

## COVER SHEET

### **Draft Supplemental Environmental Impact Statement (DSEIS)**

**Title:** Second Pond Boat Launch Reclassification Action and Unit Management Plan Approval

**Name of Co-Lead Agencies:** NYS Adirondack Park Agency (APA) and NYS Department of Environmental Conservation (DEC)

**Location:** Town of Harrietstown, Franklin County

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**Date of Acceptance of DSEIS by the Adirondack Park Agency:** June 15, 2012

### **Date and Location of Public Hearings:**

- July 17, 2012, 7 p.m. – APA Headquarters, Route 86, Ray Brook, NY, Board Room
- July 18, 2012, 1 p.m. – NYS DEC Headquarters, 625 Broadway, Albany, NY, Room 129 A

**Date on Which Public Comments Must be Received:** Comments will be received from: June 27, 2012 until July 31, 2012. The comment period, closing on July 31, 2012, will be the sole opportunity to provide comment on the record for the actions identified in the DSEIS.

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## **I. DESCRIPTION OF THE ACTION**

The New York State Adirondack Park Agency (APA) and the Department of Environmental Conservation (DEC) propose an integrated series of related actions for the area known as the Second Pond Intensive Use Area.

The DEC proposes a Unit Management Plan (UMP) for the Second Pond Boat Launch Intensive Use Area. This plan proposes the reconstruction of the boat launch and parking area.

The APA proposes amendments of the Adirondack Park State Land Master Plan (SLMP) to reclassify 5.6 acres of Wilderness to Intensive Use and 6.8 acres of Intensive Use to Wilderness based on DEC recommendations developed in the Second Pond Intensive Use Area UMP. The reclassification, because it is a revision to the SLMP, requires approval by the Governor. Subsequent to the Governor's approval of the reclassification, the DEC Commissioner would approve the final UMP.

## **II. PURPOSE**

In January 2012 the APA received from the DEC a draft UMP for the Second Pond Boat Launch to review for conformance with the SLMP. In addition to proposed management actions, including changes to the existing parking lot, the UMP proposed the reclassification of 6.8 acres of Intensive Use land to Wilderness and 5.6 acres south of the launch from Wilderness to Intensive Use. This proposed reclassification will result in a net increase of 1.2 acres of Wilderness. In addition, the UMP will protect the site and surrounding lands and waters of the Forest Preserve, provide for safety of users and vehicular traffic on Route 3, improve access for visitors with disabilities, and provide efficient use of the boat launch.

## **III. PUBLIC NEEDS AND BENEFITS**

### Wilderness

With close to 80 million people within a day's drive of the Adirondack Park, the potential demand for Wilderness is tremendous. Of the entire Wilderness system within the Northeast (MA, ME, NH, NJ, PA, VA, VT, WV), 64 percent of lands designated Wilderness are in the Adirondack Park (See map in Appendix A). These areas constitute nearly 20% of all designated Federal and State Wilderness east of the Rocky Mountains. Lands classified as Wilderness within

the Adirondack Forest Preserve make up approximately 19 percent of the Park and three percent of NY State.

### Intensive Use

Within the Adirondack Park, some state lands are classified under the SLMP as Intensive Use. The SLMP defines these areas as “areas where the state provides facilities for intensive forms of outdoor recreation by the public” (SLMP, pg 37). Throughout the park, these areas include boat launching sites, campgrounds, and ski centers. Within the Adirondack Park, the total acreage of lands classified as Intensive Use is 22,705 acres or less than ½ of a percent of the total acreage of the park.

## IV. ENVIRONMENTAL SETTING

The Adirondack Park was created in 1892 by the State of New York amid concerns for the water and timber resources of the region and the creation of public parks. Today the Park is the largest publicly protected area in the contiguous United States, greater in size than Yellowstone, Everglades, Glacier, and Grand Canyon National Park combined. The boundary of the Park encompasses approximately 6 million acres, nearly half of which belongs to all the people of New York State and is constitutionally protected to remain “forever wild” Forest Preserve. The remaining half of the Park is private land which includes farms, timber lands, businesses, homes, and camps.

The Second Pond Boat Launch Intensive Use area is located in the north-central portion of the Adirondack Park in the Town of Harrietstown, Franklin County. This unit is comprised of one Forest Preserve parcel covering approximately 10.5 acres. The circumference of the boundary line is approximately .6 miles. The unit is located within the Lake Champlain watershed and the lesser watershed of the Saranac River. The area is bounded on the north by the Route 3, on the south and west by the High Peaks Wilderness Area, and on the east by Second Pond. The Saranac Lakes Wild Forest is also another nearby Forest Preserve unit.

## V. ALTERNATIVE ACTIONS UNDER CONSIDERATION

Proposed alternatives include:

1. Reclassify 5.6 acres of Wilderness to Intensive Use and 6.8 acres of Intensive Use to Wilderness.
2. SEQR regulations require an assessment of the “no action” alternative. In this case, the no action alternative would be defined as the Agency taking no immediate procedural steps to review provisions of the State Land Master Plan. Under this alternative, existing facilities outside the

boundary of the Intensive Use area and inside the boundary of the Wilderness area would be removed. Any additional expansion of the facility would only occur within the existing Intensive Use classification.

## **VI. BASIS AND PURPOSE OF CLASSIFICATION**

(Note: The following is an excerpt from the *Adirondack Park State Land Master Plan* describing the APA's classification of state land.)

*The Adirondack Park Agency Act requires the Agency to classify the State lands in the Park according to "their characteristics and capacity to withstand use." This section of the master plan will describe the factors which the Agency has taken into account in formulating the classification system set forth in the balance of this chapter and will explain the basic purpose of the system and the guidelines for management and use which follow. This classification system reflects the work of the Temporary Study Commission on the Future of the Adirondacks as refined by additional field work and analysis by the Agency at the time the master plan was first prepared in 1972. In addition, a special Department of Environmental Conservation task force set up in 1972 provided extremely valuable assistance in the formulation of this system. Many years of experience under the master plan and considerable additional field work have led to certain additional refinements but the basic classification system remains intact.*

*A fundamental determinant of land classification is the physical characteristics of the land or water which have a direct bearing upon the capacity of the land to accept human use. Soil, slope, elevation and water are the primary elements of these physical characteristics and they are found in widely varied associations. For example, the fertility, erosiveness and depth of soil, the severity of slopes, the elevational characteristics reflected in microclimates, the temperature, chemistry, volume and turnover rate of streams or lakes, all affect the carrying capacity of the land or water both from the standpoint of the construction of facilities and the amount of human use the land or water itself can absorb. By and large, these factors highlight the essential fragility of significant portions of the State lands within the Park. These fragile areas include most lands above 2,500 feet in altitude, particularly the boreal (spruce-fir), sub-alpine and alpine zones, as well as low-lying areas such as swamps, marshes and other wetlands. In addition, rivers, streams, lakes and ponds and their environs often present special physical problems.*

*Biological considerations also play an important role in the structuring of the classification system. Many of these are associated with the physical limitations just described; for instance many plants of the boreal, subalpine and alpine zones are less able to withstand trampling than species associated with lower elevation life zones. Wetland ecosystems frequently are finely balanced and incapable of absorbing material changes resulting from construction or intensive human use. In addition, wildlife values and wildlife habitats are relevant to the*

*characteristics of the land and sometimes determine whether a particular kind of human use should be encouraged or prohibited, for example the impact of snowmobiles on deer wintering yards, the effect of numbers of hikers or campers near the nesting habitat of rare, threatened or endangered species like the bald eagle or spruce grouse, or the problems associated with motorized access to bodies of water with wild strains of native trout.*

*In addition, another significant determinant of land classification involves certain intangible considerations that have an inevitable impact on the character of land. Some of these are social or psychological--such as the sense of remoteness and degree of wildness available to users of a particular area, which may result from the size of an area, the type and density of its forest cover, the ruggedness of the terrain or merely the views over other areas of the Park obtainable from some vantage point. Without these elements an area should not be classified as Wilderness, even though the physical and biological factors would dictate that the limitations of Wilderness management are essential.*

*In such cases, as will be seen, a Primitive designation would be required. Other classification determinants are more concrete, for example the suitability of a given system of lakes and ponds for canoeing or guideboating, the ability of larger bodies of water to provide for adequately distributed motorboat use, or the accessibility of a tract of land to a public highway, and its attractiveness, permitting the development of a campground or other Intensive Use facility.*

*Finally, the classification system takes into account the established facilities on the land, the uses now being made by the public and the policies followed by the various administering agencies. Many of these factors are self-evident: the presence of a highway determines the classification of a travel corridor; the presence of an existing campground or ski area requires the classification of Intensive Use. The extent of existing facilities and uses which might make it impractical to attempt to recreate a Wilderness or wild forest atmosphere is also a consideration. This is not to imply that when present uses or facilities are degrading the resource they should be continued, but their presence cannot be ignored. The unique mixture of public and private land within the Park also requires that account be taken of facilities and uses being made on contiguous or nearby private lands. Thus a large private inholding subject to or threatened by some form of Intensive Use might prevent the designation of an otherwise suitable tract of state land as Wilderness.*

*The above described factors are obviously complex and their application is, in certain instances, subjective, since the value of resource quality or character cannot be precisely evaluated or measured. Nonetheless, the Agency believes that the classification system described below reflects the character and capacity to withstand use of all state lands within the Adirondack Park in conformity with the provisions of the Act.*

*Nine basic categories result from this classification:*

*Wilderness  
Primitive  
Canoe  
Wild Forest  
Intensive Use  
Historic  
State Administrative  
Wild, Scenic and Recreational Rivers  
Travel Corridors*

*The Wild, Scenic and Recreational Rivers and Travel Corridors classifications are essentially corridor overlays to the basic land classification(s) through which the corridor passes.*

*Guidelines for the lands falling within each major classification and various special management guidelines for unique resources within these major classifications are set forth in the remaining portions of this chapter. Insofar as forest preserve lands are concerned, no structures, improvements or uses not now established on the forest reserve are permitted by these guidelines and in many cases more restrictive management is provided for. Obviously, these guidelines are subject to any future legal rulings further restricting uses of the forest preserve and, as already noted, they are not to be considered as attempts to make legal determinations on unresolved issues regarding the constitutional appropriateness of any such structures, improvements or uses.*

*In addition, the designation of State administrative areas and historic areas in the master plan should not be taken as lending weight to the constitutional appropriateness of the general treatment of these lands by the State, either legislatively or administratively, as non-forest preserve. These new classifications seek only to reflect, in terms of land use, what has long existed in the Park irrespective of constitutional questions. A constitutional amendment should, however, be considered which would put the propriety of these non-forest preserve types of land uses beyond question and provide a modest land bank to permit future acquisitions of these types of lands by the state.*

*Nothing in the guidelines for lands falling within each major classification shall be deemed to prevent the Department of Environmental Conservation, or any other State agency administering such lands, from providing for more restrictive management where necessary to comply with constitutional requirements or to protect the natural resources of such lands.*

## VII. MANAGEMENT GUIDELINES

The alternatives outlined in this document have been developed within the guidelines set forth by the Final Programmatic Environmental Impact Statement and Guidelines for Amending the Adirondack Park State Land Master Plan, the Final Generic Unit Management Plan Environmental Impact Statement for Campgrounds and Day-Use Areas and the NYS Wild Scenic and Recreational Rivers Act.

## VIII. APPLICABLE STATE LAND MASTER PLAN DEFINITIONS and GUIDELINES

(Note: The following are excerpts from the *Adirondack Park State Land Master Plan*.)

### **DEFINITION-Wilderness**

*A Wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man - where man himself is a visitor who does not remain. A Wilderness area is further defined to mean an area of state land or water having a primeval character, without significant improvement or permanent human habitation, which is protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a Primitive and unconfined type of recreation; (3) has at least ten thousand acres of contiguous land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic or historical value.*

### **DEFINITION-Intensive Use**

*An Intensive Use area is an area where the state provides facilities for intensive forms of outdoor recreation by the public. Two types of Intensive Use areas are defined by this plan: campground and day use areas.*

*These areas provide overnight accommodations or day use facilities for a significant number of visitors to the Park and often function as a base for use of wild forest, Wilderness, primitive and canoe areas.*

### ***Wilderness-Boundary structures and improvements and boundary marking***



1. *Where a Wilderness boundary abuts a public highway, the Department of Environmental Conservation will be permitted, in conformity with a duly adopted unit management plan, to locate within 500 feet from a public highway right-of-way, on a site-specific basis, trailheads, parking areas, fishing and waterway access sites, picnic areas, ranger stations or other facilities for peripheral control of public use, and, in limited instances, snowmobile trails.*

### **Intensive Use- Guidelines for Management and Use**

6. *Additions to the Intensive Use category should come either from new acquisitions or from the reclassification of appropriate wild forest areas, only in exceptional circumstances from Wilderness, Primitive or Canoe areas.*

7. *Any request for classification of a new acquisition or reclassification of existing lands from another land use category to an Intensive Use area will be accompanied by a draft unit management plan for the proposed Intensive Use area that will demonstrate how the applicable guidelines will be respected.*

## **IX. APPLICABLE FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT AND GUIDELINES FOR AMENDING THE ADIRONDACK PARK STATE LAND MASTER PLAN GUIDELINES**

The SLMP Final Programmatic Environmental Impact Statement and Guidelines for Amending the Adirondack Park State Land Master Plan provides the guiding principles for the APA in making a determination regarding the appropriateness of amendments to the State Land Master Plan, such as a reclassification of existing state land. The following is an applicable excerpt from the Final Programmatic Environmental Impact Statement and Guidelines for Amending the Adirondack Park State Land Master Plan regarding reclassification of Intensive Use.

*3. The Master Plan states that additions to the Intensive Use category should generally come from new acquisitions or from the reclassification of existing Wild Forest areas, and, "...only in exceptional circumstances from Wilderness, Primitive, or Canoe areas."<sup>23</sup> As was noted above, such lands must have a high capability to withstand intensive, concentrated use with little or no degradation in the natural or scenic resource quality or character of the land unit under review or of adjacent or nearby lands.*

## **X. CURRENT UNIT MANAGEMENT PLAN PROPOSAL**

The proposed preferred alternative for the Second Pond Boat Launch Unit Management Plan includes the replacement of the concrete launch ramp to a double-ramped boat launch with a turnaround for vehicles, replacement of the existing docks, creation of a canoe and kayak launching site, removal of dilapidated log cabin, construction of registration booth, construction of a firewood storage building, reconstruction of the vault toilet system and the reconfiguration and resurfacing of the parking area. A Wild Scenic and Recreational Rivers Act permit is required for the replacement and reconstruction of the boat launch. In addition, the UMP proposes the reclassification of 5.6 acres from Wilderness to Intensive Use and 6.8 from Intensive Use to Wilderness to place all developed facilities within the Intensive Use area. The implementation of the project described in the Unit Management Plan will require Article 24 wetlands permits which will need to be issued by the Adirondack Park Agency.

## **XI. POTENTIAL IMPACTS FROM CLASSIFICATION ALTERNATIVES AND UMP IMPLEMENTATION**

This section identifies the potential impacts associated with each alternative.

### Alternatives

1. Reclassify 5.6 acres of Wilderness to Intensive Use and 6.8 acres of Intensive Use as Wilderness.

### Potential Impacts of the Action

- Net gain of 1.2 acres of Wilderness.
- 1.1 acres of vegetation will be removed to construct the new parking area, including the loss of trees
- Provide for safety of vehicular traffic on Route 3 by providing additional parking at the site and prohibiting parking along State Route 3
- Improve access for visitors with disabilities
- 1741 square feet of wetlands will be filled for the new parking area
- 6109 square feet of wetlands will be created, for a net gain of 4368 square feet of wetlands
- Provide designated access for canoe and kayaks
- Provide additional ADA- compliant parking spaces
- Provide safe ingress and egress through better- designed facilities
- Limit the number of overnight parking places
- Provide additional day use parking places

- Provide screening from Route 3 through the planting of native species and the demolition of the cabin
  - Improve visitor waste management by rehabilitating the vault toilet
  - Enable users to purchase local firewood and decrease the likelihood of the introduction of invasive species transported in firewood
  - Improve storm water runoff
  - Accommodate boaters when water levels fluctuate, by the replacement of docks with a removable floating dock system
2. SEQR regulations require an assessment of the “no action” alternative. In this case, the no action alternative would be defined as the Agency taking no immediate procedural steps to revise provisions of the State Land Master Plan. Under this alternative, existing facilities outside the boundary of the Intensive Use area and inside the boundary of the Wilderness area would be removed. Any additional expansion of the facility would only occur within the existing Intensive Use classification.

#### Potential Impacts of not undertaking the proposed improvements

- Existing parking facilities not currently located on lands classified as Intensive Use would be removed
- Number of parking spaces available at Second Pond would decrease
- Public pressure to expand parking on lands currently classified as Intensive Use, including wetlands adjacent to current parking area, would increase

## **XII. SUMMARY**

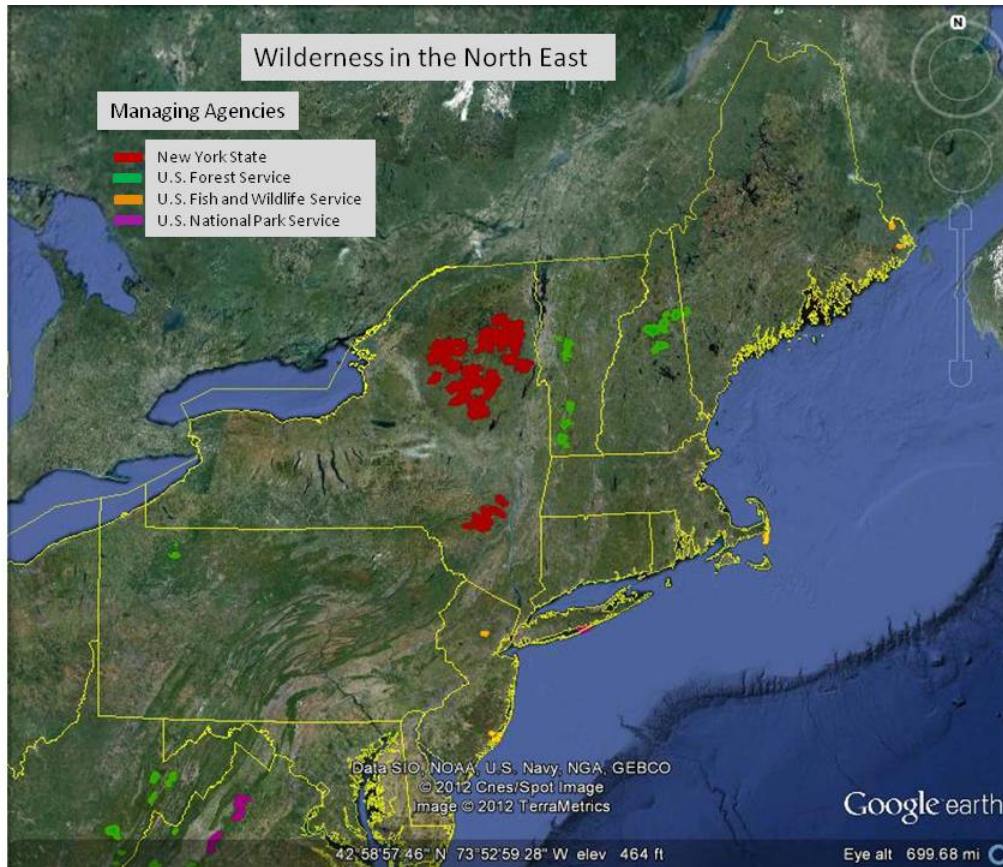
In January 2012 the APA received from the DEC a draft UMP for the Second Pond Boat Launch to review for conformance with the SLMP. In addition to proposed management actions including changes to the existing parking lot, the UMP proposed the reclassification of 6.8 acres of Intensive Use land west of the boat launch to Wilderness and 5.6 acres south of the launch from Wilderness to Intensive Use. In response, APA staff developed a Draft Supplemental Environmental Impact Statement (DSEIS), a requirement for the amendment of the Adirondack Park State Land Master Plan. The preparation of the Environmental Impact Statement(EIS) is required by the Adirondack Park Agency Rules and Regulations 586.5(6)(i) and (iii) for actions proposing the reclassification of land from a more restrictive to a less restrictive category and material changes in the guidelines applicable to each classification.

The potential actions outlined in this DSEIS involve one alternative for minor amendments the Adirondack Park State Land Master Plan specific to the future classification of lands immediately surrounding the Second Pond boat launch and

a no-action alternative. The DEC and APA have released the DSEIS to the public, scheduled public hearings and shared it with other State Agencies for their review to ensure a wide range of alternatives, impacts and issues are adequately addressed. Following review after public hearings, any proposed action recommended by the APA Board will be forwarded to the Governor for review and possible adoption as a revision to the State Land Master Plan. Subsequent to the Governor's approval of the reclassification, the DEC Commissioner would approve the final UMP.

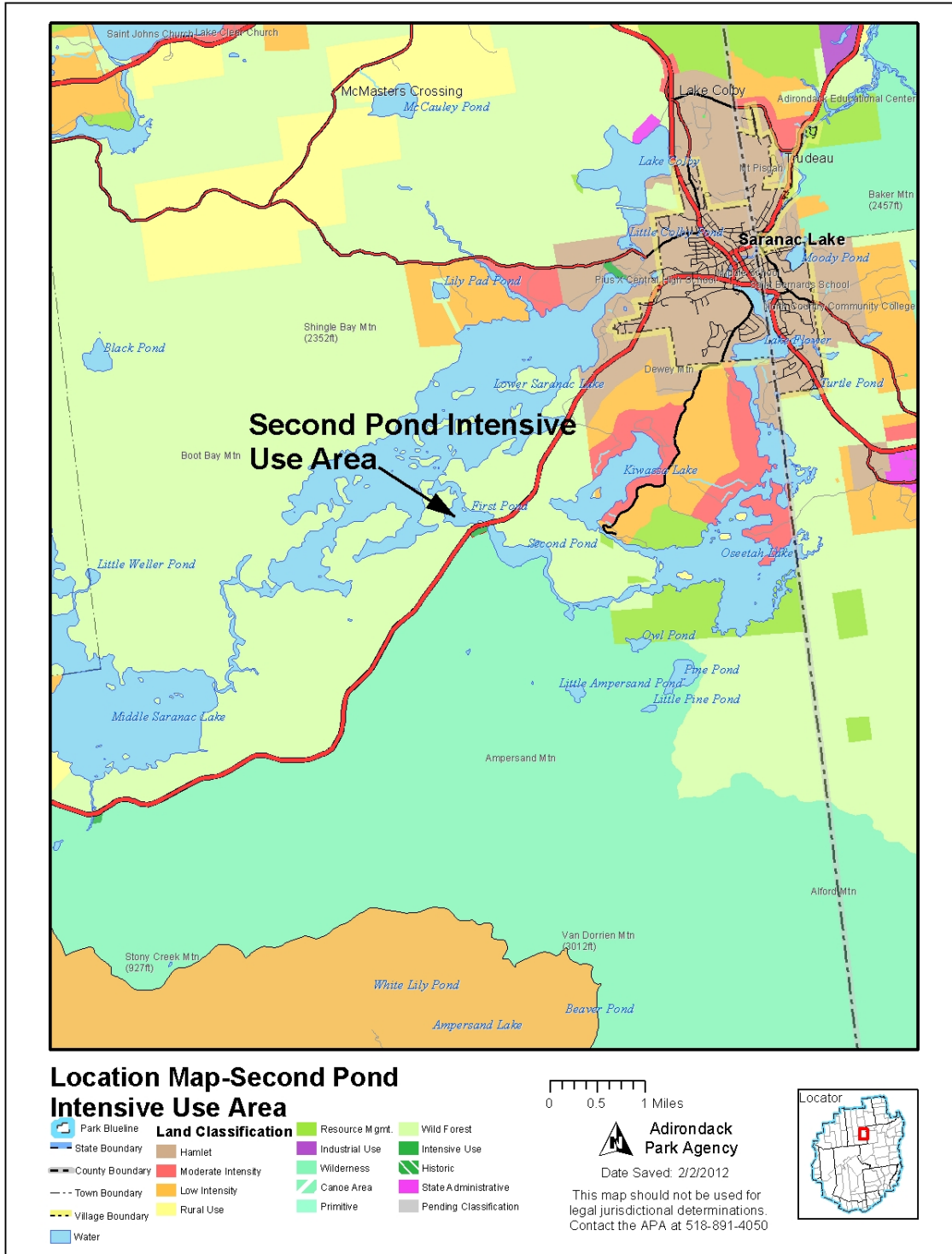
# XIII. APPENDIX

## Appendix A - Wilderness in the Northeast Map



Wilderness KML Data provided by: [www.Wilderness.net](http://www.Wilderness.net)

## Appendix B - Locator Map



## Appendix C - Existing Facility Photos

(Numbers coordinate with map on following page)





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**Appendix D – Proposed Alternative Maps**

