



September 9, 2014

Board of Directors

Charles Clusen
Chair

Dale Jeffers
Michael Wilson
Vice-Chairs

Sidney Harring
Secretary

David Quinn
Treasurer

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

Peter Bauer
Executive Director

Hon. Lani Ulrich
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Hon. Joe Martens
NYS Department of Environmental Conservation
625 Broadway, 14th Floor
Albany, NY 12233

**RE: Illegal ATV Use on the Chub Pond Trail in the Black River Wild Forest Area
has Caused Significant Natural Resource Damage to the Forest Preserve**

Dear Chairwoman Ulrich and Commissioner Martens,

Protect the Adirondacks recently visited the Chub Pond Trail in the Black River Wild Forest. We were disheartened to find extensive All Terrain Vehicle (ATV) damage at many parts of the Chub Pond Trail. The level of environmental damage is significant. The Department of Environmental Conservation (DEC) and the Adirondack Park Agency (APA) should not tolerate this level of environmental damage.

The Chub Pond Trail is a mixed-use snowmobile and hiking trail and the only motor vehicles allowed under the Adirondack Park State Land Master Plan (SLMP) are the snowmobiles. A gate at the east end of this trail at its junction with the Bear Creek Road has a gate where an ATV side trail around it is clear to see.

Dozens of spots along the 3 miles from the Bear Creek Road to Chub Pond had extensive ruts from recent ATV use. ATV riders openly ride around a gate at the entrance to this trail off of the Bear Creek Road. There is no sign clearly informing ATV riders that they are violating Forest Preserve protections and law. Small trail sign decals show that this trail only allows snowmobiles and hikers.

In many places soils are damaged and compacted, which has inhibited the ability to drain. In many places deep ruts are filled with algae covered water. In many places the mud puts are 18 inches deep or deeper. While many ATV rider plow through the muddy and damaged areas, many go around, which widens the trail and causes still more damage. In other areas, ATVs have blazed their own trails around damaged areas to avoid them altogether. In a few places, DEC staff has created parallel hiking trails 20-50 feet from the ruined Chub Pond Trail.

This level of damage will take a long time for the Forest Preserve to repair. The DEC needs to commit resources to enforcement and to rehabilitation of damaged areas.

Protect the Adirondacks

PO Box 769, Lake George, NY 12845 518.685.3088
www.protectadks.org info@protectadks.org

ATV riders use public lands differently than other recreational users. The impacts are long lasting and often destroy opportunities for subsequent users. In essence, ATVs cause considerable damage that destroys the outdoor experience for all who follow. Here's a list of the particular impacts of ATV use on the Adirondack Forest Preserve.

1. ATV use destroys road and trail surfaces and Forest Preserve facilities, such as bridges, and cause soil and wetlands damage in ways that other motor vehicles do not.
2. ATV use creates deep ruts and mud pits on roads and trails that become impassable. It seems that ATVs are often ridden for the backwoods riding experience where one can make the mud fly and tear up an area. This damage makes a road difficult to travel for all other users.
3. Roads and trails are widened by ATV users to avoid a damaged, impassable area, which causes further damage to the corridor's natural resources and wild character.
4. The Wild Forest character and the Forest Preserve experience are damaged by ATV use. Non-motor vehicle users that use the roads and trails damaged by ATVs find their Forest Preserve experience diminished as the roads are unattractive, deeply rutted, widened, and mud-filled swamps.
5. ATVs regularly leave designated roads to illegally blaze new trails through the Forest Preserve. ATV bushwhacking off roads is very destructive.
6. ATVs regularly trespass around gates and boulders that are erected to control motor vehicle traffic. ATVs can blaze trails through the forest to circumvent barriers in ways that other motor vehicles cannot.
7. ATVs regularly drive through streams, creeks and wetlands for sport rather than use bridges that provide motor vehicles with access over a stream, creek or wetland.
8. ATVs regularly trespass on snowmobile trails, designated roads that prohibit ATV use, and footpaths that intersect with roads. In short, ATV operators often go where they want.
9. ATV use has led to vandalism of Forest Preserve facilities, such as gates that control access.

These impacts are particular to ATVs. ATV damage remains widespread across the Forest Preserve due to illegal trespasses. In many Wild Forest units illegal trespassing by ATVs is widespread and continues unabated. Below are a series of pictures from an August 2014 visit to the Chubb Pond Trail in the Black River Wild Forest area.

Many are pushing for ATV riding to be a legal activity on the "forever wild" Forest Preserve. Open ATV riding on the Forest Preserve would cause untold amounts of damage.

The level of abuse raises questions about the DEC's commitment to stewardship of the Forest Preserve in DEC Region 6. This level of ATV use can only occur with DEC staff in the area turning a blind eye to this activity or tacitly approving it.

The Adirondack Park Agency (APA) is supposed to provide oversight over Forest Preserve management by the DEC. That wetlands can be damaged and destroyed by ATV use, with completely inadequate protection by the DEC, should not be tolerated.

Please see pictures attached that show many points along the Chub Pond Trail where ATV use has

caused significant natural resource damage trespass. The APA should investigate the damage along the Chub Pond Trail and bring an enforcement action against the DEC for natural resource degradation.

On behalf of the Board of Director of Protect the Adirondacks, please accept our gratitude for the opportunity to submit these comments on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer", with a stylized, cursive script.

Peter Bauer

CC Governor Cuomo
J. Malatros
B. Seggos
A. Tarpinian
J. Walke
S. Eisenstein
M. Gerstman
K. Moser
R. Davies
K. Richards
P. Franke
J. Drabicki
APA Commissioners
T. Martino
J. Townsend
W. Linck
K. Regan



The top picture shows a gate at the entrance to the east end of the Chub Pond Trail where it junctures with the Bear Creek Road. ATVs easily drive around this gate. Trail decals show that this trail is for hiking and snowmobiles.



The Chub Pond Trail has experienced extensive natural resource damage from illegal ATV use. Many parts of this trail have been deeply rutted, causing serious environmental damage. ATVs blaze their own trails, which widens the trail corridor and causes more damage.



Two areas along the Chub Pond Trail that have been extensively degraded by ATV use. In these areas soils have often been compacted and damaged, which changes drainage functions.



Two more areas along the Chub Pond Trail that have been extensively degraded by ATV use.



Two more areas along the Chub Pond Trail that have been extensively degraded by ATV use.



Two more areas along the Chub Pond Trail that have been extensively degraded by ATV use.