BY LEAD AGENCY: October 14, 2016

DATES OF PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO APSLMP:

In case of inclement weather, please check the APA website (www.apa.ny.gov) to see if the meeting has been cancelled.

November 9, 2016
7:00 pm
Adirondack Park Agency
1133 NYS Route 86
Ray Brook

November 29, 2016
6:00 pm
Canton High School
99 State Street
Canton

November 14, 2016
6:00 pm
Northville Central School
131 S. Third Street
Northville

December 6, 2016
7:00 pm
Bear Mountain Inn
3020 Seven Lakes Drive
Tomkins Cove

November 16, 2016
7:00 pm
Newcomb Central School
5535 NYS Route 28N
Newcomb

December 7, 2016
2:00 pm
NYSDEC
625 Broadway
Albany

November 21, 2016
7:00 pm
Schroon Lake Central School
1125 Route 9
Schroon Lake

November 28, 2016
7:00 pm
Rochester Institute of Technology
Louise Slaughter Hall
Parking in lot "T"
Rochester

DATE BY WHICH PUBLIC WRITTEN COMMENTS MUST BE RECEIVED BY:

December 30, 2016.

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EXECUTIVE SUMMARY

Through the work of the Adirondack Park Agency (Agency or APA), the proposed action involves the classification and reclassification of State Lands within the Adirondack Park according to the guidelines and criteria of the Adirondack Park State Land Master Plan (APSLMP). The action involves proposals for State lands in all 12 counties in the Park, including the recently acquired Boreas Ponds Tract. The action includes 33 State land classification proposals totaling approximately 50,827 acres, 13 State land reclassifications totaling an estimated 1,642 acres, and a number of classifications involving map corrections. In combination, the classifications, reclassifications and 56 map corrections (1,949 acres) will result in amendments to the APSLMP.

The APSLMP and the Final Programmatic Environmental Impact Statement Guidelines for Amending the Adirondack Park State Land Master Plan (1979) (FPEIS) contain standards and guidelines for amending the APSLMP. Agency staff have prepared the Draft Supplemental Environmental Impact Statement (DSEIS) in consultation with the Department of Environmental Conservation (Department or DEC). The DSEIS was published on October 14, 2016. The Agency Board authorized the staff to hold public hearings on the DSEIS. Eight hearings are scheduled to be held over the course of several weeks in November and December, both inside and outside the Park.

The public will have an opportunity to comment at the public hearings and to submit written comment during a scheduled timeframe. Agency staff will consider all public input that is received on the proposed alternatives during the comment period and may incorporate those comments, in consultation with the Department, into a Final Supplemental Environmental Impact Statement (FSEIS). The FSEIS will include a written response to public comments and will present final alternatives. The final alternatives may include modifications to alternatives described in the DSEIS.

The FSEIS will be brought to the Agency Board after the close of the public comment period. The Agency Board will then decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are authorized by the Agency, a Board Resolution recommending the package will be forwarded to the Governor for approval.

The action involves the classification or reclassification of State lands according to the provisions of the APSLMP. The action also involves map corrections of private land parcels which staff review have determined to actually be in State ownership "Pending Classification." The classification package includes 56 such map corrections as identified in Appendix A. The action does not authorize the development of new uses, structures or improvements; such proposals require a Unit Management Plan (UMP) review and State Environmental Quality Review Act (SEQRA) assessment by the Department and the Agency.

The Adirondack Park Agency Act requires the Agency to classify the State lands in the Park according to "their characteristics and capacity to withstand use." ¹ Characteristics that determine a land's capacity to withstand use include physical, biological, social and intangible characteristics.

The APSLMP states

...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, page 1).

The APSLMP prescribes types of permissible improvements and management uses in each category, but it does not specifically control the levels of use beyond providing general management guidelines. Careful application of guidelines in the APSLMP through this classification process and as applied through the UMP process should minimize significant adverse environmental impacts caused by types or levels of use. Careful consideration must be given to the levels of recreational use upon the natural resources of these lands.

The APSLMP lists nine basic categories: Wilderness, Primitive, Canoe, Wild Forest, State Administrative, Historic, Intensive Use, Travel Corridors and Wild, Scenic and Recreational Rivers, which were considered in the process of developing the DSEIS. The Wild, Scenic and Recreational Rivers and Travel Corridor classifications are essentially corridor overlays to the basic land classification(s) through which the corridor passes (APSLMP, page 14).

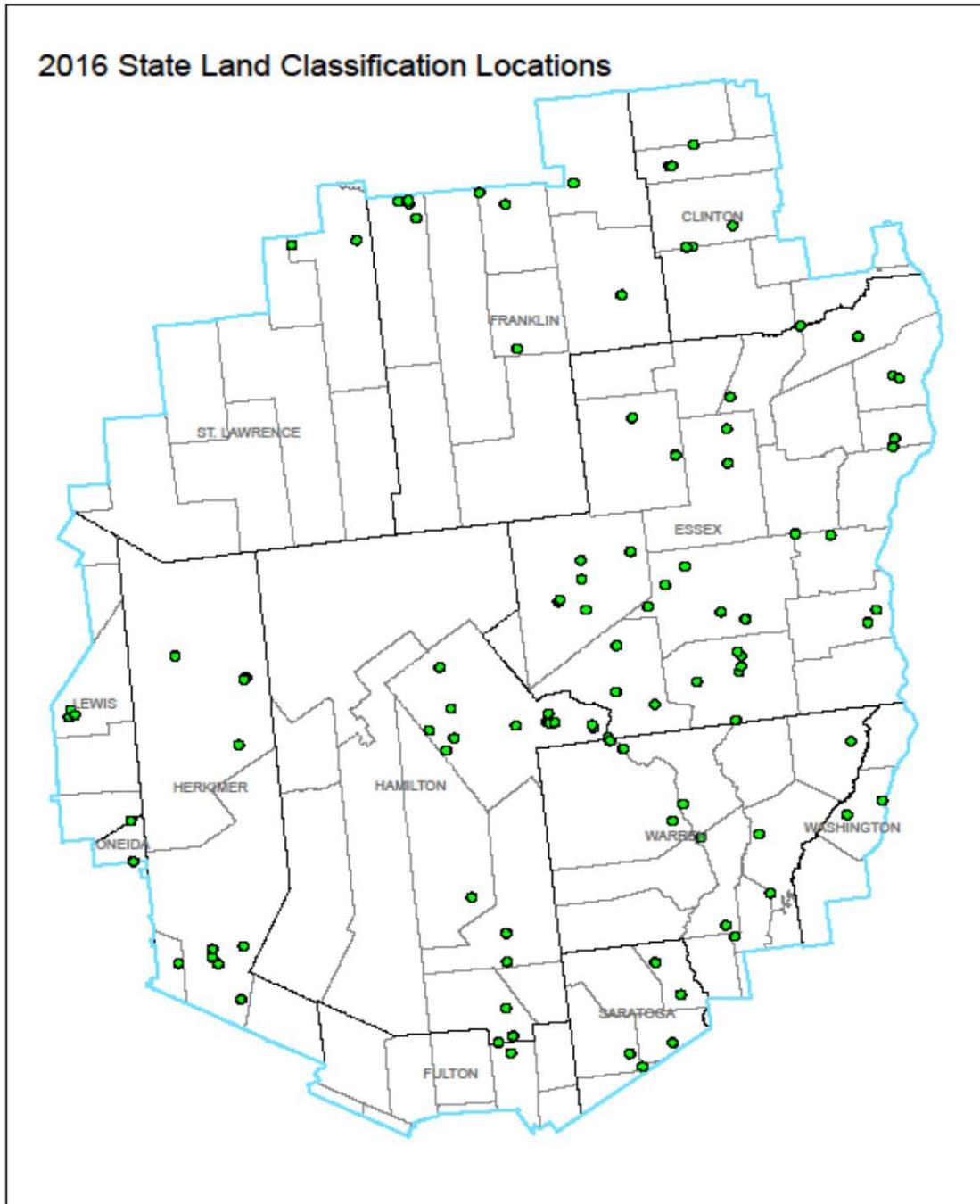
The classification alternatives for this action include Wilderness, Primitive, Wild Forest, State Administrative, and Intensive Use in various configurations. The alternatives and their boundaries are presented in the DSEIS for consideration and are not final and may be adjusted based on information gained during the public process. The final boundaries will be described in a preferred alternative and staff recommendation, which will be included as part of the FSEIS for submission by APA staff to the APA Board following the public hearing and comment period.

The No Action Alternative was considered for the new acquisitions but rejected because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands proposed to be reclassified is to leave those lands classified in their current classifications, as described in the current APSLMP.

¹ Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

The proposals which do not have an alternatives analysis are listed, mapped and described in Appendix A.

Map 1: Map of the Subject Area



Date: 9/23/2016

In addition, the following more detailed narrative is provided for the Boreas Ponds Tract.

