



Board of Directors

July 13, 2018

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Chair

Kathy Regan
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Marilyn DuBois
Sidney Harring
Michael Wilson
Vice-Chairs

RE: Public Comment on Saranac Lakes Wild Forest Area Draft Unit Management Plan

James McMartin Long
Secretary

Dear Kathy Regan,

David Quinn
Treasurer

The Saranac Lake Wild Forest area is one of the most complicated Forest Preserve areas in the Adirondacks due to the wide variety of different public recreational use opportunities and the popularity of the area. Protect the Adirondacks congratulates the Department of Environmental Conservation on its preparation and release of the final draft Saranac Lake Wild Forest Area Unit Management Plan (SLWFUMP). This plan has been a long-time coming. PROTECT staff participated in a citizens advisory group for this UMP more than ten years ago. This Wild Forest area contains a number of challenging issues to balance natural resource protection and public recreational use. We support a number of proposals detailed in this UMP and urge that other issues be reviewed and revisions undertaken by the DEC and Adirondack Park Agency (APA) before final adoption.

Nancy Bernstein
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Peter O'Shea
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Philip Terrie

Despite some serious deficiencies, the SLWFUMP is one of the best UMPs developed to date, but it suffers from the institutional limitations of the DEC with regards to Forest Preserve management, unrealistic planning given the Cuomo Administration's failure to adequately invest in and maintain the Forest Preserve, and includes dishonest statements about the analysis that the DEC undertakes to make management decisions. The SLWFUMP also fails to conform with a series of requirements in the Adirondack Park State Land Master Plan (APSLMP) and violates the APA-DEC Memorandum of Understanding for UMP review and approval.

Peter Bauer
Executive Director

Protect the Adirondacks submits the comments below as part of Adirondack Park Agency public hearing on this UMP.

Protect the Adirondacks

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UMP Development and Review Process Violates Memorandum of Understanding between the Adirondack Park Agency and Department of Environmental Conservation

The “UMP Review” section in Memorandum of Understanding between the Adirondack Park Agency (APA) and Department of Environmental Conservation (DEC) enumerates a series of requirements for the review and adoption of a UMP. Many of these requirements are inter-agency processes and as such are “shielded” under New York’s weak government accountability and transparency laws. The APA and DEC have long withheld basic communications about the management of public’s land from the public and hide behind restrictive and outdated public agency sunshine laws. As a basic matter of public record, all communications between state agencies on public land issues should be publicly available.

Chief among these important communications in the MOU is Number 5 on page 10:

Prior to release of the Public Draft for public review, AGENCY staff will provide the DEPARTMENT with a written evaluation of APSLMP conformance issues in the proposed Public Draft. These interagency communications are an essential part of the deliberative process ordinarily exempt from FOIL. (p 10)

There is no public record about whether this step was completed.

Under the “Public Draft UMP” section, No 2 on page 10 states:

The DEPARTMENT will provide copies of the Public Draft to the AGENCY members, Executive Director and State Land staff. Upon release of the Public Draft, DEPARTMENT staff will provide a presentation to the AGENCY on the proposed management actions contained in the Public Draft and provide a written submission to the AGENCY discussing the DEPARTMENT’s position on key APSLMP conformance issues. (p 10)

There are two items outlined above for which PROTECT has not found the information in the public record. First, is “Upon release of the Public Draft, DEPARTMENT staff will provide a presentation to the AGENCY on the proposed management actions contained in the Public Draft and provide a written submission to the AGENCY discussing the DEPARTMENT’s position on key APSLMP conformance issues.” We see nothing in the APA meeting schedule since the DEC completed its public hearing in the summer of 2017 for the draft SLWFUMP where there was a discussion of “the DEPARTMENT’s position on key APSLMP conformance issues.” Second, we find nothing in the public record that meets the requirement that “AGENCY staff will also at that time provide a presentation or written evaluation summarizing APSLMP conformance issues in the Public Draft UMP being presented.”

These are two important steps that appear to have been sidestepped by the APA and DEC in their rush to approve this UMP.

One important step in the UMP approval process is the DEC response to public comments and the APA's receipt and evaluation of these responses. The MOU states:

The DEPARTMENT, after completion of public review and comment on any UMP, shall prepare a response to public comments, necessary SEQR documentation and a proposed Final UMP. After the Commissioner of the DEPARTMENT approves the proposed Final UMP, the DEPARTMENT will transmit the proposed Final UMP to the AGENCY. The AGENCY shall not make its APSLMP conformance determination on the proposed Final UMP until at least 30 days after receiving such UMP from the DEPARTMENT. (p 11)

PROTECT finds nothing in the public record to show that this step has been completed.

