

COVER SHEET
and
NOTICE OF COMPLETION
of
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

PROJECT TITLE:

2013 Amendments to the Adirondack Park State Land Master Plan involving the Classification and Reclassification of State Lands in the Adirondack Park, which include the following:

- Essex Chain Lakes Tract
- Indian River Tract
- OK Slip Falls Tract
- "OSC Tract"
- Hudson Gorge Primitive Area
- Blue Mountain Wild Forest (portion)
- Vanderwhacker Wild Forest (portion)

NAME OF LEAD AGENCY AND PREPARER OF DSEIS:

NYS Adirondack Park Agency
Post Office Box 99
Ray Brook, NY 12977

PROJECT LOCATION:

The classification proposals involve lands in Town of Indian Lake, Hamilton County, and Towns of Minerva and Newcomb, Essex County.

PROPOSED ACTION:

Amendments to the Adirondack Park State Land Master Plan involving the classification of four (4) recently acquired State lands parcels totaling approximately 22,538 acres and three (3) State land reclassification proposals ranging from an estimated 19,559 to 25,290 acres. Total acreage involved in the action ranges from approximately 42,098 to 47,826 acres. The proposed action involves only the classification or reclassification of State lands according to the provisions of the Adirondack Park State Land Master Plan.

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DATE OF ACCEPTANCE OF DSEIS BY LEAD AGENCY:

DATE OF PUBLIC HEARING ON PROPOSED AMENDMENTS:

DATE ON WHICH PUBLIC COMMENTS MUST BE RECEIVED BY LEAD AGENCY:

Draft Environmental Impact Statement for Agency Review 5/1/2013

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EXECUTIVE SUMMARY

The New York State Adirondack Park Agency (APA or Agency) has proposed a series of amendments to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of certain lands recently acquired by the State of New York and the reclassification of nearby lands. The lands subject to these classification actions are located in the Hamilton County Town of Indian Lake, and the Essex County Towns of Minerva and Newcomb. The areas subject to this classification action (the “subject area”) consists of the recently acquired Essex Chain Lakes Tract (18,888 acres), Indian River Tract (945 acres), OK Slip Falls Tract (3,015 acres), and OSC Tract (160 acres), as well as certain Forest Preserve lands adjacent to these tracts which are being considered for potential reclassification. The lands considered for reclassification are located within the existing Vanderwhacker Wild Forest, the Blue Mountain Wild Forest and the Hudson Gorge Primitive Area.

The APSLMP and the Final Programmatic Environmental Impact Statement contain standards and guidelines for amending the APSLMP. Agency staff have prepared this Draft Supplemental Environmental Impact (DEIS) Statement in consultation with the Department of Environmental Conservation (Department or DEC), and will seek authorization from the Agency to hold combined public hearings on the DSEIS and the proposed amendments to the APSLMP. Hearings are proposed to be held both inside and outside the Park.

The public will have an opportunity to comment at the public hearings and to submit written comments throughout the comment period. Staff will incorporate all comments into a Final Supplemental Impact Environmental Statement (FSEIS) specific to the classification and reclassification actions. The FSEIS will also include a written response and analysis of public comments and will present final alternatives and a staff recommendation for a preferred alternative. The FSEIS will be brought to the Agency Board after the close of the public comment period. The Agency Board will then decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are authorized by the Agency, a Board resolution recommending alternatives is forwarded to the Governor for approval.

The action only involves the classification or reclassification of State lands according to the provisions of the APSLMP. The action does not authorize the development of new structures or improvements without prior Unit Management Plan (UMP) review and SEQRA assessment by the Department and the Agency.

The APSLMP lists seven classifications: Wilderness, Primitive, Canoe, Wild Forest, State Administrative, Historic, and Intensive Use. The Adirondack Park Agency Act requires the Agency to classify the state lands in the Park according to "their characteristics and capacity to withstand use." ¹ Characteristics that determine a land's capacity to withstand use include physical, biological and social characteristics.

¹ Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

The APSLMP states that the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context, as well as their social or psychological aspects, are not degraded.

The APSLMP prescribes types of permissible uses in each category but it does not specifically control the levels of use beyond providing very general management guidelines. Careful application of guidelines in the APSLMP, through this classification process and as applied through the Unit Management Planning (UMP) process, should avoid significant adverse environmental impacts caused by types or levels of use. Careful consideration must be given to the levels of recreational use.

Eight classification alternatives have been identified. The classification alternatives include Wilderness, Primitive, Canoe, Wild Forest, and State Administrative in various configurations. It should be understood that the alternatives and their boundaries, as described in the DEIS, are not final. Final proposed boundaries will be described in a preferred alternative and staff recommendation, which will be included as part of the Final EIS for submission by APA staff to the APA Board, after the public hearing and comment period.

The alternatives are presented in the order the classification categories are listed in the APSLMP.

ALTERNATIVE 1A and 1B: NEW STATE LANDS PRIMARILY WILDERNESS – Maps 5 & 6

These alternatives would create a large Hudson Gorge Wilderness Area comprised of contiguous, State-owned lands on both sides of the Hudson River. As in most of the alternatives presented, the corridor of the Hudson River would offer a wilderness rafting, paddling and camping opportunity, free of significant man-made structures and motorized uses for nearly 7.6 miles. The Essex Chain Lakes, although they would occupy a relatively small portion of this proposed Hudson River Wilderness Area, would also offer a unique wilderness paddling and camping opportunity. The lake experience would not be as rigorous or challenging as the Hudson River trip, but still remote and wild.

The network of private, lease club roads in the newly acquired lands would be closed to motor vehicle and mountain-bike use in this alternative. However, these lands would provide an opportunity for alternative forms of outdoor recreation that conform to wilderness standards, including: hiking, skiing, snowshoeing, horseback, and horse and wagon riding.

The Wilderness Area will not include First and Pine Lakes, thus enabling commercial float plane access to continue, under DEC permit, to these lakes.

ALTERNATIVE 2: NEW STATE LANDS PRIMARILY PRIMITIVE – Map 7

Alternative 2 would establish one large Primitive Area and two Primitive Area Corridors. The proposed Essex Chain Lakes Primitive Area would be essentially permanent, not likely to become Wilderness or Canoe, due to the non-conforming use of float plane landings on First and Pine Lakes. This Primitive Area would encompass all the Essex Chain Lakes and most lands immediately surrounding them. This alternative includes two road sections which will remain open to adjacent landowners and therefore need to be designated as Primitive. This alternative would also create a large Wilderness Area. This Wilderness Area would include most of the Hudson Gorge Primitive Area, the entire OK Slip Falls Tract and the entire OSC Tract.

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads, designated in an approved UMP. In this alternative, commercial float-plane operators would continue, under permit from DEC, to provide float-plane access for the public to First Lake and Pine Lake.

ALTERNATIVE 3A and 3B: NEW STATE LANDS PRIMARILY CANOE – Map 8 & 9

These alternatives would create a new Canoe Area– only the second Canoe Area in the Adirondack Park. Primarily, it would feature the Essex Chain Lakes, excluding the bed and waters of First Lake where landings and take-offs by float planes can be expected to occur under DEC permit. The Essex Chain Lakes are interconnected or within portaging distance of each other and provide an opportunity for a 6 to 7 mile canoe route.

These alternatives would also have a Wilderness Area, which includes the Hudson Gorge Primitive Area, OK Slip Falls Tract and OSC Tract. Portions of newly acquired lands would be classified Wild Forest. This alternative includes two road sections which will remain open to adjacent landowners and therefore need to be designated as Primitive. One acre State Administrative Areas would occur where the Towns have an easement to extract gravel (only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.²)

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads, designated in an approved UMP.

² Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

ALTERNATIVE 4A and 4B: NEW STATE LANDS PRIMARILY WILD FOREST – Maps 10 & 11

These alternatives would significantly expand Blue Mountain Wild Forest to include the Essex Chain Lakes and Pine Lake. Throughout the area of the Essex Chain Lakes, motor-boating, snowmobiling and float plane use could be allowed, subject to an approved UMP, and a much greater portion of the existing road system could be retained for various public motorized and mechanical means of travel and recreation that does not conform to Wilderness, Primitive or Canoe Area guidelines. These alternatives would have the same Primitive Area Corridors as described for the Canoe Areas. In these alternatives there would include a Wilderness Area and three State Administrative Areas.

This alternative could include a Special Management Area within the Blue Mountain Wild Forest. Recreational opportunities potentially allowable throughout Wild Forest would be limited in this Special Management Area. The Essex Chain of Lakes area is fairly remote and pristine, and some of its resources are sensitive enough – particularly its waters and fisheries – to call special management guidelines that would prohibit or limit certain uses. Examples could include prohibiting motorized access on the lakes or limiting motorized access on some roads to big game season only and allowing camping at designated sites only.

Some prohibitions or limits considered critical could be effected or partially effected via this classification action. These protective management guidelines would be included in prescriptive language for the area description included in the APSLMP. This protective management approach could then be implemented through the unit management planning process for the area and the adoption of special regulations.

ALTERNATIVE 5: NO ACTION

The No Action Alternative is not being considered for the new acquisitions because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands presently in the Blue Mountain Wild Forest, the Vanderwhacker Mountain Wild Forest, and the Hudson River Gorge Primitive Area is to leave those lands classified in their current classifications, as described in the current APSLMP.

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Summary of Proposed Action

The New York State Adirondack Park Agency (APA or Agency) has proposed a series of amendments to the Adirondack Park State Land Master Plan (APSLMP) involving the classification of certain lands recently acquired by the State of New York and the reclassification of nearby lands. The lands subject to these classification actions are located in the Hamilton County Town of Indian Lake, and the Essex County Towns of Minerva and Newcomb.

Background

In 1885, the New York State legislature established the Forest Preserve, stating that the Preserve "shall be forever kept as wild forest lands." In 1892 the Adirondack Park (Park) was established through an act of the legislature, which delineated where state acquisition of private in-holdings was to be concentrated. At the Constitutional Convention of 1894, Article VII of the New York State Constitution (now Article XIV) was adopted and soon after was approved by the people of the State. It read:

"The lands of the State, now owned or hereafter acquired, constituting the Forest Preserve, as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed."

In 1971, the Adirondack Park Agency was created by the legislature with essentially two mandates. The Agency was directed to create a State Land Master Plan to classify and provide guidelines for the management and use of State lands within the Park, and a Private Land Use and Development Plan designed to control and channel development on non-State lands to minimize the adverse impacts upon the natural resource quality of the Park. The APSLMP was developed by the Agency and adopted by Governor Rockefeller in 1972. The Private Land Use and Development Plan was approved by the Legislature in 1973. Through these plans, the Agency performs long-range planning for the Park. The Department of Environmental Conservation (DEC) is responsible for the care, custody, and management of the State land in the Park; in carrying out this responsibility DEC creates the Unit Management Plans (UMPs) for publically owned lands within the Park consistent with the APSLMP. As of 2013, there are approximately 2,547,265 acres of Forest Preserve and currently classified as follows:

<u>Classification</u>	<u>Acres</u>
Wilderness	1,138,423
Primitive	45,756
Canoe	17,646
Wild Forest	1,293,721
Intensive Use	22,705
Historic	531
State Administrative	2,067
Pending	26,415

In 2007, the Nature Conservancy purchased 161,000 acres of land from Finch, Pruyn & Company in 2007 (Figure 1). These lands, called by some the “jewel in the Adirondack crown,” are remarkable for their ecological diversity, astounding beauty and the opportunities they provide for drawing visitors to the heart of the Adirondack Park.