Alternatives for the Boreas Ponds Tract

There is no preferred alternative proposed for the Boreas Ponds tract.

Actions common to all Boreas Ponds Tract Alternatives:

There would be two State Administrative Areas where rights were given for the removal of gravel. The Towns of North Hudson and Newcomb have been granted an easement to access and mine gravel from two gravel pits on the Boreas Ponds Tract. The gravel pits are limited in size to a maximum of one acre. The easement limits gravel extraction for the sole purpose of facilitating the maintenance of road, trail and infrastructure within the Boreas Tract, subject to a DEC permit and “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit.” The gravel pits would be classified State Administrative but would be reclassified once the gravel pits are deemed exhausted. These two new State Administrative Areas would be named LaBier Flow State Administrative Area and Boreas Pond Road State Administrative Area.

For all of the alternatives, the designation of an appropriate special management area can be considered for any Wild Forest lands which may require special management to reflect unusual resource or public use factors, such as those areas surrounding or adjacent to Boreas Pond or LaBier Flow. Specific unit management plans, developed either independently or as part of the unit management plan for the major land classification within which they lie, can call for more restrictive measures for public access and use within the designated special management area than those appropriate for other areas classified as Wild Forest.

Boreas Alternative 1 – Map 4

Lands five hundred (500) feet north of the Gulf Brook and Boreas Pond Roads, the roads themselves and the land south of the roads would be classified as Wild Forest and added to the Vanderwhacker Mountain Wild Forest unit. The 500 foot setback north of the Gulf Brook and Boreas Pond Roads facilitates management practices being identical on both sides of the roads, limiting possible confusion by users.

Lands north of the intersection of Boreas Pond Road and Gulf Brook Road, aka the Four Corners, including the road to the Boreas Pond Dam, a woods road that circles the Boreas Ponds, the land between the woods roads and the ponds and the ponds themselves would be classified as Wild Forest.

Lands north of the Four Corners outside of the area classified as Wild Forest would be classified as Wilderness.

Boreas Alternative 2 – Map 5

Lands five hundred (500) feet north of the Gulf Brook and Boreas Roads, the roads themselves and the land south of the roads would be classified as Wild Forest and added to the Vanderwhacker Mountain Wild Forest unit. The 500 foot setback north of the Gulf Brook and Boreas Pond Roads facilitates management practices being identical on both sides of the roads, limiting possible confusion by users.

Lands north of the Four Corners including the waters of Boreas Ponds would be classified as Wilderness, except for the Wild Forest Area described below.

The Wild Forest Area proposed in Alternative 2 would enable access to the Boreas Pond Dam and an area surrounding the dam necessary for maintaining the dam. The Wild Forest Area would run north of the Four Corners to the Boreas Dam. The western boundary of this area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes.

Boreas Alternative 3– Map 6

The boundary between Wild Forest and Wilderness would begin from a point on the Gulf Brook Road 2.27 miles north of County Route 2. The boundary would extend generally easterly towards Wolf Pond Mountain. The boundary would also extend generally westerly following water courses and land forms, crossing the Boreas River and continuing westerly towards the tract boundary south of Trout Pond.

The majority of lands north of this boundary including the waters of Boreas Ponds would be classified, or reclassified, as Wilderness. The Gulf Brook Road, and an associated 50 foot wide corridor, 3.16 miles in length to the Four Corners Area would be classified as Wild Forest.

The Wild Forest Area north of the Four Corners would enable access to the Boreas Ponds Dam and an area surrounding the dam necessary for maintaining the dam. The western boundary of this Area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this Area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes. The Wild Forest Area would also continue west from Four Corners for 1.31 miles on the Boreas Pond Road to the Boreas Pond Road State Administrative Area (gravel pit).

The Wild Forest Area proposed in Alternative 3 would enable access to the two State Administrative Area gravel pits and the Boreas Pond Dam.

Boreas Alternative 4 – Map 7

The boundary between Wild Forest and Wilderness would begin from a point on the Gulf Brook Road 2.27 miles north of County Route 2. The boundary would extend generally easterly towards Wolf Pond Mountain. The boundary would also extend generally westerly following water courses and land forms, crossing the Boreas River and continuing westerly towards the tract boundary south of Trout Pond.

The Primitive Area north of the Four Corners would enable access to the Boreas Ponds Dam and an area surrounding the dam necessary for maintaining the dam. The western boundary of this Area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this Area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes.

The 50 foot wide Wild Forest corridor would continue west from Four Corners for 1.31 miles on the Boreas Pond Road to the Boreas Pond Road State Administrative Area (gravel pit).

The section of the Boreas Ponds Roads located within the Primitive Area would qualify as a State Truck Trail (aka Administrative Road). Primitive Area guidelines state that "...bicycles may be used on existing roads legally open to the public and on state truck trails specifically designated for such use by the Department of Environmental Conservation as specified in individual unit management plans" (APSLMP, page 28).

Table 1 shows the classification acreage of the Boreas alternatives discussed in this DSEIS:

Table 1: Boreas Ponds Tract Alternatives: Acreage Figures

Alternative	Wilderness	Wild Forest	Primitive	State Admin
	Total Acres* (Acres of New Classification/Acres of Reclassification)			
Boreas Ponds 1	10,178	10,364		2
Boreas Ponds 2	11,323	9,220		2
Boreas Ponds 3	14,669 / 1,337	5,873		2
Boreas Ponds 4	14,669/ 1,337	5,755	118	2

*Acreages are approximate

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Summary of Proposed Action

The New York State Adirondack Park Agency (APA or Agency) has proposed an amendment to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of certain lands recently acquired by the State of New York and the reclassification of nearby State Forest Preserve. The lands subject to these classification actions are located in all 12 Counties of the Adirondack Park

The Agency will conduct eight public hearings on the classification action between November 9 and December 7, 2016. The public will have an opportunity to provide oral comments at the public hearings and to submit written comments during a scheduled timeframe. Agency staff will consider comments on the proposed alternatives and may incorporate those comments, in consultation with the Department, into a Final Supplemental Impact Environmental Statement (FSEIS). The FSEIS will include a written response to public comments and will present final alternatives. The final alternatives may include modifications to alternatives described in the DSEIS. The FSEIS will be brought to the Agency Board after the close of the public comment period. The Agency Board will then decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are authorized by the Agency, a Board Resolution for the package will be forwarded to the Governor for approval.

Background

In 1885, the New York State legislature established the Forest Preserve, stating that the Preserve "shall be forever kept as wild forest lands." In 1892 the Adirondack Park (Park) was established through an act of the legislature, which delineated where State acquisition of private inholdings was to be concentrated. At the Constitutional Convention of 1894, Article VII of the New York State Constitution (now Article XIV) was adopted and soon after was approved by the people of the State. It reads in part:

"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."

In 1971, the Adirondack Park Agency was created by the legislature with essentially two mandates. The Agency was directed to create a State Land Master Plan to classify and provide guidelines for the management and use of State lands within the Park, and a Private Land Use and Development Plan designed to control and channel development on non-State lands to minimize the adverse impacts upon the natural resource quality

of the Park. The APSLMP was developed by the Agency and adopted by Governor Rockefeller in 1972. The Private Land Use and Development Plan was approved by the Legislature in 1973. Through these plans, the Agency performs long-range planning on a regional scale for the Park. The Department of Environmental Conservation (DEC) is responsible for the care, custody, and control of the State land in the Park; in carrying out this responsibility DEC drafts the Unit Management Plans (UMPs) for managing publicly owned lands within the Park consistent with the APSLMP. As of 2016, there are approximately 2,594,440 acres of Forest Preserve in the Adirondack Park, currently classified as follows:

Classification	Acres
Wilderness	1,160,654
Primitive	38,248
Canoe	17,325
Wild Forest	1,297,711
Intensive Use	22,327
Historic	521
State Administrative	1,888

The area subject to this classification action (the subject area) consists of the recently acquired Boreas Ponds Tract, as well as other recently acquired State lands, thirteen reclassification proposals and a number of classifications involving map corrections.

Standards for Agency Decision

The Adirondack Park State Land Master Plan (APSLMP) sets forth in clear terms the fundamental principles governing the classification considerations and the Agency's responsibilities for the long range planning for the State lands within the Park.

In Part I, INTRODUCTION, the Master Plan sets forth the fundamental principles and 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. (APSLMP, page 1).

The APSLMP was adopted in 1972 following the requirement of the Adirondack Park Agency Act to "classify [state lands] lands according to their characteristics and capacity to withstand use...." (APA Act § 807).

Part II of the Master Plan entitled “CLASSIFICATION SYSTEM AND GUIDELINES” sets forth three “determinants” and an additional consideration:

The first determinant is “the physical characteristics of the land or water which have a direct bearing upon the capacity of the land to accept human use.” After listing several characteristics, the discussion of physical characteristics concludes, “[T]hese factors highlight the essential fragility of significant portions of the state lands within the Park. These fragile areas include most lands above 2,500 feet in altitude, particularly the boreal (spruce-fir), sub-alpine and alpine zones, as well as low-lying areas such as swamps, marshes and other wetlands. In addition, rivers, streams, lakes and ponds and their environs often present special physical problems. (APSLMP, page 13).

