



December 2, 2020

Peter D’Luhosch
Conservation Easement Specialist
NYS Dept. of Environmental Conservation
6739 U.S. Highway 11
Potsdam, NY 13676

**Re: Comments on the Revised Kildare, Five Mile Recreation Management Plan dated
October 2020**

Dear Mr. D’Luhosch:

Adirondack Wild: Friends of the Forest Preserve (“Adirondack Wild”) appreciates the many important revisions to this RMP since 2017, and the work that DEC Region 6 has put into it in response to prior public comments. The involvement of DEC Lands and Forests, Fish and Wildlife and Public Protection personnel, among others, in the preparation of this revised RMP has improved the thoroughness and coherence of the document, and aligned it better with the requirements of the State Environmental Quality Review Act and the Raquette-Boreal Unit Management Plan. The 2020 revisions have significantly improved the document.

We readily acknowledge that the primary purposes of this revised Kildare RMP are to carry out the intent of the original easement to accommodate public access to the area consistent with the allowed commercial forest management of the private lands and protection of natural resources. We appreciate the pains DEC has gone to since 2017 to attempt to control new public uses so that natural resources are better protected while being mindful of existing use by forest management landowners and lessees.

Those things being said, we find some continued weaknesses in the RMP which relate to:

1. Insufficient attention to a suite of declining bird species dependent upon undisturbed low-elevation boreal wetlands west of Carry Falls Reservoir. The Raquette-Boreal Unit Management Plan (2006) notes that the spruce bog complexes in the Unit “also support

populations of several other rare boreal specialist bird species that, in New York State, are restricted to the Adirondacks, including palm warbler, gray jay, blackbacked woodpecker, boreal chickadee, yellow-bellied flycatcher, and olive-sided flycatcher,” (UMP pages 37-38). These are species which may also be sensitive to opening of roads to public motorized uses from May 1-Sept 30. This suite of sensitive species (as documented by the Wildlife Conservation Society’s Adirondack Program) are declining in numbers and at the southern limits of their range. Because of their rarity and declining status, they have been called by the WCS “Responsibility Species” in New York.

DEC Division of Fish and Wildlife is aware of these declining populations of species dependent on wetlands that may be found in the Kildare Conservation Easement. Dr. Michale Glennon of the Wildlife Conservation Society commented in 2017 that lowland boreal forests in this very area are home to some of the rarest bird species in New York State. Her 2017 letter to DEC also stated that roads, increased vehicular traffic and increased human presence can have significant adverse impacts on sensitive bird species. The revised Kildare RMP should address her comments. It should discuss how the proposed expansion of the public motorize uses may or may not impact these species, depending upon recreational management choices and preferred alternatives for managing the new road access.

2. No discussion of Ecological Impact Zone: It has been well documented that road construction and expansion of existing road use within relatively undeveloped areas like the Adirondacks can have negative ecological impacts that extend several hundred meters beyond the road’s footprint. Now that DEC is proposing public access to 16 miles of road previously accessed only by private landowners and lease clubs, the Kildare Tract RMP is obliged to acknowledge such impacts, including direct mortality from vehicle collision, but also including indirect impacts such as modification of animal behavior, alteration of the physical environment, alteration of the chemical environment, and spread of exotics. Previous studies of the Boreas Ponds in North Hudson (“Ecological Composition and Condition of the Boreas Tract,” Wildlife Conservation Society Adirondack Program, 2016) suggest that species most at risk from roads tend to be those requiring interior forest conditions, such as forest songbirds, salamanders, flying squirrels, pileated woodpecker, northern goshawk, and American marten. Turtles are extremely vulnerable to mortality on roads. At the very least, these impacts are sufficient to definitively include the Kildare Tract within the Adirondack Ecological Monitoring program (see below);
3. The New York Natural Heritage Program and the Master Habitat Data Bank identify “eleven notable ecological communities and four rare or endangered animal species and two rare plant species within the Raquette Boreal Unit” (UMP page 21). The Kildare RMP should include maps of these notable ecological communities and discuss reasons why the proposed opening of the specific routes to public motorized uses will avoid or minimize impacts to these communities.
4. Spruce Grouse: with respect to endangered spruce grouse, we appreciate the involvement and considered judgements of DEC Fish and Wildlife personnel that the proposed

opening of the Kildare-Five Mile road system to public use will not adversely impact current, occupied spruce grouse populations and habitats.

