

Division of Lands & Forests

ERWIN
UNIT MANAGEMENT PLAN
FINAL

Towns of Erwin & Addison, Steuben County

October, 2008

Lead Agency:
NYS Department of Environmental Conservation
Region 8 Sub-Office
7291 Coon Rd.
Bath, New York 14810



DAVID A. PATERSON
GOVERNOR

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

ALEXANDER B. GRANNIS
COMMISSIONER

MEMORANDUM

TO: The Record
FROM: Alexander B. Grannis
DATE:
SUBJECT: Final Erwin Unit Management Plan

The final unit management plan for "Erwin Mountain State Forest, Erwin Wildlife Management Area and the McCarthy Hill State Forest" has been completed. The Plan is consistent with Department policy and procedure, involved public participation and is consistent with the Environmental Conservation Law, Rules and Regulations. The plan includes management objectives for a ten year period and is hereby approved and adopted.

A handwritten signature in black ink, appearing to read 'Alexander B. Grannis', written over a horizontal line.

Alexander B. Grannis, Commissioner

OCT - 8 2008

Date

PREFACE

It is the policy of the New York State Department of Environmental Conservation to manage State lands for multiple benefits to serve the people of New York State. This Unit Management Plan (UMP) is the first step in carrying out that policy. The plan has been developed to address management activities on this unit for the next 10 year period, with a review due in 5 years. Some management recommendations may extend beyond the 10 year period.

Factors such as budget constraints, wood product markets, and forest health problems may necessitate deviations from the scheduled management activities.

The Unit Management Planning Process

New York State's management policy for public lands follow a multiple use concept established by New York's Environmental Conservation Law. This allows for diverse enjoyment of State lands by the people of the State. Multiple use management addresses all of the demands placed on these lands: watershed management, timber management, wildlife management, mineral resource management, rare plant and community protection, recreational use, taxes paid, and aesthetic appreciation.

In this plan, an initial resource inventory and other information is provided, followed by an assessment of existing and anticipated uses and demands. This information is used to set goals and management objectives. Management actions tables provide an estimated cost and timetable for accomplishing these objectives.

NYS Department of Environmental Conservation committee members:

Gretchen Cicora	Senior Forester
Bruce Penrod	Senior Wildlife Biologist
Mark Keister	Senior Forester
Linda Vera	Citizen Participation Specialist
Joel Fiske	Senior Forester
Anne Farrand	Forest Ranger
Jim Bagley	Senior Forester
Bill Glynn	Mineral Resources Specialist
Scott Smith	Senior Wildlife Biologist

With additional information from:

Brad Hammers	Senior Aquatic Biologist
Ernest Lucantonio	Env. Eng. Tech. III

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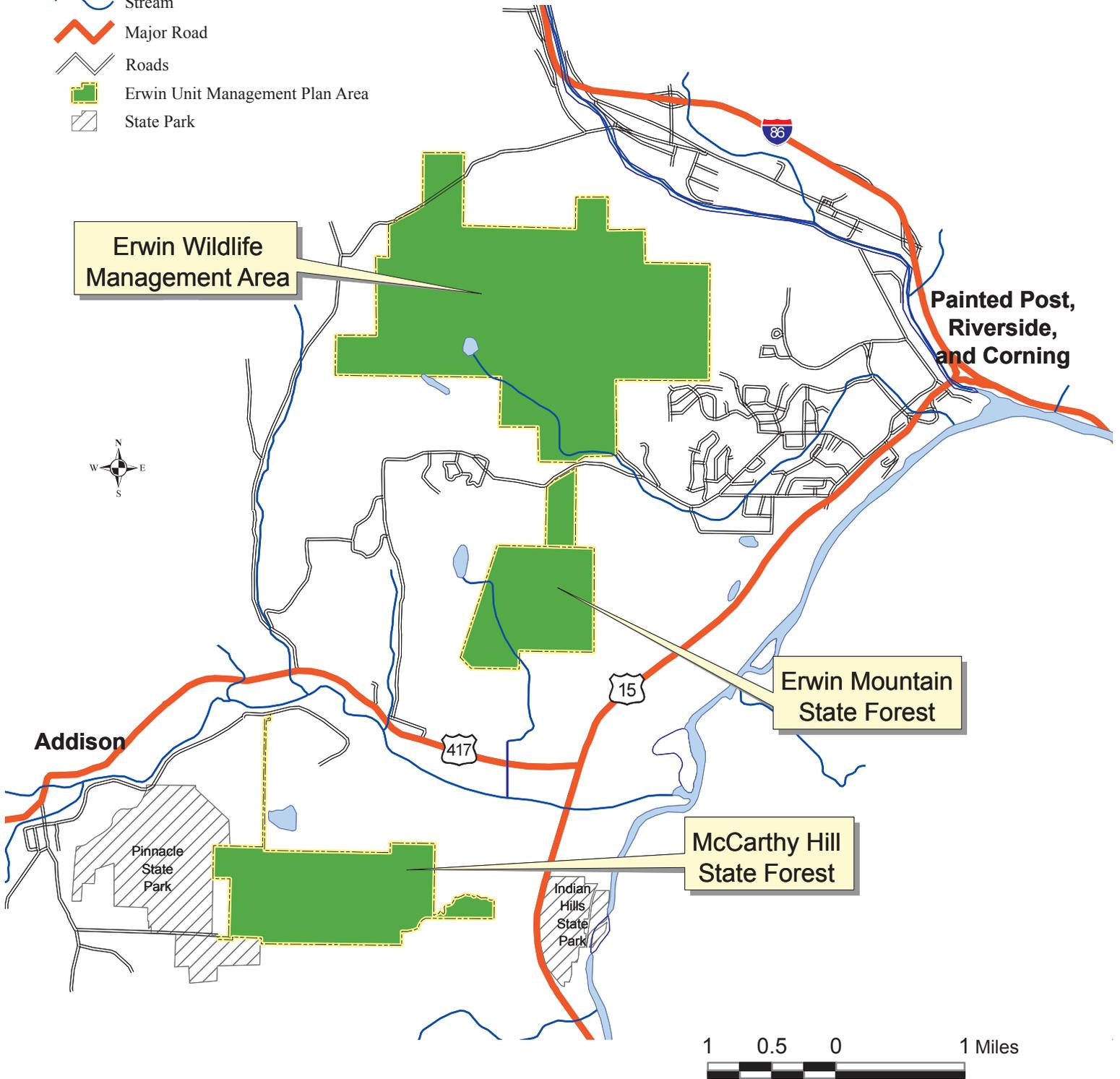
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Erwin Unit Location Map

For Additional Maps, see Appendix G, pages 99 to 108.

Waterbody

-  Island
-  River or Waterbody
-  Stream
-  Major Road
-  Roads
-  Erwin Unit Management Plan Area
-  State Park



INTRODUCTION

History of State Forests and Wildlife Management Areas

Forest lands outside the Adirondack and Catskill regions owe their present character, in large part, to the impact of pioneer settlement. Following the close of the Revolutionary War, increased pressure for land encouraged westward expansion. Up to 91% of New York woodlands were cleared for cultivation and forage.

As the less fertile soils proved unproductive, they were abandoned, and settlement was attempted elsewhere. The stage of succession was set and new forests of young saplings re-occupied the ground once cleared.

The State Reforestation Law of 1929 and the Hewitt Amendment of 1931 set forth the legislation which authorized the Conservation Department to acquire land by gift or purchase for reforestation purposes. These State Forests consisting of not less than 500 acres of contiguous land, were to be forever devoted to “reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber, and for recreation and kindred purposes”. This broad program is presently authorized under Article 9, Title 5, of the NYS Environmental Conservation Law.

In 1930, Forest Districts were established, and the tasks of land acquisition and reforestation were started. In 1933, the Civilian Conservation Corps (CCC) was begun. Thousands of young men were assigned to plant millions of trees on the newly acquired State Forests. In addition to tree planting, these men were engaged in road and trail building, erosion control, watershed restoration, forest protection, and other projects.

During the war years of 1941-1945, little was accomplished on the reforestation areas. Plans for further planting, construction, facility maintenance, and similar tasks had to be curtailed. However, through postwar funding, conservation projects once again received needed attention.

The Park and Recreation Land Acquisition Act of 1960 and the Environmental Quality Bond Acts of 1972 and 1986 contained provisions for the acquisition of State Forest lands, these lands would serve multiple purposes involving the conservation and development of natural resources, including the preservation of scenic areas, watershed protection, forestry, and recreation.

Wildlife management areas in New York, like State Forests, have a varied history of acquisition. Many were gifted to the New York State by the Federal Government or other cooperating public or private organization. Some parcels were purchased with Bond Act funds or Federal Aid in Wildlife Restoration Program funds. The latter which is commonly called the Pittman-Robertson Act is a federal fund supported by hunters from their purchase of hunting licenses, firearms and ammunition.

Today there are nearly 750,000 acres of State Forests and over 200,000 acres of wildlife management areas throughout the State. The use of these lands is important to the economy and to the health and well-being of the people of the state.

History of Erwin Unit Management Area

The lands within the Erwin Unit were inhabited prior to the Revolutionary War by the Seneca Indians. The Senecas were nomadic hunters and farmers. Most Senecas were allied with the British in both the French & Indian war and continued to support the British against the colonists during the Revolutionary War. In response

to these attacks on European settlers, General John Sullivan was commissioned to attack the Native Americans of western New York. This began a series of skirmishes between Sullivans' troops and the Senecas. Many of Sullivan's soldiers, having observed the potential for agriculture from the Senecas, eventually settled in the valleys of this area and became farmers.

It is known that the upland portion of the Erwin Unit was almost completely forested in 1779. By the late 1800's only about 30% of the land area was forested, the remainder having been cleared for agriculture. It is unclear if any of the State lands were ever completely cleared. Significant evidence of livestock grazing (fencing of various different types, etc.) does exist on all three State land units.

The Industrial Revolution began another change. By 1900, many agricultural farms in the upland areas of Steuben County were abandoned. Over time these areas reverted back to forest land. Oak/chestnut forests were dominant in this area.

In 1904, a fungal disease called chestnut blight was discovered in New York, having been accidentally imported from Europe. Within 30 years, it spread across the nation and virtually eliminated the American Chestnut. Evidence of American Chestnut can still be seen in the form of stumps and sprouts from root systems of chestnut. Overhead, the holes left by the death of the chestnuts has been filled by oaks, red maple, white ash, and hickories.

In response to the decline of agriculture and the demand that the abandoned and eroding farmlands be returned to productive activity, the New York State legislature passed the "Reforestation Law of 1929". Shortly afterwards, the nation plunged into the Great Depression, accelerating the abandonment of agricultural lands.

The "Park and Recreation Land Bond Act" of the early 1960's was the funding source for acquiring Erwin Mountain State Forest in 1964 and McCarthy Hill State Forest in 1965. This makes them some of the "youngest" lands in the State Forest system. Consequently, the softwood plantations (resulting from Depression era planting) which typify other State Forest areas are absent here.

Erwin Wildlife Management Area was purchased by the NYS Conservation Department in 1928. Lands acquired at that time had been heavily timbered and portions burned over. The Wildlife Management Area remained largely unmanaged until the 1960's when the Dept of Correction Youth Campmen cleared roads, cut 40 foot wide boundary line clearings, and completed a number of wildlife habitat improvement projects. In the 1970's further enhancements were done by the Resource Conservation and Development Project and Title X.

In 1965, 15 acres around the fire tower were transferred from the Division of Fish, Wildlife and Marine Resources to the Division of Lands and Forests. The intent was to have this area developed for Day-Use picnicking. Some development did occur, a water well was drilled in 1967, and picnic tables and fire pits were constructed during the same time period. In 1974 the area was dedicated as the Ray Murray Park, in honor of the man who put many hours of work into developing the area, and died in a plane crash in 1970 while surveying for forest fires. Unfortunately, due to vandalism issues the idea was abandoned, and in 1976 the observers cabin was sold to the highest bidder. Since that time habitat management and enhancement has been limited to the activity associated with some smaller timber sales.

Renewed efforts for gas exploration on the Erwin Unit occurred in the 1990's and continue today.

INFORMATION ON THE UNIT

Identification

The approximately 3797 acre Erwin Unit is comprised of two State Forests and one wildlife management area. For management purposes, each State Forest is consecutively numbered in the order in which they were purchased in each county.

Erwin Unit Management Plan includes the following:

Table 1 Acreage of State Land

Name	State Forest Number	Acreage
McCarthy Hill State Forest	Steuben Reforestation Area # 21	800
Erwin Mountain State Forest	Steuben Reforestation Area # 20	507
Erwin Wildlife Management Area		2490

Geography

All individual properties are located within the Susquehanna River Basin. Local watersheds for this unit are the Canisteo, Tioga, and Cohocton, which join to form the Chemung River at Painted Post.

All of the individual properties in this Unit Management Plan are located in Steuben County. The Table 2 lists the town(s) where the individual units fall.

The city of Corning, is located downstream of the watershed(s) for this Unit. This region is generally rural but has seen significant suburban development in the past 15 years. Interstate 86/US Rt. 17 located at the north edge of the unit, and US Rt. 15, located to the east are the major transportation routes. Pinnacle Hill State Park is the only recreational facility located near the unit.

The Erwin Unit lies on the northern edge of the Allegheny Plateau. Elevations on the Unit range from 1100 feet (above mean sea level) at the east end of McCarthy Hill State Forest to 1780 feet in Erwin Wildlife Management Area.

Table 2 Towns of the Erwin Unit

Name	Town(s)
Erwin Mountain State Forest	Erwin
McCarthy Hill State Forest	Erwin, Addison
Erwin Wildlife Management Area	Erwin

Climate

The average winter high temperature is 36° Fahrenheit and the average daily minimum temperature is 18°F. In summer, the average daily high temperature is 80°F. Plateau summits are markedly cooler than the lowland farming areas.

Annual precipitation averages 31-36 inches. Precipitation is well distributed throughout the year and is usually adequate for all crops.

Average seasonal snowfall is 70-75 inches. In winter, snow occurs frequently and covers the ground much of the time. Snow depths vary greatly with elevation, but on the average, snow depths are measurable for 3 months. The number of such days varies greatly from year to year. Sunshine occurs for 65% of daylight hours in the summer and 30% in the winter. The prevailing wind is from the west to southwest. Average wind speed is at its highest, 12 m.p.h., in February.

Climatic data is supplied by the United States Department of Agriculture(USDA) Soil Conservation Service.

According to Cornell Cooperative Extension, the number of frost free days in Steuben County varies from less than 163 on the hill tops to between 163 and 169 in the valleys.

Adjacent Land - Existing Uses

The land adjacent to the Erwin Unit is largely in private ownership. There are several larger corporate parcels adjacent to the Erwin Wildlife Management Area.

Agriculture, forestry, and residential properties are major land uses. Although agriculture is traditionally the most common land use, it appears to be declining on the uplands. Agriculture of all types occurs in the valley bottoms. The average number of acres per private ownership appears to be declining.

Taxes

State Forest lands acquired for reforestation purposes pursuant to Section 9-0501 of the Environmental Conservation Law (ECL) are subject to taxation for all purposes except county tax. Town tax and school tax are paid annually to the county clerk for distribution to the appropriate towns and school districts. State Forests are valued as if privately owned and assessed in accordance with subdivision 1, Section 542 of the Real Property Tax Law.

State Forest lands and multiple use areas less than 3000 acres acquired using monies from the Park and Recreation Land Acquisition Bond Act of 1960 are not subject to real property taxes. Both Erwin Mountain and McCarthy Hill State Forest were acquired using 1960 bond act funds and are not subject to property taxes.

Wildlife Management Areas are not subject to real property taxes except where special arrangements have been made at the time of acquisition.

In other Unit Management Plans, Appendix C lists the taxes paid on the lands. In this case of the Erwin

Unit Management Area, none are paid.

Further details may be found in Section 534 of the Real Property Tax Law.

Geology

Surface Geology

Background

Most surface geology in the Finger Lakes region and Allegheny Plateau of the Southern Tier of New York was influenced by the processes of glaciation that occurred during the Pleistocene Epoch. Ice sheets from the last glaciation episode (Wisconsinan glaciation episode) retreated from the area approximately ten thousand (10,000) years ago. Glacial activity left behind numerous sedimentary deposits and surficial features. These included elongate scour features. Weathering and erosion by streams and rivers has continued to sculpt the surface geology of the Allegheny Plateau to present day, resulting in the hills and valleys prevalent throughout the region. Some features filled with water creating numerous lakes, small and large. A number of these lakes to the North of this area are now call the Finger Lakes.

Most soils and sediments in the region are related to past glacial activity, and subsequent weathering and erosion processes over the last 20,000 years. The underlying parent rocks (rocks that were subjected to the processes of glaciation, weathering and erosion) of this region are sedimentary rocks; specifically shale, sandstone and minor limestone that were deposited in shallow seas that existed in this region during the Devonian Period of the Paleozoic Era, approximately 370 million years ago. Any post Devonian rocks have been eroded from the region. The presence of rounded igneous and metamorphic clasts are indicative of past glacial activity transporting material into the region from the Canadian Shield to the north.

Erwin Unit

The resulting surface geology of the State lands included in this unit management plan are similar due to their close proximity.

Erwin Wildlife Management Area, Erwin Mountain State Forest and the McCarthy Hill State Forest include surface geology consisting of glacial till as the dominant deposit in the area. There are intermittent areas of sand and gravel as a result of kame deposits. Bedrock outcrops and subcrops of Devonian shales, siltstones, sandstones and minor limestones are located intermittently on the sides and crests of ridges and hills in these areas. Most likely due to the erosion of overlying glacial till, causing the exposure of the bedrock.

Further information on the surface geology of the region is provided by the: Surficial Geologic Map of New York, New York State Museum - Geologic Survey - Map and Chart series #40, 1986.

Table 3 Surficial Geologic Material

Name:	Surficial Material:
Erwin Mountain State Forest	Glacial till: - Deposition beneath glacial ice (predominant material)
McCarthy Hill State Forest	Glacial till: - Deposition beneath glacial ice (predominant material) Bedrock: - (shales and silts of the Devonian West Falls Group and Java Group)
Erwin Wildlife Management Area	Glacial till: - Deposition beneath glacial ice (predominant material) Kame Deposits: - Sands and gravels deposited adjacent to glacial ice by meltwater Bedrock: (shales and silts of the Devonian West Falls Group and Java Group)

Soils

Detailed soil information is contained in the *Soil Survey of Steuben County*, published by the USDA, Soil Conservation Service in July 1978. The generalized soil information presented here was taken from the STATSGO database published by the USDA, Natural Resource Conservation Service in December of 1984.

Please note that some re-correlation of soil types has taken place since the soil survey was published and that data from the survey may not match data from the STATSGO database.

The Erwin unit contains only one soil association. All of the individual units within this management plan are the *Mardin - Lordstown - Volusia* association. The general association description is given below:

Mardin - Lordstown - Volusia

Gently sloping to steep soils, moderately well drained to somewhat poorly drained deep soil, with fragipan. Also includes areas of moderately steep to very steep, well drained, moderately deep soils over hard sandstone bedrock. These soils are Arnot (shallow to sandstone bedrock) and Bath soils (over 5 feet to sandstone bedrock)

Bedrock Geology

Background

Bedrock underlying the Finger Lakes region and Allegheny Plateau of the Southern Tier of New York is inclusive of sedimentary rock units deposited in association with ancient seas and their marine-fluvial-deltaic environments of deposition during the Cambrian (550-500 million years ago (mya)), Ordovician (500-440 mya), Silurian (440-400 mya) and Devonian (400-350 mya) Periods of the Paleozoic Era.

Younger bedrock units deposited during the post-Devonian Periods (such as Mississippian and Pennsylvanian Periods) have been subsequently eroded away by erosional and glacial processes.

Underlying the Paleozoic rocks are pre - Paleozoic Era rocks or Pre-Cambrian rocks generally considered to be composed of igneous and metamorphic rocks. These rocks are generally referred to as “basement” rocks.

Erwin Unit

Rock units (bedrock) outcropping or subcropping at the surface in the Erwin Wildlife Management Area, Erwin Mountain State Forest and McCarthy Hill State Forest of the Allegheny Plateau in the southern tier of New York are shales, siltstones, sandstones and intermittent limestones of the West Falls and Java Groups that were deposited during the Upper Devonian Period (approximately 350 - 400 million years ago).

Further information on the bedrock geology of the region is provided by the: Geologic Map of New York - Finger Lake Sheet - New York State Museum and Science Service - Map and Chart #15, 1970.

Numerous wells have been drilled into the subsurface of the areas surrounding the Erwin Unit. Subsurface information pertaining to the bedrock (that does not outcrop) has been acquired through three (3) specific wells. These wells were drilled between 1984 and 2004 while exploring for oil and natural gas reserves in areas within and surrounding lands contained in Erwin Unit Management Plan.

These wells were drilled to depths ranging from approximately 4,500 feet to approximately 10,500 feet into the subsurface. Testing the Oriskany Sandstone Formation in the area west of McCarthy Hill State Forest (Steuben 21) and the deeper Trenton / Black River Formations in the area within Erwin Wildlife Management Area. These formations were deposited during the Lower Devonian Period (Oriskany) approximately 400 million years ago and the Ordovician Period (Trenton/Black River), over 450 million years ago.

At a surface location approximately 1.5 miles west of McCarthy Hill State Forest the Atwood Energy Incorporated - Hand #1 well (American Petroleum Institute (API #: 31-101-17,530) encountered the top of the Devonian Tully Limestone at 3,242 feet, Onondaga Limestone at 4,110 feet, and the Oriskany Sandstone at 4,140 feet. The well was drilled to a total depth of 4,536 feet. This well was drilled and plugged during 1984.

At a surface location within Erwin Wildlife Management Area, the Fairman Drilling Company - NYS Erwin GMA # 2 well (API# 31-101-22,861) encountered the top of the Devonian Tully Limestone at 2,920 feet, Onondaga Limestone at 3,830 feet, Oriskany Sandstone at 3,862 feet , intermittent Silurian Syracuse salt beds between 4,322 feet and 5,225 feet, top of the Silurian Medina Sandstone at 6,753 feet, top of the Ordovician Queenston Shale at 6,844 feet, top of the Trenton Limestone at 9,230 feet and the top of the Black River Limestone/Dolomite at 9,930 feet into the earth. This well was plugged and abandoned during 2002. Reclamation of the drill site has been completed.

At a surface location within Erwin Wildlife Management Area, the Fortuna Energy Incorporated NYS WMA # 1 well (API# 31-101-23,085) encountered the top of the Devonian Tully Limestone at 2,925 feet, Onondaga Limestone at 3,838 feet, Oriskany Sandstone at 3,874 feet, intermittent Silurian Syracuse salt beds between 4,310 feet and 5,165 feet, top of the Silurian Medina Sandstone at 6,675 feet, top of the Ordovician Queenston Shale at 6,775 feet, top of the Trenton Limestone at 9,105 feet and the top of the Black River Limestone/Dolomite at 9,771 feet into the earth. The lower portion of the well was drilled horizontally within the Black River Formation and reached a total depth drilled of 13,100 feet in the Black River Formation during 2004. This well was granted temporary abandonment status by the Department during the later part of 2004, pending further evaluation of the well's gas production potential. (See Appendix I for geologic cross section of area)

Structure

Regional structure of the area is a homocline that dips (is becoming deeper) to the south-southwest at an average dip angle of approximately one (1) degree or deepens 100 feet per each mile traveled to the south-

southwest. The *Geologic map of New York - Finger Lakes Sheet #15, 1970*, depicts progressively older rock units outcropping farther to the north, confirming the southerly dip of strata in the region.

Linements, faulting and anticlinal/synclinal structures in the region generally trend in a northeast to southwest direction. North-south trending faults have also been identified in the region. These structures are thought to be due to compressional stress and resulting strain associated with plate tectonics and the opening of the Atlantic Ocean Basin that began at the end of the Paleozoic Era. Structural reference is available at the *Preliminary Brittle Structures Map of New York, New York State Museum-Map and Chart Series No.31E, 1974*.

Mineral Resources

Oil and Gas

Introduction

Article 23, Title 11, Section 23-1101 of the Environmental Conservation Law and State Finance Law authorizes the Department of Environmental Conservation to make leases on behalf of the State for exploration, production and development of oil and gas on State lands. Proposals to lease parcels of State lands managed by the Department of Environmental Conservation can only be considered following public notice in the Environmental Notice Bulletin (ENB), and in local newspapers.

Oil and natural gas are valuable resources which can provide energy and revenue, as well as the opportunity for improvements to the existing infrastructure of the Erwin Unit (such as improving safe and restricted access through upgrading existing roads, culverts and gates) and creation of open space to enhance habitat diversity. As with any other human activity on State lands, oil and natural gas exploration and development can impact the environment. Most impacts are short term and occur during the siting and drilling phases of a well.

In all areas covered by this Unit Management Plan New York State manages the surface estate through the NYS DEC Division of Lands and Forests, or Division of Fish, Wildlife and Marine Resources and the mineral estate is managed through the NYS DEC Division of Mineral Resources.

For more information on the procedures of gas leasing, see the Mineral Resources section on page 44.

Historical Drilling & Production

The drilling of the first commercial oil and natural gas well in the United States occurred in northwestern Pennsylvania during the middle 1800's. The results of this drilling activity carried over into neighboring New York State. Eventually this activity extended into western New York and areas surrounding what is now the Erwin Unit.

Natural gas was discovered in the southern portion of Steuben County during the 1930's and 1940's. The productive stratigraphic interval was primarily the Lower Devonian Oriskany Sandstone at depths ranging from approximately 3,800 feet to 4,200 feet into the subsurface. During this period, commercial gas production was established from the Oriskany Sandstone at the Woodhull Field and the Tuscarora Field. These fields are located approximately six (6) miles southwest of the Erwin Unit, in the townships that bear the same names (See map). Although these gas fields have been depleted and no longer produce commercial quantities of gas, portions of the old fields are currently used to store natural gas that is transported into western New York from

other regions.

There have been a number of other small non-commercial Oriskany Sandstone fields discovered within a ten mile radius of the unit. These include the Corning Field, North Corning Field and the Rathbone Field (see map). The wells in these fields have been plugged and abandoned.

Numerous attempts have been made to establish natural gas production from the Oriskany Sandstone on lands that are now part of the Erwin Unit (see map).

In 1931, Empire-Keystone Company drilled the Lilly#1 well. An unsuccessful test of the Oriskany Sandstone to a depth of 3,838 feet, on what is now the Erwin Wildlife Management Area.

In 1978, CNG Transmission Corporation drilled the NYS Erwin (WN-1677) well on the Erwin Wildlife Management Area, to a total depth of 3,869 feet to test the Oriskany Sandstone. The well was plugged and abandoned in 1978.

Ten years later, in 1988, the Equitable Resources Exploration - SRA 20 - NYGO 4202 well was drilled to a depth of 4,106 feet on the Erwin Mountain State Forest (SRA 20). This well was also plugged and abandoned in the same year.

Eventually, Oriskany Sandstone gas production was established within the Unit. There are currently two (2) active Oriskany Sandstone wells located on and adjacent to the Erwin Unit. These wells were drilled in the late 1990's and are operated by Vandermark Exploration Company. The lease names are the Corning Enterprise #1 well and the Erwin Game Management #1 well. Gas production from both wells combined was slightly above 3.8 million cubic feet for the year 2003. Both wells are located in an area proximal to the northeast corner of the Erwin Wildlife Management Area. (see map)

Fields drilled prior to 1986 are shown on the *New York State Gas Field Map - Department of Environmental Conservation - Division of Mineral Resources, 1986*

Recent Activity

Drilling & Production

Natural gas has been discovered recently (1990's to present) from older and deeper Lower Ordovician age rocks of the Trenton / Black River Formations in Steuben County.

A number of exploration wells have been recently drilled to test the Trenton / Black River Formations in the areas surrounding the Erwin Unit. Discovered gas is being produced from the Trenton / Black River Formations at a depth of approximately 10,000 feet into the subsurface.

Recent activity includes two Trenton/Black River wells drilled on the Erwin Wildlife Management Area (see map).

The Fairman Drilling Company - NYS Erwin GMA #2 Well (API#: 31-101- 22,861) was drilled to a total depth of 10,555 feet and subsequently plugged and abandoned in 2003, without establishing gas production.

Fortuna Energy Incorporated recently drilled the Fortuna Energy Inc. - Erwin WMA #1 well (API#: 31-101-23,085) to a total depth of 13,100 feet in 2004. This well was drilled horizontally for approximately 3,000 feet

in the Black River Formation. The well has been temporarily abandoned while the operator evaluates the economic feasibility of the well.

Additional Trenton / Black River Formation wells have recently been drilled in areas surrounding the Erwin Unit.

At a location approximately three (3) miles east of the Erwin Wildlife Management Area, in the Town of Corning, the Fortuna Energy Inc. - Pace # 1460 (API#: 31-101-22,958) was drilled and completed during 2002. It initially flowed at a test rate of 9.7 million cubic feet of gas per day. It was reported to the Department that the well did not produce in 2003.

Another producing Trenton/Black River gas well is located approximately two (2) miles northeast of the Erwin Wildlife Management Area, in the Town of Campbell. Fortuna Energy Inc. drilled the Fortuna Energy Inc. - Apenowich #1 well (API# 31-101- 23,059) during the fall of 2003 to a depth of 12,620 feet. The well was reported to the Department as a completed producing gas well.

Most recently, approximately one and one half (1.5) miles east of McCarthy Hill State Forest (SRA #21), in the Town of Erwin, Fortuna drilled the Fortuna Energy Inc. - TLT #1 well (API#: 31-101-23,150) during 2004 to a depth of 12,800 feet. The well was plugged and abandoned as a dry hole at the end of 2004. (see Gas Well Location Map in Appendix G).

Leasing Activity

An initial title review indicates New York State owns the mineral estate under all areas covered by this unit, excepting approximately 120 acres located in the southeast corner of Erwin Wildlife Management Area (see map). The above statement is made with the qualification that mineral reservations may exist and no expressed or implied warranty of title is being offered in this document.

Lease on the mineral estate under Erwin Wildlife Management Area was executed on October 3, 1995 between the NYSDEC as “lessor” and Vandermark Exploration Inc. as “Lessee”, that granted Vandermark Exploration, Inc. oil and gas rights under Erwin Wildlife Management Area, Steuben County, Town of Erwin. This lease has expired, excepting the lease on 19.0 acres that are held by gas production from the Vandermark Exploration Inc. - Corning Enterprise #1 well and the Erwin Game Management #1 well.

