



Department of
Environmental
Conservation

Lyme Adirondack Timberlands Conservation Easement

Big Moose Tract

Amendment to the 2007 Interim Recreation Management Plan

**Town of Webb
Herkimer County**

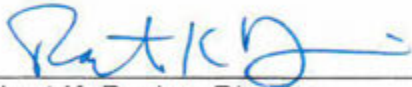
ANDREW M. CUOMO
Governor

BASIL SEGGOS
Acting Commissioner

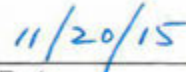
November 2015

APPROVAL DECLARATION

The NYSDEC has responsibility for managing public access and recreation on the Big Moose Tract of the Lyme Adirondack Timberlands Conservation Easement, in accordance with the content of the conservation easement. The Parties agree that this Interim Recreation Management Plan Amendment is consistent with the terms, conditions, and purposes of the conservation easement and reviewed/approved for implementing the public recreation program on the Lyme Conservation Easement.

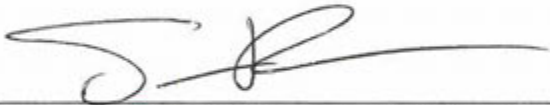


Robert K. Davies, Director
Division of Lands & Forests



Date

This IRMP amendment has been reviewed/approved by the Property Owner or designee:



Sean Ross, Director of Forestry Operations
The Lyme Timber Company



Date

I. Introduction

This document serves to amend the Interim Recreation Management Plan (IRMP) for the Big Moose Tract, in the Town of Webb, Herkimer County. The Big Moose Tract is encumbered by a conservation easement granted to the New York State Department of Environmental Conservation ("NYSDEC") by Lyme Adirondack Timberlands I ("LAT I") LLC, in March 2007. Under the conservation easement, NYSDEC has the responsibility of managing public access and recreation on the Property.

The Big Moose Tract IRMP, completed in February 2007, served to guide the initial establishment of public recreational access to lands encumbered by the conservation easement. A final Recreation Management Plan (RMP) for the Big Moose Tract will be developed in consultation with Lyme Timber Company. All management of public recreation by NYSDEC is subject to terms of the conservation easement.

A single modification to the 2007 IRMP is included in this amendment, allowing for use of the trail to the summit of Stillwater Mountain, the tower, and area immediately surrounding the tower year round, with the exception of the period from the second Tuesday in October through December 20th of each year.

II. Modification

Additional Access to Stillwater Mountain

In Section V. Public Recreational Access; Conservation Easement – B;

(a) Hiking Trails;

- (i) "Existing: Public non-motorized access is granted on the trail to the summit of Stillwater Mountain, the Tower and area immediately surrounding the Tower, as that trail and area are shown on the *Herkimer 172 Map*, but only during the period May 1 through and including the second Monday in October (traditional Columbus Day) of each year."

Will be replaced with:

- (i) "Existing: Public non-motorized access is granted on the trail to the summit of Stillwater Mountain, the Tower and area immediately surrounding the Tower, as that trail and area are shown on the *Herkimer 172 Map*. Access will be permitted year-round, with the exception of the period from the second Tuesday in October through December 20th of each year."

III. Appendices

- A. 2007 Interim Recreation Management Plan**
- B. Big Moose Tract - Herkimer 172 Map**

Appendix A – 2007 Interim Recreation Management Plan

Lyme Adirondack Timberlands I, LLC
&
New York State
Department of Environmental Conservation

February 2007
Division of Lands & Forests

Interim Recreation Management Plan
Lyme Adirondack Timberlands I, LLC Conservation Easement
Big Moose Tract
Tract Number: 18 (IR1)
DEC Project Number: Herkimer 172
Phase: II - III

County of Herkimer
Town of Webb

Big Moose Tract
Interim Recreation Management Plan Amendment
November 2015

I. Introduction:

The New York State Department of Environmental Conservation ("Department") will have primary responsibility for managing public access and recreation. This Interim Recreational Plan ("Plan") is intended to guide the initial establishment of public recreational access to lands owned by Lyme Adirondack Timberlands I, LLC ("LAT I"), as those lands become subject to the Phase II - III Conservation Easement. The Department will consult with LAT I to develop a Final Recreation Management Plan in accordance with the Conservation Easement within five years from closing Conservation Easement Phase II-III. This Plan incorporates the rights, privileges and obligations provided for in the Easement. By signing this Plan, the parties intend that the public recreational access and uses described herein shall become available to the public pursuant to the Conservation Easement, specifically Section 4.7. Public access will be allowed only when necessary facilities have been designated and developed and the parties have agreed on a method for equitably sharing the costs and responsibilities for routine maintenance and improvements pursuant to Section 4.7 of the Easement. Thereafter, public access may be suspended during mud season, or when LAT I establishes logging operation closure zones pursuant to the Easement. Public recreational use will be further evaluated and possibly expanded, in the Final Recreation Management Plan.

The Conservation Easement for the Big Moose Tract, Tract Number 18 (IR1) grants the State of New York a legal interest in the Tract and sets forth terms, restrictions, and rights of LAT I and the State with respect to the Tract, and thus establishing a framework for its future use and management for public recreation. The Conservation Easement guarantees the State of New York the right to permit public access to the Tract, to participate in natural resource-based outdoor recreational activities. These initial uses and any additional public recreational opportunities, will be described in greater detail in the subsequent Final Recreation Management Plan.

Public recreation rights granted in the Conservation Easement but not included in this Interim Recreation Management Plan shall not be available for public enjoyment unless and until approved in subsequent Interim Recreation Management Plans or a Final Recreation Management Plan.

II. Tract Overview: See Map: "MAP OF LANDS TO BE SUBJECT TO A CONSERVATION EASEMENT, TO BE ACQUIRED PURSUANT TO SECTION 3-0305 OF THE ENVIRONMENTAL CONSERVATION LAW, KNOWN AS: TRACT 18 - BIG MOOSE DESIGNATED AS PROJECT: HERKIMER 172, VENDOR: SP FORESTS L.L.C., SITUATE IN TOWNSHIPS 6 & 8 JOHN BROWN TRACT, GREAT TRACT 6, MACOMB'S PURCHASE, TOWN OF WEBB, HERKIMER COUNTY, STATE OF NEW YORK" dated December 20, 2006 by Mark T. Effley PLS No. 50537, as Map No. 11,945, attached and made a part of this Plan (referred to herein as "*Herkimer 172 Map*").

1. The land area known as Tract 18 ("Tract"), is located in the Town of Webb, Herkimer County, New York.
2. The total land area subject to this Interim Recreation Management Plan is 20,162 +/-

acres, all of which lands are subject to the terms of "Conservation Easement - B."

Major Elements of the Interim Recreation Management Plan include the following:

1. Public access and recreation on the Tract will occur and be managed in accordance with the provisions of New York State Law, the Conservation Easement, and other relevant laws and regulations.
2. DEC will have primary responsibility for managing public access and recreation.
3. Identification of immediate and proposed uses that will be permitted on the Tract, consistent with existing laws and regulations such as state regulations.

III. Summary of Natural Resources:

1. Water Bodies: See *Public Recreation Access Map*.
2. Ponded Water: There are several named bodies of water on the Tract, including; Hitchcock Lake, Little Rock Pond, Cranberry Ponds, Doe Pond, Lyons Marsh, Little Diamond Pond, Big Diamond Pond and Little Independence Pond. The Tract also borders Stillwater Reservoir in several locations.
3. Watercourses: A complex network of watercourses exists within the Tract, including Birch, Mosse and Twitchell Creeks, as well as many unnamed streams.
4. Wild, Scenic, and Recreational Rivers: The Independence River, which runs through the Tract, is classified as "Scenic".
5. Wetlands: Wetlands within the Tract have been inventoried and mapped by the Adirondack Park Agency. Wetlands are primarily concentrated along major drainages and in association with area lakes and ponds or rivers. There are 5,795 acres of wetlands within the Big Moose Tract. Maps will be provided at a later date.
6. Vegetation: The lands within the Tract are almost entirely forested, with species composition the result of past historical events, forest management, and differences in site factors, including soil types, soil moisture and climatic conditions determined by elevation, slope and aspect. A mixture of forest types can be found, including, in order of abundance, northern hardwoods, mixed woods, and softwoods of various size classes. A review of the Master Habitat Data Base for this Tract found no endangered or threatened species or exemplary natural communities for the area.
7. Wildlife: The Tract is located within the Central Adirondack Mountain Ecological Zone of New York State. A comprehensive description of wildlife species of the region is being developed.

8. Hunting: Hunting by the public will not be allowed on the Tract.
9. Fishing: Fishing by the public will not be allowed on the Tract.
10. Visual/Scenic Areas: The summit of Stillwater Mountain is occupied by an old fire tower offering views of Stillwater Reservoir and the surrounding landscape. Other scenic areas are in association with ponds, streams and wetlands.

IV. General and Specific Guidelines: This Interim recreation Management Plan shall implement public recreation on the portions of the Tract so designated for such uses, either in the Conservation Easement or in the Public Recreation Access Map, or both.

A. General Guidelines. Public recreational access shall be consistent with the Conservation Easement and the following general guidelines:

1. Safety.
2. Protecting natural resources; including the removal of trash or debris such as papers, bottles, cans, or other garbage left on the Tract by the public utilizing the Tract.
3. Not interfering with Grantor's Forest Management Activities.
4. The capacity of the Tract to accommodate public recreation.
5. To the greatest extent possible, motorized and non-motorized uses shall occur on existing roads and trails so the need for new trails is minimized.
6. The location and condition of trails, parking areas, and other recreational improvements shall be reviewed at least annually and more frequently, if necessary.
7. Public access and recreation on the Tract will occur and be managed in accordance with the provisions of New York State Law, the Conservation Easement, and other relevant laws and regulations, as well as this Plan.
8. Relationship to Adjacent Public Lands: When directly related to adjacent lands, public or private, the Final Recreation Management Plan may propose connecting uses such as trails for hiking and pedestrian activities, horseback riding, ATV and snowmobile corridors, and roadways for other motorized vehicle use.

B. Specific Guidelines. In addition to the general guidelines listed above, implementing public recreation on the Tract shall be consistent with the following specific guidelines:

1. Snowmobile Use. The main purpose of snowmobile use on the Tract is to connect existing snowmobile trails systems on and off the Tract. Trail design and maintenance standards shall conform to such manuals and guidelines which are in general use by the New York State Office of Parks, Recreation, and Historic Preservation at the time in question, or equivalent manuals and guidelines used by another State agency.
2. Grantor's Recreation Leases. Unless the parties agree to do so, public recreation on the Protected Property shall not conflict with or diminish Grantor's private recreation

and camp leases ("camp lessees"), including lessees' ability to access their camps using motorized vehicles.

V. Public Recreational Access. The following recreational access and uses are available to the public, in accordance with this Interim Recreation Management Plan.

Conservation Easement – B: Lands subject to the terms of "Conservation Easement - B" are currently leased to hunting and fishing clubs and, as such, public recreational access is restricted to designated hiking trails, designated snowmobile trails, and parking areas.

(a) Hiking Trails. Non-motorized access, for hiking only, is granted on those trails identified for such use.

(i) Existing. Public non-motorized access is granted on the trail to the summit of Stillwater Mountain, the Tower and area immediately surrounding the Tower, as that trail and area are shown on the *Herkimer 172 Map*, but only during the period May 1 through and including the second Monday in October (traditional Columbus Day) of each year.

(ii) Proposed. This Interim Recreation Management Plan does not propose new public hiking trails.

(b) Snowmobile Corridors. Public access by any type or form of motor vehicle is prohibited, except as provided specifically in this Section and by snowmobiles on those corridors designated for such use.

(i) Existing: The snowmobile trails identified on the *Herkimer 172 Map* as "State Public Snowmobile Corridors" are open for public snowmobile use in accordance with this Interim Recreation Management Plan. No roads or trails have been designated for motorized vehicle or ATV use in this Interim Recreation Plan.

(ii) Proposed: This Interim Recreation Management Plan does not propose any snowmobile trails except the "State Public Snowmobile Corridors" identified on the *Map*.

The Department is granted the right of administrative motorized access, to establish, develop, repair, maintain, abandon, groom, and relocated snowmobile trails and related trail improvements within the corridors. Trails and all related trail improvements shall not be located or maintained outside a corridor.

(c) Future Parking, Not Yet Designated

(i) With regard to the trails located on Conservation Easement-B Tracts that cross a public highway, Grantee may establish parking areas, at the location of such crossing, for the parking of motor vehicles used by the

public to access those trails, provided the location of the specific parking areas is identified in subsequent Recreation Management Plans or the Final Recreation Management Plan and subject to approval by LAT I.

- (ii) With regard to the trails on Conservation Easement-B Tracts that do not cross a public highway, Grantee may establish parking areas for the parking of motor vehicles used by the public to access those trails and the parties shall also designate a connector trail between the parking area and the trail. Both the connector trail and parking area must be identified in subsequent Interim Recreation Management Plans or the Final Recreation Management Plan subject to approval by LAT I.
- (iii) Any parking area established in accordance with the terms of Subsection 4.4(b)(2)(c) of the Easement may only be used by members of the public for access to snowmobile and hiking trails available for public use under the terms of this Easement, and for no other purposes. Further, any parking areas so established shall be limited in size to accommodate no more than ten (10) motorized vehicles.

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Big Moose Tract
Tract No.: 18 (IR1)
DEC Project No.: Herkimer 172
Phase: II - III

BY EXECUTING THIS INTERIM RECREATION MANAGEMENT PLAN, THE PARTIES
AGREE TO THIS PLAN AND INTEND TO BE BOUND BY ITS TERMS, SUBJECT TO THE
CONSERVATION EASEMENT.

LYME ADIRONDACK TIMBERLANDS I, LLC

By: [Signature]

Its: Pres

Date: 3/1/17



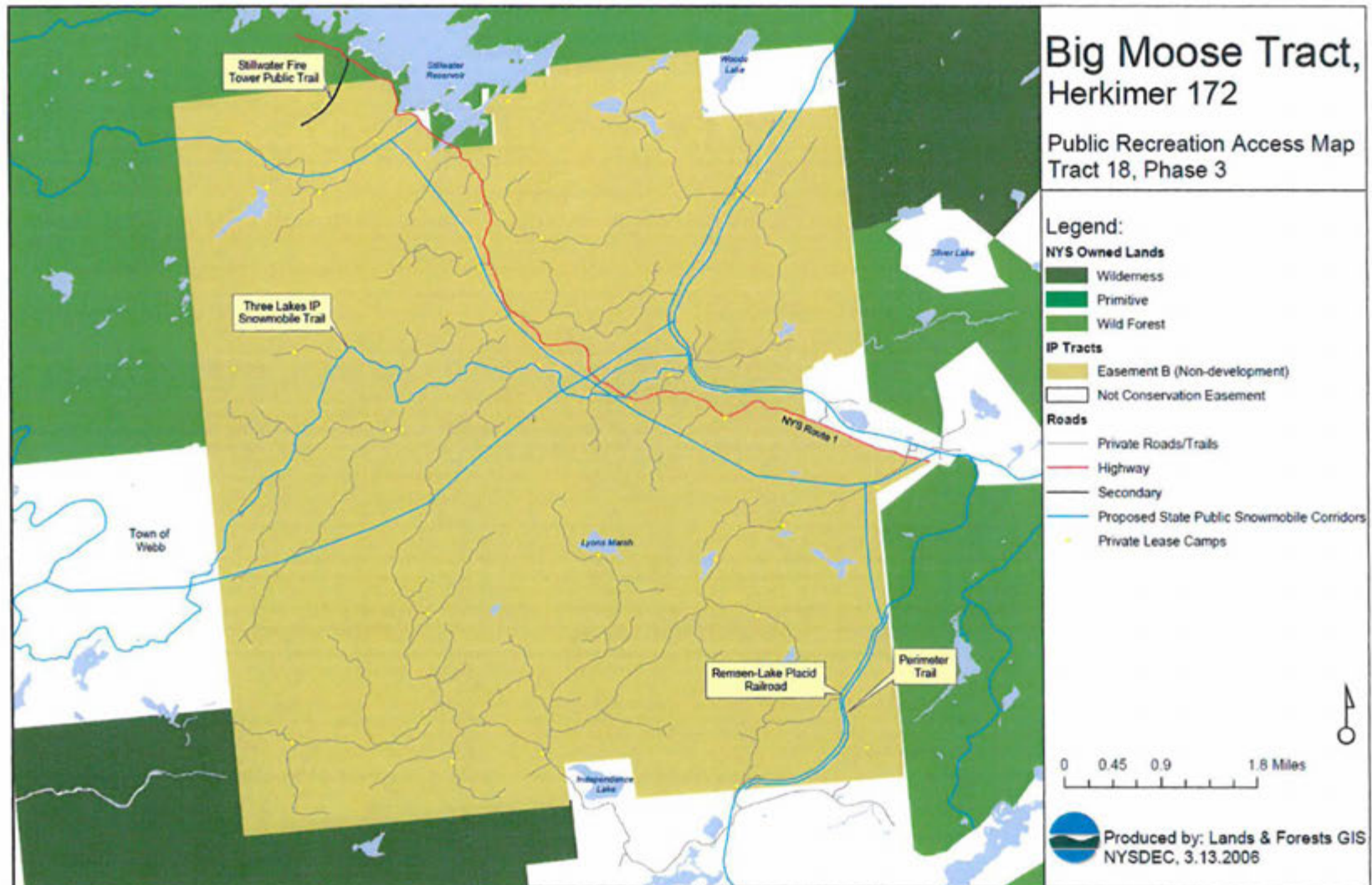
THE PEOPLE OF THE STATE OF NEW YORK, BY
THEIR COMMISSIONER OF ENVIRONMENTAL
CONSERVATION

By: [Signature]
Nancy Lussier

Its: Director, Division of Management and Budget

Date: MAR - 7 2017

Appendix B. Big Moose Tract - Herkimer 172 Map



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&
New York State
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February 2007
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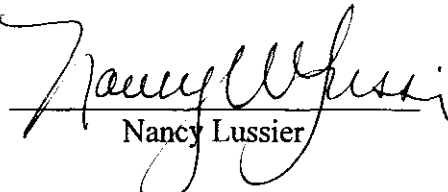
By: 

Its: Pres.

Date: 3/1/07



**THE PEOPLE OF THE STATE OF NEW YORK, BY
THEIR COMMISSIONER OF ENVIRONMENTAL
CONSERVATION**

By: 
Nancy Lussier

Its: Director, Division of Management and Budget

Date: MAR - 7 2007