



**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

## **RESOLUTION**

### **ADOPTED BY THE ADIRONDACK PARK AGENCY WITH RESPECT TO THE PROPOSAL TO CLASSIFY THE BOREAS PONDS TRACT**

WHEREAS, the Adirondack Park State Land Master Plan (APSLMP), adopted pursuant to Section 816 of the Adirondack Park Agency Act (Executive Law, Article 27), provides criteria for classifying State lands within the Adirondack Park according to their characteristics and capacity to withstand use; and

WHEREAS, the classification of State lands amends the APSLMP, and APSLMP amendments must be approved by the Governor upon a recommendation by the Agency that is made in consultation with the Department of Environmental Conservation (Department); and

WHEREAS, the Agency has followed the 1979 Final Programmatic Environmental Impact Statement (FPEIS) Guidelines for Amending the APSLMP and has consulted with the Department; and

WHEREAS, the Department has acquired 20,543 acres of land within the Adirondack Park in the towns of Newcomb and North Hudson, Essex County, referred to as the Boreas Ponds Tract; and

WHEREAS, Agency staff prepared a Draft Supplemental Environmental Impact Statement (DSEIS) regarding classification of the Boreas Ponds Tract pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, 9 NYCRR Part 586 and the FPEIS; and

WHEREAS, the DSEIS provided four alternatives for classification of the Boreas Ponds Tract in various configurations of Wilderness, Primitive, Wild Forest and Intensive Use lands; and

WHEREAS, the Agency accepted the DSEIS on October 14, 2016, and complied with the document preparation, filing, distribution and publication requirements of 6 NYCRR § 617.12 for a notice of completion of a DSEIS; and

WHEREAS, the Agency held public hearings pursuant to SEQRA and the APSLMP in Ray Brook, Northville, Newcomb, Schroon Lake, Rochester, Canton, Tomkins Cove and Albany between November 9, 2016 and December 7, 2016; and

WHEREAS, approximately 1,215 people attended the hearings and 462 people spoke for the record; and

WHEREAS, the Agency accepted written public comment from October 19, 2016 through December 30, 2016 and received more than 11,000 written public comments and three petitions with 27,852 signatures; and

WHEREAS, through the extensive public comment provided, strong support was expressed for resource protection, community connectivity and recreational access in the Boreas Ponds Tract; and

WHEREAS, based on the DSEIS and public comment, Agency staff have prepared a Final Supplemental Environmental Impact Statement (FSEIS), dated February, 2018, in compliance with 6 NYCRR § 617.9; and

WHEREAS, the FSEIS describes a preferred alternative (Alternative 2B) which combines elements of Alternatives 2 and 4 and is responsive to the diverse interests expressed through the public hearings and written comment; and

WHEREAS, THE Agency has considered the foregoing recitals, the February, 2018 FSEIS, APA staff's February 1-2, 2018 presentation, public comment and the deliberations of Agency Board Members and Designees at the Agency's February 1-2, 2018 meeting.

NOW, THEREFORE, BE IT RESOLVED that the Agency adopts the February, 2018 FSEIS and makes the following findings required by 6 NYCRR § 617.11(d):

1. The Agency has considered all of the relevant environmental impacts, facts and conclusions disclosed in the FSEIS; and
2. The Agency has weighed and balanced the relevant environmental impacts of the proposed action, including the potential for physical and other impacts from the introduction of new public motorized and mechanized uses into the Boreas Ponds Tract, with the social and economic benefits to be gained from providing the opportunity for a mixture of public recreational uses on the Boreas Ponds Tract, including motorized, non-motorized, mechanized and non-mechanized uses; and
3. Alternative 2B provides the strongest possible resource protection for the most sensitive and remote portions of the Boreas Ponds Tract, including the Boreas Ponds and other waterbodies, high value wetlands, and areas with highly erodible soils, by classifying these portions of the Tract as Wilderness (11,412 acres) and Primitive (11 acres). The lack of motorized or mechanized recreational uses on the Wilderness lands, and of motorized uses on the Primitive lands, will promote a sense of remoteness preferred by many

recreationalists. Alternative 2B also provides resource protection through the classification of 9,118 acres of the Boreas Ponds Tract as Wild Forest that will be subject to APSLMP guidelines and approved UMPs. These lands contain areas with the potential capacity to accommodate motorized and/or mechanized recreational uses pursuant to an approved UMP. The use of two one-acre mining pits to be classified as State Administrative will be limited to maintenance of the roads on the Tract. These lands will be reclaimed and reclassified once the mining pits are exhausted. In addition, all of the lands of the Boreas Ponds Tract are already protected pursuant to Article XIV of the NYS Constitution and all of the wetlands on the tract are protected by the New York Freshwater Wetlands Act (ECL Article 24); and

4. The Agency has met the procedural and substantive requirements of 6 NYCRR Part 617, including, but not limited to: (i) the development of a DSEIS for the proposed classification of the Boreas Ponds Tract, a Type I action; (ii) the holding of hearings and provision of an extended public comment period on the DSEIS; and (iii) the preparation of a FSEIS that identifies a preferred alternative that combines elements of Alternatives 2 and 4 discussed in the DSEIS and responds to the public comment provided on the DSEIS; and
5. Consistent with social, economic and other essential considerations, from among the reasonable alternatives available, Alternative 2B will avoid or minimize adverse environmental impacts to the maximum extent practicable because it will provide additional resource protection for the already protected Forest Preserve and wetland resources of the Boreas Ponds Tract through a combination of lands classified as Wilderness, Primitive, Wild Forest and State Administrative. At the same time, Alternative 2B will provide opportunity for thoughtfully managed motorized, non-motorized, mechanized and non-mechanized recreational uses of these lands. These uses will be managed through UMPs that are prescribed by the land classification and the corresponding APSLMP guidelines. In addition, the UMPs will consider other resource constraints, along with the associated economic, social and other benefits of potential recreational uses.

BE IT FURTHER RESOLVED that the Agency determines that Alternative 2B would classify the lands of the Boreas Ponds Tract according to their characteristics and capacity to withstand use based on the criteria set forth in the APSLMP, including physical characteristics, biological considerations, intangible considerations and established facilities, and recommends the classifications described in Alternative 2B of the FSEIS for approval by the Governor; and

BE IT FURTHER RESOLVED that the Agency authorizes and directs the Executive Director to make non-substantive technical corrections to the FSEIS, to prepare a Findings Statement and Decision in conformance with this Resolution; and to provide notice of completion of the Agency-adopted FSEIS in compliance with the procedural requirements of 6 NYCRR § 617.12; and

BE IT FURTHER RESOLVED that, in order to provide the public and other agencies with an opportunity to consider the FSEIS consistent with the requirements of 6 NYCRR § 617.11(a), the Agency's Findings Statement and Decision will not be issued and the Agency's determination to recommend the classifications described in Alternative 2B of the FSEIS for approval by the Governor will not be effective until 10 calendar days from the date that the notice of completion of the FSEIS is published in the Environmental Notice Bulletin (see 6 NYCRR § 617.12(c)) and the applicable filing and distribution requirements in 6 NYCRR § 617.12(b) for such notice are satisfied, and

BE IT FINALLY RESOLVED that, upon expiration of the 10 calendar day period for public consideration of the FSEIS, the Agency Executive Director shall issue the Agency's Findings Statement and Decision by filing and distributing them as required by 6 NYCRR § 617.12(b) and the Agency Chairman shall forward the recommendations for classification described in Alternative 2B of the FSEIS to the Governor for his approval.

Ayes: .

Nays:

Abstentions: