



**Adirondack
Park Agency**

APSLMP Amendments: Proposed Final Package

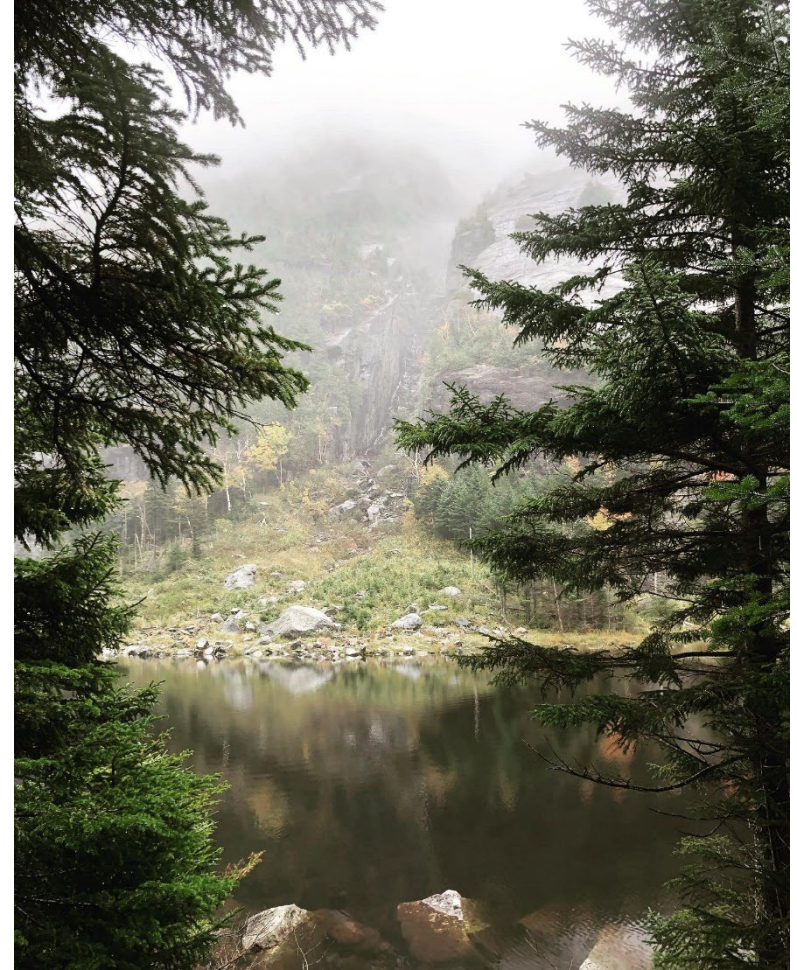
Summary of Public Comments & Changes to the Text of the APSLMP

June 13, 2025



Outline

- Summary of work to date
- Explanation of changes from draft to proposed final SLMP text
- Summary of public comments, by theme
- Next steps (for future meeting(s))
- Questions and discussion – no action needed today



Trap dike on Mt. Colden, High Peaks Wilderness

Work to Date

- May 2024 – initiation memo from APA to DEC with draft redline
- June 2024 – APA receives feedback from DEC
- June/July 2024 – 5+ work sessions to discuss DEC feedback
- Sept 2024 – APA board presentation, SEQRA authorization
- Oct 2024 – APA issues neg dec, kicks off 60-day comment period, hosts 3 public hearings
- Dec 2024 – comment period closes
- Jan-April 2025 – APA reviews comments, drafts responsiveness doc, makes changes to draft redline
- April 30, 2025 – APA sends memo to DEC with proposed final redline
- June 6, 2025 – APA posts mailing for 6/13 Agency meeting

Proposed Final Package: Summary of Changes

Proposed Final Package: Summary of Changes

- Replacing quote from Oren Lyons, per his request
- Removing OPDMD references, retaining other accessibility language
- Clarifying climate change language
- Clarifying VUM language, reflecting IVUMCF language more closely
- Clarifying and correcting beaver control structure language
- Revising language about removal of UMP deadlines

Proposed Final Package: Quote

"Once silence stretched over the Adirondack Mountains from shore to shore, peak to peak, like a velvet mantle. It was broken by wind soughing through great white pines, by August thunderstorms and February blizzards. It was disrupted by trout splashing, deer snorting, owls hooting, and coyotes yipping. These sounds melded and molded with silence, and have been here for 10,000 years and more."



Quote by Anne LaBastille
from "The Wilderness World of Anne LaBastille
– In Celebration of the Adirondack Park
Centennial"

*Photo from the Community Foundation of Herkimer
and Oneida Counties*

Proposed Final Package: Accessibility

Introduction Section:

The Americans with Disabilities Act of 1990 (ADA), the Architectural Barriers Act of 1968 (ABA), Section 504 of the Rehabilitation Act of 1973, **and their implementing regulations**, have implications for the management of the Adirondack Forest Preserve. The ADA requires, in part, that each service, program and activity offered by state agencies be made accessible to and usable by persons with disabilities, unless doing so would result in a fundamental alteration of the nature of the service, program or activity or an undue financial and administrative burden.

~~DEC uses~~ **The State of New York adheres to the ADA Title II regulations (28 CFR Part 35) and accessibility standards, along with the relevant provisions of the ABA and Section 504, in planning, designing, renovating, constructing and managing state land.** ~~the accessibility standards issued under the ADA and ABA in designing, constructing, and altering buildings, sites, and outdoor recreation facilities. In keeping with ADA Title II regulations on mobility devices (CFR § 35.137)~~ **Consistent with 28 CFR § 35.137**, wheelchairs are allowed on state lands anywhere that pedestrian access is permitted. ~~The DEC is responsible for interpreting federal regulations and guidance to determine where the use of Other Power Driven Mobility Devices (OPDMDs) may be appropriate.~~

Proposed Final Package: Climate Change

In the 2019 Climate Leadership and Community Protection Act (CLCPA or Climate Act), New York State committed to reducing greenhouse gas (GHG) emissions and ultimately achieving net zero emissions in the state. The Climate Act requires all state agencies to consider whether the issuance of permits or other approvals are “inconsistent with or will interfere with the attainment of the statewide greenhouse gas emissions limits established in Article 75 of the Environmental Conservation Law.” CLCPA, Ch. 106, Laws of 2019 §7(2).

The Climate Action Council’s Scoping Plan lays out a roadmap to meet the Climate Act’s nation-leading goals and requirements. The Plan describes strategies across various sectors, including cross-cutting policies concerning land use, adaptation, and resilience. Such strategies include maintaining intact forests and wetlands as carbon sinks and ensuring resilient and connected landscapes for species whose ranges are shifting.

For the lands subject to the guidelines and criteria of the State Land Master Plan, it is imperative to view all policy and planning decisions through the lens of climate change mitigation, adaptation, and resilience. The Park includes abundant sources of clean freshwater and wetland habitats, as well as millions of acres of intact, Constitutionally-protected Forest Preserve to ~~capture~~ **mitigate** GHG emissions and offer resilience against extreme weather events.

Wild lands and open space provide connectivity to combat habitat fragmentation, protect water quality, and provide habitat for numerous species including those whose ranges may be shifting due to climate change.

Unit management plans should describe how the proposed management actions and alternatives analyses assess and plan for climate change vulnerabilities. For instance, right-sizing bridges and culverts and sustainable trail construction can help to safeguard investments in recreational infrastructure and prevent future environmental degradation. Green infrastructure and appropriate storm water management improvements can help to mitigate onsite flooding at public facilities as well as protect water quality.

Proposed Final Package: Visitor Use Management (VUM)

Sept 2024 Draft Language:

Carrying capacity assessments are prescribed throughout this document. Fulfilling this requirement must include establishing desired conditions; indicators; thresholds for resource, social and managerial conditions; monitoring; and adaptive management. Levels of time and resources to fulfill this commitment should be proportional to the significance of impacts.

Carrying capacity has been a concept for determining how many people could use a given recreational setting before impacts are unacceptable. However, establishing a number of visitors is only one strategy to protect resources and experiences, while allowing for recreational use. Additional visitor use management strategies exist, including, but not limited to, changing visitor behavior, modifying where and when use occurs, or building facilities that can accommodate heavy use.

June 2025 Proposed Final Language:

Carrying capacity assessments are prescribed throughout this document. Fulfilling this requirement must include desired conditions **and associated indicators for specific attributes**; thresholds for resource, social and managerial conditions; long-term monitoring; and adaptive management. Levels of time and resources to fulfill this commitment should be proportional to the significance of impacts.