The second determinant is biological considerations which are related to the physical characteristics including deer wintering yards and nesting habitat of rare, threatened or endangered species. This determinant also recognizes that, “Wetland ecosystems frequently are finely balanced and incapable of absorbing material changes resulting from construction or intensive human use.” (APSLMP, page 13).

The third determinant involves “certain intangible considerations that have an inevitable impact on the character of land.” These include “a sense of remoteness and degree of wildness available to users of a particular area, which may result from the size of an area, the type and density of its forest cover, the ruggedness of the terrain or merely the views over other areas of the Park obtainable from some vantage point.” (APSLMP, pages 13, 14).

The final consideration is the presence of established facilities and public uses such as highways, ski areas or campgrounds; these uses are generally viewed as inconsistent with a Wilderness or Wild Forest setting.

The APSLMP contains nine categories which are briefly described below:

Wilderness - A Wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man--where man himself is a visitor who does not remain. A Wilderness Area is further defined to mean an area of State land or water having a primeval character, without significant improvement or permanent human habitation, which is protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least ten thousand acres of contiguous land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic or historical value.

Primitive - A Primitive area is an area of land or water that is either:

- Essentially wilderness in character but, (a) contains structures, improvements, or uses that are inconsistent with wilderness, as defined, and whose removal, though a long term objective, cannot be provided for by a fixed deadline, and/or, (b) contains, or is contiguous to, private lands that are of a size and influence to prevent wilderness designation; or,
- Of a size and character not meeting wilderness standards, but where the fragility of the resource, or other factors, requires wilderness management.

Canoe - A Canoe area is an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water-oriented recreation in an essentially wilderness setting.

Wild Forest - A Wild Forest area is an area where the resources permit a somewhat higher degree of human use than in wilderness, primitive or canoe areas, while retaining an essentially wild character. A Wild Forest area is further defined as an area that frequently lacks the sense of remoteness of Wilderness, Primitive or Canoe areas and that permits a wide variety of outdoor recreation.

Intensive Use - An Intensive Use area is an area where the State provides facilities for intensive forms of outdoor recreation by the public. There are two types of Intensive Use areas: campgrounds and day use areas.

Historic - Historic areas are locations of buildings, structures or sites owned by the State (other than the Adirondack Forest Preserve itself) that are significant in the history, architecture, archeology or culture of the Adirondack Park, the State or the Nation; that fall into one of the following categories:

- State historic sites;
- Properties listed on the National Register of Historic Places;
- Properties recommended for nomination by the Committee on Registers of the New York State Board for Historic Preservation; and that are of a scale, character and location appropriate for designation as an historic area under this master plan and the state has committed resources to manage such as primarily for historic objectives.

State Administrative - State Administrative areas are areas where the state provides facilities for a variety of specific state purposes that are not primarily designed to accommodate visitors to the Park.

The following two categories are essentially corridor overlays to the basic land classification(s) through which the corridor passes. (APSLMP, page 14).

Wild, Scenic, and Recreational Rivers – The classification and guidelines for Wild, Scenic and Recreational Rivers are designed to be consistent with and complementary to both the basic intent and structure of the legislation passed by the legislature in 1972 creating a wild, scenic and recreational rivers system.

Travel Corridors – Travel corridors are the strip of land constituting the roadbed and the right-of-way for State and Interstate highways in the Park, as well as the Remsen to Lake Placid railroad right-of-way.

Each of the nine categories contains further statements in the APSLMP which set forth basic and specific guidelines for improvements, uses and activities.

Special Management - In addition to the nine classification categories, the APSLMP also contains guidelines for areas deserving Special Management. Classifications reflect the minimum management constraints for the lands affected. “Certain parcels of land may require special management to reflect unusual resource or public land factors.” (APSLMP, page 49). Special Management is not a classification category but rather provides specific protective measures which are more restrictive than what is set forth by the classification category. Special Management Areas are developed after the classification process is complete and specific management protections are developed during the unit management planning process.

Hierarchy of Guidelines

The Guidelines for Management and Use are found in each land use classification and establish an important emphasis on Wilderness guidelines. The structure of the management guidelines begins with Wilderness, which is listed first, and adds permitted guidelines and criteria for each subsequent category. Primitive and Canoe Areas are very close to Wilderness, and all three categories have resource considerations and values that require similarly greater protection than Wild Forest areas. For example, in Primitive areas, “All structures and improvements that conform to wilderness guidelines will be acceptable in primitive areas.” (APSLMP, page 26). The motor vehicle, road and all terrain bicycles guidelines all begin with a statement that wilderness guidelines apply and add some possibilities for administrative use of some roads “to reach and maintain existing structures and improvements.” (APSLMP, page 27). The Master Plan guidelines and criteria and the requirements of the FPEIS, discussed under the next heading, place an emphasis on resource protection, remoteness and self-sufficiency found in the Wilderness, Primitive and Canoe classifications, while permitting and encouraging human use as long as the resources are not degraded.

Procedures under the State Environmental Quality

Review Act

This Draft Supplemental Environmental Impact Statement (DSEIS) is a supplement to the Final Programmatic Environmental Impact Statement Guidelines for Amending the Adirondack Park State Land Master Plan (1979) (FPEIS). The proposed classifications and reclassifications of the State lands listed in Appendix A are an amendment to the APSLMP.

The FPEIS requires any newly acquired parcel greater than 5,000 acres proposed to be classified as Wilderness, Primitive or Canoe be listed as a Type I action. This DSEIS includes such proposals, which are a Type I action. Other classification proposals in the package include actions that individually would be Type II actions. Classification of those tracts are included in this package, but because they are Type II actions, the DSEIS does not present alternatives for those proposals. The Agency will accept comment on the entire package.

The FPEIS repeats and reaffirms the principles guiding the classification opportunities. Like the APSLMP, the FPEIS begins with a foundation of Wilderness classification noting that opportunities for outdoor activities in large unconfined spaces like the Adirondack Park are rare in New York State.

Wild Forest areas are described in the FPEIS as having “[r]esources which allow a somewhat higher level of human use which does not degrade resource quality while retaining a wild character...” An example of such use includes snowmobiling “where such use will not adversely impact the natural resources quality and wild forest character of the area.”(FPEIS, page 19).

The FPEIS discourages reclassification from a more protective category to a less protective one. The FPEIS states:

“Only in exceptional circumstances should lands presently classified as Wilderness, Primitive or Canoe be reclassified to Wild Forest. This should occur only after it has been demonstrated that a highly unusual condition exists, such as the identification of a mapping error, or the existence of a previously unrecognized non-conforming use of a permanent nature.” (FPEIS, page 26).

This classification action does include reclassification of some land from a more restrictive category to a less restrictive one, following the above guidance. These reclassification proposals are identified in Appendix A.

Description of Action

The proposed action involves the classification and reclassification of State Lands within the Adirondack Park according to the guidelines and criteria of the State Land Master Plan. The action involves land in each of the 12 counties in the Park and includes 33 State land classification proposals totaling approximately 50,827 acres and 13 State land reclassifications totaling an estimated 1,642 acres.

This classification package includes proposals for the classification of recently acquired State lands, thirteen reclassification proposals and a number of classifications involving map corrections. Map corrections are the result of regular staff review of the Agency’s land classification GIS layer. This review over time has identified areas of land depicted on the Adirondack Park Land Use and Development Plan Map as private land that are

determined to actually be in State ownership. When such errors in the map are discovered, the Agency places the area information into the State land "Pending Classification" category for consideration in the next Agency classification process. This classification package includes 56 such map corrections (1,949 acres) as identified in the summary table in Appendix A.

Classification Considerations

As discussed in the "Standards for Agency Decision," the Adirondack Park Agency Act requires the Agency to classify the State lands in the Park according to "their characteristics and capacity to withstand use."² Characteristics that determine a land's capacity to withstand use include physical, biological, social and psychological characteristics.

A fundamental determinant of land classification is the **physical characteristics** of the land or water which have a direct bearing upon the capacity of the land to accept human use. Soil, slope, elevation and water are the primary considerations of these physical characteristics. These characteristics affect the carrying capacity of the land or water both from the standpoint of the construction of facilities and the amount of human use the land or water itself can absorb.

Biological considerations also play an important role in the structuring of the classification system. Many of these are associated with the physical limitations just described. Wetland ecosystems, habitats of rare, threatened or endangered species and sensitive wildlife habitats are relevant to the characteristics of the land and sometimes determine whether a particular kind of human use should be permitted or prohibited.

Another significant determinant of land classification involves certain **intangible considerations** that have an inevitable impact on the character of land. Some of these are social or psychological, such as the sense of remoteness and degree of wildness.