It does not appear that the APA has conformed with the MOU in other areas as well. These include:

(3) DEPARTMENT staff will make a presentation on the proposed Final UMP as a "first reading" and prior to formal approval by the AGENCY for APSLMP conformance. AGENCY staff will provide the AGENCY with a presentation or written evaluation summarizing APSLMP conformance issues with the proposed Final UMP being presented. (p 11)

PROTECT finds nothing in the public record to show that this step has been completed.

(4) A minimum of two AGENCY meetings are preferred for final determination by the AGENCY as to whether the proposed Final UMP is in conformance with the Master Plan. One or more additional meetings may be scheduled by the AGENCY depending on the complexity of the APSLMP issues in a particular plan and the nature of public comment received during the AGENCY's comment period. (p 11)

PROTECT finds nothing in the public record to show that this step has been completed.

(5) The AGENCY will provide public notice via its normal meeting announcements and accept written public comments on the conformance of the proposed Final UMP with the APSLMP for a minimum of two weeks subsequent to the "First Reading" by DEPARTMENT staff and presentation by AGENCY staff on APSLMP conformance issues. The opportunity for public comment will close two weeks prior to the AGENCY meeting at which an APSLMP conformance determination is scheduled. All public comments received will be reviewed by AGENCY staff and copies will be provided to AGENCY members and designees. (p 11)

PROTECT finds nothing in the public record to show that this step has been completed.

The Forest Preserve is public land and the concerns of the public should not be given short

shrift by public land management agencies. It appears that the public has not been afforded a DEC Response document to public comments. The APA has cut corners on its required public APSLMP conformance analysis. The APA has cut corners on public input by hastily advancing to public hearing before all necessary information had been prepared and disclosed to the public. The failure to comply with the APA-DEC MOU is mystifying.

UMP Development and Review Process Violates Adirondack Park State Land Master Plan

The new draft SLWFUMP contains an extensive section “Inventory, Use, and Capacity to Withstand Use” that runs nearly 50 pages. While this section contains some important information, such as field surveys about terrestrial and aquatic invasive species, as well as various lists of fish and wildlife, it fails to address many of the key requirements enumerated in the Adirondack Park State Land Master Plan (APSLMP). Many of these required analyses, assessments, and inventories are critical for planning and managing public recreational use in the Forest Preserve. Unfortunately, many of these required analyses, assessments, and inventories simply were not undertaken in any serious way in the development of the SLWFUMP.

Required Inventories, Assessments, and Analyses Incomplete: The APSLMP enumerates the requirements for the development of a UMP on pages 10–12. A review of these requirements shows that the DEC has failed to meet some of the most important ones.

First, the APSLMP requires “an inventory, at a level of detail appropriate to the area, of the natural, scenic, cultural, fish and wildlife (including game and non-game species) and other appropriate resources of the area and an analysis of the area’s ecosystems” (p 10). The DEC has satisfied this requirement in the draft SLWFUMP.

Second, the APSLMP requires “an inventory of all existing facilities for public or administrative use” (p 11). The DEC has satisfied this requirement in the draft SLWFUMP.

Third, the APSLMP requires “an inventory of the types and extent of actual and projected public use of the area” (p 11). The DEC has failed to satisfy this requirement in the draft SLWFUMP. The public use data in Table 5 (p 54) ends in 2011 and the two most heavily used trailheads end in 2009. The data in Table 6 (p 56) for camping permits ends is 2007. The data in Table 7 is 28 years old (p 58-59). The public use data in Table 8 is incomplete as nearly half the data is “NA” (p 60). In essence, the DEC has failed to track historic use accurately and effectively.

The DEC does no better when projecting future use. On projected future use the SLWFUMP states:

Projecting future use of the SLWF is difficult to do with any level of certainty. Uncertainty in the future underscores the importance of monitoring use of the Forest Preserve so that adverse impacts can be identified and addressed on a preventive basis. (p 56)

The SLWFUMP simply fails to conform to the requirements of the APSLMP to complete “an inventory of the types and extent of actual and projected public use of the area.”

Fourth, the APSLMP requires “an assessment of the impact of actual and projected public use on the resources, ecosystems and public enjoyment of the area with particular attention to portions of the area threatened by overuse.” (p. 11) The DEC has failed to meet this requirement across the unit in the draft SLWFUMP. While the SLWFUMP has attempted to address campsite overuse, it has not adequately addressed overuse from illegal ATV and motor vehicle trespass. The UMP states that illegal motor vehicle trespass is a problem, yet fails to provide specific information on location. The SLWFUMP simply fails to conform to the requirements of the APSLMP for projected use and overuse throughout the unit and focuses primarily on campsites.

Fifth, the APSLMP requires “an assessment of the physical, biological and social carrying capacity of the area with particular attention to portions of the area threatened by overuse in light of its resource limitations and its classification under the master plan” (p 11). The DEC has attempted to develop and implement a carrying capacity analysis program. Though it appears to be underfunded and based on undefined and heavily subjective indicators, it satisfies this requirement in the APSLMP.

