



October 9, 2013

Thomas A. Ulasewicz, Esq.
Fitzgerald Morris Baker Firth PC
16 Pearl St. PO Box 2019
Glens Falls, NY 12801

**Re: APA Project 2005-100
Adirondack Club & Resort
Town of Tupper Lake, Franklin County
Amphibian Impact Analysis**

Dear Mr. Ulasewicz:

Thank you for submitting the "Proposed Amphibian Impact Analysis Plan Eastern Great Camp Lots Area Adirondack Club and Resort Tupper Lake, Franklin County, NY," dated July 2013, and the attachment entitled "Quantitative Amphibian Presence and Migration Surveys, April/May 2013, Small Eastern Great Camp Lots" (both documents together referred to herein as the "Plan"). The Plan was prepared by KT Wildlife, LLC, in response to Condition 25 of Agency Permit 2005-100.4 under Order 2005-100. Condition 25 states, "Based on the results of the biological survey, the Project Sponsor shall provide the Agency a detailed plan for an amphibian impact analysis... for review and approval."

Before the Agency can authorize any impact analysis plan, the following additional information is required:

Proposed Amphibian Impact Analysis Plan-
Outline of Seven Objectives

1. Objective II, Habitat Description of Survey Areas (Resource Management lands). Please provide a map showing the specific location and size of each area surveyed in relation to proposed development (i.e. Bypass Road, Lake Simond Road Extension, Small Eastern Great Camp Lots, etc.).

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2. Objective V, Presence of Vernal Pools.

- a. Please provide a map showing the location and size of each vernal pool surveyed in relation to proposed development (i.e. Bypass Road, Lake Simond Road Extension, etc.).
 - b. Agency staff guidance document entitled "Guidelines for the Amphibian Surveys Required by Agency Order P2005-100, and Permits P2005-100-4SE, Permits P2005-100-12SW, and Permits P2005-100-13WF," provided to the Project Sponsor, references a vernal pool assessment based on biological value and condition of critical habitat. Please confirm that a vernal pool assessment will be undertaken in accordance with this guidance document as part of the impact analysis.
3. Objective III, Amphibian Migration-identifiable corridors. Please verify that potential migration patterns/corridors will be evaluated for all amphibian species identified.
4. Objective VII, Analysis of Impacts of Proposed Project/Human Activity on Amphibians. Please verify that the impact analysis will be used to propose best management practices and mitigation techniques as referenced in Condition 26 of Agency Permit 2005-100.4.

Quantitative Amphibian Presence and Migration Surveys,
April/May 2013

5. Several different survey methods (i.e. pitfall traps, grid searches, dip netting, etc.) were utilized during the 11 day/night survey period. Provide a map showing where each method was used in the study area.
6. Table 3 provides the date, weather information and survey start and end times and appears to combine all of the different survey methods into a single daily survey period. Provide information concerning survey effort (i.e. date, start and end time, etc.) for each individual survey technique (night vs. daytime reconnaissance surveys, pitfall traps, grid searches, dip netting, minnow traps, etc.).

7. Agency staff guidance document entitled "Guidelines for the Amphibian Surveys Required by Agency Order 2005-100, and Permits P2005-100-4SE, Permits P2005-100-12SW, and Permits P2005-100-13WF," provided to the Project Sponsor, identified minnow traps as a sampling technique. Please provide information concerning the results of this sampling or justification as to why this technique was not used.
8. Table 1 provides a list of all species of amphibians surveyed and includes a broad description of location (i.e. Lake Simond Rd Ext., Bypass Road etc.). Please provide a map depicting the location of species observed/collected during the survey period. The map must also include proposed development (i.e. Bypass Road, Lake Simond Road Extension, etc.) as it relates to amphibian locations and densities. Provide an update to Table 1 to include the survey method used to detect the species of amphibian at each location.
9. The document states that "Eleven pitfall traps were set in locations determined to have the highest probability to capture salamanders." Explain how these "high probability" areas were determined.
10. The last paragraph on the last page states "No endangered or threatened species of amphibians were located during the quantitative amphibian survey, only the ten common species listed here and shown in the tables." However, Table 4 only identifies 9 species of amphibians found during the survey. Please confirm the total number of amphibian species found.
11. The document references several tire ruts and roadside ditches which are functioning as vernal pools and states that "It is estimated that about 75% of the amphibian breeding activity on these lots is occurring in the roadside ditches..." Since these vernal pools will be lost when the road is constructed and/or improved, please confirm that the impact analysis will explain if mitigation is recommended (i.e. creation of permanent vernal pool(s)) to offset the loss of these artificially created vernal pools.
12. The document states that "The absence of spotted salamander breeding activity and eggs masses on the Resource Management lands provided further evidence that breeding migrations are not occurring there." If this statement is

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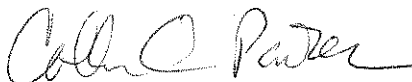
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referring to breeding migration of all amphibians, it is not supported by the information submitted to date. As described above, the impact analysis must clarify the presence or absence of breeding activity and migration routes.

