

**Exhibit 5.**

Site Soils and Erosion Potential Data Table

Mapping Unit Symbol	Soil Series	Slope (%)	Drainage <sup>1</sup>	Hydric Rating <sup>2</sup>	Hydric Soils <sup>3</sup>	Depth to Bedrock (in)	Erosion Potential <sup>4</sup>	Learning Area	Gondola Building	Goat Path	Lift 7	Skier Bridge	Nordic Loop	Admin Building	Reservoir	Longhouse Lodge Expansion	Trail Widening at Deer Run and Cayuga	Prefabricated Restrooms
ARF	Arnot-Oquaga Rock outcrop complex, very steep	35-70	SED	No	No	0-20	Severe	No	No	Yes	Yes	No	No	No	No	No	Yes	No
CF	Cut and fill land	0-8	SED	No	Yes	--	Slight	No	No	No	Yes	Yes	No	Yes	No	Yes	No	No
LCD	Lackawanna and Swartswood soils, moderately steep, very boulder	15-25	WD	No	No	17-20	Severe	No	No	No	Yes	No	Yes	Yes	No	No	No	No
LCF	Lackawanna and Swartswood soils, very steep, very boulder	35-70	WD	No	No	17-20	Severe	No	No	No	Yes	No	Yes	No	No	No	No	No
ORD	Oquaga-Arnot-Rock outcrop complex, moderately steep	15-70	WD	No	No	0-20	Severe	Yes	Yes	No	Yes	No	No	No	No	No	No	Yes
VAB	Valois very boulder soils, gently sloping	3-8	WD	No	No	--	Moderate	No	No	No	No	No	Yes	No	No	No	No	No
WLB	Wellsboro and Wurtsboro soils, gently sloping, very bouldery	3-8	MWD	No	No	14-17	Severe	No	No	No	No	No	Yes	No	Yes	No	No	No

<sup>1</sup> Soil drainage is represented by the following abbreviations: “SED” = somewhat excessively drained, “WD” = well drained, “MWD” = moderately well drained.

<sup>2</sup> ‘Yes’ indicates that this soil series is listed as containing 66% or more hydric components within the map unit as listed on the USDA Web Soil Survey. ‘No’ indicates that this soil series is listed as containing between 1% and 65% hydric components as listed on the USDA Web Soil Survey.

<sup>3</sup> Map units are composed of one or more component soil types, each of which is individually rated as hydric or not hydric. ‘Yes’ indicates that a specific soil series contains components that are individually classified as hydric. ‘No’ indicates that all individual components within the soil series are classified as non-hydric.

<sup>4</sup> The relative potential erosion hazard for the map unit when used as a site for forest roads and trails, expressed as the rating class for the dominant component in the map unit, based on composition percentage of each map unit component.

## **Exhibit 6.**

Wetland Memorandum and Associated Figures



## Memorandum

To: New York State Olympic Regional Development Authority  
From: Environmental Design & Research, D.P.C.  
Date: February 24, 2023  
Reference: Belleayre Mountain Ski Center - Wetland and Water Resource Delineations  
EDR Project No: 21071

### Introduction

On behalf of the New York State Olympic Regional Development Authority (ORDA or the Client), Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) prepared this Wetland and Water Resource Delineation Memorandum for the proposed improvements to the Belleayre Mountain Ski Center in the Town of Shandaken, Ulster County, New York (the Project). This Delineation Memorandum was prepared to support the 2021 Amendment to the original 2015 Unit Management Plan in order to achieve greater operational efficiencies and meet the needs of additional user demands.

EDR conducted wetland delineations on May 12 and September 8, 2021, within a 12.8-acre area which included the previously proposed Nordic loop, proposed skier bridge, proposed electric vehicle charging stations, proposed Lift 7 realignment, admin building renovations, and proposed learning area (the Field Screening Study Area; see attached figure).

Following the on-site delineations, ORDA proposed several revisions to the Project layout, which include a new Longhouse Lodge expansion, snowmaking reservoir, prefabricated restroom, trail widening for Deer Run/Cayuga trails, and re-siting of the previously proposed Nordic loop. Due to these changes, and the inability to conduct wetland delineations within the footprint of the new proposed actions, a desktop wetland and stream screening was completed. The scope of the desktop wetland and stream screening included all newly proposed actions, and the footprint of the re-sited Nordic loop (the Desktop Screening Study Area; see attached figure).

The purpose of this memorandum is to summarize the results of wetland and stream delineations/approximations conducted within and adjacent to the Field and Desktop Screening Study Areas. This memorandum describes the likely environmental review and potential permitting implications associated with improvements to the proposed Project in the vicinity of the wetlands and water resources identified.

## **Methodology**

### **On-Site Delineations**

The identification of wetland boundaries was based on the methodology described in the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). Determination of wetland boundaries was also guided by the methodologies presented in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0* (USACE, 2012) and *New York State Freshwater Wetland Delineation Manual* (NYSDEC, 1995). Attention was given to the identification of potential hydrologic connections between wetlands and areas that could influence their jurisdictional status.

Wetland boundaries were defined in the field with sequentially numbered pink surveyor's flagging and mapped using a GPS unit with reported sub-meter accuracy. Data were collected from sample plots in representative wetland cover types and recorded on USACE Routine Wetland Determination forms. The data collected at each delineated wetland included dominant vegetation, hydrology indicators, and soil characteristics.

Streams were identified according to the Cowardin Classification System (1979), and stream boundaries were determined based on the presence of ordinary high water line characteristics, including a "*clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris*" (CFR, 1986). Stream boundaries were defined and mapped in the field using the same method as described above for wetlands. Stream flow regime (i.e., perennial, intermittent, or ephemeral) was determined through evaluation of hydrologic, geomorphic, and biological characteristics (NC DWQ, 2010).

Data regarding stream gradient (gentle, moderate, or steep), stream bank and channel width, water depth, stream bed substrate, in-stream cover, and biological indicators were collected and recorded on stream inventory forms.

### Desktop Wetland and Stream Screening

The location and approximate extent of approximated wetlands and streams within the Wetland Screening Study Area were identified through a Geographic Information System (GIS) analysis that utilized the following data sources.

1. U.S. Fish & Wildlife Service (USFWS) National Wetland Inventory (NWI) data (USFWS, 2021).
2. New York State Department of Environmental Conservation (NYSDEC) mapped wetland data (NYSDEC, 2013a).<sup>1</sup>
3. NYSDEC mapped stream data (NYSDEC, 2013b).<sup>2</sup>
4. National Land Cover Database (NLCD) information (USGS, 2019).<sup>2</sup>
5. Soil Survey data (Soil Survey Staff, 2023).<sup>3</sup>
  - Hydric and potentially hydric soils<sup>4</sup> are an indicator of potential wetland locations and were the primary data type utilized during desktop screening.
6. Leaf-on and leaf-off RGB and color infrared orthoimagery (NYSDOP, 2017).<sup>5</sup>
  - Several datasets covering multiple years were utilized.
7. LIDAR-generated contour data (2-foot) for Ulster County (NYSGPO, 2015).<sup>6</sup>

In completing the GIS analysis, the data sources listed above were reviewed and the following criteria were used to identify wetland or stream boundaries.

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<sup>1</sup> Downloaded from the Cornell University Geospatial Information Repository (CUGIR).

<sup>2</sup> Downloaded from the New York State GIS clearinghouse (NYSGIS).

<sup>3</sup> Downloaded from the Middle Hudson (HUC 02020005) and East Branch Delaware (HUC 02040102) subbasin Soil Survey Geographic Database (SSURGO) and Web Soil Survey (WSS)

<sup>4</sup> Hydric soils identified in the SSURGO data are defined as having a hydric rating of 66% or greater

<sup>5</sup> Accessed through the NYSDOP and National Agricultural Imagery Program (NAIP) GIS servers.

<sup>6</sup> Downloaded from the New York State GIS Program Office

- Any location mapped as an NYSDEC or NWI wetland or stream that also coincided with one or more of the other indicative datasets (e.g., hydric soils, orthoimagery signatures, topographic indicators) was considered a wetland or stream.
- Any location not coinciding with a mapped NYSDEC or NWI wetland or stream where two or more of the data sources indicated the presence of a wetland or stream (e.g., aerial imagery stream signatures with matching contours, hydric soils overlapping NLCD wetlands, visual inundation matching depressional topography) was considered a wetland or stream.

Where a wetland or stream was identified using the criteria above, the full spectrum of data sources was utilized to refine and/or develop the approximate boundaries of the feature. Aerial imagery was also utilized to categorize wetlands into one of four community types: Palustrine Emergent (PEM), Palustrine Forested (PFO), Palustrine Scrub-shrub (PSS), and Palustrine Open Water (POW), based on the Cowardin classification system (Cowardin, 1979).

## **Results**

### **Wetlands**

EDR environmental scientists delineated four wetlands within the Field Screening Study Area, totaling 0.3 acre (see attached figure). None of these wetland features intersect mapped state-regulated wetlands or the NYSDEC's 500-foot state-regulated wetland checkzone (NYSDEC, 2021). No wetlands were identified within the Desktop Screening Study Area based on the methods described above.

### **Water Resources**

Within the Field Screening Study Area, EDR identified 9 perennial and intermittent streams totaling 2,400 linear feet, and 5 ephemeral streams totaling 342 linear feet (see attached figure). One of these streams appear to make up portions of an unnamed NYSDEC Class B(T) stream (NYSDEC, 2021). Three additional streams, totaling approximately 317 linear feet were identified within the Desktop Screening Study Area. All three of these approximated streams are located within the boundaries of the proposed Nordic loop trail.

### **Permitting Requirements**

The Project will require approval through the State Environmental Quality Review Act (SEQRA), and the NYSDEC is the anticipated Lead Agency for the Project. Any impacts to jurisdictional wetlands or water resources associated with the construction of this Project will require coordination with and a permit from the appropriate permitting agency.

As indicated above, none of the wetlands identified appear to be located within or adjacent to state-regulated wetlands and are therefore not likely to be jurisdictional under Article 24 of the ECL. One stream delineated within both the Desktop and Field Screening Study Areas appears to make up portions of a state-mapped Class B(T) NYSDEC stream and is therefore anticipated to be subject to stream protection status under Article 15 of the ECL (i.e., streams with a classification of C(T) or higher). On-site wetland delineations within the footprint of newly proposed actions (i.e., the Desktop Screening Study Area) will occur prior to construction. Following the completion of these delineations, the results will be presented as an addendum to this memorandum.

It is anticipated that certain water resources within the Desktop and Field Screening Study Areas may be considered federally jurisdictional. If impacts to these water resources are anticipated to occur as a result of Project construction, applicable permits issued by the USACE will be required in in compliance with Sections 401 and 404 of the Clean Water Act. The installation of impervious surfaces, culverts, collection lines, access roads, or any other activities that could result in temporary or permanent fill in wetlands would be considered jurisdictional impacts.

If permanent Project-related impacts to federally jurisdictional wetlands can be kept under a half-acre, they would generally be covered by a Nationwide Permit (typically Nationwide Permits 12, 14, and/or 51). Obtaining a coverage under a Nationwide Permit could take 4-6 months from the time an application to the New York District Office of the USACE is deemed complete. If unavoidable permanent Project-related impacts to jurisdictional wetlands are in excess of a half-acre, then an individual permit from the USACE would be required which could take 6-12 months.



**References:**

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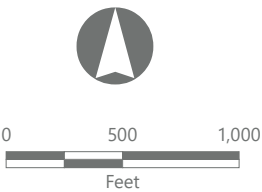


Belleayre Mountain Ski Center

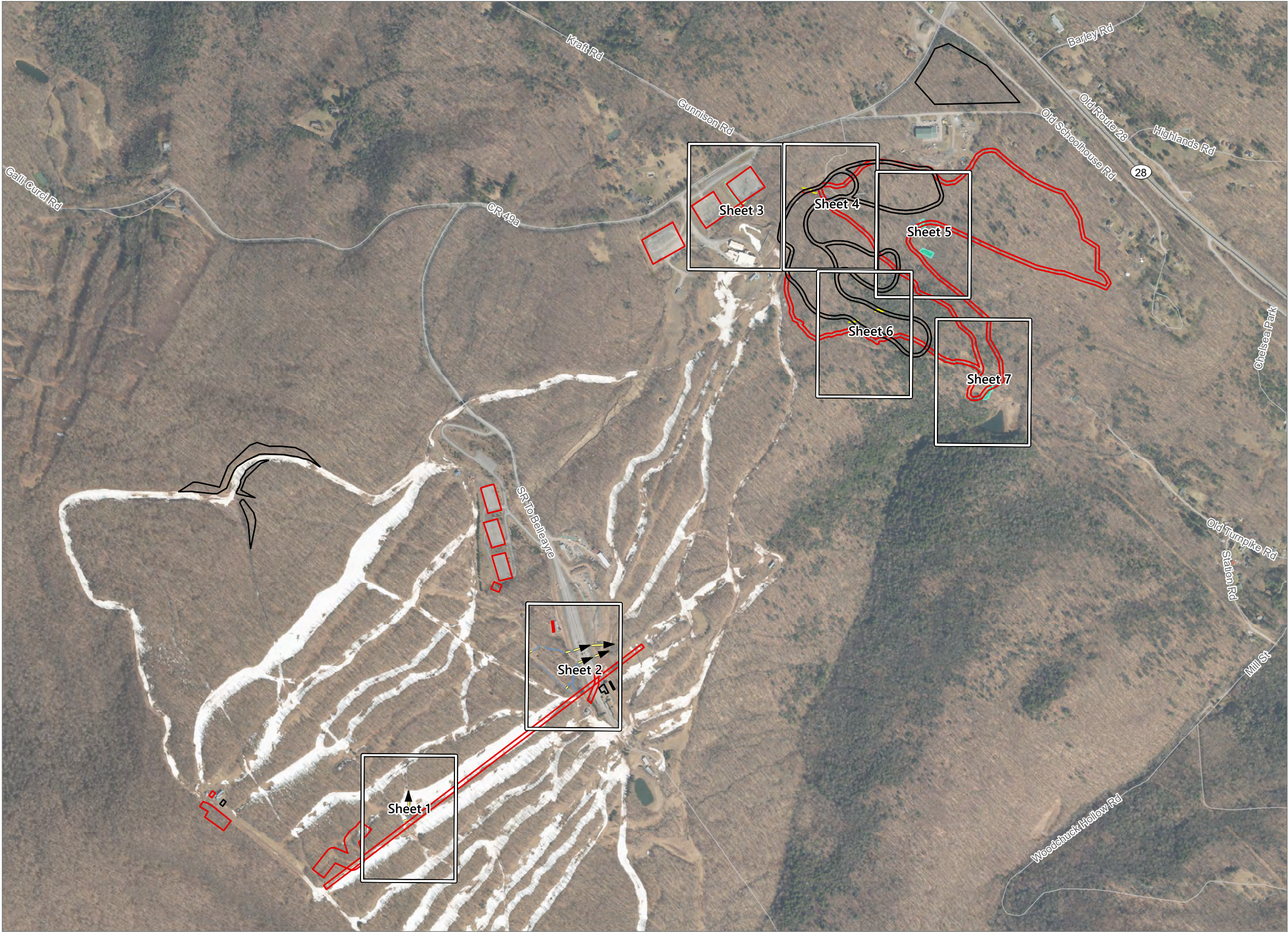
Town of Shandaken, Ulster County,  
New York

Wetland and Water Resource  
Delineation Memorandum

- Culvert
- Approximated Stream
- Delineated Wetland
- Delineated Stream
- Field Screening Study Area
- Desktop Screening Study Area
- Sheet Index



Prepared February 24, 2023  
Basemap: NYSDOP "2021" orthoimagery map service.