Sixth, the APSLMP requires “Each unit management plan will also set forth a statement of the management objectives for the protection and rehabilitation of the area’s resources and ecosystems and for public use of the area consistent with its carrying capacity” (p. 11). Though the DEC places more emphasis on the “rehabilitation” of things like a steel bridge and locks than it does natural resource protection, we note management actions that address rehabilitation of natural resources.

- Develop and implement indicators and standards for soil erosion and vegetation at campsites.
- Hire and train seasonal staff for campsite administration and maintenance. A focus of the training for this campground will be on maintaining a Wild Forest character.
- Allow vegetation to naturally grow on campsites. Use native plant material if rehabilitation is necessary. (p 165)

Though the DEC has placed a priority on addressing overuse of the most heavily used and impacted areas of the unit, we note the failure to address damage and needed rehabilitation from illegal ATV and motor vehicle trespass. We do not believe that this UMP complies with the APSLMP.

Seventh, the APSLMP requires “These management objectives will address, on a site-specific basis as may be pertinent to the area, such issues as ...”

–“Actions to minimize adverse impacts on the resources of the area.” (p 11)

The DEC has partially satisfied this requirement but has failed to provide a full list of areas that require remediation.

–“The rehabilitation of such portions of the area as may suffer from overuse or resource degradation.” (p 11)

With regards to primitive campsites and lean-tos, the DEC has satisfied this requirement. With regards to ATV damage, the DEC has not satisfied this requirement.

–“The regulation or limitation of public use such that the carrying capacity of the area is not exceeded and the types of measures necessary to achieve that objective.” (p 11)

The DEC has failed to meet this requirement in the draft SLWFUMP. For instance, on page 146 the SLWFUMP states “A carrying capacity assessment will be conducted to guide future management and ensure that limits are not exceeded for use of the unit’s waters. A focus of this assessment will be the area of the Saranac Lake Islands Campground (Lower and Middle Saranac lakes as well as Weller Pond).” If the analysis has not been completed, then the DEC has not satisfied this requirement.

–“The preservation of aquatic and terrestrial habitats of the area.” (p 11)

The DEC has failed to satisfy this requirement in the draft SLWFUMP due to its failure to fully detail the extent of natural resource damage and overuse in many areas and the failure to identify areas with ATV damage.

–“The preservation and management of the fish and wildlife resources (including game and non-game species) of the area.” (p 11)

The DEC has satisfied this requirement in the draft SLWFUMP.

–“The preservation and management of the lakes, ponds, rivers and streams of the area, with particular attention to all proposed or designated wild, scenic and recreational rivers.” (p 11)

The DEC has failed to undertake carrying capacity analysis in the preparation and development of this draft UMP. As such, we do not believe that the current draft UMP conforms to the APSLMP.

–“The preservation and management of special interest areas such as the habitats of rare, threatened or endangered species and areas with the potential for the reintroduction of extirpated species, unique geological areas and historic areas or structures.” (p 11)

The DEC has satisfied this requirement in the draft SLWFUMP, though we note in general that the DEC has failed to even consider or assess the feasibility for the restoration

of extirpated species in the Adirondack Forest Preserve such as wolves and mountain lions.

–“The identification of needed additions or improvements to, and plans for providing for further appropriate public use of, the area consistent with its carrying capacity.” (p 11)

The DEC has not actually undertaken any carrying capacity analysis in the preparation and development of this plan. While the DEC notes that it plans to undertake such analysis they have been saying that for years. It’s important that carrying capacity analysis is undertaken and that things such as regulations that set limits on public use and the size of parking lots are tied to carrying capacity analysis. While subsequent UMP amendments may be made based on information obtained from carrying capacity analysis in future years, we note the absence of any completed carrying capacity analysis in the current draft of the SLWFUMP. As such, we do not believe that the current draft UMP conforms to the APSLMP.

–“The removal of such non-conforming uses as may remain.” (p 11)

The DEC has satisfied this requirement in the draft SLWFUMP.

–“The identification, in intensive use, historic and appropriate portions of wild forest areas accessible by motor vehicles, of measures that can be taken to improve access to and enjoyment of these lands, and associated structures and improvements, by persons with disabilities.” (p 11)

The DEC has satisfied this requirement in the draft SLWFUMP.

Eighth, the APSLMP requires “the Unit management plans will also address the administrative actions and the minimum facilities necessary on a site-specific basis, as may be pertinent to the area to attain the stated management objectives of such area.” (p 11) The DEC has satisfied this requirement in the draft SLWFUMP.

Ninth, the APSLMP requires “Schedules for achievement of such objectives will be included in each unit management plan. The land characteristics and the recommended objectives for each area will be related to and integrated with the characteristics and management objectives for adjacent public and private land areas. General recommendations for future acquisition will be included as appropriate.” (p 12) The DEC has satisfied this requirement in the draft SLWFUMP.