Following the 2007 purchase, The Nature Conservancy worked with the DEC, elected officials and other stakeholders regarding the future of these lands. The Nature Conservancy conducted an assessment of the land which include timber productivity, ecological value and recreation value, and developed a plan for the 161,000 acres. The plan included 89,036 acres to continue as working commercial forests, protected by a conservation easement; 65,000 acres to be acquired by the State of New York from The Nature Conservancy as new public lands; and 1,170 acres set aside for community purposes in Newcomb, Long Lake, and Indian Lake.

In 2011, conservation easements were acquired by New York State on the 89,036 acres. The easements allow for forest products to be harvested from these lands, while providing some opportunities for public recreation. In 2012 New York State announced a plan for the fee acquisition of the remaining 65,000 acres of land, to be included in the Adirondack Forest Preserve, beginning in 2012 and continuing over a five year period. Each annual fee acquisition is a separate, distinct location, independent of other locations.

Within the entire 65,000 acres of fee acquisition lands, there are 180 miles of rivers and streams, 175 lakes and ponds, 465 miles of undeveloped shoreline (rivers, streams, lakes, ponds), six mountains taller than 2,000 feet and countless smaller hills. There are a variety of mountains, cliffs, wilderness lakes, ponds, bogs, fens, swamps, alluvial forests, and flat and white-water rivers. Habitat exists for mammals such as moose, bobcat, and black bear and aquatic habitat for brook trout, landlocked salmon, and small and largemouth bass.

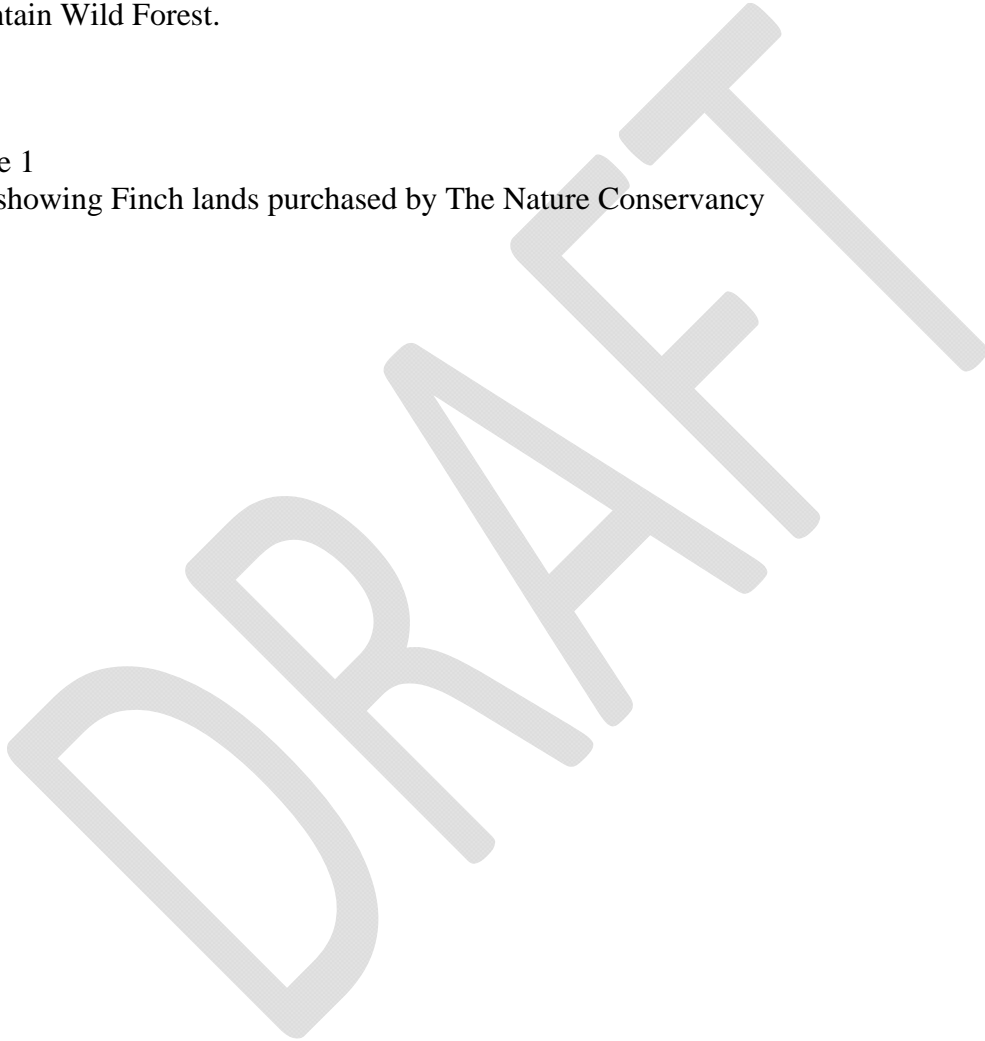
Sixty four New York Natural Heritage Program (NYNHP) elements (rare species and natural communities) were located on these 65,000 acres during field work conducted by biologists. These elements include plant and animal species, as well as natural communities. Of these, 13 are ranked as globally significant and 37 are significant within New York State. Examples include rich graminoid fen, medium fens, Hill’s pondweed, and the Pygmy Snaketail (a dragonfly).

Parcels slated for acquisition will be classified pursuant to the APSLMP after they are acquired by the State of New York. Key parcels slated for acquisition in fee over a five year time period include the Essex Chain Lakes, Boreas Ponds, portions of the Hudson Gorge, Blue Ledges and Opalescent River headwaters.

The classification action that is the subject of this DSEIS is the Essex Chain Lakes Tract (18,383 acres), Indian River Tract (977 acres), the OK Slip Falls Tract (3,015 acres), and Open Space Conservancy (OSC) (174 acres) Tract. The reclassification action within this DEIS includes portions of the Hudson Gorge Primitive Area, Blue Mountain Wild Forest and Vanderwhacker Mountain Wild Forest.

Figure 1

Map showing Finch lands purchased by The Nature Conservancy



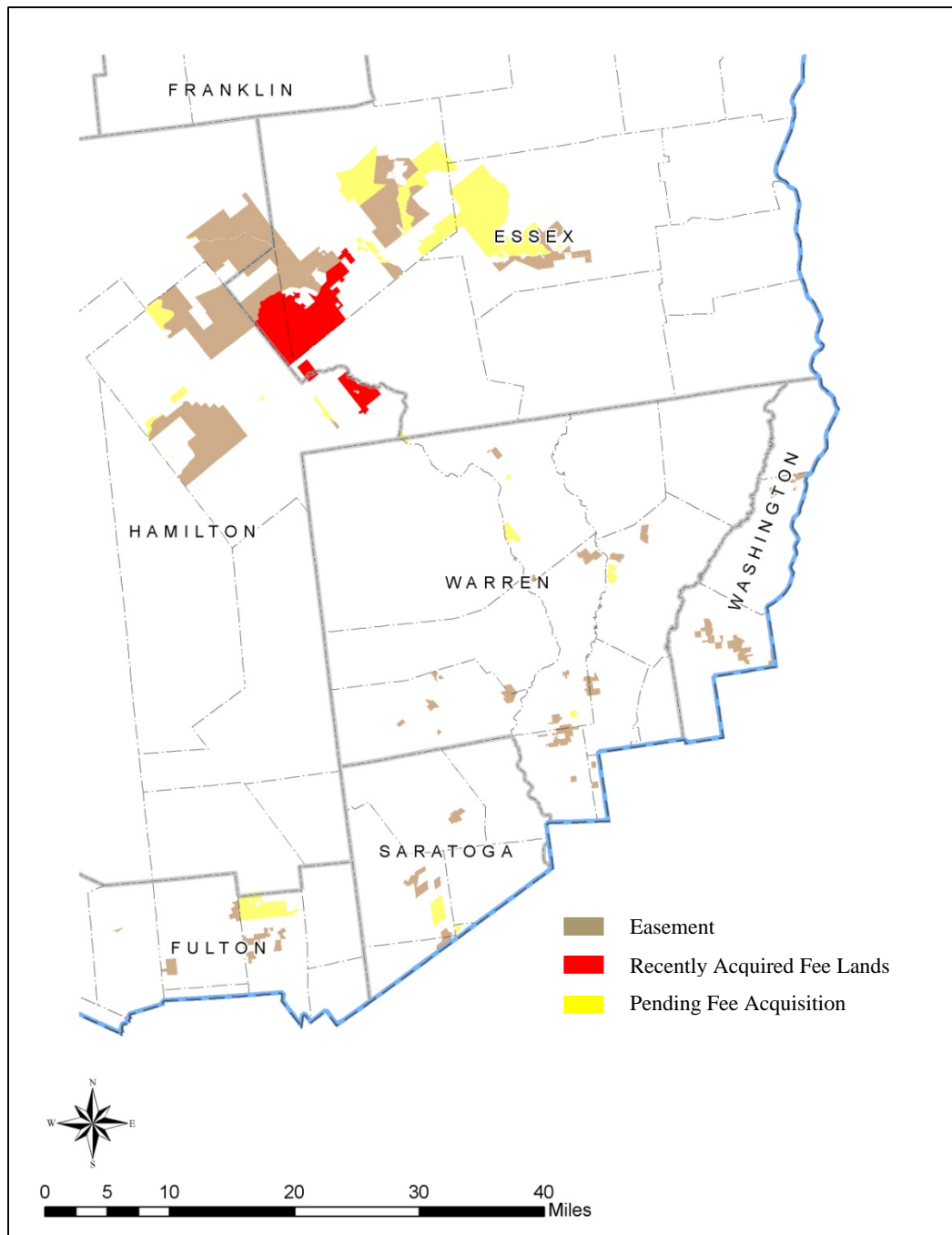


Figure 1

STANDARDS FOR AGENCY DECISION

The Adirondack Park State Land Master Plan (APSLMP) and the Final Programmatic Environmental Impact Statement contain standards and guidelines for amending the APSLMP.

The APSLMP sets forth a classification system for Forest Preserve lands in the Adirondack Park. The APSLMP states that the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context, as well as their social or psychological aspects, are not degraded.

The APSLMP contains seven classifications which are briefly described below:

Wilderness - A wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man--where man himself is a visitor who does not remain. A wilderness area is further defined to mean an area of state land or water having a primeval character, without significant improvement or permanent human habitation, which is protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least ten thousand acres of contiguous land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic or historical value.

Primitive - A primitive area is an area of land or water that is either:

- Essentially wilderness in character but, (a) contains structures, improvements, or uses that are inconsistent with wilderness, as defined, and whose removal, though a long term objective, cannot be provided for by a fixed deadline, and/or, (b) contains, or is contiguous to, private lands that are of a size and influence to prevent wilderness designation; or,
- Of a size and character not meeting wilderness standards, but where the fragility of the resource, or other factors, requires wilderness management.

