



August 11, 2020

Corrie Magee
 NYS Department of Environmental Conservation
 232 Golf Course Road
 Warrensburg, NY 12885

Richard Weber
 NYS Adirondack Park Agency
 P.O. Box 99
 Ray Brook, NY 12977

Re. Proposed Essex Chain of Lakes Primitive Area UMP Amendments

Dear Ms. Magee and Mr. Weber,

The proposed amendments to the 2016 Essex Chain of Lakes Management Complex (ECLMC) Unit Management Plan (hereinafter, the "UMP") may appear trivial in terms of overall management of the unit and the amount of area affected. In fact, neither are trivial in terms of their purpose and priority, which is, as stated on page 3, "an interest in increasing visitor use of the ECLMC."

Herein lies *Adirondack Wild: Friends of the Forest Preserve's* principal concern with and objection to the proposed actions. As the sole or overriding motivation to amend UMPs, an interest in increasing visitor use is a poor reason. Under the Adirondack Park State Land Master Plan (APSLMP), DEC and APA ought to prioritize resource protection, not increased visitor use of Forest Preserve which, while an important consideration, must not be the overriding one.

Another major concern of ours is that the proposed UMP amendment contains internal contradictions with the UMP. It quotes from the 2016 Essex Chain UMP about the many observed "impacts that campfires have on natural resources," but elsewhere curiously states that "the Adirondack region has relatively little observational data regarding the impacts of campfires on natural resources." Both statements cannot be true. The latter statement, unsupported and, in fact, contradicted by the UMP should concern both DEC and APA because it appears to violate the UMP and its SEQRA Environmental Impact Statement.

State Land Master Plan: Increasing visitor use is not a paramount or priority purpose of the Adirondack Park State Land Master Plan, or APSLMP. Rather, to quote the APSLMP on page 1, "if there is a unifying theme to the master plan, it is 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. This theme is drawn not only from the

Adirondack Park Agency Act...but also from a century of the public's demonstrated attitude toward the forest preserve and the Adirondack Park."

Considering the APSLMP paramount purpose, we examine the two proposed actions and UMP amendments intended by DEC, as plainly stated, to increase visitor use.

I. Removing the Campfire Prohibition at Primitive Tent Sites within 500 feet of the Essex Chain of Lakes

The proposed action and amendment would end the current prohibition of campfires within 500 feet of the shoreline of the Essex Chain of Lakes, classified Primitive. The amendment justifies the proposed action on three grounds: 1. Local community demand for increased visitor use; 2. "it is believed that a portion of the low public use is due to the waterfront campfire prohibition" based upon "anecdotal negative feedback"; 3. "the Adirondack region has relatively little observational data regarding the impacts of campfires on natural resources."

As to reason # 1, local community demand for increased visitor use is a perfectly legitimate demand so long as it is not the driving force behind this amendment, which it appears to be.

As to reason # 2, the statement that "It is believed that a portion of the low public use is due to the waterfront campfire prohibition" is hardly an actionable basis for campfires which have known negative impacts to the natural resources along these shores, as detailed in the 2016 UMP. Further, DEC knows that a more fundamental reason why visitation has been "below expectations" over the past five years is the long 12-mile, remote drive from State Route 28 N to Deer Pond parking area. Visitor deterrence is largely the result of the long, slow drive on mostly dirt remote roads.

As to reason # 3, it is contradicted by the UMP itself. The UMP devotes considerable attention on page 3 to the "ecological significance of the Essex Chain shoreline, and the impacts that campfires have on natural resources, especially understory trees and coarse woody debris removal from firewood gathering." In fact, the decision to classify the Essex Chain of Lakes as Primitive was due, in part, to the ecological significance of the lakes and their ecologically rare and valuable, fringing wetlands.

The Essex Chain UMP goes into considerable detail about campfire impacts, including the following statements on pages 35-36:

"The proliferation of fire blackened rocks, charcoal, particularly burned garbage, melted and broken glass, hacked trees, and litter continues to scar many primitive tent sites. There is no question that campfires have substantial environmental impacts....serious aspects involves firewood gathering which by itself causes widespread and often serious impacts...It is common that the disturbed area around a primitive tent site can be ten to twenty times greater in size than the actual primitive tent site zone. For example, in the eastern High Peaks Wilderness area, more than ¼ of the understory trees were cut for firewood around Marcy Dam before fires were prohibited in the 1999 UMP. Unburned refuse left in fire rings has attracted wildlife in search of food and leads to increased human/wildlife conflicts, especially with bears."