Leases on the mineral estate under Erwin Wildlife Management Area were executed on July 14, 2003 between the NYSDEC as “lessor” and Fortuna Energy Incorporated as “Lessee”, that grant Fortuna Energy Incorporated oil and gas rights under Erwin Wildlife Management Area, Steuben County, Town of Erwin.

In addition, leases on the mineral estate under Erwin Mountain State Forest were executed on July 11, 2003 between the NYSDEC as “lessor” and Fortuna Energy Incorporated as “Lessee”, that grant Fortuna Energy Incorporated oil and gas rights under Steuben SRA #20, Steuben County, Town of Erwin. These leases are for a period of five years or as long as oil or gas is produced from the property in commercially paying quantities.

The oil and gas lease agreement on the mineral estate under McCarthy Hill State Forest was executed on July 11, 2003 between the NYSDEC as “lessor” and Fortuna Energy Inc. as “lessee”, granting lessee oil and gas rights under McCarthy Hill State Forest, Steuben County, Erwin Township. This lease is for a period of five years or as long as oil or gas are produced in commercially paying quantities. Furthermore, the lease pertaining to McCarthy Hill State Forest is a non-drilling lease. No drilling, access road construction, or other surface disturbances related to oil and gas drilling will be allowed without reclassification and/or the specific authorization of the Department

These leases are for a period of five years or as long as oil or gas is produced from the property in commercially paying quantities. As no commercially product was produced, the 2003 leases expired in July of 2008.

Future Leasing Activity

Due to recent drilling and production activity in western New York, the State may again receive requests to nominate lands for leasing. In the event of this occurrence, the procedures outlined in the Minerals section on page 44 will be used.

For further information contact the NYS DEC Mineral Resource staff, Region 8, 6274 East Avon-Lima Road, Avon, New York 14414-9591

Mining

Sand, Gravel & Hard Rock

There are no mining contracts, permits, or operations located in the Erwin Wildlife Management Area, Erwin Mountain State Forest or McCarthy Hill State Forest. Under Article 7 of the New York Consolidated Laws/Public Lands, any citizen of the United States may apply for permission to explore and/or extract any mineral on State lands. However, current Department practice is to decline any commercial mining application(s) associated with lands in this Unit Management Plan.

Although there are no mines within State land limits, there are a number of permitted sand and gravel operations surrounding the Erwin Unit. Hard rock quarries are not found in this area. Rock units may be exposed or within one meter of the surface and includes Paleozoic shales that are not considered suitable for commercial mining. Sand and gravel is excavated from both kame and alluvial deposits.

The surficial geology of the Erwin Wildlife Management Area predominately consists of poorly sorted glacial till of variable texture. Kame and alluvial deposits, as well as potentially exposed bedrock, are present at the northwestern area of the management area. Commercial sand and gravel mining operations occur approximately 1.5 - 2 miles to the southeast and one is located over 2 miles to the west. Mining operations are located where well sorted kame and alluvial deposits exist.

Several commercial sand and gravel mining operations are present to the east and to the south of the Erwin Mountain State Forest. These operations are concentrated where the surficial geology consists of kame and alluvial deposits and can be as close as a half mile. The surficial geology of the lands within the State Forest is poorly sorted glacial till of variable texture.

McCarthy Hill State Forest has commercial sand and gravel mines operating to the north, east and west. The closest is approximately a mile away. The surficial geology of this forest consists of glacial till, poorly sorted, and of variable texture. The mining operations are located where the surficial geology consists of alluvial and kame deposits.

Timber and Vegetation

Green Certification of State Forests

In 2000, New York State DEC-Bureau of State Land Management received Forest Stewardship Council (FSC) certification under an independent audit conducted by the National Wildlife Federation - SmartWood Program. This certification included 720,000 acres of State Forests in Regions 3 through 9 managed for water quality protection, recreation, wildlife habitat, timber and mineral resources (multiple-use). To become certified, the Department had to meet more than 75 rigorous criteria established by FSC. Meeting these criteria established a benchmark for forests managed for long-term ecological, social and economic health. The original certification and contract was for five years.

By 2005 the original audit contract with the SmartWood Program expired. Recognizing the importance and the value of dual certification, the Bureau sought bids from prospective auditing firms to reassess the Bureau's State Forest management system to the two most internationally accepted standards - FSC and the Sustainable Forestry Initiative ® (SFI) program. However, contract delays and funding shortfalls slowed the Department's ability to award a new agreement until early 2007.

Following the signed contract with NSF-International and Scientific Certification Systems, the Department was again audited for dual certification against FSC and additionally the SFI program standards on over 762,000 acres of State Forests in Regions 3 through 9. This independent audit of State Forests was conducted by these auditing firms from May until July 2007 with dual certification awarded in January 2008. Forest products derived from wood harvested off State Forests from this point forward could now be labeled as "green certified" through chain-of-custody certificates. Green Certified labeling on wood products may assure consumers that the raw material was harvested from well-managed forests.

The Department now joins only an elite few states representing less than 10% of working forests certified as well managed throughout the Northeastern Region of the United States. The Department's State Forests can also be counted as part of over 2.3 million acres of public, private and industrial certified forests in New York. That's over 15% of the total working forest land in New York *third-party certified* as well managed to protect habitat, cultural resources, water, recreation, and economic values now and for future generations.

Vegetative Types and Stages

Erwin Unit vegetation is dominated by Oak/Hickory, in both pole and small sawtimber sized natural hardwood forests. The dominant species is oak, other species present to a lesser extent include; red maple, hickories, ash, aspen, birches, beech, and apple.

The softwood component is well balanced. Hemlock and white pine comprise most of the natural conifer stands. In addition, many of the hardwood forest stands have a softwood component made up of white pine and/or hemlock.

Secondary vegetative types include transition hardwood forests. Former agricultural fields have reverted back to "pioneer" forest types. There are no significant areas of grassy upland meadows, except for a wide road right of way on Erwin Wildlife Management Area. Seedling/sapling forests are almost non-existent on the unit.

The following tables (Tables 4 and 5) list vegetative types and stages for the Erwin Unit. These records are

estimated from the most recent inventories available. Erwin Mountain & McCarthy Hill State Forests were inventoried in 2004, and Erwin Wildlife Management Area was inventoried in 2003.

Table 4 Vegetative Types and Stages for Erwin Mountain, and McCarthy Hill State Forests

Vegetative Type	Acres by Size Class				% of Total
	0 -5 in	6 - 11 in	12+ in	other	
Natural Forest Hardwood		367	372		56.5%
Natural Forest Conifer		399	129		40.4%
Plantation					0.0%
Wetland				11	0.8%
Ponds				13	1.0%
Open/Brush					0.0%
Other (Roads, Parking lots, etc.)				16	1.2%
Total (Acres)		799	501	40	1307

Table 5 Vegetative Types and Stages for Erwin Wildlife Management Area

Vegetative Type	Acres by Size Class				% of Total
	0 -5 in	6 - 11 in	12+ in	other	
Natural Forest Hardwood	134	443	1472		82.3%
Natural Forest Conifer		235	66		12.1%
Plantation					0.0%
Wetland					0.0%
Ponds				37	1.5%
Open/Brush				20	0.8%
Other (Roads, Parking lots, old fire tower location, etc.)				83	3.3%
Total (Acres)	134	678	1538	140	2490

Fish, Wildlife and Habitat

The fish, wildlife and their habitat found here are products of the landscape’s history. Like many places

in the southern tier of New York the coming of the Europeans in the 1700's and the decline of Native American cultures set the stage for widespread changes in the distribution and richness of wildlife resources. Timbering, farming along with unregulated exploitation of fish and wildlife resources, caused the disappearance of many wildlife species including most big game animals as well as native brook trout and other creatures of pristine and wild environments. Over the course of time emphasis of timber harvest and farming changed with the availability of resources and markets. Most of the forest were cut heavily, some burned and most of the land cleared for farming and pasturing. Streams filled with sediments. Wetlands were drained. Very little of the landscape was left untouched.

In the 1930's the depression set the stage for the landscape pendulum to swing in a different direction. A very large portion of the area started to revert back to hardwood forests as farms failed. Young forests lacked significant age to provide timber products. Wildlife species that could quickly colonize these habitats rapidly moved back onto the landscape. Cottontail rabbits and other farm wildlife species diminished as dwellers of young forests such as grouse and deer took advantage of the unoccupied niches. Today, forests have matured and wildlife species are those commonly associated with such habitats. Today bears, white-tailed deer, bobcat, bald eagles, beavers, otter and fisher roam where farm wildlife species ventured at the beginning of the 20th century.

The reviving of the local industrial engine during the latter portion of the 20th century has seen the lands of old farms dominated by housing tracts encroaching to the edge of State lands such as Erwin Wildlife Management Area. Housing virtually encircles the Wildlife Management Area setting the stage for conflicts. Such a combination brings high human densities in contact with wildlife. As many of the homeowners today lack the rural familiarity with wildlife, confrontations between wildlife and humans can be more than interesting.

The fish and wildlife species of the Erwin Unit Management Plan are largely those of found with established oak/hickory and hemlock forest of the southern tier of New York. Understory plants tend to support species (such as mountain laurel and sweet fern) commonly found to the south in the Appalachin mountains rather than the Allegheny Plateau. Several oak species can be found dominating many stands and were enhanced by fires and over grazing.

Forest birds dominate the list of 113 species found in the Breeding Bird survey blocks associated with the area. A total of 24 amphibian and reptile species were recorded in the Herp Atlas for the same sampling area.

Wetlands and Water Resources

Aquifers

There are no principal aquifers directly under the individual land areas of the Erwin Unit. The valley bottom below the units is part of the Corning aquifer. The existence of secondary aquifers or minor recharge areas is unknown. Adequate protection for all aquifers is provided by using standard Best Management Practices (BMPs) for water quality.

Further information on the BMPs is provided by the: *New York State Forestry Best Management Practices for Water Quality BMP Field Guide*.

Wetlands

There are four New York State protected Wetlands located on the Erwin unit. Generally, these areas are shrub swamps with some open water and mature wetland tree species such as hemlock, white pine and red maple. Occasionally, beaver activity will enhance the size of the impounded area usually creating more open water favoring species like wood ducks, otters, reptiles and amphibians. Erwin Mountain State Forest contains a small Balsam Fir swamp, an uncommon species for this part of New York State.

Streams

This unit is located in the western portion of the Chemung River basin. All of the streams within the unit management area are intermittent, meaning that stream flow does not occur year round. Most of the tributaries located within this area drain into several major tributaries of the Chemung River including the Cohocton, Tioga, and Canisteo Rivers.

Ponded Waters

Erwin Pond, located on Erwin Wildlife Management Area, provides limited fishing opportunities for largemouth bass, sunfish, and bullheads. Various stocking efforts occurred when the pond was first constructed in the early 1960's. Rainbow and brook trout and splake (i.e. lake trout/brook trout hybrid) were all introduced at various times until 1980 when all stocking was discontinued because of the lack of success of earlier introductions and increasing population of largemouth bass and golden shiners. There are many small dugout ponds on Erwin Wildlife Management Area. All the areas on the unit contain terrain that lends itself to supporting the presence of vernal pools.

Significant Plants and Plant Communities

Several rare plants are listed in the Natural Heritage database on lands included in the Erwin Unit Management Plan. Most of these reports are from the "modern era" (1950's to present). Erwin Wildlife Management Area was intensively surveyed by Pat Martin of the Nature Conservancy in 1998. The Natural Heritage program is currently (May 2005) involved in a more intensive survey of the Region 8 State Forest properties.

There is one plant community also noted on the Natural Heritage database. This is Allegheny Oak Forest. Not listed by Natural Heritage, but of passing interest to local naturalists, is a small Fir Swamp located on Erwin Mountain State Forest. There is also a small area of shrub - swamp which occurs on McCarthy Hill State Forest.

Roads

The Erwin Unit is accessed by State, county and town roads (see location map, page 1). Town maintained asphalt and gravel roads comprise the majority of access routes. Some portions of the town roads are seasonal and are not maintained for winter travel.

The road system maintained by NYS DEC provides for both public and administrative access to the unit. The roads are constructed to standards that will provide reasonably safe travel and keep maintenance costs at a minimum. There are three types of NYS DEC maintained roads: public forest access roads (PFAR), haul

roads and access trails. Each type of road provides a different levels of access, depending on the standards to which they are constructed.

Public Forest Access Roads are permanent, unpaved roads which may be designed for all-weather use depending upon their location, surfacing and drainage. These roads provide primary access for administration and public use within the Unit. The design standards for these roads are those of the Class A and Class B access roads as provided in the Unpaved Forest Road Handbook (8/74). As a general guideline, sufficient access is typically achieved when 1 mile of PFAR is developed for each 500 acres of State land, and no position within the Unit lies more than 1 half mile from a PFAR or public highway.

Haul Roads are permanent, unpaved roads which are not designed for all weather travel, but may have hardened or improved surfaces with artificial drainage. They are constructed according to best management practices primarily for the removal of forest products, providing limited access within the unit by log trucks and other heavy equipment. These roads may or may not be open for public motor vehicle use, depending on management priorities and objectives. They may serve as recreational access corridors, but are not maintained according to specific standards or schedules. The design standards for these roads are below those of the Class B access roads as provided in the Unpaved Forest Road Handbook.

Trails may be permanent, unpaved and do not provide all-weather access within the unit. These trails are originally designed for removal of forest products and may be used to meet other management objectives such as recreational trails. These trails are constructed according to Best Management Practices.

McCarthy Hill State Forests contains 0.5 miles of public access roads, 0.5 miles of haul roads and 7 miles of access trails. Erwin Wildlife Management Area contains 5.25 miles of public access roads/ haul roads and 15 miles of access trails. The road through Erwin Wildlife Management Area is open to the public during big game season to promote and increase deer take, to help eliminate some of the nuisance deer in the Gang Mills area. The public access roads and haul roads are all maintained by the NYS DEC and the access trails that are accessible by mower are also maintained. The public access roads are open to the public use all year round but are not maintained during the winter months. The haul roads and access trails are used by the public for hiking, biking, cross country skiing, snowshoeing and horseback riding. The public access roads, haul roads and some of the access trails are used by the NYS DEC for administrative access. There are also many other unmarked trails in the unit connecting some of the access trails

Towers

There may be the potential for generating electricity with windmills or the construction of towers for radio, cell etc. transmission, in the area of the Erwin Unit. There are currently no windmills, or applications for windmills, for power generation on the Erwin Unit. NYS DEC does not have the legal authority to authorize the construction of windmills, or commercial towers on the lands covered by this unit management plan.

Recreation

The Erwin Unit provides recreational opportunities within a two hour drive of metropolitan Rochester and Syracuse, is adjacent the city of Corning and less than a half-hour drive from the city of Elmira. Several suburban developments for Corning share a boundary line with Erwin Wildlife Management Area. Consequently, recreational use can be concentrated with some seasonal variation.

Recreation Opportunities Include:

- Hunting
- Fishing
- Trapping
- Hiking
- Wildlife observation
- Camping
- Canoeing
- Mountain biking
- Snowmobiling (State Forests only)
- Cross country skiing
- Snowshoeing
- Picnicking
- Photography
- Nature study
- Orienteering
- Running

Different regulations apply to State Forests (6 NYCRR Part 190) and Wildlife Management Areas (6 NYCRR Part 51). For example, overnight camping is permitted anywhere on State Forests as long as it is not within 150 ft. of any road, trail, spring, stream, pond, or other water source. For groups of less than 10 people and for up to 3 days, no permit is required, longer stays and/or larger groups are allowed to camp with a permit obtained from the NYS DEC Forest Rangers, at the Bath suboffice. Overnight camping is not allowed on Wildlife Management Areas. Regardless of location, camping sites must be kept neat, clean, and in sanitary condition.

There are no designated Off-Road Vehicle (ORV) trails on this Unit. New York State Vehicle and Traffic Law prohibits All Terrain Vehicle (ATV) use on Public Highways which, by definition, also include Public Forest Access Roads. ATV and ORV riding is not a specific program offered on Public Lands owned in fee and managed by NYS DEC. Existing management actions, poor soils, possible conflicts with other uses, impacts on neighboring residents, safety concerns, maintenance costs and challenges, and existing issues with illegal ATV and ORV use were some of the factors which have prevented NYS DEC from developing ORV or ATV trails in the past. However, people with qualifying mobility impairments who possess a valid permit from NYS DEC may operate ATVs on specifically designated and signed accessible trails.

Depositing or leaving rubbish or waste material is prohibited. Cutting, removing, or destroying any living, or standing dead trees or plants is prohibited. Users are requested to extinguish all fires completely. Hunting, trapping, and fishing are allowed only during legal season, consult the NYS DEC Hunting and Trapping, and the Fishing Regulations Guides for seasons, hours, and bag limits.

Hunting

Hunting and trapping are valuable wildlife population control methods, see the Fish, Wildlife and Habitat and Vegetation sections. If populations of deer etc. get too large they can limit the growth of vegetation by over browsing it. Hunting is popular on all State lands in the Erwin Unit. Both small and big game hunting opportunities exist. White-tailed deer is the primary big game species. Archery, muzzleloading, and shotgun seasons open annually in the fall. Permanent tree stands are prohibited. Also prohibited are any equipment that damages the trees, this includes screw in steps, eye hooks etc. Small game include; wild turkey, ruffed grouse, pheasant, woodcock, squirrels, cottontail rabbit, and waterfowl. Trapping of furbearers also occurs.

Gates are used to restrict motor vehicle access to the trails and roads of both State Forests and Wildlife Management Areas. Current policy is to open the gates on Erwin Wildlife Management Area during big game season, but closed the remainder of the year. The gate to Erwin Mountain and on McCarthy Hill State Forest remain closed year round.

Fishing

Fishing is very limited in the plan area. All of the streams are too small to be of any fishing significance. Moderate fishing opportunities for largemouth bass, sunfish, chain pickerel, and bullhead are available in Erwin Pond within the Erwin Wildlife Management Area.

Trails

There are several trails, many old roads, and deer trails in the Erwin Unit to explore, some of these trails are currently marked and mapped, others are not. All trails in the Erwin Unit can be used for walking, running, cross-country skiing, and snowshoeing (however motorized vehicle use is prohibited). There are no designated horse or bike trails.

McCarthy State Forest has an approximately 7 mile of cross country ski trail system. These trails vary in difficulty and length. They are open all year round, but some sections are quite wet when the ground is not frozen.

Access for Persons with Disabilities

Only persons with disabilities may operate ATVs on trails designated - pursuant to NYS DEC Commissioners Policy #3 (CP-3). Individuals with qualifying disabilities may apply for a permit to operate an ATV on trails designated by the NYS DEC. For further inquiries contact the NYS DEC office in Bath. (See Appendix D and G)

McCarthy Hill State Forest has 1.0 mile of trail designated CP-3 for use by persons with qualifying disabilities and Erwin Wildlife Management Area has 3.5 miles on both public access roads and haul roads. A permit must first be obtained from the NYS DEC.

Archaeological Resources

There are several known (or suspected) pre-European settlement archaeological sites on this Unit or within close proximity. It is well documented that Native Americans, present during the Woodland period (about 1000 BC to 750 AD), had occupied the valleys encompassed by the unit. There is also evidence of occupation during the Archaic (10,000 BC to 1,000 BC) and Paleo- Indian periods (Pre-10,000 BC), although this evidence is somewhat more scattered. It is assumed the uplands were used for hunting grounds, during the Woodland period. However, it is unlikely settlements were located on these upland areas during this period.

Archaeological Site Protection

The archaeological sites located within this land unit as well as additional unrecorded sites that may exist on the property are protected by the provisions of the New York State Historic Preservation Act (SHPA - Article 14 PRHPL), Article 9 of Environmental Conservation Law and Section 233 of Education Law. Should any actions be proposed which would impact these sites they will be reviewed in accordance with SHPA. Consultation will be given with the Seneca Nation of Indians Tribal Historic Preservation Office. Unauthorized excavation and removal of materials from any of these sites is prohibited by Article 9 of Environmental Conservation Law and Section 233 of Education Law.

Archaeological Research

Any archaeological sites located on this land unit as well as additional unrecorded sites that may exist on the property will be made available for appropriate research. All future archaeological research conducted on the property will be accomplished under the auspices of all appropriate permits. Research permits will be issued only after consultation with the New York State Museum and the Office of Parks, Recreation and Historic Preservation. Extensive excavations are not contemplated as part of any research program in order to assure that the sites are available to future researchers who are likely to have more advanced tools and techniques as well as different research questions.

Historic Sites

The Erwin Unit has several abandoned house/barn foundations as well as remnants of stone, stump and rail fences, all evidence of prior land occupation and uses.

McCarthy Hill State Forest has the remnants of a mill site foundation still visible. In the center of Erwin Wildlife Management Area is the foundation of a fire tower, torn down years ago. The observers cabin was sold in 1976. The cleared line for the telephone wire to the tower is also still visible through the trees, as is a stone dedicated to Forest Ranger Ray Murray, who in 1970 died in a plane crash while on forest fire aerial reconnaissance.

NEEDS, ISSUES AND POLICY

This plan strives to manage the diversity of the Erwin Unit biological and social resources for multiple use to serve the needs of the people of New York State. In order to manage the Erwin Unit for multiple use, NYS DEC must manage the ecosystem in a holistic manner while reconciling the many and sometimes conflicting demands on the ecosystem. This must be done within the framework of the Environmental Conservation Law (ECL), rules and regulations, and NYS DEC policies and procedures.

Many issues, including public needs, form the basis for the objectives and management actions set forth in this plan. The NYS DEC recognizes that planning must be done today to ensure effective management in the future.

Funding

Currently NYS DEC's Bureau of State Land Management and Bureau of Wildlife have limited budget to manage of all NYS DEC lands.

Funding, when available, is primarily derived from:

- Capital construction account (State General Fund monies).
- Rehabilitation & improvement account (State General Fund monies).
- Stewardship - Special Revenue Other (SRO) account. State Forests only. Note: The primary source of revenue for the SRO account is from commercial sales of forest products on State Forests.
- Services in lieu of payment during commercial sales of forest products. (These services are limited to the specific location and certain activities where the sale occurs.)
- Environmental Protection Fund (EPF). This account is primarily funded from real estate transfer tax and other appropriations by the legislature. Appropriations from this fund may be used for a wide variety of projects including habitat enhancement for plants and animals, recreational facilities and forestry improvements such as pre-commercial thinning, artificial regeneration, and control of invasive species.
- Conservation Fund. Wildlife Management Areas only. A State fund consisting primarily of income from the sale of sporting licenses, fines from penalties from fish and wildlife law violations, sale of products off lands administered by the Division of Fish, Wildlife and Marine Resources, and Return a Gift to Wildlife donations. Revenues attributable to the sale of oil and gas leases from Wildlife Management Areas are deposited into the Conservation Fund.
- Wildlife Restoration Program Funds. These are federal funds commonly referred to as Pittman-Robertson Funds. This is a federal program established from money received from excise taxes on the sale of sporting guns and ammunition. Use of land purchased, or activities funded, are federally regulated to certain activities.

Regional allocations from these accounts must be shared by all NYS DEC lands within the region. There is no specific budget established to manage an individual site. Funding is distributed based on priorities for all areas within the region. Tasks listed in the work schedule in this plan are contingent upon available funding and commitments associated with higher priority projects within the region.

Cooperative partnerships using the "Adopt-A-Natural-Resource-Program" with private conservation organizations or other interested parties can be used to complete projects on the Erwin Unit. These partnerships are a valuable supplemental source for providing needed services.

Summary of Identified Issues

As part of any unit management planning process, NYS DEC is committed to active citizen participation. To that end, adjacent property owners, elected officials, media and others potentially interested in the management unit were identified. While public comments are accepted at any time, a formal citizen participation process was begun on October 15, 2004, when an introductory letter was sent to those identified on the Erwin Unit Management Plan mail list. This letter briefly described the lands identified in the Unit Management Plan area and potential topics to be covered by the plan. It also asked for verbal or written comments about people's interests and the scope of management issues related to the Erwin Unit.

Public comments were compiled with staff-identified issues and are included the section below. See Appendix B for the full text of the comments recieved.

Access

It is DEC policy to provide appropriate public and operational access to the Erwin Unit. Access is a necessity for both public use and land management. However, restrictions on access may positively contribute to the natural character of State lands.

The public commented on maintaining public access and trails. Some asked for restricted vehicle access (including ATVs and snowmobiles); increased use of roads and clearing done by Fortuna Energy, (not requiring restoration to reproduce initial conditions); keeping the gates closed year round (reserve them for access for the handicapped.); providing better directional information; improved parking areas; and adding access for horse trailers. Others asked that no additional access be provided without State assistance in policing of the State property and adjoining properties. One asked for unlocked access to the Erwin Management Area Pond from Painted Post; another asked for a computer operated gate for registered residents. One complained about trespassing and damage to property and asked that boundaries be cut or bulldozed along the perimeters. NYS Office of Parks, Recreation and Historic Preservation (OPRHP) recommended that McCarthy Hill State Forest public access opportunities be compatible with Pinnacle State Park and the golf course.

Staff identified the need to have one access point from the east side of the wildlife management area versus use of many backyard entry points. In addition, more parking is needed near the access on Beartown Rd. Erwin Mountain State Forest has administrative access from SF 417 to the south, but the exact location is not clear.

Vegetation Management

Plant communities are by nature dynamic and ever-changing. Young stands of trees get older, and species composition changes with time. Disturbances from fire, wind, insects, disease, timber harvest, and other land-use practices have been an important part of the history of New York forests and have determined the composition and structure of today's forests. By applying different forest management or silvicultural practices, land managers can affect change in vegetative types and stages and associated use by wildlife. The production of forest products is a clearly stated goal in the Reforestation Law of 1929 (ECL Section 9-0501 et. seq.) and is consistent with the proposed management actions in the Erwin Unit. But, it too is challenged by conflicting opinions.

The public commented on vegetation management and one person asked that only contractors who tread lightly and do the least damage be selected. Another asked for increased emphasis on habitat enhancement, less on timber. One asked that no more wood be cut down and to remove only dead wood. Another asked to log only to thin the woods. One requested notification when logging operations were to begin.

Staff identified needs such as maintaining open/early successional and unique plants.

Water Resources

The Environmental Conservation Law (ECL) dictates that the State Forests within the Erwin Unit be managed for watershed protection. This is also clearly consistent with Wildlife Management Area objectives and sound conservation practices and public desires. Best Management Practices for water quality are used for all silvicultural practices on State lands. These require specific conservation practices which protect soils and water quality during timber harvest. Well-managed water resources have multiple benefits, including quality fish and wildlife habitats, aesthetically pleasing sites, ground water protection, and flood water retention.

A couple of public comments were received related to water resources. One asked to open up the pond on top of the ridge for public recreation. The other asked for a trail to be built next to Beaver Pond.

Wildlife and Wildlife Habitat

The public identified the need for a comprehensive census using hunters and other environmental groups. Others asked that it be kept open for hunting and fishing. One indicated that due to rattlesnakes in the area, the area shouldn't be used as a park. One person stated that snowmobile use would benefit wildlife. Another asked that piles of downed trees, which present a fire hazard, be removed especially near residential areas. One stated that this land is for hunting and fishing only, there should be no public parks.

The deer population has eaten many of the tree seedlings, decreasing the chance for new trees to grow. As a result, staff identified the need to encourage hunting to control the population of deer.

Fish Management

The Division of Fish, Wildlife and Marine Resources is charged by Environmental Conservation Law to maintain and improve the fisheries resource and develop and administer measures for making the resource accessible for the people of the state.

There were no public comments received related to fisheries management.

Public Recreation and Use

Public comments included: the re-creation and creation of trails on the unit. One person asked that snowmobiles be allowed. Another asked for a multi-use area and additional trail maintenance for riding bikes.

One asked that the trail (on private property) from US 15/17 intersection to the old fire tower, be opened. Many wrote to express their enjoyment of the unit during all seasons for multiple uses. One asked that the trails need to connect better and for DEC to provide trail maps. The Town of Erwin asked DEC to upgrade the trails with blazes and produce larger scale maps. The public requested more trails available for horse riding. The Finger Lakes Trail Conference is considering the development of a new trail route which may go through the unit. Others stated their desire to keep the unit open year round and continue camping, snowmobiling and four-wheeling on the unit. One asked for a firing range. One person asked for more lean-to's. NYS OPRHP requested that off-road vehicles should not be allowed.

Staff identified the need for simple kiosks for all the areas. The trails on Erwin Wildlife Management Area have not been marked in years, and need to be re-done, and the brochure for the area also needs updating. The Finger Lakes Trail Conference is working with other trail groups to construct a connector trail from The Finger Lakes Trail to the Mid-State Trail in Pennsylvania. Law enforcement will continue to be an issue. For additional recreation issues see also: Access and Wildlife.

Oil and Gas Leasing

The public expressed concerns and asked that the State monitor gas drilling and pipe installations closely and frequently. One asked for less emphasis on gas leasing. Another asked that mineral and gas extraction be done in an environmentally friendly manner and to ensure replanting with sufficient vegetation to prevent erosion. Others said that gas drilling on State lands is unfair to adjacent tax paying property owners.

Erwin Wildlife Management Area contains a parcel with split mineral estate. (Other parties own the mineral rights). Should funding be appropriated the DEC will attempt to acquire total rights to this parcel.

Cooperative Agreements

Although there are existing cooperative agreements, there is a need for more to supplement state funding to optimally maintain the Erwin Unit. There is also a need to identify additional funding and actively search out cooperative agreements and partnerships to maintain roads and trails and other facilities in the Erwin Unit.

NYS DEC's formal cooperative program, called the Adopt-a-Natural-Resource Stewardship Program (see ECL Section 9-0113), encourages individuals and groups to undertake activities that meet management needs of State-owned natural resources. Multiple benefits of such partnerships have been identified; serving as a means to complete work that helps preserve, maintain and enhance natural resources at minimal cost to the New York State. It is also an opportunity for organizations, groups and individuals to show willing support for conservation efforts, large and small. Such efforts may involve the clean up of vandalism, litter pick up, establishment or maintenance of nature trails, providing interpretive services for school groups and other citizens, management of fish and wildlife habitats and other positive benefits to the site and natural resources.

Open Space Conservation

New York State has been a leader in recognizing the value of open, undeveloped land. In November 2006 Governor Pataki issued an updated plan prepared by DEC and the Office of Parks Recreation and

Historical Preservation, entitled, "**New York State Open Space Conservation Plan**".

The Open Space Plan of 2002 and 2006 characterizes the need for perpetuation, in a grand sense, of open space and natural landscapes as, "The quality and character of the lives of the people of New York depend upon the quality and character of the land on which we live. Our mountains, lakes, rivers, forests and coastline, our natural landscapes, urban parks and historic resources shape the way we spend our leisure time, affect the long term strength of our economy, determine whether we have clean air and water, support the web of living things of which we are a part, and effect how we think about ourselves and relate to other New Yorkers." NYS DEC will consider the purchase of selected parcels from willing sellers when funding becomes available.

One person commented on how one developer offered to swap land and asked that the DEC continue to preserve the acreage and value of that acreage. Another asked that the land remain open and not be destroyed or lost to commercial interests.

NYS DEC will consider the purchase of selected parcels from willing sellers when funding becomes available. DEC staff recommends connecting the north with the south of Erwin Wildlife Management Area. Erwin Wildlife Management Area contains a parcel with split mineral estate. (Other parties own the mineral rights). Should funding be appropriated the DEC will attempt to acquire total rights to this parcel. Erwin Mountain State Forest is small for a State Forest, and has access problems. McCarthy Hill State Forest has a long 66 ft wide "access" down the hill to McCarthy Rd. This is useless in its current form and should be surplus or have additional acres added to it.

Aesthetics

In addition to providing open space and a place to experience wildlife and wild land, public lands should also be pleasing to the eye and soul. Scenic vistas, the use of natural materials, and attention to quality design and maintenance are important components of effectively managing the Erwin Unit. The challenge is to attract users to the site without destroying what has drawn them there in the first place. Public comments included the need to encourage others to pick up their own trash. Another noted that vandalism and littering have been reduced. Still another wants to enhance this local treasure for future generations.

The Town of Erwin has adopted a Viewshed Overlay District and expressed concern for possible conflicting management, such as timber harvesting, cell phone or wind power towers.

Staff recommends that garbage pick up continue, and encouraging "Pack it in, Pack it out", and "Leave no trace".

Cultural Resources and Historic Preservation

Public and staff supported the protection and enhancement of historic and cultural resources, readily identifiable as valued parts of the common heritage of New York's citizens.

Current Known Illegal Use

Regular patrols are made by law enforcement officials such as Forest Rangers, Environmental

Conservation Officers and even local Sheriff deputies of the Erwin Unit, and all other NYS DEC lands. But additional resources are needed to stop all illegal activities such as:

- ATV and dirt bike use
- Off road driving
- Dumping / littering
- Vandalism
- Construction of permanent blinds and/or tree stands
- Harvest of ginseng and protected plants
- Cultivation of marijuana
- Poaching
- Underage drinking

Whenever possible, fines or other punishments as the law allows are imposed. As money and other resources allow the damage is fixed, dumping is cleaned up and illegal plants are removed.

Policy Constraints

The laws, regulations, and policies listed below provide broad guidelines within which this plan is prepared. The Environmental Conservation Law of the State of New York is available to the public at local libraries, NYS DEC offices, from private vendors, and at www.dec.ny.gov/65.html on the internet.

State Laws

State Finance Law
State Historic Preservation Act (SHPA) - Article 14 PRHPL
General Stormwater SPDES Permit

Environmental Conservation Law (ECL)

ECL Article 8 - Environmental Quality Review
ECL Article 9 - Lands and Forests
ECL Article 11 - Fish and Wildlife
ECL Article 15 - Water Resources
ECL Article 23 - Mineral Resources
ECL Article 24 - Freshwater Wetlands
ECL Article 33 - Pesticides
ECL Article 51 - Implementation of Environmental Quality Bond Act of 1972
ECL Article 71 - Enforcement

New York Code Rules and Regulations (6NYCRR)

Title 6
Chapter I - Fish and Wildlife
Chapter II - Lands and Forests
Chapter III - Air Resources
Chapter IV - Quality Services
Chapter V - Resource Management Services

- Chapter VI - State Environmental Quality Review
- Chapter VII - Subchapter A
- Implementation of EQBA of 1972
- Chapter X - Division of Water Resources

NYS DEC Policies

- Public Use
- Temporary Revocable Permits
- Motor Vehicle Use
- Timber Management
- Unit Management Planning
- Pesticides
- Prescribed Burns
- State Forest Master Plan
- Inventory
- Acquisition
- Road Construction
- Motor Vehicle Access for People with Disabilities Policy (CP-3)
- Best Management Practices (Water quality)
- General Freshwater Wetlands Permit for Wildlife Management Area Management Activities
- Bureau of Fisheries Fish Stocking Policies
- Archaeological Site Protection
- Archaeological Research
- Adopt a Natural Resource
- Memorandum of Understanding with BLM for FYO 2004/2005 (leasing of gas wells)
- Draft ATV Policy for Public ATV Access to Recreation Programs
- etc.

Federal Law

- Americans with Disabilities Act
- Federal Wetland Law 404 - Water quality
- Federal Land Policy and Management Act of 1976 (FLPMA)
- National Environmental Policy Act of 1969 (NEPA)
- etc.

GOALS AND OBJECTIVES

Vision

The vision of this plan is to ensure the biological integrity, improvement and protection of the Erwin Unit. This shall be done within the multiple use concept of management, which strives to serve the needs of the people of New York State by providing a broad based, biologically diverse ecosystem. Management will be considered over a broad geographical area, not only to ensure the biological diversity and protection of the ecosystem, but also to optimize the many benefits to the public that these lands provide.

NYS DEC lands within Erwin Unit are unique compared with most private properties in the surrounding landscape. Private landowners have differing management objectives and property size is generally much smaller. State lands provide large expanses open to public recreation. State land management planning horizons extend over a very long time frame. This allows for a commitment to provide healthy and diverse ecosystems and to manage and enhance unique vegetative types.

To achieve the vision, this plan will provide specific management goals with measurable planning objectives. The objectives will be augmented and supported by a plan of action and a timetable.

Access

The existing access to the unit is adequate in most cases. However, the need for additional parking in some areas has been determined.

Restricted motor access to administrative roads by gates and signs will continue. The costs to upgrade administrative roads to public access are prohibitive; in addition many public comments indicate no interest in such actions. Access restrictions are needed to maintain the "backwoods character" of the land as well as protecting sensitive areas. Currently the gates into the main Erwin Wildlife Management Area are opened only for big game season in the fall; they may get opened for other reasons, such as special fishing days at Kuhnle/Erwin pond. All other gates on the Unit will remain closed year round. NYS DEC reserves the right to limit access to State lands when public safety issues occur.

There is administrative access easement on the south end of Erwin Mountain State Forest, from Rt. 417; however, the terms of this access are unclear.

There is a need for additional parking on the south side of Beartown Rd. for better access to a small portion of Erwin Wildlife Management Area and all of Erwin Mountain State Forest. Currently the administrative road leaves directly from the town road, with no additional space for public parking (without blocking the gate). A parking lot large enough to hold three vehicles would be constructed near the east boundary for that portion of Erwin Wildlife Management Area, the area immediately next to the administrative road is too steep for easy construction of a parking lot. Construction would consist of removing vegetation, leveling the ground, signs, and if needed, filter fabric, gravel and boulders or other markers on the edge of the parking lot

Management Objectives and Actions for Access

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Identify need for additional access	1.0	Survey site(s)	As Needed
		1.1	Receive public comments	On-Going
		1.2	Solicit public comments	Every 10 yrs
2	Construct identified additional access	2.0	Identify additional access road needs	As Needed
		2.1	Revise/amend UMP as required to accommodate the construction of additional access roads	Every 10 yrs., or as needs are identified
3	Determine status of administrative access	3.0	Need to determine definition of administrative access of Erwin Mtn. State Forest from Rt. 417.	On-Going
4	Maintain roads	4.0	Inspect culverts	Bi-Annually
		4.1	Replace inoperable culverts	As Needed
		4.2	Public access roads - grade and maintain surface.	Bi-Annually
		4.3	Administrative access roads - grade and maintain surface.	Every 5 yrs
		4.4	Mow roads right of way	Annually
5	Construct additional parking lots	5.0	Determine need for additional parking	On- Going
		5.1	Improve parking along Beartown Rd.	One Time
		5.2	Revise/amend UMP as required to accommodate the construction of additional parking lots	Every 10 yrs., or as needs are identified
6	Maintain parking areas	6.0	Litter removal	As Needed
		6.1	Maintain all parking areas	As Needed
		6.2	Maintain curbing	As Needed
		6.3	Maintain informational signs	Annually
		6.4	Mow all parking areas	As Needed

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
7	Control access	7.0	Identify the need for gates and signs.	As Needed
		7.1	Construct gates and post signs	As Needed
		7.2	Maintain gates and signs	Annually
		7.3	Enforce NYS DEC policies	On-Going
8	Identify State property boundary lines.	8.0	Survey, paint, blaze, and post boundaries.	Every 5 yrs
		8.1	Identify and resolve boundary encroachment issues.	As Needed
		8.2	Repair and replace area signs	On-Going

Timber and Vegetation Management

Management objectives strive to maintain a balance of vegetative types and vegetative stages. This balance is intended to produce marketable forest resources and enhance wildlife diversity and abundance. Tables 4 and 5 listing vegetative types and stages are located on page 14.

Presently, both State Forests do not have a balanced mix of vegetative stages, but do have an adequate mix of vegetative types. During the most recent inventories there was an over abundance of pole size timber (6-11 inches in diameter) making up almost 60% of the State Forest acreage: most of the rest is in the sawtimber size (12+ inches in diameter). There were no stands in the seedling/sapling size (1-5 inches in diameter); no grass or brushy openings; and, about 3% was in the pond/wetland/other categories. For a better distribution of stages, seedling/sapling acres should be created, mostly out of the stands currently in the pole size, with some from the sawtimber size. An even-aged regeneration cut will create most seedling/sapling, or a pre-commercial clearcut of a small pole size stand. The amount of grassy/brushy openings will not be actively changed, as it would be expensive to create them from the heavily wooded State Forests. Also, Erwin Mountain is managed as a “backwoods character” area, and grassy openings are not typically associated with such a management scheme.

Erwin Wildlife Management Area has a better distribution of vegetative stages, and an adequate mix of vegetative types. The most recent inventory report shows slightly more than 60% of the Wildlife Management Area is made up of stands with the average diameter in the sawtimber size. Less than 30% are in pole size; 5% are in the seedling/sapling; less than 1% in grass or brushy openings, and about 5% are in the pond/wetland/other categories. For a better distribution of stages, some grassy/brushy openings and seedling/sapling acres should be increased. Most of this should be on area that are currently in the sawtimber size class.

To create and maintain a better distribution of the vegetative stages over the entire unit, forest products will be sold. The harvests will be accomplished using a variety of silvicultural techniques such as converting even-

age stands to uneven-aged stands, thinning or regenerating even-aged stands, establishing protection areas to maintain and enhance diversity, and protecting ecologically sensitive areas such as stream banks, wetlands, and steep slopes from intensive management. Protection areas receive special consideration whenever management activities are planned which may impact these areas. Examples include: increased use of erosion control devices, seasonal harvest limitations, restrictions of type and/or size of harvesting equipment, and restricted skid trail layout. Some protection areas are restricted from all harvest of forest products. These practices may also be employed on other areas not designated as protection forest whenever site or vegetation protection is needed. Examples include: poorly drained soils, slopes over 15%, presence of historical or archeological features, recreational use, wildlife considerations, and preparation for forest regeneration.

Stand composition and vegetative type are influenced by many things - past and current timber harvesting will result in changes of available seeds, both those found in the soil and what is produced from mature trees. How much sunlight reaches the ground and/or smaller trees and shrubs under the taller trees is a result of how many trees are removed. The time of year of a cutting may influence the stand. Winter may result in rapid sprouting in the spring from some tree species stumps; and, summer cutting may result in more seeds sprouting in exposed mineral soil. Another factor to consider is when, or if, the area was a pasture, crop field, barn yard or woodlot before re-growing to trees and when the old field was left to naturally regrow trees, or planted. Another factor is the density of deer, or other browsing animals, including domestic ones. Deer and rabbits eat young seedlings; bucks will scrape the bark off of saplings with their antlers, etc. Some of these factors are controllable, others are not. Part of marking a stand for harvest includes balancing what can be controlled against what can not be.

Timber harvest locations are planned based on the following criteria in order of importance: 1) Present and future forest health concerns; 2) Current distribution of vegetative stages within the unit management plan area; 3) Ability to regenerate stands (if a regeneration harvest); 4) Adequate access to stand; 5) Priority needs of other unit management plans; 6) Wildlife considerations; 7) Market conditions; 8) Potential growth response of stands to treatment (if a thinning).

Potential stands which have been identified for treatment are analyzed for specific treatment to establish a marking guide. Guides are often specific and apply only to certain forest types, management systems, or treatments. Stand analysis guides were developed by US Forest Service, SUNY College of Environmental Science and Forestry, or other academic institutions. The more common guides used are: Silvah, NED SIPS, Northern Hardwood Stocking Guide, and Central Hardwood Stocking Guide. Marking guides provide a way to assist foresters in identifying species, size, and quantity of trees that should be removed, to achieve the desired future stand composition.

Trees to be removed in a harvest are designated by NYS DEC forestry staff using tree marking paint. After designation is completed, a minimum bid is determined based on the estimated volume of the marked trees. Stands are prioritized for sale activity based on vegetative types and diversity and the desired future conditions identified by this Unit Management Plan. Prioritization is done by NYS DEC forestry staff, with input by wildlife staff.

There are two types of timber sale contracts, revenue contracts and local sales. Sales greater than \$10,000 are called revenue contracts. For revenue contracts, trees are designated, and the paperwork assembled by regional NYS DEC foresters and forwarded to the NYS DEC Albany office for processing. Bid notices are sent to the list of known interested bidders, and a legal notice is posted in the local newspaper. Sales up to \$10,000 are known as local sales. Local sale trees are designated, and the paperwork assembled, by the regional NYS DEC foresters and sent directly to the known interested bidders. Revenue contract bids are opened in Albany; local sale bids are opened in the Bath NYS DEC office. In both cases, the highest bidder buys the sale for the amount submitted. Each NYS DEC Forestry office maintains a list of known interested bidders. To get on the

list, contact the NYS DEC forestry office in Bath, NY. Small local sales (minimum bid of less than \$500) may be handled as a negotiated sale rather than a bid.

All sales are administered by a State Forester, using standard “DEC Sale of Forest Products” contracts. In the case of revenue contract, the paperwork is sent from Albany to the highest bidder. For local sales, the highest bidder will meet with the local NYS DEC forester. All payments are received in advance of harvesting. Proof of insurance is required, or may be purchased for each sale from NYS DEC. Revenue contracts over \$10,000 require a performance bond; sales under \$10,000 may require a performance bond at the discretion of regional foresters. The logging is periodically monitored by NYS DEC staff for the duration of the operation. The performance bond is returned if all conditions of the sale have been satisfied

Forest ecologists have identified conifers as an important component of the ecosystem. The establishment of conifers through natural regeneration has created a significant conifer component on the two State Forest areas, it is about 40% of the total acres. Erwin Wildlife Management Area has about 12% of its total acres in some form of conifer, from natural regeneration, not planting. A 10% conifer component is generally considered adequate in western New York. Natural regeneration should continue to supply the necessary coniferous component.

Similarly, oak and chestnut are desirable tree species to have on the Erwin Unit, however, historical management and disease have discriminated against these species. The objective is to maintain and enhance these species in the Erwin Unit by using current knowledge of oak silviculture and employing new silvicultural techniques that develop from research. Difficulties with oak, which requires full sunlight to grow, and conifer regeneration, have led to shade tolerant species such as sugar and red maple becoming well-established. These species will challenge land managers abilities to meet vegetative goals. Should a treatment to control chestnut blight, or resistant chestnut trees be developed, efforts would be made to bring back the chestnut to the area.

White tailed deer eat young tree seedlings and by doing so play a major role in the success and failure of managing conifers, oak and chestnut. A reduction in the number of deer on the landscape by liberal harvest via hunting needs to be encouraged.

There is relatively little acreage of wetland and pond habitats, especially when Erwin Wildlife Management Area is compared to many other Wildlife Management Areas. Very little can be done to change this, as all of the parcels of the Erwin Unit are on high ground. See the Fish, Wildlife and Habitat section for further details about small dugouts/ponds construction.

Some level of insect, disease and natural disaster are recognized as being a beneficial factor in shaping our vegetation. Various endemic and epidemic occurrences of insect, diseases, fires and storms periodically impact the vegetative communities of the Erwin Management Unit. Infestations of introduced insects such as Gypsy Moth and Hemlock Woolly Adelgid are of present concern and need regular monitoring. Native insect species such as Pear Thrips and Fall Cankerworms are cyclic in population and may be expected to impact vegetation at some time in the future as they have in the past. The professional foresters of NYS DEC will continue to observe the effects of these factors which influence the vegetation on the unit. By closely monitoring these outbreaks management actions may be able to lesson undesirable impacts.

A forest inventory is required at a minimum of every 10 years.

See appendix F for a listing of silvicultural management style for each stand and maps in appendix G.

In January 2008 NYS DEC was awarded dual certification by NSF-International and Scientific Certification Systems. Forest products derived from wood harvested off State Forests from this point forward could now be

labeled as “green certified” through chain-of-custody certificates. Green Certified labeling on wood products may assure consumers that the raw material was harvested from well-managed forests.



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FSC certification means that NY DEC State Forests are managed according to strict environmental, social and economic standards.



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indicates that State Forests have been certified by a qualified independent auditor to be in conformance with the SFI Standard.

Management Objectives and Actions for Vegetation

(percent based on forest acreage)

Management Objectives	Mgt. Action #	Management Actions	Frequency of Action	
1	Maintain knowledge of forest stands.	1.0	Perform State Forest and Wildlife Management Area inventory.	Every 10 yrs
2	Maintain healthy vegetation	2.0	Practice Integrated Pest Management	On-Going
		2.1	Reduce deer population, to reduce damage to the low growing vegetation.	Annually
3	McCarthy Hill and Erwin Mountain State Forests - Develop the Following Vegetative Balance:			
	6% Protection forest	3.0	Manage 81 Acres.	On-Going
	1% Uneven Age silviculture, at a 20 yr cutting cycle.	3.1	Regenerate an average of 0.75 acres/yr.	Annually
	93% Even Age silviculture, at 100 yr rotation.	3.2	Regenerate an average of 12 acres/yr.	Annually
		3.3	Thin an average of 24 acres/yr.	Annually
2% is roads, ponds etc.	3.4	Maintain per “Unit Maintenance and Facilities Management”	On-Going	
4	Erwin Wildlife Management Area - Develop the Following Vegetative Balance:			
	2% grass openings	4.0	Create about 30 acres.	As opportunities arise

Management Objectives	Mgt. Action #	Management Actions	Frequency of Action
	4.1	Maintain about 50 acres with a 3yr rotation of mowing and or annual burning.	Every 3 rd yr. or annually.
3% Protection forest	4.2	Manage 83 acres	On-Going
5% Uneven Aged silviculture, with a 20 yr cutting cycle.	4.3	Regenerate an average of 7 acres/yr. (136 acres total)	Annually
90% Even aged silviculture, with a 125 yr rotation	4.4	Regenerate an average of 17 acres/yr	Annually
	4.5	Thin an average of 34 acres/yr	Annually
5% is ponds, roads etc.	4.6	Maintain per "Unit Maintenance and Facilities Management"	On-Going

Watershed and Wetlands Protection

Compliance with the New York State Freshwater Wetlands Act (ECL Article 24) and the Water Resources Law (ECL Article 15, Title 5) is required by NYS DEC when conducting management activities or construction projects that involve regulated activities within protected wetlands, water bodies, or streams. Timber Harvesting Guidelines which are mandatory for all silvicultural practices on State lands, require specific conservation practices which protect soils and water quality. The ECL dictates that, among other purposes, State Forests within this Unit be managed for watershed protection. This is also clearly consistent with Wildlife Management Area objectives and sound conservation practices and public desires.

Regulated activities within protected wetlands, streams and waterbodies include such things as clear-cutting vegetation and construction of ponds or road crossings. Normal maintenance and repair of existing structures is generally exempt from permit requirements. Well-managed water resources have multiple benefits, including quality fish and wildlife habitats, aesthetically pleasing sites, ground water protection, and flood water retention.

The need for small dug-outs were elicited in the objectives for "Fish and Wildlife and Wildlife Habitat".

Management Objectives and Actions for Watershed and Wetlands

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Protect water and wetland resources	1.0	Utilize Best Management Practices (BMP's) for water quality on timber sales, gas well site construction, etc.	On-Going
		1.1	Control erosion through proper road maintenance.	On-Going
		1.2	Comply with the Water Resources Law and Freshwater Wetlands Acts.	On-Going

Fish and Wildlife Habitat

The fish and wildlife habitat goals for the unit are to maintain and enhance habitat for fish and wildlife species and to provide public access for activities including hunting, fishing, trapping, hiking, and other compatible outdoor recreational pursuits.

Relatively little habitat is available for fish, most of which are common warm water species including large mouth bass, bluegill, pumpkinseed and bullhead found in Kuhnle/Erwin pond on the Wildlife Management Area. Fishing activity at this site has been a long established activity desired by the locals and management should maintain the current opportunities.

There is a robust diversity of amphibian and reptile species to be found here. Two of New York's rarer salamander species, the four-toed salamander and the long tailed salamander have been documented each in their own specific habitat types. Management efforts should include creation of dugouts for breeding and activity centers as well as include protection of sensitive shallow shaded pools in swamp and bog sites. A number of sphagnum mossy areas lie within the interiors of the State land and likely harbor communal breeding sites that have not been documented. Protection of all wetland environs should enhance these species as well as several aquatic birds.

Management for birds and mammals will largely be driven by the age of the specific forest stand and its species composition. Most of the area is dominated by oak/hickory forest, which is largely in older age classes. Efforts need to continue try and achieve a balance of age classes these stands so wildlife species diversity and abundance is maintained. This includes establishing new forests by clear cutting as well as maintaining older age classes via selective harvest or establishment of protection areas. All can be accomplished by continued attention to harvest of forest products. Native conifers are the only conifers found here and include hemlock and white pine and warrant attention to maintain habitat for suites of wildlife species dependent on these structures. Special attention to conifer management is warranted given the ability of high deer populations to thwart the reestablishment of these species.

Grassland and open areas are indeed rare and should maintained whenever possible. Opportunities to

establish such structure should be taken advantage with gas exploration and pipeline development as well as new roads to maintain the area.

Management Objectives and Actions for Fish and Wildlife and Habitat

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Manage habitats for endemic wildlife species and public use	1.0	Conduct all forms of woody vegetation management to achieve balance forest structure. (See Vegetation Management)	As needed
		1.1	Develop and maintain small ponds and dugouts to act as amphibian activity centers.	As opportunities arise
		1.2	Manage conifers in natural forests	On-Going
		1.3	Maintain and enhance grassland habitats by mowing and/or burning	At least every three years.
		1.4	Protect and enhance rare plant and animal communities	Annually
		1.5	Develop pond on McCarthy Hill State Forest	As opportunities arise.
2	Encourage public use to enjoy wildlife resources	2.0	Assist local groups in utilizing and protecting wildlife resources	Annually
		2.1	Work with local and governmental groups to enjoy wildlife habitat by building ponds, observation decks, nesting structure etc.	As opportunities arise

Public Recreation and Use

One goal of the NYS DEC management is to provide suitable opportunities for the public enjoyment of compatible recreational pursuits in a natural setting. NYS DEC is charged under Environmental Conservation Law with guaranteeing that the widest range of beneficial uses of the environment is attained without unnecessary degradation or other undesirable or unintended consequences. The public has an undeniable stake in identifying both “beneficial uses” and “undesirable consequences.” Recreational program opportunities for people with disabilities will be explored. For a list of disabled access trails available on the Erwin Unit see Appendix D.

Wildlife-related recreation, including hunting, fishing and trapping, is a dominant and important use of the NYS DEC lands in the Erwin Unit. Users are encouraged to adhere to standards of equitable distribution, humane treatment, fair chase, ethics and the maintenance of the variety and quality of use. Additional recreational pursuits will continue to be allowed to the extent that they are compatible with habitat integrity, wildlife use and financial resources. Wildlife viewing is also encouraged in an environmentally responsible manner.

Administrative and public access roads combined with existing logging roads and utility lines form an excellent network to access recreational opportunities. Parking areas and informational signs and maps are needed on most areas to help identify and promote public enjoyment and compatible use.

New Off-Road Vehicle (ORV) or All Terrain Vehicle (ATV) trails will not be developed on this Unit. A number of factors have contributed to this decision. Some of these include: Wildlife Management Area regulation 6NYCRR Part 51.4 prohibits ATV riding on all Wildlife Management Areas, including Erwin Wildlife Management Area. As stated in NYS DEC's Draft ATV Policy, ATV riding is not a program offered on State Forests. The development of ATV access can be considered under this policy if it is necessary to provide access to programs and activities on the Unit. On the Erwin Unit, the existing transportation infrastructure of public roads provide sufficient access to all recreational activities. Soil and topography limitations on this Unit make many areas unsuitable for ATV use. Existing illegal ATV activity has created management and maintenance challenges. The non-motorized recreational trail systems on McCarthy Hill State Forest and Erwin Wildlife Management Area already occupy a significant portion of the Unit. ATV use on these trails would create unacceptable user conflicts. Erwin Mountain State Forest currently has no marked trail on it, in an attempt to keep it in a "backwoods" type character, no marked trails will be allowed on it.

In keeping with current State Forest policy (6NYCRR Part 190), camping, and day use picnicking are acceptable recreational uses of McCarthy Hill and Erwin Mountain State Forests. Camping is not allowed on Erwin Wildlife Management Area. Dispersed recreation will continue to be encouraged over the entire Erwin Unit Management Plan area.

McCarthy Hill State Forest has about 8 miles of interconnected cross-country ski trail. The trail system can be used for hiking in the summer, although sections are very muddy when not frozen. When funding, or volunteers, are available, the trail system will be improved. The worst trail is Beaver Pond, the portion over the old beaver pond/dam would be best converted into board walk, other parts could be re-located to dryer ground. The entire trail system could use a layer of filter fabric and gravel, and erosion control such as water bars and ditches.

Erwin Wildlife Management Area has about 18 miles of multiple use trails and roads. Many of these are in need of re-marking, brushing out, or other issues. When funding, or volunteers, are available, the trail system will be improved. The brochure for the area is old, and should be redone.

There has been some interest expressed in having a firing range constructed on Erwin Wildlife Management Area. There are private firing ranges available on local gun club properties, but this would provide one available to all, on a first come-first use basis. If public interest and demand grows, and financing secured, it could be constructed. At the time of the publication of this document an exact location has not been picked out, but it will probably be within a reasonable walk of one of the existing parking lots. It would also involve the removal of trees, including their stumps, bulldozing a backstop and seeding to grasses the chosen area.

Occasionally, forest product sales may affect certain recreational facilities. Depending upon the sale, there may be an opportunity to enhance the recreational facility. An assessment of the potential should be done with each and every sale of forest products for the impact and possible enhancement. Potential enhancements:

relocation of a trail for better placement, conversion of a skid trail to a trail through grading and water control measures, creation of informal parking areas by placement of the log landings, installation of vehicle control barriers and other possible work as opportunity presents itself.

As of the writing of this plan, there is preliminary planning occurring to connect the Finger Lakes Trail with the Mid-State Trail of Pennsylvania. This is the northernmost connector of the Great Eastern Trail, an effort to connect about 10,000 miles of eastern US foot trails. If, or when, an actual trail location is laid out, it is expected that it will run across parts of the Erwin Unit. Due to the density of the existing trail system, if at all possible, on Erwin Wildlife Management Area and McCarthy Hill State Forest the trail will be limited to the existing trail system. Erwin Mountain State Forest currently has no marked trail on it, and in an attempt to keep it in a “backwoods” type character, no marked trails will be allowed on it. It is open for “bush whack” hiking, camping and hunting. There are other options available without having to cross this state forest. The exact location of the trail across State land, that meet the above criteria, will be approved by a NYS DEC Forester, on State Forests, or NYS DEC Biologist, on Wildlife Management Areas, before construction will take place. All construction, and maintenance, will be done by volunteers under the “Adopt-A-Natural-Resource-Program” and/or with a TRP.

Periodic campsites and/or lean-to's are being constructed along the Great Eastern Trail. There are several good locations on McCarthy Hill State Forest. The exact location would have to be approved by a NYS DEC Forester. A best spot would be along the trail, near water, and 0.5 mile, or more, from the gate. It will be constructed to ADA standards, and if possible, located along the section of CP-3 trail, or near enough that extending the CP-3 trail would be feasible.

The Americans with Disabilities Act (ADA) and Its Influence on Management Actions for Recreation and Related Facilities

The Americans with Disabilities Act (ADA), along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973; Title V, Section 504, have had a profound effect on the manner by which people with disabilities are afforded equality in their recreational pursuits. The ADA is a comprehensive law prohibiting discrimination against people with disabilities in employment practices, use of public transportation, use of telecommunication facilities and use of public accommodations. Title II of the ADA applies to the Department and requires, in part, that reasonable modifications must be made to its services and programs, so that when those services and programs are viewed in their entirety, they are readily accessible to and usable by people with disabilities. This must be done unless such modification would result in a fundamental alteration in the nature of the service, program or activity or an undue financial or administrative burden to the Department. Since recreation is an acknowledged public accommodation program of the Department, and there are services and activities associated with that program, the Department has the mandated obligation to comply with the ADA, Title II and ADA Accessibility Guidelines, as well as Section 504 of the Rehabilitation Act.

The ADA requires a public entity to thoroughly examine each of its programs and services to determine the level of accessibility provided. The examination involves the identification of all existing programs and services and an assessment to determine the degree of accessibility provided to each. The assessment includes the use of the standards established by Federal Department of Justice Rule as delineated by the Americans with Disabilities Act Accessibility Guidelines (ADAAG, either adopted or proposed) and/or the New York State Uniform Fire Prevention and Building Codes, as appropriate. The development of an inventory of all the recreational facilities or assets supporting the programs and services available on the unit was conducted during the UMP planning process. The assessment established the need for new or upgraded facilities or assets necessary to meet ADA mandates. The Department is not required to make each of its existing facilities and assets accessible. New facilities, assets and accessibility improvements to existing facilities or assets proposed in this UMP are

identified in the “Management Actions” section.

