



Board of Directors

July 25, 2014

Charles Clusen
Chair

Mr. Josh Clague
Natural Resource Planner
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Lorraine Duvall
Dale Jeffers
Michael Wilson
Vice-Chairs

Sidney Harring
Secretary

RE: Public Comments on Draft Amendments to Vanderhacker Mountain Wild Forest Area, Lake Harris Intensive Use Area, and Santanoni Historic Area Unit Management Plans

David Quinn
Treasurer

Dear Mr. Clague,

Nancy Bernstein
John Caffry
Dean Cook
Robert Glennon
Evelyn Greene
Peter Hornbeck
Mark Lawton
James Long
Charles Morrison
Peter O'Shea
Kenneth Strike
Philip Terrie

Protect the Adirondacks congratulates the Department of Environmental Conservation (DEC) on the development and release of draft Amendments to Vanderhacker Mountain Wild Forest Area, Lake Harris Intensive Use Area, and Santanoni Historic Area Unit Management Plans (UMPs). These plans primarily seek to connect recreational uses in the newly purchased Essex Chain Lakes Primitive Area to the communities of Minerva and North Hudson. Natural resource management is a distant secondary consideration.

Protect the Adirondacks (PROTECT) supports some elements of the draft Amendments to Vanderhacker Mountain Wild Forest Area, Lake Harris Intensive Use Area, and Santanoni Historic Area Unit Management Plans (UMPs), but is troubled by many others.

Peter Bauer
Executive Director

Retention of the Polaris (Iron) Bridge: The draft amendment to the Vanderhacker Mountain Wild Forest area (VMWFUMPA) proposes to connect to the Polaris (Iron) bridge over the Hudson River. PROTECT opposes the retention of this bridge because we see no reason to keep it that enhances the natural resource protection of the area and because it violates state law to retain it. The Polaris bridge was built for forest management purposes at a point in time after the Rivers Act and SLMP. It was built principally for forest management purposes.

Now that the lands on both sides of the Hudson River are Forest Preserve, former motor vehicle uses are no longer allowed. The Hudson River is classified at this point as a Scenic River. The Rivers Act states that rivers "...shall be preserved in free-

flowing condition..." [ECL 15-2701(3)], and defines "free-flowing" to mean "existing or flowing in natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway..." [ECL 15-2703(5)]. All State agencies are to pursue policies "which are designated [sic] to enhance the conditions of designated rivers in accordance with the criteria set forth for such rivers in this section." [ECL 15-2707(1)]. Management of scenic rivers "shall be directed at preserving the natural scenic qualities of such rivers." [ECL 15-2707(2)(b)(2)].

ECL 15-2709 states:

In scenic river areas, the continuation of present agricultural practices, the propagation of crops, forest management pursuant to forest management standards duly promulgated by regulations, limited dispersed or cluster residential developments and stream improvement structures or fishery management purposes shall be permitted. There shall be no mining, excavation, or construction of roads, except private roads necessary for residential, agricultural or forest management purposes, and with the further exception that public access through new road construction may be allowed, provided that there is no other such access within two land miles in either direction.

PROTECT also notes the legislative intent to provide maximum protections for a designated river corridor. ECL 15-2721 "Conflict with other laws" states:

Any section of the state wild, scenic and recreational rivers system that is or shall become a part of the Forest Preserve, the Adirondack or Catskill Parks or any other state park, wildlife refuge, or similar area shall be subject to the provisions of this title, and the laws and constitutional provisions under which the other areas may be administered, and in the case of conflict between the provisions of those laws and constitutional provisions and the provisions of this title, the more restrictive provisions shall apply.

Snowmobile Trails through the Heart of the Vanderwhacker Mountain Wild Forest Area: The VMWFUMPA details possible use of the Polaris Bridge for a snowmobile trail. The DEC has offered two proposals in the VMWFUMPA. Both are bad. The first seeks a trail that crosses the Hudson River by utilizing the Polaris bridge, which violates the Rivers Act, and then cuts through the interior of the Vanderwhacker Mountain Wild Forest area along two routes; one to the north west of Vanderwhacker Mountain, the other running south of Vanderwhacker Mountain to Route 28N.

