



Adirondack Park Agency

ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

DRAFT MINUTES
State Land Committee
September 13, 2019
Agency Meeting
JE:REW:mp

State Land Committee September 13, 2019

The State Land Committee convened at 9:00 am.

State Land Committee Members Present:

John Ernst – Committee Chair, Dr. Chad Dawson, Arthur Lussi, William Thomas and Robert Stegemann (DEC)

Other Members and Designees Present:

Bradley Austin (ESD) Presiding Member, Daniel Wilt and Lynne Mahoney (DOS)

Local Government Review Board

Gerald Delaney, Executive Director

Agency Staff Present:

Terry Martino, Christopher Cooper, Richard Weber, Matt McNamara, Kevin Prickett and Mary Palmer

Planning Division Report

Mr. Weber said since the approvals of the High Peaks and Vanderwhacker Mountain UMPs in July 2018, Agency staff have been working with DEC staff to develop a process for visitor-use management and wildlands monitoring to be used by DEC land managers. The purpose is to provide high quality visitor experiences, while protecting natural and cultural resources. Mr. Weber said the APA/DEC Planning Team recently prepared a working draft Management Workbook with instructions, and a Wildlands Monitoring Handbook. The drafts have specific guidance for different management concerns such as primitive tent sites, trails and visitor experience surveys. He said the materials are being prepared for Executive staff review and future Board distribution on an agreed timeline with DEC.

Mr. Weber said State Land staff participated in a conference with DEC staff at the Minnowbrook Conference Center in Blue Mt. Lake. The conference focused on sustainable trail building practices for various types of trails. Some topics covered included the importance of proper layout of trails, as well as material use, tread treatments and drainage.

Mr. Weber said the DEC, in consultation with the DOT, has submitted an initial draft UMP for the Remsen-Lake Placid Travel Corridor for APA review. October is being considered by DEC to bring the UMP to the Board for the opening of a public comment period. He said a final draft UMP may be brought back to the Board in December with Agency staff requesting a public comment period for conformance with the State Land Master Plan (APSLMP) with possible action in January. He discussed a schedule through November and December for follow-up and APSLMP Conformance determination by the Board.

Mr. Weber said Planning Staff will have three map amendments for the Towns of Warrensburg, Lake Luzerne and St. Armand.

Mr. Weber said he was honored to participate in the kick-off meeting of Governor Cuomo's Upstate Cellular Coverage Task Force. The Task Force has been asked to identify solutions and develop policies to address the lack of cell service in rural and remote parts of upstate New York with a focus on the Adirondack and Catskill Park regions. Mr. Weber said the task force consists of industry experts, community leaders, government officials, environmental representatives and other key stakeholders, and will be administered by Empire State Development. We will continue to provide updates as the work progresses.

Mr. Ernst said the planning and close cooperation of agencies on the wildland monitoring guidance is very encouraging. Mr. Stegemann said the enthusiasm for this guidance is high. It is a developing science to protect the Park, and something that will be used in UMPs going forward. Dr. Dawson noted that there are two separate processes, wildland monitoring and carrying capacity. Dr. Dawson said the wildland monitoring is coming along, but carrying capacity is not getting the attention that it should. It is difficult, but able to be done.

Primitive Tent Site Guidance

Matt McNamara gave an update of the proposed Tent Site Guidance with changes that were made after the public comment period.

Mr. Ernst asked if there has been any discussion on the frequency of inspections for environmental impacts. Mr. McNamara said that is something that will be resolved in the wildlands monitoring guidance.

Dr. Dawson noted his concern that setting a 1,200 square foot tent site as standard in a Wilderness area was too big as it allows for a larger environmental impact. He suggested going with a smaller sized site. Mr. McNamara said that individual tent sites would not exceed 1,200 square feet. He added that even smaller sites can have impacts.

Mr. Lussi asked Dr. Dawson what he felt would be a good size. Dr. Dawson suggested 700 square feet for the individual sites, adding he said he felt group sites are also too large. Dr. Dawson suggested we need to set a better standard with this guidance especially because they are primitive.

Mr. Prickett said that some sites are not suitable for tents because they have tree roots and traffic areas. Mr. McNamara added that the nature of the terrain also dictates what is considered for the site.

Mr. Ernst asked what the current average size is for campsites. Mr. Prickett said it varies significantly. It depends on the kind of use going on, such as transient or extended periods of time.

Mr. Stegemann asked if 1,200 would be the maximum square footage unless, during the planning process, it would be made smaller for protection purposes. Mr. McNamara said the guidance draws attention to the need to limit the footprint of the sites in a way that can still accommodate what is in the Master Plan.

Mr. Ernst asked what campers would do for firewood, and if it was assumed that they could use deadfall. Mr. McNamara said the DEC has the discretion to manage campfires and in areas deemed appropriate they can allow campfires. The best practice given to campers is dead and down. Mr. McNamara said the issue with that practice is the area of impact has grown. Those types of impacts do get assessed and are taken into consideration when looking at a site.

Dr. Dawson asked when setbacks are invoked, and how would it be enforced. Mr. McNamara said the Master Plan treats the grouping of primitive tent sites differently than individual sites for the setbacks to water. Group sites have to be 100 feet from the water and must be moved if they are closer. He said the Master Plan requires that lean-tos or individual sites need to be setback 100 feet, but the primitive tent site itself may be closer than 100 feet. Dr. Dawson said he would like to see more about education and enforcement in UMPs.

Mr. Thomas asked if the 1,600 square foot site would be located only in Wild Forest and mainly for canoeing groups. Mr. McNamara answered affirmatively, adding that 1,600 square foot is for water access group sites. Mr. Thomas asked how many people the 2,400 square foot site would accommodate. Mr. McNamara said it would accommodate up to twenty people with land access only.

Mr. Lussi asked if staff took pictures of sites as they came up with proposal. He noted that it would be helpful for the Board to see pictures of different sized sites. Mr. Lussi said he is comfortable with the 1,200 square footage of the site that is in the picture in the presentation. He said it shows that the site is not just a large bare area, but an area with buffers and irregular edges.

Dr. Dawson said to clarify, the “Cole Method” does allow for there to be peninsulas of vegetation into the core area that are not counted as part of the core area. It only calculates the actual disturbed area, so if a site has those peninsulas it would actually make the site larger.

Mr. Stegemann noted that these sizes are only the maximum. The staff in the field will be determining what is appropriate for the specific site. Mr. Stegemann said there will be times when this standard is needed, but it is not intended to make every site this large. It is a management threshold and will provide flexibility in the management. Dr. Dawson said the standard will just be something that will be monitored and will alert staff if there is an issue. A smaller standard will alert you quicker if a site is growing. He said he is just looking for a standard that will be more like “leave no trace.”

Mr. Wilt suggested that the amount of impact could be minimized by picking and choosing spots suitable for tents and firepits which could reduce the total square footage.

Mr. McNamara said responding to the “leave no trace” principles discussion, we want to do everything we can to make facilities conducive by incorporating those principles. One of those principles is to separate the cooking area from the sleeping areas to not attract wildlife, and also to minimize impacts.

Mr. Delaney said the only way to insure “leave no trace” is to not go there. There is always an impact when people go to campsites, it happens when people go hiking. He said that having a larger site would be able to withstand the impacts because people won’t set up tents and other camping supplies in the exact same spot.

Mr. Ernst said it is a good point that slightly bigger sites can handle the impacts better. He agreed that the 1,200 square foot is a maximum and said he understands that because of topography sometimes it has to be a standard. He said this is a good template to quantify the use and how it should be.

Mr. Stegemann suggested a change in the guidance that may help some concerns. He said on page 7 under the title “Primitive Tent Site Inspections and Routine Maintenance” the first two sentences where it reads “need to be inspected” and “should be inspected” could be changed to “shall be inspected” in both spots. We could also change “front country sites and popular sites” to “popular front and backcountry sites.” Mr. Stegemann said a ministerial change can be made in the third paragraph to the first sentence because it does not have an ending. He suggested adding “are present” to finish the sentence.

Mr. Lussi asked if “shall be located” should be there instead of “should be located”. Mr. Stegemann agreed.

Mr. Ernst asked for a motion, with changes discussed, to adopt the Resolution on conformance with the Adirondack Park State Land Master Plan (APSLMP).

By motion of Mr. Thomas, seconded by Mr. Lussi, the Committee unanimously approved conformance with the APSLMP.

Sentinel Range Wilderness UMP

Steve Guglielmi, DEC, gave a presentation on the proposed final UMP with changes that were made after the public comment period.

Mr. Lussi asked what the rationale was for the closure of two campsites on Copperas Pond and how many lean-tos are there also. Mr. Guglielmi said they did not meet the $\frac{1}{4}$ mile site separation that is required in the Master Plan so only one will be closed. He added that there is one lean-to on Copperas and when it becomes in disrepair it will be relocated further from the pond.

Mr. Lussi noted that DEC has been active in creating transportation to this area and asked if that will have an impact on the number of users for the area. Mr. Guglielmi said sections of the trail to Copperas need to be re-routed to make it sustainable and staff do not anticipate any significant increase in usage. Mr. Stegemann commended the county for working with the DEC on the pilot shuttle transportation that runs from Lake Placid to Wilmington.

Ms. Mahoney asked if it was worth keeping both sites. Mr. Guglielmi said there is not another good location for one, and much of the use is day-use.