The Americans with Disabilities Act Accessibility Guidelines

The Americans with Disabilities Act (ADA) requires public agencies to employ specific guidelines which ensure that buildings, facilities, programs and vehicles as addressed by the ADA are accessible in terms of architecture and design, transportation and communication to individuals with disabilities. A federal agency known as the Access Board has issued the ADAAG for this purpose. The Department of Justice Rule provides authority to these guidelines.

Currently adopted ADAAG address the built environment: buildings, ramps, sidewalks, rooms within buildings, etc. The Access Board has proposed guidelines to expand ADAAG to cover outdoor developed facilities: trails, camp grounds, picnic areas and beaches. The proposed ADAAG is contained in the September, 1999 Final Report of the Regulatory Negotiation Committee for Outdoor Developed Areas.

ADAAG apply to newly constructed structures and facilities and alterations to existing structures and facilities. Further, it applies to fixed structures or facilities, i.e., those that are attached to the earth or another structure that is attached to the earth. Therefore, when the Department is planning the construction of new recreational facilities, assets that support recreational facilities, or is considering an alteration of existing recreational facilities or the assets supporting them, it must also consider providing access to the facilities or elements for people with disabilities. The standards which exist in ADAAG or are contained in the proposed ADAAG also provide guidance to achieve modifications to trails, picnic areas, campgrounds (or sites) and beaches in order to obtain programmatic compliance with the ADA.

ADAAG Application

Current and proposed ADAAG will be used in assessing existing facilities or assets to determine compliance to accessibility standards. ADAAG is not intended or designed for this purpose, but using it to establish accessibility levels lends credibility to the assessment result. Management recommendations in each UMP will be proposed in accordance with the ADAAG for the built environment, the proposed ADAAG for outdoor developed areas, the New York State Uniform Fire Prevention and Building Codes, and other appropriate guiding documents. Until such time as the proposed ADAAG becomes an adopted rule of the Department of Justice, the Department is required to use the best information available to comply with the ADA; this information includes, among other things, the proposed guidelines.

Management Objectives and Actions for Recreation

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Identify additional recreation needs.	1.0	Receive public input.	On-Going
		1.1	Monitor use patterns	On-Going
		1.2	Assess user satisfaction from comments received.	On-Going

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
2	Coordinate with volunteer groups to construct and/or maintain existing and/or future recreational facilities. The Adopt-A-Natural-Resource-Program.	2.0	Identify resources and/or volunteer groups to form additional partnerships.	On-Going
		2.1	Assist the Finger Lakes Trail Conference sponsors in maintenance and enhancement of the Finger Lakes Trail and the connecting trail to the Mid-State Trail of PA	On-Going
		2.2	Provide resources or utilize opportunities as needed to maintain and enhance existing trail(s)	On-Going
		2.3	Minimize conflicts between hikers, bikers, and other users	On-Going
3	Determine feasibility and/or compatibility of proposed additional recreational opportunities.	3.0	In house review of proposed projects	As Needed
		3.1	Negotiate with sponsoring volunteer groups.	As Needed
		3.2	Enter into agreements with volunteer groups to provide additional recreation	As Needed
		3.3	Evaluate public demand for a firing range on Erwin Wildlife Management Area.	On-Going
4	Provide additional recreational opportunities.	4.0	Maintain and improve access for persons with disabilities.	On-Going
		4.1	Provide technical support for volunteer groups.	As Needed
		4.2	Construct barriers to discourage motorized use of skid trails and abandoned roads after logging operations.	As Needed
		4.3	Construct a new lean-to on McCarthy Hill State Forest.	One time.

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
		4.4	If public demand per 3.3 above is high, construct a firing range on Erwin Wildlife Management Area.	One time.
		4.5	Construct other new facilities as appropriate.	As Needed
5	Advocate wildlife-based recreation	5.0	Encourage hunting and trapping according to State regulations.	On-Going
6	Maintain existing and future recreational facilities.	6.0	See Maintenance and Facilities	On-Going
		6.1	Assess, maintain and improve McCarthy Hill State Forest Ski trail system by relocation, gravel and/or boardwalks.	As funding is available.
		6.2	Assess, maintain and improve Erwin Wildlife Management Area trail system.	As funding is available.
7	Increase awareness of public recreation opportunities.	7.0	Provide brochures and maps for users.	Update Every 5 yrs
		7.1	Place kiosks at parking areas	By 2016
		7.2	Update maps and brochures to reflect new facilities/trails/acquisitions	As Needed
8	Enhance visual appeal	8.0	Create and maintain scenic vistas.	As-Needed
		8.1	Establish a litter-free environment by promoting carry in/carry out policy.	On-Going
		8.2	Remove litter from State land.	As-Needed

Unit Maintenance and Facilities Management

The goal is to maintain the facilities on the unit to ensure its integrity, character, and safety. This must be done with the limited money and staff resources that are available. It is the policy of the Department to encourage the use of volunteers to maintain facilities. See also the “Access” and “Public Recreation” sections for additional facilities.

There may be the potential for generating electricity with windmills or the construction of towers for radio, cell, etc transmission, in the area of the Erwin Unit. There are currently no windmills for power generation on the Erwin Unit. Currently NYS DEC does not have the legal authority to approve a windmill or other tower application(s) pertaining to any lands covered by this unit management plan.

Constructed ponds, potholes, and dams require periodic maintenance. The water level control boxes need repair and cleaning, the edges mowed etc. Over time leaves and soil will fill in the pond, excavating the bottom will return it to open water habitat. How often this needs to be done depends on how fast it fills in.

There is a series of cross country ski trails located on McCarthy Hill State Forest, and on Erwin Wildlife Management Area there are several miles of multiple use trails. Many of these are in need of re-marking, brushing out, or other issues.

Management Objectives and Actions for Maintenance and Facilities

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Maintain constructed ponds/potholes	1.0	Inspect for problems.	Annually
		1.1	Repair dikes, control boxes, etc	As Needed
		1.2	Excavate bottom of ponds.	As Needed
2	Solicit volunteer groups to help maintain facilities (see also Public Recreation and Use)	2.0	Promote Adopt a Natural Resource Program.	On-Going
		2.1	Enter into agreements with volunteer groups.	On-Going
3	Maintain existing and future facilities.	3.0	Identify needed maintenance	On-Going
		3.1	Do the needed maintenance, as money allows.	On-Going
		3.2	Enhance law enforcement efforts.	On-Going
4	Maintain existing and future roads.	4.0	Identify needed maintenance	On-Going
		4.1	Do the needed maintenance, as money allows.	On-Going
		4.2	Enhance law enforcement efforts.	On-Going

Land Acquisition

Certain parcels will be considered for purchase or conservation easement if they contain species designated as rare, endangered or threatened in New York State. Protection of wetlands; improved access; or consolidation of public ownership by eliminating inholdings are also criteria for acquisition. It should be clearly understood that NYS DEC intends to acquire these parcels only from **willing** sellers as funding becomes available, in

accordance with the NYSOSP.

In November 2006 NYS DEC and the NYS Office of Parks Recreation and Historical Preservation issued a plan, entitled, "**New York State Open Space Conservation Plan**". www.dec.state.ny.us/website/dlf/opensp/2006/index.html is the web site this document can be viewed at, and as new versions are written during the lifetime of this Unit Management Plan they will also be posted on NYS DEC's web site.

Erwin Wildlife Management Area contains a parcel with split mineral estate. (Other parties own the mineral rights). Should funding be appropriated the DEC will attempt to acquire total rights to this parcel. In addition the north and south parcels off Erwin Wildlife Management Area do not connect. At a much lower priority, the 15 acres surrounding the former fire tower location on Erwin Wildlife Management Area should have management transferred back to the Division of Fish, Wildlife and Marine Resources.

Erwin Mountain State Forest is small for a State Forest, and has access problems. McCarthy Hill State Forest has a long 66 ft wide parcel down the hill to McCarthy Rd., this should be surplus or have additional acres added adjacent to it.

All acquisitions will be from willing sellers only.

Management Objectives and Actions for Land Acquisition

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Provide improved access to the Unit.	1.0	Identify land acquisition needs.	On-Going
		1.1	Acquire desired properties from willing sellers as funding permits.	On-Going
2	Consolidate public ownership by eliminating in holdings	2.0	Identify land acquisition needs.	On-Going
		2.1	Acquire desired properties from willing sellers as funding permits.	On-Going
3	Enhance recreational opportunity.	3.0	Identify land acquisition needs.	On-Going
		3.1	Acquire desired properties from willing sellers as funding permits.	On-Going
4	Protect significant ecological areas.	4.0	Identify land acquisition needs.	On-Going
		4.1	Acquire by fee simple or easement desired properties from willing sellers as funding permits.	On-Going
5	Resolve other issues, such as split mineral estate.	5.0	Identify Land acquisition needs	On-Going
		5.1	Acquire desired properties from willing sellers as funding permits.	On-Going

Mineral Resources

Any party desiring to procure minerals, rocks or oil & gas resources (or the use of the mineral estate in the case of gas or liquid storage in geological formations) from the mineral estate under State lands included in this unit management plan, must obtain contractual rights (such as a lease contract) to those minerals from the appropriate State entity administering those resources. The party must also obtain appropriate consent (temporary revocable permit) from the State to access the surface estate during operations. Prior to the commencement of operations the appropriate permits must be obtained. These procedures are further outlined below.

Any activity involving the procurement of oil and gas resources and/or storage of gas and liquids in the subsurface on State lands in this unit management plan are administered by the NYS DEC Division of Mineral Resources. The procurement of minerals and rocks (inorganic substances), including the solution mining of minerals (such as salt) on these same State lands are administered by the Office of General Services. All activity associated with mining minerals and rocks, solution mining of minerals and oil & gas drilling, including production, are regulated by the NYS DEC Division of Mineral Resources (including the issuance of mining permits and drilling permits).

The surface estate of these State lands is managed through the NYS DEC Division of Lands and Forests or Division of Fish, Wildlife and Marine. In the event the surface estate is to be used in the evaluation and/or extraction of mineral resources from State lands, a Temporary Revocable Permit (TRP) must be obtained from the NYS DEC Division of Lands and Forests prior to conducting any operations. It should be noted that if the mineral estate is under a lease agreement, only the lessee, or entities authorized by the Lessee, will be issued a TRP for these purposes.

It is NYS DEC policy to recommend excluding operations in surface areas with sensitive habitats (stream banks, wetlands, steep slopes, rare communities etc.) or intensive recreational use. Sites to be excluded from drilling, production and/or other surface occupancy for mining, are listed in appendix G, Maps "Recommended Exclusions for Surface Occupancy." Any proposal for mineral development would require SEQR review.

Procedures for Oil & Gas Procurement

In the event a party has an interest in exploring and developing oil and gas reserves under lands administered by the NYS DEC, the NYS DEC will receive requests to nominate specific lands for leasing of the mineral rights. Prior to leasing lands where the mineral estate is owned by New York State, a thorough review of the lands nominated for leasing is conducted to determine:

- 1.) Which areas can be leased with full rights granted (100% surface entry and no special conditions required),
- 2.) Which areas may require special environmental and safety conditions, and
- 3.) Which areas may be leased with no surface-disturbance/entry conditions (non-drilling clause).

This review is conducted by the area's land manager (Division of Lands and Forests or Division of Fish and Wildlife) in coordination with the Division of Mineral Resources. A tract assessment is then conducted that identifies sensitive resources of the unit. These resources include certain management strategies, wetland, riparian zones, steep slopes, recreational trails and areas, unique ecological communities, habitat of rare and

endangered species, archeological and cultural sites and scenic vistas and view sheds.

A public meeting will be held to provide information about natural gas development specific to the Unit and receive comments. A 30-day public comment period will follow. The Department will consider all comments prior to making a decision. If the Department decides to pursue leasing, the site specific conditions for limiting impacts on natural resources will be drafted by the Division of Mineral Resources in coordination with the Division of Lands & Forests and/or Division of Fish, Wildlife and Marine(Wildlife) and incorporated into contract documents. These conditions will include but not be limited to criteria for site selection, mitigation of impacts and land reclamation upon completion of drilling. A number of factors are considered including; Riparian areas, steep slopes, significant recreation areas, presence of rare, threatened or endangered species or unique ecological communities, all areas which may be excluded from surface disturbance. Certain land management strategies, such as reserves, where timber harvesting is precluded, which may be incompatible with oil and gas well development, may result in exclusion from surface disturbance. This determination is made as part of the tract assessment process on a case by case basis. Individual tract proposal reviews for each forest within this Unit have been completed, and determinations deciding which areas would be excluded from surface disturbance (should leasing be initiated) have been made. Included in the appendix are maps depicting these areas. Any parcel designated as a non-surface entry lease will no longer be subject to the process detailed above due to the prohibition of surface disturbance(s). Exceptions to these tract assessments are possible if additional analysis, protective measures, new technology, or other issues warrant a change in the compatibility status of an area.

If it is determined that oil and gas exploration and development can proceed on these State minerals, a lease sale is conducted. The DEC Division of Mineral Resources is the oil and gas leasing agent for these State lands. Lease sales are then conducted through a competitive bid process administered by the Division of Mineral Resources and in accordance with Article 23, Title 11 of the Environmental Conservation Law and State Finance Law.

Revenues from State Reforestation Areas and Multiple Use Areas (State Forests) are deposited into the General Fund while revenues from Wildlife Management Areas are deposited into the Conservation Fund.

In the event leases are granted and the drilling of a well is desired by the lessee on the leased property, an Application for Permit to Drill, Deepen, Plug Back or Convert a Well Subject to the Oil, Gas and Solution Mining Law (form 85-12-5) must be submitted to the Division of Mineral Resources. Site-specific impacts will then be identified by NYS DEC staff during review process and inspection of the proposed well site. The Generic Environmental Impact Statement On the Oil, Gas and Solution Mining Regulatory Program (Draft, 1988) is used to guide the Department in determining whether the proposal will have a significant impact on the environment. Conditions are then attached to the drilling permit as well as the Temporary Revocable Permit (TRP) which covers the mitigation and/or control of surface disturbances.

In the event underground pipelines are planned to transport gas and/or oil across State lands, the Division of Mineral Resources in conjunction with the Division of Lands and Forests, and Division of Fish and Wildlife will coordinate with the mineral estate lessee to determine the best route for the pipeline(s). It should be noted that any pipelines greater than 1,000 feet in length and/or containing pressures greater than 125 pounds per square inch are regulated by the New York State Public Service Commission.

Once the proposal is approved, a drilling permit with site specific conditions is issued by the Division of Mineral Resources along with a Temporary Revocable Permit issued by either the Division of Lands and Forests or Fish and Wildlife. These permits are administered by their respective programs and are designed to prevent and/or mitigate environmental impacts. Site inspections are conducted by the Division of Mineral Resources to ensure compliance with Article 23 of the Environmental Conservation Law and 6NYCRR Part 550

- 559. The Division of Lands and Forests or Fish and Wildlife will also inspect the site to ensure compliance with the TRP.

Procedures for Mineral and Rock Procurement

In the event a party desires to explore and procure minerals and/or rock (including salt) from State land, the party must obtain a permit, consent or lease of such duration as the Commissioner may deem advisable, from the Office of General Services, under Article 7 of the New York Consolidated Laws / Public Lands. Prior to operations, a Mining Permit or Drilling Permit in the case of solution mining, must be obtained from the Division of Mineral Resources and a Temporary Revocable Permit (for access and use of land) must be obtained from the Division of Lands and Forests or the Division of Fish, Wildlife and Marine. Mining operations are regulated by the Division of Mineral Resources.

There are no mining contracts, permits, or operations on any areas in this unit management plan. Under Article 7 of the New York State Consolidated Laws, any citizen of the United States may apply for permission to explore and/or extract any mineral on State lands. However, current Department practice is to decline any commercial mining application (s) pertaining to any lands covered by this unit management plan.

Surface Use for Evaluation of Mineral Resources

In the event a party desires to use the surface estate to conduct geophysical (such as a seismic survey), geochemical and/or surface sampling procedures on Department lands after leasing they must first obtain a Temporary Revocable Permit (TRP) for the access and use of State lands. Only the lessee, or parties authorized by the lessee, could obtain a TRP for these purposes. A TRP can be applied for through the NYS DEC Division of Lands and Forests, 7291 Coon Road, Bath, New York 14810.

For further information contact the NYS DEC Mineral Resource staff, Region 8, 6274 East Avon-Lima Road, Avon, New York 14414-9591. Additional contacts include; New York State Department of Environmental Conservation-Division of Mineral Resources- Bureau of Oil and Gas Regulation, 3rd Floor, 625 Broadway, Albany, New York 12233.

Management Objectives and Actions for Mineral Resources

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Decide to approve or not approve extraction of mineral resources.	1.0	Nominated properties are reviewed by Division of Mineral Resources (DMN) and Division of Lands and Forests (L&F) and Division of Fish, Wildlife and Marine Resources (Wildlife) per above process. Mining minerals are reviewed by Office of General Services (OGS) instead of the DMN.	As Needed
		1.1	A public meeting is held with a 30 day comment period after.	As Needed
If extraction is permitted...				
2	Execute consent contracts.	2.0	DMN conducts lease sale through competitive bid process and executes contracts for oil and gas. OGS executes contracts for minerals.	As Needed
3	Regulate operations; and access surface estate to extract mineral resources.	3.0	Division of Lands and Forests reviews proposed operations and if approved, issues a "Temporary Revocable Permit"	Every Time
		3.1	DMN reviews proposed operation and issues "Drilling Permit" or "Mining Permit".	Every Time
		3.2	DMN inspects & regulates operations, production and administers royalty payments to State.	Every Time
4	Monitor reclamation & well plugging	4.0	DMN enforces Rules and Regulations pertaining to plugging procedures.	Every Time
		4.1	DMN and L&F monitors and enforces surface reclamation	Every Time

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
5	Administer mineral estate	5.0	DMN monitors lease, production and royalty payments for oil and gas. OGS does same for minerals.	Every Time
6	Pipeline access and construction	6.0	Granted and directed by terms of lease agreement administered by DMN.	Every Time
		6.1	L&F and/or Wildlife reviews proposed operations and if approved, issues a "Temporary Revocable Permit" (TRP)	Every Time
		6.2	Division of L & F and/or Wildlife enforce TRP provisions.	Every Time

Archaeological and Historic Resources

The archaeological sites located within this land unit as well as additional unrecorded sites that may exist on the property are protected by the provisions of the New York State Historic Preservation Act (SHPA - Article 14 PRHPL), Article 9 of Environmental Conservation Law and Section 233 of Education Law. Should any actions that would impact these resources be proposed they will be reviewed in accordance with SHPA. Unauthorized excavation and removal of materials from any of these sites is prohibited by Article 9 of Environmental Conservation Law and Section 233 of Education Law.

The archaeological sites located on this land unit as well as additional unrecorded sites that may exist on the property may be made available for appropriate research. All future archaeological research to be conducted on the property will be accomplished under the auspices of all appropriate permits. Research permits would be issued only after consultation with the New York State Museum and the Office of Parks, Recreation and Historic Preservation, and the Seneca Nation of Indians Tribal Historic Preservation Office at 716-945-9427.

Management Objectives and Actions for Archaeological and Historical Sites

Management Objectives		Mgt. Action #	Management Actions	Frequency of Action
1	Preservation of historical and archaeological resources	1.0	Avoid any activity which may disturb any historical and/or archaeological resources.	On-Going
		1.1	Comply with State historic preservation act.	On-Going

Management Objectives	Mgt. Action #	Management Actions	Frequency of Action
	1.2	Consultation with the Seneca Nation of Indians Historical Preservation Office.	On-Going

PUBLIC INVOLVEMENT

Initial Mailing

Erwin Unit Management Plan's citizen participation activities commenced with an initial mailing on October 15, 2004, outlining management plan objectives. An attached mailer requested address corrections and gave a due date for the preliminary round of public comments.

The initial mailing's targeted audience consisted of previously identified:

- adjacent property owners;
- local town & county officials;
- recreational groups;
- interested industry groups;
- wildlife groups; and
- other general environmental groups;
- local media.

Based on those returned and other public comments received, the mailing list was amended to add other interested parties and/or correct outdated names and addresses.

Public comments received from the initial mailing is listed in Appendix B, with a summary in the Summary of Identified Issues section starting on page 22. They include: access, vegetation management, water resources, wildlife and wildlife habitat, fish management, public recreation and use, oil and gas leasing, cooperative agreements, open space conservation, aesthetics and cultural resources and historic preservation.

Second Mailing

Upon completion of the draft Erwin Unit Management Plan, a second fact sheet will be sent to those on the updated mail list, including the media, summarizing objectives of the draft plan, listing local document repositories and announcing a public meeting. Repositories will include local libraries, the Bath and Avon NYS DEC offices. A notice will also be posted in the Environmental Notices Bulletin (ENB) two weeks prior to the meeting.

Public Meeting

One public meeting will be held near the Erwin Unit Management area to present the draft plan and receive comments on it. Following the end of a 30-day public comment period, any modifications based on public comment will be made and a responsiveness summary will be added to Appendix B in the final plan.

Final Notice

Commentators and those on the updated mail list will receive a notice of availability of the final plan. Document repositories will again be identified and any significant modifications based on public comment will be noted.

MANAGEMENT ACTIONS SUMMARY

Priority codes:

C=Critical, Necessary to ensure public health and safety; To stabilize structures so as to not lose the money and time invested in them; Mandated by legislation.

H=High, Necessary for public use, and/or to improve habitat or other natural resources. Often this will be for new projects.

L=Low, Important for the enhancement of public use, habitats or other natural resources.

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Access	1.0	Survey Site(s)	L	As Needed	10 Work Days	
	1.1	Receive public comments	C	On Going	10 Work Days	
	1.2	Solicit public comments	C	Every 10 yrs	15 Work Days	
	2.0	Identify additional access road needs	L	As Needed	2 Work Days	
	2.1	Revise/amend UMP as required to accommodate the construction of additional access roads	L	Every 10 yrs., or as needs are identified		\$15-\$25 per linear foot of road.
	3.0	Need to determine definition of administrative access of Erwin Mtn. State Forest from Rt. 417.	L	On-Going	1 Work Day	
	4.0	Inspect culverts	C	Bi-Annually	10 Work Days	
	4.1	Replace inoperable culverts	C	As Needed	\$20,000	

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Access	4.2	Public access roads - Grade and Maintain surface.	H	Bi-Annually	5 Work Days	
	4.3	Administrative access roads - Grade and Maintain surface.	H	Every 5 years	25 Work Days	
	4.4	Mow road right of way.	H	Annually	25 Work Day	
	5.0	Determine need for additional parking	L	On- Going	1 Work Day	
	5.1	Improve parking along Beartown Rd.	C	One Time	\$5,000	
	5.2	Revise/amend UMP as required to accommodate the construction of additional parking lots	L	Every 10 yrs., or as needs are identified	\$5,000 or more per lot	
	6.0	Litter removal	L	As Needed	20 Work Days	Cost does not include inmate labor.
	6.1	Maintain all parking areas.	C	As Needed	\$10,000	
	6.2	Maintain curbing	L	As Needed	\$2,000	
	6.3	Maintain informational signs	C	Annually	\$2,500	
	6.4	Mow all parking areas	H	As Needed	10 Work Days	
	7.0	Identify the need for gates and signs.	C	As Needed	2 Work Days	
7.1	Construct gates and post sign	C	As Needed		5 Work Days per Gate	

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Access	7.2	Maintain gates and signs.	H	Annually	\$10,000		
	7.3	Enforce NYS DEC Policies	C	On-Going	\$250,000		
	8.0	Survey, paint, blaze, and post boundary lines.	H	Every 5 yrs	130 Work Days		
	8.1	Identify and resolve boundary encroachment issues.	H	As Needed		Unable to predict costs.	
	8.2	Repair and replace area signs.	H	On-Going	\$4,000		
Vegetation	1.0	Perform State Forest and Wildlife Management Area inventories.	C	Every 10 yrs	45 Work Days		
	2.0	Practice Integrated Pest Management	C	On-Going	10 to 40 Work Days		
	2.1	Reduce deer population, to reduce damage to the low growing vegetation.	H	Annually	?	?	Unable to predict costs.
Vegetation (McCarthy Hill, and Erwin Mtn. State Forests)	3.0	Manage 81 acres.	H	On-Going			
	3.1	Regenerate an average of 0.75 acres/yr.	H	Annually		\$2,700	Based on \$250 per acre.
	3.2	Regenerate an average of 12 acres/yr.	H	Annually		\$45,000	Based on \$375 per acre.
	3.3	Thin an average of 24 acres/yr.	H	Annually		\$24,000	Based on \$100 per acre.
	3.4	Maintain per "Unit Maintenance and Facilities Management"	H	On-Going	--	--	

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Vegetation (Erwin Wildlife Management Area)	4.0	Create about 30 acres.	L	As opportunities arise.	\$6,000		Based on \$200 per acre.
	4.1	Maintain about 50 acres of grasslands with a 3yr rotation of mowing and or annual burning.	H	Every 3 rd year or annually.	10 Work Days		
	4.2	Manage 83 acres	H	On-Going			
	4.3	Regenerate an average of 7 acres/yr	H	Annually		\$1,750	Based on \$25 per acre.
	4.4	Regenerate an average of 17 acres/yr	H	Annually		\$59,500	Based on \$350 per acre.
	4.5	Thin an average of 34 acres/yr	H	Annually		\$34,000	Based on \$100 per acre.
	4.6	Maintain per "Unit Maintenance and Facilities Management"	H	On-Going	--	--	
Watershed and Wetlands	1.0	Utilize Best Management Practices (BMP's) for water quality on timber sales, gas well site construction, etc.	C	On-Going	--	--	
	1.1	Control erosion through proper road maintenance.	C	On-Going	\$10,000	--	See also Access
	1.2	Comply with the Water Resources Law and Freshwater Wetlands Acts.	C	On-Going	--	--	
Fish and Wildlife Habitat	1.0	Conduct all forms of woody vegetation management to achieve balance forest structure. (See Vegetation Management)	H	As needed	--	--	See Vegetation Management
	1.1	Develop and maintain small ponds and dugouts to act as amphibian activity centers.	L	As opportunities arise	--	--	Most of these will be constructed as part of a timber sale.

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Fish and Wildlife Habitat	1.2	Manage conifers in natural forests	L	On-Going	--	--	Most of this will be part of a timber sale
	1.3	Maintain and enhance grassland habitats by mowing and/or burning	L / H	At least every three years.	?	?	See Also Vegetation.
	1.5	Develop pond on McCarthy Hill State Forest	L	As opportunities arise			
	1.6	Protect and enhance rare plant and animal communities	C	Annually	15 Work Days		May also include other costs.
	2.0	Assist local groups in utilizing and protecting wildlife resources	L	Annually			Unable to predict costs.
	2.1	Work with local and governmental groups to enjoy wildlife habitat by building ponds, observation decks, nesting structure etc.	L	As opportunities arise			Unable to predict costs.
Public Recreation and Use	1.0	Receive public opinion.	C	On-Going	30 Work Days		
	1.1	Monitor use patterns	C	On-Going	20 Work Days		
	1.2	Assess user satisfaction from comments received.	H	On-Going	10 Work Days		
	2.0	Identify resources and/or volunteer groups to form additional partnerships.	L	On-Going	10 Work Days		

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Public Recreation and Use	2.1	Assist the Finger Lakes Trail Conference sponsors in maintenance and enhancement of the Finger Lakes Trail and the connecting trail to the Mid-State Trail of PA	H	On-Going	10 Work Days		
	2.2	Provide resources or utilize opportunities as needed to maintain and enhance existing trail(s)	C	On-Going			Unable to predict costs.
	2.3	Minimize conflicts between hikers, bikers, and other users	H	On-Going	20 Work Days		
	3.0	In house review of proposed projects.	L	As Needed	10 Work Days		
	3.1	Negotiate with sponsoring volunteer groups.	L	As Needed	10 Work Days		
	3.2	Enter into agreements with volunteer groups to provide additional recreation.	L	As-Needed	10 Work Days		
	3.3	Evaluate public demand for a firing range on Erwin Wildlife Management Area.	H	On-Going	10 Work Days		
	4.0	Maintain and improve access for persons with disabilities.	C	On-Going	?		Unable to predict costs.
	4.1	Provide technical support for volunteer groups.	L	As-Needed	?		Unable to predict costs.
	4.2	Construct barriers to discourage motorized use of skid trails and abandoned roads after logging operations.	C	As Needed	?		Unable to predict costs.

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Public Recreation and Use	4.3	Construct a new lean-to on McCarthy Hill State Forest.	L	One Time	\$5,000	
	4.4	If public demand per 3.3 above is high, construct a firing range on Erwin Wildlife Management Area.	L	One time	\$25,000	
	4.5	Construct new facilities as appropriate.	L	As Needed	\$1,000 to \$50,000	
	5.0	Encourage hunting and trapping according to State regulations.	C	On-Going		Unable to predict costs.
	6.0	See Maintenance and Facilities	--	On-Going	--	--
	6.1	Assess, maintain and improve McCarthy Hill State Forest Ski trail system by relocation, gravel and/or boardwalks.	H	As funding is available.	\$5,000 to \$250,000	
	6.2	Assess, maintain and improve Erwin Wildlife Management Area trail system.	H	As funding is available.	\$5,000 to \$500,000	
	7.0	Provide brochures and maps for users.	H	Update Every 5 yrs	25 Work Days	
	7.1	Place kiosks at parking areas	H	By 2016	\$2,000	
	7.2	Update maps and brochures to reflect new facilities/trails/acquisitions	L	As Needed	10 Work Days	
	8.0	Create and maintain scenic vistas.	L	As-Needed	\$5,000	
	8.1	Establish a litter-free environment by promoting carry in/carry out policy.	H	On-Going	\$2,000	
8.2	Remove litter from State land.	L	As-Needed			See Access 6.0

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Unit Maintenance and Facility Management	1.0	Inspect for problems. (Ponds and Potholes)	C	Annually	10 Work Days	
	1.1	Repair dikes, control boxes, etc.	C	As Needed	\$20,000 per Each.	
	1.2	Excavate bottom of ponds.	L	As Needed	\$10,000 per Each.	
	2.0	Promote Adopt a Natural Resource Program.	L	On-Going	?	Unable to predict costs.
	2.1	Enter into agreements with volunteer groups.	L	On-Going	?	Unable to predict costs.
	3.0	Identify needed maintenance	L	On-Going	20 Work Days	
	3.1	Do the needed maintenance, as money allows.	C	On-Going	\$1,000 to \$100,000	
	3.2	Enhance law enforcement efforts.	C	On-Going	?	?
	4.0	Identify needed maintenance	L	On-Going	20 Work Days	
	4.1	Do the needed maintenance, as money allows.	C	On-Going	\$1,000 to \$100,000	
	4.2	Enhance law enforcement efforts.	C	On-Going	?	Unable to predict costs.