Canoe - A canoe area is an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water-oriented recreation in an essentially wilderness setting.

Wild Forest - A wild forest area is an area where the resources permit a somewhat higher degree of human use than in wilderness, primitive or canoe areas, while retaining an essentially wild character. A wild forest area is further defined as an area that frequently lacks the sense of remoteness of wilderness, primitive or canoe areas and that permits a wide variety of outdoor recreation.

Intensive Use - An intensive use area is an area where the state provides facilities for intensive forms of outdoor recreation by the public. There are two types of intensive use areas: campgrounds and day use areas.

Historic - Historic areas are locations of buildings, structures or sites owned by the state (other than the Adirondack Forest Preserve itself) that are significant in the history, architecture, archeology or culture of the Adirondack Park, the state or the nation; that fall into one of the following categories:

- state historic sites;
- properties listed on the National Register of Historic Places;
- properties recommended for nomination by the Committee on Registers of the New York State Board For Historic Preservation; and that are of a scale, character and location appropriate for designation as an historic area under this master plan and the state has committed resources to manage such areas primarily for historic objectives.

State Administrative - State administrative areas are areas where the state provides facilities for a variety of specific state purposes that are not primarily designed to accommodate visitors to the Park.

PROCEDURES UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Final Programmatic Environmental Impact Statement (1979)

The Draft Supplemental Environmental Impact Statement (DSEIS) is supplemental to the Final Programmatic Environmental Impact Statement (1979) (FPEIS), which sets forth guidelines for amending the APSLMP. Any classification or reclassification of state lands in the Adirondack Park is an amendment to the APSLMP. The FPEIS lists classification of any new acquisition of a parcel greater than 5,000 acres to Wilderness, Primitive or Canoe as a Type 1 action. This DSEIS describes the areas under consideration, outlines several classification alternatives (including alternatives for classification of over 5,000 acres as Wilderness, Primitive or Canoe), and analyzes the environmental impacts which may result from proposed amendments to the APSLMP. Therefore this action is a Type 1 action under the FPEIS.

The FPEIS notes that reclassification from Wild Forest to Wilderness, Primitive or Canoe would result in added protection of natural resources, and would result in the elimination of existing motorized access or aircraft landings on lakes. It states that: "Wild Forest areas which lie adjacent to existing Wilderness, Primitive or Canoe should be reclassified to the above land classifications: a) if substantial management problems are created by the Wild Forest classification; b) if only limited facilities such as open roads or snowmobile trails exist within the Wild Forest area; c) if the level of use of existing facilities is unusually slight; d) if the Wild Forest area has unusual natural resource or open space characteristics which require the protection offered by the Wilderness, Primitive or Canoe classification; or e) the reclassification

from Wild Forest is required to protect the resources or character of existing, adjacent or nearby designated Wilderness, Primitive or Canoe areas.”

On the other hand, the FPEIS notes that reclassification of lands presently classified as Wilderness, Primitive or Canoe to Wild Forest should only occur under “exceptional circumstances” and “only after it has been demonstrated that a highly unusual condition exists, such as the identification of a mapping error, or the existence of a previously unrecognized non-conforming use of a permanent nature.”

The FPEIS states that “[r]eclassification of Wilderness, Primitive, Wild Forest, or Intensive Use to Canoe should occur only if such a reclassification will aid in the consolidation of scattered tracts where the number and proximity of lakes and ponds makes possible a remote and unconfined type of water oriented recreation in an essentially wilderness setting. The creation of additional Canoe areas is dependent upon the acquisition of large tracts of private land which surround substantial acreages of water suitable for canoeing in a setting of wilderness character.”

Draft Supplemental Environmental Impact Statement (2013)

Agency staff has prepared this Draft Supplemental Environmental Impact Statement in consultation with the Department of Environmental Conservation, and will seek authorization from the Agency to hold combined public hearings on the DSEIS and the proposed amendments to the APSLMP. Hearings will be held both inside and outside the Park. The public will have an opportunity to submit written comments and to make comments at the public hearings. Staff will incorporate all comments into a Final Supplemental Impact Environmental Statement (FSEIS). The FSEIS will also include a written response and analysis of public comments and will present final alternatives and a staff recommendation for a preferred alternative.

The Agency will then decide (a) whether to accept the FSEIS and (b) whether to recommend the APSLMP amendments to the Governor. If the APSLMP amendments are approved by the Agency, the resolution approving them is forwarded to the Governor for approval.

Description of Action

The areas subject to this classification action (the “subject area”) consists of the recently acquired Essex Chain Lakes Tract, Indian River Tract, OK Slip Falls Tract, and OSC Tract, as well as certain Forest Preserve lands adjacent to these tracts which are being considered for potential reclassification. The lands considered for reclassification are located within the existing Vanderwhacker Wild Forest (Reclassification Area 1), the Blue Mountain Wild Forest (Reclassification Area 2) and the reclassification of the Hudson Gorge Primitive Area (Reclassification Area 3) to Wilderness. Figure 2 is a map showing these four areas and their current classifications. Discussion of the range of alternative classifications can be found in the Alternatives section of this document (Page#).

The Essex Chain Lakes Tract is an approximately 18,188 acres in size and is located within the Town of Newcomb (13,451 acres) and Minerva (4,737 acres), Essex County. This tract has a northern portion and a southern portion, with the Cedar River being the dividing line between the two. A bridge over the Cedar River, which used to connect the two portions, no longer exists. The northern portion, which contains the Essex Chain Lakes, is accessible from the north from Newcomb on Route 28N via the Chain Lakes Road. The southern portion of this tract is accessible from the south from Indian Lake on Route 28/30 via the Chain Lakes Road. The Chain Lakes Roads are two separate roads; travel from one end to the other is not possible.

The Indian River Tract is an approximately 945 acre tract of land in the Towns of Minerva, Essex County and Indian Lake, Hamilton County. This tract is accessible from the south from Indian Lake on Route 28/30 via the Chain Lakes Road.

The OK Slip Falls Tract is an approximately 3,015 acre tract of land in the Town of Indian Lake, Hamilton County. There is a 410 acre privately owned inholding within this tract of land. The OK Slip Falls Tract is accessible from the south from Route 28. [Awaiting deed from DEC]

The OSC Tract of land is approximately 160 acres in the Town of Newcomb, Essex County. This tract of land is an inholding within the Vanderwhacker Mountain Wild Forest. [Awaiting confirmation and deed from DEC as well as description of non-conforming improvement]

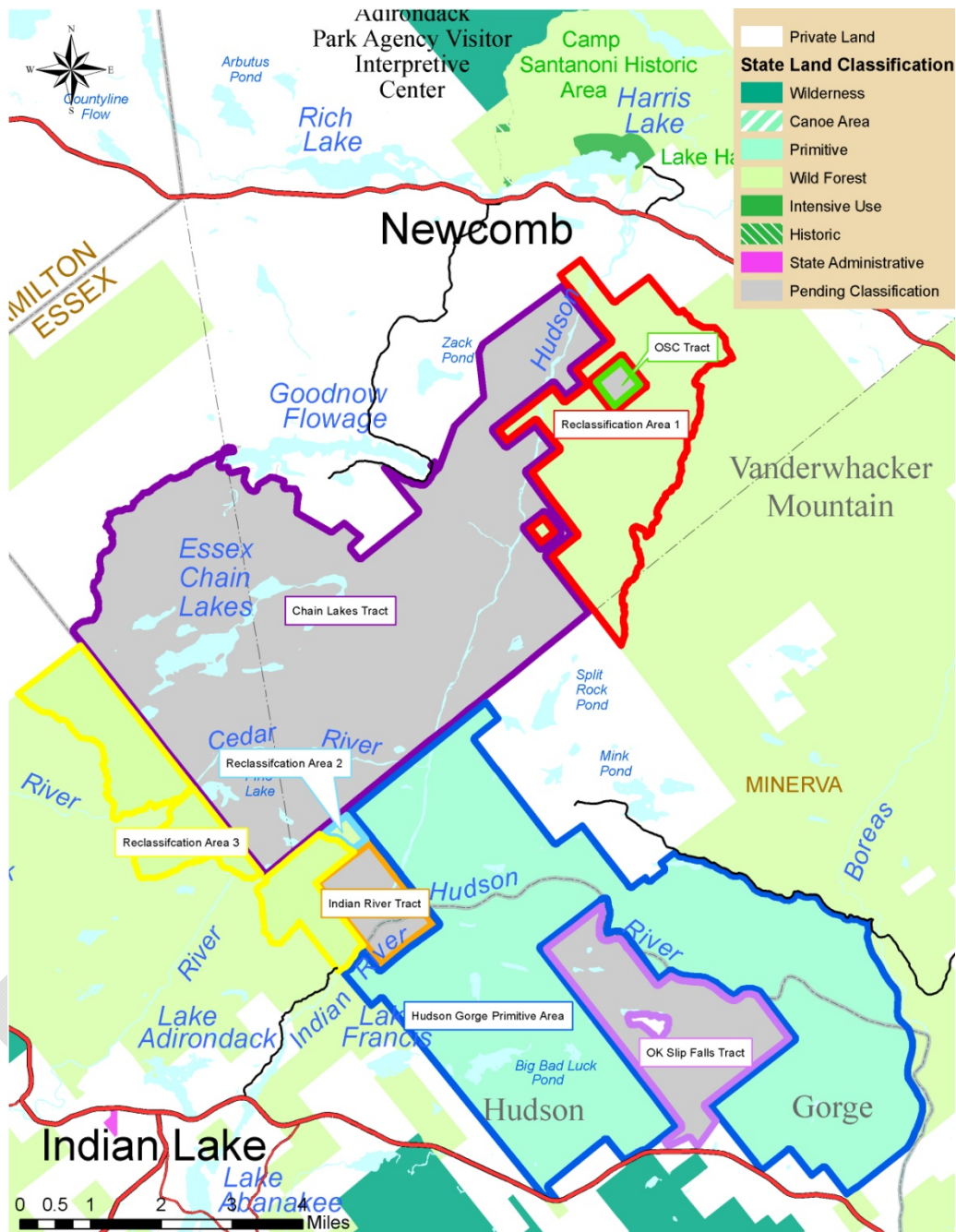


Figure 2

BASIS OF CLASSIFICATION

The Adirondack Park Agency Act requires the Agency to classify the state lands in the Park according to "their characteristics and capacity to withstand use."³ Characteristics that determine a land's capacity to withstand use include physical, biological and social characteristics. The characteristics specific to the areas under consideration for this action can be found in the Environmental Setting section of this DEIS (Page #).

A fundamental determinant of land classification is the **physical characteristics** of the land or water which have a direct bearing upon the capacity of the land to accept human use. Soil, slope, elevation and water are the primary elements of these physical characteristics. These characteristics affect the carrying capacity of the land or water both from the standpoint of the construction of facilities and the amount of human use the land or water itself can absorb. These factors highlight the essential fragility of significant portions of the state lands including most lands above 2,500 feet in altitude, as well as low-lying areas such as swamps, marshes and other wetlands. In addition, rivers, streams, lakes and ponds and their environs often present special physical problems.

