



## Adirondack Park Agency

**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

**DRAFT MINUTES**  
State Land Committee  
January 12, 2017  
Agency Meeting  
KF:KDR:mp

### **State Land Committee January 12, 2017**

The State Land Committee convened at 12:55 pm.

#### **State Land Committee Members Present:**

Karen Feldman, Chair, Chad Dawson, Arthur Lussi, William Thomas and Robert Stegemann (DEC)

#### **Other Members and Designees Present:**

Sherman Craig, Chairman, John Ernst, Daniel Wilt, Sandi Allen (DOS) and Bradley Austin (DED)

#### **Local Government Review Board:**

Frederick Monroe, Executive Director

#### **Agency Staff Present:**

Terry Martino, James Townsend, Kathy Regan, Kevin Prickett, Matt McNamara, Mary Palmer

#### **Approval of November 2016 Draft Minutes**

By motion of Dr. Dawson, seconded by Mr. Stegemann, the November minutes were unanimously approved.

#### **Planning Division Report**

Ms. Regan gave an overview of the 2016-17 Classification Package. She said that 1,215 people registered for the public hearings, 462 people spoke and at three minutes a person totaled over twenty three hours of audio recordings. Ms. Regan thanked all those who took time out of their busy schedules to attend the hearings.

Ms. Regan said the comment period ran from October 14 through December 30, 2016 and the Agency received four different petitions and over 11,000 letters, emails and faxes. She added that it is taking some time to process all the comments. Ms. Regan said staff from multiple divisions helped and she thanked them.

Ms. Regan said the record of public comment will become available on the Agency website later next week.

Ms. Regan said Jon DeSantis (DEC) will present a UMP amendment for the Moose River Plains Wild Forest, last seen by the Board in June 2016. She said the amendment is the development of a comprehensive Mountain Bicycling plan which was developed in coordination with International Mountain Bike Association (IMBA) and was released by the Department in 2016 for public comment ending on July 8, 2016.

Ms. Regan said this amendment is for Board action to give staff authorization to proceed with a four-week public comment period.

Ms. Regan said other agenda items include a presentation by Kevin Prickett regarding the American with Disability Act and Inclusive Outdoor Recreation given by Carole Fraser (DEC) who is the Universal Access Coordinator for the Department. She said Carole has been involved with improving access for people with disabilities on State lands since 2001.

Ms. Regan said there will be a presentation on a proposed Map Amendment for the Town of Essex which is on the agenda for action requesting Board acceptance of the DSEIS.

### **Moose River Plains WF UMP Amendment**

Mr. DeSantis gave an overview of the UMP amendment and the proposed management actions. He said the goals of the amendment are to enhance the mountain biking trails by creating a single track system, improve parking and access, and provide additional recreational opportunities for people with disabilities.

Mr. DeSantis said they are currently in the process of developing mountain bike trail guidelines.

Dr. Dawson asked what is different about a single-track trail and if they can be used for other recreational purposes. Mr. DeSantis said single-track trails are designed for mountain biking, the trails are eighteen to twenty-four inch trail tread that works with the terrain. He said other uses could be hiking and cross country skiing in the winter.

Mr. Lussi said roads offer a different mountain biking experience than the single track trails. He said the single track is uniquely created and not always good for cross country skiing.

Mr. DeSantis said when trails are built they incorporate the landscape. There will be other uses allowed on them but they are designed for mountain bike use.

Mr. Craig asked if the current trails are maintained. Mr. DeSantis said many of them do need a lot of maintenance and that is part of the proposal for this amendment.

Mr. DeSantis said the work will be done in two phases: Phase I will re-route existing trails and address maintenance issues; Phase 2 will construct twenty three miles of new single-track trails, nine miles will be designed for beginner use and fourteen will be designed for intermediate use.

Mr. Thomas asked how they would combine the single-track trails with biking and hiking, especially when hikers have dogs. Mr. DeSantis said bikers would have to yield to hikers, dogs would have to be kept on leashes, and it would be clearly stated on the kiosks and trail heads.

Mr. Lussi said that combining uses does not seem compatible. These trails should only be used for biking and there should be alternatives for hikers. He said most biking trails do not lead to a mountain top, and most hiking trails have a destination.

Mr. Ernst asked if the single-track trails are made for seasonality. Mr. Lussi added that a lot of trails have signage saying not to mountain bike during a certain time period. Mr. DeSantis said it is well drained sandy loam soil and signage may be used during mud season if the trail needs to be closed.

Dr. Dawson said these are great projects but now is the time to get the draft guidelines worked out and it is important to expand them for other units in the Wild Forest category. He said the guidelines should be worked out first rather than designing trails unit by unit.

Mr. Craig asked if there is a group of people working on this guidance. Ms. Regan said there is. It has been going on for a while but has not been finished yet. That group has reviewed this UMP and these trails follow the draft guidance.