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Land Acquisition	1.0	Identify land acquisition needs. (Access)	L	On-Going	?	Unable to predict costs.
	1.1	Acquire desired properties from willing sellers as funding permits.	L	On-Going	?	Unable to predict costs.
	2.0	Identify land acquisition needs. (Eliminate in holdings)	L	On-Going	?	Unable to predict costs.
	2.1	Acquire desired properties from willing sellers as funding permits.	L	On-Going	?	Unable to predict costs.
	3.0	Identify land acquisition needs. (Recreation)	L	On-Going	?	Unable to predict costs.
	3.1	Acquire desired properties from willing sellers as funding permits.	L	On-Going	?	Unable to predict costs.
	4.0	Identify land acquisition needs. (Ecological)	L	On-Going	?	Unable to predict costs.
	4.1	Acquire desired properties from willing sellers as funding permits.	L	On-Going	?	Unable to predict costs.
	5.0	Identify land acquisition needs. (Other issues)	L	On-Going	?	Unable to predict costs.
	5.1	Acquire desired properties from willing sellers as funding permits.	L	On-Going	?	Unable to predict costs.

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Mineral Resources	1.0	Nominated properties are reviewed by Division of Mineral Resources (DMN) and Division of Lands and Forests (L&F) and Division of Fish, Wildlife and Marine Resources (Wildlife) per above process. Mining minerals are reviewed by Office of General Services (OGS) instead of the DMN.	C	As Needed	?	?	Unable to predict costs.
	1.1	A public meeting is held with a 30 day comment period after.	C	As Needed	?		Unable to predict costs.
	2.0	DMN conducts lease sale through competitive bid process and executes contracts for oil and gas. OGS executes contracts for minerals.	C	As Needed	?	?	Unable to predict costs or income. Lease sales in 1999 and 2003 generated initial lease bonus payments ranging from \$15.00 to \$587.00/acre leased and \$5.00/acre leased in annual rental payments to the State
	3.0	Division of Lands and Forests reviews proposed operations and if approved, issues a "Temporary Revocable Permit"	C	Every Time	?	?	Unable to predict costs.
	3.1	Division of Mineral Resources reviews proposed operation and issues "Drilling Permit" or "Mining Permit".	C	Every Time	?	?	Drilling permits generate between \$290 - > \$3800 per well permitted, dependent upon depth well is permitted

Management Action Item		Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments	
Mineral Resources	3.2	DMN inspects & regulates operations, production and administers royalty payments to State.	C	Every Time	?	?	Unable to predict costs or income.
	4.0	Division of Mineral Resources enforces Rules and Regulations pertaining to plugging procedures.	C	Every Time	?	?	Unable to predict costs.
	4.1	DMN and L&F monitors and enforces surface reclamation	C	Every Time	?	?	Unable to predict costs.
	5.0	DMN monitors lease, production and royalty payments for oil and gas. OGS does same for minerals.	C	Every Time	?	?	Royalty payments in past leases have been based upon 1/8th or 12.5% royalty interest to the State. One bcfg produced from State minerals at a sales price of \$5/mcfg, would generate more than \$600,000.00
	6.0	Granted and directed by terms of lease agreement administered by Division of Minerals. (Pipeline access and construction)	C	Every Time	?	?	Unable to predict costs.
	6.1	Division of L&F and/or Wildlife reviews proposed operations and if approved, issues a "Temporary Revocable Permit" (TRP)	C	Every Time	?	?	Unable to predict costs.

Management Action Item			Priority Code	Frequency of Action	Est.10 yr Cost	Est. 10 yr Income	Comments
Mineral Resources	6.2	Division of L&F and/or Wildlife enforce TRP provisions.	C	Every Time	?	?	Unable to predict costs.
Arch-aeological and Historic Resources	1.0	Avoid any activity which may disturb any historical and/or archaeological resources.	C	On-Going	?	?	Unable to predict costs.
	1.1	Comply with State historic preservation act.	C	On-Going	?	?	Unable to predict costs.
	1.2	Consultation with the Seneca Nation of Indians Historical Preservation Office.	C	On-Going	?	?	Unable to predict costs.

APPENDICES

Appendix A : Animals on Erwin Unit Management Plan Area

These are not intended to be all-inclusive lists, some animals will be missed, and some may no longer be found on these areas.

Birds

This list is summarized from the quads of the 1980-85 Atlas of Breeding Birds in New York State.

By common name, scientific name & protective status

Common Name	Scientific Name	Protected NY
Great Blue Heron	<i>Ardea herodias</i>	Protected
Green-backed Heron	<i>Butorides striatus</i>	Protected
Canada Goose	<i>Branta canadensis</i>	Game Species
Wood Duck	<i>Aix sponsa</i>	Game Species
Mallard	<i>Anas platyrhynchos</i>	Game Species
Hooded Merganser	<i>Lophodytes cucullatus</i>	Game Species
Common Merganser	<i>Mergus merganser</i>	Game Species
Turkey Vulture	<i>Cathartes aura</i>	Protected
Osprey	<i>Pandion haliaetus</i>	Threatened
Broad-winged Hawk	<i>Buteo platypterus</i>	Protected
Red-tailed Hawk	<i>Buteo jamaicensis</i>	Protected
American Kestrel	<i>Falco sparverius</i>	Protected
Ring-necked Pheasant	<i>Phasianus colchicus</i>	Game Species
Ruffed Grouse	<i>Bonasa umbellus</i>	Game Species
Wild Turkey	<i>Meleagris gallopavo</i>	Game Species
American Crow	<i>Corvus brachyrhynchos</i>	Game Species
Killdeer	<i>Charadrius vociferus</i>	Protected
Spotted Sandpiper	<i>Actitis macularia</i>	Protected
American Woodcock	<i>Scolopax minor</i>	Game Species
Rock Dove	<i>Columba livia</i>	Unprotected
Mourning Dove	<i>Zenaida macroura</i>	Protected
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	Protected
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Protected
Eastern Screech-Owl	<i>Otus asio</i>	Protected
Great Horned Owl	<i>Bubo virginianus</i>	Protected

Common Name	Scientific Name	Protected NY
Barred Owl	<i>Strix varia</i>	Protected
Whip-poor-will	<i>Caprimulgus vociferus</i>	Protected
Chimney Swift	<i>Chaetura pelagica</i>	Protected
Ruby-throated Hummingbird	<i>Archilochus colubris</i>	Protected
Belted Kingfisher	<i>Ceryle alcyon</i>	Protected
Downy Woodpecker	<i>Picoides pubescens</i>	Protected
Hairy Woodpecker	<i>Picoides villosus</i>	Protected
Northern Flicker	<i>Colaptes auratus</i>	Protected
Pileated Woodpecker	<i>Dryocopus pileatus</i>	Protected
Eastern Wood-Pewee	<i>Contopus virens</i>	Protected
Alder Flycatcher	<i>Empidonax alnorum</i>	Protected
Willow Flycatcher	<i>Empidonax traillii</i>	Protected
Least Flycatcher	<i>Empidonax minimus</i>	Protected
Eastern Phoebe	<i>Sayornis phoebe</i>	Protected
Great Crested Flycatcher	<i>Myiarchus crinitus</i>	Protected
Eastern Kingbird	<i>Tyrannus tyrannus</i>	Protected
Horned Lark	<i>Eremophila alpestris</i>	Protected
Purple Martin	<i>Progne subis</i>	Protected
Tree Swallow	<i>Tachycineta bicolor</i>	Protected
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Protected
Bank Swallow	<i>Riparia riparia</i>	Protected
Cliff Swallow	<i>Hirundo pyrrhonota</i>	Protected
Barn Swallow	<i>Hirundo rustica</i>	Protected
Blue Jay	<i>Cyanocitta cristata</i>	Protected
Black-capped Chickadee	<i>Parus atricapillus</i>	Protected
Tufted Titmouse	<i>Parus bicolor</i>	Protected
White-breasted Nuthatch	<i>Sitta carolinensis</i>	Protected
Brown Creeper	<i>Certhia americana</i>	Protected
Carolina Wren	<i>Thryothorus ludovicianus</i>	Protected
House Wren	<i>Troglodytes aedon</i>	Protected
Winter Wren	<i>Troglodytes troglodytes</i>	Protected
Golden-crowned Kinglet	<i>Regulus satrapa</i>	Protected
Blue-gray Gnatcatcher	<i>Polioptila caerulea</i>	Protected
Eastern Bluebird	<i>Sialia sialis</i>	Protected-Special Concern
Veery	<i>Catharus fuscescens</i>	Protected
Hermit Thrush	<i>Catharus guttatus</i>	Protected
Wood Thrush	<i>Hylocichla mustelina</i>	Protected
American Robin	<i>Turdus migratorius</i>	Protected
Gray Catbird	<i>Dumetella carolinensis</i>	Protected
Northern Mockingbird	<i>Mimus polyglottos</i>	Protected

Common Name	Scientific Name	Protected NY
Brown Thrasher	Toxostoma rufum	Protected
Cedar Waxwing	Bombycilla cedrorum	Protected
European Starling	Sturnus vulgaris	Unprotected
Solitary Vireo	Vireo solitarius	Protected
Yellow-throated Vireo	Vireo flavifrons	Protected
Warbling Vireo	Vireo gilvus	Protected
Red-eyed Vireo	Vireo olivaceus	Protected
Blue-winged Warbler	Vermivora pinus	Protected
Golden-winged Warbler	Vermivora chrysoptera	Protected
Nashville Warbler	Vermivora ruficapilla	Protected
Yellow Warbler	Dendroica petechia	Protected
Chestnut-sided Warbler	Dendroica pensylvanica	Protected
Black-throated Blue Warbler	Dendroica caerulescens	Protected
Yellow-rumped Warbler	Dendroica coronata	Protected
Black-throated Green Warbler	Dendroica virens	Protected
Blackburnian Warbler	Dendroica fusca	Protected
Prairie Warbler	Dendroica discolor	Protected
Cerulean Warbler	Dendroica cerulea	Protected
Black-and-white Warbler	Mniotilta varia	Protected
American Redstart	Setophaga ruticilla	Protected
Ovenbird	Seiurus aurocapillus	Protected
Louisiana Waterthrush	Seiurus motacilla	Protected
Common Yellowthroat	Geothlypis trichas	Protected
Canada Warbler	Wilsonia canadensis	Protected
Scarlet Tanager	Piranga olivacea	Protected
Northern Cardinal	Cardinalis cardinalis	Protected
Rose-breasted Grosbeak	Pheucticus ludovicianus	Protected
Indigo Bunting	Passerina cyanea	Protected
Rufous-sided Towhee	Pipilo erythrophthalmus	Protected
Chipping Sparrow	Spizella passerina	Protected
Field Sparrow	Spizella pusilla	Protected
Vesper Sparrow	Pooecetes gramineus	Protected-Special Concern
Savannah Sparrow	Passerculus sandwichensis	Protected
Grasshopper Sparrow	Ammodramus savannarum	Protected-Special Concern
Henslow's Sparrow	Ammodramus henslowii	Protected-Special Concern
Song Sparrow	Melospiza melodia	Protected
Swamp Sparrow	Melospiza georgiana	Protected
Dark-eyed Junco	Junco hyemalis	Protected
Bobolink	Dolichonyx oryzivorus	Protected
Red-winged Blackbird	Agelaius phoeniceus	Protected

Common Name	Scientific Name	Protected NY
Eastern Meadowlark	<i>Sturnella magna</i>	Protected
Common Grackle	<i>Quiscalus quiscula</i>	Protected
Brown-headed Cowbird	<i>Molothrus ater</i>	Protected
Northern Oriole	<i>Icterus galbula</i>	Protected
Purple Finch	<i>Carpodacus purpureus</i>	Protected
House Finch	<i>Carpodacus mexicanus</i>	Protected
American Goldfinch	<i>Carduelis tristis</i>	Protected
House Sparrow	<i>Passer domesticus</i>	Unprotected

Reptiles and Amphibians

This list is summarized from the quads of the NYS Amphibian and Reptile Atlas, 1990-1999.

By scientific name and common name.

Common Name	Scientific Name
Spotted Salamander	<i>Ambystoma maculatum</i>
Eastern American Toad	<i>Bufo a. americanus</i>
Common Snapping Turtle	<i>Chelydra s. serpentina</i>
Painted Turtle	<i>Chrysemys picta</i>
Northern Dusky Salamander	<i>Desmognathus fuscus</i>
Allegheny Dusky Salamander	<i>Desmognathus ochrophaeus</i>
Northern Ringneck Snake	<i>Diadophis punctatus edwardsii</i>
Northern Two-lined Salamander	<i>Eurycea bislineata</i>
Longtail Salamander	<i>Eurycea l. longicauda</i>
Northern Spring Salamander	<i>Gyrinophilus p. porphyriticus</i>
Four-toed Salamander	<i>Hemidactylium scutatum</i>
Gray Treefrog	<i>Hyla versicolor</i>
Northern Water Snake	<i>Nerodia s. sipedon</i>
Red-spotted Newt	<i>Notophthalmus v. viridescens</i>
Northern Redback Salamander	<i>Plethodon cinereus</i>
Northern Slimy Salamander	<i>Plethodon glutinosus</i>
Northern Spring Peeper	<i>Pseudacris c. crucifer</i>
Bullfrog	<i>Rana catesbeiana</i>
Green Frog	<i>Rana clamitans melanota</i>
Pickerel Frog	<i>Rana palustris</i>
Northern Leopard Frog	<i>Rana pipiens</i>
Wood Frog	<i>Rana sylvatica</i>

Common Name	Scientific Name
Northern Brown Snake	<i>Storeria d. dekayi</i>
Northern Redbelly Snake	<i>Storeria o. occipitamaculata</i>
Common Garter Snake	<i>Thamnophis sirtalis</i>

Fish Species

No recent surveys have occurred in these streams. The following is a list of species that are probable within this unit management plan area.

By common name and scientific name

COMMON NAME	SCIENTIFIC NAME
Central Stoneroller	<i>Campostoma anomalum</i>
Carp	<i>Cyprinus carpio</i>
Cutlips minnow	<i>Exoglossum maxillingua</i>
Common Shiner	<i>Notropis cornutus</i>
Spottail shiner	<i>Notropis hudsonius</i>
Spotfin shiner	<i>Notropis spilopterus</i>
Golden Shiner	<i>Notemigonus crysoluecas</i>
Fathead Minnow	<i>Pimephales promelas</i>
Bluntnose minnow	<i>Pimephales notatus</i>
Longnose Dace	<i>Rhinichthys cataractae</i>
Blacknose Dace	<i>Rhinichthys atratulus</i>
Creek Chub	<i>Semotilus atromaculatus</i>
White Sucker	<i>Catostomus commersoni</i>
Northern Hogsucker	<i>Hypentelium nigricans</i>
Brown Bullhead	<i>Ameiurus nebulosus</i>
Margined madtom	<i>Noturus insignis</i>
Chain pickerel	<i>Esox niger</i>
Mottled Sculpin	<i>Cottus bairdi</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Bluegill	<i>Lepomis macrochirus</i>
Rock Bass	<i>Ambloplites rupestris</i>
Smallmouth Bass	<i>Micropterus dolomieu</i>
Largemouth Bass	<i>Micropterus salmoides</i>
Tessellated darter	<i>Etheostoma olmstedii</i>
Yellow Perch	<i>Perca flavescens</i>

Appendix B : Public Comment

Initial Mailing Responses

The following Erwin Unit Management Plan public comments were received as a result of an initial October 15, 2004 mailing to a previously identified audience including adjacent property owners, local government officials, recreational groups, forest industry groups, wildlife groups and other general environmental groups and the local media.

Town of Erwin, 117 West Water Street, Painted Post, NY

Provide good directional information to travelers so that they can find the access points.

Improve the parking areas.

Upgrade the trails with blazes and produce larger scale maps. We will incorporate your trail system into our final recommendations for linkages with the town-wide trail system.

Sue A. Poelvoorde, NYS OPRHP-Finger Lakes Region, 2221 Taughannock Park Road, Trumansburg, NY

With respect to the McCarthy Hill State Forest segment, due to its proximity to OPRHP's Pinnacle State Park, public access opportunities should be compatible with the management and operation of the golf course as the public will use the properties as one large unit. No off-road (ATVs, 4-wheelers(autos)) should be allowed for that reason.

George Dudick, Painted Post, NY

An available (unlocked) access to the Erwin Wildlife Management area pond is needed from the Painted Post area.

Consider the installation of a firing range in the Erwin Wildlife Management Area.

Bradley Q. & Elizabeth M. Kinsman, Painted Post, NY

Monitor gas drilling and pipe installations closely and frequently.

Advise us when logging operations, etc. are to take place in management area.

Open up on (up on top of ridge) for public recreation use and develop road access.

James W. Taylor, Painted Post, NY

Future management of the Erwin WMA should place more emphasis upon habitat enhancement and less upon timber, gas, vehicular access, etc. But we can't manage what we don't know. Are certain species in decline? Are invasive species increasing? Any plan must begin with a comprehensive census with wide use of such sources as hunters (the DEC's bow hunter sighting log for example), environmental organizations such as the Cornell lab of Ornithology and Audubon's local chapter. The job is huge but progress has already been made - littering and vandalism are down. We must continue to enhance and pass this local treasure on for the enjoyment of future generations.

Charles & Deanna Preston, Addison, NY

Timber Management: There are many theories on the subject so I would leave that up to environmentally-minded experts except to say choose contractors who tread lightly and do the least damage, and leave some areas untouched.

Public access: It is my wish that the gates be kept closed year round. I believe people who are serious about hunting, fishing or recreation are there partially for the exercise and don't mind walking, cycling or skiing in. Reserve access for the handicapped.

P.S.: I'm tired of picking up trash and seeing vandalism of the signs.

Dom Scoloaro, Landowner next to Erwin Unit, Coopers Plains, NY

1. Computer operated gate to let registered residents enter to small game hunt and fish and hike. If they violate rules, take their code off.

2. Build more lean-tos for people to picnic and enjoy. (I'll build a couple)

3. Logging only to thin woods. The last loggers wrecked the woods.

Using a code system lets you know who is entering the woods.

The name explains it: Erwin Wildlife Management Area. Most all activities should revolve around its name. People should be able to spectate wildlife and enjoy nature and during hunting season be able to thin healthy populations of animals. All activities should be centered around animals (hesitate [sic]) habitat and the public's right to enjoy nature without upsetting the balance.

Howard Beye, Finger Lakes Trail Conference, Mt. Morris, NY

The FLTC is in the process of trying to determine a potential trail route from the Six Nations area to near Addison. This route most likely will include the Erwin Wildlife Management Area and Erwin Mountain and McCarthy Hill State Forests and other public land. This proposed trail is part of an endeavor to connect the FLT to the Mid-State Trail in Pennsylvania.

In addition to the connection with the Mid-State Trail this new connector trail to be built in NY and PA will, as it moves south from the Mid-State Trail, ultimately connect with the Appalachian Trail. We also understand there is another plan in the works to make a parallel trail to the Appalachian Trail from mid-Alabama to our Adirondacks using a portion of the FLT.

As we move from these very beginning stages of planning we will be and keep in contact with the DEC so the latest information will be available for the Erwin Unit Management Plan.

Richard & Susan Curreri, Painted Post, NY

Open year round; Camping; Snowmobiling; 4-wheeling.

Dorothy Stevens, Waverly, NY

Are you sure of the lines on the Erwin Mountain State Forest?

Any information on value of properties or access to any surveys or aerial shots.

Anonymous

I would like to see the Erwin Wildlife Management Area to include snowmobiling. There is (are) trails to roads already there; it would benefit wildlife to use trails packed by snowmobiles.

Frank L. Thiel, Painted Post, NY

1. For all three parcels, create or recreate trails such as those that formerly existed in the Erwin WMA. The DEC website description is very outdated insofar as current conditions are concerned, but describes the features we would recommend.

2. Restrict vehicle access (including ATVs and snowmobiles).

3. Make use of the roads and clearing done by Fortuna Energy, i.e., do not require restoration to completely reproduce initial conditions.

Margaret M. Holmes, Painted Post, NY

Historically the time I have spent on the land has been hiking, biking, and skiing, but not, usually, during deer hunting season. My personal interest is to be able to continue these activities. I.e., I hope the future includes plans for a multi-use area. My wishes would be for extra trail maintenance to make it more amicable for riding bikes. Please don't misunderstand; I don't envision a park. The lack of spit and polish is one of the area's greatest attractions.

The constant fear is that the area will be “sold out” to gas and/or lumber and/or development interests. Having this undeveloped land is (in my opinion) one of the great interests and attractions of this area. I understand that it only makes good economic sense to cut timber and extract minerals and gas. We who live in this area think it’s vitally important to do so in an environmentally friendly fashion - and require the commercial interests to “clean up” after themselves. I’m not sufficiently conversant with environment concerns to define this well, but it should certainly include returning the land to a condition similar to the way it was before mining or drilling, and replanting with sufficient vegetation to prevent erosion.

Having seen one developer offer to swap developable land for the near-vertical hillside near Coopers, I do hope that the State will be vigilant in protecting against loss of this area - both in total number of acres, but also in value of acreage - value for recreational users such as myself, as well as the number of people who hunt in this area.

The map you mailed shows a trail from near the US-15/17 intersection to the location of the old fire tower. I may be mistaken, but I think much of that trail (over private land) is closed and the Scouts and other citizens are no longer using it. If these comments can contain “pie-in-the-sky” wishes, it certainly would be nice to see that hiking corridor opened again.

In summary, my interests are to keep the areas open to hunting, hiking, biking, and skiing. My fears are that land may be destroyed or lost to commercial interests. I would be happy to talk to you in more detail if it would be of value to you.

James B & Linda S. Stamatoff, Homeowner, Painted Post, NY

Timber which is cut down needs to be removed. Piles of downed trees are unsightly and present a fire hazard. This is especially true for trees piled near residential areas.

James D. Salley, Painted Post, NY

The land could be used for hunting and fishing that’s ok. NO public parks in there. Keep the land in its original state. We have too few forests left as you can see right here in Gang Mills. Deer control and the coydogs with mange should be taken care of but we don’t need any more woods cut down for progress. I realize dead wood should be taken care of, has taken wood out when trees were marked years ago.

P.S. There’s rattlers there and don’t keed (sic) need everybody wandering through there. What would happen with a park.

Steven Acomb, Painted Post, NY

Being a property owner and leasing property bordering State land, I would have a great deal of interest in the plans. We already have a great deal of problems with trespassing and damage to property, mostly coming from ATVs and also from illegal hunting, dumping, etc.

I (we) would have a great deal of concern with any additional access, without State assistance in policing of the State property and adjoining properties.

Of course I am very concerned with gas drilling on State owned land, not only because this land should not be used for these purposes, but because it is also not fair to tax paying property owners bordering with State properties.

Last, but not least, would like to see State land better identified; the excuse we hear most often is “we thought we were on State land” when we encounter trespassers. Although I know it would be a lot of work, I believe the boundaries should be cut or bulldozed all along the perimeters. This would also be very helpful in cases of forest fires. Possibly this work could be done by youth groups hired for summer work (as took place approx. 25 years ago in the Erwin Wildlife Management Area).

Jo Wildeman, Painted Post, NY

Some observations I would like you to consider during your planning phase:

The trails that are kept cut back are fantastic! We enjoy the use of all the trails and the ease in which we can enjoy our outings with small children (the trails make it family friendly). However, one frustration we have

is that each trail rarely connects to the next - the main cuts (traveling North to South up the hill, and we call fire breaks) are connected, but at the top of the hill off the access road those paths generally do not connect for a more circular path. For example, it would be nice to be able to continue the walk past the beaver pond and connect with another path further around the hill.

An often wished-for item would be a trail map. We have searched the Erwin Town Hall, asked around the neighborhood, and now we even have started using GPS to start creating our own map of the trails. An idea of distance and adjacent paths would be a useful tool for our expedition.

One improvement our family would personally enjoy would be access to the property for horse trailers. We have horses boarded at a near-by facility and would enjoy a days outing and trail riding. We currently must travel to Sugar Hill or Hector for trail riding. Perhaps there is an area which is accessible to horse trailers, and we just don't know about it yet. If we could access the area, 4-H groups like ours and other individuals should be able to enjoy the area as well, without the issue of distance.

Without knowing much about the wildlife management, timbering and gas leases, I am hesitant to comment on that aspect of the letter. I know gas drilling has become a part of our area, as well as harvesting the timber. I would be hesitant to comment on the leasing of rights for gas because I really don't have a lot of knowledge about that program. I do know what I have seen after an area was timbered and it was almost not even useable based on the limbs and debris left lying on the ground. (Perhaps we saw an area which did not have certain restrictions placed on the timbering company). I would personally feel concerned about the impact on the land and how the use of the property would change if the gas lease and timbering were permitted. Again, I would like to learn more.

Public Meeting

Verbal comments on the draft plan were received during the April 26, 2007 public meeting held at the Erwin Town Hall. A total of 26 people signed the sign-in sheet. Additional comments were received up to May 26, 2007. A summary of the comments verbalized at the public meeting is followed below by those received in writing during the 30-day comment period.

Verbal comments and/or questions at the public meeting

Comment #1: What are the rules for permanent tree stands? Can hunters put up stands before the season opens and leave them there for the season? Tree stands don't damage trees. Permits may be needed for users like hunters or photographers to put up a blind or a stand. Please restrict use of horses on the trails. Trails should be for hikers. When areas get wet, hikers make a narrow trail around the area.

Reply: New York Codes, Rules and Regulations

Title 6 - Environmental Conservation, Chapter I - Fish and Wildlife, Subchapter G - Fish and Wildlife Management Areas and Facilities, Part 51 - Public Use Of State Wildlife Management Areas:

Sec. 51.5 Structures. No permanent structure, blind, stand or platform shall be constructed or placed except pursuant to written permission of the regional supervisor having jurisdiction or his agent.

Sec. 51.6 General provisions. (c) No person shall remove, cut or willfully damage or destroy living vegetation of any kind, except pursuant to written permission of the regional supervisor having jurisdiction or his agent. (d) All personal property shall be removed from the area at the time of leaving the area.

There is no regulation prohibiting horse use on trails on a wildlife management area. Hikers should not walk around wet areas but instead they should walk through them so as to not widen the trail. (Leave

No Trace - Principle # 2 Travel and Camp on Durable Surfaces)

Comment #2: What would it take to open it [Erwin Wildlife Management Area] back up to snowmobiles like it was in early 70s and 80s?

Reply: A regulation change would be required to allow snowmobiles on Erwin WMA. The Department has no desire to initiate such a regulation.

Comment #3: You neglected to mention the connector trail. Two letters were sent that deal with the Great Eastern Trail which also causes this connector trail to be very important link in this North south trail system. I'd like the appendices to reflect the letter from the FLTC and the GET coordinator.

Reply: The letters were received too late to be included in the Draft available at the meeting, but have been included in the final version.

Comment #4: The public does not have access to most of the beautiful hills. The Erwin Management area is an exception. Since acquired in the 1930s, priorities changed its designation of what the intended use is because the area around it is involved. Look at the real value for the community. It is OK to manage for commercial logging, but is the real value recreation for the community or commercial use? Is there a possibility to redesign it for recreational use? The trails are poorly marked. It is easy to get lost. McCarthy trails are marked nicely and laid out well. Could the same thing be done with Erwin?

Reply: Commercial timber harvests are used as a means to improve wildlife habitat on Erwin WMA. The department does not see a conflict with logging activities and recreational use of the property.

The Department agrees that the trail system on Erwin WMA is in need of work. Funding is limited, however the department would work with local organizations under the "Adopt a Natural Resource" program to repair, mark and maintain the trail system.

Comment #5: I have concerns about incompatible users---horses on the same trails as with hikers and bikers. Could we segregate users? The hikers trail is basically a foot path and damage can be done by all sorts of things other than feet.

Reply: Some segregation is possible, but there is too many competing users to separate everyone. Erwin Wildlife Management Area and McCarthy Hill State Forest in particular, have a lot of demand for use, and a limited amount of acres to fit it all in.

Comment #6: Erwin management area is almost impossible to get into except for deer season. There are other hunting seasons. The entrance that is or was off Bear Town Road was closed off. The Field and Stream Club gave an easement to the state at that time to use their property to enter. Why is the gate closed and locked most of the time? Can it be opened for spring and fall turkey season or any other purpose? The fishing pond is a mud hole. I would like better access. Our license fees go into the General Fund where it stays and doesn't come back.

Reply: The gates are locked due to an excessive amount of vandalism and illegal dumping that occurred when the gates were open year round. The department will consider opening the gates for other hunting seasons or for special events like free fishing weekend. License fees are deposited into the Conservation Fund, for more explanation see also Comment #11.

Comment #7: There are a lot of pieces of that land that nobody knows exists unless they're looking around for it.

Comment #8: On behalf of mountain bikers, we're developing a TRP to submit to do some trail maintenance. There is a loosely organized fairly large group of mountain bikers who are interested in volunteering on the properties and are interested in helping with trail creation, trail maintenance, and trash removal. Last year we opened the gate, maintained, and cleared one trail and created another. The second trail

we created was fairly long. We designed it with mountain biking in mind so there are logs in the path. We used all natural resources, we used resources that were there to create this trail. We got a lot of use last year, a lot of enjoyment, a lot of positive feedback from mountain bikers that didn't create it and really enjoyed it. We're actively volunteering to help with the property. My hope is that down the road we could do it on the state forest on Bear Town Road and McCarthy Hill as well. There's a lot of maintenance that needs to be done just on the WMA.

Reply: The Department agrees that the trail system on Erwin WMA is in need of work. Funding is limited, however the department would work with local organizations under the "Adopt a Natural Resource" program to repair, mark and maintain the trail system.

Comment #9: Are there plans to put in a parking lot on the property adjacent to the little chunk of WMA on the south side of Bear Town Road.

Reply: There are no immediate plans to construct a parking lot on the south side of Beartown Rd. A parking area has been discussed for this site but to date there does not seem to be an urgent need. If parking on Beartown Rd. becomes a traffic hazard, off road parking will be constructed.

Comment #10: Have monies been allocated?

Reply: Not yet, and another reason for no immediate plans to construct the parking lot.

Comment #11: Do the proceeds from the sale of timber have to be used on that property? DEC does oversee the contract.

