



December 23, 2016

Via email to ClassificationComments@apa.ny.gov

Kathleen D. Regan
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Dear Ms. Regan,

Thank you and the Adirondack Park Agency (APA) for the opportunity to comment on the Draft Supplemental Environmental Impact Statement (DSEIS) for the amendment to the Adirondack Park State Land Master Plan (SLMP) to classify various tracts in the Park, including the Boreas Ponds, Casey Brook, and MacIntyre East and West tracts. Please accept these comments on behalf of Riverkeeper, Inc.

As you know, the Adirondack Park was created in 1892 by the State of New York in large part to preserve the quality and quantity of water naturally provided and filtered by the mountains' forests, streams and wetlands. This natural infrastructure has value exceeding our ability to calculate it, and each generation faces the task of renewing and advancing protection in the region, in order to provide for enjoyment of the largest publicly protected area in the contiguous United States, and for the benefits its preservation provide downstream.

As the DSEIS notes, in fulfilling its mandate to classify State lands, “the *protection and preservation of the natural resources of the State lands within the Park must be paramount*. Human use and enjoyment of those lands 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.” Human use should be permitted and encouraged, only to the degree that the lands can sustain that use without being degraded, and the determination should be made based on the basis of a detailed scientific assessment. The correct classification will ensure that the Department of Environmental Conservation’s Unit Management Plan process considers the right uses.



Several of the largest tracts considered by the DSEIS are important parts of the headwaters of the Hudson River, which begins on New York State's tallest peak, Mt. Marcy, and flows 315 miles to New York Harbor. Much of Riverkeeper's work for 50 years has focused on restoring water quality and habitat to lower stretches of the Hudson River and its watershed. Preserving the upper Hudson watershed is necessary to fulfill our mission to protect and restore the Hudson River and its tributaries, and to protect the drinking water supply for millions of New Yorkers. That mission is supported by constituents that now number more than 50,000. Because these tracts include Hudson River headwaters, they should be considered for the most robust available protections. The public deserves ample information on which to base comments as the APA makes its decisions. Unfortunately, the DSEIS provides insufficient information on which to make an informed decision in too many cases. We urge the APA to reject the proposed Boreas Ponds and MacIntyre East tract classification alternatives, and detail new alternatives that include more expansive Wilderness designations so as to provide the highest possible protections.

MACINTYRE WEST

While, as noted earlier, the DSEIS provides too little information about the environmental attributes of the MacIntyre West tract, Riverkeeper supports the designation of all but three acres of this 7,368-acre tract as Wilderness. Its adjacency to existing High Peaks Wilderness, and the Hudson River Watershed waterways found there, including Beaver Brook and Newcomb River tributaries, makes this designation appropriate.

MACINTYRE EAST

Of nearly 6,060 acres in the MacIntyre East Tract, the APA proposes classifying nearly 4,447 acres adjacent to the High Peaks Wilderness as Wilderness, eight as Primitive and 1,605 acres as Wild Forest. The APA expresses its preferred alternative as follows:

Staff considered an alternative which involved classifying sections of the tract south of LeClaire Brook as Wilderness or Primitive to emphasize the significant wetlands. Staff determined that this area does not provide a sense of remoteness or degree of wildness associated with these classification categories due to the proximity of County Route 25, the Saratoga & North Creek Railway and uses of nearby private lands, including those classified as Industrial Use.

The significant wetlands identified are associated with the Hudson River and its important High Peaks tributary, the Opalescent River. The delineation of Wild Forest from Wilderness areas



isn't justified by the information provided in the DSEIS, and the delineation could put the LeClaire Brook, an Upper Hudson headwaters tributary, at risk of degradation unnecessarily.

Given staff's assessment that the "significant" wetlands merit protection, other alternatives should be considered, including designation of the entire tract as Wilderness, and delineating the boundary of Wilderness and Wild Forest according to a watershed boundary, rather than a stream course boundary at the LeClaire Brook.

BOREAS PONDS AND CASEY BROOK TRACTS

The Boreas Ponds and Casey Brook tracts are adjacent to the High Peaks and Dix Mountain Wilderness Areas. They include important headwaters of the Boreas River, an exceptional Hudson River tributary, flowing from a unique high elevation wetland, Marcy Swamp, that also feeds the Ausable River. The DSEIS recognizes this wetland complex as being "headwaters of two major Adirondack watersheds, the Ausable River and the Upper Hudson" and that the "wetland complex accepts, holds and treats runoff from several Adirondack High Peaks, including portions of Allen, Skylight, Redfield, and Marcy." Tributaries to the Boreas River in the tract include but are not limited to Andrew, Brant, Leclair, Snyder and White Lily brooks. Surveys show the tract to be biologically rich, and free of invasive species of fish or plants. The tract also includes portions of The Branch, part of the Schroon River watershed, which is itself part of the Upper Hudson watershed. Much of the 1,800 acres of wetlands on the Boreas Ponds tract are "Value 1" wetlands, recognized under Part 578.5 of the Agency's Rules and Regulations for their importance to providing wildlife habitat, preserving water quality, and mitigating flood impacts downstream.

Despite these values, the DSEIS contemplates no alternative that would restrict motorized vehicle access to all wetlands on the tract. Vehicular use can damage riparian areas, causing erosion and degrading water quality, and provide a pathway for introducing invasive species, among other concerns. The preferred alternative is not justified by the information provided. As such, the Adirondack Park Agency should reject all four Alternatives for the Boreas Ponds classification, and consider them only along with new alternatives that provide for enhanced protections of the uniquely valuable rivers, brooks and wetlands on the Boreas Ponds Tract. New alternatives for consideration should include:

- **Wilderness designation.** Given their adjacency to existing High Peaks Wilderness, the entirety of the tracts should be considered for a Wilderness Classification (and Primitive only where existing nonconforming uses prevent a Wilderness Classification).



- **Wild River designation.** The Boreas Ponds tracts classification should also contemplate the designation of the Boreas River as a Wild River. Another 11.5-mile section of the Boreas is already designated as a Scenic River, and the Hudson River between the confluence of the Boreas River and Cedar Brook is designated as a Wild River. The dams on the Boreas River in this tract should be considered for removal to restore ecological functions, including the free migration of native fish.
- **Wilderness delineation.** Any delineation of Wilderness from Wild Forest should carefully consider watershed protection. Delineating Wilderness from Wild Forest at watercourse boundaries could put those waterways at risk of degradation. Alternatives that preserve watersheds and watercourse boundaries wholly within Wilderness tracts should be considered.
- **Expanded High Peaks Wilderness.** In addition to alternatives described here for each tract, an alternative should be considered that contemplates a bold and impactful proposal to expand the High Peaks Wilderness through the designation of all tracts referenced here as Wilderness: the Boreas Ponds, Casey Brook, and MacIntyre East and West tracts, as well as the Dix Mountain Wilderness. At more than 280,000 acres, this Wilderness would rival the scale of Rocky Mountain National Park and Mt Rainier National Park, and would be double the size of Zion National Park. It would mark a truly exceptional conservation achievement for the Adirondacks and the Hudson River, two of New York State's most cherished natural features.

We appreciate the opportunity to offer these comments. Thank you.

Sincerely,

Water Quality Program Director