Carrying capacity has been a concept for determining how many people could use a given recreational setting before impacts are unacceptable. Establishing a number of visitors is one strategy to protect resources and experiences, while allowing recreational use. **Visitor use management actions include site management and engineering, information and education, and regulations and enforcement.**

Proposed Final Package: Beaver Control Structures

Wilderness (Sept 2024 Draft):

-- beaver control structures will be permitted where beaver activity threatens to cause damage to:

(i) Trailheads, parking areas, fishing and waterway access sites, picnic areas, ranger stations or other facilities for peripheral control of public use;

(ii) adjoining roads, railroad corridors;

(iii) adjoining private lands or private right-of-way;

(iv) trails within 500 feet of a public highway right-of-way; or

(v) fish barrier dams.

Right-sized culverts, bridges and trail relocations should be a priority solution for management of beavers.

Wilderness (June 2025 Proposed Final):

-- beaver control structures will be permitted where beaver activity threatens to cause damage to:

(i) Trailheads, parking areas, fishing and waterway access sites, picnic areas, ranger stations or other facilities for peripheral control of public use;

(ii) adjoining roads, railroad corridors;

(iii) adjoining private lands or private right-of-way; **or**

(iv) trails within 500 feet of a public highway right-of-way; ~~or~~

~~(v) fish barrier dams.~~

Beaver control structures will be permitted where beaver activity may render ineffective fish barrier dams.

~~Right-sized culverts,~~ Bridges and trail relocations should be a priority solution for management of beavers-**related impacts.**

Proposed Final Package: Beaver Control Structures

Wild Forest (Sept 2024 Draft):

Beaver control structures will be permitted where beaver activity threatens to cause damage to stream improvement structures for fisheries purposes, or to prevent the introduction of invasive species.

Wild Forest (June 2025 Proposed Final):

Beaver control structures will be permitted where beaver activity threatens to cause damage to stream improvement structures for fisheries **management** purposes, ~~or to prevent the introduction of invasive species.~~ **In addition to bridges and trail relocations mentioned in Wilderness, right-sized culverts should be a priority solution for beaver-related impacts.**



BCS on the ADK rail trail.

Proposed Final Package: UMP Deadlines

Sept 2024 Draft:

The Department of Environmental Conservation has made significant progress in getting the unit management planning process underway. This progress should be continued, so that all unit management plans will be completed before the next five-year review of the master plan in 1989/90. and the Department of Environmental Conservation should commit the necessary resources for that purpose so that all unit management plans are completed.

June 2025 Proposed Final:

The Department of Environmental Conservation has made significant progress in getting the unit management planning process underway. This progress should be continued, so that all unit management plans will be completed before the next five-year review of the master plan in 1989/90. and the Department of Environmental Conservation **and the Agency** should commit the necessary resources for that purpose so that all unit management plans are completed. **The Department is able to utilize a suite of management tools prior to the adoption of a UMP, such as ongoing trail, campsite, and facilities maintenance; closure, rehabilitation, or minor relocation of structures and improvements; and managing public access. The process of developing and updating UMPs on a regular basis remains a key priority to ensure public engagement in determining the management actions for an area.**

Summary of Public Comments & APA Response

Summary of Comments

<u>Amendment Topics</u>	<u>Total Distinct Comments Received</u>
Accessibility (critical)	906
Accessibility (supportive)	51
Beaver control structures	16
Bicycle trails	3
Classification of Four Peaks tract	4
Climate change	583
Conservation easements (Appendix II)	3
Former roads	4
Historic areas	7
Horse mounting platforms	1
Motor vehicle use for removal of non-conforming structures, post phase-out period	232
Opening quote	4
Primitive tent sites	1
Removal of dates/deadlines that have passed	228
Typos/errors	0
Visitor use management	603
Wildlife management structures	37
Other (not related to amendments package)	256
Non-Substantive (not Master Plan or amendment-related)	37

Summary of Comments: Accessibility

- General comments in support
 - Support for definition of wheelchair
 - Support for addition of UMP requirements
- Obligations under Americans with Disabilities Act (ADA) Title II regs
 - Article XIV of the NYS Constitution and SLMP
 - Application of ADA Title II regulations
 - Federal wilderness exemption
 - Fundamental alteration to the nature of the program
 - DEC's case by case permit
- Motor vehicle definition
 - Requested APA not amend the definition

Summary of Comments: Accessibility

- Other Power Drive Mobility Device (OPDMD) definition
 - Requested the OPDMD definition be removed
- Use of OPDMDs
 - DEC should consult with APA in determining where OPDMD use is allowed
 - Many comments expressed opinions on where OPDMDs and/or various classes of OPDMDs is or is not appropriate

Summary of Comments: Accessibility

- Development of an OPDMD policy
 - Requested the development of an OPDMD policy including:
 - It be comparable to the Office of Parks, Recreation and Historic Preservation
 - Define where reasonable modifications for mobility devices would and would not be appropriate (i.e. land classifications)
 - Park needs a comprehensive plan for accessibility and accessible features
 - Called for amendments to DEC's Commissioner Policy 3 (CP-3)
 - Pointed to CP-3 and Galusha consent decree making adequate provisions for access

Summary of Comments: Beaver Control Structures (BCS)

- Supported the use of BCS
- Critiqued the proposed definition, proposed an alternative version
- Definition isn't consistent with DEC's
- BCS not appropriate for most restrictive land classifications
- Questioned effectiveness of right-sized culverts as an alternative

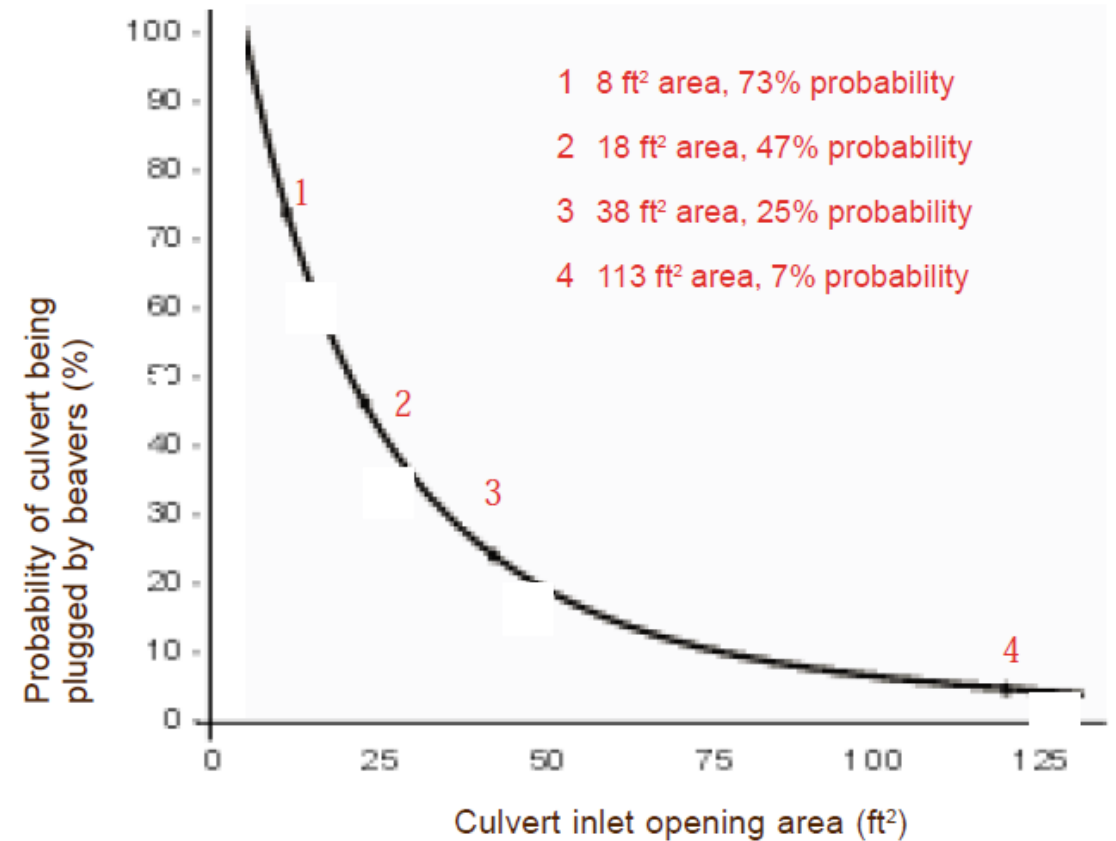


Figure 3. Probability of culvert being plugged by beavers as a function of the area of its inlet opening. Points (1)–(4) on the graph are discussed in detail in Table 2.

