



Adirondack Park Agency

ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

August 5, 2020

Ms. Cait Schadock,
National Environmental Policy Act Coordinator
Directorate of Public Works
4896 Jones St,
Fort Drum, NY 13602-5097

Re: Comments pertaining to the Programmatic Environmental Assessment for the proposed Fort Drum 10th Combat Aviation Brigade and 10th Sustainment Brigade Mission and Training Activities, June 2020.

Dear Ms. Schadock:

Adirondack Park Agency (Agency or APA) staff wish to thank you for the opportunity to comment on the proposed Programmatic Environmental Assessment (PEA) pertaining to the Fort Drum 10th Combat Aviation Brigade and 10th Sustainment Brigade Mission and Training Activities, dated June 2020. The APA recognizes and supports the U.S. Army's critical mission to provide effective training. Staff appreciates that the Army has taken the necessary first steps in evaluating the potential impacts associated with the proposed training activities. The scope and detail of the analysis at the programmatic level however does not appear to be sufficient to support a finding of no significant impact given the complexity and sensitivity of the Action Area and the Adirondack Park in particular. The proposed tiered assessment process appears to segment decision making inappropriately and Agency staff urges the Army to prepare an Environmental Impact Statement (EIS). Agency staff has a long history of working effectively with the NYANG in the process of modifying the MTRs and MOAs in the Adirondack Airspace and we recommend that a similar stakeholder process be employed here given the significance of the proposed action.

General

The Agency may have jurisdiction over some of the activity identified in the PEA and should therefore be consulted in the environmental review process. Similar to the other State agencies and municipalities listed in Appendix A-1 outlining the Fort Drum PEA

Coordination and Consultation Mailing, the APA should be cited and consulted during the course of your planning and environmental review.

The proposed Nine County Action Area includes portions of four counties and the entirety of two counties within the Adirondack Park (Park). The Agency administers three laws including the APA Act, NYS Wetlands Act (inside the Park), and the Wild, Scenic and Recreational Rivers Act on private lands within the Adirondack Park. The Agency administers the State Wetland Act within the Park and should be consulted regarding any activity that may involve regulated wetlands. The APA is also responsible to review jurisdictional new land use and development on both public and private lands within the Park. Finally, the Agency has the responsibility to administer the Adirondack Park State Land Master Plan (APSLMP) that both classifies State lands and provides guidelines and criteria for their management in consultation with the DEC, see below.

The Agency has had a long history of working with the NYANG on the past modifications to the MOAs and MTRs over the Park. The process was productive and open in working through the issues related to the management of the Adirondack Park, a park of local, national and international significance. Agency staff recommend that this process of a wider involvement of stakeholder groups through an EIS process will result in a better understanding of the importance of the training activities as well as the impacts that may be planned for and mitigated across the proposed Action Area.

Tiered Environmental Review and EIS

Agency staff believes that the information provided in the PEA is insufficient and that greater detail is required to understand the proposal and to accurately evaluate the potential resource impacts associated with it. The proposal poses a greater significance of environmental impact than identified and a FONSI does not appear appropriate at this time. Agency staff believes that a full EIS is warranted and that greater opportunity for public involvement should be provided. Given that the use of public lands has been identified as a priority and that there is a strong public interest in the management of State lands in the Park, broader stakeholder involvement is considered appropriate. Scoping and a more detailed description of the proposed action as part of a full EIS will also help to support the necessary findings to be made for an eventual training program. The use of a tiered analysis as part of an initial environmental assessment appears to segment the decision making inappropriately and staff do not believe it should be employed here.

Timing and Duration of Training Activity

Agency staff believe more detail is needed to support the determination that potential duration of training activity on public land can be considered minor and short term. The PEA identifies in Alternative 1 up to 6 events per year lasting a total of 21 days each and totaling potentially 126 days per year. The PEA also indicates that it intends to prioritize the use of public lands and to avoid impacts to wildlife and recreational uses by avoiding key sensitive wildlife periods like migration and nesting and peak recreational periods such as fishing, hunting and boating. A program of repeated training of this nature, year after year with coordinated air and motor vehicle support and with the temporary development of encampments ranging in size between 5 and 10 acres has the potential to create longer term impacts to overall management of State lands in the Park. Agency staff believe more detail is required in assessing the cumulative impact of the training program of this type over a longer time period than a year. Staff also believes that the potential increases in levels of aircraft activity associated with this new proposal in the LFA, MOAs and MTRs should be more clearly described and assessed. Finally, the environmental analysis should describe in greater detail how the mitigation strategy of avoiding impacts to wildlife and various recreational uses, including wintertime uses, will fit with a schedule of potentially 126 days in a given year.

Potential impacts on State lands

The programmatic assessment does not identify the two-tiered structure established by the legislature for the management of State lands in the Adirondack Park or for the APA's responsibility for the long-term planning and policy for the State lands, in consultation with the DEC. The Adirondack Park State Land Master Plan (APSLMP) administered by the Agency establishes the classification of the State lands and provides guidelines and criteria for their management.

The two largest categories of land classification in the Park are the areas managed as Wilderness (approximately 1.2 million acres) and Wild Forest (approximately 1.3 million acres). In general, the Wilderness definition in the APSLMP is identical to the Federal Wilderness definition and the State's management of these areas is very similar. The areas are managed to achieve and perpetuate a natural plant and animal community and they possess outstanding opportunities for solitude, and primitive and unconfined types of recreation. The public use of motor vehicles is not permitted and administrative use of motorized equipment and aircraft may only occur on a very limited basis.

