



September 20, 2019

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Terry Martino, Executive Director  
NYS Adirondack Park Agency  
PO Box 99  
Ray Brook, NY 12977

**RE: New Class II Community Connector Snowmobile Trail/Multi-Use Trail/Class VII Horse Trail in Hammond Pond Wild Forest Area Appears to Violate a Number of Longstanding Forest Preserve Management Procedures**

Dear Ms. Martino:

Earlier this summer I surveyed the new Department of Environmental Conservation (DEC) Frontier Town Campground and associated "multi use" trails in the nearby Hammond Pond Wild Forest (HPWF) area. I was surprised to see that the "East of Route 9 Multiple Use Trail" on the east side of Route 9 in the HPWF seemed to be exactly the same design as the multi-use trails in the Frontier Town Campground. These trails had a center tread area that consisted of three feet or more of crushed stone with wide, cleared, graded and grassy shoulders of several feet on each side. These trails ranged from 8-12 feet wide and were often even wider in many locations. These two areas have very different laws and policies that govern their uses. The Frontier Town Campground is a state conservation easement where only Adirondack Park Agency (APA) and Town of North Hudson local ordinances govern land uses, whereas actions within the HPWF are governed by a series of state regulations, policies and agreements regarding the management of public Forest Preserve lands. Despite these differences, the trails looked identical.

The "East of Route 9 Multiple Use Trail" in the HPWF raises many questions about the use of non-native crushed stone and the trail design. It appears that changes were made to the HPWF UMP that departed significantly from the last 20 years of UMP development. In addition to the changes to the HPWF UMP, there also appears to have been a decision to ignore the long established protocol between the APA-DEC for the review and approval of major trail construction. It appears that in this case there was a breakdown in coordination between the APA and DEC and a major

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trail construction project, that involved new and controversial trail construction design and practices, did not follow established protocols. As a result it appears that the DEC failed to comply with the “Management Guidance: Snowmobile Trail Siting, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park” and the recently approved Hammond Pond Wild Forest UMP.

### **New Trail Violated Snowmobile Trail Construction and Maintenance Guidance**

In 2010, the APA-DEC adopted the “Management Guidance: Snowmobile Trail Siting, Construction and Maintenance on Forest Preserve Lands in the Adirondack Park.” This policy document enumerates the agreed-upon administrative process between the APA-DEC for building snowmobile trails in the Adirondack Forest Preserve.

On page 8, in the section “Snowmobile Route Design, Construction and Maintenance Standards,” the Guidance states “Snowmobile route design, construction and non-ordinary maintenance activities will be carried out pursuant to Snowmobile Trail Work Plans developed by DEC staff in consultation with APA staff.” Protect the Adirondacks submitted a Freedom of Information request to the APA that asked for all work plans and related documents regarding the Hammond Pond Wild Forest. On July 31<sup>st</sup> the APA responded: “After a diligent search the Agency has found no records regarding trail construction in the Hammond Pond Wild Forest Area.” It appears that the DEC went ahead and built the 0.8-mile “East of Route 9 Multiple Use Trail” without any consultation with the APA, despite the requirement in the Guidance for consultation.

Why is it that the DEC appears to have violated the Snowmobile Guidance during construction of the East of Route 9 Multiple Use Trail in the Hammond Pond Wild Forest? How did this happen?

### **Violation of Hammond Pond Unit Management Plan**

The HPWF UMP set out a process that also appears to make consultation mandatory for new major snowmobile trails such as the “East of Route 9 Multiple Use Trail.” In the HPWF, the first bullet in the section “General Guidelines and Objectives for Management of the Unit” states “Prepare a work plan for each construction or major maintenance project.” The third bullet in the section “General Guidelines and Objectives for Management of the Unit” in the HPWF UMP states “Comply with the requirements of all applicable laws, regulations, and policies.” The UMP directed the DEC to not only develop a work plan but also to comply with existing policies, such as the Snowmobile Trails Guidance. The construction of the 0.8 mile East of Route 9 Multiple Use Trail was a major construction project and there is no evidence that a Work Plan was developed by the DEC in consultation with the APA. The Guidance and the HPWF UMP required consultation, but the DEC failed to comply.

Why is it that the DEC appears to have violated the directives for consultation during planning and construction of the East of Route 9 Multiple Use Trail in the Hammond Pond Wild Forest? How did this happen?

## **Changes to Trail Standards Should be More Openly Discussed and Vetted**

The HPWF UMP discussed the East of Route 9 Multiple Use Trail/class VII horse trail at two points:

A 0.8-mile section on HPWF land east of Route 9, between the Schroon River Road and Town of North Hudson land (near Frontier Town). This trail is not described in the 1988 HPWF UMP, nor is it currently designated for snowmobile use. However, field inspections have found the condition and configuration of the trail to be appropriate for continued snowmobile use, and this UMP formally designates this as a Class II Community Connector trail. The trail tread will be hardened as necessary (through rock turnpiking, or other standard trail maintenance/rehabilitation practices), and the trail will be designated for multiple uses, including equestrian use. (p 89)

...

