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February 1, 2019

Kevin Prickett  
NYS Adirondack Park Agency  
PO Box 99  
Ray Brook, NY 12977

**RE: Public comments on draft APA-DEC "Management Guidance on Cross Country Ski Trail Design, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park"**

Dear Mr. Prickett,

These comments are submitted as part of the public comment period for the new draft "Management Guidance on Cross Country Ski Trail Design, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park" (Guidance) promulgated by the Adirondack Park Agency (APA) and Department of Environmental Conservation (DEC). This document seeks to create a uniform management process for locating, building and maintaining networks of cross country ski trails in the Adirondack Forest Preserve.

Overall, the new Cross Country Ski Trail Guidance is an effort to provide a system of accountability to the public and state planners for expanding and maintaining a robust cross country trail system on the Forest Preserve. This follows a Guidance document prepared for mountainbike trails, snowmobile trails, and primitive campsites. Though "Guidance" documents are approved as official policy of state agencies, they are not law, and as we have seen with the Snowmobile Trail Guidance, they are easily subverted and ignored when deemed necessary or convenient for state agencies to do so. We certainly hope that the APA Board, as it takes up this new Cross Country Ski Trail Guidance, will redouble its commitment to live within the boundaries of the new public policy that it creates.

General Comments

**Controlling Documents:** The Guidance should list all controlling documents, including Article XIV, the forever wild provision, of the State Constitution.

**Protect the Adirondacks**

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**Grooming:** The Guidance should state that cross country trail grooming is limited by the Adirondack Park State Land Master Plan (APSLMP) to Intensive Use areas by the definitions of “cross-country ski trail” and “improved cross country ski trail.”

**New Forest Preserve Management Paradigm: Each User Group Gets Its Own**

**Specially Designed Trail System:** The Adirondack Forest Preserve is now fully in the throes of a new era where it is being managed primarily for recreational use, not for natural resource protection. A major part of the heightened focus on recreational use is the development of abundant and separate trail systems for various recreational uses: hiking trails (foot trails), snowmobile trails, horse trails, mountain biking, and roads being the dominant trail systems/networks. Each of these trail systems facilitates a different outdoor recreational activity through distinct trail design, construction, and maintenance. In many ways, what we’re seeing today is a major experiment in outdoor recreational management with the results far from known.

**Wilderness and Wild Forest Area Differences:** The Guidance should differentiate between Wilderness and Wild Forest areas for cross country ski trail design and maintenance. For example, Wild Forest areas allow motorized equipment to be used for trail construction and maintenance, but Wilderness areas do not. The Guidance should recognize these differences as the cross country ski community is seeking to build a robust cross country ski trail network in both Wilderness and Wild Forest areas. The absence of different planning for the different classifications is an oversight in this Guidance. Other Guidance documents, such as for snowmobile trails or mountain biking, were limited to Wild Forest areas and did not have to plan for multiple Forest Preserve units with starkly different management criteria. This Guidance needs to differentiate between Wilderness and Wild Forest areas.

Specific Comments on Proposed Cross Country Ski Trail Guidance

**Three Cross Country Ski Trail Types:** The Guidance sets out three types of cross country ski trails that will be recognized and managed on the Forest Preserve: 1) Ski Touring Trails, which are largely ski trails over existing hiking trails and require little active management to facilitate cross country skiing. 2) Backcountry ski trails, which are specially designated cross country ski trails on steeper, challenging terrain, and require active management in the form of sight distances, turning radius, and removal of “obstacles.” 3) Skin track trails, which are routes through steep terrain that allow skiers to climb to a high elevation point where they can access either a backcountry ski trail or a natural opening in the mountains that is ski-able, such as a slide, drainage, summit, or open tree skiing through a mature forest.

The Guidance should look at other cross country ski trail definitions as listed below. It’s important that these types of cross country ski opportunities are identified and defined:

Skiable Slide: A snow covered open area usually on a mountainside formed when a landslide or avalanche clears an area of trees, and often of soil cover.

Skiable Glade: A snow covered slope in a forest with trees naturally spaced with

wide enough openings between them to allow skiers to pass through when snow depth is sufficient. Trail maintenance, tree pruning or tree clearing for skiable glades shall not be permitted.

In the definition for “skin track ski trail” replace the word “slides” with “skiable slides and skiable glades” on page 5.

**Trail Widths and Tree Cutting:** The chart authorizes trail clearing up to 12 feet in width. Protect the Adirondacks has found that tree cutting on class II community connector snowmobile trails reaches over 1,000 trees per mile to build trails 12 feet wide. This is an unconstitutional level of tree cutting. Given the terrain at high elevations, we’re concerned about negative ecological impacts to the Forest Preserve. It’s important to note that tree cutting and vegetation clearing will lead to loss of soil and erosion.

**Tree Cutting Policy Fails to Protect Rare Alpine Krumholz Ecosystem:** This Guidance fails to contemplate the reality of the ecosystem where many new backcountry ski trails will be constructed. These trails will access high elevation areas, know as the “krumholz,” which is a unique ecosystem of a mountaintop forest. The krumholz is sometimes referred to as “knee timber” or the “crooked wood” and is a forest community in the alpine transition zone where trees are both very small in diameter and very old. Throughout krumholz areas trees that are 3 inches in diameter or less could be 100 years old or more. The state’s tree cutting policy (LF-91-2) just looks at a tree’s diameter and not at any other important characteristics, such as age. This is a case where the existing policy is not appropriate because as a one-size-fits-all policy it fundamentally fails to consider different forest communities or habitats.

