



NEW YORK STATE  
Adirondack  
parkagency

M E M O R A N D U M

TO: James Townsend, State Land Committee Chair

FROM: James E. Connolly, Acting Executive Director  
John S. Banta, Counsel

DATE: April 8, 2009

RE: Agency Resolution - Amendment of the Bog River  
Complex Unit Management Plan

In response to public comments on the January, 2009 Bog River Complex Unit Management Plan Amendment, a final UMP Amendment and FSEIS have been submitted for Agency consideration that incorporate modifications to the preferred alternative. Key changes in the final Amendment/FSEIS are as follows:

- The timeframe for access by commercial floatplane operators has been reduced from four years to three years. The revised date for elimination of all commercial floatplane operations is now proposed to be December 31, 2011;
- The proposed landing area on the eastern end of Lows Lake has been eliminated due to potential increased conflict with other recreational users;
- The number of flights per month and for the full recreational use season would remain the same as in the January, 2009 proposal. The maximum number of flights for any single month would be thirty-five (35). The maximum number of seasonal flights would be limited to one hundred sixty-five (165);
- Proposed Express Terms for draft regulations regarding commercial floatplane operations on Lows Lake will be submitted to GORR within 30 days of the approval of the Bog River Complex UMP Amendment, and a full regulatory package will be submitted to GORR within 60 days of same;
- Although regulations are not expected to be in place throughout the 2009 recreational use season, DEC has received agreement for immediate voluntary compliance with the proposed flight allowances (letter attached). There would be no restrictions on weekend flights, time of flights or landing locations on Lows Lake;

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- Commercial floatplane operators will be prohibited from using State Forest Preserve lands for storage of canoes or other equipment;
- A staff proposal and request to authorize staff to proceed to public hearing on a reclassification of the Lows Lake Primitive Area, classification of newly acquired State lands on the south shore of the Bog River and Lows Lake, and classification of the waters and bed of Lows Lake will be brought to the Agency for consideration at the May Agency meeting. The proposal will recommend classification of these areas as part of the Five Ponds Wilderness Area;
- Staff will also propose a revision to the area description for the Five Ponds Wilderness which, due to the wilderness classification of surrounding State lands, would require DEC to manage Lows Lake as wilderness, precluding both public and administrative use of motor vehicles, motorboats and aircraft to the extent prohibited by a wilderness classification, as of December 31, 2011.

Attached is a draft resolution which has been prepared for Agency consideration after consultation between the Department and Agency management staff. The draft resolution includes a number of important findings and recommends approval of the Department of Environmental Conservation's Final Bog River Complex Unit Management Plan Amendment, dated April 8, 2009.

Information on the acquisition history for the area is also attached for your reference. A review of the acquisitions and classification history emphasizes the Forest Preserve Centennial goal of creating and restoring a historic wilderness canoe route through Lows Lake. This goal is reiterated in the Master Plan.

The Lows Lake Primitive Area description states that "*this area is an integral part of the Lows Lake-Bog River-Oswegatchie wilderness canoe route, and continues the water access to the western portion of the Five Ponds Wilderness Area.*" The Master Plan goes on to note that "*preservation of the wild character of this canoe route without motorboat or airplane usage is the primary management goal.*"

Primitive and Wilderness Area guidelines and criteria require removal of non-conforming uses and structures within three years of classification. However, lakes and water bodies with shoreline in private ownership have consistently been treated differently than waters surrounded by land which has been classified as wilderness or primitive, as evidenced in the

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record for Little Tupper Lake as part of the William C. Whitney Wilderness classification. In that matter, the Agency declined to determine Wilderness and Primitive boundaries within the water body and instead provided mandatory management guidance in the Master Plan area description. There are, therefore, no general management guidelines and criteria characterizing non-conforming uses or structures for water bodies which are not completely surrounded by State lands. Specific guidance is provided in some area descriptions and is quoted above.

These are the reasons for our conclusion that the Master Plan provides no specific deadline for the elimination of motorized use of Lows Lake or the adjacent Bog River. The potential for specific classification of such water areas was discussed at length while scoping the classification of the William C. Whitney Wilderness and Little Tupper Lake.

Classification proposals or Master Plan text amendments directly related to State-owned water bodies still remain important issues for Agency deliberation. The issue of either comprehensive or partial classification and management areas for water bodies where the bed of the lake has been determined to be in State ownership involves major water bodies such as Lake George, Raquette Lake, Indian Lake, Cranberry Lake, 13<sup>th</sup> Lake and others. It needs a systematic evaluation and approach. In the case of Lows Lake, introducing specific management criteria similar to those for Little Tupper Lake within a revised area description for the Five Ponds Wilderness and classification of the water are both options recognized in the attached draft resolution offered for your consideration. Consideration should be given to a classification proposal for the waters of Lows Lake as part of the Five Ponds Wilderness Area since both the waters and lake bed are unambiguously part of the Forest Preserve. Classification recommendations and options for Lows Lake from the upper dam on the Bog River, reclassification of the Lows Lake Primitive Area and classification of newly acquired State lands on the southern shore of Lows Lake/Bog River could proceed to public hearing after approval of the Bog River Complex UMP Amendment. We recommend a staff presentation for Agency consideration at the May Agency meeting.

It also is strongly recommended that DEC and APA staff jointly develop a study and report which would evaluate and document the historical and cultural significance floatplanes have had in the Park, and make recommendations for the future of floatplanes in the Park. The study should examine where floatplanes have historically gone, for what purpose and in what numbers. It

should determine how the use and trends have changed over the years and what may offer the best opportunities for future commercial floatplane operation in the Park. In addition, this study would provide a broader and more comprehensive evaluation of existing and potential lakes for floatplane opportunities in the Adirondack Park than was done previously. It should include lakes that may require administrative, regulatory or Master Plan revisions in order to provide attractive floatplane opportunities and also minimize impact on other recreational users. Examples of additional analysis to be undertaken include evaluation of water bodies on easement lands for possible floatplane use, evaluation of potential to limit motorized access other than floatplanes from specific water bodies, alternative fisheries management approaches for lakes with existing or potential floatplane access, additional camping opportunities, and impacts of regulatory restrictions on floatplane operators' use of lean-tos. This recommendation is independent of any resolution of the Lows Lake floatplane access issues which are in no way contingent on the timing or outcome of such a study or studies.

We note that the Agency has also consistently recognized and urged DEC to exercise its independent authority, as recognized in the Master Plan, to regulate recreational use on water bodies to minimize conflicts and impacts on adjacent land areas.

Therefore, in order to meet the Master Plan's goal of creating a wilderness canoe route including Lows Lake, and in response to the Bog River Complex Unit Management Plan approved in 2002, the Department promulgated and implemented regulations in 2006 which restricted the public use of motor boats within the entire area. The date of this first restriction on motorized use related to the date of Unit Management Plan approval, not to the classification of any of the area discussed in this or earlier amendments. Proposed dates for removal of that or other motorized use have been treated as a discretionary interpretation of the Master Plan by the Agency reflected in long-standing language in the Master Plan and the 2002 Bog River Complex UMP approval action.

The revised Bog River Complex Amendment/FSEIS which is being reviewed during the April Agency meeting seeks to extend the deadline for elimination of commercial floatplane operations on Lows Lake from 2008 to 2011. As was indicated in our memo to you dated September 12, 2008 when this matter was before the Agency, the timing for phase-out of commercial floatplane operations is subject to a determination by the Agency.

The draft Agency resolution that has been prepared for discussion by the State Land Committee would, if approved as currently worded, allow a three-year extension of commercial floatplane operation from the originally approved UMP's expected phase-out date of 2008. It would be operated under the permit system proposed by the Department as described in the UMP amendment and revisions. It is conditioned on the following principles:

1. The permit system ultimately adopted by the Department would be no less restrictive than described in the proposed UMP amendment;
2. Proposed draft regulations would be developed in consultation with APA staff and submitted to the Governor's Office of Regulatory Reform (GORR) within 30 days of the plan's approval by Commissioner Grannis; a full regulatory package would be submitted to GORR within 60 days;
3. The permit system is proposed to be in place as soon as the regulatory process will allow. If regulations are not yet in place by this year's recreational use season, current floatplane operators have agreed to voluntary compliance to limit the amount of flights per month to Lows Lake, as specified in the revised Unit Management Plan;
4. Provision for a "sunset date" for the elimination of commercial floatplane use on Lows Lake would be included in DEC regulations and end as of December 31, 2011;
5. No additional extensions or variations of such use would be entertained in the future.

The approach outlined above remains consistent with the guidelines and criteria for the use of Lows Lake contained in the area description for the Lows Lake Primitive Area. The following key issues are pertinent to the State Land Committee's discussions and ultimate approval determination by the full Agency:

- The Master Plan's general guideline for removal of non-conforming uses and structures from Wilderness and Primitive areas has not been applied to lakes and water bodies which also contain private land along the shoreline. Instead, motorized use has been addressed with specific management guidance in the area descriptions for related land areas. Elimination of public motorized uses on lakes with mixed

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private and State land shoreline and associated non-conforming riparian uses that cannot be provided for by a fixed deadline may be impractical depending on the specific location and configuration of State lands.

- The Agency's approval of the Bog River Complex UMP in January, 2003 determined that a gradual phase out of motor boats by the public over a three-year timeframe and commercial floatplane access over a longer timeframe was consistent with the Master Plan. A five-year phase out was recommended at that time.
- DEC and the Agency's approach to prohibition of public motorized use on Little Tupper Lake in the Whitney Wilderness Area demonstrates an ability to prohibit public motorized uses while working with riparian landowners to limit such use.
- Primitive areas present special cases which need to be evaluated based on legal non-conformities not consistent with long-term Wilderness objectives. Although essentially "wilderness in character", they contain structures, improvements and/or uses inconsistent with Wilderness.
- At this time, except for the remaining private inholdings, Lows Lake itself is surrounded by the Five Ponds Wilderness Area. Motorized use of Lows Lake by commercial floatplane operators and private landowners with riparian or deeded rights potentially impacts other recreation users and wilderness values. Management proposals should demonstrate consistent progress towards eliminating or minimizing such impacts.

The Master Plan states specifically that the "ultimate goal is clearly to upgrade the area to wilderness at some future time." The basic objective of the unit planning process is for the Department to make proposals to attain such goals and for the Agency Board to determine whether specific proposals are consistent with the Master Plan.

In conclusion, it is our opinion that the proposals outlined in the April 8, 2009 Bog River Complex UMP Amendment are consistent with the guidelines and criteria of the Adirondack Park State Land Master Plan. We, therefore, recommend the Agency determine that the proposed amendment is consistent with the Master Plan and approve the enclosed draft resolution.

JEC:JSB:dal  
Attachments

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Albany, NY 12233

James Connolly  
Executive Director  
Adirondack Park Agency  
PO Box 99  
Ray Brook, NY 12977

**Re: Additional Comments on Lows Lake Float Plane Proposal**

Dear Mr. Davies and Mr. Connolly:

We are writing representing the two last remaining float plane businesses in the Adirondack Park, the communities in which those businesses reside and the County of Hamilton. As you know, we have previously submitted comments regarding the proposed Bog River Complex UMP amendment that would allow continued float plane access to Lows Lake, subject to a number of restrictions. In our comments we have raised several serious issues with the proposed amendment, including safety concerns associated with the amendment's requirement that float planes be allowed to land only in the eastern portion of Lows Lake. As we noted in our comments, landing in the eastern part of Lows Lake raises safety concerns because of wind patterns, geography and a much higher level of activity by recreational users in that part of the lake. We understand that the Boy Scouts, who own most of the shoreline immediately adjacent to the proposed landing zone, have also objected to the proposal due to similar concerns.

Out of respect for the request of the Boy Scouts, a concern for the safety of all users, and in an effort to find a universally acceptable resolution of this matter, we would support a revised proposal that includes the following:

1. Float planes would be allowed to continue flying into the western part of Lows Lake until December 31, 2011, rather than December 31, 2012.
2. During the period of continued access, commercial float plane flights would be limited to a total of 165 flights annually, with no more than 35 flights allowed in any single month. We understand that at the end of each flying season, the Float Plane Operator's records would be provided to DEC in order to verify compliance with these conditions.
3. Storage of canoes or other equipment on Forest Preserve lands would be prohibited.

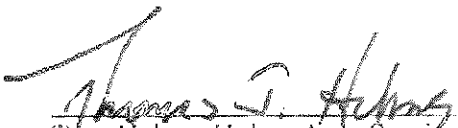
Although this revised proposal would provide a shorter additional time than the presently proposed amendment for continued float plane access to Lows Lake (three additional flying seasons instead of four), we can accept this in return for the safer alternative of being allowed to continue to use the western portion of the lake, and the benefit derived from elimination of the other proposed permit restrictions (aside from those spelled out specifically above).

With the understanding that 2011 is the absolute end and as previously discussed, it is vitally important to this industry and these communities for DEC and APA to commit to the float plane study. We must examine long-term solutions for float plane access in the Adirondack Park. The success of this study will ultimately benefit the float plane industry, the Park, and the communities that depend on this economy.


We the undersigned understand that, should DEC and APA agree to adopt this revised proposal, it may take some time to promulgate regulations implementing the conditions set forth above. As a show of good faith on our part, we all jointly commit to doing our part, to voluntarily comply with the above conditions pending formal adoption.

Thank you for the opportunity to provide these additional comments, and it is our hope that this alternative may offer a positive resolution of this issue.

Sincerely,

  
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Tom Helms, Helms Aero Service


3/31/09  
Date

  
\_\_\_\_\_  
Tom Payne, Payne's Air Service

3-31-09  
Date

  
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Gregg Wallace, Long Lake Supervisor

3-31-09  
Date

  
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John Frey, Inlet Supervisor

3-31-09  
Date

  
\_\_\_\_\_  
William Farber, Chairman Board of Supervisors  
Hamilton County

3/31/09  
Date



**LOWS LAKE – BOG RIVER FLOW:  
HISTORICAL TIMELINE OF LAND ACQUISITION, CLASSIFICATION AND  
MANAGEMENT PLANNING**

**1984** – DEC Forest Preserve Centennial Committee approves acquisition of the 9,100+-acre Lows Lake – Bog River Flow parcels for “special dedication treatment” during planned celebrations of the 1985 Forest Preserve Centennial. This acquisition is one of five approved projects in the Catskills and Adirondacks but is by far the largest and most expensive of them. It is said the project, “will provide the major link in a potential 200-mile canoe route across the northern Adirondacks...” and that, “*the Bog River Flow – from Bog Lake to Tupper Lake – is an outstanding wilderness canoe route in its own right.*”

**1985** – Governor Mario Cuomo proclaims, “These lands will help extend and protect the natural and spiritual legacy left to us by those visionaries who, more than a century ago, acted so generously and intelligently in creating the forest preserve.” Shortly afterward, a special dedication ceremony is held at Hitchins Pond by DEC Commissioner “Hank” Williams. As reported by the press, the Commissioner Williams...

“thrust a spike into the dirt and said the purchase will link the Adirondack wilderness like the transcontinental railroad did the United States.” The “ceremonies took place... in the shadow of several 19<sup>th</sup> century buildings that... would become ‘nonconforming uses’ if [DEC] officials get their wish and classify the land as wilderness to link two already popular canoe and forest areas... ‘This could become one of the most exciting primitive, wilderness canoe treks in the Northeast,’ said EnCon Region 6 Director Thomas Brown.” (*New York Times* [?] 8/29/85 – Shawn Tooley)

A month later, the *New York Times* prints a Sunday article entitled, “Bog River Flow Area Canoeists’ Paradise” (1<sup>st</sup> page) and, “Bog River: ‘Spectacular’ Canoe Route” (2<sup>nd</sup> page). About these lands and waters (“to which access has been tightly controlled in the past”) Director Brown is quoted as saying, “It’s one of the most exciting and adventurous canoe treks in the Adirondacks, if not the Northeast. It provides a spectacular wilderness experience, with beautiful scenery and abundant wildlife...” APA Commissioner Peter Paine is interviewed and describes his own trip through the area, and the article concludes: “Thus the Oswegatchie wilderness, with its brook trout and beaver and black bear, joins the Bog River Flow where deer and otter play to the cry of the loon beneath the golden eagle’s nest.” (*New York Times*, 10/4/85 – Ed Hale)

**1986** – DEC and APA staff agree to proceed to public hearings with a joint proposal for “Wilderness classification with Primitive Corridors for the roads and upper dam site” concerning the majority of the acquisition. An EIS is deemed unnecessary, primarily because the dams (critical to recreational and wildlife values) would be preserved by the very limited Primitive classification. Scott Gray and Leigh Blake of DEC’s Region 6 specify four classification options for the eastern end of the area and state they “believe the best interests of the public as a whole would be best served by option #1”:

Accept the west bounds of the [Remsen – Lake Placid] railroad track as the eastern most bounds of the wilderness but by rule and regulation eliminate electric and internal combustion engines from the river upstream from the Lower Dam. This would provide the best natural boundary and eliminate the need for another primitive corridor.

DEC staff also provides information about the Bog River area’s designation as a “Significant Wildlife Habitat.” Specifically identified in an inventory of the area are: loons, ravens, spruce grouse, ospreys, peregrine falcons, golden eagle historic nest sites, bald eagles, deer wintering



areas and – as an assumption – boreal species of birds. One category identified in a brochure about these habitats is, “**Areas that were significant as wildlife habitat in the past** – the significance of which can be restored,” which was considered relevant to a number of species, including the golden eagle.

**1987** – State land classification hearings are held. Concerning classification of the “Bog River Acquisition” as Wilderness, with certain road corridors classified Primitive, APA staff writes:

The proposed Wilderness classification would be consistent with and will not adversely impact the historically low level of public use within the area and the relatively fragile resources of the area; particularly the large diverse wetland complexes and significant wildlife habitats. The area’s remoteness, and its location with respect to the Five Ponds Wilderness Area and Oswegatchie River provide outstanding opportunities for solitude and recreation. The proposed Primitive classification for the roads and the dam site will provide for the continued access to the inholdings and will allow maintenance and rehabilitation of the dam which is necessary for the continuation of the existing impounded water and wetland environment... The proposed classification will not result in overuse of state lands or increased land disturbance.

APA staff files an Environmental Assessment concerning this proposed classification that attests, among many other things, that the project will not “produce operating noise exceeding the local ambient noise levels.” In hearings, APA staff explains why the Agency “has determined that the proposed classifications will not have a significant effect on the environment and has filed a Negative Declaration.” Concerning the Bog River Flow, staff states:

In terms of classification, the most important aspect of this area is its... wildlife habitat. It contains a number of habitats that are important including osprey, golden and bald eagle, peregrine falcon and spruce grouse (one of the few nesting areas for the spruce grouse being located in the immediate vicinity)... All these habitats would be sensitive to increased levels of public use.

During one hearing, upon being asked, “Why are you going to classify it [‘the piece around the upper dam’] Wilderness when it adjoins only Wild Forest?” staff answers:

“It’s connected (to the rest of the acquisitions) by the water body. Region 6 initiated the proposal because their view was twofold: 1) the wildlife in this area is truly spectacular and demands Wilderness classification and 2) to lay the cards on the table and say the railroad tracks are the ultimate boundary of the Five Ponds Wilderness Area and not come in with some complicated set of proposals including Primitive areas and so forth which would lead to ambiguity. Further, canoeing in Lows Lake is dangerous and not something to treat as a quick experience.”

When asked about planning for the area, DEC staff notes that the, “Five Ponds Wilderness Area Unit Management Plan is in a final drafting. This area is not classified at this time. We would expect to include this area in the next revision of Five Ponds Unit Management Plan...”

John R. Baumann (of the Association of Adirondack Scout Camps) writes to describe his organization as one providing growth experiences for young people “through the challenge of wilderness travel” and to provide APA and DEC with supportive comments:

As we see it, there is a relative lack of lake and river systems which are restricted to non-motorized travel, and which thus lend themselves to the sought for wilderness experiences. The waters and adjoining lands for which classification is pending have been treated, to present, in essentially the wilderness/primitive manner proposed. Putting the proposed classification into effect will provide for continuance of this exciting and remote wilderness area with its great recreational potential while maintaining the quality of the area’s water resources as purposed by the far-sighted individuals who brought the Adirondack Forest Preserve into being. This organization is in agreement... that the parcel under consideration is the “spectacular acquisition by New York State during the Forest Preserve’s centennial,” and supports the wilderness/primitive classification as proposed by the Adirondack Park Agency.



Based on all comments, however, APA staff revises the classification recommendation somewhat. In explaining the original proposal and why it was changed despite initial misgivings, staff writes:

Staff consulted extensively with DEC staff and Region 6 personnel in particular... First, [DEC] felt strongly that while the primary recreational focus of the area was canoeing... [d]ue to the extremely rough water of Lows Lake and the remote nature of the area for most of the year, this route was at best challenging and at worst dangerous... [and] that management of the area should be as Wilderness waterway... Secondly, the wildlife of the area is spectacular and sensitive to high levels of public use and should be managed as Wilderness to minimize disturbances to the habitat. Being private... use levels during most of the year and especially during the spring nesting period have historically been very low. Thirdly, it was felt that presenting a complicated set of primitive areas (permanent and transitional) would only lead to ambiguity and misunderstanding and that the recommendation presented should be clear that the area was to be managed as Wilderness.

During the public hearings no oral comments and only two letters were received in opposition... We did, however, receive comments questioning the classification of the eastern portion of the tract (... around Hitchins Pond) as Wilderness. The concerns were not with the concept of managing the area according to Wilderness standards but that the area did not meet the definition of Wilderness: 1) due to the fact that it was not connected to the western area (... around Lows Lake) and was less than 10,000 acres in size; 2) due to the existence of the several nonconforming uses; and 3) due to the impact of the large inholding of private land. While the two areas are connected by the waterway which the State owns, in similar circumstances such areas have been classified Primitive instead of Wilderness.

APA approves DEC's first UMP for the Five Ponds Wilderness Area and APA staff's recommendation for classification of the Bog River Flow area parcels. At the request of DEC Designee, Robert Bathrick, this sentence from the Lows Lake Primitive Area description is added to the description for the Hitchins Pond Primitive Area: "Preservation of the wild character of this canoe route without motorboat or airplane usage (and with only limited access by motor vehicles as noted below) is the primary management goal for this primitive area."

APA Chairman, Herman "Woody" Cole, submits to Governor Cuomo the proposed annual amendments to the Adirondack Park State Land Master Plan, noting "[t]he most significant classification is the Bog River Flow acquisition... totaling approximately 9,100 acres of land and water." Focusing on this, Mr. Cole states:

The basic objective is to create a wilderness canoe route as the eastern access to the Five Ponds Wilderness Area. An objective which resulted in substantial public support and no significant opposition. The eastern portion of the acquisition... however, does not meet State Land Master Plan guidelines for classification as wilderness due to the existence of two essentially permanent, large scale dams on the Bog River and due to a large private tract separating it from the western section of the acquisition. To accommodate this situation and still achieve the goal of a Wilderness canoe route, the eastern block is proposed to be classified primitive...