Reply: The proceeds from the sale of forest products on Wildlife Management Areas are deposited into the Conservation Fund. Monies utilized from the Conservation Fund must be spent in accordance with the Environmental Conservation Law, specifically for the care, management, protection and enlargement of the fish and game resources of the State, and for the promotion of public fishing, hunting and trapping. Proceeds from the sale of forest products from State Forests are deposited into the Natural Resources Account, which is a line in the General Fund. Although some of the money from the Natural Resources Account is used for Department salaries, it can be utilized for other general state purposes. In both cases, it is not required nor mandated that proceeds be used on the property from where the timber was harvested.

Comment #12: The words safety and improved in your mission statement jumped out at me, The way the areas were left after the logging operations didn't improve the safety of some of us hunters as it's pretty tough to get through those areas after they've been left. I would like to see better administration of the extent of the cleanup and the method of the cleanup after the logging operations. Erwin is a debacle. Uneven ground is certainly not safe. The tops and the debris left there with the cuttings are not safe. It might be good for the habitat for some of the smaller wildlife and maybe for some of the bird life.

Reply: The mention of safety in the mission statement refers to three main aspects of public land. First is the departments obligation to enforce laws, rules and regulations which protect citizens and the resource. Second would be to provide assistance in case of emergency, such as a recreational user who sustains a medical emergency or becomes lost. Another example would be controlling a wild fire which threatens a community. Third would be construction and maintenance of developed facilities, such as roads, parking, camping areas which are safe and do not have known hazards.

It is true that often following timber harvests, the resulting tops, flush of young growth and uneven ground make it more difficult to get around. However, there are benefits to wildlife and forest health associated with the harvest and access does improve over time. In addition, harvesting is implemented in only a portion of a property at any given time. There are unharvested areas which are easier to navigate. Some recreational users interested in hunting deer and grouse in particular may actually favor using the recently harvested areas.

Comment #13: The latest wave of logging was hardly low impact. There were ruts so deep they were over your knees from heavy equipment going in when the land was soft. There was all kinds of scouring of the land that was never put back to good shape and logs and trees that were just bulldozed over onto existing trails that people use for hiking, hunting and all kinds of other recreational use that was never removed-it looked like an awful mess. To get to just a few healthy robust beautiful trees, it looked like they ripped out hundreds of other trees to get to that one commercial tree. I never heard of a state contract that didn't have some kind of an inspection for restoration.

Reply: Logging often is not low impact and may change the character of the site. Soil disturbance is often one of the impacts. This disturbance creates exposed mineral soil which is favorable, and sometimes necessary, for the germination of many species of trees. Deep wheel ruts, or skid trails on steep slopes, where there may be long term impact to the forest or erosion, are leveled and erosion controls placed at the completion of the harvest. Minor ruts when revegetation establishes quickly on the skid trail are often not smoothed, since grading damages the vegetation which is stabilizing the trail. In addition to soil disturbance, the aesthetics of the area may be impacted, especially if the purpose of the harvest is preparation for regeneration of shade intolerant trees. These harvests involve the removal of the main tree canopy, either in stages (shelterwood) or clearcut. These management systems are the only way to regenerate oak forests which are the major forest type in the Erwin unit.

Comment #14: Separate conflicting uses by large distances, a half mile between trails.

Reply: Unfortunately there just is not enough room to do this. For example, McCarthy Hill State Forest is only about 3/4 of a mile wide. We are aware that this can be an issue, and Recreation action # 2.3 is to minimize conflicts between users.

Comment #15: There is a need for collaboration to continue between user groups and the department.

Reply: We agree, and will continue to encourage the use of the Adopt-a-Natural-Resource-Program by interested clubs.

Summary of comments and/or questions received after the public meeting, and not covered above:

The following is a summary of comments submitted by May 26, 2007. The full text of the comments are located in the next section.

Comment #16: I would like to see state lands better identified.

Reply: It is an uphill battle against the weather and vandalism, but NYS DEC re-paints the boundary lines and signs about every five years. The area signs are replaced as they fade or are stolen. Recreation action #7.1 is to place kiosks at parking lots.

Comment #17: The boundaries should be cut or bulldozed all along the perimeters. This would be helpful in cases of forest fires. Possibly this work could be done by youth groups hired for summer work (as took place approx. 25 years ago in the Erwin Wildlife Management Area).

Reply: For State Forests - Current policy is to provide for clear, well marked, boundaries. A boundary clear cut, unless it is done to meet other objectives, does not meet with current policy direction. Leaving trees on which to paint boundary marks and post signs would seem to be preferable.
For Wildlife Management Areas - see the above discussion. It is our understanding that the boundary clearings for the Erwin area were done for habitat objectives.

Any work done of this type would need to be done by trained, insured, adult workers, not youths.

Comment #18: Are Erwin Mountain State Forest boundary lines accurate?

Reply: The boundaries for Erwin Mountain State Forest are believed to be accurate, as currently painted on the ground. If you have documentary evidence (adjoining owner survey, etc.) to indicate otherwise, please contact the Lands and Forests staff at the Bath office. We would be happy to discuss the situation with you.

Comment #19: Is there information on the value of properties or access to any surveys or aerial shots?

Reply: Property values for state properties are available from the Town Assessor where the property is located. State properties are contained on either Roll Section 5 or Roll Section 8.

Survey maps are available for most State Forest parcels at the Bath office. Please note that a few parcels have not been surveyed, and consequently, survey maps are not available.

Aerial photos for the vast majority of New York state are available at the following Internet location: www.nysgis.state.ny.us/gateway/mg

NYS DEC expects to have a web application which will allow users to do on - line mapping available shortly.

Comment # 20: The DEC website description is outdated. Provide good directional information so travelers can find access points.

Reply: We agree. Work is underway to address this issue. Barring unforeseen circumstances, we expect to have updated area descriptions and maps available in the near future.

Comment # 21: Improve parking areas. We would like access to the property for horse trailers.

Reply: Parking is available on a first come-first serve basis. Access action #6.1 covers the maintenance of all parking lots. The parking lot on Smith Hill Rd is large enough for a small horse trailer to park in.

Comment # 22: Produce larger scale maps. We would like a trail map to provide an idea of distance and adjacent paths.

Reply: Recreation actions 7.0, 7.1 and 7.2 all deal with new brochures, maps and kiosks. As time and money allow maps will be updated and printed. Also, as per Comment # 20, NYS DEC's web site is being updated with better maps and descriptions.

Comment # 23: The town of Erwin will incorporate DEC's trail system into its final recommendations for linkages with the town-wide trail system.

Comment # 24: Create trails such as those that formerly existed in the Erwin WMA. Upgrade trails with blazes. Provide extra trail maintenance to make it more amicable for riding bikes.

Reply: The Department agrees that the trail system on Erwin WMA is in need of work. Money and personnel are limited, but Recreation actions # 6.1 and 6.2 are to maintain the existing trail system. Volunteers under the "Adopt-a-Natural-Resource-Program" are a valuable way of repairing, marking and maintaining the trail system.

Comment # 25: Due to McCarthy Hill State Forest proximity to OPRHP's Pinnacle State Park, public access opportunities should be compatible with the management and operation of the golf course as the public will use the properties as one large unit.

Comment # 26: Use a computer operated gate to let registered residents enter to small game hunt and fish and hike.

Reply: Access to State Wildlife Management Areas or State Forests is provided equally to all people of New York and non-residents as well, not just local residents.

Comment # 27: An available (unlocked) access to the Erwin Wildlife Management area pond is needed from the Painted Post area.

Reply: The department is considering opening up the gates for vehicle access during free fishing weekend in June. An excess of vandalism and illegal dumping prevent season long vehicle access.

Comment # 28: Keep gates closed year round.

Reply: The department opens the gates for deer hunting to encourage the harvest of deer on the property. Reducing the harvest of deer by closing the gates would lead to severe habitat degradation by deer browsing.

Comment # 29: Reserve access for the handicapped.

Comment # 30: Keep the [Erwin WMA] open year round for camping, snowmobiling and four-wheeling.

Reply: Camping, snowmobiling and four-wheeling are not consistent with the primary objective of the property. See also Comment # 57 for a discussion of the purpose for which Erwin WMA was purchased by the State of New York.

Comment # 31: Snow compacted by snowmobiles would benefit wildlife.

Reply: Wildlife do use the trails created by snowmobiles, But, wildlife is negatively effected when they use energy reserves at a critical time of year to get away from snowmobiles.

Comment # 32: Restrict vehicle access (including ATVs and snowmobiles). No off-road (ATVs, 4-wheelers (autos)) should be allowed. Motorized recreational vehicles, such as snowmobiles, all terrain vehicles (ATV), disrupt the natural setting trail-users desire and can harm the trail tread (e.g. erosion, "puddling", unnecessary widening, destruction of vegetation, etc..)

Reply: On State Forest - New York Codes, Rules and Regulations, Chapter II, Part 190, Definition 8 Motor vehicle shall mean ... incorporating a motor or an engine of any type for propulsion, ..., but shall not include snowmobiles. And 190.8 part m. Use of motor vehicles on State land ... is prohibited, except where specifically permitted by posted notice or by permit issued by the department.
On Wildlife Management Areas - New York Codes, Rules and Regulations, Chapter I, Part 51.4 (b) Off-road travel or use of motorcycles, motor scooters, mopeds, trail bikes, snowmobiles or any other motorized vehicles is prohibited except as specifically permitted by posted notice.

Comment # 33: Make use of the roads and clearing done by Fortuna Energy, i.e., do not require restoration to completely reproduce initial conditions.

Comment # 34: As an adjacent property owner, we have problems with trespassing and damage to property, mostly from ATVs, also from illegal hunting, dumping, etc. We have concern with additional access, without state assistance in policing of the state property and adjoining properties.

Comment # 35: Points of access should be protected from intrusion by unauthorized users.

Comment # 36: Consider installing a firing range in the Erwin Wildlife Management Area.

Reply: If public demand was sufficient and funds available a shooting range could be considered.

Comment # 37: Open up top of ridge for public recreation use and develop road access.

Comment # 38: The Finger Lakes Trail Conference is determining a potential trail route to connect the FLT to the Mid-State Trail in Pennsylvania, from the Six Nations area to near Addison, which will likely include Erwin Wildlife Management Area, Erwin Mountain and McCarthy Hill State Forests and other public land. This new connector trail will, as it moves south from the Mid-State Trail, ultimately connect with the Appalachian Trail. FLTC would like to develop a footpath within the Erwin Unit wherein all other uses of such trail would be prohibited and with such requirements clearly identified with appropriately placed and esthetically designed signs. The goal of the GET is to be a foot path, with use by motorized vehicles strictly prohibited. The FLT Branch/GET trail would be clearly identified preferably with orange blazes. Other trails that cross or utilize a portion of the trail should be separately and clearly identified to avoid confusion for the user. The FLT Branch/GET track should be protected from disruption during any timber harvests, oil and gas exploration, and oil and gas drilling. Structures such as foot bridges, parking areas, and lean-tos should be considered when establishing trail route.

Comment # 39: Build more lean-tos for people to picnic and enjoy. I support the creation of two lean-tos and small primitive campsites within the Erwin Unit if these sites are part of a larger trail or trail system that extends beyond Erwin Unit lands and into other parts of New York or beyond.

Reply: Recreation Action # 4.3 is to build a lean-to on McCarthy Hill State Forest, there are no plans to build any picnic areas.

Comment # 40: Open the trail from near the US-15/17 intersection to the location of the old fire tower.

Reply: What trail? There is a stream from Kuhnle/Erwin pond that eventually joins the Tioga River just south of the 15/17 intersection. At one time a telephone line connected into the firetower and cabin from the east, that still exists as an access trail that ends at the boundary line clearing.

Comment # 41: The trails that are kept cut back are fantastic!

Comment # 42: Each trail rarely connects to the next - the main cuts (traveling North to South up the hill, and we call fire breaks) are connected, but at the top of the hill off the access road those paths generally do not connect for a more circular path. For example, it would be nice to be able to continue the walk past the beaver pond and connect with another path further around the hill.

Comment # 43: We would like to enjoy horse trail riding here.

Comment # 44: Horse traffic and mountain bikes, although not motorized or noisy, seriously damage the trail surface.

Comment # 45: I support creation of not more than two wheelchair/visual impairment access trails, each no more than 3/4 mile long (with a construction disturbance area of no more than 10-feet wide), within the Erwin Unit.

Comment # 46: I oppose the creation of new wheelchair/visual impairment access trails in the Erwin unit, except where those trails are situated adjacent to existing parking areas, or new parking areas adjacent to but outside the borders of the Erwin Unit lands.

Comment # 47: The best and most important use for Erwin WMA in the future will be for public recreation such as hiking, fishing, and biking.

Comment # 48: Future management of the Erwin WMA should place more emphasis upon habitat enhancement and less upon timber, gas, vehicular access, etc. Are certain species in decline? Are invasive species increasing? The plan must begin with a comprehensive census with wide use of such sources as hunters

(the DEC's bow hunter sighting log for example), environmental organizations such as the Cornell lab of Ornithology and Audubon's local chapter.

Reply: The department has concerns about the aging of the forest on the WMA. With no habitat manipulation it is likely that the main overstory of oak would be lost. Early successional species as a whole are in decline in the northeast and invasive species are on the rise.

Comment # 49: Activities should be related to wildlife management.

Comment # 50: There are rattlers there.

Reply: It is not likely that rattlesnake could travel to any of the state properties under this plan, from any of the known den locations. If rattlesnakes are found on any of the properties the department would like to be notified so further studies can be made.

Comment # 51: Erwin WMA should be open for turkey season; it is featured in many hunting magazines as a good place to hunt.

Reply: Erwin WMA is available for spring and fall turkey seasons. Anyone may park in the parking lot and walk past the gate. If you are disabled stop by, or call, a NYS DEC office for an application to operate an ATV on designated trails under Commissioners Policy 3.

Comment # 52: There is a bald eagle (a pair) that probably has a nest in the area.

Reply: The department is aware of a bald eagle nest in the area.

Comment # 53: Post hunting schedules and rules at the main access points. I am aware of deer hunting season but there are other times when people hunt in the area.

Reply: The department will install kiosks as money becomes available per Public Recreation and Use action #7.1. Hunting season information may be included in the information presented. Additional information is available on our web site: www.dec.ny.gov

Comment # 54: Choose contractors who tread lightly and do the least damage, and leave some areas untouched. Limit logging to thin woods. The last loggers wrecked the woods.

Reply: Thinning is a good forest management practice to improve growth, forest health, and species composition in forest stands which have not reached maturity. When a forest stand reaches maturity a regeneration method must be chosen. There are only three options available. 1. Even age management. 2. Uneven age management 3. No management.

In option 3, the decision is made to let nature decide choose between even and uneven age and there will be little or no utilization of trees for forest products or income. On State Forests acquisition was based on the State Reforestation Law of 1929 which states the areas, "were to be forever devoted to ...the production of timber" listed on page 2. On Wildlife Management Areas, option 3 may negatively impact the wildlife species desired.

Uneven age management, which is sometimes confused with thinning, is effective only with shade tolerant tree species. Therefore it has limited potential on the Erwin unit.

Even age harvests are the only effective regeneration system to manage the oak/hickory forest type which is predominant on the unit. (See also comment # 13).

Comment # 55: Timber which is cut down needs to be removed. Piles of downed trees are unsightly and present a fire hazard. This is especially true for trees piled near residential areas.

Reply: Piles of down trees do negatively impact the aesthetics of the area. Tops and log piles provide cover and denning sites for wildlife and increase the amount of coarse woody debris on ground, which is necessary for forest decomposition and addition of organic matter in the soil.

Comment # 56: Prohibit any logging in the area. The logging at Spencer Crest Nature center and the Erwin Mountain State Forest caused erosion by the use of heavy machinery and damage to trees not marked for logging seems extensive and makes it almost impossible to use the trails on foot.

Reply: A discussion of the reasons for harvesting are covered in comments # 54, # 57, and in the unit plan. Spencer Crest Nature Center is not managed by NYS DEC, and not a part of this unit management plan. There have been two harvests on Erwin Mountain State Forest in the past 10 years. There is no significant erosion caused by harvesting at Erwin Mountain State Forest. Road construction followed management guidelines. Ditches, culverts, geo-textile fabric were utilized to stabilize the site. There were no skid trails on slopes greater than 5%. Damage to residual trees was well within acceptable standards.

Comment # 57: Logging should not be the purpose of our public state land.

Reply: The legislation that authorizes the purchase of land by the state of New York ties that land to one or more purposes. The State Reforestation Law of 1929, and the Hewitt Amendment of 1931, authorized the "reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber, and for recreation and kindred purposes". The Park and Recreation Land Acquisition Act of 1960, and the Environmental Quality Bond Acts of 1972 and 1986 authorized the purchase of lands which would serve multiple purposes involving the conservation and development of natural resources, the preservation of scenic areas, watershed protection, forestry and recreation. Wildlife Management Areas were acquired primarily for the production and use of wildlife. What wildlife an area has, is dependent on what habitat is available for that wildlife to use. For example, many species require young forest stands with thousands of trees saplings per acre. The most cost effective way to get that habitat is to have loggers do a clearcut or shelterwood cut, removing the older trees and allow full sunlight on the seedlings for best re-growth.

Comment # 58: Timber harvests may invade the trail area, and may destroy the benefits of using footpaths.

Comment # 59: Preventing mature, marketable timber from succeeding to old growth, decadent woods achieves neither of the stated goals. Certain rare and endangered species need extensive climax habitat and without it biotic richness and completeness is below potential. The trees that would make up extensive old woods are not endangered (with the exception of American Chestnut). It is extensive and way-past-peak-logging habitat dominated by those trees that is endangered hereabouts. Correction: it is extinct. But it could be regenerated by the rather cheap expedient of doing nothing.

Comment # 60: Routinely downing trees as soon as they are money on the hoof is not helpful to the ecological system or our quality of life and is not necessary for the economic system. Manage for broad ecology.

Reply: NYS DEC harvests timber for a variety of reasons. Commercial timber sales are one of the primary tools for wildlife habitat management. The economic return from a timber sale is, generally speaking, dwarfed by the value of the habitat work which is done by the sale.

Comment # 61: Advise the public when logging operations will take place in management area.

Reply: The department will install a kiosk or two on the property as money becomes available. Information on timber harvests may be included in the information presented.

Comment # 62: Monitor gas drilling and pipe installations.

Comment # 63: I would better management of the oil and gas leasing. I witnessed large tractor trailers going at excessive speeds on the roads in Erwin Land Management Area and assume these were going to the gas wells in the area. Eliminate these leases as it is almost impossible to police this properly.

Reply: The Department does monitor and manage drilling activities on State properties, but also encourages

the public to notify the Department of any concerns, so that investigations and appropriate actions can be conducted.

Please note the following:

In New York State, all activity associated with oil and gas drilling, including production, are regulated by the NYSDEC Division of Mineral Resources to ensure compliance with Article 23 of the Environmental Conservation Law and 6NYCRR Part 550-559.

These regulations include site assessments for environmental impacts, and result in approval or denial of the siting of the well.

Approval to drill in New York State is only granted through a Drilling Permit that must be obtained prior to any oil and gas drilling operations are conducted. Specific terms and conditions are contained in that permit. Drilling and production operations, if approved, are monitored by State inspectors throughout the life of the well. Final inspections are performed to document the plugging of the well and reclamation of the well site.

It should be noted that pipelines greater than 1,000 feet in length and/or containing pressures greater than 125 pounds per square inch are regulated by the NYS Public Service Commission.

In addition, further oversight of oil and gas operations on State lands in this unit is conducted by the Division of Lands and Forests or the Division of Fish, Wildlife and Marine. This oversight is conducted thru a Temporary Revocable Permit (TRP) that contains specific conditions to mitigate and/or control surface disturbances. A TRP (like a drilling permit) is obtained prior to any oil and gas activity on State lands contained in this unit management plan.

Comment # 64: This land should not be used for gas drilling. It is not fair to tax paying property owners bordering with state properties. Oil and gas exploration and drilling may destroy the benefits of using these footpaths. Gas drilling should not be the purpose of our public state land.

Reply: The State recognizes that there are property owners who are opposed to leasing their property for oil and gas exploration. The State also recognizes that there are property owners who are in favor of leasing their property for oil and gas exploration.

To facilitate these matters and any other concerns of the public, the Department holds a public meeting prior to leasing State lands for oil and gas exploration, followed by a thirty (30) day public comment period. The Department considers all comments prior to making a decision to lease or to not lease any State lands.

It should be noted that Article 23, Title 11, section 23-1101 of the Environmental Conservation Law and State Finance Law authorizes the Department of Environmental Conservation to make leases on behalf of the State for exploration, production and development of oil and gas on State lands.

When drilling is permitted in New York State, the drilling operations are subject to the NYS Conservation Law. In New York State, all activity associated with oil and gas drilling, including production, are regulated by the NYS DEC Division of Mineral Resources to ensure compliance with Article 23 of the Environmental Conservation Law and 6NYCRR Part 550-559. In regard to State lands that are leased and contained in this unit management plan, it is the policy of the department to exclude oil and gas operations in surface areas with sensitive resources such as stream banks, wetlands, steep slopes, rare and endangered species/communities, archeological/cultural sites, recreational trails and areas of intensive recreational use.

The current oil and gas lease agreements under Erwin WMA and Erwin Mountain State Forest contain areas that are excluded from oil and gas operations, and are delineated in the respective lease contract.

It should be noted that the current lease agreement under McCarthy Hill State Forest is a non-drilling lease which does not allow any surface use for oil and gas operations within this State Forest

In addition, further oversight of oil and gas operations on State lands in this unit is conducted by the Division of Lands and Forests or the Division of Fish, Wildlife and Marine. This oversight is conducted thru a Temporary Revocable Permit (TRP) that contains specific conditions to mitigate

and/or control surface disturbances. A TRP (like a drilling permit) is obtained prior to any oil and gas activity on State lands contained in this unit management area.

Furthermore, the Department recognizes the potential environmental impacts associated with oil and gas operations and regulates these activities in permitted areas to remove and limit these impacts. The State's position is that oil and natural gas are valuable resources which can help provide energy and revenue to the citizens of New York. In addition, it is recognized that the drilling activity on State land is often an opportunity for improvements to the existing infrastructure of the State lands (such as improving safe and restricted access through upgrading existing roads, culverts and gates) and the creation of open space to enhance habitat diversity at no financial cost to the state. As with any human activity on State lands, oil and natural gas exploration and development can impact the environment. Most impacts are short term and occur during the siting and drilling phases of a well. Again, these activities are regulated and inspected by the State.

Comment # 65: Recent logging, with violations of best practice, left large gullies, resulting in unnatural runoff and roughening of trails. Drillers were allowed to abandon a deep gravel roadbed and a huge gravel platform, a violation of state law, which requires restoration of mined areas.

Reply: We disagree on violations of Best Management Practices on these sites. The Department believes that the recent logging was well conducted.

The trail system, while well known to the long time users, is not clearly designated. A key portion of this plan will be to designate the official trail system, which will allow us to know, to a certainty, which trails need to be protected.

The Department did allow the road bed and well pad constructed during the recent gas well drilling operations to be re-vegetated in place, rather than requiring their removal. We believe that requiring their removal would have caused greater environmental impact than allowing their re-vegetation in place. This area was not mined, gravel was brought to the site. This was an oil and gas extraction area.

The area in question was re-vegetated using a variety of species in the spring of 2007. We are still holding a performance bond for this site, and will continue to hold a bond, until the site is vegetated to the DEC's satisfaction.

Comment # 66: There is a constant fear is that the area will be "sold out" to gas and/or lumber and/or development interests. Having this undeveloped land is one of the great interests and attractions of this area.

Reply: The conservation and wise use of the state lands addressed in this plan permit the mineral resources to be utilized and the timber to be managed by harvesting. The challenge of land managers is to allow the wise use of these natural resources while protecting the other intrinsic resource values of the land. Rest assured that the area will not be "sold out" to outside interests, and the area shall remain undeveloped.

Comment # 67: Require commercial interests to "clean up" after themselves, return the land to a condition similar to the way it was before mining or drilling, and replanting with sufficient vegetation to prevent erosion.

Reply: We agree, within limits. Restoration, or clean up, needs to proceed within certain clearly defined limits.

If we are to build structures to support oil and gas operations or to conduct commercial timber sales, we will not be able to return the land to precisely the former condition.

Restoration needs to be conducted with a healthy dose of common sense and a realization that overly large restoration efforts may cause larger environmental impacts than a more even handed approach.

Comment # 68: The State should be vigilant in protecting against loss of this area - both in total number of acres, but also in value of acreage.

Comment # 69: Keep the land in its original state, no public park.

Comment # 70: Top goals of the UMP should be the preservation of existing wildlife corridors, undeveloped wooded areas, wetlands and water resources, native animal and plant species, and the preservation, maintenance and enhancement of open-space wilderness-style recreation areas; primarily minimal disturbance hiking trails, plus fishing and hunting grounds.

Comment # 71: I oppose incursion or further incursion into the Erwin Unit by natural gas drilling, new gas wells, timber harvesting, land clearing (except for fire breaks), road building, or for residential, commercial or industrial development.

Comment # 72: I oppose the clearing of Erwin Unit land for meadows, golf courses, picnic areas, parking lots, fishing access, camping areas, lean-tos, new roads, graded foot paths, logging, natural gas lines or drilling or natural gas wells, and all other uses.

Comment # 73: There is a strong need for keeping areas near our small upstate cities free of commercial development. These trails, wetlands, and ponds would serve many folks of the Corning-Painted Post area. There is also a high education value here.

Comment # 74: These lands should be re-categorized for a higher level of protection, such as state parkland, nature preserve or unique area. These lands are a large wilderness area with “backwoods character” embedded within the fastest-growing area in New York State.

Mailed Responses after the Public Meeting

The following is the text of the written comments received after the public meeting. Any received after May 26, 2007 are not included in this document. They are summarized and answered above.

Town of Erwin, 117 West Water Street, Painted Post, NY 14870

Provide good directional information to travelers so that they can find the access points.

Improve the parking areas.

Upgrade the trails with blazes and produce larger scale maps. We will incorporate your trail system into our final recommendations for linkages with the town-wide trail system.

Sue A. Poelvoorde, NYS OPRHP-Finger Lakes Region, 2221 Taughannock Park Road, Trumansburg, NY 14886

With respect to the McCarthy Hill State Forest segment, due to its proximity to OPRHP’s Pinnacle State Park, public access opportunities should be compatible with the management and operation of the golf course as the public will use the properties as one large unit. No off-road (ATVs, 4-wheelers(autos)) should be allowed for that reason.

George Dudick, Painted Post, NY

An available (unlocked) access to the Erwin Wildlife Management area pond is needed from the Painted Post area.

Consider the installation of a firing range in the Erwin Wildlife Management Area.

Bradley Q. & Elizabeth M. Kinsman, Painted Post, NY

Monitor gas drilling and pipe installations closely and frequently.
Advise us when logging operations, etc. are to take place in management area.
Open up on (up on top of ridge) for public recreation use and develop road access.

James W. Taylor, Painted Post, NY

Future management of the Erwin WMA should place more emphasis upon habitat enhancement and less upon timber, gas, vehicular access, etc. But we can't manage what we don't know. Are certain species in decline? Are invasive species increasing? Any plan must begin with a comprehensive census with wide use of such sources as hunters (the DEC's bow hunter sighting log for example), environmental organizations such as the Cornell lab of Ornithology and Audubon's local chapter. The job is huge but progress has already been made - littering and vandalism are down. We must continue to enhance and pass this local treasure on for the enjoyment of future generations.

Charles & Deanna Preston, Addison, NY

Timber Management: There are many theories on the subject so I would leave that up to environmentally-minded experts except to say choose contractors who tread lightly and do the least damage, and leave some areas untouched.

Public access: It is my wish that the gates be kept closed year round. I believe people who are serious about hunting, fishing or recreation are there partially for the exercise and don't mind walking, cycling or skiing in. Reserve access for the handicapped.

P.S.: I'm tired of picking up trash and seeing vandalism of the signs.

Don Scoloaro, Coopers Plains, NY

1. Computer operated gate to let registered residents enter to small game hunt and fish and hike. If they violate rules, take their code off.

2. Build more lean-tos for people to picnic and enjoy. (I'll build a couple)

3. Logging only to thin woods. The last loggers wrecked the woods.

Using a code system lets you know who is entering the woods.

The name explains it: Erwin Wildlife Management Area. Most all activities should revolve around its name. People should be able to spectate wildlife and enjoy nature and during hunting season be able to thin healthy populations of animals. All activities should be centered around animals (hesitate [sic]) habitat and the public's right to enjoy nature without upsetting the balance.

Howard Beye, Finger Lakes Trail Conference, Rochester, NY

The FLTC is in the process of trying to determine a potential trail route from the Six Nations area to near Addison. This route most likely will include the Erwin Wildlife Management Area and Erwin Mountain and McCarthy Hill State Forests and other public land. This proposed trail is part of an endeavor to connect the FLT to the Mid-State Trail in Pennsylvania.

In addition to the connection with the Mid-State Trail this new connector trail to be built in NY and PA will, as it moves south from the Mid-State Trail, ultimately connect with the Appalachian Trail. We also understand there is another plan in the works to make a parallel trail to the Appalachian Trail from mid-Alabama to our Adirondacks using a portion of the FLT.

As we move from these very beginning stages of planning we will be and keep in contact with the DEC so the latest information will be available for the Erwin Unit Management Plan.

Richard & Susan Curreri, Painted Post, NY

Open year round; Camping; Snowmobiling; 4-wheeling.

Dorothy Stevens, Waverly, NY

Are you sure of the lines on the Erwin Mountain State Forest?

Any information on value of properties or access to any surveys or aerial shots.

Anonymous

I would like to see the Erwin Wildlife Management Area to include snowmobiling. There is (are) trails to roads already there; it would benefit wildlife to use trails packed by snowmobiles.

Frank L. Thiel, Painted Post, NY

1. For all three parcels, create or recreate trails such as those that formerly existed in the Erwin WMA. The DEC website description is very outdated insofar as current conditions are concerned, but describes the features we would recommend.

2. Restrict vehicle access (including ATVs and snowmobiles).

3. Make use of the roads and clearing done by Fortuna Energy, i.e., do not require restoration to completely reproduce initial conditions.

