

The Association for the Protection of the Adirondacks
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Keith Rivers
Senior Forester
Region 6 NYS-DEC
7327 State Route 812
Lowville, New York 13367

RE: Comments on the Draft Raquette Boreal Unit Management Plan (UMP)

Dear Keith:

On behalf of the Association for the Protection of the Adirondacks, we submit the following comments regarding the Draft Raquette Boreal Unit Management Plan (UMP).

We applaud the Department of Environmental Conservation for its efforts in completing the draft unit management plan (UMP) for the Raquette – Boreal units. We recognize the significant complexities of these important primitive, wild forest and easement landscapes. Key to understanding the onus of that complexity is that the area will pose a significant challenge to the Department in management should the final UMP not fully safeguard the Boreal's most sensitive landscapes, wilderness character, waters and wildlife from both damaging human and motorized use, in particular.

Draft UMP Fails State Land Master Plan Goals

It is unfortunate that the Association finds that this UMP fails to meet that critical challenge in that the draft fails to uphold the requirements of the Adirondack Park State Land Master Plan (APSLMP) and its primary purpose to protect state land natural resources. In exhaustively attempting to shore-horn in snowmobile and other forms of motorized access to the east side of the Carry Falls Reservoir, the Draft UMP fails to analyze and seriously assess the

environments and carrying capacities in this extremely important area of the Adirondacks.

The UMP wrongly places facilitating recreational uses ahead of protecting natural resources and therefore can not be deemed compliant with the APSLMP. The UMP does not even recognize existing illegal access and motorized uses of the area that are now damaging the unit and posing severe long term negative pressures that complicate future management.

UMP Unbalanced Towards Damaging Motorized Use

Unfortunately, while the UMP expounds across some 20 plus pages and no less than 16 different reviewed options for motorized use possibilities across the unit, it fails to give adequate emphasis on the Department's imperative to design a protective management strategy for the rare and endangered low elevation boreal resource.

Instead of spending inordinate time and resources on alternative motorized routes through the unit, as it now does, this UMP should state clearly and with documentation that the primary management plan must be to control illegal motorized use. The UMP should lay out the Department's steps to properly inventory the ecosystems in the area, and work out over time any arrangements for future public access whether on the Lassiter Haul Road or anywhere else as a range between passive, muscle-powered access only or strictly regulated and limited motorized access.

Globally Significant Ecosystems Require Optimum Protection

These lands of low-elevation boreal forests represent the very heart of one of our truly rarest and most sensitive natural resource ecosystems in New York State and the Northeast, in particular. The boreal river systems of the Jordan River, the boggy wetlands and spruce and fir forests include ecological features and rare species of regional as well as global significance, thus the protection of their biological significance must be the most critical consideration in this unit management planning effort.

The Jordan extends into the heart of the Adirondack low-elevation boreal biome, a major ecological community of plants and animals that is associated with several north-flowing rivers: The St. Regis, the St. Regis West Branch, the Jordan and the Raquette River itself. The entire low elevation boreal biome of the Adirondacks, about 250,000 acres in size, contains flora and fauna

characteristic of the circumpolar coniferous forest biome known as taiga. Boreal biome of the Adirondacks contains unique and highly important features of both regional and global importance.

We believe the DEC must turn this UMP on its head and invert your pyramid of priorities placing protection of the unique and threatened ecological integrity of these state land units as first and primary to the Department's mandated mission under the State Constitution and the ECL (Environmental Conservation Law) and the Adirondack Park State Land Master Plan.

As such, we believe it is of paramount importance for the DEC to strengthen the UMP. Specifically, the plan must insure protecting the primitive and wild forest area's natural resources, especially the low elevation boreal systems – indeed without fail those lands east of Carry Falls Reservoir and the unique and wild Jordan River corridor from motorized uses and impacts that would degrade or diminish them to the detriment of future generations of New Yorkers.

The Association specifically supports the Department's proposal in the Raquette Boreal Unit Management Plan to prohibit motorized boat traffic on the Jordan River. This is a correct and needed management step that will better secure the wild, remote and unspoiled character of the Jordan River area and especially the primitive and wild forest lands of the unit that surround the river system. We feel that the closure of motorized use ought to extend as close to the mouth of the Jordan at Carry Falls Reservoir as possible without impairing current, historical landowners from reaching their camps on the shores of the impounded waters.

Of utmost importance in the DEC's formal completion of the Raquette Boreal Unit Management Plan (UMP) is to:

- Recognize foremost the critical nature of the Raquette Boreal lands and especially the entirety of the Jordan River watershed and lands East of the Carry Falls Reservoir as being the core of the proposed Boreal Wilderness area where the park's unique low elevation boreal biome should be preserved.
- The primitive area classification, in particular, should be expanded eastward as much as possible to include the entire Jordan River drainage up until the mouth of the Jordan River where it enters into Carry Falls Reservoir

- Place as first in the order of NYS-DEC goals and priorities the protection of the low elevation boreal biomes' ecological integrity of the primitive, wild forest and easement protected lands
- Secure the wilderness integrity, sense of remoteness, solitude and "Forever Wild" character for all of the units' designated primitive and wild forest areas – guarding them against further inroads of motorized vehicles, snowmobiles and All Terrain Vehicles (ATV's).
- The Association is strongly opposed to the Town of Colton's proposed bridge across the Raquette River and we call upon the Department to deny any management actions that would benefit such an ill-fated proposal. To enable more motorized snowmobile use (and illegal ATV use that will follow) into the heart of the primitive area would be the death-knell to the Boreal biome and ecosystem so unique to the unit and the park.

The Association finds that the Draft UMP is deficient in the following critical areas:

- The UMP should make it clear that over time the primitive and wild forest portions of the Boreal Raquette unit should be upgraded to wilderness and primitive classifications with increasing protection and further reductions and elimination of non-conforming uses.
- Primitive tent sites proposed for the unit must recognize the relatively low levels of current and historical use in the unit and seek to maintain wilderness conditions and solitude, as well as protect the area's sensitive resources. In this regard, the DEC should be cautious about placing primitive tent sites along the shoreline of the Carry Falls Reservoir and the Raquette River. Under no circumstances should such sites be within 150 feet of the shoreline zones of these water bodies and special attention should be paid to siting these tent sites well away from viable spruce grouse habitat wherever possible.
- Insure the protection of all known spruce grouse (*Falciennis canadensis*) habitat, and protect the endangered species from any further habitat loss that may occur due to over use, or impacts from motorized vehicular use such as illegal ATV's, snowmobiles, etc.
- The NYS-DEC's own published "Spruce Grouse Fact Sheet" identifies the spruce grouse as an endangered species in New York State; identifies the Raquette Boreal area at the heart of the bird's last breeding areas in the state. Furthermore, the fact sheet recognize that the current population may be between only 175 to 315 individuals,

thus the preservation of its habitat is absolutely critical. In the DEC fact sheet on the spruce grouse it clearly states that:

“The precarious nature of populations within the Adirondacks has led to the formation in 1992 of the Spruce Grouse Recovery Team by the New York State Department of Environmental Conservation. The goal of the team is to ensure the long term survival of viable populations of spruce grouse and their associated boreal forest community in New York. The Spruce Grouse Recovery Team has identified various management and research actions needed in order to protect, maintain and enhance spruce grouse populations. The team including the DEC has concluded that (1) protection of currently occupied sites, (2) education of the general public and hunters to the status, recognition and concern for spruce grouse, (3) development of management plans to enhance and increase spruce grouse habitat and (4) consider experimental releases of spruce grouse into suitable but unoccupied habitats.”

It would be hard to envision a stronger argument for protecting the low elevation boreal biome from the impacts of motorized vehicles, snowmobiles and ATV's than DEC's own guidance for the protection of the endangered spruce grouse. It may also be considered important testimony against considering the unit for both horse trails and access to mountain bicycles as well, as such activities may, over time, lead to further disturbance of critical spruce grouse habitat.

As the NYS-DEC's own Spruce Grouse Recovery Team publications call for the “development of management plans to enhance and increase spruce grouse habitat” it seems rather odd that the Draft Raquette Boreal UMP fails to include this clarion call within proposed its management actions. Therefore, the Association again urges the Department to recognize the unique nature of the Raquette Boreal unit as being the core of a larger proposed Boreal Wilderness area that can serve – with critical land acquisitions, protective management planning, stricter use controls and reclassification towards wilderness over time as a crucial habitat for spruce grouse.