Summary of Comments: Beaver Control Structures (BCS)

- Concerned about prioritization of human recreation over natural resource protection
- APA is only concerned with the prevention of invasive species in lands classified as Wild Forest or less restrictive
- Suggested replace "permitted" with "allowed"
- Maintenance concerns
- Private property concerns

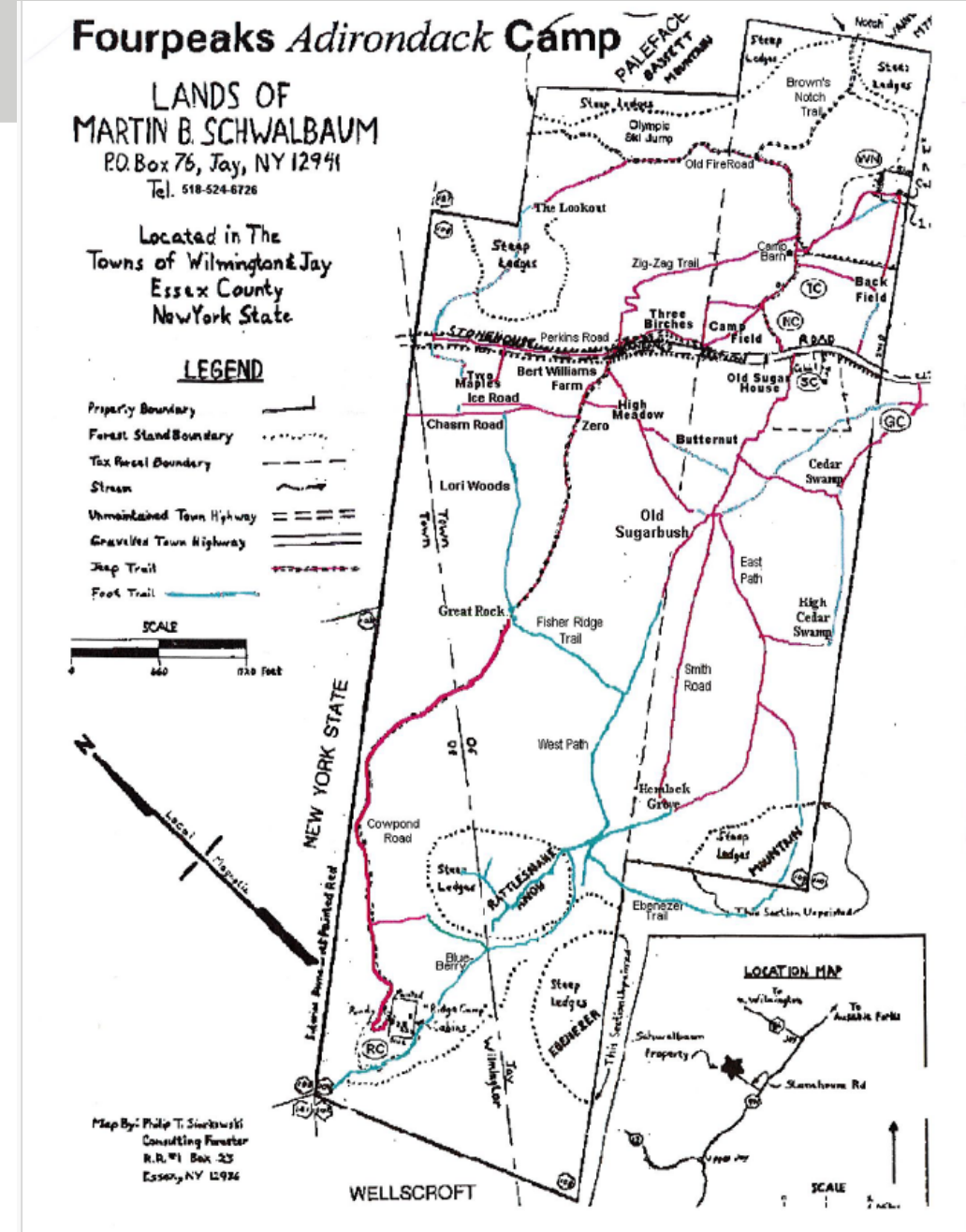
Summary of Comments

Bicycle Trails:

- Supported the inclusion of bicycle trails as a conforming use in Wild Forest

Four Peaks Tract:

- Supported the proposed classification of Four Peaks tract as Wild Forest
- Expressed combining the comprehensive amendment package with classification of land is not appropriate; these two processes should be separated
- Questioned whether this is the only recently acquired acreage of state land needing classification



Summary of Comments: Climate Change

- Supported the proposed revisions on climate change
- Critiqued proposed language, including:
 - The proposed text omits verbiage about the avoidance of making material modifications in the Forest Preserve
 - Role of Forest Preserve in GHG emission goals
 - Proposed including carbon inventories in UMPs
 - Address carbon emissions from motor vehicles and climate implications involving tree removal
- Make clear that work will be carried out within the strictures imposed by Article XIV of the New York State Constitution and case law
- Consider private land and downstream impacts in UMP process

Summary of Comments: Conservation Easements

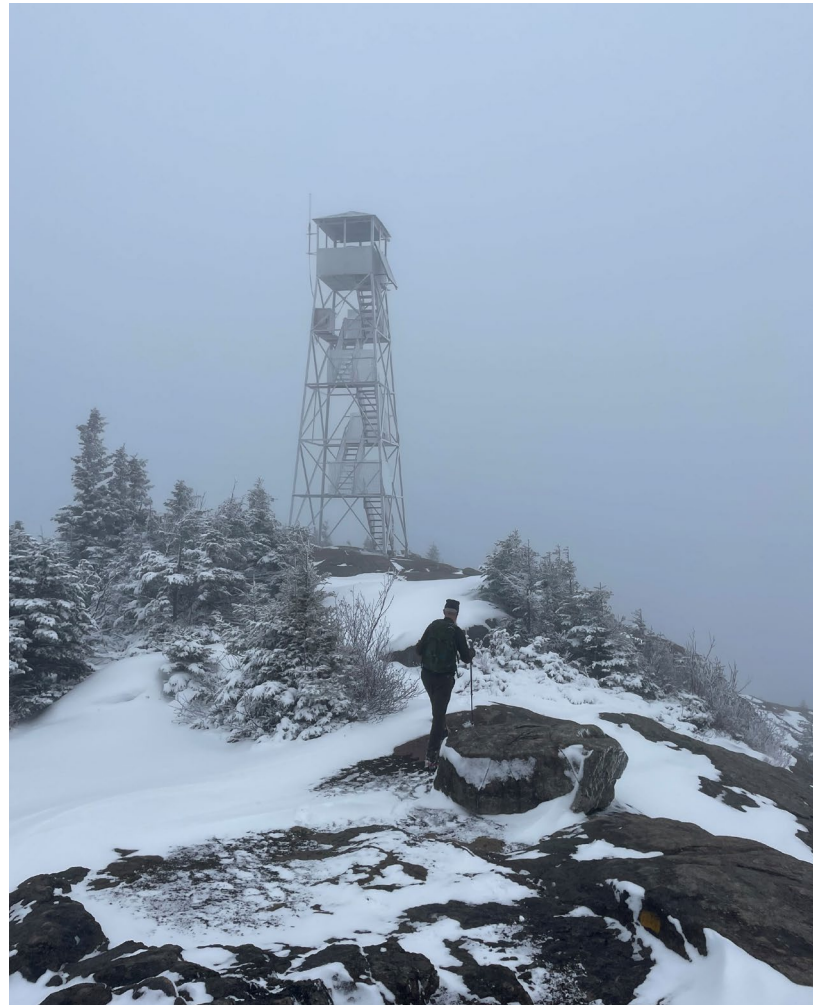
- Appreciated the clarification and clean-up provided regarding State-held conservation easements in Appendix II
- Supported restructuring Appendix II and asks that language on page 3 be reviewed to reflect terminology and acreage figures in the appendix
- APA should take a more prominent role in planning and monitoring easements, as they are important for wildlife management including both game species and species that are threatened or endangered

Summary of Comments: Former Roads

- Sought rationale for and expressed opposition to removal of language in the Wilderness guideline #3 for Roads, Snowmobile Trails, and Administrative Roads
- Concerned the removal of the revegetation requirement may allow for roads to be closed in “name only” and not support restoration of the wild character of the Forest Preserve
- DEC will be allowed to continue maintenance and clearing
- Stated when roads are closed in Wilderness areas, revegetation should be performed when the road is not to be converted to a trail