Finally, the classification system takes into account the **established facilities** on the land, the uses now being made by the public and the policies followed by the various administering agencies. The Master Plan points to the presence of an existing campground or ski area as examples of established facilities which would require an Intensive Use classification. The existence of roads on acquired lands does not mandate a particular classification; where they are nonconforming, the Master Plan provides that they will be closed within three years.

The characteristics specific to the Boreas Ponds Tract under consideration for this action follow:

² Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

PHYSICAL CHARACTERISTICS

Geology/Soils

Soils are an important factor that relate to the capacity of land to withstand a certain level of use. Soil properties such as texture, permeability, depth to water table and bedrock, and slope are important considerations in understanding potential impacts of land use.

The Natural Resource Conservation Services (NRCS), in its soil survey of Essex County, has mapped 61 detailed soil map units within the Boreas Ponds Tract. Many of these mapped soil units are complexes of multiple soil series. Map 2 shows the soils in the subject areas.

The characteristics of these soils vary widely with landscape position. Shallow, rocky soils are associated with steep slopes and higher elevations, while deeper soils are found in areas with moderate slopes and in flat valley bottoms. Deep, highly organic, hydric soils are associated with wetland areas.

The bedrock geology of the Boreas Tract is similar to much of the High Peaks Region, being primarily metanorthosite and anorthositic gneiss. In the Benson Road Tract, the bedrock geology is primarily comprised of quartz-feldspar paragneiss with variable amounts of garnet and sillimanite, and megacrystic miotite and/or hornblende granite gneiss.

Topography

The subject area contains varied terrain, ranging from low-lying valleys of the Boreas River and Ponds to high mountain peaks. Prominent topographical features include four named mountains with peaks over 2,000 feet: three are located in the Boreas Tract, and one is located in the MacIntyre East Tract. The four named mountains are: Boreas Mountain (3,776 feet), Moose Mountain (2,700 feet), Ragged Mountain (2,677 feet), and a portion of Popple Hill (2,740 feet). Total acreage of lands over 2,500 feet is approximately 2,400 acres, almost entirely located within the Boreas Tract.

Slopes within the subject area vary greatly, from flat, to gently rolling, to severely steep. Generally, areas of steep slopes are problematic for certain recreational improvements, such as campsites. Steep slopes are also challenging for trail development because of the high risk of erosion. Map 3 shows the subject area topography.

Water Resources

The Introduction section of the Master Plan states:

The water resources of the Adirondacks are critical to the integrity of the Park. The protection of the major watersheds of the state was a major reason for the creation of the Forest Preserve and continues to be of significant importance. Waters, particularly lakes and ponds, have their carrying capacity from a physical, biological and social standpoint just as do tracts of public or private land. The use made of state waters also has a direct impact on adjacent land holdings. (APSLMP, page 3)

A dominant feature of the landscape in the Boreas Ponds Tract is the three connected waterbodies known as Boreas Ponds.

When evaluating the potential impacts of human use on the water resources in the Boreas Ponds Tract, the long-term ecological integrity and potential impact to the freshwater resources was evaluated. Changes to freshwater ecosystems originate from many anthropogenic (human) and natural causes³:

- Terrestrial vegetation alteration and degradation of the riparian zone
- Aquatic vegetation alteration and degradation
- Introduction of Aquatic Invasive Species (AIS)
- Introduction of pollutants
- Other on-site and external threats

There are eight waterbodies within the Boreas Ponds parcel, as listed below, with the Boreas Ponds being the largest:

- Boreas Ponds – 345 acres
- White Lily Pond – 16 acres
- Fly Pond – 13 acres
- Unnamed Pond – 22 acres
- Unnamed Pond – 12 acres
- Unnamed Pond – 5 acres
- Unnamed Pond – 4 acres
- Unnamed Pond – 3 acres

³ McEwen, A., Dawson, C., and Gerstenberger, L. 2011. Adirondack Park Forest Preserve Carrying Capacity of Water Bodies Study: Phase 1- Selecting Indicators for Monitoring Recreational Impacts. State University of New York, College of Environmental Science and Forestry.

A total of seven streams were identified on the Boreas Ponds Tract. They include White Lily Brook, Brant Brook, Snyder Brook, Boreas River, LeClair Brook, Andrew Brook and The Branch (from Elk Lake). All seven are classified as moderate or high gradient, neutral pH, with moderate buffering capacity.⁴

Boreas Pond Dam

The Boreas Ponds is an impoundment created by the construction of an earthen dam. The ponds are within the Upper Hudson River watershed and are the headwaters of the Boreas River. Prior to the impoundment the three ponds were connected by shallow channels. The ponds comprise a surface area of 345± acres, as recorded by the Adirondack Lakes Survey Corporation. Bathymetry indicates that there are 3 distinct basins with a large portion of the ponds being less than 5 feet in depth.

The dam is listed in DEC's dam inventory as an earth and rock filled dam 196 feet in length with a spillway width of 16 feet. The spillway is made of concrete and was reconstructed in 1997. A wooden bridge supported by steel cross beams spans the spillway. The dam is considered a Class A hazard (low hazard) by DEC.

LaBier Flow Dam

A second dam, also rated as a Class A hazard, is located approximately 1.2 miles downstream of the Boreas Ponds dam, creating the impoundment known as LaBier Flow. The dam consists of a center timber crib structure and 15± foot wide spillway with earthen embankments on either side. The downstream left embankment is 40± feet long and the downstream right embankment is 160± feet long. A wooden bridge supported by steel cross beams spans the spillway.

DEC issued an emergency authorization in August 2008 to correct deficiencies of the dam and to alleviate the threat of failure.

BIOLOGICAL CHARACTERISTICS

Temperate Deciduous Forest

In the United States, there are five areas of Temperate Deciduous Forest identified for restoration or protection. The largest area of unbroken forests greater than 100,000 acres is in the Adirondacks. The temperate deciduous forest represents the most fragmented and degraded closed forest habitat on the planet. Approximately 50% of what had once occurred has been lost to agriculture and development. What remains

⁴ Olivero, A.P., and M.G. Anderson. 2008. Northeast Aquatic Habitat Classification. In collaboration with the Northeast Association of Fish and Wildlife Agencies. The Nature Conservancy, Eastern Regional Office, Boston, MA. 86 pp.

of this forest type is widely scattered with less than 10% secured in ecological reserves. Those forests that are protected tend to be in patches of a few thousand acres, making them too small to support viable populations of wide-ranging species or able to maintain ecosystem processes that shape natural features⁵.

Within the Adirondacks are areas referred to as “matrix blocks”, or intact forests. These blocks are significant due to their diverse underlying abiotic factors (elevation, land form and geology), the overall condition of the forest, and by being less fragmented by roads. The Boreas Ponds Tract is within one of these blocks.

Matrix blocks are important for habitat and species resilience. Resilience concerns the ability of a living system to adjust to climate change, to moderate potential damages, to take advantage of opportunities, or to cope with consequences; in short, its capacity to adapt. These intact forests provide high connectivity and a functional landscape, which can combat habitat fragmentation, protect water quality, provide habitat for numerous species, enable natural disturbance regimes to operate and buffer against detrimental effects of large environmental changes. The Boreas Ponds Tract adds to these matrix blocks and enhances the resiliency of the Park’s Temperate Deciduous Forest.

Most of the forest cover on the Boreas Ponds Tract is northern hardwood forest, dominated by sugar maple, American beech and yellow birch, but there are also numerous less common forest types that provide habitat for various suites of unique species.

Mountain Spruce-Fir forest, dominated by red spruce and balsam fir, and associated with mountain paper birch, yellow birch and mountain ash, is found in the higher elevations of the Boreas Ponds Tract. This forest is generally restricted to elevations above 3,000 feet, where short growing seasons and exposure to severe, long duration winter conditions shape the ecological setting. Cloud cover is common, as moist, rising air masses condense at cooler elevations, providing a consistent water supply, as vegetation captures fog droplets. Soils in this forest are spodosols, characterized by high acidity and low fertility, and subject to downslope movement on steep slopes, especially when saturated. Wind throw is also a disturbance factor, both to soils and vegetation, given the exposed setting of this forest.

Mountain Spruce-Fir forests on private lands have been impacted by logging activity in the past century and a half, with disturbance exacerbated by operations on steep slopes. Acid deposition is a continuing threat, especially because these forests are often surrounded by acidic clouds and fog, which affects the ability of vegetation to retain essential nutrients. The warming temperatures and increased variability of weather impacts associated with climate change are also a threat leading to the decline of this forest type.

⁵ <http://conserveonline.org/workspaces/ecs/documents/resilient-sites-for-terrestrial-conservation-1>

Conservation strategies for Mountain Spruce-Fir Forest include maintaining the integrity and connectivity of large blocks of this forest. The proximity of the Mountain Spruce Fir Forest within the Boreas Ponds tract to the high elevation slopes of the High Peaks Wilderness Area to the north, with similar forest associations, bolsters protection of this fragile forest type.