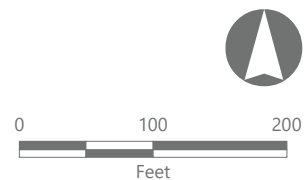


## Belleayre Mountain Ski Center

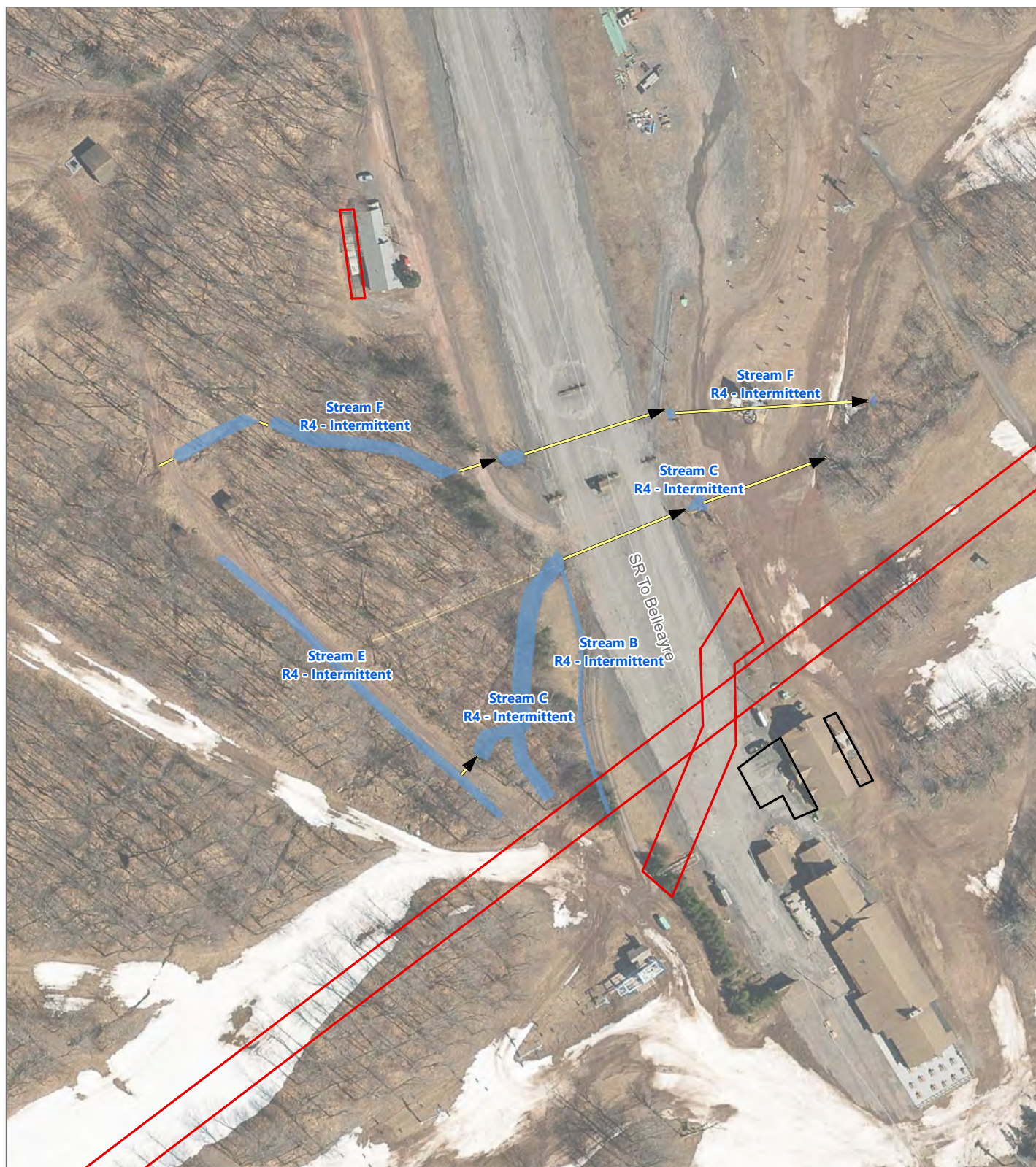
Town of Shandaken, Ulster County, New York

### Wetland and Water Resource Delineation Memorandum

-  Culvert
-  Delineated Stream
-  Field Screening Study Area





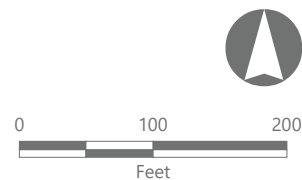


## Belleayre Mountain Ski Center

Town of Shandaken, Ulster County, New York

### Wetland and Water Resource Delineation Memorandum

- Culvert
- Delineated Stream
- Field Screening Study Area
- Desktop Screening Study Area





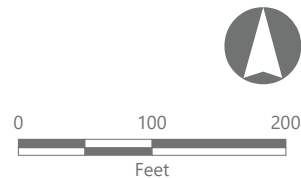


## Belleayre Mountain Ski Center

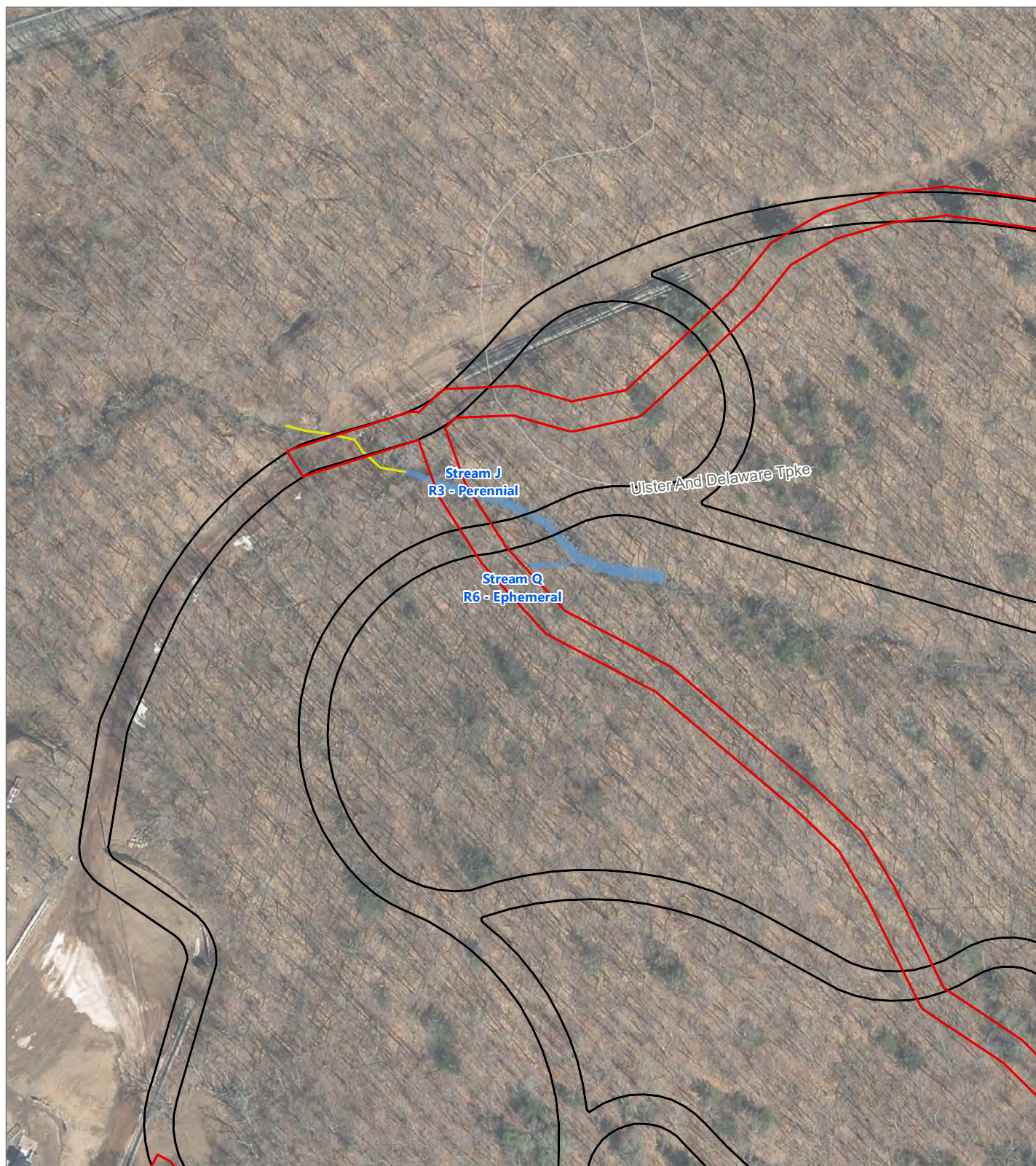
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### Wetland and Water Resource Delineation Memorandum

-  Culvert
-  Delineated Wetland
-  Field Screening Study Area
-  Desktop Screening Study Area





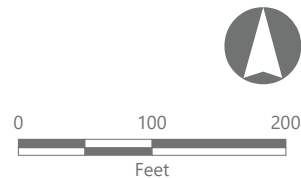


## Belleayre Mountain Ski Center

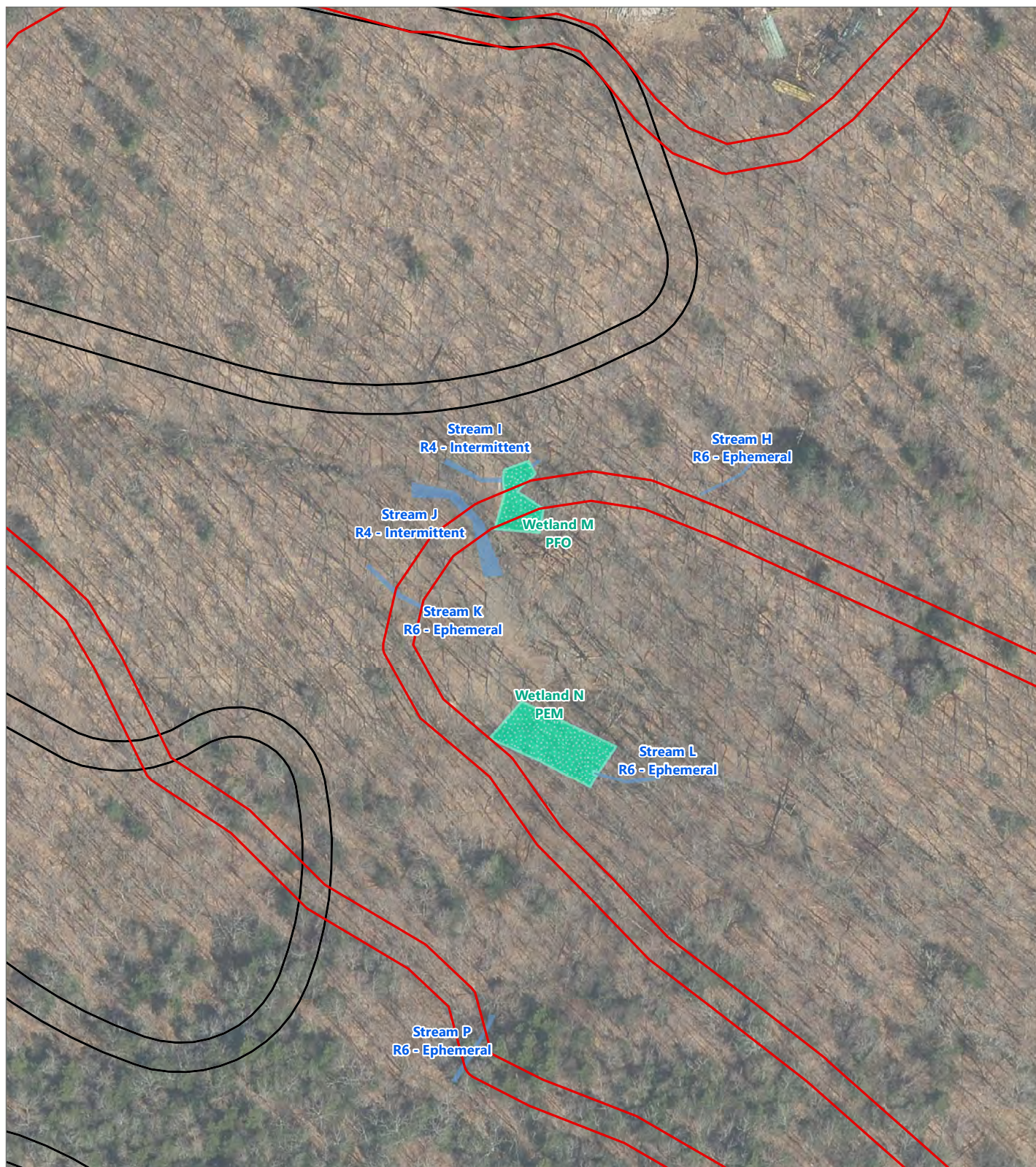
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### Wetland and Water Resource Delineation Memorandum

- Approximated Stream
- Delineated Stream
- Field Screening Study Area
- Desktop Screening Study Area





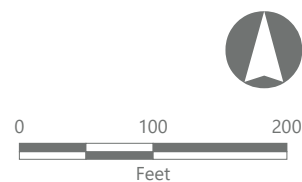


## Belleayre Mountain Ski Center

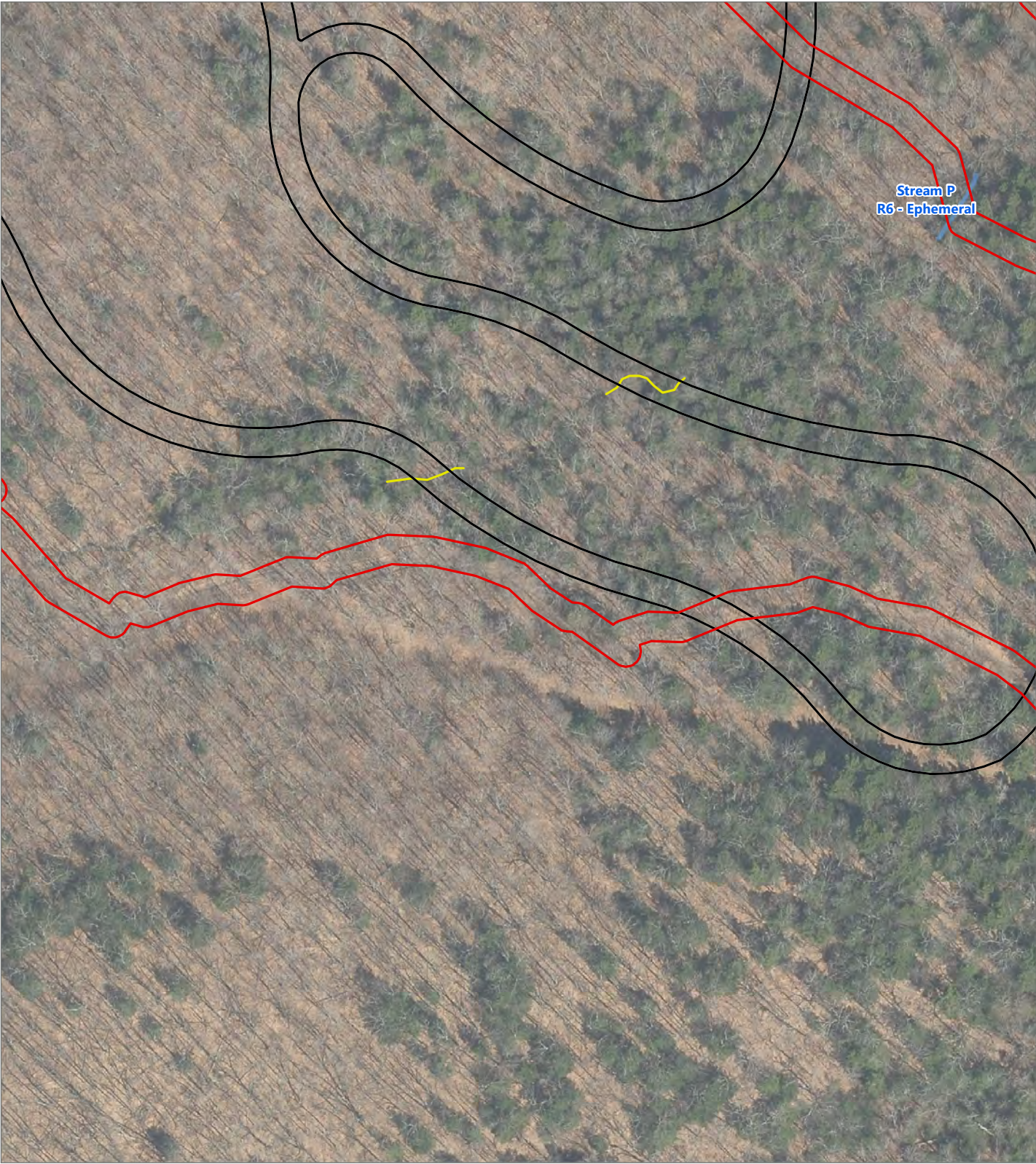
Town of Shandaken, Ulster County, New York

### Wetland and Water Resource Delineation Memorandum

- Delineated Wetland
- Delineated Stream
- Field Screening Study Area
- Desktop Screening Study Area





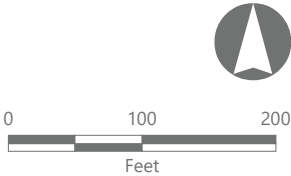


**Belleayre Mountain Ski Center**

Town of Shandaken, Ulster County, New York

**Wetland and Water Resource Delineation  
Memorandum**

- Approximated Stream
- Delineated Stream
- Field Screening Study Area
- Desktop Screening Study Area







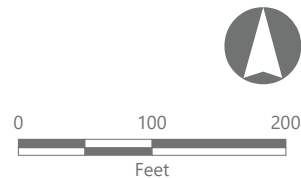


## Belleayre Mountain Ski Center

Town of Shandaken, Ulster County, New York

### Wetland and Water Resource Delineation Memorandum

-  Delineated Wetland
-  Field Screening Study Area
-  Desktop Screening Study Area



