



**RESOLUTION WITH RESPECT TO AN INTERPRETATION OF THE STATE LAND
MASTER PLAN INVOLVING MANAGEMENT GUIDANCE FOR THE SITING,
CONSTRUCTION AND MAINTENANCE OF PRIMITIVE TENT SITES IN
WILDERNESS, PRIMITIVE, CANOE AND WILD FOREST AREAS ON FOREST
PRESERVE LANDS IN THE ADIRONDACK PARK**

September 13, 2019

WHEREAS, the Adirondack Park State Land Master Plan (Master Plan) recognizes the responsibility of the Adirondack Park Agency (Agency) for long-range planning and the establishment of basic policy for State lands in the Adirondack Park in consultation with the Department of Environmental Conservation (Department), including the need to interpret the Master Plan; and

WHEREAS, Section 816 of the Adirondack Park Agency Act requires unit management plans developed by the Department to be consistent with the Master Plan; and

WHEREAS, the Agency has the authority to establish general guidelines and criteria for the management of State lands, and under the State Administrative Procedure Act guidelines, Section 102(2)(b)(iv), to provide direction and guidance to Agency and Department staff on how to implement the guidelines of the Master Plan; and

WHEREAS, the Department has responsibility for the care, custody and control of state lands governed by the Master Plan and State lands within the Adirondack Park must be managed in compliance with the guidelines and criteria of the Master Plan; and

WHEREAS, the Agency is responsible for general interpretation and revisions of the Master Plan either on its own initiative or at the request of the Department, and the Agency and the Department entered into a "Memorandum of Understanding on the Implementation of the State Land Master Plan," (APA/DEC MOU) most recently revised in March 2010, which defines a process for interpreting the Master Plan; and

WHEREAS, the APA/DEC MOU contemplates that it may be necessary from time to time to amend the MOU and/or appendices thereto, and places responsibility on the staff of the agencies to bring recommendations for amendments and/or appendices to the Agency and the Department upon a consensus of such staff members that such action is appropriate; and

WHEREAS, the staffs of the Department and the Agency have jointly developed the attached "Management Guidance: Siting, Construction and Maintenance of Primitive Tent Sites in Wilderness, Primitive, Canoe and Wild Forest Areas on Forest Preserve Lands in the Adirondack Park" (Guidance); and

WHEREAS, this Guidance constitutes an interpretation of the Master Plan and, for purposes of the State Environmental Quality Review Act, is a Type II action pursuant to 6 NYCRR § 617.5(31).

NOW, THEREFORE, BE IT RESOLVED, that the Adirondack Park Agency finds that the attached Guidance is consistent with the Adirondack Park State Land Master Plan and that it should be used for the maintenance and future development of primitive tents sites identified through unit management plans; and

BE IT FURTHER RESOLVED, that the attached Guidance should be added to the APA/DEC MOU as an appendix in accordance with the Agency's determination in this matter; and

BE IT FINALLY RESOLVED, that the Agency authorizes its Executive Director to make non-substantive or typographical changes to the attached Guidance and authorizes the Executive Director to advise the Commissioner of Environmental Conservation of the Agency's determination in this matter.

Resolution adopted on this date, September 13, 2018.

AYES:

NAYS:

ABSENT: