



December 27, 2019

John Schmid, Natural Resource Planner
NYS Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, NY 12233

Re. Remsen – Lake Placid Travel Corridor Draft Amendment & Draft Supplemental EIS

Dear Mr. Schmid,

Adirondack Wild appreciates yet another opportunity to comment on this Draft Travel Corridor UMP amendment. The most significant change since our last round of comments has been Supreme Court of Franklin County’s 2017 ruling that the 2016 Travel Corridor Draft Unit Management Plan failed to conform to the Adirondack Park State Land Master Plan (APSLMP) because that UMP improperly tried to amend the Master Plan itself by creating a new Recreational Trail classification. In response to that Court’s decision, the APA amended the APSLMP to incorporate Recreational Trails or Rail Trails within the Travel Corridor classification, either alongside Railroad uses or as a substitute for rail. As a result, one of Adirondack Wild’s principal objections to the 2016 UMP amendment – that it blatantly violated the Master Plan - has been addressed.

Court Decision: It seems curious and deficient that in the current Draft’s planning timeline and the Travel Corridor UMP chronology (pages 13-22) there is no inclusion or mention of the Franklin County Supreme Court decision of 2017. That Court’s decision was crucial in that it led DEC to return to the APA during 2018 for an APSLMP amendment, without which the Rail Trail from Tupper Lake to Lake Placid violated the classification and management guidelines of the Master Plan. Judge Main’s consequential 2017 decision should be included in the planning timeline and UMP chronology.

Alternative Snowmobile Routes: The 2020 Travel Corridor Draft Amendment and Supplemental EIS is still highly deficient in its insistence on including possible snowmobile trail connections on Forest Preserve off the Travel Corridor running between Big Moose to Tupper Lake. Beginning on page 72, Section VI.C.2 of this Draft incorporates future snowmobile community connector routes that have yet to be approved, that violate the State Land Master Plan and that, according to the Appellate Division of State Supreme Court, violate Article XIV of the NYS Constitution.

In particular, the Travel Corridor UMP and SEIS inclusion of “Snowmobile Trail Alternative 4, Long Lake to Raquette Lake”, which runs 4 miles through the Blue Ridge Wilderness is completely inappropriate because this route constitutes a violation of the Adirondack Park State Land Master Plan and Article XIV of the NYS constitution. This 4-mile snowmobile connector is not, as stated in the Draft UMP and SEIS, as “approved in the Moose River Plains Wild Forest.” In fact, this route is still being considered by DEC and Adirondack Park Agency as a draft amendment to the Blue Ridge Wilderness UMP and no action has yet

been taken in this regard. The route received heavy criticism in late 2018 from Adirondack Wild and a number of others for violating Wilderness guidelines and the NYS Constitution. None of these public comments has been properly responded to. We also note that inclusion of the Blue Ridge Wilderness snowmobile connector in this Travel Corridor UMP makes no geographic sense. It is completely distant and disconnected from the Travel Corridor.

In another example, on page 75 the draft maps a yet-to-be approved alternative snowmobile route at the edge of the Round Lake Wilderness area between Long Lake and Tupper Lake. That proposed alternative connector route has also been heavily criticized for many years and is highly problematic in that it also likely violates the APSLMP and SEQR. It also may not pass constitutional muster according to the NYS Appellate Court's July 2019 ruling.

Both of these proposed "alternatives" to use of the Travel Corridor itself by snowmobiles would require the cutting of thousands of trees on Forest Preserve which would be in direct violation of the July 2019 Appellate Court decision declaring such intensive tree-cutting on the Forest Preserve to be a violation of Article XIV. Both connector proposals also make a mockery of the APSLMP Wilderness guidelines. Furthermore, the site-specific environmental impacts of these so-called snowmobile "alternatives" have not been properly analyzed under the State Environmental Quality Review Act, SEQR.

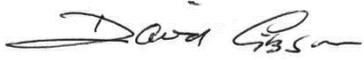
Section VI.C.2 of the Draft removes focus on the subject of this UMP amendment, the Travel Corridor, and illogically places the focus on potentially illegal and highly controversial snowmobile community connector routes that have nothing to do with the Travel Corridor itself. Not only is this section irrelevant to the Travel Corridor's management, it contains potential violations of the APSLMP and therefore risks being declared out of compliance by the APA. DEC should remove it from the document.

Wildlife Management – Beavers: On page 52 of the Draft, DEC states that it "will provide the rail operator with the necessary permits and other authority to either trap or kill beavers which threaten the stability of the railroad roadbed, bridges, culverts or other drainage structures." DEC shares with other North American wildlife management agencies the knowledge of how to construct and locate beaver deceiver devices which prevent beaver dams from blocking culverts and flooding adjacent roadbeds. These devices are in widespread use in both the USA and Canada, have proven highly successful in preventing flooding and washouts, and prevent beaver populations from being unnecessarily trapped and killed. They do require regular maintenance, of course. The Draft's failure to mention their possible use along the Travel Corridor and the Draft's outdated conclusion that beaver management is restricted to trapping and killing represents a serious wildlife management deficiency and should be corrected.

Potential Impacts Not Considered Significant – Air Resources and Climate Change: The decision in this Draft, page 108, to consider air resources and climate change to be "neither relevant nor environmentally significant" is breathtaking in its failure to acknowledge how regional climate change is altering Adirondack snowpack. As DEC knows, the seasonal duration of snowpack is changing dramatically in parts of the Adirondack Park. The effect these changes will continue to have on recreational uses of the Travel Corridor should be part of a robust discussion of impacts, mitigation and alternative uses. The planning assumptions that snowmobiling will continue to be an uninterrupted, permanent winter recreational feature of the Travel Corridor should be re-examined, as should the associated economic, cultural and environmental benefits and impacts. Corridor snowmobile use in future low or no snowpack winter seasons will be replaced by other current recreational vehicles like ATVs and ORVs, and future motorized uses not yet in widespread commercial use. The EIS should acknowledge this reality, discuss it and address it under Avoidance and Mitigation.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "David Gibson". The signature is fluid and cursive, with a large initial "D" and "G".

David Gibson, Managing Partner

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