Summary of Comments: Historic Areas

- Supported the proposed changes to the description of Historic areas
- Concerned about the addition of the word "preservation" – two different takes
- Proposed additional language in the Historic areas section



Hurricane Mountain Fire Tower

Guidelines for Management and Use

Basic guidelines

1. The primary management guidelines for historic areas will be to preserve the quality and character of the historic resources, that is, to the greatest extent feasible, in a setting and on a scale in harmony with the relatively wild and undeveloped character of the Adirondack Park.

2. All historic areas will be designed, managed and interpreted so as to blend with the Adirondack environment and have the minimum adverse impact possible on surrounding state lands and nearby private holdings.

3. Construction, ~~and~~ development, and preservation activities in historic areas will:

- avoid material alteration of wetlands;
- minimize extensive topographical alterations;
- limit vegetative clearing; and,
- preserve the scenic, natural and open space resources of the historic area.

Summary of Comments

Horse Mounting Platforms:

- Supported the addition of horse mounting platforms to list of conforming structures in Wilderness

Primitive Tent Sites

- Posed a question about the process and management of primitive tent sites



Primitive tent site on the Bog River.

Summary of Comments: Removal of Non-Conforming Structures

New proposed Wilderness guideline – “Motor vehicles, motorized equipment, and aircraft”

7. Irrespective of the above or any other guidelines in this master plan, use of motor vehicles by administrative personnel to remove non-conforming structures or improvements after the phase-out period will be evaluated on a case-by-case basis by the Agency. This work must occur during the off-peak seasons.

Summary of Comments: Removal of Non-Conforming Structures

- Supported the proposed new Wilderness motor vehicle, motorized equipment and aircraft guideline #7
- Allowing motor vehicle access for routine maintenance diminishes the APA's ability to protect and enforce Wilderness standards
- Proposed language is open-ended and discretionary, commenter calls for inventory of non-conforming structures
- Proposed language contradicts guideline #2 and #3
- Supported and believed limiting to non-conforming structures is shortsighted; could be used to minimize damage when removing conforming structures (ex: Marcy Dam)

Summary of Comments: Removal of passed dates/deadlines

- Generally, retain passed dates and deadlines because:
 - They're intended to establish accountability
 - Demonstrate the urgency the drafters of the Master Plan viewed these actions and put progress in historical context
- UMP '89/'90 deadline:
 - Recognized inclusion of passed dates is not useful
 - Removes the systemic mechanism for the State to update UMPs
 - Supported efforts to expeditiously complete all outstanding UMPs and ensure each is reviewed on a five-year cycle
- Non-conforming structure removal '75/'87 deadlines:
 - Proposed new December 31, 2030 deadline
 - Relinquishes oversight of non-conforming structures after 3-yr window

Summary of Comments: Visitor Use Management (VUM)

- Supported the inclusion of VUM in the Master Plan
- Requested the Interagency Visitor Use Management Council (IVUMC) Visitor Use Management Framework (VUMF) be referred to directly and incorporate more of the VUMF in the Master Plan
- Supported using VUMF as the preferred tool, but only if it explicitly includes ecological, physical, and social components, measurements, and metrics
- The number of visitors is one method for assessing impacts, cannot separate out the biological, physical or social portions of a carrying capacity study
- The APA should clarify how VUMF and carrying capacity must work together to protect state lands
- Concerned proposed language equates VUM with carrying capacity

Summary of Comments: Visitor Use Management (VUM)

- Critiqued proposed carrying capacity language:
 - Suggested an expanded discussion on carrying capacity
 - Disagreed with concepts presented in proposed text, proposed 1999 High Peaks UMP carrying capacity language be used
- Proposed language shifts emphasis to visitor experience and use over natural resource protection
- Adding prescriptive VUMF language may become outdated, that the existing Master Plan requirements remain the same
- Proposed adding specific management strategies and actions
- Opposed proposed language "building facilities that can accommodate heavy use" referencing the Final Programmatic EIS for Amending the Master Plan (FPEIS) and stated that it clearly prioritizes protection over accommodation of use