Biological considerations also play an important role in the structuring of the classification system. Many of these are associated with the physical limitations just described. Wetland ecosystems, habitat of rare, threatened or endangered species and wildlife habitats are relevant to the characteristics of the land and sometimes determine whether a particular kind of human use should be encouraged or prohibited.

Another significant determinant of land classification involves certain **intangible considerations** that have an inevitable impact on the character of land. Some of these are social or psychological, such as the sense of remoteness and degree of wildness.

Finally, the classification system takes into account the **established facilities** on the land, the uses now being made by the public and the policies followed by the various administering agencies. Examples of this would be the presence of an existing campground or ski area which would require the classification of intensive use.

Physical Characteristics

Geology/Soil:

The Natural Resource Conservation Services, in its soil surveys of Essex and Hamilton Counties, has identified 53 soil types series with the subject area. These soils have been mapped by soil unit, many of which contain several soil types. Map 1 shows the soils in the subject area. A more detailed map of the soil units, as well as a description of each is found in Appendix A.

³ Former Executive Law § 807, added L. 1971 c. 706, section 1 renumbered 816 and amended L. 1973, c. 348, section 1., as quoted in APSLMP at 13.

Soils are an important factor that determines the capacity of land to withstand a certain level of use. Generally, well drained soils and permeable soils can withstand a higher level of use than poorly drained soils because they resist compaction. Compacted soils can limit vegetation growth and lead to erosion.

Several limestone outcrops occur along the Cedar and Hudson Rivers. The rock making these outcrops is Grenville Marble. The longest and highest exposures of this substrate are along the Hudson River or near the Hudson Gorge.

Topography:

The subject area contains varied terrain, ranging from lower lying river valleys of the Cedar, Goodnow, Hudson and Indian rivers to mountain peaks. Prominent topographical features include five named mountains with peaks over 2,000 feet; four are located in the Essex Chain Lakes Tract and one in the OK Slip Falls Tract. The five named mountains are: Cedar Mountain (2,554 feet), Little Pisgah Mountain (2,020 feet), Polaris Mountain (2,515 feet), Sixth Lake Mountain (2,396 feet), and P. Gay Mountain (2,340 feet). Within the portion of the Blue Mountain Wild Forest (Reclassification Area 1) being considered for reclassification are the western slopes of Big Pisgah Mountain (2,102 feet). Total acreage of lands over 2500 feet is approximately 15 acres.

Another prominent feature is an approximately 4 mile long ridge that runs in east-west direction south of the Essex Chain Lakes that includes five peaks over 2000 feet. Distinct valleys exist along the Hudson and Cedars Rivers.

The OK Slip Falls Tract of land contains OK Slip Falls (250 feet), the Adirondack's highest falls and one of the tallest waterfalls in the state.

The Cedar and Hudson Rivers divide the Essex Chain Lakes Tract into three separate areas. Current access to the eastern section is available over a major bridge which crosses the Hudson River. Access between the two sections separated by the Cedar River is more difficult. A bridge that connected these two sections was destroyed in a storm in 1968.

Slopes within the subject area varied from gentle to severely steep. Generally these slopes are problematic for certain recreational improvements such as campsites. These areas can also be problematic for trail development because of the high risk of erosion. Map 2 shows the subject area topography.

Water Resources:

The Essex Chain Lakes, Indian River, and OK Slip Falls Tracts lie within the Hudson River watershed.

A dominant feature of the landscape is the Essex Chain Lakes, a series of eight interconnected lakes. Together with nearby ponds, this tract has eleven lakes and ponds interconnected or within portaging distance of each other to provide a 6 to 7 mile canoe route. Together with this canoe route, there are a total of 18 ponds and lakes in this tract. The following is a list of the lake and ponds in the Essex Chain Lakes Tract with their acreage:

- Cedar Pond – 8ac.
- Chain Lakes
 - 1st Lake – 51 ac.
 - 2nd Lake – 23 ac.
 - 3rd Lake – 262 ac.
 - 4th Lake – 27 ac.
 - 5th Lake – 71 ac.
 - 6th Lake – 36 ac.
 - 7th Lake – 9 ac.
 - 8th Lake – 17 ac.
- Clear Pond – 23 ac.
- Cheney Pond – 18ac.
- Corner Pond – 20 ac.
- Deer Pond – 48ac.
- Jackson Pond – 29ac.
- Mud Pond (near Chain) – 22ac.
- Mud Pond (near Pine) – 15ac.
- Pine Lake – 91ac.
- Shadow Pond – 51ac.

The Indian River parcel does not have any waterbodies. The OK Slip Falls parcel has 2 waterbodies, ranging in size from 4 to 8 acres. OK Slip Pond is located on private property and is not included in this tract.

Rivers in these parcels include the Goodnow, Cedar, Hudson River, and Indian Rivers. These tracts include 14.7 miles of the Hudson River shoreline and 8.5 miles of the Cedar River shoreline (where the property is on both sides of the river). The Indian River borders approximately one mile of the Indian River Tract (on one side of the river). The Essex Chain Tract contains a 0.86 mile stretch of the Goodnow River, an unclassified river, which flows from the Goodnow Flow, a 438 acre impoundment, into the Hudson River. Each of these rivers is important from a biological, recreational and scenic perspective. These rivers, and several smaller streams, are also associated with significant wetland complexes.

These rivers are designated (Map 2) pursuant to the Wild, Scenic and Recreational River ACT, ECL Article 15, Title 27 (Rivers Act). The Hudson River is designated as a Wild River south of the confluence with the Cedar River and as a Scenic River north of that confluence. The Indian River is designated as a Recreational River, and the Cedar River is designated as a Scenic River within the Essex Chain Lakes Tract and a Wild River within the Blue Mountain Wild Forest. Regulations established through the Rivers Act restrict certain management actions on lands adjacent to these rivers regardless of the land's final classification (6 NYCRR 666.4). The State Land Master Plan also provides guidelines for management and use of Wild, Scenic, and Recreational Rivers and adjacent lands.

Biological Characteristics

Temperate Deciduous Forest:

In the United States, there are five areas of temperate deciduous forest identified for restoration or protection. The largest area of unbroken forests greater than 100, 000 acres is in the Adirondacks. The temperate deciduous forest represents the most fragmented and degraded closed forest habitat on the planet. Approximately 50% of what had once occurred has been lost to agriculture and development. What remains of this forest type is widely scattered with less than 10% secured in ecological reserves. Those forests that are protected tend to be in patches of a few thousand acres, making them too small to support viable populations of wide-ranging species or able to maintain ecosystem processes that shape natural features⁴.

Within the Adirondacks are areas referred to as “matrix blocks”, or intact forests. These blocks are significant due to their diverse underlying abiotic factors (elevation, land form and geology), the overall condition of the forest, and by being less fragmented by roads. Ten of these matrix blocks intersect with TNC/Finch lands, 5 in the Essex Chain Lakes, Indian River, OSC and OK Slip Falls Tracts.

Matrix blocks are important for habitat and species resilience. Resilience concerns the ability of a living system to adjust to climate change, to moderate potential damages, to take advantage of opportunities, or to cope with consequences; in short, its capacity to adapt. The Essex Chain Lakes, Indian River, OK Slip Falls, and OSC Tracts add to these matrix blocks and enhance the resiliency of the Parks’ Temperate Deciduous Forest.

It is unlikely that there are any old growth forests on these tracts of land. These forests have been logged by previous owner(s). Larger, and presumably older, trees occur on the trail to Blue Ledge and along the shore of the Hudson River between Blue Ledge and OK Slip Falls.

In addition to deciduous forests, there are conifer and alluvial forests. Alluvial forests are forests on river-deposited soils which are subject to a flooding regime. Alluvial forests provide valuable wildlife habitat and contribute to the scenic qualities of the streams on which they occur.

Wetlands:

There are approximately 1800 acres of wetlands in the four tracts of land being classified. Many of these wetlands are associated with streams and other waterbodies. Map 5 shows the locations of wetlands in the four tracts.

There are numerous wetland types on these tracts of land ranging from coniferous swamps, to alluvial forests, to sphagnum- shrub bogs, to beaver flows and other open wetlands. The

⁴ <http://conserveonline.org/workspaces/ecs/documents/resilient-sites-for-terrestrial-conservation-1>
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substrate of these tracts varies and so does the species diversity within these wetlands. Regardless of species diversity, wetlands are significant. Wetlands play a critical role in modulating the flow of water in any watershed, reducing flooding and erosion. They filter pollutants and purify water; they provide critical habitat for many species of plants and animals. Table 1 lists acreage of common wetland types in the four tracts being classified.

Figure 1

Acreage of Common Wetland Cover Types

	FO1	FO4	SS1	SS3	EM1	Total*
Chain Lakes	24	569	360	61	254	1460
OK Slip Falls	5	81	39	3	47	212
Indian River	10	15	9	0	25	67
OSC	0	20	7	0	46	74
Total	39	685	415	64	372	1813

*Total of all wetlands, including cover types not included in this chart.

Following is a description of the cover types in the chart:

FO1 – Hardwood swamp, usually dominated by Red or Silver Maple.

FO4 – Conifer swamp, dominated by Balsam Fir, Tamarack or Black Spruce.

SS1 – Shrub swamp, with alder and willow as dominant species.

SS3 – Shrubby peatland, characterized by Ericaceous shrubs and peat moss.

EM1 – Either wet meadows or emergent marsh, or a combination of the two.

The wetland mapping uses the Cowardin classification system⁵ which does not specifically identify peatlands, wet meadows or emergent marsh.

Rare, Threatened or Endangered Species and Natural Communities:

The Adirondack landscape is largely acidic- granitic. The underlying geology of much of the Essex Chain Lakes and Indian River Tracts are calcareous, yielding numerous rare plants and bryophytes (mosses and lichens). Many of these species are considered uncommon or unusual in the Adirondacks, but are not considered to be state rare species. Some rare plant species are protected in New York State. Bryophytes have no legislative protection.

⁵ Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of wetlands and deepwater habitats of the United States*. U.S. Fish and Wildlife Service FWS/OBS-79/31, Washington, D.C., 103 pp.

Within the Essex Chain Lakes, Indian River, and OK Slip Falls Tracts, and along portions of the Hudson River in the Hudson Gorge Primitive Area, the following rare, threatened or endangered species (vascular plants and animals) occur:

<u>Name</u>	<u>US Listed</u>	<u>NY Listed</u>	<u>NYNHP Rank</u> ⁶
<i>Aquila chryseatos</i> (Golden Eagle)		E	G5SHB, SN1
<i>Calamagrostis stricta</i> (Northern Reedgrass)		T	G5S2
<i>Carex capillaries</i> (Hair-like Sedge)		E	G5S1
<i>Draba arabisans</i> (Rock-cress)		T	G4S2
<i>Erigeron hyssopifolius</i> (Daisy Fleabane)		E	G5S1
<i>Gavia immer</i> (Common Loon)		SC	G5S4
<i>Halenia deflexa</i> (Spurred Gentian)		E	G5S1
<i>Haliaeetus leucocephalus</i> (Bald Eagle)	LT, PDL	T	G5S2S3B,S2N
<i>Prunus pumila</i> var. <i>depressa</i> (Dwarf Sand-cherry)		T	G5T5S2
<i>Saxifraga oppositifolia</i> ssp. <i>oppositifolia</i> (Purple Mountain-saxifrage)		E	G4G5T4T5S1
<i>Trisetum melicoides</i> (Melic-oats)		E	G4S1
<i>Woodsia glabella</i> (Smooth Cliff Fern)		E	G5S1

Additionally, several significant natural community types were documented:

<u>Name</u>	<u>NY Listed</u>	<u>NYNHP Rank</u>
Calcareous Cliff Community	U	G4S3
Calcareous Shoreline Outcrop	U	G3G4S2
Calcareous Talus Slop Woodland	U	G3G4S3
Northern White Cedar Rocky Summit	U	G3G4S2
Riverside Ice Meadow	U	G2G3S1

Natural Communities, like bryophytes, have no legislative protection.

