

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:



Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Reasons Supporting this Determination for a Negative Declaration of Significant Adverse Environmental Impact (Expanded Narrative):

The Adirondack Park State Land Master Plan (APSLMP or Master Plan) and the Final Programmatic Environmental Impact Statement Guidelines for Amending the Adirondack Park State Land Master Plan (1979) (FPEIS) provide standards and guidelines for amending the APSLMP and describe potential environmental impacts related to such actions. The FPEIS guidelines for amending the APSLMP are mitigatory measures designed to encourage amendments which will offer further protection to state land resources.

1. Classification of Recent Acquisitions

The 2024 proposed amendments to the APSLMP include the classification of one parcel, the Four Peaks tract, a 585-acre property recently acquired by the New York State Department of Environmental Conservation (DEC or Department).

With respect to the classification of recent acquisitions, the FPEIS provides that, in most instances, “recent acquisition classification is a simple matter as the parcel lies surrounded by or immediately adjacent to previously classified State land” and the acquisition “would then be classified the same as the adjacent State land.” FPEIS at 24. “Usually classification is obvious, as most acquisitions are small in size and lie adjacent to existing State land. In such cases, the acquisitions will generally be classified the same as adjacent State land.” FPEIS at 41. The FPEIS further states: “Small tracts of Forest Preserve land which are surrounded by private lands should generally be classified as Wild Forest.” FPEIS at 25. The APSLMP also directs the Adirondack Park Agency (APA or Agency) to consider physical characteristics when making a classification determination, including soils, slopes, elevation, and water resources. APSLMP at 14.

The Four Peaks tract is in the northeastern part of the Adirondack Park (Park) in the Towns of Jay and Wilmington. The parcel is surrounded primarily by private land classified as Resource Management under the Adirondack Park Agency Land Use and Development Plan, except on its western edge where it abuts state land known as the Beaver Brook tract, part of the Wilmington Wild Forest.

The property ranges in elevation from approximately 950 feet to approximately 1,950 feet at its highest point near the summit of Ebenezer Mountain (the true summit is not included in the recent state land acquisition). The underlying geology is comprised of limestone and anorthosite bedrock. According to USDA Natural Resource Conservation Service data, the soils on the property include bouldery and rocky moderate to well drained soils characteristic of hillsides and mountainsides; the parent material is a loamy till derived from gneiss. The property also contains approximately 10 acres of APA-jurisdictional palustrine, forest broad-leaved deciduous and broad-leaved deciduous shrub wetlands.

This property was identified in the 2016 New York State Open Space Conservation Plan and includes the potential to expand existing recreational opportunities from the Beaver Brook trail network. “Adding this parcel to the Forest Preserve has the potential to expand hunting, mountain biking, hiking, cross-country skiing, and other outdoor recreation opportunities for the public. The property and the trails will link the

communities of Jay and Wilmington to common public resources on which the local recreation and tourism economy depends.” 2016 NYS Open Space Conservation Plan at 126.

Based on the size of the Four Peaks tract, the private and state lands that surround it, physical characteristics, the land’s capacity to withstand use, and the classification guidance set forth in the APSLMP and FPEIS, the Agency has determined that the appropriate state land classification for the property is Wild Forest.

The strong guidelines for the classification of State lands set forth in the APSLMP and FPEIS protect resource quality and character from overuse and degradation while still providing public recreational use opportunities. Appropriate classification of newly acquired parcels thus serves to avoid significant adverse environmental impacts upon the resource quality and character of State lands within the Park and adherence to these guidelines serve as mitigatory measures.

The Agency maintains its regulatory jurisdiction over the Park’s wetland resources, regardless of state land classification. This regulatory tool serves to further protect water resources from adverse environmental impacts associated with potential development activities on lands under any of the nine state land classifications.

Moreover, the classification of these lands itself does not provide irreversible or irretrievable commitments to the resources. This classification action does not authorize the development of new uses, structures, or improvements without prior Unit Management Plan (UMP) review and assessment by the Department and the Agency. UMPs can prescribe management to further mitigate any potential impacts on specific areas deserving of additional protection.

For the reasons described above, the proposed classification of the Four Peaks tract as Wild Forest will not result in any significant adverse environmental impacts.

2. Alteration of Guidelines for Management and Use

Pursuant to the FPEIS, the APSLMP’s guidelines for management and use should, among other things: 1) Attempt to provide the highest possible quality recreational experiences for each land classification; 2) Allow only those minimum recreational and administrative facilities necessary to provide such high quality recreational experiences; 3) Provide for restoration and rehabilitation of lands designated Wilderness, Primitive, and Canoe areas which do not now meet Wilderness, Primitive, or Canoe area standards due to excessive levels of use or the existence of non-conforming uses; and 4) Require that conforming uses be designed and constructed of materials in a manner that causes no significant effects on the physical or biological resources and which do not intrude upon the wild character of such lands. FPEIS at 30-31.

Wilderness

The 2024 APSLMP amendments package proposes adding two items to the list of structures and improvements that will be considered conforming in Wilderness areas: beaver control structures and horse mounting platforms constructed of natural materials. *See Proposed Amendment Redline (Redline) at 26.* Beaver control structures would be permitted where beaver activity threatens damage to facilities such as trailheads, parking areas, fishing and waterway access sites, picnic areas, and ranger stations, or to adjoining roads and railroad corridors, adjoining private lands, or trails within 500 feet of a public highway right-of-way. Additional proposed language clarifies that right-sized culverts, bridges, and trail relocations should be priority solutions for managing beaver activity.

With respect to non-conforming structures in Wilderness areas, the proposed amendments include removing language with outdated deadlines. *See* Redline at 26. Further, additional language under “Motor vehicles, motorized equipment and aircraft” would add a guideline allowing for a case-by-case evaluation by the Agency for proposed off-peak season motor vehicle use by administrative personnel to remove non-conforming structures or improvements after a given phase-out period. *See* Redline at 28. Both proposed changes serve to increase the long-term environmental quality of Wilderness areas.

Primitive

As with the proposed changes described for Wilderness, language with outdated deadlines would be removed. *See* Redline at 31. Beaver control structures would also be considered a conforming improvement in Primitive areas. *See* Redline at 33.

Wild Forest

Outdated deadlines would also be removed here. *See* Redline at 38. Beaver control structures and bicycle trails would be added to the list of conforming structures and improvements. *See* Redline at 39, 40.

Historic

The proposed addition of the words “and preservation” to basic guideline number three reflects the fact that preservation activities (e.g., stabilization, restoration, etc.) may occur in Historic areas. *See* Redline at 49. Although different from construction and development activities currently included in the basic guideline, preservation activities would still be required to adhere to the same basic guidelines of avoiding wetlands, minimizing topographic alterations, limiting vegetative clearing, and preserving the scenic, natural open space resources of the Historic area.

The above proposed changes adhere to the guidelines for management and use set forth in the FPEIS by allowing for APSLMP revisions that will provide for high-quality recreational experiences for different land classifications, restore and rehabilitate lands that may still contain non-conforming uses, and require that conforming uses be designed and constructed of materials that cause no significant effects on physical or biological resources and do not intrude upon the wild character of such lands.

For the reasons described above, the proposed changes to the APSLMP’s guidelines for management and use will not result in any significant adverse environmental impacts.

3. Alteration of Existing Classification Definitions

The FPEIS states that existing classification definitions “[s]hould not be altered except for purposes of clarification.” FPEIS at 31. The proposed changes to existing classification definitions in the current amendment package pertain only to the definition of the Historic classification.

The proposed alteration of language clarifies the existing definition to reflect the need and interest to classify as Historic 1) properties listed on either the State or National Register of Historic Places, as well as 2) properties listed as National Historic Landmarks. Because the Landmark program predates the Register program, a location may be a Landmark but not a Register site. The proposed change therefore clarifies that Landmarks may be included in the Historic classification. *See* Redline at 48.

The Adirondack Forest Preserve is itself a designated National Historic Landmark that contains within it several historic sites classified Historic under the current definition in the APSLMP. Thus, question 10 in Part 2 of the FEAF was answered in the affirmative. However, because the change to the classification definition of Historic areas in the Park are proposed for clarification purposes in accordance with the

FPEIS and will serve to enhance protection and preservation efforts in these unique areas, these proposed changes will not result in any significant adverse environmental impacts.

4. Alteration of Introductory Guidelines

Introductory guidelines set forth policy for items such as land acquisition, land exchange, plan revision and review, invasive species, and unit management plan development. *See* FPEIS at 32. The proposed changes to these sections in the current amendment package include the additions of sections on Accessibility and Climate Change, and alterations to language concerning Unit Management Plan Development, including an explanation of the Visitor Use Management Framework.

Accessibility

The proposed additional section on Accessibility offers a brief overview of how various statutes, regulations, standards, and guidance may apply to management actions within the Adirondack Park. *See* Redline at 13.

Climate Change

The proposed additional section on Climate Change highlights the goals of the New York State Climate Leadership and Community Protection Act (CLCPA) and Scoping Plan, and briefly describes how policy and planning decisions in the Park should be viewed through the lens of climate change mitigation, adaptation, and resilience. This section also includes examples of how UMPs should assess and plan for climate change vulnerabilities. *See* Redline at 12-14.