Ultimately, management recommendations must assure the preservation and sound management of the boreal biome within this unit's boundaries. Recreational opportunities must be considered secondary to this objective if the UMP is to fully comply with the Adirondack Park State Land Master Plan. What follows is a section by section overview consistent with the UMP of how we feel the final UMP for the Raquette Boreal can and should be strengthened.

General History

The Association commends the NYS DEC UMP drafting team for the Raquette Boreal for developing and compiling critical historical background and basic ecological, soils and species inventory data for the unit. We also applaud the fact that the UMP draft document serves as a valuable policy and regulations resource in that it contains background on management and policy requirements for Forest Preserve lands, the Adirondack State Land Master Plan requirements for Forest Preserve lands, fisheries and recreational management important to the future of the unit including the specific terms of the many easement lands adjacent to and integrated within the UMP.

It is unfortunate, however, that the DEC's intensive biological study of this area from 1999 into the 21st century, noted in a letter to the Association dated Oct. 18, 2000 from DEC Regional Director Sandy LeBarron, is not cited in the UMP's historical background section. The regional director wrote: "We are now in the midst of working on the natural resource inventory of these lands." The Association was informed that DEC's Natural Heritage Unit were working here. The failure to cite the inauguration of this inventory work and its duration in this General History is a significant one, since it constitutes the first hard look at the area's natural history and resources since the 1970s.

Natural Resource Inventory

While the description notes that the area lies within the southern most extent of the transitional zone between the boreal forests to the north and the mixed forests of the south, it completely fails to note its significance within New York State as whole, being the western-most portion of a 250,000 acre low elevation boreal biome noted as being unique in NYS and having unique significance within North America by many scientific observers since the 1970s. This area joins two important low elevation boreal rivers, the Jordan and the Raquette, with major peat land systems. The significance can hardly be overstated, yet is not even mentioned in the Inventory section of the UMP.

Critical Habitat

The UMP notes the importance of Spruce Grouse habitat here, and how much of that habitat exists relative to other areas of the Adirondacks. Further, it notes that the proximity of these sites makes the area one of the most important areas in the state with regard to the preservation and possible recovery of spruce grouse populations in NYS. It would be helpful if this description were tied

more directly to management recommendations and alternatives. Further, the reader gets the impression that this species can be considered in isolation rather than as part of a rare low elevation boreal ecosystem of which it is a part.

Motorized Access

The extraordinary fact that DEC negotiated public access to the Lassiter easement without achieving access from the adjoining Joe Indian Association should be noted. As we recall, DEC had an agreement with the Joe Indian Association for public use that faltered over the issue of which party would maintain the roads (1988-89). The issue of historic agreements and lack of agreement with that crucial private landowner should be described to provide the necessary context for all subsequent discussion about public access to this road network.

The fact that Lassiter and other private parties do not have documented legal access across Forest Preserve, nor any prescriptive rights to cross Forest Preserve to reach their holdings is also a critical fact brought out on page 46. Other landlocked landowners in the Adirondacks who lack such access across Forest Preserve have to utilize constitutional amendments to resolve their problem. What is the critical difference here that permits the owners to reach their properties year after year? More legal explanation is needed.

We appreciate the explication of the Vehicle and Traffic Law which restricts opening public roads to ATV use on page 46. This and the citing of relevant and recent court decisions are most helpful. However, on page 94, the UMP states, without citing any research, that wildlife populations will not be significantly affected by the physical existence of roads believed that the noise of motorized vehicles will have a relatively minor impact because wildlife tend to grow accustomed to the repetition of innocuous sounds. This blanket statement is not based on cited research and contradicts numerous studies around North America.

Roads have a considerable impact on wildlife populations of many kinds, from large mega fauna like black bear to smaller mammals. Roads are often described as a knife carving up habitats, separating individuals and populations, affecting behavior and interrupting daily and seasonal migration. The literature is replete with studies on the direct and indirect impact of roads on wildlife and wildlife habitat which should be cited in this section of the UMP and considered carefully against any proposed road access.