Botanist Jerry Jenkins conducted biological surveys of the entire TNC/Finch acquisition lands including the parcels being classified in this action, parcels scheduled to be purchased by the State over the next five years, and parcels that have been protected by conservation easements and are currently privately owned. Jenkins' summary of biological significance does not always follow the NYNHP ranking system and includes regional specialties in addition to State, Global

⁶ www.acris.nynhp.org/ranks.php

and Federal rankings. Although his summary is not as easily quantifiable as NYNHP surveys, his information is included for a more comprehensive understanding of these lands.

Jenkins also documents bryophytes that the NYNHP does not document. The limey outcrops along the Hudson and Cedar Rivers, along with additional limey cliffs and wetlands, represent one of the largest diversities of bryophytes and vascular plants that he has ever seen in the Adirondacks.

Fisheries:

Data shared with the DEC by the previous owners and lessees, along with data collected by the DEC on some lakes and ponds during 2012, have provided background information on fisheries management for Essex Chain and Indian River Tracts of land. Many lakes and ponds have been stocked historically. These bodies of water are neutral in pH due to the underlying calcareous bedrock. Third, Fourth, Fifth, and Eighth Lakes and Jackson, Clear, Cedar and Deer Ponds have the temperatures necessary for long-term trout survival. Cedar Pond has a self-sustaining population of Windfall strain brook trout (heritage) introduced by the DEC in the 1990's.

The Department has also noted that the Redbreast Sunfish (*Lepomis auritus*) is more common in some of these lakes and ponds than in other parts of the state. Although not endangered, anecdotal evidence suggests that the species is less common than once believed and disappearing from other lakes.

The Essex Chain, Indian River and OK Slip Falls Tracts, along with existing Forest Preserve, contain approximately 9.44 miles of the Hudson River. The portion of the Hudson River that is north of the confluence with the Cedar River contains warm water fisheries, primarily Pike and Bass. From the confluence of the Cedar River south to North Creek, the Hudson River is considered to be a cold water fishery. That section is stocked with brown trout and rainbow trout. Smallmouth bass and northern pike occur in some of the pools and runs, but are less abundant than upstream of the Cedar.

A comprehensive study was conducted to determine if white water releases from Lake Abanakee, down the Indian River, to the Hudson River affected trout fisheries. The study identified that in hot dry summers, water temperatures in this section can hit 80+ Fahrenheit - killing all the stocked trout. During cool, wet summers the trout survive, leading to good fishing the next spring for larger fish. Lately, there have been a lot of hot, dry summers. There are almost no thermal refugia in this section of the Hudson River to sustain trout during these hot spells.

Downstream of North Creek, south of the parcels being classified, the Hudson is back to being a warm water fishery.

The approximately 3.8 mile stretch of the Cedar River that is located in the subject area contains Brown and Brook Trout. The approximately 2 miles of the Goodnow River shoreline located in the subject area is likely to contain Bass, which are found in Goodnow Lake.

Bird Studies:

A limited amount of work was conducted to inventory birds. NYNHP has records of Common Loons, Golden Eagles and Bald Eagles. Boreal bird species were concentrated on parcels north of the three being classified. The common birds of mixed woods (Hermit Thrush, Solitary Vireo, black-throated Green Warbler and the like) were found in the Essex Chain Lakes, Indian River, and OK Slip Falls parcels.

Invasive Species:

One terrestrial invasive species, Japanese Knotweed (*Fallopia japonica*), occurs on the Essex Chain Lakes Tract. This small population has been treated once by The Nature Conservancy and it is seeking permission for a second treatment.

Beech scale (*Cryptococcus fagisuga*) was first reported in 1969. No other forest pest species have been reported.

No aquatic invasive species were found during field work conducted by both The Nature Conservancy and the DEC.

Intangible Characteristics

The addition of slightly more than 22,500 acres of land adjacent to existing Forest Preserve provides the public with new opportunities for remoteness. The public has not had access to these lands in nearly 150 years. There are five mountains with summits over two thousand feet in elevation, 24 ponds ranging from 4 to 264 acres in size, and close to 20 miles of rivers including the Hudson, Indian, Cedar, Rock and Goodnow Rivers. The Goodnow, Cedar, Indian and Hudson River corridors have beautiful, undeveloped shorelines. The Hudson Gorge is considered by many to be the most beautiful part of the river. Along the Hudson are two areas with high ledges that are biologically rich and also provide spectacular views of the river.

Additionally, one can find a variety of natural community types including marble ledges, bogs, fens, and alluvial forests. There is extensive habitat for mammals such as moose, bobcat, and black bear and aquatic habitat for brook trout, landlocked salmon, and small and largemouth bass. Access to this land affords paddling opportunities on some of the wildest stretches of rivers in the eastern United States.

Established Facilities and Retained Rights

Structures and Improvements:

The Essex Chain Lakes Tract and Indian River Tract contain unpaved forest management roads. There is a bridge on the Essex Chain Lakes Tract which spans the Hudson and allows access to the Polaris Club. There is also a road accessing a private inholding on the OK Slip Falls Tract.

There are several camps located on the Essex Chain Lakes and Indian River Tract associated with the Gooley Club, Outer Gooley Club and Polaris Club. The State did not purchase these structures with the land and they will be removed by the previous owner or lessees, according to the terms of the respective leases, described below.

Map 3 shows the location of roads, bridges, gravel pits, and right of ways.

Historic Structures:

The Adirondack Forest Preserve is listed on the National Historic Register and is a National Historic Landmark. Staff at the NYS Office of Parks Recreation and Historic Preservation have indicated that camp structures on the Outer Gooley may be eligible for listing on the State Register of Historic Places. These buildings at the Outer Gooley Club are not being used and are scheduled to be removed – or moved – prior to July 31, 2013.

Deeded and Other Rights:

The Nature Conservancy granted an easement over portions of the Essex Chain Lakes Tract to the Towns of Minerva and Newcomb. These rights will allow, as determined by the Department, for (1) float plane access to First Lake and Pine Lake and (2) access to, and use of materials from, two gravel pits located on the periphery of the property in order to provide gravel to maintain roads solely on those tracts that may be open for motorized use. The Towns are required to obtain a permit from DEC prior to exercising any of these rights. The Towns may allow others non-exclusive floatplane access as well, which is also subject to any limitations in a duly issued permit by DEC. The purpose of the float plane easement is to load and unload passengers to facilitate access for non-motorized public recreational use. The gravel pits will not exceed one acre in size and the use of these pits will be extinguished once the pits are deemed exhausted. These easements have been considered in development of the proposed alternatives for classification.

The Nature Conservancy reserved the right to grant access rights over and across the Indian River Tract and to provide for public parking and access to the Hudson and Indian Rivers. Prior to the state's acquisition of the Indian River Tract, The Nature Conservancy granted the Towns of Minerva and Indian Lake a non-exclusive right to provide for public motorized access on the Chain Lakes Road on the Indian River Tract, subject to a permit from DEC. The Nature Conservancy also granted the Towns a non-exclusive right to mine gravel from a gravel pit known as the Outer Gooley Pit for the purpose of maintaining the portion of Chain Lakes Road open to the public, subject to applicable laws, rules and regulations. These easements burden the Indian River Tract conveyed to the state after acquisition. [Need confirmation and deed and map from DEC]

A substantial section of Chain Lakes Road and the parking area is within one half-mile of a section of the Hudson River that has been designated as a wild river under the NYS Wild, Scenic and Recreational Rivers Act (WSRRA). The WSRRA provides that “[i]n wild river areas, no new structures or improvements, no development of any kind and no access by motor vehicles shall be permitted other than forest management pursuant to forest management standards duly promulgated by regulations.”⁷ It further provides: “In general, the minimum distance from the river shore to a public highway or a private road open to the public for motor vehicle use, shall be one-half mile except where a physical barrier exists which effectively screens the sight and sound of motor vehicles.”⁸

The APSLMP provides that no river area shall be managed in a way that would be less restrictive than the WSRRA requirements and specifically provides that wild river areas be managed in accordance with the guidelines for wilderness areas. The only new or reconstructed improvements allowed under the APSLMP are foot and horse trails, foot trail bridges constructed with natural materials, primitive tent sites and pit privies.

There are several rights of way on the Essex Chain Lakes parcel, including the non-exclusive use of Ords Road/ Ords Fall Road and First Left Road by Upper Hudson Woodlands ATP, LP in a northern corner of the Essex Chain Lakes parcel and public utility easements for NYSEG near Goodnow Flow.

When The Nature Conservancy acquired the Essex Chain Lakes and Indian River parcels from Finch Paper in 2007, there were several outdoor recreation leases on the property. The Nature Conservancy has continued those outdoor recreation leases and preserved two of the leasehold estates until September 30, 2018. The Gooley Club, Inc. has a lease with The Nature Conservancy (“Gooley sublease”) for land on the Essex Chain Lakes Tract, on the south shore of Third Lake (“Inner Gooley”), with a term of October 1, 2012 to September 30, 2013 and for lands on the Indian River Tract, west of the confluence of the Hudson River and the Indian River (“Outer Gooley”) with a term of September 1, 2012 to December 15, 2012. After October 1, 2013, the Nature Conservancy and now the State may enter into additional one-year leases for

⁷ N.Y. Env'tl. Conserv. Law § 15-2709 (McKinney)

⁸ N.Y. Env'tl. Conserv. Law § 15-2707 (McKinney).

the Inner Gooley camps until September 30, 2018, leasing exclusive use of a one-acre envelope surrounding each club house and/or cabin. The remainder of the lands will be available for public use shared with the sublessees. All clubhouses, cabins, structures and seasonal trailers are to be removed by the end of the lease and no later than September 30, 2018.

The Outer Gooley portion of the sublease cannot be extended and has expired. The sublease requires all buildings and improvements must be removed by July 31, 2013. If the Gooley Club does not remove the Outer Gooley structures (clubhouses, cabins, structures and seasonal trailers) by that date, the sublease provides that the Gooley Club will not be allowed to lease the Inner Gooley portion of the leased lands for the 2013-2014 season.

The Nature Conservancy also has an outdoor recreation lease with the Polaris Mountain Club, Inc., for lands east of the Hudson River in the Essex Chain Lakes Tract with a term of October 1, 2012 to September 30, 2013 ("Polaris Sublease"). The Nature Conservancy, and upon acquisition, the State, may also lease a one-acre envelope surrounding each club house and/or cabin for additional one-year terms until September 30, 2018. All clubhouses, cabins, structures and seasonal trailers are to be removed by the end of the term and no later than September 30, 2018.