Unit Management Plan Development

The proposed changes to this section add language that requires UMPs to contain an inventory of structures and improvements that are consistent with accessibility standards. *See* Redline at 10. The changes also describe application of the visitor use management framework as a method for addressing the APSLMP's references to carrying capacity and explain how the state should employ the framework in the UMP process. *See* Redline at 11. The proposed changes also remove language that suggests accessible opportunities are restricted to certain land classifications and further calls for management objectives to contain the identification of actions that can improve access for persons with disabilities and a description of how management actions will plan for climate change vulnerabilities. *See* Redline at 12.

These proposed changes are consistent with the directive to include guidelines in the APSLMP that specify the format and procedure for development of UMPs. *See* FPEIS at 33. The additional sections on Accessibility and Climate Change, as well as discussion of Visitor Use Management, serve to stress the importance of incorporating these initiatives into the UMP development process to achieve better long-term planning and management of the Park.

The addition of the proposed language described above should result in greater environmental protection throughout the Park and will not result in any significant adverse environmental impacts.

5. Alteration and Addition of Definitions

The APSLMP defines recreational and administrative facilities such as foot trails, lean-tos, and ranger stations, and contains definitions for terms such as natural materials, non-conforming uses, and wetlands. "Changes in definitions would generally be clarificatory in nature, thereby facilitating public understanding of the Plan. Altering a definition is usually an insignificant action." FPEIS at 44.

The proposed amendments include additional definitions for the following: beaver control structure, other power driven mobility device (OPDMD), and wheelchair. *See* Redline at 19, 21, 23. As discussed above

with respect to guidelines for management and use, beaver control structures are a necessary tool in managing for related flooding impacts to infrastructure that cannot be moved or re-routed. The added definitions for OPDMDs and wheelchairs are consistent with applicable laws and regulations and necessary to integrate accessibility standards into Park planning and management.

Clarifying changes are also proposed for the following existing definitions: motor vehicle, primitive tent site, and wildlife management structure. *See* Redline at 20, 21, 23. The present definition of wildlife management structures limits their use to the protection or restoration of threatened or endangered species, which would not include species of special concern such as loons. The proposed clarification remedies that limitation and should serve to improve research efforts and protection for additional species without materially altering the character or resource quality of the land. The updated definition of primitive tent site adheres to approved guidance.

The proposed additions and clarifying changes to the existing definitions in the APSLMP are consistent with the guidelines of the FPEIS and serve to enhance the understanding of the APSLMP for both the public and land managers. For these reasons, these proposed amendments will not result in any significant adverse environmental impacts.

6. Alteration of Area Descriptions and Delineations

The FPEIS notes that changes to Area Descriptions and Delineations “are not significant since this section is merely a description of the State lands classified by the [APSLMP].” FPEIS at 33.

The proposed changes in this sections include a correction to the description of the Raven Lake Road Primitive Area and an updated description of the Wilmington Wild Forest that would incorporate the proposed classification of the Four Peaks tract discussed above. *See* Redline at 100, 120-121.

These alterations will offer more accurate descriptions and delineations of state lands within the Park and will not result in any significant adverse environmental impact.

Conclusion

The unifying theme of the Adirondack Park State Land Master Plan is that protection and preservation of the natural resources of state lands within the Park must be paramount. Human use and enjoyment of state 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 at 1. Indeed, “[t]he entire Master Plan is designed to allow only those uses of State land which will not degrade resource quality or character.” FPEIS at 38.

The 2024 proposed amendments to the APSLMP reinforce these themes and are in alignment with the FPEIS guidelines, which themselves serve as mitigatory measures. *See* FPEIS at 38. As such, the amendments aim to strengthen understanding and implementation of land management strategies that are protective of the wide array of environmental resources within the Park. The proposed amendments are consistent with the Agency’s responsibilities for the long-range planning for State lands within the Park and will help strengthen the analysis of management decisions, thereby mitigating against potential negative impacts that could otherwise arise in the future.

The driving force behind these amendments is to better prepare for future challenges and risks and to mitigate proactively against environmental impacts that lead to impairment of air and water quality, or result in erosion, flooding, habitat loss, species decline, and degradation of open space and recreational resources.

The proposed amendments if adopted and implemented would have positive impacts on the environment and should serve to decrease the magnitude, importance, duration, and scale of any potential future adverse negative impacts that could result within the Park.

Based on the information and reasons set forth above, in Parts 1 and 2 of this Full Environmental Assessment Form, and in all the publicly available relevant materials, the Agency finds that the 2024 proposed amendments will increase environmental protection and improve resource management and will not result in any significant adverse environmental impacts.