Designated Wild Forest areas permit a somewhat higher degree of human use than in wilderness while retaining an essentially wild character. These areas frequently lack the

sense of remoteness of wilderness areas and they permit a wide variety of outdoor recreation including limited public motor vehicle use. Many of the larger Wild Forest areas have interior portions that do maintain a sense of remoteness and provide for unconfined primitive recreation similar to the Wilderness areas.

All State lands in the Park are protected and managed for the sensitive biological and ecological resources they contain. As a general principle of the APSLMP, the protection and preservation of the natural resources of the state lands within the Park must be paramount. Human use and enjoyment 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 principle is a very high standard and should be considered when evaluating alternatives across the entire Action Area, when considering mitigation strategies and when making determinations of significance of an impact.

Agency staff recommend that the PEA be more specific about the various designations of State lands in the Park and clearly identify the sensitive resources and uses that should be avoided within these areas, in consultation with both the DEC and APA. This can serve as a first step in evaluating whether the use of these areas is appropriate when weighed against the alternatives across the entire proposed Action Area. Without greater detail at the programmatic assessment level, it is difficult to evaluate how the Forest Preserve lands inside the Blueline are to both be prioritized for use and avoided, and to determine by what criteria the use, if any, of public lands is to be undertaken. Reviewing this as part of a more detailed EIS is recommended due to the complexity of the resource protection concerns and the strong public interest in the management of State lands.

Cultural Resources

The PEA states that “most of the registered historic places are located in cities and villages.” The programmatic assessment does not mention or consider the nearly 2.6 million acres of designated Forest Preserve listed on the National Register of Historic Places as the Adirondack Forest Preserve National Historic Landmark, listed on October 15, 1966, Reference No. 6600891. The Cultural Resources section of the PEA states that historic resources will be avoided. Without greater detail at the programmatic assessment level, it is difficult to evaluate how the Forest Preserve lands inside the Park are to both be prioritized for use and avoided and, to determine by what criteria the use, if any of public lands is to be undertaken.

Potential Noise Impacts

The potential impact due to noise is a significant consideration in the Adirondack Park both for the public lands and for the residents and visitors to the Park in the Hamlet areas and private camps along the shorelines of the Park. The proposed ground training activities with coordinated air support is a distinctly different type of impact that will be added to the existing impacts related to the F-16 and F-35 training in the established MTRs and MOAs.

The fixed-wing training that has occurred in the established MTRs and MOAs this year have resulted in a number of camp owners, environmental advocacy groups, recreationists and residents calling the Agency expressing concerns about the perceived increase in training activity. Agency staff directed the callers to contact the NYANG's 800 phone number to ask questions or to lodge a complaint if they desired. Though anecdotal, Agency staff have not received this number of inquiries in recent memory. This is mentioned to recognize that there may already exist a significant level of concern with the existing noise associated with the established Airspace usage over the Park. Adding additional activity may result in the cumulative impact of the Fixed-wing and the activities associated with the new proposal reaching a level of annoyance.

Agency staff believe the addition of new noise sources for the duration of the coordinated exercises as described in the PEA may cause more sustained and greater noise impacts beyond the startle effects, temporary displacement and habituation as identified in the draft PEA. Staff note that the assessment methodology employed is dated 1974 and the literature citations used for supporting the conclusions made about potential wildlife impacts are greater than 20 years old. In particular, the noise analysis appears to use an established background, ambient noise level of approximately 60 dBA which may be appropriate for a suburban setting. When considering potential impacts to wildland settings it appears it is more relevant to consider a lower ambient level between 20 dBA to 30 dBA. Extensive and more recent research is now available and methods of analysis as employed by the National Park Services Soundscape Program are examples of the level of detail that should be used in assessing the potential impacts of noise to wildlife and recreationists seeking an opportunity for solitude in the Wilderness and Wild Forest areas of the Adirondacks.

The environmental impact analysis should be more specific when identifying sensitive resources, evaluating alternatives and when discussing mitigation strategies such as temporal avoidance and physical buffering. This analysis should be focused on both an ecological and human experience perspective, particularly in relation to the designated Wilderness and Wild Forest areas.

Cumulative Impacts

The PEA considers the two training exercises that occur within the proposed Action Area including (1) Jaded Thunder – Per Fort Drum, Special Operations exercise that only occurs when the CAB is deployed and includes fixed wing aircraft, and (2) National Guard Bureau – Camp Ethan Allen Exercise. Agency staff believes cumulative impacts should not be reviewed within the context of only the two exercises discussed in the PEA. The Army should also consider the current training proposal as additional impacts to the already established impacts associated with the training exercises occurring in the MTRs, MOAs and LFAs over the Park today.

We would like to reiterate that the Agency understands and supports the Army's essential training mission as described in the PEA. Agency staff do believe that the information provided in the PEA is insufficient to support a finding of no significant impact and that given the sensitivity and complexity of land uses in the Action Area and in particular the Adirondack Park, the evaluation of the proposal in a more detailed EIS is more appropriate. The Agency has in the past worked closely with the NYANG in the planning and environmental review of changes to the Adirondack Airspace for training purposes. Staff believes the model employed for that work should be undertaken here for this important training program. Again, thank you for the opportunity to provide comment. Agency staff are available and interested in assisting the U.S. Army as it prepares its important training program in the Adirondack Park and the North Country.

Sincerely,

/s/Richard E. Weber

Richard E. Weber
Deputy Director - Planning

REW:ap

cc. John Ernst, APA State Land Committee Chair
Terry Martino, Executive Director, APA
Randall Young, Region 6 Director, DEC
Joseph Zalewski, Region 5 Director, DEC
Robert Davies, Director of Lands and Forests, DEC
Karyn Richards, Forest Preserve Coordinator