Tenth, the APSLMP requires “An initial draft of the unit management plan for each state land area including alternative management objectives, where appropriate, will be submitted to the Agency for review and comment, prior to the preparation of the final draft plan for public review.” (p 12) The DEC has satisfied this requirement in the draft SLWFUMP, though in some areas, such as motorboat use on the Saranac Lakes Chain, the alternatives are written in such a way as there is only one viable choice. An alternative not listed is to manage the Sara-

nac Lake Chain in a way where some sections are motorless and others are not. Here, South Creek and the Weller Ponds could be managed as motorless areas.

Eleventh, the APSLMP requires “Opportunity will be made for review and comment on the draft unit management plans by the public and other interested parties, and a public meeting or meetings will be convened as appropriate for that purpose.” (p 12) The DEC has satisfied this requirement in the draft SLWFUMP. The joint hearing and review conducted by the APA and DEC is unnecessary and violates the long established procedures set forth in the APA-DEC MOU.

Twelfth, the APSLMP requires “Final unit management plans will be prepared by the Department of Environmental Conservation after due consideration of all comments and recommendations made on the public review draft. The Commissioner of the Department of Environmental Conservation will adopt each final unit management plan which will then be filed with the Agency. The Department of Environmental Conservation will report annually to the Agency on progress made toward the implementation of each adopted unit management plan.” (p 12) There is no “response” document in the SLWFUMP from public comments from the 2017 public hearing. PROTECT notes that significant comments on draft UMPs often go without a response from the DEC or the official responses do not deal with the substance of the comment.

The DEC states matter-of-factly that its compliance with the UMP development guidelines in the APSLMP fulfills and illustrates its implementation of the “goal-achievement process” (p 68). A review of the specific requirements enumerated in the APSLMP for the development of a UMP above shows that the DEC has failed in the SLWFUMP to satisfy many of these important requirements.

No Carrying Capacity Analysis for Water Bodies: The APSLMP calls for carrying capacity for water bodies in the Forest Preserve. This is something routinely ignored in conformance reviews by the APA. Here is the relevant section of the APSLMP:

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 elements of these physical characteristics and they are found in widely varied associations. For example, the fertility, erosiveness and depth of soil, the severity of slopes, the elevational characteristics reflected in microclimates, the temperature, chemistry, volume and turnover rate of streams or lakes, all 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. (p 14-15)

The APSLMP also explicit directs Forest Preserve managers not to exceed the carrying capacity of waterbodies:

the physical, biological and social carrying capacity of the lake, or a portion of the lake, or other water bodies accessible from the site will not be exceeded; (p 40)

PROTECT believes that carrying capacity analysis is important for managing public recreational impacts on places like Weller Pond and Little Weller Pond, among many other places in the SLWF. Carrying capacity analysis should be used to size parking lots, set public uses, and require use limitations if necessary. Carrying capacity analysis should be used to prepare and develop a UMP and management recommendations.

Make Weller Pond and Little Weller Pond Motorless

Weller Pond, and Little Weller Pond, should be a motorless, quiet waters area that should be made off-limits to motorized watercraft, only accessible by non-motorized vessels. These ponds should be managed as a quiet and beautiful respite among the heavily used and extremely popular Saranac Lakes Chain.

There are many reasons why the Weller Ponds should be a new motorless area:

1. The Weller Ponds could be a motorless refuge on the heavily used and motorized Saranac Lakes Chain.
2. It would be easy to do. The State of New York owns the entire shoreline areas around both Weller Pond and Little Weller Pond. The state owns the lands around the navigable channel that connects these ponds to Middle Saranac Lake. The state has the authority to close these ponds to motorized boat traffic; it simply needs the will to do so.
3. When we look across the Saranac Lakes Chain, from Lake Flower to the Saranac River to Upper Saranac Lake, the area totals over 9,000 acres of open waters. Weller Pond and Little Weller Pond are just 190 acres – just 2% of the waters of the Saranac Lakes Chain.

Why can't we set aside 2% of these waters as a motorless area?

4. Across the Adirondacks there are relatively few opportunities for motorless waters on large lakes and ponds. It's important to note that most of the major lakes are open to all manner of motorized watercraft. A report published by Protect the Adirondacks in 2013 *The Myth of Quiet, Motor-free Waters in the Adirondack Park* found that of the 100 largest lakes in the Adirondacks, from Lake Champlain to Beaver Lake (in Watson and Webb in western Adirondacks), 77 are open for all manner of motorized boating and floatplanes, 14 lakes are privately owned and provide no public access, and just 8 are motor-free. Boreas Ponds, number 95 among the Park's biggest lakes, was recently purchased by the State of New York and classified as Wilderness to create another public motorless waterbody. Of the eight motor-free lakes among the Park's top 100, just five are relatively easy to access and motor-free. Just 17 of the biggest 200 lakes are easily accessible and motor-free. The demand is high for motor-free experiences, but the supply is low. The public deserves greater opportunities for motor-free waters across the Adirondack Park.