The Guidance needs to formally recognize the krumholz ecosystem and include a section that details how this rare community will be managed and protected. The failure to address the krumholz in any way in this Guidance is a serious oversight that requires that state agencies hold another public hearing when a formal krumholz management and protection program is developed.

**Rock Removal:** The Guidance calls for the removal of rocks from trails. We see no need to remove rocks from trails. The removal of rocks from a trail is an action that dramatically changes the character of a trail. When a rock, or large boulder is removed, the trail no longer possesses a foot path quality. We note that rocks and boulder removal is a regular feature on road-like class II community connector snowmobile trails. The Guidance should be revised to remove any authorization for removal or rocks or boulders.

**Hand Tools Only:** The Guidance states that benchcuts for side slope management will be constructed “primarily using hand tools.” The Guidance should be rewritten to clearly state that all work on cross country ski trails in Wilderness areas will be undertaken exclusively with hand tools.

**Sight Distances:** The Guidance calls for managing sight distances up to 100 feet on backcountry ski trails. We note that the Snowmobile Trail Guidance states that “Sight

distance will be 50 feet or more wherever possible.” (p 5) Given that snowmobiles travel faster than skiers, 100-foot sight distances seem excessive.

**Beware of Weasel Words:** Prior Guidance documents have included weasel words where state agencies were given a small amount of discretion or latitude and used that to inflict vast damage on the Forest Preserve. For instance, the snowmobile trail guidance talks about the use of “motorized landscaping equipment” and “appropriate low impact landscaping equipment.” Neither of these terms was deemed necessary for the Guidance to define in the Definitions section, but somehow “low impact landscaping equipment,” which in the popular imagination conjures up images of a rake or a hoe, turned out to be a 6-ton excavator.

Moreover, the snowmobile guidance also stated: “Trail surfaces should generally follow the existing contours of the natural forest floor and not be graded flat. Limited leveling and grading may be undertaken using appropriate low-impact landscaping equipment as specified in a Work Plan.” (p 9) It should be pointed out that in the construction of the Seventh Lake Mountain class II trail and Harris Lake class II trail the existing forest floor was graded flat from one end of the trail to the other and “limited grading” became the standard as the 6-ton excavator was used on over two-thirds of the trail during construction.

The public was badly burned by state agencies’ willful subversion of both the spirit and written word in the snowmobile trail guidance. Because of the history of state agencies subverting their own guidance documents to meet their political objectives in the field, there must be zero tolerance for imprecision in the wording of the guidance, and no discretion or latitude can be afforded due to the state’s dismal track record of honestly implementing prior guidance documents.

Given the state’s poor track record it’s easy to see how wording for directives could be abused: “Rock removal on trails should be primarily limited to uncommon, major obstacles that present demonstrable safety hazards to skiers and which cannot be avoided by appropriate trail layout or rerouting.” This passage provides agencies carte blanche to inflict enormous amounts of damage on the Forest Preserve under the guise of a duly approved Work Plan. Unfortunately, we’ve seen in practice many times where activities that should be “primarily limited” become standard operating procedures.

The Guidance talks about the removal of “obstacles” during management of a Backcountry Ski Trail. “Obstacles” in this usage should be defined. This term provides agencies carte blanche to inflict enormous amounts of damage on the Forest Preserve under the guise of a duly approved Work Plan.

The Guidance talks about “limited leveling and grading” of the trail surface. This passage provides agencies carte blanche to inflict enormous amounts of damage on the Forest Preserve under the guise of a duly approved Work Plan. We’ve seen in practice many times where a “limited” activity becomes the standard operating procedure.

**Side Slope Management (Benchcutting):** One of the most significant changes in a natural forest is a trail where benchcuts are made. Benchcuts introduce a manmade

geometric shape to the terrain that is incongruent with a natural forest. There are no benchcuts in nature. Benchcuts have become a standard feature on class II community connector snowmobile trails and are used periodically on hiking trails. On class II snowmobile trails benchcuts often reached a total of 20 to 25 feet or more in width of disturbed area when the impacts to the upslope and downslope were taken into account beyond the 12 feet of cleared tread area. The impacts of benchcuts go far outside the trail treads and mark a major change to the wild forest atmosphere and character.

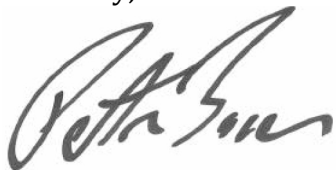
If a benchcut is required for a backcountry ski trail, then that is a trail that by definition is poorly designed and needs to be re-planned and re-routed. Benchcuts are simply not suitable for cross country ski trails in the Forest Preserve.

**Preferences for “Loops,” “Single Direction,” and Skis Only:** The Guidance directs state planners to build a separate backcountry cross country ski system where skiers should ski in one direction, where snowshoers and winter hikers without snowshoes (post-holing) are prohibited. We wonder about how this will be enforced and whether DEC or APA regulations are needed to fully effectuate these directives.

**Trail Surface:** Insert the work “native” before the word “vegetative” on page 7. At the end of this sentence insert: “Grass seed or other ground cover foreign to the surrounding forest should not be introduced.” If remediation plantings are required that shows the failure of the trail design and the trail should be re-designed and re-routed to avoid ecological damage.

On behalf of the Board of Directors of Protect the Adirondacks, please accept my gratitude for the opportunity to present our concerns about this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with a large initial "P" and "B".

Peter Bauer,  
Executive Director