



Board of Directors

June 10, 2015

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Chair

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Chair
NYS Adirondack Park Agency
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Ray Brook, NY 12977

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RE: Missing information in the planning and evaluation of community connector snowmobile trails in the central Adirondacks between Indian Lake, Newcomb, Minerva and North Hudson

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Dear Chairwoman Ulrich,

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The planning by the Department of Environmental Conservation (DEC) and Adirondack Park Agency (APA) to link communities in the central Adirondacks through Class II Community Connector snowmobile trails has failed to fully consider and evaluate a number of factors. The omitted information is important because it has a direct impact on compliance with state laws and long-term natural resource protection for the Forest Preserve. Protect the Adirondacks urges the APA to include this information in your evaluation of various DEC proposals.

PROTECT has included a map to assist APA staff and Commissioners in consideration of the comments below.

There is Already One Snowmobile Bridge over the Cedar River

The DEC and APA have discussed the creation of a new Class II Community Connector snowmobile trail from Indian Lake to Newcomb that will utilize the recently created Wild Forest Corridor between the Hudson Gorge Wilderness and the Essex Chain Lakes Primitive areas. A trail along this corridor would cross the Cedar River and run along the Chain Lakes Road to Indian Lake. This trail requires construction of a new bridge over the Cedar River.

One factor frequently omitted in APA-DEC public planning is that there is already a snowmobile bridge over the Cedar River six miles upriver, located 1.5 miles east of Route 30, in the Blue Mountain Wild Forest Area (see map). This is a major bridge over a major river. The existence of this bridge is never mentioned in the public planning and review regarding the possibility of building a second bridge over the Cedar River to access the Chain Lakes Road.

The "Snowmobile Trail Guidance" recognizes the major financial investment to build

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and maintain snowmobile trails in the Forest Preserve as well as the negative ecological impacts of these major trail systems on natural resources. In light of these considerations, the “Guidance” states clearly that trail replication and redundancy is prohibited. What is more redundant than two snowmobile bridges six miles apart over the same river?

Indian Lake and Newcomb are Already Connected with a Snowmobile Trail

Another factor frequently lost in the APA-DEC public review and discussion of snowmobile trails in the central Adirondacks is that there is already an existing snowmobile trail that connects Indian Lake to Newcomb (see map). This trail utilizes the bridge over the Cedar River and passes through the Blue Mountain Wild Forest area and state Conservation Easement lands. This trail has long been operational.

Complaints have been made that the section of this trail within the Blue Mountain Wild Forest area is only a class I snowmobile trail, hence it does not allow for higher rates of speed or grooming with larger motor vehicles. Before the APA-DEC move the build a new Class II Community Connector snowmobile trail, along with a second bridge over the Cedar River, an investigation should be made into upgrading the existing trail from class I to class II.

PROTECT is puzzled by the need for a second major snowmobile trail to connect Newcomb and Indian Lake as well as by the failure of the APA-DEC to consider improvements to the existing trail in this age of tight Forest Preserve stewardship resources.

Last, the 2006 NYS Snowmobile plan clearly states that preference for snowmobile trails should be on private lands and conservation easement lands and that the Forest Preserve should be the last consideration. It appears that APA-DEC planning has started with the Forest Preserve and not with other options.

2006 NYS Snowmobile Plan does not List Minerva-to-Indian Lake as a Priority Route

The APA is considering an amendment to the Vanderwhacker Mountain Wild Forest area for a new Class II Community Connector snowmobile trail that roughly parallels Route 28N. At present, the DEC has withdrawn its proposal to build a new Class II Community Connector snowmobile trail through a trailless part of the Vanderwhacker Mountain Wild Forest area east of the Hudson River that would connect to the Polaris bridge. It should be noted that one objective for a new snowmobile trail that utilized the Polaris bridge is to connect Indian Lake and Minerva.

2006 Snowmobile Plan for the Adirondack Park contains a list of priority trail systems to link communities throughout the Adirondack Park. This plan is the definitive policy to date of vital community connection. Under “Community Connection Goals” in the “Trail Section” part of the Snowmobile Plan (pages 45-46), there is no mention of a Minerva-to-Indian Lake snowmobile trail. This was not a major goal for New York and was not recognized as a high priority. The Environmental Impact Study associated with the Snowmobile Plan did not evaluate the impacts of a Minerva-to-Indian Lake trail. PROTECT believes that in order for the APA-DEC to approve and build a Minerva-to-Indian Lake trail, the State must revise the 2006 Snowmobile Plan for the Adirondack Park.