Campsites

The Association supports maintaining the relatively primitive nature of the area around the Jordan River (page 104) and the decision that no primitive tent sites will be designated within the river corridor on Forest Preserve lands classified as Primitive.

Access

Snowmobile access requiring a long, 240 foot bridge across the Raquette River south of the reservoir in order to reach Lassiter Haul Road should be deemed unacceptable in this UMP, for the reasons already cited: sensitive natural resources, numerous low elevation boreal ecosystems and wetlands would be severely impacted, and the fact that access across the various ownerships to the north and east is quite unlikely in the foreseeable future. DEC's very active participation in the Carry Falls Bridge Committee from 2000-2001 and beyond was most unfortunate in that DEC established itself as a partner with the Town of Colton, DOT and other parties to the eventual construction of this bridge in severe contravention of DEC's role as custodian of the Forest Preserve and steward of the Park's natural resources, its own regulations and the Adirondack Park State Land Master Plan. DEC should have remained at arms length to the Carry Falls Bridge Committee and advised that group that the construction of such a bridge faced numerous obstacles for very good and important reasons based upon the geographic and ecological nature of the area east of Carry Falls Reservoir and DEC's programmatic responsibilities to uphold Article 14, the APSLMP and its own regulations pertaining to public motorized uses on Forest Preserve.

Instead, DEC became a proponent and facilitator of the bridge, took minutes of the committee's meetings and actively took steps to help local governments design and construct this major new structure that would have severe long term consequences for the very Forest Preserve and natural resources DEC is sworn to protect in the public interest. For instance, the committee notes of Feb. 27, 2001 reveal DEC Survey Staff actively working with others to survey snowmobile trail profiles across the bridge on the east side. One meeting previous, on January 11, 2001, the minutes reveal DEC's work to push APA about land classification east of Carry Falls that would facilitate the bridge and snowmobile connections. Such actions by the Department have placed the state's rare, low elevation boreal resource in this unit at great risk. We furthermore feel the DEC must prohibit any such bridge proposal and instead

strive towards true resource protection and preservation given the rarity and fragility of the Raquette Boreal's ecosystem resources.

Wild Land Integrity Promotes Sustainable Economic Development

The Association recognizes the town's interest in promoting economic development and linking such with use of the Forest Preserve, however, we question the often-reported economic benefit of snowmobile and ATV rider's interests that some feel should hold sway in the management of this unit. Providing greater access to damaging motor vehicle use in these wild forest and primitive lands could spell disaster for the truly unique character and resources of the Raquette Boreal.

We urge greater and priority recognition for the real economic, ecological and societal returns from preserving truly unique, and wild natural systems. The Department has only to look down the road this year at the tremendous public and economic interest in the newly established Wild Center in Tupper Lake, as an example, where between 800 to 1600 visitors per day demonstrated an unparalleled interest – economically, culturally and environmentally, in our Adirondack natural resources and native wildness.

Where Tupper Lake's Wild Center benefits from one oxbow turn in the Raquette River, the Towns of Colton and Piercefield especially have the extensive central core and heart of the boreal ecosystem, its primitive wilderness and many miles of the wild Raquette and Jordan Rivers to build on. It should be done with the utmost of care.

It is the Department's obligation, the local communities benefit and our responsibility as New York citizens to make the most of the Raquette – Boreal's truly wild and unique opportunity. To manage it for its wildness and its ecological integrity so that its natural systems demonstrate its truly rich and greatest natural complexity and values for the benefit of present and future generations.

The Association, founded in 1901 is a non-profit organization dedicated to the protection and enhancement of the Adirondack Park's Forest Preserve wildlands, backcountry forests and farmlands and the park's integral, sustainable communities.

Thank you for your consideration of our comments. The Association looks forward to reviewing the final UMP for this important forest preserve and

easement unit and we ask to be notified of its completion, as well as any additional opportunities for comment.

Sincerely,

/s/

Daniel R. Plumley
Director of Park Protection

/s/

Dave Gibson
Executive Director

CC:

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D. Smith, DEC
R. Whaley, APA
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