Dr. Dawson said he had some comments for different areas of the UMP. He said it seems as though the UMP is just a cut and paste of verbiage from other UMPs to get the Board's approval. Dr. Dawson said there are a lot of UMPs that have similar things and suggested structuring UMPs in two parts. He said Part 1, similar to campground UMPs, could be a generic UMP for the different areas like Wild Forest, Wilderness, Primitive and so on. Part 2 would be the section where the different UMP management actions for the specific area are addressed.

Mr. Stegemann said Dr. Dawson has made some interesting comments that he will bring to staff. He said this is a developing process between the agencies and the process may end up as Dr. Dawson is suggesting. Mr. Stegemann said we need to keep the process moving. He said this is a good conversation and asked for DEC to have the time to affirm what is being discussed.

Mr. Ernst agreed with Dr. Dawson that it would be a good idea to divide the UMP into two sections. He said Part 1 could be a standard form and then staff can concentrate on the specifics of each UMP.

Dr. Dawson suggested that wildland monitoring should be made a priority.

Mr. Ernst said that in the UMPs there seems to be intent language and agreed that monitoring should be a priority. He asked Dr. Dawson how that could be placed in a UMP. Dr. Dawson said for example, Hammond Pond was supposed to have some management actions done this year to get ready to do the carrying capacity analysis. He asked if anything was done on Eagle Lake for monitoring. Dr. Dawson said he felt that monitoring is not enough of a priority in the actions.

Mr. Stegemann said there is full intent by both agencies to accomplish this topic. It is important, and there is a commitment to get there.

Mr. Ernst said it would be helpful if monitoring could be on the agenda on a regular basis in terms of follow-up for UMPs. The report could tell us what is happening, what problems there are and what is going on. He said this way the Board is not approving a plan in the hopes that it is being followed. Dr. Dawson added that the Board does not see what is being done and agreed there is a need to see more documentation that the plans are being implemented and also show its progress.

Ms. Martino said it is a commitment of both agencies to work on this. Staff realize that more needs to be done on carrying capacity. The working team gave us a preliminary outline, and we are looking at documents that will be coming before the Board. Ms. Martino said what we are going to see is all preliminary right now. The monitoring in each UMP will be a working document that the land manager will have to refer to. She agreed with Mr. Stegemann that staff are making progress.

Mr. Lussi said that this UMP is more progressive than others he has seen. It identifies trails that are eroding, proposed new trails and increased parking areas. Mr. Lussi said he wants to give staff credit for showing that they have listened to the public comments.

Mr. Lussi asked for more clarification on the rock climbing as he felt that this is a big issue especially when it comes to the fixed anchors. Mr. Guglielmi said according to interpretation of DEC and the State Land Master Plan regulations there is the question of fixed anchors being legal. That is one issue that needs to be discussed with the rock climbing community and environmental advocate community. Mr. Guglielmi said they have heard from the rock climbing community asking that their sport be treated the same as other activities such as installing bridges for hikers. He said staff does need to form a focus group to resolve those issues, and probably would need to go through a public process. Mr. Guglielmi said fixed anchors are only used at locations where a temporary anchor would not work.

Mr. Wilt asked about how boats being left on some lakes near the trails would be different than a person placing a fixed anchor in a rock for their convenience. Mr. Guglielmi said even though it is a common occurrence, storing personal property on state land is not allowed and should be removed.

Mr. Weber said process wise, staff are seeking to ask the Board for approval to proceed with Public Comment for conformance with the Master Plan. The comment period would run from September 14th through October 11th. After review of comments and responding if necessary, Agency staff would bring the Proposed Final UMP back in November for Board approval of conformance.

Mr. Weber said that a commitment has been made to establish a working group to discuss the fixed anchor issue. There have been phone conversations with DEC, and there will be meetings with both agencies that will also involve stakeholder groups.

Mr. Ernst if there are no further comments can we have a motion to proceed to public comment.

By motion of Mr. Lussi, seconded by Mr. Stegemann.

Mr. Weber said he had one more comment that was part of the discussion and is not related to the decision the Board just made. Mr. Ernst said Mr. Weber was in other comment as they have not yet voted.

Mr. Weber said there is Master Plan language that specifically says, "on an annual basis the Department will report on the status of the activities that have been outlined in a UMP." That may be an approach we can use, on a minimal basis, to show how things are progressing in each UMP. He said this would have to be coordinated with DEC, but both agencies are charged to report on it. Mr. Ernst said that this is a very positive suggestion.

Mr. Ernst said called for the vote to proceed with Public Comment on the Sentinel Wilderness UMP. The Public Comment period was unanimously approved.

Old Business

None

New Business

None

Mr. Ernst, Committee Chair, adjourned the meeting at 11:25 am.