However, the document should be improved by including more robust documentation of ongoing spruce grouse monitoring work and even some maps of historically and currently occupied spruce grouse habitats overlain with the proposed recreational road openings. The inclusion of additional mapped and descriptive information about spruce grouse management would permit the public to better grasp how the proposed actions enhancing public recreational access affect spruce grouse habitat, management, and reintroductions.

Given the investments DEC has made in spruce grouse recovery releases of the birds in this very area over the past six years, the document ought to go further in discussing direct mortality due to expanded motorized use. The plan notes that spruce grouse mortality from automotive strikes and accidental hunting has increased over 14% at two locations, and that this occurred when use of the area was limited just to landowners and lessees. Now that the public is being invited to drive these roads, why would not direct mortality rise proportionately? If not, why not?

5. Control Points: In the revised RMP, three new gates are proposed in addition to the existing gates in order to control motorized uses from incurring upon adjacent Forest Preserve and private lands and, presumably, to limit impacts on resources and habitats. We appreciate these proposed actions.

The document would be improved by discussing, to the extent you know, past and present use levels of the roads, location of illegal use of ATVs or ORVs, and past and future strategic placement of gates. Why these locations and not others? For example, the species habitats around Cold Brook might also benefit from a gate. In fact, the proposed public motorized access to the terminus of the Cold Brook Road and East Haul Road appears to come within one or two miles of occupied spruce grouse habitat. Given DEC responsibilities under SEQR, why were not additional gates chosen where especially sensitive species or habitats would benefit?

We urge DEC to place an additional gate at the intersection of Cold Brook Road and Kildare Main Haul Road to prevent illegal public mechanized entry to Forest Preserve further south and damage to locations extremely close to the upper Jordan River. We understand that private leaseholders have a camp and right of way on Cold Brook Road, but those lessees can gain keys and exclusive access through such a gate.

Anecdotally, abuses by all-terrain and similar off-road vehicles have been reported on this tract. The revised RMP makes clear that ATV and ORV travel by the public on the roads to be opened will be prohibited, even though the original conservation easement does not prohibit such use. According to the plan, DEC personnel will monitor and enforce against ATV/ORV use by the public because, as stated, such uses frequently have severe environmental and social impacts. The plan would be strengthened if it affirmed and documented instances of ATV/ORV abuse on the Kildare tract, and was more

specific about direct and indirect management methods DEC will employ to prevent ATV/ORV use and abuses by the public.

We applaud the proposed sign-in registers, vehicle counters and involvement of the Adirondack Ecological Monitoring and Scorecard program with SUNY College of Environmental Science and Forestry. This ought to be plan intention and action, not merely a plan consideration, so that DEC establishes stronger baseline information, stronger monitoring of existing and desired conditions, and better informs future revisions to the plan.

6. Some of the lands affected by the proposed Kildare RMP amendment have previously been identified as potential future components of a new Boreal Wilderness Area (20:20 Vision Volume 2 by the Adirondack Council, 1990, and the Commission on the Adirondacks in the 21st Century, 1990). In response to public comment, the document explains that DEC has no intention at the present time of acquiring the Kildare tract for the Forest Preserve. That does not preclude such an action in the future from a willing seller. The Kildare RMP could acknowledge the existence and the basis of these prior proposals and recommendations for acquiring some of the land as Forest Preserve from a willing seller. We appreciate that understanding of spruce grouse habitat requirements has improved since 1990 and that a “forever wild” policy mandate across the entire tract would be harmful to the species restoration efforts.

Thank you very much for affording all stakeholders with ample opportunities to review the document and to comment.

Sincerely,



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