Margaret M. Holmes, Painted Post, NY 14870

Historically the time I have spent on the land has been hiking, biking, and skiing, but not, usually, during deer hunting season. My personal interest is to be able to continue these activities. I.e., I hope the future includes plans for a multi-use area. My wishes would be for extra trail maintenance to make it more amicable for riding bikes. Please don't misunderstand; I don't envision a park. The lack of spit and polish is one of the area's greatest attractions.

The constant fear is that the area will be "sold out" to gas and/or lumber and/or development interests. Having this undeveloped land is (in my opinion) one of the great interests and attractions of this area. I understand that it only makes good economic sense to cut timber and extract minerals and gas. We who live in this area think it's vitally important to do so in an environmentally friendly fashion - and require the commercial interests to "clean up" after themselves. I'm not sufficiently conversant with environment concerns to define this well, but it should certainly include returning the land to a condition similar to the way it was before mining or drilling, and replanting with sufficient vegetation to prevent erosion.

Having seen one developer offer to swap developable land for the near-vertical hillside near Coopers, I do hope that the State will be vigilant in protecting against loss of this area - both in total number of acres, but also in value of acreage - value for recreational users such as myself, as well as the number of people who hunt in this area.

The map you mailed shows a trail from near the US-15/17 intersection to the location of the old fire tower. I may be mistaken, but I think much of that trail (over private land) is closed and the Scouts and other citizens are no longer using it. If these comments can contain "pie-in-the-sky" wishes, it certainly would be nice to see that hiking corridor opened again.

In summary, my interests are to keep the areas open to hunting, hiking, biking, and skiing. My fears are that land may be destroyed or lost to commercial interests. I would be happy to talk to you in more detail if it would be of value to you.

James B & Linda S. Stamatoff, Painted Post, NY

Timber which is cut down needs to be removed. Piles of downed trees are unsightly and present a fire hazard. This is especially true for trees piled near residential areas.

James D. Salley, Painted Post, NY

The land could be used for hunting and fishing that's ok. NO public parks in there. Keep the land in its original state. We have too few forests left as you can see right here in Gang Mills. Deer control and the coydogs with mange should be taken care of but we don't need any more woods cut down for progress. I realize dead wood should be taken care of, has taken wood out when trees were marked years ago.

P.S. There's rattlers there and don't keed (sic) need everybody wandering through there. What would happen with a park.

Steven Acomb, Painted Post, NY

Being a property owner and leasing property bordering state land, I would have a great deal of interest in the plans. We already have a great deal of problems with trespassing and damage to property, mostly coming from ATVs and also from illegal hunting, dumping, etc.

I (we) would have a great deal of concern with any additional access, without state assistance in policing of the state property and adjoining properties.

Of course I am very concerned with gas drilling on state owned land, not only because this land should not be used for these purposes, but because it is also not fair to tax paying property owners bordering with state properties.

Last, but not least, would like to see state land better identified; the excuse we hear most often is "we thought we were on state land" when we encounter trespassers. Although I know it would be a lot of work, I believe the boundaries should be cut or bulldozed all along the perimeters. This would also be very helpful in cases of forest fires. Possibly this work could be done by youth groups hired for summer work (as took place approx. 25 years ago in the Erwin Wildlife Management Area).

Jo Wildeman, Painted Post, NY

Some observations I would like you to consider during your planning phase:

The trails that are kept cut back are fantastic! We enjoy the use of all the trails and the ease in which we can enjoy our outings with small children (the trails make it family friendly). However, one frustration we have is that each trail rarely connects to the next - the main cuts (traveling North to South up the hill, and we call fire breaks) are connected, but at the top of the hill off the access road those paths generally do not connect for a more circular path. For example, it would be nice to be able to continue the walk past the beaver pond and connect with another path further around the hill.

An often wished-for item would be a trail map. We have searched the Erwin Town Hall, asked around the neighborhood, and now we even have started using GPS to start creating our own map of the trails. An idea of distance and adjacent paths would be a useful tool for our expedition.

One improvement our family would personally enjoy would be access to the property for horse trailers. We have horses boarded at a near-by facility and would enjoy a days outing and trail riding. We currently must travel to Sugar Hill or Hector for trail riding. Perhaps there is an area which is accessible to horse trailers, and we just don't know about it yet. If we could access the area, 4-H groups like ours and other individuals should be able to enjoy the area as well, without the issue of distance.

Without knowing much about the wildlife management, timbering and gas leases, I am hesitant to comment on that aspect of the letter. I know gas drilling has become a part of our area, as well as harvesting the timber. I would be hesitant to comment on the leasing of rights for gas because I really don't have a lot of knowledge about that program. I do know what I have seen after an area was timbered and it was almost not even useable based on the limbs and debris left lying on the ground. (Perhaps we saw an area which did not have certain restrictions placed on the timbering company). I would personally feel concerned about the impact on the land and how the use of the property would change if the gas lease and timbering were permitted. Again, I would like to learn more.

David S. Marsh and Howard Beye, FLTC, 6111 Visitor Center Road, Mt. Morris, NY 14510:

It has come to our attention that the DEC is in the process of developing a Unit Management Plan for the Erwin Unit, which includes the Erwin Wildlife Management Area, Erwin State Forest, and McCarthy Hill State Forest. We also understand that one of the objectives of the UMP is “to work with current and future volunteer groups to enhance the area, including recreational opportunities such as the Finger Lakes Trail...”. Therefore, we would like to confirm for the record a trail development plan we are actively working on and request that the UMP incorporate language that would allow a branch of the Finger Lakes Trail to pass through the Erwin Unit.

As background, we would like to bring attention to the fact that the Finger Lakes Trail (FLT) is a nationally recognized long distance hiking trail that crosses many State Forests within New York State. The Finger Lakes Trail Conference (FLTC), an organization composed of over 400 volunteers, feels privileged to have use of public lands for the FLT. The Great Eastern Trail (GET) is a new north-south footpath that is under development running from Alabama to join the main FLT somewhere near South Bradford. The GET plan is to connect already existing trail systems where they exist and provide an alternative long distance hiking trail to the Appalachian Trail. The FLTC is committed to build a connection from the FLT to the Pennsylvania border to meet the Mid State Trail as part of the GET development plan. This connecting trail will be a branch trail of the FLT and maintained by the FLTC as part of its trail system. It appears highly desirable for this new branch trail to pass through portions of the Erwin Unit. We believe the GET will provide an exciting and valuable asset to the communities of the greater Corning area and the Erwin Unit.

The new trail as part of the GET and FLT promises to provide endless enjoyment to residents and tourists, through hikers and day-hikers young and old, birders, those who enjoy nature, and those who just wish to escape the daily routine and enjoy what the beautiful natural world of New York State has to offer. The surrounding environment in a natural state is therefore critical for all users of these trail systems. Significant intrusions that alter the natural state of the forest and create noise and destruction to habitat that is disturbing to wildlife and human enjoyment severely reduces the value of the trail as an experience that people seek. Such intrusions include: (a) Oil and gas exploration and drilling as well as timber harvests that invade the trail area can, if not designed sympathetically, effectively destroy the benefits of using these footpaths. (b) Motorized recreational vehicles, such as snowmobiles, all terrain vehicles (ATV), etc., not only disrupt the natural setting trail-users desire, but also can harmfully affect the trail tread (e.g. erosion, “puddling”, unnecessary widening, destruction of vegetation, etc.) severely damaging the work of volunteer trail maintainers. (c) Horse traffic and mountain bikes, although not motorized or noisy, seriously damage the trail surface. Therefore, we feel it useful to offer the following requests for your consideration and use in developing the Erwin UMP:

1. Trail Use – The FLTC would like the opportunity to develop a **footpath** within the Erwin Unit **wherein all other uses of such trail would be prohibited** and with such requirements clearly identified with appropriately placed and esthetically designed signs. Should it be necessary for the FLT Branch/GET to be routed, or in the future rerouted, to utilize existing trails that currently have other specified restrictions, then those requirements would not be expected to be altered.
2. Trail Identification – The FLT Branch/GET trail would be clearly identified preferably with orange blazes. Other trails that cross or utilize a portion of the trail should be separately and clearly identified to avoid confusion for the user.
3. Trail Access – Points of access should be protected from intrusion by unauthorized users.
4. Route Protection – the FLT Branch/GET track should be protected from disruption during any timber harvests, oil and gas exploration, and oil and gas drilling. This would entail assuring that the actual track is not disturbed and that a natural barrier on all sides of the trail is retained to shield the user as much as possible from an altered natural state. A lesser desirable alternative is to provide a reroute for the trail that will maintain the desired natural environment.
5. Structures – Structures such as foot bridges, parking areas, and lean-tos can significantly enhance the user’s experience whether a day user or through hiker and should be considered when establishing the trail route.

The FLTC has enjoyed the long term support and cooperation from the various DEC Regions across the State and specifically from your office in Region 8. We hope our thoughts will be useful to you and your associates in finalizing the Erwin UMP and extend our sincere appreciation for the opportunity to comment.
[Ed. Note - attached map not included in this document.]

Duane Edwards (phoned in comment):

Erwin WMA should be open for turkey season; is featured in many hunting magazines as a good place to hunt.

Tom Johnson, Great Eastern Trail:

On behalf of the Great Eastern Trail (GET) Coordinating Committee, I would like to submit comments for the record in advance of your public meetings to discuss the Unit Management Plan for the Erwin Unit, which I understand incorporates three separate State parcels.

The Great Eastern Trail Coordinating Committee was formed to coordinate the efforts of trail clubs through ten states, and to make decisions about the trail routing. It consists of two components. One, the Mid-Atlantic Foot Trails Coalition (MAFTC), was formed to manage the new trail from southwest Virginia to New York. MAFTC, as its name implies, is a cooperative arrangement of trail organizations (Finger Lakes Trail Conference, Mid State Trail Association, Standing Stone Trail Club, Inc., and the Potomac Appalachian Trail Club, Inc.) That have agreed "to work together to bring about a new long distance trail" named the Great Eastern Trail (GET). Many additional organizations are also providing assistance, to include the American Hiking Society, federal, state and local governments. The GET Coordinating Committee is now applying for 501©3 as a not for profit corporation.

The idea for a trail like the GET has its roots in Benton McKaye's original 1921 proposal for the Appalachian Trail. There is a great amount of enthusiasm for the GET and it is building as the plans for the trail become more widely known. More information about the GET may be found at www.greateastertrail.org.

The GET is currently being aggressively developed and will both utilize and connect existing trail systems where they exist from Alabama into New York State where it will join the Finger Lakes Trail (FLT). The MAFTC has two gaps to fill between existing trail systems, and one of those gaps is between the main FLT and the Mid State Trail. The Finger Lakes Trail Conference has agreed to build a portion of this connecting trail to reach the New York/Pennsylvania line and it now appears highly desirable for this trail segment to pass through portions of the Erwin Unit. The MAFTC supports the efforts of and values expressed by the Finger Lakes Trail Conference with specific regard to the development of the trail connection assigned to them. In that regard, we agree with the FLTC that:

1. The goal of the GET is to be a foot path, with use by motorized vehicles strictly prohibited. We all know what trail and environmental damage may be caused by such conveyances. Should it be desirable or necessary for an existing trail to be used and that trail is currently multi use, such previously specified uses will be accepted and honored.
2. The surrounding environment should be maintained in a natural state to provide the enjoyment sought by authorized trail users. Activities such as logging and drilling for oil and gas if not managed properly can potentially destroy not only the tread of the trail but also the natural state of the trail corridor. If such activities are conducted within the Erwin Unit, sufficient natural barriers should be maintained to minimize disruption to the trail. The trail should be afforded the protection and courtesy earned as an important asset of the State of New York and its communities.
3. The trail must be clearly marked to distinguish it from other trails and easily guide the user.
4. Trail entrances should be identified with signs.
5. Parking areas, lean-tos, bridges, and bivouac areas are amenities that enhance the enjoyment of not only the long distance hiker but also the day user.

I know the FLTC will work cooperatively with you to find the best trail route within the Erwin Unit and appreciate the opportunity to offer the comments of the MAFTC members. We look forward to the day when

the Great Eastern Trail will be as widely known as the Appalachian Trail and that hikers on this connecting trail will be enjoying the beauty of New York State.

Michael Gildea, Painted Post, NY:

I have the following comments regarding the proposal for management of Erwin Wildlife Management Area.

1. I would encourage the prohibition of any logging in the area. I have watched the logging that has gone on at Spencer Crest Nature center and the Erwin Mountain State Forest. The erosion caused by the use of heavy machinery as well as the damage to trees not marked for logging seems very extensive and makes it almost impossible to use the trails on foot. Also, at Spencer Crest in particular, there are still copious amounts of orange plastic tape remaining which I assume were used to mark the logging trees.
2. I would also like to see better management of the oil and gas leasing. I have witnessed large tractor trailers going at excessive speeds on the roads in Erwin Land Management Area. I assume these are going to the gas wells in the area. It would seem to me that you should consider eliminating these leases as I suspect it is almost impossible to police this properly.
3. I hope you will severely restrict the access for motorized wheeled vehicles, including snowmobiles. It seems like every time I see access allowed for vehicles in the land management areas in the region, the terrain is destroyed and severe erosion results. I am not sure why hunting and fishing requires motorized wheeled vehicle access anymore than hiking and biking.
4. Finally, I wonder if it would be possible to post hunting schedules and rules at the main access points. I am usually aware of deer hunting season but there seem to be many other times when people are hunting in the area.

Thank you for this opportunity to express my opinion.

Mary Hood, Bath, NY:

I am writing as a resident of Steuben County regarding public comment on the Unit Management Plan for Erwin EMC.

I would like to say that I believe the best use of that area is to remain as public recreation. I believe that logging, gas drilling and development should not be the purpose of our public state land. These activities should be kept at a minimum.

I have used the area for hikes for some years and gone bird watching there. There is a bald eagle (a pair) that probably has a nest in the area but I've not been able to locate it.

Noel Sylvester

I/we support the Erwin Management Plan, and encourage you guys to do what you do best.

Bradley L. Turner, Corning, NY

Please accept my input on the DEC Draft Management Plan for the Erwin Unit as follows:

I support the plan's goals of ensuring biological integrity, improvement and protection of the unit.

Due to incursions into our precious New York State DEC Region 8 undeveloped areas by residential development, exploitation of natural gas resources, commercial and industrial development and timber harvesting, the delicate balance between human activities and wildlife is threatened.

Not only does appropriate balance between human "footprints" on the land, and undeveloped land enhance the quality of life for citizens of New York, it also enhances the regional economy. The greater Corning-Painted Post area, including all of Southeast Steuben County, depends on its environmental and cultural resources to attract both tourists and highly skilled & professional workers. Cultural resources in our area are dependent on the community of artists and artisans, scholars, teachers and others who choose to live

here, in large measure due to the natural beauty of the area.

Therefore, I believe and urge that the top goal of the DEC Draft Management Plan for the Erwin Unit (hereafter referred to as the Erwin Unit Plan) should be the preservation of existing wildlife corridors, undeveloped wooded areas, wetlands & water resources and native animal and plant species. Another top-priority goal should be the preservation, maintenance and enhancement of open-space wilderness-style recreation areas; primarily minimal disturbance hiking trails, plus fishing and hunting grounds.

To that end I oppose any incursion or further incursion into the Erwin Unit by natural gas drilling, new gas wells, timber harvesting, land clearing (except for fire breaks), road building, or for residential, commercial or industrial development.

I support the designation and marking of minimum disturbance, non-graded wilderness-style hiking trails.

I oppose the creation of new wheelchair/visual impairment access trails in the Erwin unit, except where those trails are situated adjacent to existing parking areas, or new parking areas adjacent to but outside the borders of the Erwin Unit lands. Given that, I do support creation of not more than two wheelchair/visual impairment access trails, each no more than 3/4 mile long (with a construction disturbance area of no more than 10-feet wide), within the Erwin Unit.

I oppose the clearing of Erwin Unit land for meadows, golf courses, picnic areas, parking lots, fishing access, camping areas, lean-tos, new roads, graded foot paths (except as noted in the preceding paragraph, for wheelchair access), logging, natural gas lines or drilling or natural gas wells, and all other uses.

Notwithstanding the preceding paragraph, I support the creation of not more than two lean-tos and small primitive campsites within the Erwin Unit if and only if these sites are part of a larger trail or trail system that extends beyond Erwin Unit lands and into other parts of New York or beyond.

Thank you for your time and attention, and for including these comments in the Erwin Unit Management Plan development & approval process.

Monika Wood

I am writing in regard to plans of putting in a new trail in the Erwin Game Management Area. The trail would have improved trail markings and link up with other trail systems such as Finger Lakes trail system and the Midstates.

I very much support this plan. This area is a major asset to the people living in this area. It provides excellent hiking, snowshoeing and cross-country skiing opportunities. My family and friends enjoy spending time there enjoying the views, the ponds and the wildlife. We use the area frequently for recreation and enjoy its natural beauty. More and improved trails would rise awareness of this valuable resource and even more people would use its trails. Many wetlands are disappearing, causing many problems. It's important to preserve as many natural areas as we can. It would be a real shame to develop this area for more destructive uses. It is most valuable as a recreation area for hikers and skiers. By furthering this kind of use, we would also preserve the plants, animals and ecosystems of this area for many generations to come and be able to enjoy.

I strongly support preserving and improving the trail system. I am against any destructive development such as logging and drilling in this area.

Thank you for considering my input.

Paul Danielson, Corning, NY

I have heard that there might be an opportunity to enhance the Erwin GMA by improving trails and avoiding non-recreational uses for the land. I think that would be a great idea, since protecting public lands having the attractive features of the Erwin GMA will become a quality of life issue as development continues in the Town of Erwin area. I hope your plans for the GMA will focus on the recreational needs of the residents in this part of Steuben County.

Richard Hurley

I am writing to you today to ask for your help in preserving and improving the best, largest public access outdoor recreation area in the Corning-Painted Post area. This is the Erwin Game Management Area, or "Erwin Game lands". This area adjoins Woodland Park residential in Gang Mills. It is on a hilltop location, spreading all the way to Coopers (Smith Hill Road) in the West. The area includes nearly 2500 acres.

There is a strong need for keeping some areas located near our small upstate cities free of commercial development. These trails, wetlands, and ponds would serve many folks of the Corning-Painted Post area due to proximity. I am sure New York State agrees that there is a high priority in preserving such habitats. There is also a high education value here.

Thank you for your time and considerations on this issue.

James C. Trondsen, Painted Post, NY

I am writing in response to the Unit Management Plan for the Erwin Wildlife Management Area and the Erwin State Forest.

The Town of Erwin has long been the fastest-growing and most progressive area in Steuben County. Due to the impending completion of the junction of two Interstate highways in Erwin, this area may be the fastest-growing area in New York State. I believe that this is a once-in-a-lifetime opportunity to preserve recreational open space for thousands of nearby residents and future residents.

The Erwin WMA is my favorite hiking area. It has many miles of trails, stunning wetlands and ponds, varied terrain, and due to its hilltop location, commanding vistas of the Cohocton and the Tioga river valleys. Due to its size, it offers the opportunity to hike some real distance, approaching ten miles, using the many interconnecting trails. And it is just a few minutes drive from my home in Gang Mills.

Erwin WMA is regularly used for recreation. The Three Rivers Outing Club, with over one hundred local members, regularly schedules hikes in the Erwin WMA. And the Finger Lakes Trail Conference, Mid States Trail Association, and Great Eastern Trail Association have identified the Erwin WMA as a desirable location for a section of a long-distance footpath extending to Florida. I believe that the highest, best and most important use for Erwin WMA in the future will be for recreation.

Large areas of the Erwin WMA are still relatively pristine. However, recently I have seen these lands permanently disfigured by destructive logging and gas drilling.

The gas drilling was fruitless, leaving two dry wells. Following the latest drilling attempt, the drillers were allowed to abandon a deep gravel roadbed and a huge gravel platform. This lifeless field of gravel is a major barrier to the connectivity of the wilderness habitat, and permanently disfiguring. This is a clear violation of state law, which requires restoration of mined areas.

Some recent logging, with several violations of best practice, has left large gullies, resulting in unnatural runoff and roughening of trails.

I believe that these lands must be protected from such destructive practices. May I suggest that these lands be recategorized for a higher level of protection, such as state parkland, nature preserve or unique area? The lands are certainly unique in that they are a large wilderness area with "backwoods character" embedded within the fastest-growing area in New York State. This may be our last chance to preserve this local treasure.

Andrew Heiman, Painted Post, NY

I am writing you to comment on the Unit Management Plan for the Erwin EMC (sic). I would like to voice my support for a plan that will protect the Erwin EMC for public recreation such as hiking, fishing, and biking. As a resident of Painted Post, I have visited the Erwin WMA several times to hike, fish, and bike. I have taken my son their and out of town visitors. The Erwin WMA is a unique public resource that should be preserved for public use.

George Kosmaler, Elmira, NY

The Elmira *Star-Gazette* article, April 24, 2007, stated that the plan includes "... protection of rare and endangered species of plants and animals [and] enhancement of wildlife species diversity".

The implication is that results would fulfill the vision by following the principles of sustained yield forestry with the one concession of allowing some harvested land to be kept as grassland.

Preventing mature, marketable timber from succeeding to old growth, decadent woods achieves neither of the stated goals. Certain rare and endangered species need extensive climax habitat and without it biotic richness and completeness is below potential. The trees that would make up extensive old woods are not endangered (with the exception of American Chestnut). It is extensive and way-past-peak-logging habitat dominated by those trees that is endangered hereabouts. Correction: it is extinct. But it could be regenerated by the rather cheap expedient of doing nothing.

Foresters generally look upon allowing team growth as wasteful whereas selective logging capitalizes when trees have reached the point of diminishing economic returns. Managing for broad ecology or beauty is just plain impractical.

Theodore Roosevelt, an economist and a co-founder of modern forestry, said something like, “in the long run, nothing is more practical than preserving beauty.” Clearly, “practical” embraces “economic” and long-term excels short-term. And I don’t think many users of forest products (i.e., everyone) would not agree that miles of big, old trees is one of nature’s prettiest sights and wandering in a woods big enough to exclude sounds from outside all day is one of nature’s most enthralling experiences and would mind paying for the opportunity either in taxes or admissions.

For a long time, maximizing the potential of the logging industry has provided a material essential to the economy. Essential to a wasteful economy is an oxymoron. Trees are cut down and, in effect, just shipped off to the landfill and at great energy expense. Is logging (like coca farming in Bolivia) essential to the local economy what with heavy equipment and computerized machinery replacing lumberjacks and mill hands?

Clearly, routinely downing trees as soon as they are money on the hoof is not helpful to the ecologic system or our quality of life and is not necessary for the economic system (greed is not necessity).

Appendix C : Taxes

School and Town general taxes

State Forest lands and multiple use areas less than 3000 acres acquired using monies from the Park and Recreation Land Acquisition Bond act of 1960 are not subject to real property taxes. Both State Forest were acquired using 1960 bond act funds and are not subject to property taxes.

Wildlife Management Areas are not subject to real property taxes except where special arrangements have been made at the time of acquisition.

Appendix D : Facilities

Unpaved Roads

	<u>Site</u>	<u>Miles</u>
1.	McCarthy Hill State Forest	1.0
2.	Erwin Mountain State Forest	0.0
3.	Erwin Wildlife Management Area	<u>5.25</u>
	Total	6.25

Ponds/pot Holes

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	2 ponds (natural)
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>2 ponds, 15 potholes, 1 wetland</u>
	Total	4 ponds, 15 potholes, 1 wetland

Unpaved Parking Lots

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	2
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>9</u>
	Total	11

Facility ID Signs

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	2
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>10</u>
	Total	12

Metal Gates

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	1
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>14</u>
	Total	15

Access for Persons with Disabilities Trails

	<u>Site</u>	<u>Miles</u>
1.	McCarthy Hill State Forest	1.0
2.	Erwin Mountain State Forest	0.0
3.	Erwin Wildlife Management Area	<u>3.5</u>
	Total	4.5

Regulation Signs

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	0
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>7</u>
	Total	7

Kiosks

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	1
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>0</u>
	Total	1

Cross County Ski Trails

	<u>Site</u>	<u>Miles</u>
1.	McCarthy Hill State Forest	7.0
2.	Erwin Mountain State Forest	0.0
3.	Erwin Wildlife Management Area	<u>0.0</u>
	Total	7.0

Hiking Trails

	<u>Site</u>	<u>Miles</u>
1.	McCarthy Hill State Forest	0.0
2.	Erwin Mountain State Forest	0.0
3.	Erwin Wildlife Management Area	<u>15.0</u>
	Total	15.0

Nesting Boxes

	<u>Site</u>	<u>Number</u>
1.	McCarthy Hill State Forest	0
2.	Erwin Mountain State Forest	0
3.	Erwin Wildlife Management Area	<u>12 wood duck boxes, 16 blue bird boxes</u>
	Total	28

Gas Wells

	<u>Site</u>		<u>Number</u>
1.	McCarthy Hill State Forest		0
2.	Erwin Mountain State Forest		1(plugged and abandoned)
3.	Erwin Wildlife Management Area		<u>5</u> (3 plugged and abandoned)
		Total	6

Appendix E: Water Resources

WIN - Watershed Index Number: Numbering system used by NYSDEC to identify individual streams/ponds/lakes.

Water Classifications

Class C - Fishing and any other usages except for bathing or as a source of water supply for drinking, culinary, or food processing purposes.

Class C(T) - Same as Class C plus it is designated as trout waters

Class C(TS) - Same as Class C plus waters are suitable for trout spawning

Erwin Wildlife Management Area

Streams

NAME	WIN	MILES(approx)	CLASS	FISHERIES RESOURCE
Weaver Hollow br	PA-3-57-1	1.3	C	Minnows
Unnamed Trib	PA-3-57-1-2	0.6	C	Minnows
Unnamed Trib	PA-3-57-1-4	<0.1	C	Minnows
Unnamed Trib	PA-3-57-1-5	0.6	C	Minnows
Unnamed Trib	PA-3-58-4	0.8	C	Minnows
Unnamed Trib	PA-3-58-5	0.4	C	Minnows

Ponds

NAME	WIN	ACRES(approx)	CLASS	FISHERIES RESOURCE
Erwin Pond	PA-3-57-1-P23b	10.0	C	Bass/sunfish/bullhead

Erwin Mountain State Forest

Streams

NAME	WIN	MILES(approx)	CLASS	FISHERIES RESOURCE
Unnamed Trib	PA-3-57-4	0.8	C	Minnows

McCarthy Hill State Forest

Streams

NAME	WIN	MILES	CLASS	FISHERIES RESOURCE
Unnamed Trib	PA-3-57-5-2	<0.1	C	Minnows
Unnamed Trib	PA-3-57-6	2.1	C	Minnows
Unnamed Trib	PA-3-57-6-1	0.6	C	Minnows

Appendix F : Timber Management

See also maps on pages 100-101.