5. The administration of a motorless Weller Pond is manageable because there is only one entrance point – the 1,000-foot channel from Middle Saranac Lake. A sign stating motorless only and that no motorboats are allowed could be placed at the entrance to the channel and a short distance into the channel. The DEC campsite reservation system could be changed to state that the lean-to and three campsites on Weller Pond are available only for non-motorized watercraft. DEC could also advertise the motorless state on its website.

Wild places grow fewer each year. The Adirondack Park offers great opportunities for hiking in wild places, where the longer one hikes the more remote the country one can access, but opportunities to do this by boat are limited. For many, canoe or kayak access is how they get to wild places and enjoy Wilderness. Greater opportunities are needed for motorless waters in the Adirondacks and Weller Pond is one such opportunity that must be seized.

South Creek Canoe Access: The South Creek boat launch area should be managed only for non-motorized watercraft. The site should be permanently gated to prevent the launching of motorized watercraft. South Creek should also be managed as a motorless waterway.

Proposed Trailless Area

PROTECT supports the 7,400-acre trailless area. A motorless and trailless core should be a goal within every Wild Forest area and UMP. These areas will grow in importance as the decades pass and it's important that state agencies plan and manage a trailless area system across the Forest Preserve.

Carrying Capacity Analysis

The management of hiking trails and campsites in the Adirondack Forest Preserve has generally not been science-based for design, construction and maintenance. Most hiking trails, and many campsites, were established decades ago. There are few modern, newly designed, and sustainably constructed hiking trails in the Adirondack Forest Preserve, such as the highly successful Moxham Mountain Trail or the rerouted new trail up Coney Mountain. There are not many such campsites either. DEC and APA have not made the sustainability of and the protection of natural resources within hiking trail and popular camping corridors a priority in UMPs or UMP amendments.

The new SLWFUMP has taken a stab at a new the development and implementation of a carrying capacity analysis. Protect the Adirondacks congratulates the DEC on its decision to pursue carrying capacity analysis, which is similar to those proposed for the Vanderwhacker Mountain Wild Forest Area and High Peaks Wilderness Area, but questions why the DEC is seeking to use different programs in different units of the Forest Preserve. Why is the DEC using different forms of carrying capacity analysis? Given the historic difficulties of the DEC in developing and implementing any kind of carrying capacity analysis, why is it now developing and implementing two different analyses? We fail to see how this is effective or efficient.

While the SLWFUMP shares some common language with the new Vanderwhacker Mountain Wild Forest Area and High Peaks Wilderness Area UMPs regarding carrying capacity analysis, it largely proposes a different plan for carrying capacity analysis. The SLWFUMP proposes to create a carrying capacity analysis through a tripartite blend of a “goal achievement process,” Levels of Acceptable Change (LAC) analysis, and Visitor Experience and Resource Protection (VERP) analysis. While the DEC extolls the “clear benefits” of this approach (p 68) it is untested and appears to be a hodgepodge that borrows bits and pieces from other programs. We note that this approach appears to be less thought through and developed than the skeletal carrying capacity analyses proposed in the Vanderwhacker Mountain Wild Forest and High Peaks Wilderness.

In this blended program, the DEC proposes to analyze the following four factors.

In outline, the Department’s approach applies four factors in identifying potential management actions for an area:

- The identification of acceptable conditions as defined by measurable indicators;
- An analysis of the relationship between existing conditions and those desired;
- Determinations of the necessary management actions needed to achieve desired conditions;
- A monitoring program to see if objectives are being met. (p 69)

PROTECT urges the DEC to standardize some form of recreation ecology management system for the Forest Preserve. Such a program will help to develop sustainable trails by developing a ranking system for trails that are in good shape and those that are damaged and overused. The same would occur for campsites and lean-to locations. This would help for resource allocation and planning for natural resource rehabilitation and protection. We encourage the DEC to share its program with the public once its complete and seek input.

The DEC attempts to put meat on the bone of its skeletal analytical framework by providing a list of the “measurable indicators.” These are:

- Condition of vegetation in camping areas and riparian areas near lakes and streams;
- Extent of soil erosion on trails and at campsites;
- Noncompliant visitor behavior;
- Noise on trails and in adjacent campsites;
- Conflicts between different user groups;

- Diversity and distribution of plant and animal species;
- Air and water quality. (p 70)

PROTECT finds this list to be useful for some indicators, but subjective and incomplete for others. We urge the DEC to publish its field protocol and seek public input for how these indicators will be assessed in the field. While we support a vegetal analysis for campsites, and recognize the need for this, there is not enough information here to comment. On the second indicator dealing with trail and campsite erosion, we recognize its importance, but also think that the wetness, widths, and braiding (side trails) of trails are important indicators. For trails there should also be analysis for the condition of and need for new bridges, bog bridges, stepping stones, stone staircases, among other trail improvements. For campsites a soil compaction analysis is also important. There should also be indicators for campsite facilities such as outhouses and firepits.