PROTECT opposes the new trail west of Vanderwhacker Mountain. This area includes extensive wetlands and is a trailless, wild part of this unit. The snowmobile trail that connects to Hudson River and the Polaris Bridge violates the Rivers Act.

These trails will necessitate a great deal of tree cutting and be environmentally destructive. PROTECT opposes to creation of these trails.

Minerva to Newcomb Snowmobile Trail: A Minerva to Newcomb snowmobile trail connection has long been elusive for DEC planners and local government officials. Famously, the 2005 Vanderwhacker Mountain Wild Forest UMP included eight options for this trail and offered none as a preferred route. There is simply no good way to connect Newcomb to Minerva. Real obstacles exist, such as crossings for the Hudson and Boreas rivers, Vanderwacker Mountain, and private landowners who have no interest in a major snowmobile trail in their back yards. As a result DEC has built pieces of snowmobile trails here and there, such as the Showcase Trail, in hopes that one day they will be connected. This shows poor management.

Route 28N Option Better for Newcomb to Minerva Snowmobile Trail: A second options seeks to route a snowmobile trail north of Newcomb through Lake Harris and then largely alongside Route 28N. The trail either utilizes the Upper Hudson Railroad corridor or remains roadside to Minerva.

The reality is that even the roadside route is plagued with very real problems from challenging terrain, such as cliffs, wetlands, and private landowners who have not granted permission for snowmobile trails. Many areas on Route 28N are too narrow for snowmobile riding on the roadside. There is also a major challenge for crossing the Boreas River on Route 28N. A snowmobile would be very expensive and the DEC has not provided any public statement from the Department of Transportation about its support for attaching a snowmobile bridge to its current bridge. Though less environmentally destructive than the proposed routes through the heart of the Vanderwhacker Mountain Wild Forest area, the roadside option has serious problems and challenges.

Many also remark that the snow conditions in Minerva are not conducive to a strong snowmobiling season. Snowfall in the eastern Adirondacks is much less than the western Adirondacks. DEC should include long-term regional long-term snowfall data in these draft UMP amendments.

It may very well be the case that since there is no good way to connect Newcomb to Minerva. The DEC should not advance any plan or begin any work until 100% of the proposed route is approved and secured for the long-term. It makes no sense to build part of a trail system.

The other option is to utilize the Upper Hudson River Railroad corridor along the Boreas River and parts of the Northwoods Club Road. This route too has problems with poor snowmobiling conditions on a railroad track and forging an agreement with the railroad operator.

Newcomb to North Hudson Snowmobile Trail: The DEC also seeks to connect Newcomb and North Hudson with a snowmobile trail. Like the trail to Minerva, this

east-west connection has long been a desire of local communities. The purchase of the Nature Conservancy-Finch Paper Forest Preserve and conservation easement lands along the Blue Ridge Highway create the possibility of making this connection. The DEC provides two options. Both connect to Newcomb through the Roosevelt Truck trail and conservation easement lands. PROTECT finds the route that utilizes the Golf Brook Road from Newcomb to the Blue Ridge Road, where it can connect with easement lands south of the road, to be the better route.

Though the Golf Brook Road is mostly within the Boreas Pond tract, and not yet owned by the state, it is under contract and will come into state ownership in the near future. DEC should hold off on final plans for this route until all lands have been acquired. It makes no sense to build a trail when a better route may very well become a possibility in the near future.

In North Hudson, at the far east end of the proposed connection, the DEC proposes the construction of a bridge near Palmer Pond that will serve two purposes: 1) to provide administrative motor vehicle access to the south side of the dam that impounds Palmer Pond, and 2) to provide a crossing for the Newcomb-to-North Hudson community connector trail that is also proposed in this Plan. These activities do not appear objectionable.

Snowmobiling through the Santanoni Historic Area Parking Lot: The snowmobile trail through the Camp Santanoni parking area is unfortunate. This will result in extensive noise pollution from snowmobiles for skiers on the Santanoni Road.

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

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