A north-south trail currently exists on HPWF and Town of North Hudson lands, on the east side of Route 9 between the Schroon River Road and the Frontier Town Campground & Day Use Area. Of this, 0.8 miles is located on HPWF land. This trail currently exists as a portion of the Schroon Lake-North Hudson snowmobile community connector trail, but it is not approved in a UMP. The configuration and conditions are largely favorable for a year-round, multiple use connection between the Frontier Town Campground and the Schroon River Road area. This will also legitimize the existing snowmobile trail. This trail will be upgraded and maintained to Class VII Horse Trail standards. (p 106)

The APA-DEC have a working set of trail standards, which originated in a chart in the 1999 High Peaks Wilderness UMP. The High Peaks Wilderness Area UMP was the first to include a Trail Classification System Chart. While this system has never been officially recognized in, or a part of, the State Land Master Plan, the APA-DEC have generally used this chart as a reference document though its inclusion in various UMPs, though its inclusion has not been a regular feature.

The Trail Classification System Chart includes a "Class VII Horse Trail." For 20 years, since 1998, the Class VII Horse Trail was unchanged, but in 2019 in the HPWF UMP the Class VII horse trail was changed in major way. Prior to the HPWF UMP, the Class VII Horse Trail "tread" was described as "wide tread, must be rather smooth."

This same "tread" description was used in the 2011 Moose River Plains Wild Forest UMP and the 2013 Taylor Pond Wild Forest UMP. The 2019 Hammond Pond Wild Forest UMP saw a major change to the "tread" category to read "Wide tread, must be rather smooth. Use of natural and non-native materials 24" – 48" wide." This was a major change with significant long-term impacts.

Below is a list of how the Class VII Horse Trail was changed over time. The most striking change was in the new Hammond Pond Wild Forest UMP.

**High Peaks Wilderness UMP, 1999**

TITLE	EXAMPLE	MARKING	TREAD	BARRIERS	USE LEVEL	ACCEPTABLE MAINTENANCE
VII. Horse Trail	Cold River Loop	Marked as Trunk or Secondary	Wide tread, must be rather smooth.	Same as trunk trail.	Moderate to High	Same as trunk trail, except use techniques appropriate for horses. Bridges: 6' minimum width with kick rails, nonnative dimensional materials preferred. Tread: 2'-4' wide, clear 8' wide, 10' high.

**Moose River Plains Wild Forest UMP, 2011**

TITLE	MARKING	TREAD	BARRIERS	USE LEVEL	ACCEPTABLE MAINTENANCE
VII. Horse Trail	Marked as Trunk or Secondary	Wide tread, must be rather smooth.	Same as trunk trail.	Moderate to High	Same as trunk trail, except use techniques appropriate for horses. Bridges: 6' minimum width with kick rails, nonnative dimensional materials preferred. Tread: 2'-4' wide, clear 8' wide, 10' high.

**Taylor Pond Management Complex UMP, 2013**

TITLE	EXAMPLE	MARKING	TREAD	BARRIERS	USE LEVEL	ACCEPTABLE MAINTENANCE
VII. Horse Trail	None in TPMC	Marked as Trunk or Secondary	Wide tread, must be rather smooth.	Same as trunk trail.	Moderate to High	Same as trunk trail, except use techniques appropriate for horses. Bridges: 6' minimum width with kick rails, nonnative dimensional materials preferred. Tread: 2'-4' wide, clear 8' wide, 10' high.

**Hammond Pond Wild Forest UMP, 2019**

TITLE	MARKING	TREAD	TRAIL CORRIDOR	BRIDGES/ LADDERS	DESIGN AND MAINTENANCE
Class VII. Horse Trail	Marked as Trunk or Secondary Trail	Wide tread, must be rather smooth. Use of natural and non-native materials 24" – 48" wide	8' wide, 12' high Same as Trunk trail	Bridges 6'-10' wide with kick rails, nonnative dimensional materials preferred.	Same as Trunk Trail on larger scale and use equestrian techniques. Use of horse drawn implements allowed.

The inclusion of “use of natural and non-native materials 24” – 48” wide” was a major change that should have been more fully vetted by the APA and DEC. There is no mention of this change in the record during the review by the APA. DEC did not draw attention to these changes in public hearings or in their presentation to the APA. Neither the APA or the public appeared to pick up on the proposed major change.

The failure to fully vet the major change to a class VII horse trail is unfortunate. The use of non-native materials to create a gravel tread area in the center of a trail is a considerable change in policy. The pictures below show how this trail now looks.



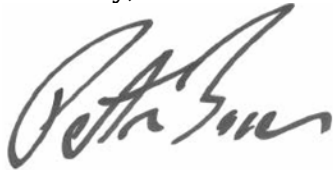
This is a major change to horse trails in the Forest Preserve. Many tons of gravel were required to build this wide tread on this trail. The construction required excessive

clearing on this trail, which in many places exceeds 12 feet in width. Large-scale motor vehicles were needed to haul this material. The design and construction of this Class VII Horse Trail should have been done in consultation between the APA and DEC staff and a formal work plan should have been developed.

The apparent failure of the DEC to uphold long established procedures is mystifying. We call upon the APA to fully investigate how this happened and hold the DEC accountable.

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

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

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