The Nature Conservancy has provided a performance bond for the removal of all structures as required by the leases and the purchase agreement between DEC and The Nature Conservancy.

During the term of the extended leases for Inner Gooley and Polaris, the sublessees also have a right to access the camps by vehicles and snowmobiles on roads designated by DEC, to use ATVs during mud season to access the camps on roads designated by DEC and to use motorboats on waters designated by DEC if such waters border the camps. The Nature Conservancy has a reserved right to motorized access to the Essex Chain Lakes Tract until October 1, 2019 to manage and police the leasehold estate, and to remove any remaining structures.

The Northern Frontier Brigade Camp has a private inholding on OK Slip Pond, which includes the pond itself and the shoreline of the pond. There are/are no restrictions on the use of motorized vehicles on the pond. The Camp also has a right of way on the existing road for motorized access to the inholding. [Need confirmation and deeds and map from DEC]

The OSC Tract within the existing Vanderwhacker Wild Forest is unencumbered by private rights or easements. [Need confirmation and deed and map from DEC]

ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

Physical, biological and social impacts may result from the proposed classification action. The FPEIS lists general impacts associated with amendments to the APSLMP:

A. Changes in existing use or levels of use which exceed the physical, biological or social carrying capacity of State lands could result in significant adverse impacts on the natural resources and open space character of State lands.

The proposed action involves the classification of recently acquired lands and reclassification of existing state lands classified as Primitive and Wild Forest. The existing use on the unclassified State lands consists of private hunting camps which will no longer be used and should be removed at the end of the leases, or October 1, 2018, whichever is sooner. Regardless of which alternative classification for these lands is selected, the level of public use will increase. Through the UMP process DEC will develop a public access plan for the Essex Chain Lakes Tract and the Indian River Tract detailing uses allowed prior to classification of these lands. This access plan should not include uses that may not be permitted once the land is classified.

The APSLMP prescribes types of permissible uses in each category but it does not specifically control the levels of use beyond providing very general management guidelines. Careful application of guidelines in the APSLMP, through this classification process and as applied through the UMP process, should avoid significant adverse environmental impacts caused by types or levels of use.

Careful consideration must be given to the levels of recreational use, both motorized and non-motorized, in relation to the potential carrying capacity of an area. Under Wilderness, Primitive or Canoe Area designations, public use of motor vehicles and aircraft are prohibited. Limited use of motor vehicles may be allowed for emergency and administrative purposes under these classifications. Mountain biking on administrative roads may be allowed under a Canoe Area classification, subject to their designation in an adopted UMP. Mountain biking may also be allowed in Wild Forest areas on designated roads and trails, as specified in a UMP. Under a Wild Forest classification, public motorized use may be allowed on roads, rivers, lakes and ponds, and by snowmobiles on designated trails during the winter season. Development of snowmobile trails and roads open to public use are subject to the “no material increase” provision of the State Land Master Plan that places limits on the total mileage of snowmobile trails which can be designated for public motorized use on Forest Preserve Wild Forest lands. Even under a Wild Forest classification, the Department of Environmental Conservation may restrict use of motor vehicles and aircraft by the public and by administrative personnel where in its judgment the character of the natural resources of the area make additional restrictions desirable or necessary.⁹

⁹ See APSLMP at 49. Also see DEC Proposal for “Essex Chain Canoe Recreation Area” in Public Access and State Land Classification of the Former Finch Pruyn Lands, December, 2012, pages 4 - 6, proposing Special Management Area.

An Intensive Use Area is an area of State land where facilities are provided for more intensive public uses such as campgrounds, downhill and cross-country ski areas, motor boat launches or intensive day use areas. Major commitments to facility development and mitigation of impacts from higher levels of public use are required. The FPEIS states that “the resource characteristics must be unusually capable of withstanding such intensive use with little or no degradation in natural or scenic resource quality.” FPEIS at 25. The overriding consideration when classifying newly acquired lands adjacent to state lands with two or more classifications is a “determination that any use allowed by classification should not exceed the physical, biological, or social carrying capacity of the land’s resources.” FPEIS at 24. The size of the water bodies in the Essex Chain, along with the relatively restricted past recreational use by hunting camp lessees with no public access, is not compatible with more intensive recreational use. In addition, an existing DEC Intensive Use campground facility already exists at Lake Harris in the Town of Newcomb which provides a more intensive recreational experience in a more developed setting. For these reasons, a separate alternative for an Intensive Use area for the Essex Chain Lakes is not proposed in the Alternatives section of this DSEIS.

B. Diminish the quality of recreational opportunities requiring vast acreages of open space, such as hunting, backpacking and wilderness canoeing, could cause significant adverse economic impacts.

None of the alternatives proposal in this document considers the reclassification of lands from a more restrictive classification to a less restrictive classification; therefore there will be no diminishment in quality of recreational opportunities requiring vast acreages of open space.

C. Diminished area of lands designated Wilderness, Primitive or Canoe would significantly decrease the availability of primitive recreational opportunities which are at present extremely limited in New York State and rare in the Northeastern United States.

None of the alternatives proposal in this document considers the reclassification of lands from a more restrictive classification to a less restrictive classification; therefore there will be no diminishment in area of lands currently designated as Wilderness, Primitive or Canoe.

D. The designation of large tracts of State land as Wilderness, Primitive or Canoe provides the unusual opportunity for the reintroduction of extirpated species of wildlife which require significant acreages of habitat essentially undisturbed by man.

The alternatives described in this document include classifying large tracts of land as Wilderness, Primitive, or Canoe. The reintroduction of extirpated species is possible, but the feasibility needs to be analyzed through the UMP process. The reintroduction of certain extirpated species may not be limited to Wilderness, Primitive, or Canoe classifications, but may also be possible with Wild Forest classification.

E. Deterioration of the quality or character of Wilderness, Primitive or Canoe area resources could adversely impact the educational and research values of those areas.

None of the alternative proposals in this document consider the reclassification of lands from a more restrictive classification to a less restrictive classification; therefore there are no adverse impacts to the educational and research values for these areas.

F. Deterioration in the quality of the natural or scenic resources of State lands could adversely affect the Park economy.

This area includes several natural and scenic resources, including lakes and ponds with high quality fisheries, mountains, a significant waterfall, and several miles of undeveloped rivers. The extent of the impacts to these resources on the Park economy will depend on the level and type of use of the land, which may be controlled through both the classification and UMP process.

Threats to the fisheries in these waters include the release of non-native and invasive species. Vectors for these species include fishing waders, trailers, boats, seaplanes, and man himself. Deterioration of the natural resources could directly impact tourism and the local economy.

G. Potential Impacts Of Classification Options

The Department is bound to guidelines of each classification when developing UMPs as defined in the APSLMP. These guidelines vary from one classification category to another and may prescribe the types of recreational opportunities available in conformance with the APSLMP's unifying theme that *the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment of those lands should be permitted and encouraged, so long as the resources in their physical and biological context as well as their social or psychological aspects are not degraded.* (page 1)

Classification of these lands could result in management actions that could diminish the overall quality of the natural resources. Although the APSLMP also states that *nothing in the guidelines for lands falling within each major classification shall be deemed to prevent the Department of Environmental Conservation, or any other state agency administering such lands, from providing for more restrictive management where necessary to comply with constitutional requirements or to protect the natural resources of such lands,* (page 15) the classification establishes strong guidelines that are incorporated into UMPs.

The principal difference between the Wilderness, Primitive and Canoe classifications involves the degree to which motor vehicles may be used for administrative purposes.

In Wilderness areas, the use of motor vehicles is prohibited except for sudden, actual on-going emergencies involving the protection or the preservation of human life or intrinsic resource values.

In Primitive areas, the use of motor vehicles is subject to Wilderness guidelines except that existing roads and snowmobile trails may be used by administrative personnel to the extent necessary to reach and maintain structures and improvements whose removal, while anticipated, cannot be accomplished by a fixed deadline or in primitive areas not destined to become Wilderness, structures or improvements of an essentially permanent character. To the extent roads and snowmobiles are legally open to the public the public may continue to use them at the discretion of the DEC pending Wilderness classification, if their use would not adversely affect the character of the resources.

In Canoe areas, the use of motor vehicles is also subject to Wilderness guidelines except that motor vehicles may (along with aircraft and motorized equipment) be used by administrative personnel, for purposes designed to protect or enhance the water or fisheries resources as specified in a duly adopted UMP.

Another significant difference between the three classifications involves the use of all terrain bicycles. The use of all terrain bicycles is prohibited in all Wilderness areas. In Primitive and Canoe areas all terrain bicycles are allowed on roads legally open to the public and on State truck trails designated by DEC in an adopted UMP.

A Wild Forest classification would broaden the range of conforming structures and improvements and allow bicycles on all trails where they are not explicitly prohibited. The Wild Forest classification would also allow use of motor vehicles by administrative personnel where necessary to reach, maintain, or construct permitted structures and improvements, for appropriate law enforcement and general supervision of the public or appropriate purposes, including research to preserve fish and wildlife and other natural resources. Public use of motor vehicles is allowed "on a limited and regulated basis that will not materially increase motorized uses that conformed to the Master Plan at the time of its adoption in 1972 and will not adversely affect the essentially wild character of the land" (page 29). Snowmobile use is limited to snowmobile trails designated by DEC, and ATV use is restricted to public roads and DEC roads open to such use.

UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

Most adverse impacts upon the resource quality and character of State lands within the Park as the result of land classification are avoidable. Strong guidelines for the classification of State lands protect resource quality and character from overuse and degradation while still providing public recreational use opportunities. Further protection of these resources will be addressed in the UMP process.

MEASURES TO MITIGATE POTENTIAL ADVERSE ENVIRONMENTAL EFFECTS

The APSLMP is designed to allow only those uses of State land which will not degrade resource quality or character. The discussion of alternatives in this DSEIS allows the Agency to evaluate the various classifications and the potential adverse impacts of those classifications. The only

means of mitigating impacts is the selection of more restrictive classifications. Therefore the discussion of alternatives is the discussion of mitigation.

The NYSDEC can manage land more restrictively than the guidelines in the APSLMP prescribe. UMPs for these areas should address potential impacts and prescribe management that would mitigate impacts to the greatest extent possible.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

The proposed classification alternatives have no measureable effect on the use or conservation of energy resources.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The classification of these lands itself does not provide irreversible or irretrievable commitments to the resources.

GROWTH INDUCING ASPECTS OF PROPOSED ACTION

The APSLMP provides alternatives for a diversity of recreation opportunities within the Park, which can have a positive impact on the local economy while also having a potential increase in demand for local services. The number of visitors is affected by various factors including tourism marketing programs, tourist accommodations. Recreational visitors have an insignificant demand for most public services from local governments but may increase demand on emergency services and increase wear on roads.