Summary of Comments: Wildlife Management Structures

- Supported the proposed update to the definition of wildlife management structures
- Requested the definition of "wildlife management structures" be further amended to include rare species, species of greatest conservation need, and species of potential conservation need
- Suggested site-specific scientific data be used to inform where wildlife management structures, such as loon nest rafts, may be appropriate or warranted

Summary of Comments: General or Other

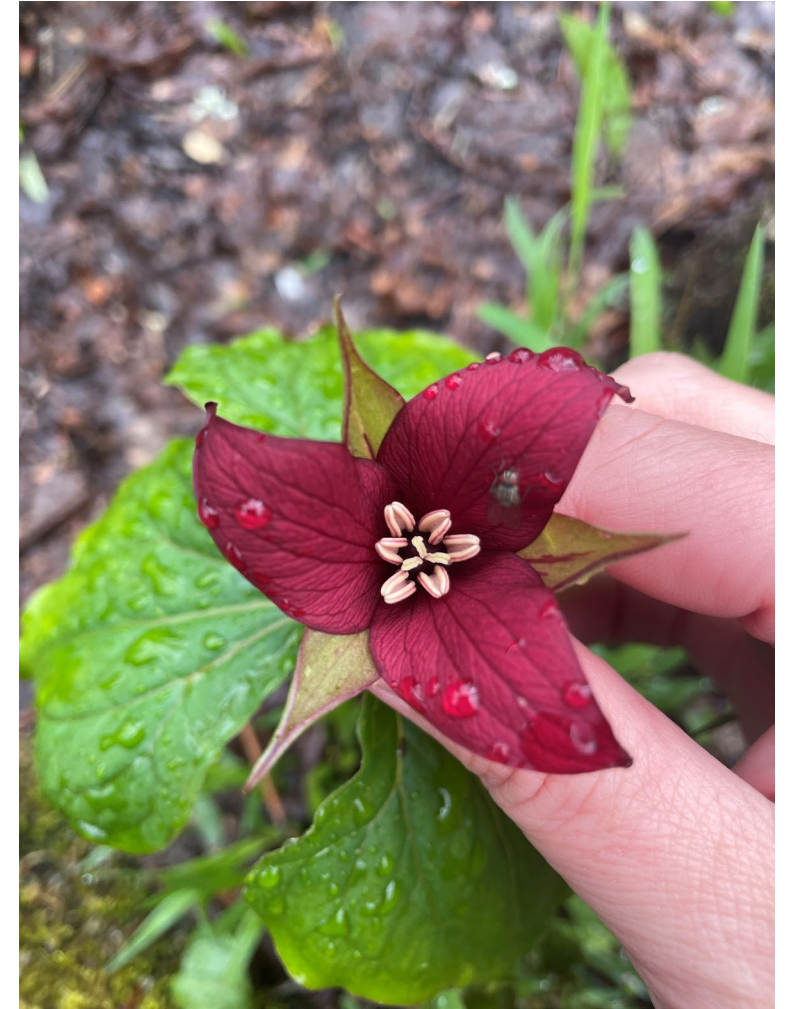
- Support for the proposed amendment package in its entirety
- Support for the inclusion of gender-neutral language
- Critiqued the amendment process:
 - APA should have held stakeholder meetings before public engagement period
 - APA should have held listening sessions before introducing package
 - The comment period was not sufficient to engage with the proposed package
- Requested reclassification of Lake George Battlefield Park and Campground from Intensive Use to Historic
- Proposed changes to the motor vehicle definition (not related to accessibility)
- The State should consult with indigenous peoples to find solutions to ongoing issues that will protect coming generations

Summary of Comments: General or Other

- Proposed revision to aircraft definition to include drones
- Proposed additional language regarding climate mitigative actions within the Unit Management Plan (UMP) Development section
- Disagreed with APA's State Environmental Quality Review Act (SEQRA) determination and negative declaration
- Related to ski trails:
 - Two different definitions for cross country ski trails were proposed
 - Proposed including terms such as "ski touring", "backcountry ski trails", "skin track" and "glade areas"

Next Steps

- Reactions, questions and discussion today
- Mid-June through mid-August – take time to digest materials, flag additional questions for a future board meeting discussion
- Future action – August or September?



*Red trillium on Baker Mountain,
McKenzie Mountain Wilderness*

Questions & Discussion



Adirondack rail trail, photo by Ben Brosseau



**Adirondack
Park Agency**