It is unlikely that there are old growth stands on the Boreas Ponds tract. The valuable commercial timber species characteristic of these forests has led to generations of industrial forest management on this tract, creating a mosaic of different aged stands. As these forests mature and natural disturbances replace the human caused disturbance of timber harvesting, species diversity of plants and animals will change. Species which require open or edge habitats are likely to migrate to nearby easement lands, which are managed for timber. Conversely, the mature forests will attract a range of species not likely to occur on the land today.

Wetlands

There are approximately 1,801 acres of wetlands in Boreas Ponds Tract. Many of these wetlands are associated with streams and other waterbodies. Map 3 shows the locations of wetlands in this tract. This wetland mapping uses the Cowardin classification system⁶, which does not specifically identify or differentiate among peatlands, wet meadows or emergent marsh.

There are numerous wetland types on this tract of land ranging from coniferous swamps to alluvial forests, to sphagnum- shrub bogs, to beaver flows and other open wetlands. The substrate of this tract and the species diversity within these wetlands varies from location to location. Regardless of species diversity, the wetlands are significant and play a critical role in modulating the flow of water in the watershed, reducing flooding and erosion. The wetlands also filter pollutants and purify water and provide critical habitat for many species of plants and animals.

Table 2 lists acreage of common wetland types in the Boreas Ponds Tract.

Table 2: Acreage of Common Wetland Cover Types

	FO1	FO4	SS1	SS3	EM1	Total*
Boreas Ponds Tract	6.6	990.6	323.4	86.9	174.6	1801.1

*Total of all wetlands, including cover types not included in this table.

⁶ Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of wetlands and deepwater habitats of the United States*. U.S. Fish and Wildlife Service FWS/OBS-79/31, Washington, D.C., 103 pp.

Following is a description of the cover types in Table 2:

FO1 – Hardwood swamp, usually dominated by Red or Silver Maple.

FO4 – Conifer swamp, dominated by Balsam Fir, Tamarack or Black Spruce.

SS1 – Shrub swamp, with alder and willow as dominant species.

SS3 – Shrubby peatland, characterized by Ericaceous shrubs and peat moss.

EM1 – Either wet meadows or emergent marsh, or a combination of the two.

Value 1 Wetlands

Due to their association with open water, there are areas of value 1 wetlands on the Boreas Ponds tract. According to Part 578.5 of the Agency's Rules and Regulations, "Wetlands associated with open water provide breeding and spawning areas as well as food and cover for wildlife and fish using the open water. They are an integral part of open water ecosystems and provide natural nutrient exchange. They purify water entering the open water and may improve its quality whether measured in rate of flow, dissolved oxygen content, clarity, or ionic content. They often provide temporary storm water storage and ameliorate downstream flooding. Wetlands with over 20 acres within the mean high water mark of lake, ponds, rivers and streams are integral parts of those water bodies and can dramatically affect quality and flow in those waterbodies and are rated highest (1)."

Wetland Complex within the Boreas Ponds

The Boreas Ponds wetland communities consist of emergent marsh and deepwater marsh wetlands. Due to their size, wetland covertypes present, diversity and abundance of aquatic macrophytes, presence of a New York State protected plant, and hydrologic connection to the main waterbodies, they have the highest value rating of 1 as defined in 9 NYCRR Part 578. Emergent marsh is the most valuable individual covertypes and one of the highest in productivity. These wetlands provide nesting habitat, food and cover for wildlife, and the capacity to stabilize lake sediment, and cycle large quantities of nutrients. Deepwater marsh wetlands provide valuable fish spawning and nursery habitat and are a food source for waterfowl and other wildlife.

Agency staff conducted several site visits of Boreas Ponds. A total of 16 emergent and deepwater marsh wetland plant species were identified during the site visits. This diverse wetland community is represented by the following species: watershield (*Brasenia schreberi*), Farwell's milfoil (*Myriophyllum farwellii*), slender watermilfoil (*Myriophyllum tenellum*), bladderwort (*Utricularia spp.*), Robbins pondweed (*Potamogeton robinsii*), floatingleaf pondweed (*Potamogeton natans*), ribbonleaf pondweed (*Potamogeton epihydrus*), bur-reed (*Sparganium sp*), pickerelweed (*Pontederia cordata*), white water lily (*Nymphaea odorata*), yellow pond lily (*Nuphar*

variegata), pipewort (*Eriocaulon aquaticum*), threeway sedge (*Dulichium arundinaceum*), arrowhead (*Sagittaria sp.*), coast sedge (*Carex exilis*) and rush (*Juncus spp.*).

During a site visit Agency staff surveyed LaBier Flow. In addition to the 16 emergent and deepwater marsh wetland plant species identified in the Boreas Ponds, two additional species, large leaf pondweed (*Potamogeton amplifolius*) and common waterweed (*Elodea canadensis*), were found.

Additional plants found on bog mats included: round-leaved sundew (*Drosera rotundifolia*), Wright's spike-rush (*Eleocharis sp.*), tawny cotton-grass (*Eriophorum virginicum*), northern bog clubmoss (*Lycopodiella inundata*), northern bugleweed (*Lycopus uniflorus*), bog buckbean (*Menyanthes trifoliata*), sweet gale (*Myrica gale*), bog aster (*Oclemena nemoralis*), royal fern (*Osmunda regalis*), pitcher-plant (*Sarracenia purpurea*), tall meadow-rue (*Thalictrum pubescens*), marsh fern (*Thelypteris palustris*), marsh St. John's-wort (*Triadenum virginicum*), northern evening-primrose (*Oenothera parviflora*), and common St. John's-wort (*Hypericum perforatum*).

The Boreas Ponds and wetlands have been subjected to very little human disturbance over the past century, as is evidenced by the abundant aquatic plant diversity, including at least one protected plant species, which appear to be thriving in the area.

Marcy Swamp

The largest wetland complex on the Boreas Tract is associated with the Boreas Ponds and extends over five miles from the Boreas Ponds to the Upper Ausable Lake on the adjacent property to the northeast. These wetlands are located at the headwaters of two major Adirondack watersheds, the Ausable/Boquet and the Upper Hudson. The wetland complex straddles the watershed boundary. During a site visit to the property, one caretaker said, "Which way the water goes depends on what the beaver are doing." The very start of both the Boreas River and The East Branch of the Ausable Rivers are in this wetland complex. This wetland complex accepts, holds and treats runoff from several Adirondack High Peaks, including portions of Allen, Skylight, Redfield, and Marcy.

The entire wetland complex sits at around 2000 feet in elevation. There are extensive peatlands within this wetland complex and many of the wetland covertypes in the Cowardin classification system are represented, making the habitat very structurally and biologically diverse. Portions of this wetland are classified by the New York Natural Heritage Program (NYNHP) as black spruce tamarack bog and medium fen. NYNHP has also documented Northern bog aster, a New York State threatened plant within this wetland complex and Round whitefish within Upper Ausable Lake, which is listed by New York State as endangered. There is also a great blue heron rookery at the north end of the ponds according to NYNHP. Within this wetland complex, the Boreas Ponds alone contain more than 100 acres of wetland within the mean high water mark, making the complex a value 1 wetland.

Medium Fen/Conifer Swamp along unnamed tributary to Boreas River

Northeast of the Third Pond, old dirt road (referred to by Finch as North Spur) crosses an unnamed tributary to the Boreas River. There is an area of open peatland (medium fen) on the west side of this dirt road dominated by sedges and sweet gale, with lesser amounts of black spruce, red maple, spiraea, speckled alder and dead cedars, which is about 25 acres in size. The medium fen grades into a conifer swamp on the outer edges of the wetland complex. This large wetland complex is also subject to beaver activity, as evidenced by a beaver dam within it, which is visible in 2013 air photos.

Dead Cedar Backwater

On the northeast side of the Boreas Ponds, within the Second Pond, there is a shallow bay of the pond that is a dead forested/shrub swamp wetland. It is dominated by dead cedar trees and leatherleaf. The dead forested/shrub wetland is approximately 15 acres in size within the mean high water mark of the ponds. Two great blue herons and a flock of unidentified ducks were flushed from this wetland during the site visit.

Inland Poor Fen

On the southeast side of the Boreas Ponds, there is an inland poor fen associated with an unnamed tributary to the Boreas Ponds. It is approximately 20 acres in size. It is dominated by sphagnum moss, leatherleaf, Labrador tea, bog rosemary, with tamarack, black spruce and cedar on the outer edges.

Other Value 1 Wetlands:

LaBier Flow/LeClaire Brook

Downstream of the Boreas Ponds along the Boreas River is the LaBier flow wetland, which is associated with the impounded Boreas River and its tributary, LeClaire Brook. Most of the flow is a shallow emergent and deepwater marsh. It is dominated by white water lilies and Brasserie, with some Sporangium. The shoreline is mostly rocky and steep, with a very narrow fringe wetland of sweet gale, leatherleaf and royal fern.