**Exhibit 7.**

USFWS Official IPaC Letter





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

September 03, 2021

Consultation Code: 05E1NY00-2021-SLI-4079

Event Code: 05E1NY00-2021-E-12533

Project Name: Belleayre Mountain Ski Center Improvement Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the Services wind

energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

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## Project Summary

Consultation Code: 05E1NY00-2021-SLI-4079

Event Code: Some(05E1NY00-2021-E-12533)

Project Name: Belleayre Mountain Ski Center Improvement Project

Project Type: DEVELOPMENT

Project Description: The proposed project includes the upgrade and improvement of existing infrastructure on approximately 13 acres of land at the Belleayre Mountain Ski Center in Ulster County, New York. Proposed project actions include;

- o replacing and realigning Lift 7 with a skier bridge;
- o altering Alpine and Nordic ski trails;
- o developing hiking and mountain biking trails that serve as interconnectors to the Shandaken Wild Forest;
- o expanding a small section of an existing Administration Building and NYSEF building;
- o adding a connection from parking Lot A to Lot B with a staircase connector;
- o constructing a gondola cabin maintenance building; and
- o constructing a new beginner learning area and associated carpet.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.1278205,-74.51826422359753,14z>



Counties: Ulster County, New York

## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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**Exhibit 8a.**

2023 Revised Visibility Assessment



## Memorandum

**To:** Olympic Regional Development Authority  
**From:** Jessey Horvat and Gordon Perkins, EDR  
**Date:** February 17, 2023  
**Reference:** Belleayre Mountain Ski Center Unit Management Plan Modifications  
**EDR Project No:** 21071

### **BACKGROUND**

In March 2022, Environmental Design & Research, D.P.C. (EDR) conducted a visibility assessment for proposed site improvements to the Belleayre Mountain Ski Center (the Project), located in the Town of Shandaken, Ulster County, New York, proposed by the Olympic Regional Development Authority (ORDA; the Applicant). The majority of proposed actions, such as the installation of electric vehicle (EV) charging stations, expansions to existing buildings, tree clearing for new trails, or construction of a new staircase between parking lots, were relatively minor improvements. Due to their small scale and the extremely localized visibility that would likely result from their construction, it was determined that a viewshed analysis was not required. For improvements that were larger in scale and/or proposed in a prominent location along the ridgeline, including the Lift 7 re-alignment and skier bridge, the Gondola Cabin Maintenance Building, New York Ski Education Foundation (NYSEF) building, viewshed analyses were conducted to determine the geographic extent of potential visibility within the 1-mile VSA. In addition, visually sensitive resources within the VSA were identified and evaluated for potential visibility of these improvements.

It was concluded that visibility of these major improvements was very limited (2.4% of the VSA could have potential views of some portion of the improvements that were assessed, as indicated by the viewshed analysis). Where visibility was predicted, potential impacts would be mitigated by distance from the Project, substantial screening by vegetation, and the presence of existing ski resort infrastructure that would occur in the views resulting in no change to the character of the views. Where views are possible, they would mostly be fleeting in nature due to the small, discrete areas and narrow corridors of visibility predicted in the viewshed analysis results.

## **PROJECT MODIFICATIONS**

Since the submission of the visibility assessment in March 2022, the Applicant has proposed several modifications to the Project. The modifications are summarized in Table 1, and the locations of all currently proposed actions are included in Figure 1.

**Table 1. Summary of Project Changes since March 2022 Visibility Assessment**

<b>Modification Type</b>	<b>Improvement</b>	<b>Description of Improvement</b>
<b>New Proposed Improvement</b>	Queueing Area Improvements	The Applicant is proposing to construct a new loop trail to improve circulation from existing trails around and near the Overlook and Longhouse Lodges. The proposed trail is approximately 0.3 linear miles and designed to have a finished trail width of approximately 60 feet. In order to provide a consistent slope on the trail consistent with its purpose as a connecting route, tree removal and site grading will be required (see Figure 4c in the Unit Management Plan Amendment).
	Longhouse Lodge Expansion	The Applicant is proposing to construct an approximately 4,000 square-foot expansion to the existing Long House Lodge. No design details are currently available for the expansion. However, the Applicant intends for the expansion to be similar to the architectural style, color, and materials of the existing building.
	Widening of Deer Run and Cayuga Trails	The Applicant is proposing to widen the existing Deer Run and Cayuga trails near their intersections in order to provide additional space for skiers to maneuver the sharp bend. The Deer Run trail is proposed to be expanded from approximately 80 feet to 180 feet and the Cayuga trail is proposed to be widened from approximately 80 to 130 at the widest sections of the trails.
<b>Modification or Relocation of Previously Proposed Improvement</b>	Nordic Loop	The Applicant is proposing a new, more compact route for the proposed Nordic trail loop. With the proposed

		realignment, the length of the trail is reduced from 2.5 miles to 1.6 miles.
	Prefabricated Restrooms	The Applicant is proposed to modify the location of the proposed freestanding restroom building from the upper parking lot to the ridgeline near the proposed Gondola Maintenance Building and Lift 8. The building is proposed to be a 10-foot by 20-foot pre-cast concrete building.
Removal of Previously Proposed Improvement	Skiable Connector Trail	The approximately 0.5 linear miles of connector trails that along the ridgeline are no longer proposed.
	NYSEF Building	The NYSEF building is no longer proposed.

Potential visibility of the proposed prefabricated restroom structure from the surrounding area will be similar to the proposed gondola maintenance building, which is located only 90 feet northwest and at a similar elevation. As illustrated in Section 4.1 the March 2022 Visibility Assessment, views would be limited to small, discrete areas on local roadways south of New York State Route 28 over 1-mile away and from cleared areas on the ridgeline itself. From distance vantage points, this component will likely be difficult to discern from the existing ski infrastructure associated with Lift 8 and result in no visual change. Views that may be available from the ridgeline will also feature substantial infrastructure associated with lift lines, and the construction of this facility will not alter the visual character or quality of the views for recreational users.

The expansion proposed for the Longhouse Lodge will likely be visible from locations immediately surrounding the lodge. From these viewing locations, it is likely that many visitors will perceive this and other improvements as beneficial to the overall visual quality. From distant vantage points where views may be possible, it is likely that the improvements will not be discernable to casual observers due to the mitigating effects of distance and because the existing lodge is an established landscape feature in these views.

Tree clearing that is proposed to accommodate the new Sweep Around Trail and the widening of the existing Deer Run and Cayuga Trail will be most readily discernable to recreational users who frequently visit the ski center. However, cleared ski runs are an established visual component when visible from the surrounding area and will not be out of character or alter the overall quality of the views from locations within the ski center. From vantage points where long distance views of the clearing are possible, they will likely result in negligible change to the overall views and be difficult to discern for observers.

## **CONCLUSION**

Based upon a review of the newly proposed, modified, and removed improvements presented in the UMP, it is EDRs opinion that the conclusions of the Visibility Assessment completed in March of 2022 remain unchanged, and the overall visual effects associated with the proposed modifications at the Belleayre

Mountain Ski Center will not appear out of character within the study area, nor within the ski center itself. As such, visual effects within the visual study area are expected to be negligible. As such and as stated in the March 2022 visibility assessment, no additional mitigation or Project modification will be required to address potential visual effects resulting from the Project.



Figure 1. Currently Proposed Actions



**Exhibit 8b.**

2022 Visibility Assessment

# Visibility Assessment Technical Memorandum

## Belleayre Mountain 2021 Site Improvements

### Town of Shandaken, Ulster County, New York

Prepared for:

Olympic Regional Development Authority  
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March 2022



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# **1.0 INTRODUCTION**

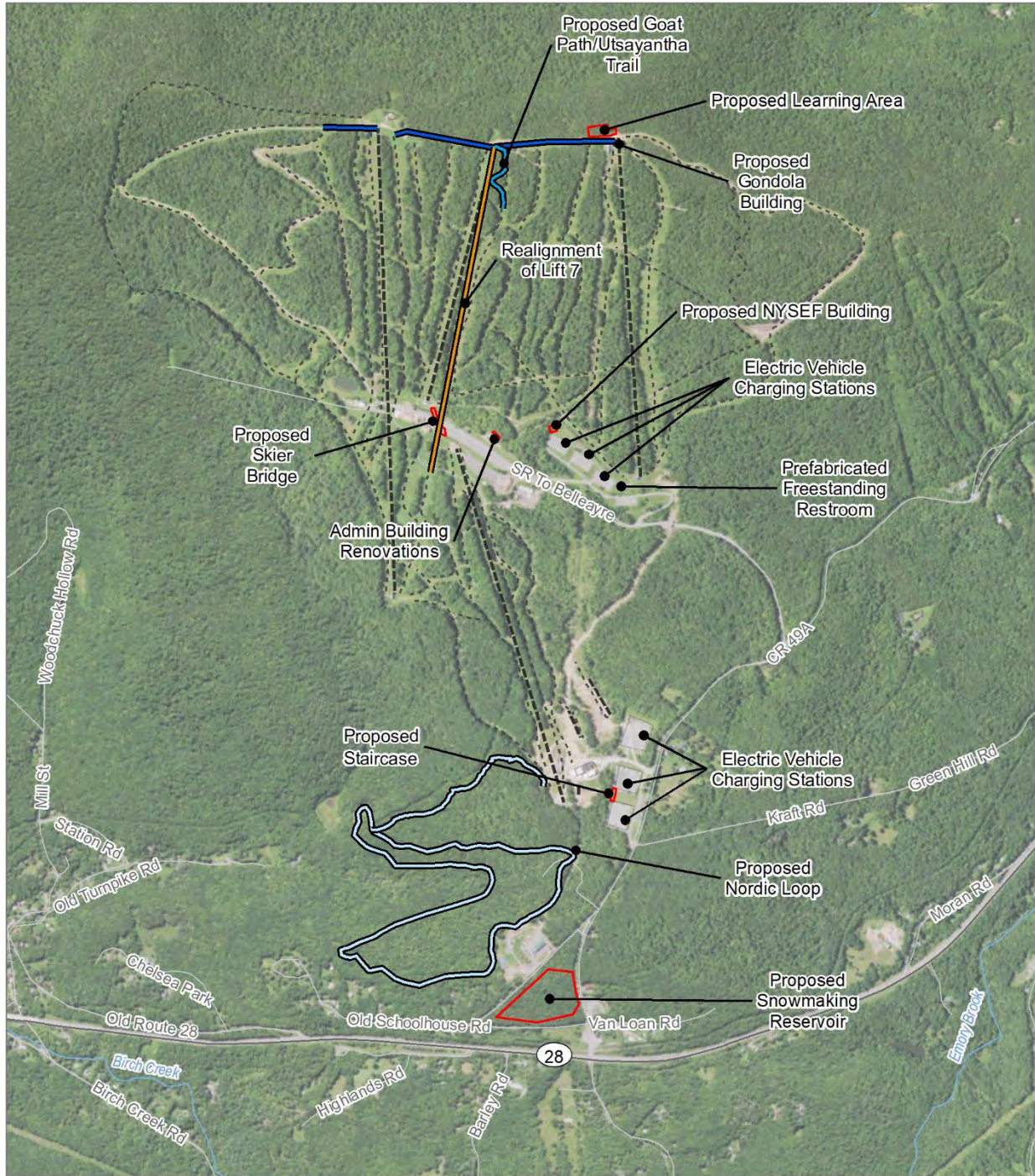
## **1.1 Purpose of the Investigation**

On behalf of the Olympic Regional Development Authority, (ORDA; the Applicant), Environmental Design & Research, D.P.C. (EDR) conducted a Visibility Assessment (VA) for proposed site improvements to the Belleayre Mountain Ski Center (the Project), located in the Town of Shandaken, Ulster County, New York (see Figure 1.1-1). The proposed improvements, which are described in detail in the 2021 Belleayre Mountain Ski Center Unit Management Plan (ORDA, 2021), include the following:

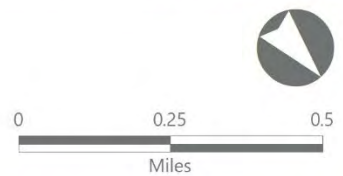
- Replace and realigning a ski lift and construct a skier bridge over a parking area;
- Expand the existing alpine and Nordic trail systems, and the establish new hiking and mountain biking trails;
- Improve and expand the existing administration building;
- Construct the New York Ski Education Foundation (NYSEF) and gondola cabin maintenance buildings;
- Relocate a previously approved snowmaking reservoir;
- Construct a staircase between the existing A and B parking lots;
- Construct a new beginner learning area and associated conveyor lift.

The purpose of this visibility assessment is to evaluate the potential Project visibility within a one-mile visual study area.

**Figure 1.1-1 Project Layout**



- Proposed Lift 7 Centerline
- Proposed Nordic Loop Trail
- Proposed Utsayantha Trail
- Proposed Skiable Connector Trail
- Existing Lift Centerline
- Existing Trails
- Proposed Structures and Snowmaking Reservoir



Basemap: USDA NAIP "2019 New York 60cm" orthoimagery map service.

## **2.0 PROJECT DESCRIPTION**

### **2.1 Project Site**

The Belleayre Mountain Ski Center (Belleayre or Ski Center) is a State-owned and operated recreational facility located at 181 Galli Curci Road in the Catskill Park on Forest Preserve lands in the Town of Shandaken in Ulster County, New York. The underlying management responsibility for Belleayre belongs to the New York State Department of Environmental Conservation (NYSDEC). However, day-to-day management of Belleayre is undertaken by ORDA.

A Unit Management Plan (UMP) for Belleayre was adopted in 2015. The UMP proposed and authorized numerous changes to improve or expand the Ski Center as well as address future needs. Belleayre is seeking approval of a 2021 Amendment to the original 2015 UMP to achieve greater operational efficiencies and address additional user demands. The improvements proposed for the Belleayre Mountain Ski Center are described in greater detail in Section 2.1 below and illustrated in Figure 1.1-1.

### **2.2 Proposed Facility Improvements**

#### **2.2.1 Lift 7 Replacement and Realignment and Proposed Skier Bridge**

The Applicant is proposing to replace and realign the existing Lift 7 (see Figure 2.2-1, below) so that it extends over the parking lot to allow access from the Dakota Trail to the top of the ski lift. The new alignment will be 3,500 feet in length, an expansion of approximately 665 feet compared to the current alignment. The new alignment will cover approximately 900 vertical feet and will be supported by 60-foot-tall pylon structures spaced approximately 175 feet apart. In order to accommodate the re-alignment, tree clearing will occur within a 40-foot corridor centered around the lift line. In addition, the construction of a ski bridge over the parking lot is proposed to allow for access to the Lift 7 terminal at the base of the mountain. There will be a bridge opening to allow for two lanes of traffic to pass beneath the bridge deck. The ski bridge will be 40 feet wide to accommodate a snow grooming machine and will have a maximum height of 20 feet above existing grade.





**Figure 2.2-1 Representative Photographs of the Existing Ski Lift 7.**

Top: Proposed Location of the Skier Bridge from Base of Lift 7. Bottom Left: Existing Base of Lift 7. Bottom Right: Existing Top of Lift 7.

## 2.2.2 NYSEF Building

The Applicant is proposing to construct a new building, the New York Ski Educational Foundation (NYSEF) Building, near the upper Parking Lot in order to provide additional indoor meeting space. The proposed building will be approximately 50 feet wide by 80 feet long for a total of 4,000 square feet and will have a height of approximately 28 feet.

## 2.2.3 Gondola Cabin Maintenance Building

The Applicant is proposing to construct a building adjacent to the upper terminal of the existing Thunder Gondola lift (Figure 2.2-2). This building will hold 3-4 gondola cabins for maintenance and storage during operation and will be approximately 48 feet wide by 30 feet long for a total of 1,440 square feet and have a height of approximately 25 feet.



**Figure 2.2-2 Representative Photograph near the top of the Existing Gondola.**

Top: Proposed Location of the Skier Bridge from Base of Lift 7. Bottom Left: Existing Base of Lift 7. Bottom Right: Existing Top of Lift 7.

#### **2.2.4 Overlook Administration Building Expansion**

The Applicant is proposing to rehabilitate the existing Administration Building (Figure 2.2-3) and construct an approximately 875 square foot expansion on the western façade of the building. Proposed improvements include upgrades to the building envelope systems, HVAC systems, and interior office spaces. The expansion will be one story and constructed with a similar wood framing and façade as the existing building.





**Figure 2.2-3 Representative Photographs of the Existing Administration Building.**

Left: Front of the Administration Building. Right: East Side of the Administration Building

## 2.2.5 Lot A&B Staircase Connection

The Applicant is proposing to construct a staircase to connect Parking Lot A and B (Figure 2.2-4). The staircase will be 10-12 feet wide and approximately 100 feet long and constructed with a metal material similar to the existing staircase in the upper lot.



**Figure 2.2-4 Representative Photograph of the Proposed Location for the Connector Staircase.**

### 2.2.6 Electric Vehicle Charging Stations

The Applicant is proposing the installation of electric vehicle (EV) charging stations to be located at the upper and/or lower parking lots.

### 2.2.7 Prefabricated Freestanding Restroom

The Applicant is proposing the installation of a prefabricated freestanding restroom to be located at the north end of the upper parking lot. The restroom structure will be approximately 10 feet wide by 20 feet long and 10 feet in height.

### 2.2.8 Beginner Area with Conveyor Lift

The Applicant is proposing to clear vegetation near the top of the gondola to create a new beginner learning area. The beginner learning area will be approximately 112 feet wide and 285 feet long with an approximately 8 percent slope. Additionally, the applicant will install a ground-level conveyor lift in this location.

### 2.2.9 Snowmaking Reservoir

The Applicant is proposing to clear vegetation and excavate to create a dug-pond for use as a snowmaking reservoir to allow pumping from Pine Hill Lake during off-peak hours. The proposed reservoir is located on forested land near the intersection of Galli Curci Road, Van Loan Road, and Ulster and Delaware Turnpike, and will require tree clearing and grading associated with excavation.

### 2.2.10 Trail Improvements or Expansions

#### **Utsayantha Trail/Goat Path Connector Trail**

The Applicant is proposing to widen the existing Utsayantha Trail up to 120 feet wide to accommodate snowmaking to improve the connection with the Goat Path, an existing work road. The trail is currently 64 feet wide. Tree clearing will be required in order to accommodate the wider trail corridor.

#### **Summit Connector Trails**

The Applicant is proposing to create new trails along the ridgeline to connect the Roaring Brook to Lift 6, Wanatuska to Lift 7, and Lift 7 to Lift 8 ridge trails. The linear length of the new section of trails will be approximately 0.5 mile and will be up to 120 feet wide. Tree clearing will be required to accommodate the new section of trail.

#### **Nordic Trails**

The applicant is proposing to expand the Nordic ski trail system and create a 1.6-mile loop trail along Raccoon Ridge. The new trail corridor will be 30 feet wide and will require tree clearing.

#### **Mountain Biking and Hiking Trails**



The applicant is proposing to create new trails and improve existing trails for hiking and mountain biking in order to connect to the existing trails in the Shandaken Wild Forest. The final planned trail system will be 41.8 miles in total and will include approximately 31 miles of new trail within the Belleayre Mountain Ski Center. Details of the proposed mountain biking and hiking trails can be found in Appendix D of the Summer Trails Master Plan (Tahawus Trails LLC, 2021). Trail corridors will be approximately 8 feet wide and will require selective tree clearing.

## **3.0 METHODOLOGY**

### **3.1 Viewshed Analysis**

In order to evaluate the potential visibility of the Project, EDR determined a 1-mile radius visual study would be sufficient based on the nature of the proposed improvements (which are in keeping with the intended use and visual aspects of the Ski Center) and anticipated screening provided by the densely forested land surrounding the Project, which will limit potential visibility. The visual study area has a total area of approximately 7.6 square miles.

To identify areas where views of the proposed Project would potentially be available, a digital surface model (DSM) viewshed analysis was conducted. A DSM viewshed analysis evaluates potential Project visibility considering the screening effects of topography, structures, and vegetation. Three separate viewshed analyses were performed to understand visibility of the individual major components of the proposed Project. Separate viewshed analyses were performed for the Lift 7 realignment and skier bridge, the Gondola Cabin Maintenance Building, and the NYSEF Building. The proposed staircase connection, EV charging stations, prefabricated freestanding restroom, and administration building expansion were not included in the viewshed analysis due to the limited visibility that would occur from these small-scale improvements. The DSM viewshed analysis for the proposed Project was prepared using: 1) a DSM derived from 2009 New York State Department of Environmental Conservation (NYSDEC) lidar data; 2) sample points representing maximum proposed heights of the pylon structures for the proposed Lift 7 line and maximum above grade height of the proposed skier bridge; 3) sample points representing the maximum proposed height of the Gondola Cabin Maintenance Building; 4) sample points representing the maximum proposed height of the NYSEF building; 5) an assumed viewer height of 6 feet; and 4) Esri ArcGIS Pro® software with the Spatial Analyst extension.

A few modifications were made to the lidar-derived DSM prior to analysis. Transmission lines and road-side utility lines that are reflected in the lidar data are generally mis-represented in the DSM as opaque screening features. In order to correct this inaccuracy, DSM elevation values within transmission line corridors and within 50 feet of road centerlines were replaced with bare earth elevation values. It is important to note that this clearing of the DSM may also eliminate legitimate screening features such as roadside vegetation and structures, which may result in an overstatement of potential Project visibility along all road corridors within the VSA. Additionally, all land area associated with the proposed Utsayantha, summit connector, and Nordic trail corridors, snowmaking reservoir, beginner ski area, and building construction or expansion were cleared of any vegetation to reflect the bare-earth elevation in these locations. Due to the narrow trail corridor

proposed for new mountain biking and hiking trail corridor, it is not anticipated that the clearing associated with these trails would result in a noticeable change in canopy that would impact visibility, and these trail corridors were excluded from vegetation clearing. This modified DSM was then used as a base layer for the viewshed analysis. Once the viewshed analysis was complete, Project visibility was set to zero in locations where the DSM elevation exceeded the bare earth elevation by 6 feet or more, indicating the presence of vegetation or structures that exceed viewer height. This was done for two reasons: 1) in locations where trees or structures are present in the DSM, the viewshed would reflect visibility from the tree-tops or building roofs, which is not the intent of this analysis, and 2) to reflect the fact that ground-level vantage points within buildings or areas of vegetation exceeding 6 feet in height will generally be screened from views of the Project.

Because it accounts for the screening provided by topography, vegetation and structures, the DSM viewshed analyses are an accurate representation of potential Project visibility. However, because certain characteristics of the Project and the VSA that may serve to restrict visibility (e.g., color, atmospheric/weather conditions, and distance from viewer) are not taken into consideration in the analysis, being located within the DSM viewshed does not necessarily equate to actual Project visibility, nor does it indicate that adverse visual impacts will occur within these geographic locations. There is also the possibility of the DSM overstating screening/underestimating visibility in locations where views are available through trees during the dormant season. Potential changes to the landscape since the date of lidar collection could also lead to minor inaccuracies in the analysis.

## 3.2 Visually Sensitive Resources

Visually Sensitive Resources within the VSA were identified in accordance with guidance provided by New York State Department of Environmental Conservation (NYSDEC) Program Policy DEP-00-2 *Assessing and Mitigating Visual Impacts* (NYSDEC, 2019). In addition, EDR identified other resources that could be considered visually sensitive based on the type or intensity of use they receive. The categories of VSRs typically addressed in VIAs for projects in New York include the following:

- **Properties of Historic Significance** (National Historic Landmarks, Sites Listed on the State or National Registers of Historic Places [S/NRHP]; Properties Eligible for Listing on the S/NRHP; National or State Historic Sites).
- **Designated Scenic Resources** (Rivers Designated as National or State Wild, Scenic, or Recreational; Adirondack Park Scenic Vistas; Sites, Areas, Lakes, Highways or Overlooks Designated or Eligible for Designation as Scenic; Scenic Areas of Statewide Significance; Other Designated Scenic Resources).
- **Public Lands and Recreational Resources** (National Parks, Recreation Areas, Seashores, and/or Forests; Heritage Areas; State Parks; State Nature and Historic Preserve Areas; State Forest Preserve Lands; Wildlife Management Areas/Wildlife Refuges; State Forests; Other State Lands; State Boat Launches/Waterway Access Sites; Designated Trails; Palisades Park Lands; Local Parks and Recreation Areas; Publicly Accessible Conservation Lands/Easements; Rivers and Streams with public fishing rights easements; Named Lakes, Ponds, and Reservoirs).

- **High Use Public Areas** (State, U.S., and Interstate Highways, Cities, Villages and Hamlets; Schools;).
- **Locally Identified Resources** (Other resources identified through the agency/public outreach process – see discussion in Section 3.6.2, below).

To identify visually sensitive resources within the visual study area, EDR consulted a variety of publicly available data sources, including geospatial resources. A complete listing of the resources used in the identification of visually sensitive resources is included in the Literature Cited section of this report (see References, Section 6.0). Review of these data sources resulted in the identification of twenty visually sensitive resources within the VSA. Identified visually sensitive resources are listed in Table 4.2-1 and illustrated in Figure 4.2-1.

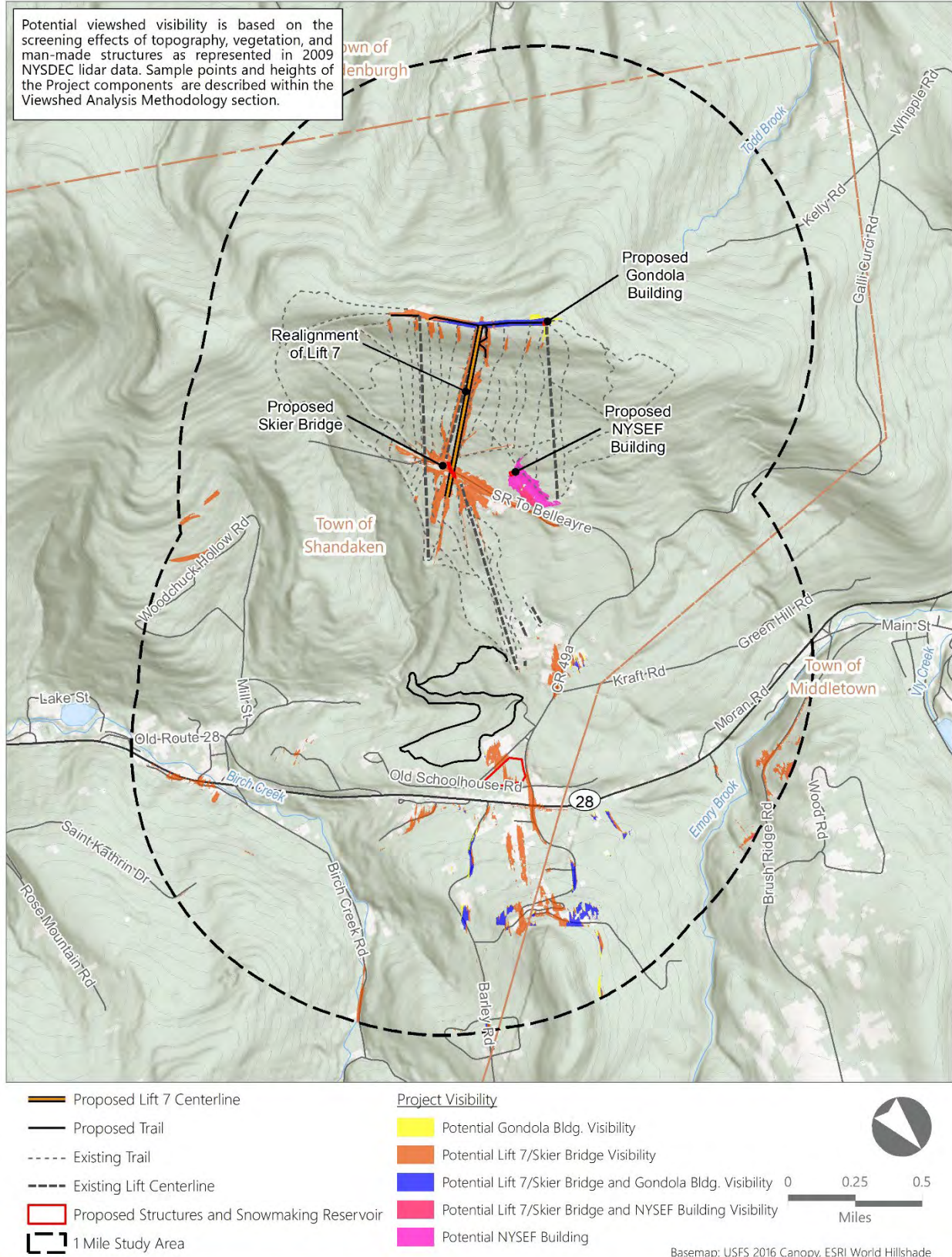
## 4.0 PROJECT VISIBILITY

### 4.1 Viewshed Analysis Results

The DSM viewshed analysis results indicate that, due to screening resulting from the extensive forest vegetation occurring in the visual study area, visibility of the proposed Lift 7 and Skier Bridge will be screened from approximately 97.8 percent of the visual study area (i.e. 2.2% of the visual study area is indicated as having potential visibility), visibility of the proposed Gondola Maintenance Building will be screened from 99.7 percent of the visual study area (0.4% of the visual study area will have potential visibility), and visibility of the proposed NYSEF building will be screened from 99.8 percent of the visual study area (0.2% of the visual study area will have potential visibility). The Project area of potential effect is the geographic area of potential Project visibility of all improvements described above; the DSM viewshed analysis results indicate that the area of potential effects consists of approximately 0.18 square miles, or 2.4% of the total visual study area. However, a significant portion of the land with potential views of the Project occurs within the boundaries of the Belleayre Mountain Ski Resort itself (60.9% [0.11 square miles]). When the Project Site is excluded from the results, visibility of the proposed Project is predicted to occur from approximately 0.1% of the visual study area (0.07 square miles).

Visibility from outside of the Belleayre Ski Mountain Resort is mostly concentrated along or near roadway corridors and in and unforested areas to the north and northeast of the Project, including Brush Ridge Road, Clubhouse Drive, Bellay Village West Road, and Barley Road. Areas where views of the Project will be available are anticipated to be more limited than indicated by the DSM viewshed analysis, due to the effects of distance and the fact that in many areas, views will be limited to only portion of the proposed Project improvements. Additionally, as discussed in Section 3.1, potential visibility along roadways is likely overstated due to the 50-foot clearing buffer added to the viewshed analysis.

**Figure 4.1-1 DSM Viewshed Analysis Results**



## 4.2 Visibility From Visually Sensitive Resources

Twenty visually sensitive resources were identified within the visual study area. Table 4.2-1 lists these resources and their distance to, and potential visibility of, the Project. As indicated by the DSM viewshed analysis, six of the twenty identified visually sensitive resources may have a view of some portion of the Project (Figure 4.2-1). The Hudson River Valley National Heritage Area (Heritage Areas), Catskill Park (State Forest Preserves), State Route 28 Scenic Byway (Designated Scenic Resources), State Bike Route 28 (Trails), Birch Creek (Rivers and Streams with Public Fishing Rights Easements), NYS Route 28 and Hamlet of Highmount (High-Use Public Areas) were the only seven resources with potential visibility based on the DSM viewshed Analysis.

The Hudson River Valley National Heritage Area and Catskill Park encompasses the majority of the visual study area, and the visibility indicated in this heritage area is largely concentrated within the Belleayre Mountain Ski Resort, as described in Section 4.1 of this report. Where views are possible outside of the Project Site, it is anticipated that existing vegetation and structures, distance from the project, and viewer's attention on the roadway will limit potential impact. Therefore, the Project is not anticipated to have significant adverse visual effects to these resources.

Views of the Project from NYS Route 28 (including State Bike Route 28 and State Route 28 Scenic Byway) will be limited to small, narrow corridors of visibility near the intersections with Old West Road, approximately 1.2 miles from the nearest proposed Project structure, and Maple Avenue, approximately 1.4 miles from the nearest proposed Project structure. Visibility from Birch Creek is indicated in a small, narrow corridor of visibility approximately 1.8 miles from the nearest proposed Project structure. Views of the Project from the Hamlet of Highmount will be concentrated along a portion of Highlands Road. While views may be available from these locations it is anticipated that existing vegetation and structures, distance from the project, and the proposed Projects compatibility with the existing land use will limit potential impacts.

**Table 4.2-1 Towns and Cities Overlapping the VSA**

Visually Sensitive Resource	Location		Distance <sup>1</sup>	Project Visibility (Viewshed Results)	
				+	-
	Town	County	Miles from Nearest Proposed Project Structure	Visible	Not Visible
<b>Properties of Historic Significance [6 NYCRR 617.4 (b)(9)]</b>					
National/State Historic Landmarks					
None in Study Area.					
National/State Historic Sites					



Visually Sensitive Resource	Location		Distance <sup>1</sup>	Project Visibility (Viewshed Results)
				+ Visible - Not Visible
	Town	County	Miles from Nearest Proposed Project Structure	DSM Viewshed (Topography, Structures, and Vegetation)
<i>None in Study Area.</i>				
Sites Listed on National or State Registers of Historic Places (NRHP/SRHP)				
Amelita Galli Curci Estate	Shandaken	Ulster	0.8	-
Pine Hill Historic District	Shandaken	Ulster	0.9	-
Mill Street Stone Arch Bridge	Shandaken	Ulster	1.1	-
Ulster House Hotel	Shandaken	Ulster	1.2	-
District School No. 14	Shandaken	Ulster	1.3	-
Elm Street Stone Arch Bridge	Shandaken	Ulster	1.3	-
Morton Memorial Library	Shandaken	Ulster	1.3	-
Designated Scenic Resources				
Rivers Designated as National or State Wild, Scenic or Recreational				
<i>None in Study Area.</i>				
Adirondack Park Scenic Vistas [Adirondack Park Land Use and Development Map]				
<i>None in Study Area.</i>				
Sites, Areas, Lakes, Reservoirs or Highways Designated or Eligible for Designation as Scenic ([ECL Article 49 Title 1] or equivalent)				
<i>None in Study Area.</i>				
Scenic Areas of Statewide Significance [Article 42 of Executive Law]				
<i>State Route 28 Scenic Byway</i>	Middletown, Shandaken	Delaware, Ulster	1.1	+
Other Designated Scenic Resources (Easements, Roads, Districts, and Overlooks)				
<i>None in Study Area.</i>				
Public Lands and Recreational Resources				
National Parks, Recreation Areas, Seashores, and Forests [16 U.S.C. 1c]				
<i>None in Study Area.</i>				
National Natural Landmarks [36 CFR Part 62]				
<i>None in Study Area.</i>				
National Wildlife Refuges [16 U.S.C. 668dd]				
<i>None in Study Area.</i>				
Heritage Areas (formerly Urban Cultural Parks) [Parks, Recreation and Historic Preservation Law Section 35.15]				
Hudson River Valley National Heritage Area	Shandaken	Ulster	0.0	+
State Parks [Parks, Recreation and Historic Preservation Law Section 3.09]				
<i>None in Study Area.</i>				
State Nature and Historic Preserve Areas [Section 4 of Article XIV of the State Constitution]				
<i>None in Study Area.</i>				
State Forest Preserve [NYS Constitution Article XIV]				
Catskill Park	Middletown, Shandaken	Delaware, Ulster	0.0	+
Big Indian Wilderness	Shandaken	Ulster	0.4	-

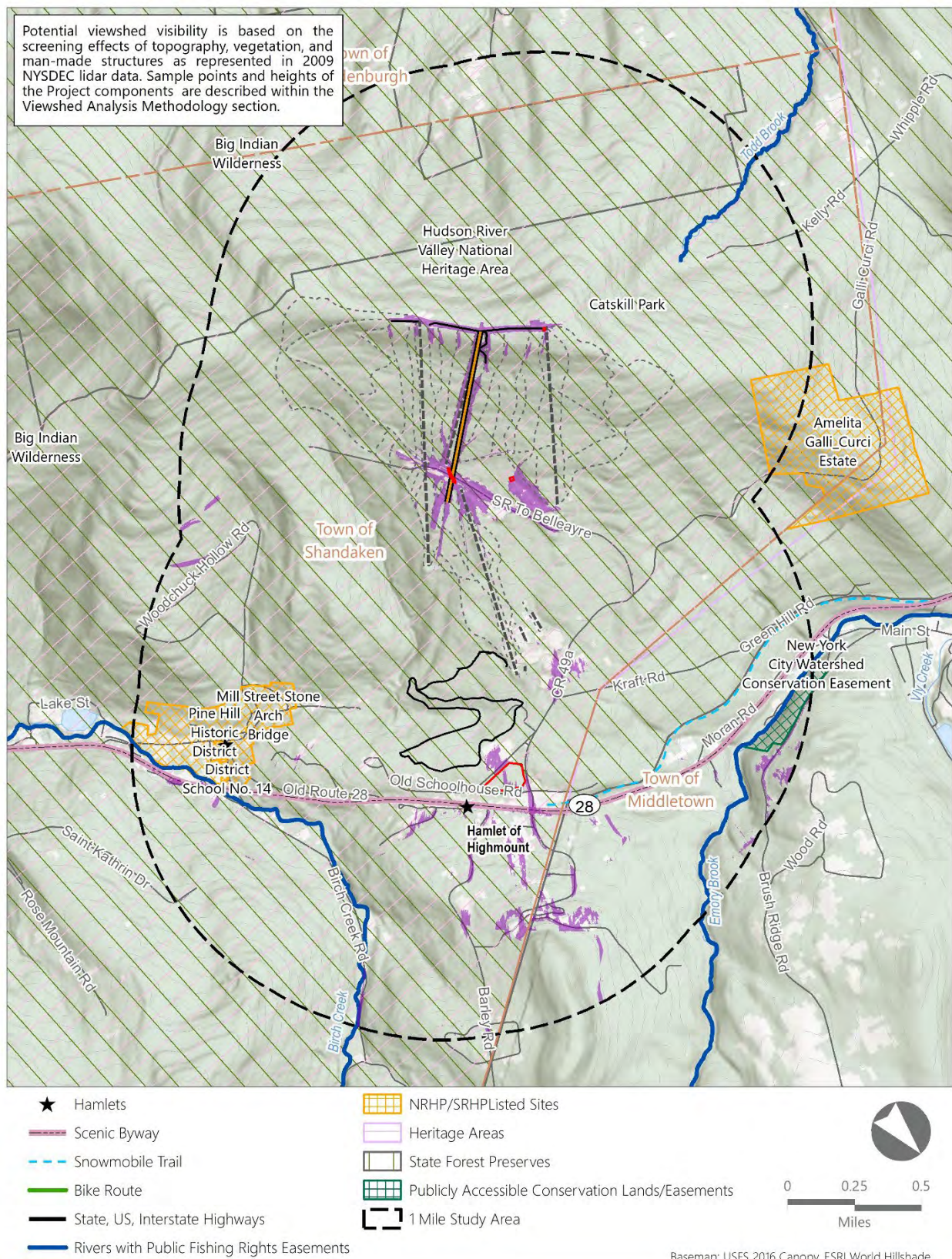


Visually Sensitive Resource	Location		Distance <sup>1</sup>	Project Visibility (Viewshed Results)
				+ Visible - Not Visible
	Town	County	Miles from Nearest Proposed Project Structure	DSM Viewshed (Topography, Structures, and Vegetation)
Other State Lands				
None in Study Area.				
Wildlife Management Areas & Game Refuges				
None in Study Area.				
State Forests				
None in Study Area.				
State Fishing/Waterway Access Sites				
None in Study Area.				
Trails				
State and Federal Trails				
None in Study Area.				
Snowmobile/ATV Trails				
Central Catskill Snowmobile Trail	Middletown, Shandaken	Delaware, Ulster	1.1	-
Bike Trails/Routes				
State Bike Route 28	Middletown, Shandaken	Delaware, Ulster	1.1	+
Other Trails				
None in Study Area.				
Palisades Park [Palisades Interstate Park Commission]				
Not Applicable				
Local Parks and Recreation Areas				
None in Study Area.				
Publicly Accessible Conservation Lands/Easements				
New York City Watershed Conservation Easement	Middletown	Delaware	1.3	-
Rivers and Streams with Public Fishing Rights Easements				
Todd Brook	Shandaken	Ulster	0.6	-
Emory Brook	Middletown	Delaware	1.3	-
Birch Creek	Shandaken	Ulster	1.4	+
Named Lakes, Ponds, and Reservoirs				
None in Study Area.				-
High-Use Public Areas				
State, US, and Interstate Highways				
NYS Route 28	Middletown, Shandaken	Delaware, Ulster	1.1	+
Schools				
None in Study Area.				
Cities, Villages, Hamlets				
Cities and Villages				

Visually Sensitive Resource	Location		Distance <sup>1</sup>	Project Visibility (Viewshed Results)
				+ Visible - Not Visible
	Town	County	Miles from Nearest Proposed Project Structure	DSM Viewshed (Topography, Structures, and Vegetation)
<i>None in Study Area.</i>				
<i>Hamlets</i>				
Hamlet of Highmount	Shandaken	Ulster	1.1	+
Hamlet of Pine Hill	Shandaken	Ulster	1.2	-

<sup>1</sup> As measured from the proposed Ski Lift 7 and Skier Bridge, Gondola Maintenance Building, and NYSEF Building. For large areas and linear sites, approximate distance to the respective area's closest point.

**Figure 4.2-1 DSM Viewshed Analysis Results and Visually Sensitive Resources**



## 5.0 CONCLUSIONS

As described above, the DSM viewshed analysis illustrates that 2.4 percent of the visual study area could have potential views of some portion of the proposed Project. Of this 0.18 square mile area indicated as visible, 60.9% percent (0.11 square miles) occurs in the Project Site itself. Of the nineteen identified visually sensitive resources, six were determined by the DSM viewshed analysis to have potential views of some portion of the Project. As discussed in Section 4, this potential visibility occurs along various local roads and in areas with sparse vegetation to the north and northeast of the Project Sites. Visibility from these locations will be mitigated by long distant views, intervening vegetation and structures, and the presence of the existing visible ski resort infrastructure that would occur in these views. Views that are available will be fleeting in nature due to the small, discrete areas indicated as potentially visible by the DSM viewshed analysis. As such, visual effects within the visual study area are expected to be negligible. Therefore, no additional mitigation or Project modification will be required to address potential impacts resulting from the Project.



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**Exhibit 9.**

NYS OPRHP Response Letter



## Parks, Recreation, and Historic Preservation

KATHY HOCHUL  
Governor

ERIK KULLESEID  
Commissioner

September 17, 2021

Grant Johnson  
Senior Project Manager - Historic Preservation  
Environmental Design & Research, D.P.C. (EDR)  
217 Montgomery Street  
Suite 1000  
Syracuse, NY 13202

Re: DEC  
Belleayre Mountain 2021 Site Improvements  
Town of Shandaken, Ulster County, NY  
21PR06053

Dear Grant Johnson:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

A handwritten signature in black ink, reading "R. Daniel Mackay".

R. Daniel Mackay

Deputy Commissioner for Historic Preservation  
Division for Historic Preservation

## **Exhibit 10.**

Responses to Public Comments

# RESPONSES TO PUBLIC COMMENTS

2022 Amendment to the 2015 Unit Management Plan for Belleayre Mountain

Public Comment Period: 13 July 2022 – 24 August 2022 (42 days)

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## Table of Contents:

- A. Lift 7 Replacement and Realignment with Overlook Wrap Around Trail and Skier Bridge
- B. Utsayantha Trail/ Goat Path
- C. Nordic Trails Modifications
- D. Mountain Biking and Hiking Trails
- E. Administration Building
- F. NYSEF Building
- G. Parking Lots: Lot A&B Staircase Connection & Electric Vehicle Charging Stations
- H. Summit Area: Gondola Cabin Maintenance Building, Beginner Area with Conveyor Lift and Restrooms
- I. Relocation of Previously Approved Snowmaking Reservoir
- J. Highmount
- K. Environmental
- L. Outside of UMPA Scope



## Topic A. Lift 7 Replacement and Realignment with Skier Bridge

### 1. Lift Characteristics (detachable, mid-station, seating capacity, additional)

Commentors expressed the following related to characteristics of the proposed lift:

Comment: Does the plan include mid-station unloading? The mid-station unloading will maximize access to intermediate terrain in both directions across the mountain without requiring un-prepared skiers to go to the top of the mountain while also providing easy cross-over access to the west side of the mountain. It will allow skiers and boarders to access the advanced terrain park without adding to the congestion of the limited expert terrain and reduce congestion to the east of the Overlook Lodge.

Response: *The proposed lift line is 3,400 feet long and includes a mid-station in approximately the same location.*

Comment: I strongly advocate for a detachable chair, with or without a mid-station. There is no information on the type of chair. What is the seating capacity of the proposed new lift chairs?

Comment: The new lift 7 should be a high-speed quad. No ski areas are installing fixed grip lifts in 2022.

Comment: The detachable provides a far better skier/boarder experience and is essential to the expansion of the year-round programming so important to the long-term economic health of the Catskills region.

Response: *The existing Lift 7 will be replaced with a fixed grip, 4-place chair lift. The lift line will be extended to approximately 3,400 feet long and will have a mid-station. The new lift will be able to transport approximately 2,000 people per hour. The lift ride time is less than 10 minutes.*

Comment: Replacing and realigning Lift 7 is not going to be necessary if the lift is still going to serve the same terrain as before. As only a small proportion of skiers and riders have the intent to travel down the trails Lift 7 serves. Resulting in additional unused capacity with little increase in users after the replacement.

Response: *The replacement of Lift 7 is necessary to enhance the entire skiing experience on the mountain. This lift serves a vital section of the mountain and is reaching the end of its service life.*

Comment: We are concerned that if we do not ask these questions up front, we will later be told "it is in the UMP," even if the details were not covered in the UMPA. Since the devil is in the details, these questions are important to our understanding of and support for the Amendment. The UMPA lists existing conditions as follows: "The current location of lift 7 does not allow skier access from the top of lift 1, making it difficult for skiers to access the entire mountain." This is inaccurate lift 1 (Lightning) provides a smooth transition to the Belleayre Express lift. Belleayre Express accesses the upper mountain and includes one advanced beginner trail (Roaring Brook), and an excellent intermediate trail (Onondoga/Horseshoe). The Onondaga Trail also connects to mid-level intermediate trails east to west across the mountain. The actual need to replace chair #7 lies in the fact that the aging lift has proven unreliable. Given the investment, please more thoroughly define the need to replace chair #7 with an eye on future growth and quality experience opportunities.

Response: *The goal of replacing and realigning Lift 7 is to improve reliability and guest satisfaction throughout the facility. Although skiing over to Lift 6 is an option, the realignment of Lift 7 will improve overall accessibility to the entire mountain. The manufacturer of the existing Lift 7 is no longer in business. In replacing Lift 7, ORDA is addressing an operational reliability issue, not a safety issue. Additionally, the proposed alignment eliminates the need to trek uphill to the lower terminal of Lift 7 by extending the lower terminal to below the Overlook Lodge and parking area.*

Comment: Why is the base to be located so far below Overlook Lodge? This eliminates visionary opportunities for year-round events. Why has Howes Highway been placed on the back burner in the snowmaking schedule when it is essential to the type of cross mountain access referenced in justifying the Chair 7 plan? Can the exit for Chair #7 be elevated, or moved further west to provide for better flow in both directions across the mountain?

Response: *The proposed bottom terminal location of Lift 7 is placed downhill of Overlook Lodge to increase skier access from the Lodge and Lift 1; The Lightning Quad. Howe's Highway is a work road that is already covered by snowmaking infrastructure. The cross-mountain access requires several intersections with other ski trails whereas the regraded trail allows access off the summit ridge without creating additional intersections. ORDA continuously works to upgrade snowmaking infrastructure across all trails. This UMPA maintains the top terminal location of Lift 7.*

## 2. Skier Bridge (questions, safety concerns, skier traffic flow concerns)

Commentors expressed the following concerns with the proposed skier bridge.

Comment: Given the mix of skier skill levels and the perpendicular paths, the planned bridge may create a dangerous situation.

Comment: The plan for a bridge for Lift 7 should be revised as it creates a bottleneck and icy conditions.

Comment: Placement of new Lift 7 and the skier bridge threatens the efficient flow and safety of beginner skiers utilizing Lift 1 and the lower mountain.

Response: *The new skier bridge will include associated trailwork to limit conflict between skiers of differing abilities. In addition, snowmaking infrastructure will be improved during the project to create the best possible snow conditions for the area.*

Comment: There are concerns about the drop-off grade from the exit of the bridge to the terrain on the other side of the parking lot by the Lightning Lift exit. We have seen this challenge before when the other skier bridge was installed (huge drop-off that intimidates skiers).

Comment: If you install a skier bridge over the parking lot there will be an issue of skier traffic, similar to the one on deer run, high usage and little room to maneuver with heavy skier traffic.

Comment: Topographic information should be provided for the skiers' bridge to access the relocated Lift 7 loading area and a skier traffic analysis should be performed.

Response: *The grade of the trail across the skier bridge will be such that the trail will accommodate all skier levels. There will not be significant drop-off entering the bridge, and the skier direction is being planned with the intention of having no direct impacts with skiers exiting Lift 1. The trails accessing the skier bridge are rated More Difficult.*

Comment: Were there studies done for a skier bridge versus a skier tunnel? Please clarify the pros and cons and why the bridge was chosen. Will this take away from the aesthetics of the mountain? Will it take away some parking?

Comment: Has a tunnel under the parking lot been investigated?

Comment: What pros and cons were identified leading to the decision to build a skier bridge instead of a tunnel? This is asked given safety concerns about merging traffic at the already congested region around the top of Lightning and below Longhouse Lodge where seasonal programs gather.

Comment: Has consideration been given to other options besides a skier bridge to address the safety concerns to the east side of the Overlook Lodge?

Response: *ORDA has evaluated the feasibility of a skier tunnel versus a skier bridge and has found the bridge to be a much more appropriate solution. The tunnel feasibility plan has been added to the UMPA as Figure 5(b). For additional clarity, a second profile drawing showing the proposed grading and traffic*

*flow in this area has been added to this UMPA as Figure 5(a). A skier tunnel would require significant excavation and fill as well as intensive redesign of stormwater flow and long-term stormwater management, making it a significantly more expensive project overall than construction a skier bridge.*

### 3. Support

Commentors expressed the following support for the management proposal:

Comment: I think the lift seven replacement and addition of the skier bridge would improve flow around the mountain and make the skier experience better by not having to hike to get to area 51 from the upper mountain. it also would make lift seven a slow ride a lot faster.

Comment: Congestion east of Overlook Lodge has long been a challenge resulting in the skier bridge proposal. We credit the 21-22 mountain management decision to begin the snow making effort below Overlook Lodge further east on the lowest Belleayre Run Trail, rather than directly next to the lodge on the lowest section of the Wanatuska Trail. Moving the crowds further from the lodge reduced safety concerns by reintroducing the skiing public to trails that had been persistently underused. It was an inexpensive and efficient contribution to the solution that had been sought.

Response: *Thank you for your comments and support.*

## Topic B. Utsayantha-Goat Path Alpine Trail Modification

### 1. Trail Plan Clarity (tree cutting, intersections with other trails, grading)

Commentors expressed the following related to the proposed alpine trail modification:

Comment: I believe that this is a good idea and will should be adequate to get intermediate skiers off the top of the mountain. Some considerations: Impact to Upper Yahoo should be avoided as this is a desirable trail for many. Fencing or some sorts of berm should be created to keep intermediate skiers from inadvertently entering advanced terrain. Since there will be more people coming onto Intermediate terrain in that area, grading should be improved so that people can easily get to Onteoria Mid, Esopus Mid and Yahoo Mid. Additionally, there may be some consideration about the relocation of Area 51 since this wide, intermediate grade trail may be an added resource to intermediate skiers and riders.

Response: *The modifications to Goat Path will not adversely affect Yahoo. Various regrading efforts will be made throughout the mountain to help accommodate intermediate skiers. The terrain park will remain at Area 51 for the foreseeable future as it requires additional trail width that is only available on Area 51 and Dot Nebel which is currently used for racing. The visibility of the terrain park from the lift is desired and will be increased as part of the Lift 7 realignment.*

Comment: Converting this trail to a groomed intermediate trail not only involves destroying a much-loved trail system but causes major environmental damage by cutting mature forests and likely massive earth moving in order to degrade the slope angle. Moreover, the alteration of Utsay-Goat Path will damage if not permanently downgrade adjoining Yahoo, one of the only true advanced slopes at Belleayre.

Response: *The existing Utsayantha trail does not accommodate intermediate skiers and does not possess any snowmaking infrastructure, the goal of this project is to offer an intermediate trail off of the Belleayre summit, that includes snowmaking infrastructure to maintain good quality snow on the trail for recreators. A tree cutting survey has been completed for this area and can be found as Appendix 3 in the UMPA. Yahoo will not be affected by the modifications to Utsayantha.*

### 2. Snowmaking & Natural Terrain

Commentors expressed the following regarding natural snow terrain:

Comment: Will the new trail have snowmaking installed and if so, when?

Response: *Yes. Snowmaking will be added during construction.*

Comment: We only have a few “natural snow trails” left at Belleayre, Cathedral Brook, Utsayantha, Goat Path, Tomahawk lift line and Dream Catcher. It would be a real shame to lose almost half of them for 1 intermediate trail. Also these trails should be maintained. There are trees laying across Cathedral Brook and Utsayantha has weeds that are turning into trees. Can we please do some trail maintenance?

Response: *Thank you for your comment. Unfortunately, we can no longer rely on mother nature to provide the quantity and quality natural snow needed for the best and safest conditions. Trail maintenance occurs annually during the summer months to clean up brush, weeds and other debris from trails. Both Cathedral Brook and Utsayantha were cleaned up during the summer of 2022.*

Comment: Utsay-Goat Path along with Cathedral Run are among Belleayre's most cherished trails accessible to both intermediate and advanced skiers, precisely because it's a bit challenging and relies on natural snow (similar to Cathedral Run)

Response: *The trails dependent on natural snow are experiencing fewer operating days. We are planning for more operating days on these trails, hence the addition of snowmaking infrastructure. The goal of the Utsayantha trail modification is to provide a groomed, intermediate trail off the summit of Belleayre. Snowmaking infrastructure is being replaced and/or installed on most trails at Belleayre Mountain, as part of a continuous phased approach to have a more efficient snowmaking system overall.*

### 3. Other Considerations

Commentors expressed the following considerations for the proposed alpine trail modification:

Comment: Why not consider leaving Utsayantha as an expert trail with snowmaking? Why not consider instead: building the Dream Catcher trail to the West as in UMP of 2015 and realigning Algonquin to the east to provide intermediate access on both sides of the mountain? (This would be much more efficient)

Response: *We do not have plans to develop Dreamcatcher from a glade to a groomed trail at this time. Proposed trail West-2 will be developed in the area adjacent to the Dreamcatcher glades and is anticipated to be a black diamond trail. Realigning Algonquin would provide similar access compared to the modifications proposed to Utsayantha but would require additional work to realign the existing snowmaking, therefore Utsayantha was determined to be the better option.*

Comment: Please don't destroy Goat Path and Utsayantha for yet another intermediate trail, on a mountain that already has plenty of greens and blues, and generally lacks expert terrain to begin with.

Response: *Belleayre offers a wide variety of terrain for all ability levels. Over half of the trails off the summit offer expert terrain and are marked as such with a black diamond. There is not currently an intermediate option at the top terminal of Lift 7. The proposed cut/fill at Utsayantha is meant to keep the same vertical drop but offer a more gradual decline with switchbacks. The final profile will create a slope that provides safe and effective terrain for intermediate skiers through necessary trail adjustments, trail width, cross slope, turn radii and site lines. A profile of the proposed trail modifications has been added to this UMPA as Figure 6(a) and Figure 6(b).*

Comment: Is there a plan to create a connector trail between Upper Deer Run and the Expressway level of Dot Nebel? The goal would be to improve skier traffic east to west at the intermediate skill level.

Response: *We do not have plans to connect Deer Run to Expressway at this time. Our goal is to not create trails that cross Dot Nebel as it is often closed for racing. The realigned Lift 7 will help to facilitate east to west travel for intermediate skiers.*



## Topic C. Nordic Trail Modifications

### 1. Article XIV: Trail Mileage Clarity

Comment: We believe it essential that ORDA provide a commitment that the new elements of this UMPA, including but not limited to the expanded Nordic trails, will not hinder the necessary growth of expert terrain made possible by the incorporation of the Highmount trails. ... Will the addition of new Nordic trails count toward total trail mileage numbers, thus limiting options for the development of additional expert and upper intermediate trail options? If so, what are the number of miles to be utilized?

Response: *ORDA took the time to conduct a holistic assessment of trail mileage at Belleayre. Article XIV of the NYS Constitution defines a constitutional limit of 25 miles of trails 30 feet to 120 feet wide, and 120 to 200 feet wide. The goal of the assessment was to consider previously approved trail widening and construction in the overall mileage count and ensure, even with previously approved trails and trails proposed in this UMPA would not exceed 25 miles. ORDA was able to abandon some of the previously approved trails to regain trail mileage and accommodate those abandonments with additional trail widening on existing trails. This UMPA proposes an approximately 2.5-kilometer (1.6 miles) Nordic skiing loop with snowmaking infrastructure that requires the trail to be at least 30 feet wide. Therefore, 1.6 miles will be added to Belleayre's overall trail mileage count to accommodate this minimal Nordic expansion. Please see Exhibit 2 – Trail Inventory and Analysis in the UMPA for additional clarity on trail inventory and Article XIV. The cumulative total mileage of all Nordic and Alpine Trails in the UMPA, including Nordic trails and the Highmount expansion, is within the constitutional requirement of 25 miles. The Highmount expansion trails are previously approved and included in the overall mileage count, therefore the addition of 1.6 miles of Nordic trails will not affect the potential for a Highmount expansion.*

### 2. Environmental Considerations (tree cutting, grading)

Comment: For Nordic trail modifications, we generally support the creation of a 1.6-mile loop on Raccoon Ridge, and we understand that this will require some trail-widening to accommodate the installation and use of snowmaking infrastructure. However, we strongly urge consideration of the least clearing possible for these trails. As with hiking and mountain biking trails, we expect trail design, expansion, and construction to be completed in such a way as to safeguard against erosion and other adverse impacts on the landscape.

Response: *All trailwork will be completed in a manner that will limit environmental impact as much as possible including clearing the minimum number of trees required. Best management practices for erosion and sediment control will be put into place before the construction of any trails described within this UMPA. All trailwork is subject to the DEC Work Plan Policy.*

### 3. Other Considerations

Comment: Again, ORDA has wonderful expertise in completing and operating Nordic Centers at both Whiteface and Gore. There is a tremendous opportunity for and similar success in The Catskills, there are no comparable operations presently active in our region. We examined this possibility when I was on the board and was one of the reasons for the gondola was to provide spectacular vistas ON THE TOP OF THE MOUNTAIN for the cross-country skier, a truly unique and innovative idea. This idea was dropped with no explanation. The UMP proposes to recreate a 75-year-old footprint which has never worked for a number of reasons, number one of which is its ability to

hold snow because of its lower elevation. Improved Nordic experience at Belleayre yes, redoing an outdated concept no.

Response: *The proposed Nordic loop makes use of some existing cross-country skiing trails while also adding snowmaking infrastructure and grooming to provide a designated, maintained Nordic trail at the Ski Center. ORDA is not aware of any previous plans for cross country skiing at the summit of Belleayre. Thank you for your comment and support for hiking trails at Belleayre.*

Comment: Nordic Trail Expansion: not needed and nor wanted; ruins natural landscape and outdoor experience for cross country skiers who mostly seek natural trails in the Forest Preserve, not an industrialized (30-foot-wide trail) managed experience on manmade snow. There is NO DEMAND for this type of "improvement". Stop the unnecessary tree cutting.

Response: *ORDA has received feedback stating a groomed Nordic trail is in high demand and supported throughout the Catskill and New York Metropolitan Area regions, as opportunities for recreating on maintained Nordic terrain are severely limited within these regions. There are alternate options at Belleayre and other State Lands throughout the Catskill Park that offer natural-snow cross-country skiing experiences.*

Comment: What is the maximum grade on the loop and for what distance? Would a different style loop utilizing one portion to ski both ways be more efficient and put the cross country in an area for all abilities?

Response: *The originally proposed Nordic loop has been revised to have two different loop options. Please see the revised trail layout as Figure 4. These trails will feature both climbs and descents to meet the requirements for Nordic competitions.*

## Topic D. Hiking & Mountain Biking

### 1. Support

Commentors expressed genuine support for the addition of hiking and mountain biking trails within the Belleayre Mountain Intensive Use Area, citing the economic benefits to the surrounding communities, as well as the benefits to users health and lifestyle if a hiking and mountain biking Hub was to be created at Belleayre.

Response: *Thank you for your support for hiking and mountain biking trail development at Belleayre. We agree these trails will not only provide economic benefits to the surrounding area, but also promote a healthier lifestyle.*

### 2. Other Considerations

Comment: There are many ways in which the NYSEF program would benefit from the creation of new Spring, Fall and Summer activities at Belleayre. During Summer and Fall NYSEF holds periodic dryland training and could utilize these facilities for new training opportunities for the athletes. NYSEF could assist in organization of events in partnership with ORDA by lending support of our staff and volunteer base for trail running and mountain bike camps or competitions, which would expand notoriety of these new facilities.

Response: *Thank you for your support. We look forward to working with NYSEF on improving our year-round operations.*

Comment: The biking/hiking trail to Pine Hill is mentioned, but then other trails are discussed instead. Are there plans to ensure the trail to Pine Hill is maintained and accessible to bikers? This would be a great connection to the plan for the rail trail through Pine Hill. Can this be developed further for back-country skiing? It would be an economic opportunity in Pine Hill as skiers could go into town for lunch (European style) and then travel via van back to Belleayre.

Response: *Thank you for your comment but this is outside of the scope of this UMPA. The trail to Pine Hill is owned by the State of New York and maintained by New York State Department of Environmental Conservation (NYSDEC or DEC), not ORDA. The trail to Pine Hill is located within the Shandaken Wild Forest, maintained by DEC, and not within the Belleayre Mountain Intensive Use Area (IUA), maintained by ORDA. We look for opportunities to connect both units where appropriate.*

Comment: If they are going to add to the adjacent hiking trail system in the Belleayre side country (Giggle Hollow et al), they best improve and plow, the parking at those trail heads. Uphill/downhill ski traffic on those trails has increased over the past few years and will continue to increase, especially if those improvements take place. Additionally, a dedicated uphill winter only, skin track would a great addition. Such improvements have taken place throughout neighboring Massachusetts, Vermont, and New Hampshire. And, have proven to be extremely popular.

Response: *Thank you for your comment but this is outside of the scope of this UMPA. The Giggle Hollow trail is located within the Shandaken Wild Forest, maintained by the DEC, and not within the Belleayre Mountain IUA, maintained by ORDA. The trail system in the Giggle Hollow area is managed by DEC and is not subject to this UMP amendment. The hiking trails within the confines of the Belleayre Ski Center property are not open for skiing and the further development of them should not imply that they will be available for skiing, either Nordic or alpine. Any designated hiking trails within the Belleayre IUA are not open for backcountry/uphill skiing. As of 2023, Belleayre has Piloted an uphill travel program on a trial basis with a designated route from the base to the summit on our existing alpine ski trails.*

Comment: In regard to transportation, the proposed Mountain Biking and Hiking Trails at Belleayre — coupled with the construction of the planned Ulster County Rail Trail and new mountain biking trails in the Shandaken Wild Forest — encourage a non-motorized alternative for walking and cycling, and in winter, skiing cross-country, between and among Belleayre Mountain, Belleayre Beach (Pine Hill Beach), units of the Catskill Forest Preserve, and area hamlets. These proposals encourage parking cars at Belleayre or in Forest Preserve parking areas for an extended visit, without driving between sites located within several miles of each other.

Response: *The goals of developing a master plan for hiking and mountain biking are to foster interconnections between Belleayre Mountain Ski Center and the Shandaken Wild Forest using the Discovery Lodge and the top of Thunder Gondola as start and end points within the Belleayre Mountain Intensive Use Area and to include parking and trailhead access points at Belleayre Beach and at the front entrance sign on NY Route 28 as well as consideration of the Ulster County Rail Trail. As described in the Master Plan for Hiking and Mountain Biking at Belleayre Mountain, the potential for shared use rail trail utilizing the Ulster and Delaware Railroad grade is integral to the proposed interconnections and trails in the Intensive Use trail system. The 2.5-mile stretch between Belleayre Beach at Giggie Hollow and the parking at Highmount on NY Route 28 provides a connection to complete loops for all the lower trail termini within the Intensive Use Area as well as the existing and proposed Shandaken Wild Forest trails to the east.*

Comment: While the Catskill Center strongly supports the development of hiking and mountain biking trails that connect to the Shandaken Wild Forest and the developing Ulster County Rail Trail, we underscore the critical need for utmost care in guarding against erosion and other degradation of natural resources. It is essential that the construction of the eight new hiking trails and 10 new mountain biking trails be designed in such a way as to discourage the creation of informal “social” trails and that trail construction utilize sustainable best management practices. We rely on the statement in the proposed amendment that, “... no trail construction will occur until NYSDEC has finalized the comprehensive review of applicable trail construction policies” to ensure that this occurs.

Response: *The proposals within the UMPA are conceptual and will have to undergo final design prior to implementation. All trails identified in the ORDA Master Plan for Hiking and Mountain Biking at Belleayre Mountain Intensive Use Area are subject to the DEC Work Plan Process. No trail construction will occur until DEC has finalized the comprehensive review of applicable trail construction policies. All proposed trail work will be reviewed in accordance with that policy, and final siting and design must be approved through the updated Work Plan Process.*

Comment: Will the addition of new Mountain Biking/Hiking Trails require tree cutting that could limit future tree cutting necessary for the development of additional expert and upper intermediate trail options? If so, what is the number of trees to be cut? Will the addition of new Mountain Biking/Hiking Trails count toward total trail mileage numbers, thus limiting options for the development of additional expert and upper intermediate trail options? If so what is the number of miles to be counted? Why have trails previously identified at the top of the mountain that connect to already existing hiking trails not been developed for Mountain Biking?

Response: *The addition of new hiking and mountain biking trails will require some tree cutting, and those figures will be included when a work plan with final design and layout is submitted to DEC for review and approval. Tree cutting for hiking and mountain biking trails will not limit future tree cutting*

*elsewhere in the ski area, nor will the mileage of hiking and mountain biking trails count towards the trail mileage limits imposed on alpine and groomed cross-country ski trails.*



**Topic E.        Administration Building**

Commentors expressed resounding support for this project, noting an expansion is badly needed.

Response:        *Thank you for your support. We agree the expansion and associated renovations are long overdue and appreciate your support.*

Commentors asked if there was a plan regarding the old maintenance buildings adjacent to the Overlook Lodge.

Response:        *The Maintenance Garage adjacent to the Overlook Lodge will undergo demolition, and there are no plans to rebuild. All vehicle maintenance activities have been relocated to the Maintenance Garage adjacent to the lower mountain cross-country ski trails.*

## Topic F. NYSEF Building

### 1. Location

Commentors expressed the following concerns related to the proposed location of the NYSEF building:

- Comment: Most races occur on the Dot Nebel trail, and NYSEF personnel would have to trek uphill to the proposed building location from the bottom of Dot Nebel
- Comment: A more appropriate location would be on the west side of Dot Nebel and the skier bridge
- Comment: A more appropriate location would be in the lower parking lot of the Tomahawk Area
- Response: *A standalone NYSEF building has its advantages, but to incorporate the program, the Longhouse Lodge offers better operational synergies which is why ORDA has opted to revise this management action to be an expansion of the existing Longhouse Lodge rather than a new, standalone building in an unfavorable location.*
- Comment: Why is ORDA not building the lodge that was in the UMP of 2015 that sits to the west of the skier bridge? Why wouldn't you build a side by side or upper lower lodge one for NYSEF and one for the general public?
- Response: *At this time, Belleayre already has two existing base lodge areas, and we are not prioritizing an additional lodge(s) with redundant services.*

### 2. Existing NYSEF Space: Longhouse Lodge

Commentors expressed the following in relation to the existing NYSEF space in the Longhouse Lodge:

- Comment: How will the Longhouse Lodge space be allocated once NYSEF vacates the building? Will it be for public use, expansion of existing seasonal programs, or to meet the needs of ski patrol?
- Comment: The Mountain Explorer program and parks crew could use additional lockers and space for staff meetings. If raising revenue is a concern, equipment storage space for Mountain Explorer students could be rented at Longhouse Lodge.
- Response: *The NYSEF building management action has been revised to propose an expansion of the existing Longhouse Lodge, rather than construct a new building in an undesirable location. NYSEF currently operates out of the Longhouse Lodge and will not be vacating the building.*
- Comment: Why not expand the relatively new and underutilized Longhouse Lodge – the current NYSEF building – utilizing infrastructure already in place? This will save the taxpayer millions and meet the needs of NYSEF.
- Response: *Thank you for your comment. ORDA has reviewed this option and decided that an expansion to the existing Longhouse Lodge would be favorable over constructing a new building.*

### 3. Support, Addition of Restroom Facilities, Other Considerations

Commentors expressed the following support and other considerations relating to the proposed NYSEF building:

- Comment: As homeowners in the surrounding area we are in STRONG support of the additions and modifications to Belleayre Mountain. At the end of the season there were over 40 U10s that applied to the NYSEF program for 22-23 at Belleayre. With the growing number of NYSEF athletes the at this mountain a designated building is necessary and welcomed!

Comment: I strongly support the construction of a NYSEF building at Belleayre. I am so looking forward to the investment at this mountain!

Response: *Thank you for your support.*

Comment: I support the NYSEF Building concept for the west side of the mountain. I also suggest that facilities for the public should also be provided. This would solve an existing public need and be good PR for all.

Comment: Most view NYSEF as a positive addition to the Belleayre that deserves the support expand without impinging on the experience of the downhill skiing public. Most view planned changes with a long-range vision which includes the need for an additional lodge/bathroom building in that region of the mountain.

Comment: There is a need for restroom facilities in this area. Will this building include public bathrooms?

Response: *Per the 2015 UMP, ORDA is installing public restrooms adjacent to the Lift 8 base terminal.*

Comment: It makes sense to design one multi-function building that is large enough to address current needs and anticipate future opportunities rather than having to seek yet another amendment down the road.

Response: *Thank you for your comment.*

Comment: Will this building be funded by NYSEF? Or will ORDA be helping with funding? Who will own the building once it is built? Will the chosen location take up more parking spaces?

Response: *Funding for the Longhouse Lodge expansion is to be determined at a later date. Expanding the Longhouse Lodge will not significantly affect parking at the Ski Center.*

**Topic G.          Parking Lots: Lot A&B Staircase & Electric Vehicle Charging Stations**

Commentors expressed that many people support the addition of a staircase between parking lots A and B, and agree it is both logical and necessary.

Response:      *Thank you for your support. This action will relieve the hill separating the two parking lots from further erosion and provide a safer way for guests to get to the Discovery Lodge and back to their vehicles at the end of the day.*

Commentors expressed support for the addition of electric vehicle charging stations at Belleayre Mountain, as a critical part of expanding access to charging stations across the State, which dovetails with green infrastructure plans statewide, and aids with the State's Climate Action Plan to reduce carbon emissions and combat climate change.

Response:      *Thank you for your support. We agree the installation of charging stations is an important step in keeping up with the State's ambitious climate plans and reducing carbon emissions by encouraging the use of electric vehicles.*

Commentors questioned if there will be a fee to use the charging stations.

Response:      *There will be a fee to use the charging stations.*

Commentors questioned if the charging stations would take up more parking space than traditionally sized parking spaces, and asked why charging stations are not proposed in several lots across the mountain.

Response:      *Parking options will not be compromised with the addition of electric vehicle charging stations. The UMPA does not specify the specific location of the chargers but provides a general overview of parking lots being considered for chargers. We appreciate this comment and will take that into consideration when siting locations for charging station installation.*

## **Topic H. Summit Area: Gondola Cabin Maintenance & Beginner Area with Conveyor Lift**

### **1. Existing Learning Area**

Commentors expressed the following regarding the existing beginner learning area at Belleayre:

**Comment:** The redesign of the current learning area needs to continue to be part of the long-term goal. The Teaching Terrain in the Discovery area, behind the lodge, should be turned from North-South to East-West, connecting the Kids Camp Area and the General Public Learning Area, removing the trees separating the two. The grade of terrain would be more desirable and would lead to a more satisfied guest experience.

**Comment:** The current beginner area is not appropriate, it is too steep and too short. A good beginner area would be the area above the Discovery Lodge where the pond skinning was held last season. There is plenty of room for lifts and people to spread out, and the pitch is gentle as it should be for first time beginner terrain.

**Comment:** Why would we not save the money and improve the experience for all by restoring the large beginner instructional area above Discovery Lodge with additional carpets as needed to bring learners up the hill?

**Response:** *ORDA is considering several options to expand learning terrain at the Ski Center. Upgrades to the existing learning area will continue to be considered in future amendments to the Unit Management Plan. The area above the Discovery Lodge has not been effective in the past and we do not agree that it would be a better learning area, but ORDA continues to consider multiple options to be scoped in future amendments.*

### **2. Ski Patrol & Facilities**

Commentors expressed the following regarding facilities at the summit:

**Comment:** There should be a functioning lodge at the summit located where it is accessible from all lifts.

**Response:** *The summit of Belleayre is a ridge, not a peak, therefore one lodge at the Summit cannot be accessed from all lifts. The existing lodge at the summit, the Sunset Lodge, will continue to be maintained.*

**Comment:** Is it not a waste to bring beginners to the top where there is no warming hut nor are there bathrooms nearby?

**Comment:** This proposal places novice skiers in a hostile environment with no restrooms or shelter.

**Response:** *ORDA will include an additional management action to install a pre-fabricated remote restroom building adjacent to the top of the gondola for public and ski patrol use.*

**Comment:** We should be trying to get beginners and children hooked on the sport, so why bring them to the coldest, windiest part of the mountain to start?

**Response:** *The proposed Upper Mountain Learning Area is intended to supplement the Discovery Lodge (lower mountain) Learning Area with slightly more challenging terrain, but less challenging than terrain served by the Lightning Quad. There is not necessarily easier terrain at the top of the mountain, but the goal of having a beginner learning area at the summit is to have learners experience the next level of terrain at Belleayre to continue growing their skills.*

**Comment:** What plans are in place regarding staffing levels and the staff training necessary so that an already bare bones lift operations staff can safely and effectively manage all the moving parts in a way that keeps things running smoothly?



Response: *We appreciate your comment, but this is outside of the scope of this UMPA. ORDA has a robust training program for all of its employees including the operations staff, whose training includes both general safety and department-specific safety with best practices to ensure safe and reliable operations.*

Commentors expressed the following regarding ski patrol at Belleayre:

Comment: Ski patrol needs the capability to run loaded toboggans continuously down hill from east side of Overlook lodge to the first aid building without having to traverse across long sections of flat terrain. This change will significantly expedite time to transport patients from east side of the upper mountain to the first aid building. This can easily be accomplished by cutting new trails between the current trails under/near lift 1 below overlook lodge directly to the first aid building.

Comment: Ski patrol needs new larger building at top of Gondola. All upper mountain trails can easily be accessed downhill by ski patrol from top of Gondola. Current ski patrol building at top of Gondola is really only designed for one patroller. This new ski patrol building at top of Gondola could be the new patrol headquarters building and be large enough to hold training sessions. If there are multiple patients that require ski patrol during the training sessions, it would be best if the training sessions are at the top of mountain where everyone can respond downhill to any location on the mountain.

Response: *The proposed gondola maintenance building will have space dedicated to ski patrol.*

### 3. Environmental

Commentors expressed the following environmental concerns:

Comment: How will the southern exposure effect this new beginner space?

Response: *The new beginner terrain will be primarily east facing. Any potential effects to the new beginner space will be compensated with snowmaking.*

Comment: Will the addition of this new area require tree cutting that could limit future tree cutting necessary for the development of additional expert and upper intermediate trail options? If so, what are the number of trees to be cut?

Response: *Yes, this proposal requires tree cutting, but it will not limit future tree cutting within the ski area. Tree counts have been provided in the UMPA as Exhibit 3.*

Comment: Will the addition of this new area count toward total trail mileage numbers, thus limiting options for the development of additional expert and upper intermediate trail options? If so, what is the number of miles to be counted?

Response: *Yes, this proposal will add an insignificant amount to Belleayre's overall constitutionally allotted mileage. Please see the Trail Inventory and Analysis in the UMPA as Exhibit 2.*

### 4. Congestion & Safety Concerns

Commentors expressed the following concerns related to congestion and safety:

Comment: Congestion and safety issues: Space at the top of the Gondola is already limited. Guests exiting the Gondola stop to put skis on and strap into boards, while trying to work around those exiting the Tomahawk lift which terminates in the same location. Ski groups also gather there to plan their descent. Adding novice ski groups who lack experience walking in the snow while carrying gear, as well as in putting on skis and strapping into boards is sure to add to congestion and safety concerns. Two-way traffic created by regular uploading/downloading of the Gondola with instructional groups of novice skiers/boarders and family members seeking to view their children's learning experience

is counter-indicated. To assure safety and congestion concerns have been addressed, please provide the plan for managing this area including anticipated traffic maps, rules, and related signage. Will family members be able to purchase tickets (thus taking space from skiers and adding to the congestion) to ride the Gondola so they might observe their youngsters learning experience as most now do at the Discovery Lodge?

Response: *ORDA will prepare the appropriate signage to direct traffic flows at the summit during the final siting and design process. Once implemented, management of crowd control during the season will be monitored by Ski Patrol as needed. The additional area provided by the new learning center will also provide space to help alleviate congestion. Gondola rides for pedestrians are not offered during the winter season but during the summer season.*

## **Topic I. Relocation of Previously Approved Snowmaking Reservoir**

Commentors expressed support for the relocation and design of a new snowmaking reservoir, noting important improvements over the plan proposed in the 2015 UMP for Belleayre Mountain.

Response: *Thank you for your support. We agree that a smaller reservoir proposed in a safer site, not requiring a dam, is the right direction for improved snowmaking capacity at Belleayre.*

Commentors questioned what would happen to the previously approved parking in the area of the newly proposed reservoir.

Response: *Previously approved parking in the area of the now-proposed relocated reservoir will not be implemented. However, the 2015 UMPA identified other areas approved for additional parking at the facility. At this time, ORDA does not foresee the need for additional parking beyond the Previously Approved Actions in the 2015 UMPA (See Figure 2).*

One commentor questioned if ORDA would be presenting the UMPA actions to the region for interested parties to ask questions about plan development.

Response: *ORDA will not be holding a public meeting to present the draft UMPA. Instead, it was determined that a 45-day public comment period would be sufficient to allow the public to review the proposals in the UMPA and to provide meaningful and constructive commentary for consideration.*

Commentors expressed a need for ORDA to elaborate and clarify why the new proposal is better than the 2015 UMPA proposal for a new snowmaking reservoir.

Response: *ORDA has evaluated the 2015 UMP proposed location for the snowmaking reservoir by studying three possible options. The expansion of the existing Pine Hill impoundment was quickly disregarded, as there is insufficient area for an impoundment expansion. Additional water storage is negligible due to limited area and steep grades immediately surrounding the existing reservoir. ORDA inherited the previously approved 2015 UMP prepared by DEC, including the proposed snowmaking reservoir location requiring construction of a DEC Class C or High Hazard dam. While the previously approved UMP provided for a robust conceptual plan, this option would require significant additional engineering evaluation to fully understand the viability. Because of the significance attached to ownership of such a dam, ORDA has decided that other alternative locations for the snowmaking reservoir that would diminish or eliminate this consequential burden are more desirable. The proposed relocation in this UMPA is adjacent to the maintenance garage; an option providing for proximity to existing utilities and no dam is preferential to the 2015 UMP approved location. Both the 2015 UMP approved and the 2022 UMP proposed relocation would have the same refill capacity, indicating that reservoir size is minimalized. The newly proposed location is slightly west of the existing maintenance garage and fulfills these goals by providing a location that requires no construction of a dam, has sufficient water storage capacity, and is within reasonable distance to utilities. To the UMPA, ORDA has added figure(s) representing the proposed reservoir locations that were considered, and why those locations are not as effective as the 2022 proposal.*

## Topic J. Highmount

Commentors expressed the following in relation to the adjacent Highmount Ski Area:

- Incorporation of the Highmount trails into the trail system along with resort expansion increases occupancy in the region, which is experiencing a tourism boom that maxes out the existing capacity at local hotels and short-term rentals; ORDA should focus on adding seasonal and year-round staff housing.
- There needs to be clarity on the purchase and plan for Highmount.
- The plans for Highmount should be expeditiously advanced.
- Concern that the proposed Nordic loop would compromise the addition of Highmount to the Belleayre footprint by taking away remaining trail mileage allotted by Article XIV of the NYS Constitution.
- Elimination of the Highmount Ski Area plan to minimize tree cutting overall.
- Addition of Highmount would create more terrain and variety across the mountain.
- Concern for the current state of the Highmount Ski Area

Response: *The Highmount land is not currently under the ownership or jurisdiction of ORDA. ORDA has consistently worked to modernize antiquated infrastructure within Belleayre and will continue to do so. The required infrastructure upgrades needed to support the expansion into Highmount will be phased in as appropriate. ORDA will consider sequencing an expansion when the components of land ownership, snowmaking, water supply, and electrical capacity are all solidified.*



**Topic K. Environmental**

Comment: The "No Action Alternative" should not be entertained as the continued development and modernization of the facilities is necessary to help support economic growth in the area.

Response: *The "No Action Alternative" is a requirement of the State Environmental Quality Review Act (SEQRA) process, which the UMPA undergoes through the Amendment process. It cannot be removed.*

Comment: It is clear that with Global warming, the ski industry will dramatically change. Climate.gov already reports a 2 Degree Fahrenheit increase in temperature since 1900. This warming of our planet is going to continue to increase thus, putting the ski industry, which relies on Snow and cold winter temperatures at risk. With over half of ski resorts slated to close in NY according to the NY Times, ski resorts such as Belleayre must be able to adapt to a future where ski resorts aren't able to operate for most of a winter season and might be shuttered altogether. Which in many former ski towns leads to the loss of businesses due to less tourism, and lower home values, which strain their economies. Such as what has already been in the case in New Windsor VT, according to the NY Times. To prevent an economic calamity on the surrounding villages and towns close to Belleayre such as Shandaken, Phoenicia, Pine Hill, and Middletown, Fleischmanns, Arkville/Margaretville. Belleayre Mountain should start diversifying the recreational opportunities that they offer. The start of new biking trails in the Belleayre Intensive Use Area is a good start, to ensure that Belleayre Mountain and the surrounding communities are ready for a time when skiing is not as reliable an economic activity. This doesn't mean that we should stop the investment of new Ski Facilities and other skiing related improvements at Belleayre, as highlighted within projects proposed in the UMP. This simply means that ski resorts such as Belleayre need to diversify, to adapt in order to be ready for future generations. Hence, I hope that the UMP continues to make investments in skiing and other activities to ensure that Belleayre is still going to be a large part of the regional economy for many decades to come.

Response: *ORDA continues to embrace new technology with the goal of increased operational efficiencies and combating climate change. ORDA is also working continuously to expand year-round recreational use at all of its facilities including Belleayre.*

Comment: Can you clarify why a single amendment can have 11 points as opposed to 1 topic per amendment? There have been many questions regarding the legality of multiple proposals under one amendment? The UMP of 2015 had many already approved items, these will all still stay in place and active is this correct? Will we require more studies such as environmental studies etc. to move forward with the proposed items in the UMPA?

Response: *Amendments to UMP's can have several management actions proposed. The actions previously approved in the 2015 UMP for Belleayre remain effective, and if any of those actions were determined to no longer be necessary, subsequent amendments to the UMP would identify such changes. Additional environmental permitting and compliance with environmental laws is addressed during the Work Plan process with DEC prior to project (Management Action) implementation, as well as during the construction process.*

Comment: The Catskill Center also supports the relocation of a previously approved snowmaking reservoir that would have required the construction of a NYSDEC Dam Safety regulated Class "C" High Hazard Dam. We strongly encourage ORDA to avoid or reduce any potential impacts to streams and wetlands, including the nearby Class B and B(T) streams shown on "Figure 11. Mapped Wetlands and Surface Water Resources."

- Response: *ORDA agrees that having a snowmaking reservoir without a dam is the safest, most reliable, and most environmentally friendly option for Belleayre's snowmaking operations. ORDA avoids impacts to wetlands and waterbodies during construction at all costs. Impacts are avoided by identifying the wetlands and waterbodies prior to construction, and developing Stormwater Pollution Prevention Plans for implementation of Best Management Practices for Construction to avoid impacts to wetlands and waterbodies and reduce the potential for impacts to stormwater during construction.*
- Comment: Mountainkeeper supports elements of the proposed 2022 Amendments that increase energy efficiency of buildings, decrease energy use in lifts and infrastructure, and encourage multimodal transportation and travel in electric vehicles. While some proposed amendments (such as moving from a triple to a quad lift) will likely result in increased energy consumption, benefits in the user experience at the mountain and other energy conserving changes justify a small number of such increases. We encourage ORDA to continue to look for opportunities to decrease energy use and to decrease use of fossil fuels. Mountainkeeper endorses the new buildings proposed in the 2022 Amendments, especially if good and improved energy efficiency in the heating and air conditioning systems can be achieved as part of the planned renovations. Mountainkeeper also recommends the setting aside of an area, perhaps in the proposed New York Ski Education Foundation building, to support four-season accessibility efforts at Belleayre and continued and expanded use of Belleayre by disabled community members and athletes. While none of the proposed amendments alone or in combination will likely have a hugely beneficial effect on greenhouse gas emissions, the overall thrust of the amendments is toward emission reductions and decreased use of combustion-based fuels. In addition, we note that increased recreation throughout the year at Belleayre may have a beneficial rather than no impact on human health.
- Response: *ORDA continues to embrace new technology with the goal of increased operational efficiencies and combating climate change. ORDA is also working continuously to expand year-round recreational use at all of its facilities including Belleayre.*
- Comment: The analysis of tree counts and tree cutting in Exhibit 3 is difficult to read in an 8 1/2 by 11 inch format.
- Response: *The UMPA has been revised to enlarge the tree cutting data for easier review.*
- Comment: Mountainkeeper agrees that the temporary disturbances associated with construction activities for these projects is acceptable, given the benefits to the general public from the proposed improvements. In the case, however, of identified habitat for the Monarch Butterfly (*Danaus plexippus*), we recommend avoiding known migration pathways, along with preservation of and planting of milkweed to support existing monarch populations at Belleayre.
- Response: *There will not be any adverse impacts to the Monarch Butterfly (Danaus plexippus). Please see the letter of no significant impact from the New York State Natural Heritage Program (NYNHP) in the UMPA as Exhibit 9.*
- Comment: ORDA or NYSDEC are required to provide DEP with prior notification of the start of construction and provide DEP with the opportunity to attend any pre-construction or scheduled construction progress meetings. Due to the significant nature of the proposed UMP modifications and potential for impacts to regulated water resources both on- and off-site, DEP is hereby requesting that ORDA submit a Stormwater Pollution Prevention Plan (SWPPP) for DEP review and comment as soon as possible. Further, DEP strongly suggests that ORDA and/or NYSDEC schedule a preliminary meeting with DEP to review the SWPPP design and assess all potential adverse impacts. The SWPPP should ensure that disturbance is kept to the absolute minimum necessary to complete the project and

must include appropriate erosion and sediment controls to prevent sediment from entering on- or off-site surface water resources, swales, or other conveyances that could transport material to protected streams. Any transport of spoil material to other areas on-site or off-site within the NYC Water Supply Watershed should be considered in the SWPPP. Locations accepting spoil material should provide erosion and sediment control measures where appropriate. New impervious surfaces that are proposed within 100 feet of DEP-regulated watercourses may need to include stormwater management practices (SMPs) to meet the intent of water quality treatment requirements outlined in the Watershed Regulations. This requirement should be addressed in the SWPPP, as applicable. Any potential impacts to onsite wetlands and streams should be quantified and discussed in detail and indicate if they are temporary or permanent in nature, measures to avoid impacts and/or possible alternatives. The UMP did not include supporting documentation such as complete grading, utility and drainage specifications and locations. Without such information, DEP cannot fully assess the potential adverse impacts of the proposed action or the adequacy of erosion and sediment control measures proposed to mitigate those impacts. The SWPPP should include site plans at a reasonable scale (maximum 1"=60') to provide adequate detail for review and construction.

Response: *ORDA provided a full SWPPP for all the proposed management actions in the UMPA to the New York City Department of Environmental Protection (NYCDEP or DEP) and Watershed Inspector General (WIG) in January of 2022. After this comment letter was submitted, ORDA ensured the SWPPP made it to the correct reviewing Division, and the SWPPP is under review by the NYCDEP.*

Comment: The proposed new ski and mountain bike trails are shown on the drawings (Exhibit 4, Figures). However, the plans do not provide the level of detail or scale needed to assess all likely areas of disturbance. The limits of disturbance should include the total disturbance associated with constructing the new trails, buildings and related infrastructure. The limits of disturbance should be based on realistic construction requirements and a full design that includes but is not limited to clearing and grubbing of vegetation, adequate construction equipment access into and around structures, broad-based dips or curtain drains, construction staging and stockpiling areas, temporary construction access, grading and benching of trails (cut and fill), lawn areas, and other road/trail work.

Response: *The ski trail modifications are included in the SWPPP submitted to the NYCDEP. Hiking and mountain biking trail developments are not included in the SWPPP because they must first be reviewed and approved by DEC in a Work Plan, which will include final siting and design, as an analysis of site-specific impacts that can't be avoided, and a description of best management practices to be used during the construction process.*

Comment: Part 2 of the EAF indicates there will be no impacts to surface waters yet the Draft UMP discusses the likelihood of multiple stream crossings of waters of the United States, which could require a Nationwide Permit (NWP) from the US Army Corp of Engineers. As such, the UMP should more thoroughly investigate and address impacts to surface waters. The EAF should include any potential impacts and, if there are impacts, indicate the project would utilize NWP 42.

Response: *Wetland delineations have been completed for all proposed management actions within this UMP, excepting those management actions added as a result of the public comment period, and the SWPPP addresses how those wetlands and waterbodies will be protected during construction. There are stream crossings anticipated during the construction of hiking and mountain biking trails and those trails require final siting and design, as well as approval from DEC through the Work Plan process. The UMPA addresses the approval of the conceptual plan for hiking and mountain biking.*

Comment: We strongly endorsed investing in BMSC's future to ensure that it remains a destination and a driver of the local economy as the warming trend associated with climate change shortens winter and makes winter recreation less sustainable. Specifically, we endorsed and continue to endorse plans for BMSC to construct more trails that can be used for all-season sports (cross country skiing, mountain biking, hiking, horseback riding) and that link to the trail network of the 1200-acre Big Indian Parcel adjacent to BMSC's existing footprint and that can also tie into the proposed regional rail trail along the Ulster-Delaware Rail Bed.

In addition, we endorsed and endorse the use of the lodges and grounds of BMSC for cultural events, festivals, educational courses and seminars, private events, and conferences. The Alliance appreciates many aspects of the proposed 2022 Amendments, and in particular, the proposed downsizing and relocation of the snowmaking reservoir approved in the 2015 UMP (an engineer working for the Alliance as a volunteer had flagged the size and location of the approved reservoir as a risk for collapse and flooding).

Overall, the proposed 2022 Amendments to Belleayre's Unit Management Plan fit more closely with the vision and critical analysis of the Catskill Heritage Alliance than the features included in the 2015 UMP, and we support its adoption and implementation.

Response: *Your support is appreciated.*

Comment: The proposed enhancements and additions to BSC will be significant improvements that will enhance the Ski Center as a winter ski resort, and as well help realize a larger unique, destination quality trail ecosystem encompassing and connecting: BSC Alpine & Nordic Trail networks, the new ADA-compliant Ulster County Rail Trail, the Village of Pine Hill, Belleayre Day-Use Area, and eventually the Town of Shandaken's Big Indian Park.

We commend ORDA & NYSDEC for the vision contained in the UMPA. It is a critically needed and strategic response to the rapidly advancing effects of climate change, including the predicted negative impacts on outdoor winter recreation in our region by the year 2050. Developing high-quality four-season diverse, accessible trail facilities now – for users of all abilities and interests, is a critically important and timely complement to snow-based recreation, and will yield increasing dividends in the decades to come.

Belleayre has always had the well-earned reputation as a facility that offered something for everyone, including especially for families. The projects included in the UMPA, in conjunction with Ulster County's U&D rail trail project as well as the multi-use trails planned on the adjacent NYSDEC Shandaken Wild Forest lands, will strengthen and build on this identity and tradition. We cannot stress how important we believe this will be for the continuing economic and community vitality of the Catskill Region including for Route 28 corridor businesses and communities all the way to Kingston.

Ulster County was recently awarded just under \$4 million to design and construct Phase I of the rail trail from Highmount to Belleayre Day-Use Area. This will include restoration of the famed double-horseshoe curve of the golden era of railroads, Woodchuck Hollow Trestle & the iconic Giggle Hollow trestle at the back of Belleayre Beach Day-Use Area. The rail trail will also provide connectivity to the Nordic trail network on the BSC Intensive Use Area property as well as the proposed trails once constructed on the adjacent 1200 acre former 'Big Indian parcel' that's now part of the Shandaken Wild Forest. The Ulster County Trails Advisory Committee Special Report – Ulster County State of the Trails / 2020, very conservatively estimated that Ulster County's shared-use trails received over 600,000 visits in 2019.



To sum up, in our view the proposed actions in the UMPA are part of a once-in-a-generation vision and integrated plan for Big Indian - Pine Hill Belleayre Ski Center - Highmount. They are coming at a critical moment in planning for the recreational & active tourism future of the ski center and the region in the context of climate change. The benefits for economic development, improved community quality of life, public health & active recreation will be significant and lasting. Thank you for the opportunity to comment on the draft UMPA for Belleayre Ski Center.

Response: *Your support is appreciated.*

**Topic L. Outside of Current UMPA Scope**

**Comment:** The Catskill Thunder gondola and the beautiful new lodge. Along with the new snowmaking capability, these innovative improvements have restored Belleayre to the ranks of the major eastern ski centers. The results are evident and a shot in the arm for the local economy. This UMP does not measure up to that high standard. Our skiers and riders have come to expect that high standard as do the skiers we are attempting to attract. The Overlook lodge needs a makeover. Facilities are dated and inadequate. Did we receive \$5mm in insurance for repairs from the avalanche. If we did it doesn't look like it was spent on the lodge. Overall, I applaud the formulation of The UMP and wish you success. I do also respectfully request the some of the largesse that ORDA has received from The State of New York make its way to Belleayre and its region.

**Response:** *The proposed actions in this UMPA must be approved prior to implementation. Upon approval of this Amendment, ORDA can initiate procurement of design and construction for these twelve (12) carefully considered and chosen projects to continue the modernization of Belleayre and its facilities and operations.*

Commentors disagree with the investment of taxpayer money into Belleayre Mountain.

**Response:** *Taxpayer dollars are essential to the maintenance, operation, and overall expansion opportunities for trails and buildings that support the Belleayre complex. The intended scope of this amendment is designed to clarify the acceptable uses of the area and respond to concerns of overuse, impacts on the resource, and encourage additional public recreation and use of the area. Therefore, this comment is outside the scope of the proposed amendment and no amendments are necessary.*

Commentors expressed the need for a replacement of the Tomahawk Lift, specifically to a detachable lift with a midstation.

**Response:** *Thank you for your comment but this is outside of the scope the Amendment. Within this Amendment, Lift 7 is proposed to have a mid-station terminal.*

**Comment:** If the Overlook and Longhouse Lodges were eliminated and a new lodge relocated at the site of the old maintenance how would access to the upper mountain chairs be accommodated? I would not want to be forced to the gondola which is located on the far side of the mountain instead of being centrally located and have to work your way over to gain access to the other lifts. A new modern midstation lodge would be nice but the location carefully considered. A general comment. There are too many occasions when lifts are not in operation or are broken. The price of a ticket or seasons pass has become much more expensive, and I believe skiers should have access to the full mountain.

**Response:** *Thank you for your comment but this is outside of the scope of the Amendment.*

**Comment:** I feel that space is being taken away from us for use of Hunting/Fishing. We as Sportsman/women should have rights to use property for use as we do pay for license fees to enjoy the outdoors as well as a means to provide for family and the trails come with no fees for hikers or bike users. I am not against trails however we should have shared use and they should pay fees just like all of us Sportsman do.

**Response:** *Thank you for your comment. Hunting is not allowed at the Ski Center.*

## **Exhibit 11.**

Errata

## Exhibit 11: Errata

The following changes, additions and deletions were made to the Public Draft when preparing the Proposed Final version of the 2023 Amendment to the 2015 Unit Management Plan for the Belleayre Mountain Ski Center.

1. The Lift 7 Replacement and Realignment management action was updated to provide additional information related to surrounding queueing area improvements, assessing the feasibility of a skier tunnel versus a skier bridge, and additional details of the overall project.
2. The management action: Utsyantha-Goat Path Modification was changed to Alpine Trail Modifications, to document changes to the overall alpine trail mileage at Belleayre.
  - a. Previously Approved trails that were Abandoned: West-1, West-2 (lower), West-6, HMT-9B.
  - b. Existing trails that were abandoned: Cathedral Brook (upper)
  - c. Previously approved trails that were realigned: West-2, West-3, West-5
  - d. Existing alpine trails proposed to be widened as a result of abandonments and realignments: Cayuga, Deer Run
  - e. The Utsyantha-Goat Path action still remains. An elevation profile and slope map were added to the UMPA as Figures 5a and 5b.
3. The Nordic loop proposed in the Public Draft has been realigned to be shorter and more cohesive.
4. The NYSEF Building action proposed in the Public Draft has been abandoned. As a result, an expansion of the Longhouse Lodge has been added as a proposed management action to accommodate for the loss of the NYSEF Building. This was a result of the public comment period suggesting that the NYSEF building is not proposed in a favorable location, and an expansion of the Longhouse Lodge would be better.
5. As a result of the public comment period, a pre-fabricated restroom building has been proposed as a new management action, to satisfy the need for a restroom at the summit.
6. The Full Environmental Assessment Form has been revised, and additional SEQRA documentation has been added to Exhibit 1, including completed Parts 2 and 3 of the FEAF and a negative declaration.
7. Exhibit 2, Trail Inventory and Analysis, has been revised to incorporate trail abandonments, realignments, and proposals as described above in #1.
8. Exhibit 3, Tree Counts, has been revised based on revisions to management actions.
9. Language pertaining to Executive Order No. 22 has been added to the UMPA as Section V.
10. Exhibits 5, 6, and 8 have been revised.
11. Exhibit 10, Responses to Public Comments, has been added.
12. Exhibit 11, Errata, has been added.
13. The following figures were added to the document: Figure 4a (Skier Tunnel Concept), Figure 4b (Skier Bridge Concept), Figure 4c (Queueing Area Improvements), Figure 5a (Utsyantha/Goat Path Slope Map), Figure 5b (Utsyantha/Goat Path Elevation Profile), Figure 10 (Snowmaking Reservoir Location), and Figure 11 (Snowmaking Reservoir Alternatives Considered).



14. The following figures have been revised since the Public Draft: Figure 1 (Master Plan), Figure 4 (Lift 7 and Trail Improvements), Figure 6 (Nordic Loop), Figure 9 (Beginner Area with Conveyer Lift), Figure 12 (Erosion Potential), Figure 13 (Soils), Figure 14 (Mapped Wetlands and Surface Water Resources), Figure 15 (Topography), Figure 16 (Land Cover).
15. An Executive Summary has been added.