It’s important for the APA-DEC to consider the 2006 Snowmobile Plan for the Adirondack Park when planning for snowmobile trails in the central Adirondacks. It appears that a Minerva-to-Indian Lake class II community connector trail would violate the Snowmobile Plan. The 2006 Snowmobile Plan for the Adirondack Park should be made available to the APA Commissioners.

Significant Obstacles Confront Minerva-to-Newcomb Snowmobile Trail

Many major problems confront planners for the Minerva-to-Newcomb snowmobile trail. The Vanderwhacker Mountain Wild Forest UMP approved in 2005 lists eight alternatives for a Minerva-to-Newcomb snowmobile trail. It goes without saying that if there was one good option, then eight alternatives would not have been identified. The intervening years have done nothing to remove the significant obstacles facing the APA-DEC regarding approval and construction of a viable Minerva-to-Newcomb snowmobile trail.

Given the significance of five critical barriers to development of this trail, PROTECT urges the APA-DEC not to undertake any trail construction until 100% of a viable trail system is affirmed and publicly disclosed. Following details the barriers that APA-DEC should recognize during its review of a Minerva-to-Newcomb trail.

Crossing the Boreas River: A specific location and bridge design has not been provided for where and how the DEC plans to cross the Boreas River. Clearly, the Boreas River must be crossed (designated as #2 on the attached map) at some point some where to connect Minerva to Newcomb, yet this information has not been made available. PROTECT's reconnaissance of Forest Preserve lands along the Boreas River north of Route 28N found significant challenges for building a bridge. APA-DEC should be clear-eyed about the practical realities of building this bridge.

In addition to the practical realities, APA-DEC should openly discuss the legal issues associated with building a new motor vehicle over a classified Scenic River under the NYS Wild, Scenic and Recreational Rivers Act. This bridge is an entirely new use for an entirely new trail so there is no argument for somehow grandfathering of private motor vehicle rights for public use to make this bridge comply with the Rivers Act.

Hazards of Roadside Trail on Route 28N: Long stretches of the proposed snowmobile trail are slated to be located on the roadside of Route 28N (designated as #3 on the attached map). This road is already short on good sight-lines. PROTECT is concerned about public safety, but we're also aware than many private landowners are not interested in having a snowmobile trail cross their lands.

Many Private Landowners Opposed to Snowmobile Trail: There are many private landowners impacted by the proposed Minerva-to-Newcomb trail that PROTECT has heard do not support a snowmobile trail through their lands (see #5 on the attached map). It's important that the DEC have 100% of the trail organized with trail agreements before the APA approves this trail or construction of any portion begins.

At the south end of Forest Preserve lands in Minerva, the trail dead-ends 2-3 miles from Sporty Bar, the intended location. Many landowners between the Forest Preserve and Sportys Bar oppose a snowmobile trail through their lands. It is unacceptable public policy for the APA-DEC to approve and build a trail that is blocked by unwilling private landowners whose wishes must be respected. It is unacceptable for APA-DEC to simply say that the Town of Minerva or the local snowmobile club will work out the details. DEC must connect this trail at the Minerva end to some kind of legitimate trailhead with parking. If this cannot be accomplished, then the trail should not be approved.

Beautiful, Mature Forests to be Damaged by New Snowmobile Trail: DEC-APA ned to provide better information on the condition of the forests that will be impacted by the proposed new Minerva-to-Newcomb trail on the east side of Route 28N in the Vanderwhacker Wild Forest area. PROTECT's visits to these areas (#4 on the map attached) have found mature forests with many old growth conditions.

Wild, Trailless Terrain in Vanderwhacker Mountain Wild Forest will be Damaged by Excavated, Graded Snowmobile Trail that will Remove Thousands of Trees: A new Class II Community Connector Snowmobile Trail along the east side of the Hudson River through a trailless section of the Vanderwhacker

Mountain Forest Area would be highly disruptive to that area. On principle, any area of the Forest Preserve that by some miracle has somehow remained trailless by 2015 should be allowed to remain so. PROTECT has great concerns about the policy recklessness of blazing a new trail through a remote trailless area.

Newcomb-to-North Hudson Snowmobile Trail

It should be stated, that PROTECT does not see major issues associated with the Newcomb-to-North Hudson snowmobile trail, but requests that the APA revisit any approvals for a snowmobile trail on private lands once these lands become public Forest Preserve.