**1988** – Governor Cuomo approves the proposed Master Plan amendments and writes:

I am particularly pleased to approve the classification of the 9,100 acre Bog River Flow... These magnificent canoe waters were closed to the public throughout the 20<sup>th</sup> century. This acquisition goes a long ways toward creating a 200 mile wilderness canoe route from Sackett's Harbor via the Black, the Beaver, across Stillwater, Ne-Ha-Sa-ne, Lake Lila, the Bog, Tupper Lake, then the Raquette to Massena.

By virtue of the Governor's action, the Lows Lake – Bog River Flow area is classified such as to call for wilderness management of the entire State-owned area, excepting only maintenance of the nonconforming dams and limited use of the nonconforming roads.

**1991** – DEC staff begins drafting an updated UMP for the Five Ponds Wilderness Area and (at about this time) a first UMP for the two Primitive Areas and Horseshoe Lake Wild Forest – the "Bog River Flow Complex." Use of the Bog River Flow – Lows Lake area by paddlers has increased dramatically. DEC produces a detailed informational brochure, "Bog River Flow," in



which only canoe access to the area is noted. Canoeing and shoreline camping are the focus, camping is limited to groups fewer than nine, and groups of six or fewer are encouraged so that impacts will be limited, reflecting typical Wilderness standards. Interesting wildlife of the area is also described, and potential sightings – of “even a golden eagle” – are noted for the paddlers.

**1994** – The new UMP for the Five Ponds Wilderness Area is approved by APA and DEC. Area management remains primarily directed to those wilderness users who “seek solitude, either alone or in the company of a few selected companions.” “Zone A” of the wilderness – the “Canoe Route Zone” – is expanded to include all the State-owned shoreline of Lows Lake – Bog River Flow beyond the upper dam, and management is revised to be more directed to the above users. Primary considerations in DEC’s designation of zones are: 1) past use; 2) compatibility of existing and proposed use patterns with the principles of wilderness management and environmental factors; 3) grouping of related uses; 4) separation of conflicting uses; and, 5) efficiency of management and allocation of resources based on use levels and user needs. Public use of the area is described, but no public/commercial floatplane use nor its conflicts with wilderness canoe use are identified. The UMP reads:

Camping is heaviest along the shorelines of the three reservoirs ringing the area [including Lows Lake – Bog River Flow]... The purchase of the Bog River Flow area in 1986 and the development of the Canoe Carry Esker Trail in 1987 provided a unique canoe route through the area which is being increasingly used. This use is anticipated to increase further as existence of the route becomes better known... Although overuse has not been a particularly major problem on this area, some examples of management activities undertaken to mitigate the impact of camping include... 3) Bog River Flow – To ensure that this unique area would not suffer from overuse, the professional staff decided to prohibit the issuance of group camping permits in 1989. Heavy use of certain campsites, especially along Grass Pond, resulted in the installation of 7 pit privies in 1990 and an increase in designated campsites at that time from 21 to 40 to spread out the use of the area.

**1994 (or thereabout)** – Avid fishermen discover that Lows Lake/Bog River Flow has developed into a major, high-quality largemouth bass fishery. Heavy commercial floatplane use for both the fishing season and the hunting season develops rapidly after this. Drafting of the first UMP for the Bog River Complex becomes stalled.

**2000** – APA and Governor George Pataki classify and establish the new William C. Whitney Wilderness Area. DEC immediately prohibits, by regulation, all public and administrative use of motorboats and floatplanes on Little Tupper Lake – exactly the type of regulatory action Master Plan guidelines and APA staff have called for at Lows Lake – Bog River Flow since its 1988 classification.

**2003** – APA and DEC approve the first UMP for the Bog River Complex. APA formally cites DEC’s acknowledgment of: 1) emerging overuse issues along the wilderness canoe route and the related need to assess them soon in the planning period; 2) the value and sensitivity of the wildlife of the area; and, 3) the inter-agency understanding that by DEC regulation, motorboat use will be immediately banned and floatplane use will be phased out over a period of five years. APA’s resolution reads, in part: “BE IT FURTHER RESOLVED... that the management actions contained therein are... Intended to manage the Bog River Flow/Lows Lake area consistent with its classification under the State Land Master Plan through the phase-out of public motorized use...”