Andrew Brook Tributary

This is a shrub swamp, conifer swamp, wet meadow and emergent marsh along a meandering brook with several beaver dams along its length. A large portion of the wetland is dominated by leatherleaf and is characterized as an open peatland, probably a poor fen.

Andrew Brook

The wetlands along Andrew Brook are similar to that described above for the Andrew Brook tributary, except that the wetlands and ponded areas along the brook are much

larger in scale, with one of the ponds being named as Fly Pond. Some portions of the wetland complex are dominated by sweet gale and leatherleaf, overtopped by *Care* equalities and underlain by sphagnum moss. Other portions are dominated by grasses and sedges or speckled alder and underlain by sphagnum moss. The open peatland is surrounded by conifer swamp. Andrew Brook is a tributary to Wolf Pond, which is a separate value 1 wetland which drains to the Boreas River.

Brant Brook

The wetlands associated with Brant Brook are conifer and shrub swamps with some areas of open peatland within, which are dominated by leatherleaf. This brook is also heavily influenced by beaver, with impoundments creating several ponds within the wetlands complex. Brant Brook enters the Boreas River at a confluence of several other tributaries on the Vanderwhacker Wild Forest to the south of the Boreas Tract. There is another value 1 wetland at this confluence of tributaries with the Boreas River.

Additional Wetlands

There are many other wetland complexes on the Boreas Ponds Tract, which provide the same important functions as the wetlands described above, including flood control, wildlife habitat, sediment filtration, and nutrient storage and cycling. They all have additional aesthetic and educational value, and are havens for biodiversity. All of these wetlands, and the headwater wetlands, in particular, serve to maintain baseflows in streams and rivers downstream. The peatlands, in particular, are providing significant carbon storage, which mitigates the effects of climate change.

Rare, Threatened and Endangered Species and Natural Communities

The Adirondack landscape is largely acidic-granitic. Some rare species are protected in New York State.

Within the Boreas Ponds tract three rare, threatened or endangered species (vascular plants and animals) occur, some with multiple populations. In addition to these three known occurrences of rare species, Purple Crowberry (*Empetrum atropurpureum*) was known to occur historically.

One of the plants identified during the site visits is a NYS protected species. Farwell's milfoil (*Myriophyllum farwellii*) was identified in Boreas Ponds and LaBier Flow and is listed as threatened in Environmental Conservation Law, Section 193.3. Plants listed as threatened are likely to become endangered within the foreseeable future throughout all or a significant portion of their ranges within the State.

Listed below are the rare, threatened and endangered species reported from this tract. It is important to understand that a comprehensive survey of these lands has not been conducted by the staff of the NYNHP and additional species may be present.

Name	US Listed	NY Listed	NYNHP Rank ⁷
Bicknell's Thrush (<i>Catharus bicknelli</i>) Treaty Act	Migratory Bird	SC	
Common Loon (<i>Gavia immer</i>)		SC	G5 S4
Farwell's Milfoil (<i>Myriophyllum farwelli</i>)		U	G5 S2
Northern Bog Aster (<i>Symphotrichum boreale</i>)		T	G5 S2

Additionally, several significant natural community types are documented:

Name	NYNHP Rank
Black Spruce – Tamarack Bog	G4G5 S3
Medium Fen	G3G4 S2S3
Mountain Spruce – Fir Forest	G3 S2S3

Natural communities have no legislative protection.

In 2001, botanist Jerry Jenkins conducted biological surveys of the entire TNC/Finch acquisition lands, including some of the tracts being classified in this action, tracts purchased by the State and tracts that have been protected by conservation easements and are currently privately owned. Jenkins' summary of biological significance does not always follow the NYNHP ranking system and includes regional specialties in addition to State, Global and Federal rankings. Although his summary is not as easily quantifiable as NYNHP surveys, his information is included for a more comprehensive understanding.⁸

Jenkins also documents bryophytes that the NYNHP does not document.

Fisheries

DEC completed fish surveys using backpack electrofishing equipment in 2014 and gill nets in 1983 and 2013 on the Boreas Ponds. Fish collected included the following species: brown bullhead, white sucker, pumpkinseed sunfish, golden shiner, common shiner, eastern blacknose dace, northern redbelly dace and brook trout.

⁷ www.acris.nynhp.org/ranks.php

⁸ www.apa.ny.gov/Research/index.html

DEC reports that 8 fish stocking permits were issued since 1984 and at least 5 different strains of brook trout were released into Boreas Ponds. Brown trout were also stocked in 2008. DEC completed water chemistry analyses on all 3 of the Boreas basins that included pH, temperature and dissolved oxygen profiles. Trout require cold water refugia during the summer months in order to survive; typically, temperatures less than 65F and dissolved oxygen levels above 4 parts per million are required for their long-term survival. All 3 of the basins had sufficient dissolved oxygen and temperatures suitable for long-term trout survival.

It has been confirmed that Boreas Ponds support a population of late spawning suckers (*Catostomus sp.*) which are genetically distinct from the typical white sucker (*Catostomus commersonii*) found in the Adirondack Region. Additional research, including genetics analysis, is necessary to determine if it is a variant, a strain, or new species. The late spawning sucker was listed in 2015 by the NYNHP as a Species of Greatest Conservation Need (SGCN) in the high priority category. This requires maintaining and protecting the population until it can be verified that the species occurs in greater numbers in other waterbodies.

Bird Species

A limited amount of field survey work was conducted to inventory bird species for the Boreas Ponds tract. The NYNHP database and the 2000-2005 New York State Breeding Bird Atlas⁹ were reviewed for this parcel. The Breeding Bird Atlas is the most comprehensive, statewide survey available which reveals the distribution of breeding birds in New York.

The NYNHP has records of Common Loons and Bald Eagles (historical). Jenkins found 9 boreal bird species in the Boreas Ponds tract. Jenkins notes that the Boreas Ponds and associated wetlands had the greatest diversity of boreal bird species, with 9 of the 12 total [boreal species observed on all of the Finch lands surveyed] occurring there and that Boreas Ponds was one of only two sites in the study where substantial numbers of individual birds were observed. Jenkins also found five species of breeding waterfowl. The 2000-2005 New York State Breeding Bird Atlas recorded over 100 species of birds within the Boreas Ponds tract vicinity. Interior forest species, such as red-shouldered hawk, northern goshawk, eastern wood-pewee and scarlet tanager were recorded in several of the blocks overlapping the Boreas Ponds tract.

Invasive Species

⁹ McGowan, K.J., & Corwin, K. (2008). The Second Atlas of Breeding Birds in New York State. Ithaca, NY: Cornell University Press.

Invasive species are defined as non-native species that pose serious threats to our native species and ecosystems.

The New York iMapInvasive database was evaluated and it was determined that no aquatic or terrestrial invasive species have been reported. New York iMapInvasives is an online GIS-based data management system that is managed by the NYNHP. However, Agency staff did observe the invasive species, spotted knapweed (*Centaurea maculosa*), on the earthen dam at LaBier Flow during the August 2016 site visit.

Non-native forest pests and diseases are present in the pre-dominantly northern hardwood forests of this tract. Beech bark disease, caused by a scale insect (*Cryptococcus fagisuga*) originating in Europe, in conjunction with a fungus (*Nectria coccinea* var. *faginata*), has severely impacted beech stands throughout the Eastern United States, and is present on this tract. Balsam wooly adelgid (*Adelges piceae*) is a tiny sucking insect of European origin, having localized impacts on balsam fir stands. Gypsy moth (*Lymantria dispar dispar*) is a destructive defoliator which inhibits the health of hardwood stands.

Emerald ash borer (*Agrilus planipennis*), hemlock wooly adelgid (*Adelges tsugae*) and Asian longhorned beetle (*Anoplophora glabripennis*) are invasive forest pests known regionally, but not reported on this tract, or in any Adirondack forests. But their presence in the vicinity is of concern to forest managers, and is a challenge in maintaining the long term health of native forest species.

INTANGIBLE CHARACTERISTICS

The APSLMP directs that certain intangible considerations be considered when classifying land:

... another significant determinant of land classification involves certain intangible considerations that have an inevitable impact on the character of land. Some of these are social or psychological--such as the sense of remoteness and degree of wildness available to users of a particular area, which may result from the size of an area, the type and density of its forest cover, the ruggedness of the terrain or merely the views over other areas of the Park obtainable from some vantage point. (APSLMP, pages 13-14).

The Adirondack Park provides a wide spectrum of opportunities for remoteness and recreation. The addition of slightly more than 50,000 acres of land, much of it adjacent to existing Forest Preserve and in particular, the High Peaks Wilderness, provides the public with new opportunities for experiencing remoteness. The sense of remoteness can be affected by noise intrusion.