We're not sure how "noncompliant visitor behavior" or "noise on trails and in adjacent campsites" or "conflicts between different user groups" will be measured, but we encourage the DEC to share the field protocols and seek public input. Last, we recognize the importance of analyzing the "diversity and distribution of plant and animal species" and "air and water quality" yet this does not provide much information to comment.

In another part of the UMP, the DEC says it will develop and implement a Limits of Acceptable Change (LAC) program. It lists options for collecting the necessary data that may include camper surveys, incident reports, interviews, and other data collection methods. This LAC program will include a monitoring plan to provide periodic, systematic feedback regarding the effectiveness of management actions. The focus of this will likely be soil erosion and vegetation screening. (p 169) This appears to differ from what is proposed above and to demonstrate that the DEC has yet to develop a coherent carrying capacity analysis program.

This section represents a lot of thinking and planning by DEC but PROTECT is at a loss as to why the DEC is now proposing two different types of carrying capacity analysis. We are also concerned about the vagueness of this UMP for when the different components of the SLWF carrying capacity analysis will be completed and implemented.

Campsite Management Fails to Conform to the Adirondack Park State Land Master Plan

The SLWF lists 162 campsites and eight lean-tos. The Saranac Lake Islands Campground area has 87 campsites, 5 with lean-tos, 36 of which have pump-out pit privies. The other major concentration areas of campsites are on Floodwood Road and Follensby Clear Pond. Many are acknowledged by the DEC to suffer from overuse and degradation. Many fail to meet the APSLMP requirements for basic separation distances from one campsite to another and from campsite to waterbody.

The DEC has determined in this UMP to take a modest approach with minor campsite closure

in the short-run and to study the issue more thoroughly through some kind of carrying capacity analysis to see if more changes are needed. The DEC states that it looked at campsite closure, but abandoned it:

Therefore, a strategy of closing and relocating campsites in the SLWF in order to reduce impact is generally not a realistic way to limit adverse impact. Relocated campsites would have to be constructed in areas that have not been impacted, and it would be difficult to keep the public from continuing to use the old sites. (p 71)

The Executive Summary of the SLWFUMP also states plainly that the campsites fail to conform with the APSLMP. Here are two relevant excerpts:

The APSLMP requires a separation distance of 0.25 miles between campsites. A large number of campsites in the SLWF do not conform to this guideline. Campsites in the unit are also heavily impacted. This UMP proposes that 64 campsites be closed and 68 new campsites to be built. Some areas of the unit will see an increase in campsites while other areas will experience a significant decrease in the number of campsites. For example, the number of campsites on Upper Saranac Lake will increase from 19 to 28, while at Follensby Clear Pond the number of campsites will go from 32 to 18.

Saranac Lake Islands Campground:

This area is managed as a Department campground, but it is classified as Wild Forest. There are 87 campsites in the campground. These are located on Middle and Lower Saranac Lakes and First, Second, and Weller Ponds. In 2015, 6,660 permits were issued to stay overnight at the campground, and the total attendance was 21,084 stay-days. The camping fee is currently \$22.00 per night for a campsite, not including an additional reservation fee. Camping fees support the seasonal staff hired to manage the area during the camping season. Without the seasonal staff there would not be daily oversight of the campsites.

The preferred alternative from the UMP is to enhance protections for the campground, relocate 14 campsites, and build four new campsites. The campground regulations currently cover part of the campground, and will be expanded to the entire facility, which includes Middle Saranac Lake and Weller Pond. A program will be developed to monitor and address impacts at campsites. This alternative would result in limited disruption to public use and management of the area, while moving the area toward APSLMP compliance.

The other alternatives discussed in the UMP include eliminating the management of this area as a campground and revert it to regular Wild Forest management, bring the area toward APSLMP compliance by closing campsites, and reclassify the area to Intensive Use.

PROTECT is disappointed that a more ambitious campsite closure and rehabilitation pro-

gram, which conforms to the APSLMP, and which was the heart of the 2017 draft SLWFUMP has largely been abandoned in favor of a status quo and study-the-problem approach. In the year 2018, it seems that compliance with the APSLMP should not be something deferred, but should be something that is required.

Floodwood Road Campsites: PROTECT supports efforts to close existing non-APSLMP-compliant campsites on the Floodwood Road. This is long overdue.

