



November 12, 2020

NYS Department of Environmental Conservation
Steven Guglielmi, Forester
New York Department of Environmental Conservation
PO Box 296, 1115 NYS Route 86
Ray Brook, NY 12977-0296

Re. Debar Mountain Wild Forest GEIS Scoping Document (Debar Lodge)

Dear Steve and DEC Region 5,

Adirondack Wild has reviewed the the department's and the Adirondack Park Agency's proposed scope of impacts that may result from the proposed removal of Debar Lodge and, under the State Land Master Plan, proposed reclassification of 41 acres from current Wild Forest to Intensive Use.

The agencies' proposed action is to allow for a higher level of intense human use than present Wild Forest classification permits. It would create a 41-acre Intensive Use day use area where Debar Lodge and its roadways, lawn and cleared area now exist, complete with construction of pavilions, picnic tables, grills, rest rooms, a myriad of trails, relocated primitive tent sites as well as hardened areas, access for persons with disabilities, interpretive exhibits and expanded parking lots, among other amenities.

Article XIV: Many legitimate concerns have been raised about the Lodge's preservation. It was designed by a noted regional architect and incorporates distinctive rustic features that are aesthetically in context with its forested environment at Debar Pond. Therefore, it is imperative that the draft Scoping Document describes the legal necessity for its removal.

Debar Lodge's presence on the Forest Preserve has been in violation of Article XIV, Section 1 of the NYS Constitution, the Environmental Conservation Law and the State Land Master Plan since the Lodge itself came into state ownership in 2004. Its removal was contemplated after 1979 when the property around the Lodge was purchased on behalf of the public, but the Lodge's private use and occupancy were reserved for 25 years.

Beyond the date when the state would come into full fee ownership of the Lodge, its removal was expected. It was unfortunate that no conservation easement law (ECL Art. 49) existed in 1979 that could have segregated the lodge and outbuildings from the Forest Preserve acquisition and maintained them through an historic preservation easement. Attempts to sell or donate the Lodge and a preservation easement to a private party up to 2004, as per requirements of ECL 9-0109, are not described in the Scoping Document. If there were such attempts, the document ought to describe them.

The potential still exists to deconstruct Debar Lodge, carefully mark its timbers, remove it and then reconstruct the Lodge elsewhere in the Adirondack Park as a structure of historical and architectural importance. That possibility ought to be mentioned.

ECL and Master Plan: Lodge removal flows directly from Article XIV's forever wild mandate. Then, the Environmental Conservation Law ECL 9-0109 prohibits state acquisition of structures listed or eligible for listing on the state register of historic places unless those structures are deemed necessary for conservation of wild forest land. Such findings have never been made. If acquired as part of the Forest Preserve, such structures can only be maintained if they were owned by the state prior to enactment of ECL 9-0109 (1983). Full state ownership of Debar Lodge only took place in 2004. Therefore, the Lodge fails key legal tests for its historic preservation and maintenance on State Land. Consistent with the ECL, the State Land Master Plan treats the Lodge as a non-conforming use in Wild Forest and requires its removal.

Historic Use and Administrative Use: Once Lodge removal is accomplished and a Wild Forest environment restored, reclassification of the area from Wild Forest to Historic Use or to Administrative Use are not justified, nor are such reclassifications permitted under the State Land Master Plan or the Environmental Conservation Law. The Scoping Document ought to explain why and remove these as potential alternatives.

No Justification for More Intensive Use: There is no documented need to reclassify over 40-acres of Wild Forest to Intensive Use at Debar Pond, and to greatly expand intensive public recreational uses here. The department has conducted no surveys of its staff or of the public that we are aware of which reveals significant demand for a new Intensive Use area so close to an existing one. Debar Mountain Wild Forest already has an Intensive Use area and State Campground at Meacham Lake, which lies just 12-mile drive away from Debar Pond. Proper management and maintenance at Meacham Lake Intensive Use area is already fiscally and professionally challenging for DEC to maintain. Why in the current economic environment the DEC would contemplate and can justify constructing, forever maintaining and staffing even more intensive structures and uses just 12 miles away must be explained and justified.

Maintain Wild Forest: Instead, as an alternative the department and the agency ought to contemplate alternative treatment of the footprint around Debar Lodge and the environment of Debar Pond as peaceful, tranquil retreats in which to fully embrace and appreciate the current wild forest environments for passive recreational pursuits. Following Lodge removal, maintaining a Wild Forest classification that allows for some interpretive trails to and around the Pond should be considered. Interpretive signs and kiosks that properly honor and describe the Lodge and its designer and its architectural style could be constructed off State Rte. 26 for those driving to or driving by Debar Road. Information about the availability of Meacham Lake campground and other intensive use opportunities just 12 miles away could also be made available at a roadside interpretive display.

These considerations for a modified Wild Forest classification should be included in the Scoping Document.

Smaller Intensive Use Area: If an Intensive Use reclassification from Wild Forest is truly justified as an alternative just in order to allow for better access, low-level picnicking, pit privy, and expanded use by canoes, kayaks and of trails, the acreage should be substantially reduced to incorporate just the footprint around the Lodge and outbuildings down to the Pond itself. It appears that no more than 10 acres would be needed for such uses - if that. Otherwise, the Lodge clearing should be permitted to revegetate.

Water Quality and Ecological Impact Zone from 41-acres of Intensive Use: The Scoping Document should describe more fully the scope of 41- acres of actual and potential impacts of Intensive Use construction, maintenance, hardened areas, bathrooms and weekly public activities on Debar Pond itself. Debar Pond is highly vulnerable to damage and to cultural eutrophication over time. Maintaining the high quality of this extremely attractive Forest Preserve waterbody ought to demand the full attention of the DEC and APA. This public benefit consideration of maintaining Debar Pond water quality alone demands that the agencies consider maintaining, with slight modifications, a Wild Forest classification or, at most, a much, much smaller Intensive Use acreage, footprint and ecological impact zone.

Thank you very much for considering our comments on the Draft Scoping Document.

Sincerely,

A handwritten signature in black ink that reads "David Gibson". The signature is written in a cursive style with a long horizontal stroke at the beginning.

David Gibson, Managing Partner

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Cc: Rob Davies, DEC
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