The vast range in size, character and location of the many tracts of land being classified by this action defies broad generalizations. The largest tracts, however, are not alone in offering significant new opportunities for visitors to the Adirondacks to enjoy deeply

rewarding experiences that can be gained from outdoor recreation. A variety of the smaller and medium-sized unclassified tracts lie within the boundaries of existing Forest Preserve areas, contiguous with inholdings already classified; these will also add valuable acreage for recreational exploration and a sense of wildness and remoteness.

ESTABLISHED FACILITIES AND RETAINED RIGHTS

Structures and Improvements

The Boreas Tract contains unpaved forest management roads as well as several camps associated with private clubs. The State did not purchase these structures with the land, and according to the terms of the leaseholder agreements they will be removed by the lessees by September 30, 2018, or by the previous owner by October 1, 2019.

Finch Pruyn, previous owners of the Boreas Ponds Tract, built a wooden lodge on the property as a corporate retreat in 1996. The lodge was located on the south side of the Boreas Ponds. It was removed during the summer of 2016.

The Boreas Ponds tract also contains a log cabin, numerous abandoned gravel pits and two dam impoundments.

Historic Structures

The State did not acquire the camp buildings other than the Boreas Ponds Log Cabin. Several leased camp buildings remain on these lands under leases held by The Nature Conservancy. All camp buildings on the property are scheduled to be removed after the leases expire in 2018. A bond has been established to insure that the structures are removed.

The Department has requested a determination of eligibility on the State and National Register of Historic Places from the NYS Office of Parks Recreation and Historic Preservation (OPRHP) for the Boreas Ponds Log Cabin.

The ultimate disposition of the Boreas Ponds Log Cabin will be determined by the Unit Management Planning process. Historic classification under the Adirondack Park State Land Master Plan was not considered at this time for the Log Cabin because one of the requirements for this classification is that the structure must already be either on the National Register of Historic Places or be recommended for listing by the NYS Board for Historic Preservation. Neither of these requirements has been met. In addition, the State must make a commitment of resources to manage the location primarily for historic objectives (APSLMP, page 41).

Deeded and Other Rights

When the state acquired these lands, there were existing recreational leases for camps. A table showing the leases is set out below. Each lease provides for road access to the camp building(s), and limits the leased area to a one-acre envelope around the camp buildings. Most of the leases have renewable one-year terms expiring in 2018. The Nature Conservancy has also reserved easements to access the lands by motorized means beyond the lease terms to manage and police the leaseholds and for the removal of any remaining structures. The Nature Conservancy has provided a performance bond for the removal of all structures as required by the leases and the purchase agreement between DEC and The Nature Conservancy.

This summary of easements, leases and other rights is not intended to be a full description of the rights and encumbrances on the Boreas Ponds tract. For complete descriptions, refer to the deeds recorded in the offices of the County Clerk for the County in which the property is located.

Table 3 lists leases issued to private parties on the Boreas Ponds Tract.

Table 3: Boreas Ponds Tract Leases

TRACT NAME	CLUB NAME	TOWN	COUNTY
Boreas Ponds Tract	Brace & Brook Sportsmen	Newcomb	Essex
Boreas Ponds Tract	Boreas River Club	Newcomb	Essex
Boreas Ponds Tract	Boreas Area Lease (Finch Paper)	North Hudson	Essex
Boreas Ponds Tract	Ragged Mountain Fish & Game Club, Inc.	North Hudson	Essex
Boreas Ponds Tract	Niagara Flow Conservationists Association	North Hudson	Essex
Boreas Ponds Tract	Wolf Valley Club	North Hudson	Essex
Boreas Ponds Tract	Slide Brook Club	Newcomb/North Hudson	Essex
Boreas Ponds Tract	Finch Paper, LCC	North Hudson	Essex

The recreational leases on the Boreas Ponds Tract include a series of extensions and expire on September 30, 2018, unless terminated earlier under the terms of the leases. The Nature Conservancy's easement to enter the lands to manage the leaseholds expires on October 1, 2019.

Prior to transferring title to the State, The Nature Conservancy granted an easement, titled a "Conservation Easement" to the Towns of North Hudson and Newcomb ("Towns") for "non-exclusive right of access and to allow others non-exclusive access to facilitate access to the Property for public recreational use." The Towns must obtain a permit from DEC annually, with access granted in the sole discretion of DEC on an annual basis. DEC may determine that frequency of access on roads "which may be designated for public motorized use." Any other person or entity authorized in the DEC permit to the Town(s) must also obtain a separate permit from DEC. The easement also grants the Towns a non-exclusive right-of-way and road easement on roads and existing and former road corridors designated in a DEC permit for administrative and emergency purposes. Administrative access is defined as access required to perform executory functions necessary to implement the Towns' rights set forth in the easement, e.g. road maintenance, inspection or search and rescue.

The easement also grants the Towns a non-exclusive right to mine gravel from LaBier Flow Pit and Brace Brook Pit, solely for purpose of maintaining roads, trails, and infrastructure within the Boreas Ponds Tract. The gravel pits are limited to one acre; the Towns may only use the gravel on the Boreas Pond Tract, and the right is terminated when the pits are exhausted. The Towns may use Gulf Brook Road and Boreas Ponds Road to access the gravel pits, subject to a work plan and DEC permit. The easement makes it clear that ownership of the road bed remains with grantor, The Nature Conservancy and now the State, and that no public highway is created by the easement.

ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

Physical, biological and intangible impacts may result from the proposed classification action. The FPEIS lists general impacts associated with amendments to the APSLMP:

- A.** Changes in existing use or levels of use which exceed the physical, biological or social carrying capacity of State lands could result in significant adverse impacts on the natural resources and open space character of State lands.

The proposed action involves the classification of recently acquired lands and reclassification of existing State lands. The APSLMP prescribes types of permissible uses in each category, but it does not specifically control the levels of use beyond providing very general management guidelines. Careful application of guidelines in the APSLMP, through this classification process and as applied through the UMP process, should prevent significant adverse environmental impacts caused by types or levels of use.

- B.** Diminishment in quality of recreational opportunities requiring vast acreages of open space, such as hunting, backpacking and wilderness canoeing, could cause significant adverse economic impacts.

The newly acquired lands were previously not open to the public and any new recreation taking place on these lands will be new activity on those lands. There will be no diminishment of existing public activity in this action.

- C.** Diminishment in area of lands designated Wilderness, Primitive or Canoe would significantly decrease the availability of primitive recreational opportunities which are at present extremely limited in New York State and rare in the Northeastern United States.

This action includes classification proposals which increase the amount of Wilderness and Primitive in the Park, therefor offering increased opportunities for primitive recreation. This action also includes the reclassification of land to less restrictive category; however this acreage is less than is being added to Wilderness and Primitive.

- D.** The designation of large tracts of State land as Wilderness, Primitive or Canoe provides the unusual opportunity for the reintroduction of extirpated species of wildlife which require significant acreages of habitat essentially undisturbed by man.

The alternatives described in this document include classifying large tracts of land as Wilderness and Wild Forest. The reintroduction of extirpated species is possible, but the feasibility needs to be analyzed through the UMP process. The reintroduction of certain extirpated species may not be limited to Wilderness, Primitive or Canoe classifications, but may also be possible within areas classified as Wild Forest.

- E.** Deterioration of the quality or character of Wilderness, Primitive or Canoe area resources could adversely impact the educational and research values of those areas.

This action includes classification proposals which increase the amount of Wilderness to the Park, therefor offering increased opportunities for education and research in those areas.

- F.** Deterioration in the quality of the natural or scenic resources of State lands could adversely affect the Park economy.

This area includes several natural and scenic resources, including lakes and ponds with high quality fisheries, mountains, and several miles of undeveloped rivers. The extent of the impacts to these resources on the Park economy will depend on the level and

type of use of the land, which may be controlled through both the classification and UMP process.

However, threats to the natural resources of these lands through over or improper use could lead to their deterioration. Included in these threats is that of invasive species, both terrestrial and aquatic. Deterioration of the natural resources could directly impact tourism and the local economy.

G. Potential Impacts Of Classification Options

Improper classification of these lands could result in management actions that could diminish the overall quality of the natural resources.

The Department is bound to guidelines of each classification when developing UMPs as defined in the APSLMP. These guidelines vary from one classification category 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, page 1)

Unavoidable Adverse Environmental Effects

Most adverse impacts upon the resource quality and character of State lands within the Park as the result of land classification are avoidable. Strong guidelines for the classification of State lands protect resource quality and character from overuse and degradation while still providing public recreational use opportunities.

Further protection of these resources will be addressed in the UMP process.

Measures To Mitigate Potential Adverse Environmental Effects

The APSLMP is designed to allow only those uses of State land that will not degrade resource quality or character. The discussion of alternatives in the FSEIS allows the Agency to evaluate the various classifications and the potential adverse impacts of those classifications. The only means of mitigating impacts is the selection of more restrictive classifications. Therefore the discussion of alternatives is the discussion of mitigation.