Other Issues

Boat Launches: The SLWF area contains four boat launches for trailered boats (motorboats) on Lake Placid, Raquette River, Upper Saranac Lake and Lake Flower. The major boat launch on Lower Saranac Lake is classified as Intensive Use, but is basically part of this unit and the boats launched there are used on the water bodies in the SLWF area.

In addition to these five major boat launches where large motorboats can be launched there are a number of launch sites where trailered boats cannot be launched and are primarily used for canoes and kayaks, though some allow for boats and small motors to be launched. These launches need to be secured to prevent illegal launching of trailered boats. PROTECT questions why some of these waterbodies need a 15 HP engine and encourages the DEC to look at limiting use to electric trolling motors, similar to those used on Thirteenth Lake as part of the Siamese Ponds Wilderness Area UMP.

New Trails: We support the proposals for new foot trails in this unit, which total over 36.6 miles. Over 34 miles of these trails are either designed as new mountain bikes systems or will be open to mountain bikes. We support the new trail to Seymour Mountain and the reroute for the trail to Scarface Mountain. We support the reroute of the Bartlett Carry trail to move it off the road.

Interpretive Trails: PROTECT supports the DEC proposal for a new interpretive trail on the east side of Lake Clear and upgrades to the two existing interpretive trails. Every Wild Forest area should have an interpretive trail.

Ampersand Mountain Trailhead Parking: The parking area for Ampersand Mountain and lake access needs to be improved. There should be a recommendation to examine an amendment to the High Peaks Wilderness UMP for siting and building a new parking lot on the east side of Route 3 in the High Peaks Wilderness.

ATVs: The SLWFUMP states that illegal ATV use is a problem in the unit, but fails to identify where or to detail the damage caused to natural resources of facilities. The UMP also fails to address how this illegal use will be stopped in the future.

CP-3 Access: PROTECT supports the Dunlap Road proposed CP-3 access and campsite. We note that there are also three specially designed fishing access areas for disabled individuals. We also note that since so much of the major water bodies on the Saranac Lake Chain, and

other major lakes, are accessible by motorboat, which provides access for disabled individuals as well as the general public. More important is that a number of trails will be made accessible for disabled access.

Ownership of the Averyville Road Extension: There is also a road which is of uncertain legal status (as to whether it is a town road or not). This road is known as Kelly or Pine Pond Road or an extension of Averyville Road. It runs along the border between the SLWF and the High Peaks Wilderness. This road is in the towns of North Elba and Harrietstown. The legality of this use has not been proven or disproven. The road is used to reach private property along Oseetah Lake and by the public for recreational uses, such as access for hunting, snowmobiling, and mountain biking. Right now this road facilitates trespassing on the Forest Preserve for illegal ATV and motor vehicle use.

Saranac Inn Golf Course Trespass on the Forest Preserve: Another issue that is unresolved in the SLWFUMP is the trespass on the Forest Preserve of the Saranac Inn golf course. This should be resolved. This UMP contains a section "Recommendations for corrections for Land Classification Errors." This section should include a statement about Forest Preserve lands currently being maintained and used as private golf course lands. This issue grows even more serious as there is speculation that these lands could be developed for housing.

Control of Invasive Species: We applaud the DEC for being proactive and partnering with local organizations for management, control, interdiction and public education to help stop the spread of aquatic and terrestrial invasive species.

Fisheries Management: We find the Fisheries Management information to be comprehensive and detailed. UMPs generally have very strong fisheries sections. We encourage the DEC and APA to include information from Paul Smith's College professor Curt Stager who has studied the impacts of pond reclamation. These studies should be acknowledged and their findings discussed in DEC's deliberations about possible future pond reclamation efforts.

State Payment of Local Taxes: We applaud the DEC for including the chart on page 64 that details state payment of taxes on Forest Preserve lands of roughly \$6 million annually. The data provided is from 2009 and has certainly gone up since then. We note that this shows tax receipts of roughly \$76 per acre per year.

Mountainbike Trails

PROTECT supports the DEC's proposals to build a new mountainbike trail system. We find this to be a more reasonable decision than the two recently proposed mountainbike systems in the Vanderhacker Mountain Wild Forest area along the Blue Ridge Highway, which has neither a local population base or a partner organization to help maintain such a trail network. PROTECT notes that this will be the sixth intensive mountainbike trail network approved by the DEC and APA in a UMP or amendment. Only two have been built. Of the four recently approved, none have been built. We encourage the DEC to be judicious in its planning given the chronic under-investment and limited resources available for Forest Preserve management by

the Cuomo Administration. The new mountainbike trail network proposed in the SLWF would appear to have a greater chance of success than any of the other three recently approved.