Ms. Feldman asked if there is an estimated time table for completion of Phase 1 and Phase 2. Mr. DeSantis said they would like to start Phase 1 this summer and do not know when Phase 2 will start.

Mr. DeSantis said the public comments received were mostly positive. Some comments did address cross country ski use. The Department's response is that cross country ski use will be allowed, but that use will be considered secondary. There were also some concerns over environmental impacts. The soils of the area are well drained and with properly designed and maintained trails, erosion will be minimized.

Dr. Dawson asked what the timeline for the public comment period would be. Ms. Regan said it would run for four weeks and possibly bring it back to the Board at the March or April Agency meeting.

Ms. Feldman asked for a motion to proceed to Public Comment on conformance with the State Land Master Plan.

By motion of Dr. Dawson, seconded by Mr. Stegemann, all were in favor.

### **Overview of the Americans With Disabilities Act**

Kevin Prickett gave a presentation (attached) of the Americans with Disabilities Act.

Mr. Craig asked if these guidelines are the minimum requirement in order to meet certain legal standards with no obligation to go beyond the minimum. Mr. Prickett said yes they are the minimum.

### **Inclusive Outdoor Recreation Presentation**

Carole Fraser gave a presentation (attached) on the background of the ADA and why it was established.

Ms. Feldman asked if there were trails designated for ADA only. Ms. Fraser said no, they do not restrict an accessible trail.

Ms. Fraser said that a lawsuit was filed accusing the state of being non-compliant with the ADA, seeking motorized access to the Forest Preserve, it never went to court. Staff at the Department got together asking if they could do a better job of providing access to the Forest Preserve, and agreed to spend \$4.8M over a five year period on 185 capital projects.

Ms. Fraser said they created an Advisory Committee which consists of people with various disabilities which is central to the program success. They also assigned Statewide and Regional Access Coordinators, and provide training to DEC and APA staff, as well as licensed guides and vendors.

Ms. Fraser said they have also developed outreach and education materials, and provide for access to programs in all future planning documents, such as UMPs.

Ms. Fraser said self-evaluation and transition planning is another requirement under the ADA. This means that we review what we have to determine if it is ADA compliant or not, and what the transition plan is to make things more accessible.

Ms. Fraser said they have a vendor at Camp Santanoni that provides wagon rides to people, and those with a disability are allowed to ride for free. The vendor sends the bill for those riders to the State, and the vendor is reimbursed by the State.

Ms. Fraser said another program is the Motorized Access Program for People with Disabilities – Commissioner's Policy #3 (CP-3). This is a temporary revocable permit that provides motor vehicle access to certain state lands administered and designated by DEC. The permit holders are permitted motorized access to activities such as hunting, fishing, camping and wildlife observation and is only issued to qualified people with disabilities.

Mr. Craig asked if those who self-designate a mobility issue are allowed to ride for free, or does there have to be something obvious such as a wheelchair. Ms. Fraser said the ADA does not allow us to require a person with a disability to show proof of the disability. It is different for permits with the CP-3 program which is motorized access, that does require a doctor's certification.

Dr. Dawson asked if a CP-3 person is allowed to have companions along who are also on motorized vehicles. Ms. Fraser said they are. She added that if it is a two seater they have to use one vehicle, and if it is a one seater, such as an ATV, they are allowed to follow behind. Ms. Fraser reminded the Board that not all routes are open to ATVs.

Dr. Dawson asked how many of the 185 projects have been fulfilled. Ms. Fraser said in the seven years all of them have been fulfilled, and the Department has continued to improve additional sites. She added that they try to make every facility accessible, but are not always able to so.

Ms. Fraser said they encourage designers to plan for more than the minimum requirements, which is called "Universal Design." These accessible features benefit not only people with disabilities but also families with small children and older adults. It offers more opportunities for outdoor recreation to more people.

### **Old Business**

None

### **New Business**

Dr. Dawson said we hear a lot about biking and Hut to Hut. These are successful programs and worthy of creating a Committee or having discussions on how to do this given the classifications of state land.

Ms. Feldman agreed and said that with the discussion on bike trails today there is reason to have a park-wide plan that strategically fits in for UMPs rather than looking at them each individually. She pointed out there is exciting potential and we should be ready to start some discussions.

Mr. Craig said between State Land and Park Policy we should be able to come up with a task force to look clearly at those issues, and a good discussion for a larger group.

Mr. Stegemann said this is also an ADA discussion because a lot of the locations for these huts have State Land Master Plan implications and how we manage around that.

Ms. Allen said when we talk about Hut to Hut we think of being out in the wilderness and we should also think about walkways connecting to Hamlet areas to give people more opportunities.

Karen Feldman, Committee Chair, adjourned the meeting at 2:55 pm.