DEC's additional rationale for this amendment, that "removing the campfire prohibition" around these shorelines "will contribute to simplified management and ease in visitor understanding of the area" also makes no sense to us. The public grasps the reasons why campfires were prohibited in the first place to

protect the soil and vegetation on sensitive shorelines. Visitors generally understand that the act of searching for and obtaining firewood at a campsite and burning things like trash can cause serious environmental damage. They wish to be partners with DEC in protecting these beautiful, vulnerable lakeshores. What is not believable is DEC's insistence that it can now alter that understanding, allow campfires, devote staff time to monitor each campsite and then clamp down again and prohibit campfires once environmental damage is found. By remediating damage after-the-fact instead of preventing it, these steps strike us as the very opposite of "simplified management."

Given severe DEC staff shortages, future monitoring and tent site remediation appear to us and the public as expensive and unrealistic. The department's fundamental legal responsibility here, as elsewhere, is to proactively protect natural resources. In the 2016 UMP DEC presents documented evidence of the actual damage caused by firewood gathering at primitive tent sites elsewhere in the Adirondack Forest Preserve. That evidence led to the campfire prohibition. Ending the campfire prohibition now without strong justification based on new information sufficient to alter the UMP's natural resource assessment would be irresponsible of DEC and would violate the APSLMP and SEQRA.

II. Equestrian Facilities

This portion of the proposed amendment, as stated, concerns horse trailer parking, staging areas, and signage at the Outer Gooley Farmhouse. The precise number of vehicles with horse trailers, proposed as six (6), is unsupported by any analysis of actual or projected use or the ability of that area to withstand such uses. The number of proposed horse trailers may be larger or smaller but whatever the precise number it should have a substantive basis. UMP amendments are expected by the APSLMP to include the same kinds of information that a full UMP would contain. That absence of carrying capacity information for the Outer Gooley Farmhouse area alone should be sufficient to reject the proposed amendment's recommendation and return it to DEC for additional work.

In addition, this amendment pertaining to recreational use at the Outer Gooley Farmhouse is the first since the 2016 UMP, which stated that its preferred alternative for the farmhouse is to "retain the Outer Gooley farmhouse as a historic structure and for other compatible uses" (UMP, page 130), notwithstanding the fact that the former farmhouse ought to have been purposefully demolished as a nonconforming structure on the Forest Preserve, in violation of Article XIV, Section 1.

In fact, what has occurred since 2016 is UMP Alternative 1, the "No Action Alternative" which "would mean allowing the building to deteriorate, without maintenance performed or decision making about any potential uses or demolition. This deterioration is an adverse impact according to the SHPA and would result in a public health and safety hazard. This alternative will not be considered."

In fact, Alternative 1 was the de facto result of time, weather, and indecision. The UMP and DEC prevaricated. The farmhouse was permitted to deteriorate to the point where it become a public health and safety hazard and has been in the process of slow, non-purposeful demolition. This UMP amendment ought to acknowledge this fact – that despite DEC's original recommendation, Alternative 1 was the end result, which now leaves open a range of management actions contemplated after building demolition and reclamation are completed – including but not limited to horse trailer parking based upon some idea of demand and carrying capacity. The amendment's proposal to incorporate interpretive and informational signage here, consistent with the UMP, makes sense.

Conclusion: Adirondack Wild believes that both components of this proposed amendment, ending the campfire prohibition on Primitive area shorelines and providing facilities that contribute to equestrian use at Outer Gooley are poorly supported by information, analysis and assessment, and are also poorly supported by the Essex Chain Complex UMP itself. Neither (but particularly the shoreline recommendation) are supported by any natural resource analysis and assessments, which is DEC's paramount responsibility. The amendment's recommendation to allow open campfires on the shorelines is contradicted by natural resource information and assessment in the UMP itself. This proposed amendment and management actions should be rejected as out of compliance with the UMP, with SEQRQ and with the APSLMP. The amendment should be returned to DEC for additional work.

Thank you for the chance to offer our comments and recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "David Gibson".

David Gibson, Managing Partner
Adirondack Wild: Friends of the Forest Preserve

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