Class II Community Connector Snowmobile Trail Construction Violates the Adirondack Park State Land Master

The SLWFUMP proposes 2.18 miles of new class II community connector snowmobile trails. The APSLMP defines a snowmobile trail as “a marked trail of essentially the same character as a foot trail” and mandates that it be “compatible with the wild forest character of an area.” A snowmobile trail “should be designed and located in a manner than will not adversely affect adjoining private landowners or the wild forest atmosphere....” Class II community connector snowmobile trails are 9-12 feet in width and are road-like and simply do not have the character of a foot trail, which violates both the wild forest character and the wild forest atmosphere of the area. PROTECT has consistently stated that class II community connector snowmobile trails do not conform to these three standards.

A class II community connector snowmobile trail’s surface has been graded, leveled, and flattened by a multi-ton excavator. Extensive bench cuts are dug into side slopes that parallel the trail for long distances, protruding rocks are removed, extensive tree cutting is done, all understory vegetation is removed, and oversized bridges are built to support multi-ton groomers. In places bedrock may be fractured and chipped or gravel may be used to stabilize the trail surface. Bridges have been outfitted with plastic reflectors for nighttime driving.

A “foot trail” is where people walk single file. They step over roots and rocks. The trail surface is uneven and follows the terrain. There are scarcely any stumps of cut trees. Vegetation on the side often encroaches, and the trail is canopy covered. Steppingstones and split logs are commonly used to pass over streams and wet areas. There are no reflectors.

PROTECT has identified that there are many other areas of the APSLMP for Wild Forest areas that are expressly violated by the design and construction of class II community connector snowmobile trails and by grooming with large tracked (motor vehicle) groomers. These include:

1. Basic Guideline 2 (Motor Vehicles, Motorized Equipment and Aircraft 6) states that public access accommodations should be “consistent with the wild forest character.”

PROTECT does not believe that the new road-like class II community connector class II snowmobile trails are consistent with the wild forest character. The route’s width, bridges, reflectors, bench cuts, ledge cuts, use of gravel and straw, extensive surface alteration, tree removal, understory removal are all inconsistent with the “wild forest character” of Wild Forest areas.

2. Basic Guideline 2 (Motor Vehicles, Motorized Equipment and Aircraft #8) states “All conforming structures and improvements will be designed and located so as to blend with the surrounding environment and require only minimal maintenance.” PROTECT

does not believe that the new class II community connector snowmobile trails meet the minimal maintenance test expressed here. DEC and the APA claim that the grooming of this trail is maintenance. PROTECT does not believe that numerous trips per week by a multi-ton tracked groomer on a major snowmobile route meets the “minimal maintenance” test.

3. Basic Guideline 2 (Motor Vehicles, Motorized Equipment and Aircraft 9) states “All management and administrative actions and interior facilities in wild forest areas will be designed to emphasize the self-sufficiency of the user to assume a high degree of responsibility for environmentally sound use of such areas for his or her own health, safety and welfare.”

Leaving aside concerns of snowmobile “environmentally sound use” with their mileage rates less than most SUVs, PROTECT questions the “self-sufficiency” of the users of class II community connector snowmobile trails where the principal recreational use of snowmobiling can only be accomplished if the trail has been regularly groomed by a multi-ton tracked groomer.

Class II Community Connector Snowmobile Trails Violate the State Constitution

Class II community connector snowmobile trails are designed and built for snowmobiles to travel 25 miles per hour or higher and be groomed with large tracked groomers. No other recreational “trail” use sees this kind of speed. No other trail system in the Forest Preserve requires 9-11 foot wide trails, specifically designed and constructed to allow regular grooming with large multi-ton motor vehicles and high-speed snowmobile travel. Unlike other trails built by hand, these trails are excavated with heavy machinery, utilize extensive bench cutting, remove thousands of trees over 3 inches diameter at breast height (DBH), remove tens of thousands of trees under 3 inches DBH, remove the entire native understory, often replace the native understory with a grass mix, open the forest canopy, often fracture and chip away bedrock, utilize oversized bridges often equipped with reflectors, and are built to handle operation of motor vehicles. No other recreational activity in the Forest Preserve, outside of Intensive Use Areas, requires such profound terrain alteration and destruction of natural resources.

PROTECT believes that class II community connector snowmobile trails violate Article XIV, Section 1 of the NYS Constitution.

Ranger Staffing

The number of Forest Rangers in New York has been stagnant for decades even as more land has been added to the Forest Preserve and protected through conservation easements. The Rangers are assigned to protect public safety on these lands, fight forest fires, mark boundaries, among many other responsibilities. Public use of the Forest Preserve is at an all-time high. More Rangers are needed as more time is dedicated to search and rescue and public education.

On behalf of the Board of Directors of Protect the Adirondacks, please let me express our gratitude for the opportunity to submit these public comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with the first name "Peter" being more prominent than the last name "Bauer".

Peter Bauer
Executive Director