The recreation and tourism industry is the backbone of the Adirondack economy. Lodging, food and automobile service provides the primary source of income from this industry. Recreational equipment supply stores also benefit significantly from the recreational opportunities available on State lands. These expenditures result in jobs and have a multiplier effect when the original expenditure is used to buy additional goods and services within the Park. Recreationists and tourists tend to be transient visitors in the Park and therefore have an insignificant demand for public services from local governments.

Due to the scarcity of designated Wilderness in the Eastern United States and due to the existence of private land adjacent to such Wilderness, it may become desirable to purchase property for residential purposes adjacent to Wilderness. An increase in home construction would increase the demand for certain public services, such as police and fire protection, sewer service and water service, and may increase the tax base which a community may use to pay for these services.

CLASSIFICATION ALTERNATIVES

Maps have been created for each alternative described below and are titled accordingly. These maps should be referred to as the alternatives are read and compared. And while the maps depict precise boundaries, it should be understood that the alternatives, as described, may not result in all boundaries for the different areas being finalized exactly as shown. Final proposed boundaries will be described in a preferred alternative and staff recommendation, which will be included as part of the Final EIS for submission by APA staff to the APA Board after a public hearing and comment period.

On each map is a legend identifying each major land classification relevant to the alternative depicted. Provided beneath the name for each land classification is a list of sample recreational uses that are allowed for, as per APSLMP guidelines and criteria, on lands so classified – subject to DEC regulations and UMPs. These are short lists not intended to be complete; they are intended only to help persons understand how each major land classification affects some of the most popular outdoor recreational activities pursued on State land in the Adirondacks.

Not depicted on the numbered alternative maps, due to their small scale, are the Inner and Outer Gooley Club lease camps and the Polaris Club lease camps. Instead, these clubs' existing features are depicted on three larger scale maps provided – one each for the Outer Gooley Club, the Inner Gooley Club and the Polaris Club (Map 3 –need to add Outer Gooley camp and Insets of 3 cap areas). The camp structures of all three clubs exist on State-owned lands and are nonconforming with the APSLMP, requiring their eventual removal regardless of how the lands are classified. The area descriptions within the APSLMP will note the legally fixed deadlines by which these nonconforming structures and uses will cease to exist. (For the Outer Gooley Club, this date is July 31, 2013. For the Inner Gooley Club and Polaris Club, this date is September 30, 2018.) Consequently, the alternative descriptions provided below ignore the interim time periods during which the various nonconforming lease-club structures and uses can continue.

ALL ALTERNATIVES: HUDSON GORGE PRIMITIVE AREA RECLASSIFIED TO WILDERNESS OR CANOE AND SOME UNCLASSIFIED LANDS ADDED TO THIS WILDERNESS

Common to all alternatives presented below is the reclassification of the majority of the existing Hudson Gorge Primitive Area to Wilderness or Canoe (approximately 17,000 acres) and the classification of OK Slip Falls parcel and a portion, or the entire, Indian River parcel to Wilderness. Other alternatives for the Hudson Gorge Primitive Area are not considered because the APSLMP directs this area to be so classified subsequent to these significant private inholdings being “acquired or their uses limited by conservation easement so as to be compatible with the adjacent state lands” (page 82). The addition of these lands to Forest Preserve triggers this reclassification requirement. In each alternative presented below, therefore, a Hudson Gorge Wilderness Area is created. Within it, the wildest and most remote section of the Hudson River, along with the sensitive ecological communities of this unique area, can be afforded the highest degree of protection possible for State lands in the Adirondack Park.

A relatively small section of the Hudson Gorge Primitive Area would not be reclassified. A 0.25 mile power-line crosses the Primitive Area just north of Route 28 in the Town of Indian Lake, Hamilton County. This power-line and the Forest Preserve land south of the line will remain classified Primitive.

ALTERNATIVE 1A: NEW STATE LANDS PRIMARILY WILDERNESS

MAP 5

Wilderness

Alternative 1A would create a Hudson Gorge Wilderness Area of approximately 36,000 acres, comprised of a large expanse of contiguous, State-owned lands on both sides of the Hudson River, extending from just south of Newcomb to and through the “gorge” and Blue Ledges to the vicinity of the Boreas River confluence, near North River. All newly acquired lands east of the Hudson would be classified Wilderness and existing State lands also east of the river to a naturally occurring boundary, now part of Vanderwhacker Mountain Wild Forest, would be reclassified to Wilderness. West of the river, all newly acquired lands north of the Goodnow River would receive Wilderness classification. South of the Goodnow Flow and Goodnow River, most of the newly acquired lands and waters of the Essex Chain Lakes, excluding the beds and waters of First and Pine Lakes, would also become part of this new Wilderness area. ### acres of Blue Mountain Wild Forest located southwest of the Essex Chain Tract, east of the Cedar River and north of the Rock River, would be reclassified as Wilderness.

Primitive Area

This alternative includes two road sections which will remain open to adjacent landowners and therefore need to be designated as Primitive. The first is a short section of Ord and First Left Roads. These roads provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

Wild Forest

In two areas, portions of newly acquired lands would be classified Wild Forest. One would be the area generally north of the Essex Chain Lakes and south of Goodnow Flow, and the second

would be the area just west of the Chain Lakes Road [south], between the Indian River confluence and the vicinity of an unnamed tributary adjacent to the Outer Gooley Pit.

Due to the existence of deeded rights allowing floatplane access to First and Pine Lakes, this alternative places the beds and waters of the lakes entirely within the Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on the parcels on which each pit is located, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.¹⁰ Each of these one acre pits would be classified as State Administrative.

Discussion of Selected Recreational Opportunities

As in most of the alternatives presented, the corridor of the Hudson River would offer a wilderness rafting, paddling and camping opportunity, free of significant manmade structures and motorized uses for nearly 7.6 miles. (Eventually the bridge across the Hudson near the Polaris Club lease camps would be removed.) Lands classified Wild Forest would be situated near the Hudson River in two critical locations to allow for public motor vehicle access to the general vicinity of important river take-outs and put-ins for visitors accessing the river. The Essex Chain Lakes, although they would occupy a relatively small portion of this proposed Hudson River Wilderness Area, would also offer a unique wilderness paddling and camping opportunity. The lake experience would not be as rigorous or challenging as the Hudson River trip, but still remote and wild.

The network of private, lease club roads in the newly acquired lands would be closed to motor vehicle and mountain-bike use in this alternative. However, these lands would provide an opportunity for alternative forms of outdoor recreation that conform to wilderness standards, including: hiking, skiing, snowshoeing, horseback, and horse and wagon riding.

The Towns of Newcomb and Minerva have a non-exclusive easement for float plane access to First Lake and Pine Lake, subject to permit from DEC. The Towns can allow others non-exclusive floatplane access as well, which is also subject to any limitations in a duly issued

¹⁰ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

permit by DEC. The purpose of the easement is to load and unload passengers to facilitate access for non-motorized public recreational use. Historically, the public has had float plane access to First and Pine Lakes, as both lakes were partially on public land (Blue Mountain Wild Forest).

In this alternative, commercial float-plane operators would continue, under permit from DEC, to provide float-plane access for the public to First Lake, the westernmost of the Essex Chain Lakes, and Pine Lake. For recreationists who arrive at First Lake by float planes and desire to explore the rest of the lakes in the Chain, a 1/6-mile carry could provide direct and relatively easy access to them.

In managing most of the sensitive fisheries of the Essex Chain Lakes in this alternative (excluding First Lake if appropriate), DEC would follow the Wilderness Fisheries Guidelines which state: *Fish species, other than indigenous species and species historically associated with the Adirondack Park, will not be stocked in waters of Wilderness, Primitive or Canoe Areas.*¹¹

This policy would not apply to Pine and First Lakes, possibly allowing nonnative and warm water species to be introduced and stocked. The Department, although not formally adopted as a policy, strives to reintroduce a native species where a self-sustaining population can maintain itself.

ALTERNATIVE 1B: VARIATION OF WILDERNESS

MAP 6

Alternative 1B creates a larger Wilderness area. This alternative would classify almost the entirety of the Essex Chain Lakes Tract as Wilderness (excepting a small primitive area to accommodate a short ROW on Ord and First Left Roads) and extend the boundary southwest to include the entire Indian River Tract and the reclassification of additional land (2,867 acres) from the Blue Mountain Wild Forest, following natural boundaries.

This Wilderness alternative adds Wilderness fisheries guidelines to three additional ponds (Mud, Clear and Corner), but the boundary does not include the beds and waters of First or Pine Lakes, thus enabling float plane access to remain.

This alternative would classify the three gravel pits and the roads which they would provide gravel for as Wilderness. Including these gravel pits and roads in Wilderness would likely render the gravel pits unnecessary to maintain the roads or other infrastructure. Since the right to extract gravel is limited to the purpose of maintaining roads, trails and other infrastructure,

¹¹ Guidelines for Fisheries Management in Wilderness, Primitive and Canoe Areas, adopted by the Adirondack Park Agency on April 26, 1990 and amended July 10, 1992.

according to the terms of the easement, this alternative would eliminate the need for the three State Administrative areas.

Alternative 1B provides additional Wilderness protection to the Indian and Hudson Rivers, and would move potential structures and motorized activities further from these rivers.

Alternative 1B requires potential parking areas be further away from access points to the Hudson River and the Essex Chain Lakes than is possible in Alternative 1A.

ALTERNATIVE 2: NEW STATE LANDS PRIMARILY PRIMITIVE AND WILDERNESS

MAP 7

Primitive

Alternative 2 would establish one large Primitive Area and two new Primitive Area Corridors. The proposed Essex Chain Lakes Primitive Area would be essentially permanent, not likely to become Wilderness or Canoe, due to the non-conforming use of float plane landings on First and Pine Lakes. This Primitive Area would be approximately 11,135 acres and would encompass all the Essex Chain Lakes and most lands immediately surrounding them, generally from the northern boundary of the newly acquired Essex Chain Lakes parcel south to the Camp 6 Road and a section of the Chain Lakes Road [north] near the Cedar River. It would also include Pine Lake, Corner, Mud and Clear Ponds, and would be bounded largely by the Cedar River to the west and an unnamed tributary in the Indian River Tract parcel to the south.

This alternative includes two road sections which will remain open to adjacent landowners and therefore need to be designated as Primitive. The first is a short section of Ord and First Left Roads. These roads provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

acres of Blue Mountain Wild Forest would be reclassified as Primitive in this alternative.

Wilderness

This alternative would have a Wilderness Area of 32,772 acres. This area would include most of the Hudson Gorge Primitive Area, the entire OK Slip Falls and OSC Tract. Additionally, lands to

the east of the Chain Lakes Road in the Indian River Tract and land to the east of the Camp 6 Road in the Essex Chain Lakes Tract would be classified Wilderness.

A 125 acre section of the Blue Mountain Wild Forest, located between the Essex Chain Lakes and Indian River Tracts, north of the road, would be reclassified as Wilderness. Land along the western edge of the Vanderwhacker Wild Forest, extending from a series of tributaries of Wolf Creek to the Hudson River, would also be reclassified as Wilderness.