DEC can manage land more restrictively than the guidelines in the APSLMP prescribe. The UMPs for these areas should address potential impacts and prescribe management that would mitigate impacts to the greatest extent possible to specific areas deserving of special protection.

Effects on the Use and Conservation Of Energy Resources

The proposed classification alternatives have no measureable effect on the use or conservation of energy resources.

Irreversible and Irretrievable Commitments of Resources

The classification of these lands itself does not provide irreversible or irretrievable commitments to the resources.

Growth Inducing Aspects of Proposed Action

The APSLMP provides alternatives for a diversity of recreation opportunities within the Park, which can have a positive impact on the local economy and the demand for local services. The number of visitors is affected by various factors including destination marketing programs and visitor accommodations.

The recreation and tourism industry is the backbone of the Adirondack economy. Lodging, food and automobile services provide the primary source of income from this industry. Recreational equipment supply stores also benefit significantly from the recreational opportunities available on State lands. These expenditures result in jobs and have a multiplier effect when the original expenditure is used to buy additional goods and services within the Park.

Economic Impacts of the Proposed Action

SEQRA requires that a "suitable balance of social, economic and environmental factors be incorporated into the planning and decision-making processes of State, regional and local agencies." The diversified land classifications incorporated in the Classification Package provide for a balance of social, economic and environmental considerations through the accommodation of a diversity of outdoor recreational uses on the impacted lands. The allowance of numerous recreation activities across the region will help to maximize visitation to the Adirondack Park and attract new spending in local and regional businesses.

Visitation to the Adirondack Park is critical to the local, regional and State economies and visitors to the Adirondack Park are attracted by a variety of factors including outdoor

recreation, shopping and dining, relaxation, and scenery viewing. Those seeking outdoor recreation opportunities participate in a wide variety of activities ranging from hiking, canoeing/kayaking, and fishing in the warmer months to cross-country skiing, snowshoeing and snowmobiling in the winter. The Adirondack Partnership's Adirondack Park Recreation Strategy points out the most successful way to attract the largest amount of visitors to the region is by providing access for a full range of recreation activities. It is also necessary to ensure that different recreation activity participants do not cause use conflicts that may prevent one user group or another from being attracted to an area. This Classification Package seeks to allow a broad spectrum of recreation groups on the newly acquired State lands while accounting for and mitigating use conflicts through varying classifications.

Every land classification will provide for a range of recreation opportunities on lands previously unavailable to the public. Specific facilities and activities will be contained in appropriate UMPs prepared by DEC which are reviewed for conformance with the APSLMP by the Agency. The diversity of classifications allows for a range of uses that can be marketed and programmed to attract visitors. To ensure that adequate recreation amenities are included in UMPs, it is essential that local communities and constituents participate in DEC's unit management planning process.

CLASSIFICATION AND RECLASSIFICATION

Maps and descriptions have been created for each parcel being classified or reclassified. Each map has a description of the parcel and an analysis of why Agency staff are recommending the proposed classification category or categories. The proposals which do not have an alternatives analysis are listed, mapped and described in Appendix A.

In addition, a more detailed narrative and alternative maps are provided for the Boreas Ponds Tract.

The No Action Alternative was considered for the new acquisitions but rejected because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands proposed to be reclassified is to leave those lands classified in their current classifications, as described in the current APSLMP.

Alternatives for the Boreas Ponds Tract

There is no preferred alternative proposed for the Boreas Ponds tract.

Actions common to all Boreas Ponds Tract Alternatives:

There would be two State Administrative Areas where rights were given for the removal of gravel. The Towns of North Hudson and Newcomb have been granted an easement to access and mine gravel from two gravel pits on the Boreas Ponds Tract. The gravel pits are limited in size to a maximum of one acre. The easement limits gravel extraction for the sole purpose of facilitating the maintenance of road, trail and infrastructure within the Boreas Tract, subject to a DEC permit and “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit.” The gravel pits would be classified State Administrative but would be reclassified once the gravel pits are deemed exhausted. These two new State Administrative Areas would be named LaBier Flow State Administrative Area and Boreas Pond Road State Administrative Area.

For all of the alternatives, the designation of an appropriate special management area can be considered for any Wild Forest lands which may require special management to reflect unusual resource or public use factors, such as those areas surrounding or adjacent to Boreas Pond or LaBier Flow. Specific unit management plans, developed either independently or as part of the unit management plan for the major land classification within which they lie, can call for more restrictive measures for public access and use within the designated special management area than those appropriate for other areas classified as Wild Forest.

Boreas Alternative 1 – Map 4

Lands five hundred (500) feet north of the Gulf Brook and Boreas Pond Roads, the roads themselves and the land south of the roads would be classified as Wild Forest and added to the Vanderwhacker Mountain Wild Forest unit. The 500 foot setback north of the Gulf Brook and Boreas Pond Roads facilitates management practices being identical on both sides of the roads, limiting possible confusion by users.

Lands north of the intersection of Boreas Pond Road and Gulf Brook Road, aka the Four Corners, including the road to the Boreas Pond Dam, a woods road that circles the Boreas Ponds, the land between the woods roads and the ponds and the ponds themselves would be classified as Wild Forest.

Lands north of the Four Corners outside of the area classified as Wild Forest would be classified as Wilderness.

Boreas Alternative 2 – Map 5

Lands five hundred (500) feet north of the Gulf Brook and Boreas Roads, the roads themselves and the land south of the roads would be classified as Wild Forest and added to the Vanderwhacker Mountain Wild Forest unit. The 500 foot setback north of the Gulf Brook and Boreas Pond Roads facilitates management practices being identical on both sides of the roads, limiting possible confusion by users.

Lands north of the Four Corners including the waters of Boreas Ponds would be classified as Wilderness, except for the Wild Forest Area described below.

The Wild Forest Area proposed in Alternative 2 would enable access to the Boreas Pond Dam and an area surrounding the dam necessary for maintaining the dam. The Wild Forest Area would run north of the Four Corners to the Boreas Dam. The western boundary of this area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes.

Boreas Alternative 3– Map 6

The boundary between Wild Forest and Wilderness would begin from a point on the Gulf Brook Road 2.27 miles north of County Route 2. The boundary would extend generally easterly towards Wolf Pond Mountain. The boundary would also extend generally westerly following water courses and land forms, crossing the Boreas River and continuing westerly towards the tract boundary south of Trout Pond.

The majority of lands north of this boundary including the waters of Boreas Ponds would be classified, or reclassified, as Wilderness. The Gulf Brook Road, and an associated 50 foot wide corridor, 3.16 miles in length to the Four Corners Area would be classified as Wild Forest.

The Wild Forest Area north of the Four Corners would enable access to the Boreas Ponds Dam and an area surrounding the dam necessary for maintaining the dam. The western boundary of this Area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this Area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes. The Wild Forest Area would also continue west from Four Corners for 1.31 miles on the Boreas Pond Road to the Boreas Pond Road State Administrative Area (gravel pit).

The Wild Forest Area proposed in Alternative 3 would enable access to the two State Administrative Area gravel pits and the Boreas Pond Dam.

Boreas Alternative 4 – Map 7

The boundary between Wild Forest and Wilderness would begin from a point on the Gulf Brook Road 2.27 miles north of County Route 2. The boundary would extend generally easterly towards Wolf Pond Mountain. The boundary would also extend generally westerly following water courses and land forms, crossing the Boreas River and continuing westerly towards the tract boundary south of Trout Pond.

The Primitive Area north of the Four Corners would enable access to the Boreas Ponds Dam and an area surrounding the dam necessary for maintaining the dam. The western boundary of this Area would be 500 feet west of the Boreas Pond Road. The eastern boundary of this Area is depicted on the map and includes an area east of the dam and north of the flow established for dam maintenance purposes.

The 50 foot wide Wild Forest corridor would continue west from Four Corners for 1.31 miles on the Boreas Pond Road to the Boreas Pond Road State Administrative Area (gravel pit).

The section of the Boreas Ponds Roads located within the Primitive Area would qualify as a State Truck Trail (aka Administrative Road). Primitive Area guidelines state that "...bicycles may be used on existing roads legally open to the public and on state truck trails specifically designated for such use by the Department of Environmental Conservation as specified in individual unit management plans" (APSLMP, page 28).

Table 1 shows the classification acreage of the Boreas alternatives discussed in this DSEIS:

Table 1: Boreas Ponds Tract Alternatives: Acreage Figures

Alternative	Wilderness	Wild Forest	Primitive	State Admin
	Total Acres* (Acres of New Classification/Acres of Reclassification)			
Boreas Ponds 1	10,178	10,364		2
Boreas Ponds 2	11,323	9,220		2
Boreas Ponds 3	14,669 / 1,337	5,873		2
Boreas Ponds 4	14,669/ 1,337	5,755	118	2

*Acreages are approximate

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APPENDIX

A. Summary Table and Maps