Significant Legal Questions Must be Answered Regarding Approval and Construction of New Class II Community Connector Snowmobile Trails in the Central Adirondacks

The question of “grandfathering” private rights of leaseholders for recreation on former Finch Paper lands as a justification for exempting motor vehicle bridges from the Wild, Scenic and Recreational Rivers Act and DEC’s Rivers Act regulations in Scenic River corridors has been raised by the DEC. The 1995 Blue Mountain Wild Forest UMP includes a passage that describes the closing of an existing snowmobile trail due to land acquisition and the management of a classified Wild River corridor. No pretense was made in this officially approved UMP about somehow “grandfathering” non-conforming uses/rights; such as motorized uses on new Forest Preserve lands within the Rivers Act corridor, which the DEC is proposing now. Below are two relevant passages:

Remove the snowmobile trail designation from the end of the Elm Island Trail

The existing Elm Island snowmobile trail starts in the vicinity of the Indian Lake landfill and terminates at Elm Island on the Cedar River. This dead end secondary trail was only moderately used and a portion of the trail will be closed to snowmobiles in Year I of the plan. The section of trail east of the four way intersection enters the Cedar River wild river corridor where motorized uses are not legal. This action also complies with DEC policy which discourages short dead end trails: “existing snowmobile trails less than five miles in length, or otherwise inappropriate for snowmobile use, should be converted to ski touring trails.”

The 2.5 mile section of trail between the four way intersection to Elm Island will be changed from a snowmobile to a cross country ski trail. Snowmobilers will still be able to ride from the Indian Lake landfill to the four way intersection and continue to the Adirondack Lake Road. (Page 96)

a. Cedar River (See Appendix 22)

The Cedar River is classified as both a “wild” (approximately seven miles) and “recreational” (1.2 miles) river as it winds through the Blue Mt. Unit. A portion of the “recreational” river section, at the north end of the Benton Road, is a popular day use picnic area. Additionally, a deep water pool with adjacent sand banks attracts local residents to this natural swimming hole.

Portions of two marked snowmobile trails are located within the “wild” river corridor boundary between Elm Island and Town lands to the west. These trails were in existence prior to classification. A combination of improper trail location and maintenance restrictions due to river classification will result in the closing of these trails to snowmobiles. The end of the Elm Island Trail will be designated as a Nordic Ski Trail.

Snowmobile use on the Unknown Pond Trail will be phased out pending completion of the new snowmobile trail between the Benton Road and the Rock River Trail. (Page 128)

The following passages from Blue Mountain Wild Forest UMP are also instructive for stating the DEC's position in 1995 on management of motor vehicles in River Act corridors. It appears that the current DEC administration is attempting to gut the motorless management imperative for Wild and Scenic river corridors. Also, please note that both Wild and Scenic corridors are .5 miles in width and require, in essence, Wilderness management.

The SLMP permits all terrain bicycles in wild forest areas on trails deemed suitable for such use as specified in individual UMP's. Even in this land classification, certain constraints limit the opening of all trails within the unit to ATB's. Factors such as private land crossings, topography, drainage, and impacts to other recreational activities were considered in identifying possible ATB trails within the Blue Mountain Wild Forest Area. High public use, terrain constraints, and private land restrictions limit the suitability of the Northville-Lake Placid Trail, Tirrell Pond Trail, and Blue Mountain Trail for bicycle use. Portions of the existing Elm Island and Unknown Pond Snowmobile trails, and Pasley Falls Nordic Ski trail are located in a "wild river" corridor. This river classification requires that the corridor be managed in accordance with the guidelines for wilderness areas which would prohibit ATB use. (Page 106)

DEC maintenance and trail construction within the "wild river" corridor will be in accordance with the SLMP guidelines for wilderness areas.

The statement shows that at one time the DEC recognized that a snowmobile trail – and thus all other motor vehicle uses – with the "wild river" corridor was not allowed. The same constraint exists for Scenic River corridors. Current planning by the APA-DEC marks a sharp deviation from established precedent for both agencies. This change in policy needs to be addressed head-on by the APA Commissioners.

The Blue Mountain Wild Forest UMP should be required reading for all APA Commissioners, staff and DEC staff working on these issues.

The Environmental Impact Statement (EIS) published by the DEC for adoption of its regulations for management of the Wild, Scenic and Recreational Rivers Act on Forest Preserve lands should also be required reading for all APA Commissioners, staff and DEC staff working on these issues. This EIS clearly states in many areas the environmental concerns of Rivers Act corridors, the priority for natural resource protection, and the sharp limitations on motorized uses and new bridges.

PROTECT also holds the position, previously provided to the APA that retention of the Polaris bridge violates the Wild, Scenic and Recreational Rivers Act and DEC's Rivers Act regulations. APA legal staff should provide a public presentation to the APA Commissioners on compliance with the Rivers Act.

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

Sincerely,



Peter Bauer

CC: APA Commissioners
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