Please be advised that the information requested herein is based solely on review of the Plan described herein. Any new information submitted in response to this letter or further review of the Adirondack Club and Resort official record relative to this issue may result in the need for additional information prior to Agency approval of any impact analysis plan.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Colleen C. Parker

Environmental Program Specialist 3

CCP:SHR:ESS:mlr


Encl: Memorandum dated September 23, 2013

cc: Paul O'Leary, (T) Tupper Lake Code Officer (via e-mail)
Peter Edwards, (V) Tupper Lake Code Officer (via e-mail)
Erin Burns, NYSDEC (via e-mail)



MEMORANDUM

TO: Colleen Parker

FROM: Ed Snizek 

DATE: September 23, 2013

RE: P2005-100 Adirondack Club and Resort- Amphibian Impact Analysis Plan

I reviewed the documents entitled "Proposed Amphibian Impact Analysis Plan Eastern Great Camp Lots Area Adirondack Club and Resort Tupper Lake, Franklin County, NY" (the "Plan") dated July 2013 and the attachment entitled "Quantitative Amphibian Presence and Migration Surveys, April/May 2013, Small Eastern Great Camp Lots" (the "Survey"). Both the Plan and Survey were prepared by KT Wildlife, LLC in response to Condition 25 of Agency Permit 2005-100.4, which requires that "Prior to the undertaking of the impact analysis, the Project Sponsor shall submit a plan providing details to the Agency for review and approval."

The seven objectives outlined in the draft Plan do not include details and the Survey requires additional clarification. Therefore, in order to complete a further review of the proposed draft Plan and Survey the following additional information will be required for Agency review and approval:

Proposed Amphibian Impact Analysis Plan-
Outline of Seven Objectives

1. Objective II, Habitat Description of Survey Areas (Resource Management lands). Please confirm that a map showing the location and size of each wetland or area surveyed in relation to proposed development (i.e. Bypass Road, Lake Simond Road Extension, Small Eastern Great Camp Lots, etc.) will be provided with the final plan.

2. Objective V, Presence of Vernal Pools.
 - a. Please confirm that a map showing the location and size of each vernal pool surveyed in relation to proposed development (i.e. Bypass Road, Lake Simond Road Extension, etc.) will be provided with the final plan.
 - b. Agency staff guidance document entitled "Guidelines for the Amphibian Surveys Required by Agency Order 2005-0100, and Permits P2005-0100-4SE, Permits P2005-0100-12SW, and Permits P2005-0100-13WF" provided to the Project Sponsor also references a vernal pool assessment based on biological value and condition of critical habitat. Please provide this information in the final report.
3. Objective III, Amphibian Migration-identifiable corridors. Please verify that potential migration patterns/corridors will be evaluated for all amphibian species identified in the Survey.
4. Objective VII, Analysis of Impacts of Proposed Project/Human Activity on Amphibians. Please verify that this objective will include an analysis of best management practices and mitigation techniques as required by Condition 26 of Agency Permit 2005-100.4.

Quantitative Amphibian Presence and Migration Surveys,
April/May 2013

5. Several different survey methods (i.e. pitfall traps, grid searches, dip netting, etc.) were utilized during the 11 day/night survey period. Provide a map showing where these various methods were used in the study area.
6. Table 3 provides the date, weather information and survey start and end times and appears to combine all of the different survey methods into a single daily survey period. Provide information concerning survey effort (i.e. date, start and end time, etc.) for each individual survey technique (night vs. daytime reconnaissance surveys, pitfall traps, grid searches, dip netting, minnow traps, etc.).

7. Agency staff guidance document entitled "Guidelines for the Amphibian Surveys Required by Agency Order 2005-0100, and Permits P2005-0100-4SE, Permits P2005-0100-12SW, and Permits P2005-0100-13WF" provided to the Project Sponsor identified minnow traps as one of the sampling techniques. Please provide information concerning the use of this technique or justification as to why it was not used.
8. Table 1 provides a list of all species of amphibians surveyed and includes a broad description of location (i.e. Lake Simond Rd Ext., Bypass Road etc.). Please provide a map depicting location of species observed/collected during the survey period. The map must also include proposed development (i.e. Bypass Road, Lake Simond Road Extension, etc.) as it relates to amphibian locations and densities. Provide an update to Table 1 to include the survey method used to detect the species of amphibian at each location.
9. The Survey states that "Eleven pitfall traps were set in locations determined to have the highest probability to capture salamanders." Explain how these "high probability" areas were determined.
10. The last paragraph on the last page states "No endangered or threatened species of amphibians were located during the quantitative amphibian survey, only the ten common species listed here and shown in the tables." However, Table 4 only identifies 9 species of amphibians found during the survey. Please confirm the total number of amphibian species found.
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referring to breeding migration of all amphibians it is not supported by the information submitted to date and must be further clarified by the mapping and additional information requested by Agency staff.

Please be advised that the above comments are based on review of the information submitted July 24, 2013 and did not include a review of the Adirondack Club and Resort official record. Any new information submitted in response to this memo or further review of the ACR record at a later date may require additional information.

c: Rick Weber (e-mail)
Sarah Reynolds (e-mail)
Stephanie Petith (e-mail)