Wild Forest

One relatively small portion of the newly acquired Essex Chain Lakes parcel would be classified Wild Forest. This area would be at the southwestern end of the Essex Chain Lakes Tract between First and Pine Lakes. In addition, approximately half the Indian River parcel– all that portion of it lying immediately to the west of the Chain Lakes Road [south] and south of an unnamed tributary – would also be added to Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited rights use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.¹² Classification of the Chain Lakes and Deer Pond gravel pits as Primitive would prevent the Towns from using the pits. Only the one acre Outer Gooley gravel pit would be classified State Administrative.

Discussion of Selected Recreational Opportunities

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads, designated in an approved UMP.

In this alternative, commercial float-plane operators would continue, under permit from DEC, to provide float-plane access for the public to First Lake and Pine Lake. For recreationists who arrive at First Lake by float planes and desire to explore the rest of the lakes in the Chain, a 1/6-mile carry could provide direct and relatively easy access to them.

¹² Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

As with Alternative 1B, potential parking areas for access to the Hudson River and the Chain Lakes would be farther away than in other alternatives.

ALTERNATIVE 3A: NEW STATE LANDS PRIMARILY CANOE

MAP 8

Canoe

Alternative 3A would create a new Canoe Area of approximately 6,668 acres – only the second Canoe Area in the Adirondack Park. Primarily, it would feature the Essex Chain Lakes, excluding the bed and waters of First Lake where landings and take-offs by float planes can be expected to occur as noted above. The Canoe Area would include Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Lakes and Deer, Jackson, and (one of the two) Mud Ponds. This Canoe Area would be bounded to the north by Long Six Lake Road, east to the Hudson River, and extend south to the Cedar River and west to the tract boundary, excluding the bed and water of First Lake.

The Essex Chain Lakes parcel contains an additional seven (7) water bodies that are not considered to be within easy portaging distance of each other and have not been included in this Canoe classification.

Wilderness

This alternative would have a Wilderness Area of 29,770 acres. This area would include the majority of the Hudson Gorge Primitive Area and the entire OK Slip Falls and OSC Tracts. Additionally, lands to the south of the Cedar River, including Mud, Corner and Clear Ponds in the Essex Chain Lakes Tract and north of an unnamed tributary in the Indian River Tract would also be classified Wilderness.

acres of Blue Mountain Wild Forest located southwest of the Essex Chain Tract, east of the Cedar River would be reclassified as Wilderness.

Land along the western edge of the Vanderwhacker Wild Forest, extending from a series of tributaries of Wolf Creek to the Hudson River would be reclassified as Wilderness.

This alternative does not have Wilderness designated along both sides of the Hudson River as would alternatives 1A, 1B, and 2. This alternative has 2.8 miles of the western edge of the Hudson River bounded by a Canoe Area.

Primitive Area

This alternative would have the same Primitive Areas as described in Alternative 1A, which includes two road sections which will remain open to adjacent landowners. The first is a short section of Ord and First Left Roads. These roads provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

Wild Forest

9,333 acres of land would be classified as Wild Forest in this alternative. The area classified as Wild Forest would be identical to Alternative 1A.

In two areas, portions of newly acquired lands would be classified Wild Forest. One would be the area generally north of the Essex Chain Lakes and south of Goodnow Flow, and the second would be the area just west of the Chain Lakes Road [south], between the Indian River confluence and the vicinity of an unnamed tributary adjacent to the Outer Gooley Pit.

Due to the existence of deeded rights allowing floatplane access to First and Pine Lakes, this alternative places the beds and waters of the lakes entirely within the Blue Mountain Wild Forest.

State Administrative

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.¹³ Each of these one acre gravel pits would be classified as State Administrative.

¹³ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

Discussion of Selected Recreational Opportunities

Throughout this area, non-motorized, water-oriented recreation on lakes, ponds and rivers would be the primary activity enjoyed by visitors seeking a wilderness-type experience. The lakes and ponds listed above are interconnected or within portaging distance of each other and provide an opportunity for a 6 to 7 mile canoe route. These lakes have seen little recreational use and are in pristine condition.

The majority of the network of private, lease-club roads in the newly acquired lands would remain closed to public motor vehicle use in this alternative, to be abandoned or converted to trails. Mountain bikes would be allowed on State Administrative Roads, designated in an approved UMP.

In one fundamental contrast with the Wilderness classification alternative for this area, the Department would have the option to more intensively manage the area's high-quality, sensitive fisheries by means of the administrative use of motor vehicles and aircraft, even though the same wilderness fisheries management would be prescribed. Any roads designated by the Department for administrative use for fisheries purposes could then be designated for public recreational use by mountain bikers – a use that could not be allowed in Wilderness.

Commercial float-plane operators could continue, under permit from DEC, to provide float-plane access for the public to First Lake and Pine Lake. The beds and waters of First and Pine Lakes would be in the Blue Mountain Wild Forest.

ALTERNATIVE 3B: VARIATION OF CANOE

MAP 9

Alternative 3B creates a larger Canoe area (14,340 acres). This alternative extends the boundary southwest to include more of the Cedar River, the Indian River Tract and the reclassification of additional land (1,421 acres) from the Blue Mountain Wild Forest to the Canoe area.

This alternative also extends the Canoe area boundary further north to surround a ¼ to ½ mile boundary of the Hudson River in both the Essex Chain Lakes Tract and the Vanderwhacker Mountain Wild Forest. The lands to the east and west of the Canoe area boundary would be classified as Wild Forest.

The boundary of the Canoe Area would not include First or Pine Lakes, thus enabling float plane access. The beds and waters of First and Pine Lakes would be in the Blue Mountain Wild Forest.

This alternative would have two State Administrative one acre gravel pits (Chain Lakes and Deer Pond). Classification of the Outer Gooley gravel pit as Canoe would prevent the Towns from using that pit.

ALTERNATIVE 4A: NEW STATE LANDS PRIMARILY WILD FOREST

MAP 10

Wild Forest

Alternative 4A would significantly expand Blue Mountain Wild Forest to include the Essex Chain Lakes and Pine Lake. Throughout the area of the Essex Chain Lakes, motor-boating, snowmobiling and float plane use could be allowed, subject to an approved UMP, and a much greater portion of the existing road system could be retained for various public motorized and mechanical means of travel and recreation that does not conform to Wilderness, Primitive or Canoe Area guidelines. This could foster a greater diversity of recreational activities.

Wilderness

The proposed Hudson River Wilderness Area in this alternative would be expanded further toward the Essex Chain Lakes than in the Canoe alternative, as well as somewhat further north to the northern boundary of State land. That would include classifying a portion of the Essex Chain Lakes Tract and reclassifying a portion of the Vanderwhacker Mountain Wild Forest to Wilderness. The Hudson River would flow through Wilderness (on both sides of the river) from just downstream of Route 28N in Newcomb south to the confluence with the Boreas River. ### acres of Blue Mountain Wild Forest located southwest of the Essex Chain Tract, east of the Cedar River and north of the Rock River, would be reclassified as Wilderness.

Primitive

This alternative would have the same Primitive Areas as described in Alternative 1A, which includes two roads sections which will remain open to adjacent landowners. The first is a short section of Ord and First Left Roads. These roads provide access to neighboring easement lands and cross a 0.3 mile section of Forest Preserve in the northern section of the Essex Chain Lakes Tract. The second, OK Slip Road, crosses a 2.6 mile section of the OK Slip Falls Tract and provides access to the privately owned inholding. Neither of these roads is open to motorized vehicle use by the public.

State Administrative

This alternative would have the same State Administrative Areas as described in Alternative 1A.

The Towns of Newcomb, Minerva, and Indian Lake have been granted limited use to three gravel pits on these tracts of land through a conservation easement. The gravel pits, referred to as the Chain Lakes, Deer Pond and Outer Gooley Pits, are limited in size to a maximum of one acre. The Towns have an easement to extract gravel only for the purpose of road, trail and infrastructure maintenance on this parcel, with a permit from the NYSDEC, “subject to all laws, rules and regulations in effect at the time of issuance of the DEC permit”.¹⁴ Each of these one acre pits would be classified as State Administrative.

Discussion of Selected Recreational Opportunities

This Alternative could provide easier access to the northern section of the Essex Chain Lakes Tract and across the Hudson to parts of the Vanderwhacker Mountain Wild Forest which could result in increased recreational use.

Commercial float-plane operators would continue, under permit from DEC, to provide float-plane access for the public to First Lake and Pine Lake. Float-plane access could also be permitted at Third Lake and any other water bodies in Wild Forest that would be considered large enough for safe landings and take-offs.

The Department’s Wilderness fisheries policy would not apply to the lakes and ponds classified as Wild Forest.

ALTERNATIVE 4B: VARIATION OF WILD FOREST¹⁵

MAP 11

Alternative 4B would create a ##### acre Special Management Area within the Blue Mountain Wild Forest. Recreational opportunities potentially allowable throughout Wild Forest would be limited in this Special Management Area. The Essex Chain of Lakes area is fairly remote and pristine, and some of its resources are sensitive enough – particularly its waters and fisheries – to call special management guidelines that would prohibit or limit certain uses. Examples could

¹⁴ Grant of Conservation Easement Pursuant to ECL Article 49 Over Portions of the Chain Lakes Tract, from The Nature Conservancy to the Town of Minerva and Town of Newcomb, dated December 13, 2012 and recorded in Essex County, NY December 20, 2012 at B. 1718,P.264, Section 3(c) at page 3.

¹⁵ This alternative is most similar to the Proposal for Public Access and State Land Classification of the Former Finch Lands suggested by the NYSDEC <http://www.dec.ny.gov/lands/89400.html>

include prohibiting motorized access on the lakes or limiting motorized access on some roads to big game season only and allowing camping at designated sites only.

Some prohibitions or limits considered critical could be effected or partially effected via this classification action. These protective management guidelines would be included in prescriptive language for the area description included in the APSLMP. This protective management approach could then be implemented through the unit management planning process for the area and the adoption of special regulations.

The Primitive Area for the Ord and Left Turn Road in the Essex Chain Lakes Tract would no longer be needed in this alternative.

Unlike with a Canoe classification, this alternative would allow, with an approved UMP, additional access for persons with disabilities and mountain biking opportunities beyond use on State Administrative Roads.

ALTERNATIVE 5: NO ACTION

The **No Action Alternative** is not being considered for the new acquisitions because the APSLMP requires classification of newly acquired lands as promptly as possible following acquisition. The No Action Alternative for the lands presently in the Blue Mountain Wild Forest, the Vanderwhacker Mountain Wild Forest, and the Hudson River Gorge Primitive Area is to leave those lands classified in their current classifications, as described in the current APSLMP.

MAPS

- Map 1: Soils Map
- Map 2: Topographic, Wetlands and River Designation Map
- Map 3: Existing infrastructure map, including roads, bridges, gravel pits, Rights-of-Ways and Locations of recreation clubs
- Map 4: Existing Classification Map
- Map 5: Alternative 1A: New State Lands Primarily Wilderness
- Map 6: Alternative 1B: Variation of Wilderness
- Map 7: Alternative 2: New State Lands Primarily Primitive and Wilderness
- Map 8: Alternative 3A: New State Lands Primarily Canoe
- Map 9: Alternative 3B: Variation of Canoe
- Map 10: Alternative 4A: New State Lands Primarily Wild Forest
- Map 11: Alternative 4b: Variation of Wild Forest

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