Stands (with trees) Designated Protection Management

McCarthy Hill State Forest
Steuben RA#21

Compartment	Stand	Acres
A	3	74

Erwin Mountain State Forest
Steuben RA#20

Compartment	Stand	Acres
A	20	7

Erwin Wildlife Management Area

Compartment	Stand	Acres
A	7	75
B	1	8

Stands Designated Even Aged

McCarthy Hill State Forest
Steuben RA#21

Compartment	Stand	Acres
A	1	10
A	2	12
A	4	66
A	5	58
A	6	24
A	7	152
A	8	59
A	9	39
A	10	118
A	11	24
A	12	55
A	13	18
A	14	54

Erwin Mountain State Forest
Steuben RA#20

Compartment	Stand	Acres
A	1	20
A	2	3
A	3	25
A	4	106
A	5	7
A	6	7
A	7	3
A	8	77
A	9	48
A	10	5
A	11	3
A	12	12
A	14	7
A	15	68
A	16	30
A	17	18
A	18	16
A	19	20
A	21	7

Erwin Wildlife Management Area

Compartment	Stand	Acres
A	1	42
A	2	7
A	3	15
A	4	14
A	5	468
A	6	31
A	9	140
A	10	184
A	11	127
A	12	37
A	13	17
A	14	75
A	15	56
A	16	13
A	17	51
A	18	302
A	19	310
B	2	32
C	2	15
C	3	4
C	4	10
C	5	3
C	6	41
C	7	4

Stands Designated Uneven Aged

McCarthy Hill State Forest
Steuben RA#21

none

Erwin Mountain State Forest
Steuben RA#20

Compartment	Stand	Acres
A	22	15

Erwin Wildlife Management Area

Compartment	Stand	Acres
A	8	136

Stands Designated Plantation Management

McCarthy Hill State Forest
Steuben RA#21

none

Erwin Mountain State Forest
Steuben RA#20

none

Erwin Wildlife Management Area

none

Stands Designated Open Land

McCarthy Hill State Forest
Steuben RA#21

none

Erwin Mountain State Forest
Steuben RA#20

none

Erwin Wildlife Management Area

Compartment	Stand	Acres
A	950	9
A	951	1
A	952	3
A	953	7

Stands Designated Seedling / Sapling

McCarthy Hill State Forest
Steuben RA#21

none

Erwin Mountain State Forest
Steuben RA#20

none

Erwin Wildlife Management Area

Compartment	Stand	Acres
A	20	7
A	21	15
A	22	17
A	25	6
A	26	20
A	27	38
A	28	8
B	3	22
C	1	1

Appendix G: Maps

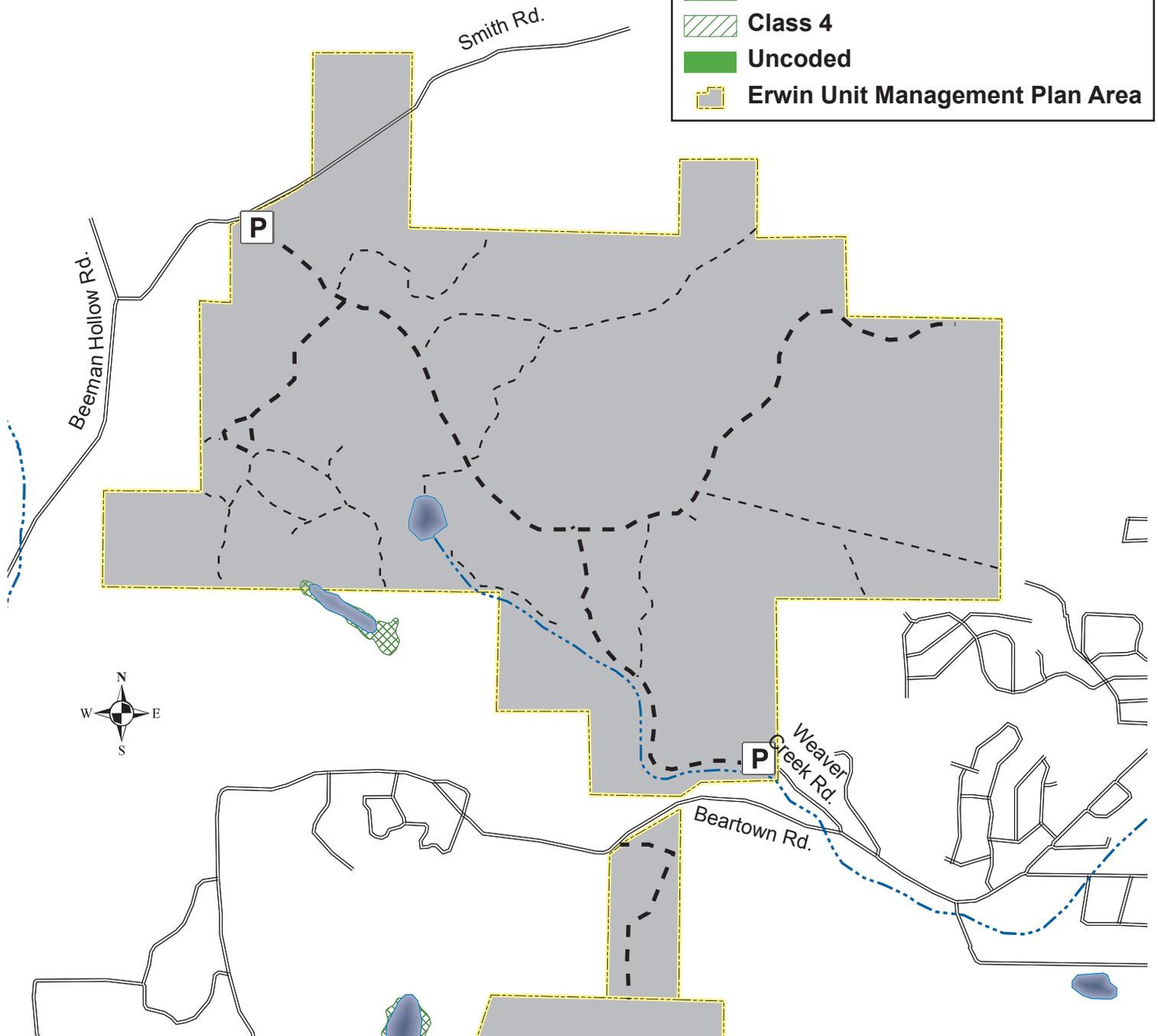
Access / Location and Streams, Ponds and Wetlands

Erwin Wildlife Management Area

2,000 1,000 0 2,000 4,000 Feet



	Stream
	Access Roads
	Access Trails
	Town Roads
	River or Waterbody
Freshwater Wetland Class	
	Class 1
	Class 2
	Class 3
	Class 4
	Uncoded
	Erwin Unit Management Plan Area



Access / Location and Streams, Ponds and Wetlands



Erwin Unit Management Plan Area

Access Roads

Access Trails

Town Roads

Major Road

State Park

Village of Addison

Freshwater Wetland Class

Class 1

Class 2

Class 3

Class 4

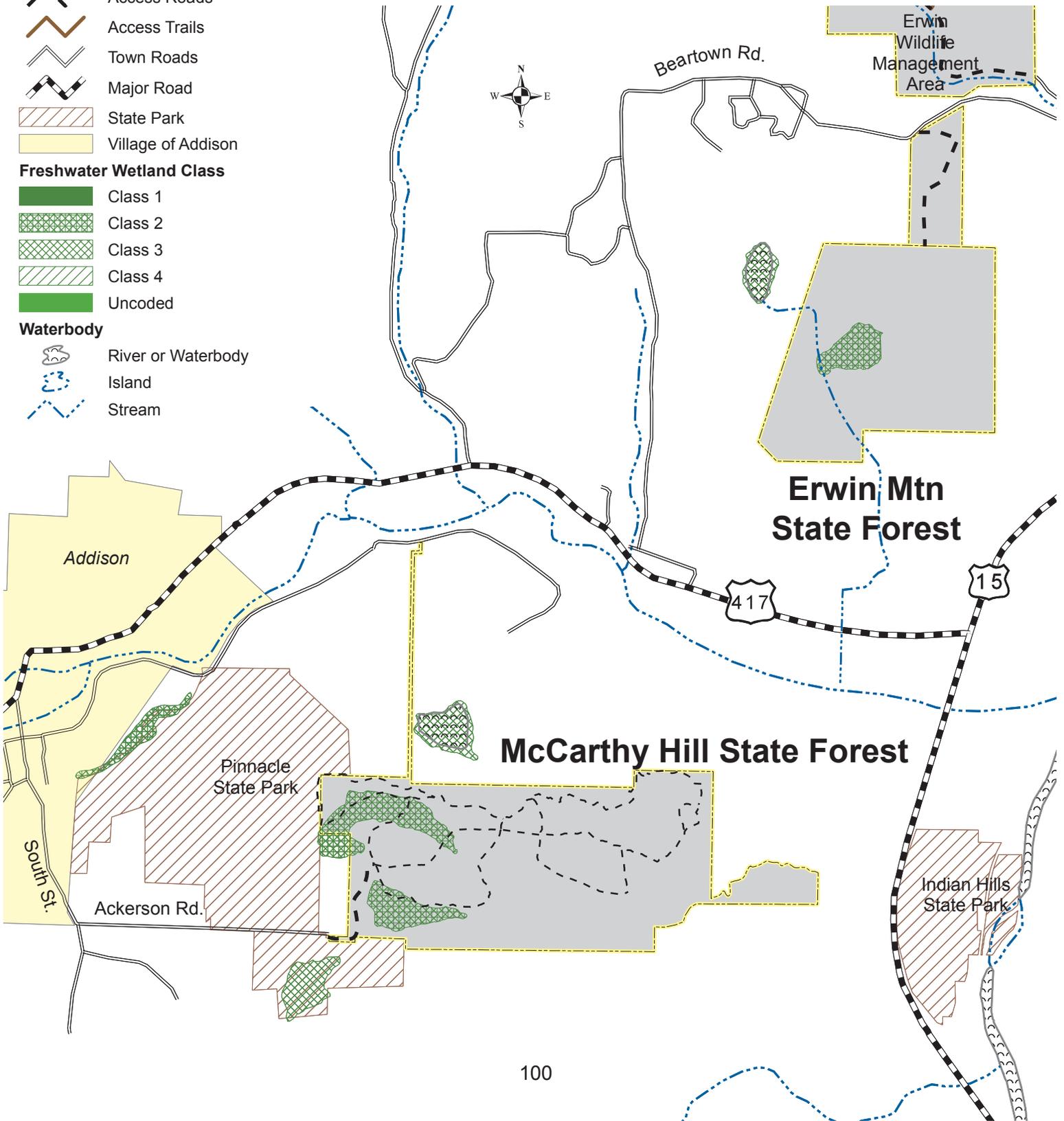
Uncoded

Waterbody

River or Waterbody

Island

Stream



Erwin Wildlife Management Area Stand Designations

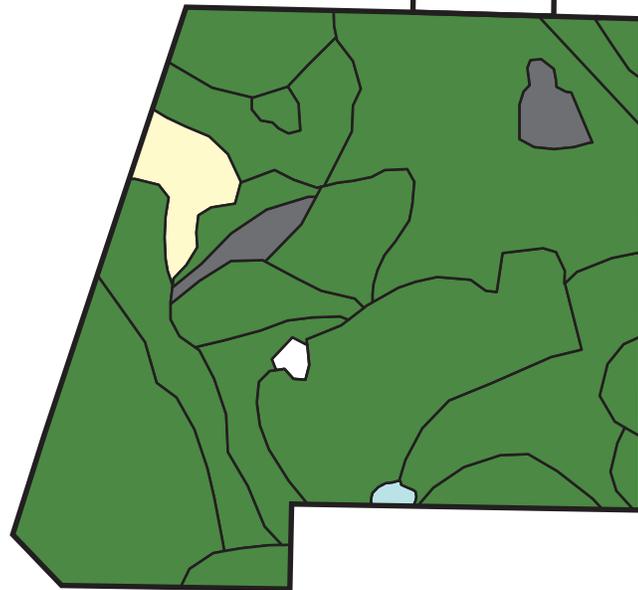
-  Roads
-  NYS DEC Lands
- Stand Designations**
-  Even Aged
-  Fields/Roads/Recreation/Other
-  Protection
-  Seedling/Sapling
-  Uneven Aged
-  Water





-  NYS DEC Lands
-  Pinnacle State Park
- Stand Designations**
-  Uneven Aged
-  Even Aged
-  Fields/Roads/Recreation/Other
-  Protection
-  Water
-  Wetland

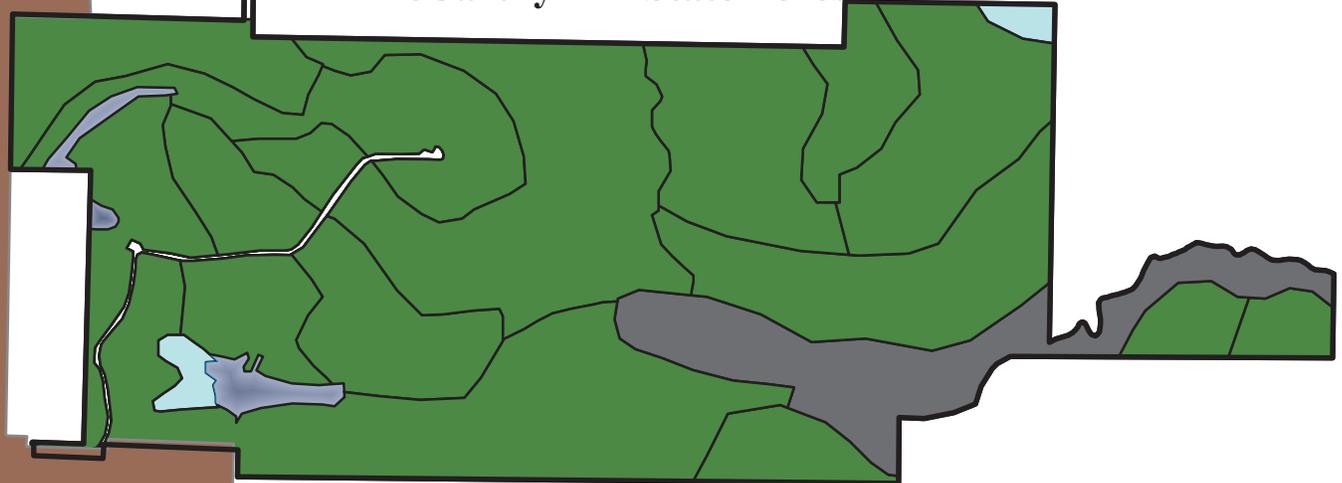
Stand Designations Erwin Mountain State Forest



0 1,000 2,000 4,000 Feet

0 1,000 2,000 4,000 6,000 Feet

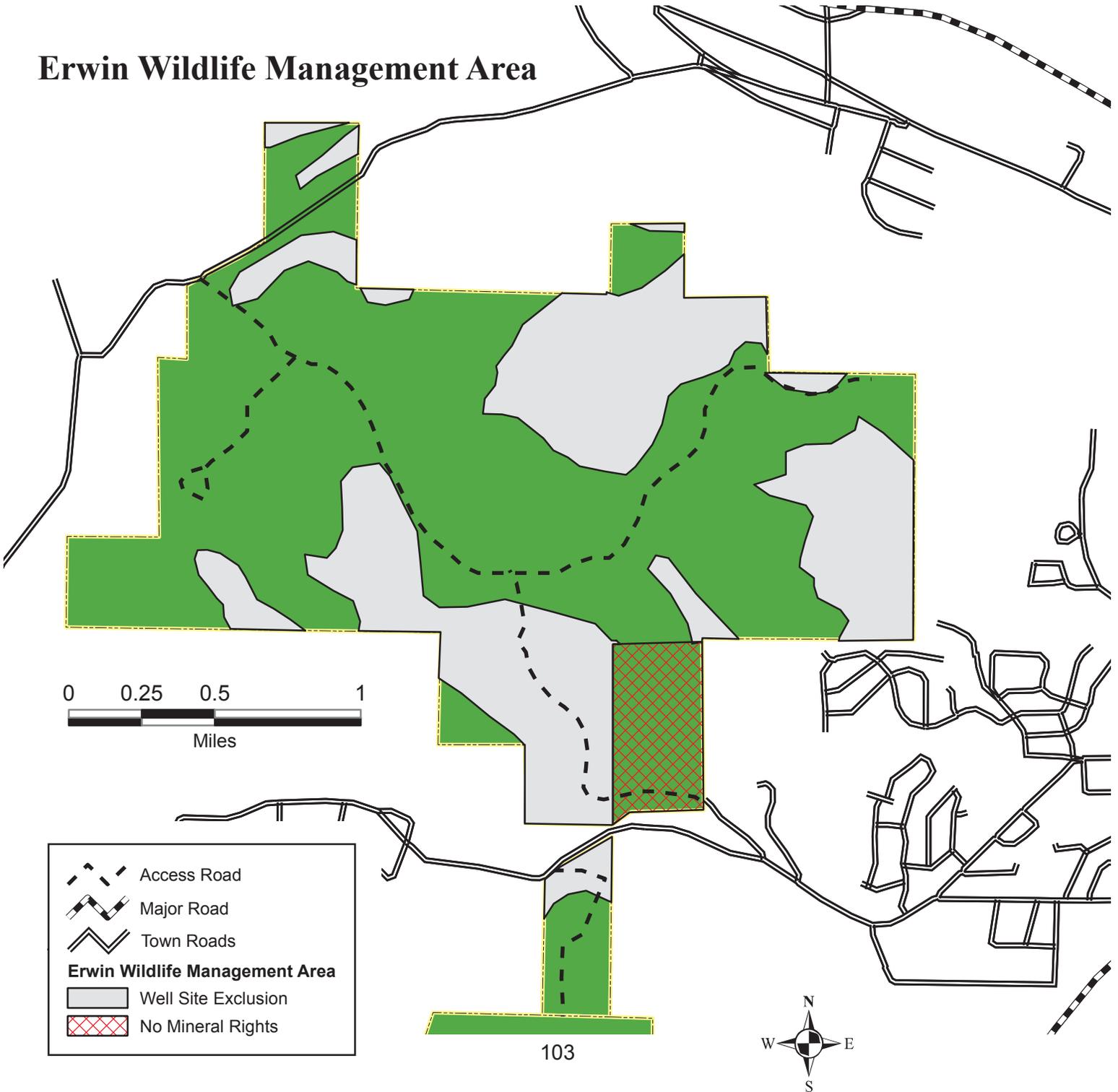
Stand Designations McCarthy Hill State Forest



Recommended Exclusions from Surface Occupancy for Oil and Gas Development

The following maps show areas that are excluded from having well pads or mines constructed. All other activities are permitted on a case by case basis during the Temporary Revocable Permit (TRP) process. See Mineral Resources sections pages 9 and 44.

Erwin Wildlife Management Area



Recommended Exclusions from Surface Occupancy for Oil and Gas Development

The following maps show areas that are excluded from having well pads or mines constructed. All other activities are permitted on a case by case basis during the Temporary Revocable Permit (TRP) process. See Mineral Resources sections pages 9 and 44.

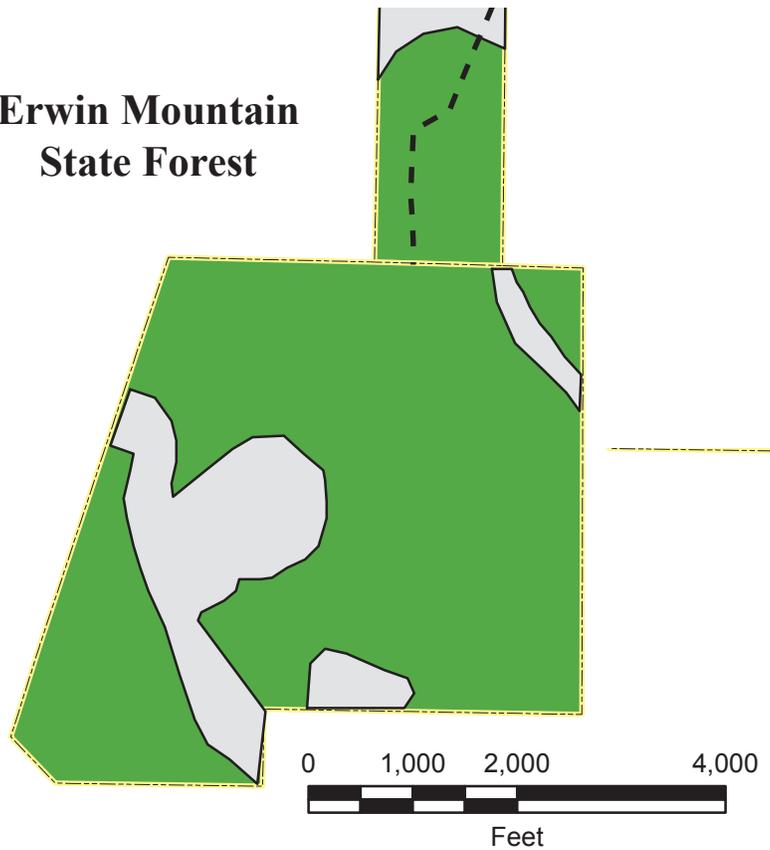


NYS DEC Lands

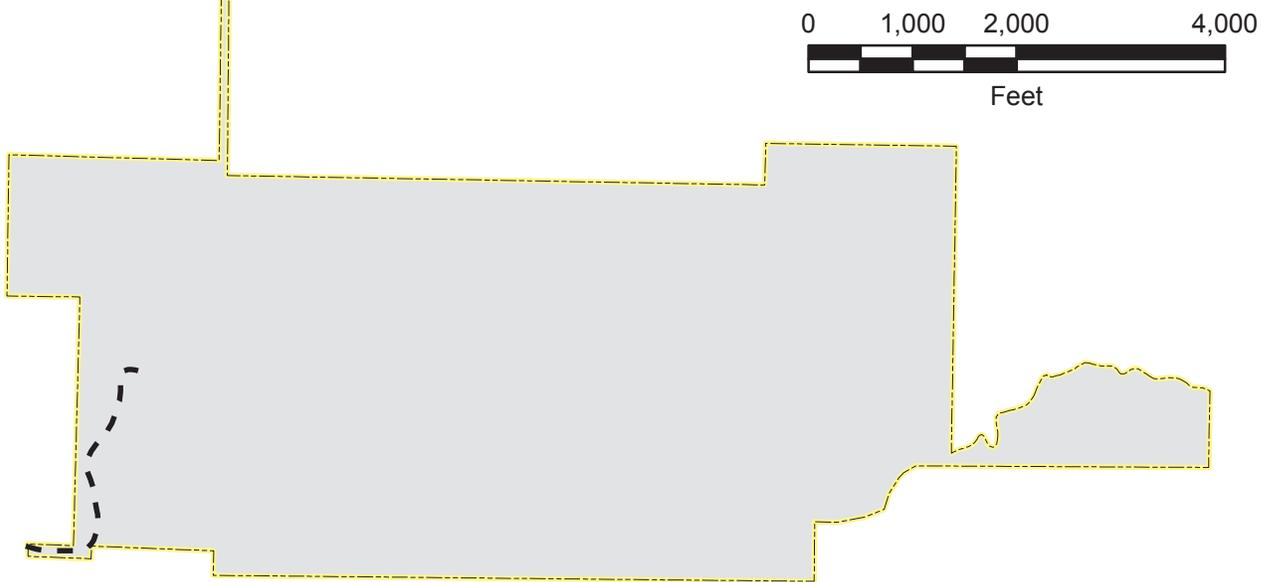
 Access Road

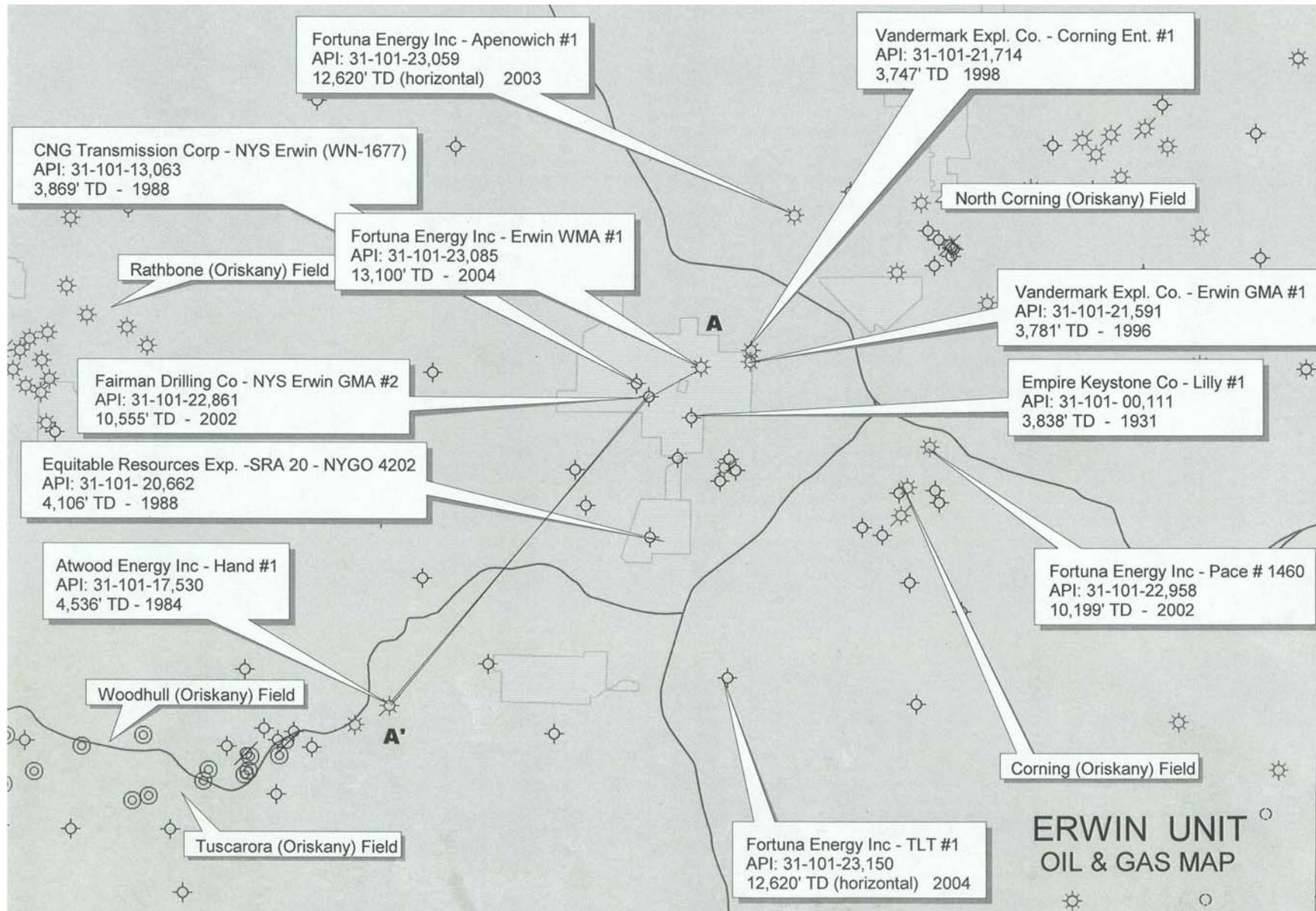
 Well Site Exclusions

Erwin Mountain State Forest



McCarthy Hill State Forest





Gravel Mine Locations

 Major Road

 Roads

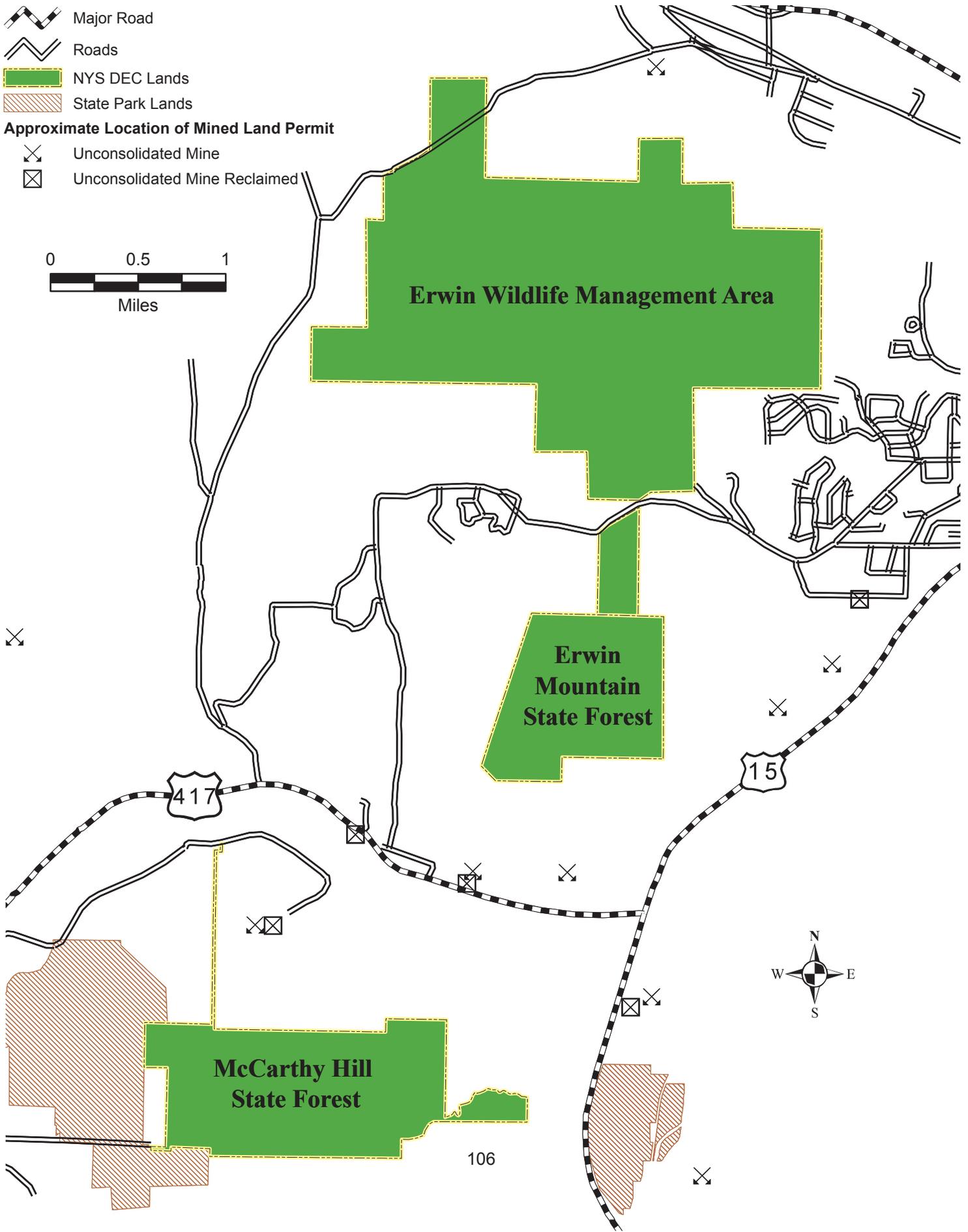
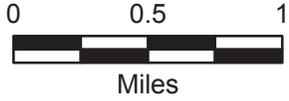
 NYS DEC Lands

 State Park Lands

Approximate Location of Mined Land Permit

 Unconsolidated Mine

 Unconsolidated Mine Reclaimed



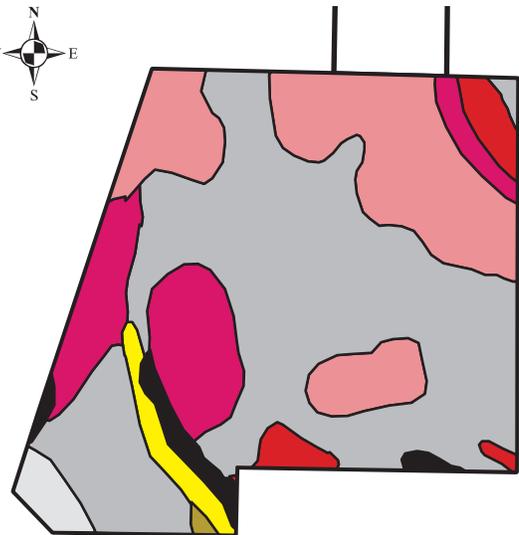
Erwin Mtn. and McCarthy Hill State Forests Soil Maps

Soil Type Codes

Aa	Alden silt loam	LrE	Lordstown-Arnot association, steep
AIA	Alton Gravelly fine sandy loam, 0-3% slopes	LrF	Lordstown-Arnot association, very steep
ArC	Arnot channery silt loam, 2-20% slopes	MdB	Mardin channery silt loam, 2-8% slopes
BaB	Bath channery silt loam, 3-12% slopes	MdC	Mardin channery silt loam, 8-15% slopes
BaC	Bath channery silt loam, 12-20% slopes	MdD	Mardin channery silt loam, 15-25% slopes
BbC	Bath soils, steep	Oc	Ochrepts and Orthents
Ck	Chippewa channery silt loam	VoB	Volusia channery silt loam, 3-8% slopes
FI	Fluvaquents and ochrepts	VoC	Volusia channery silt loam, 8-15% slopes
LoB	Lordstown channery silt loam, 3-12% slopes	VoD	Volusia channery silt loam, 15-25% slopes
LoC	Lordstown channery silt loam, 12-20% slopes	W	Water

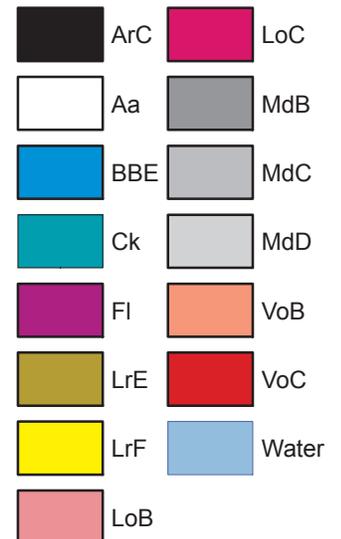
Erwin Mountain State Forest

1,000 0 1,000 2,000 Feet



McCarthy Hill State Forest

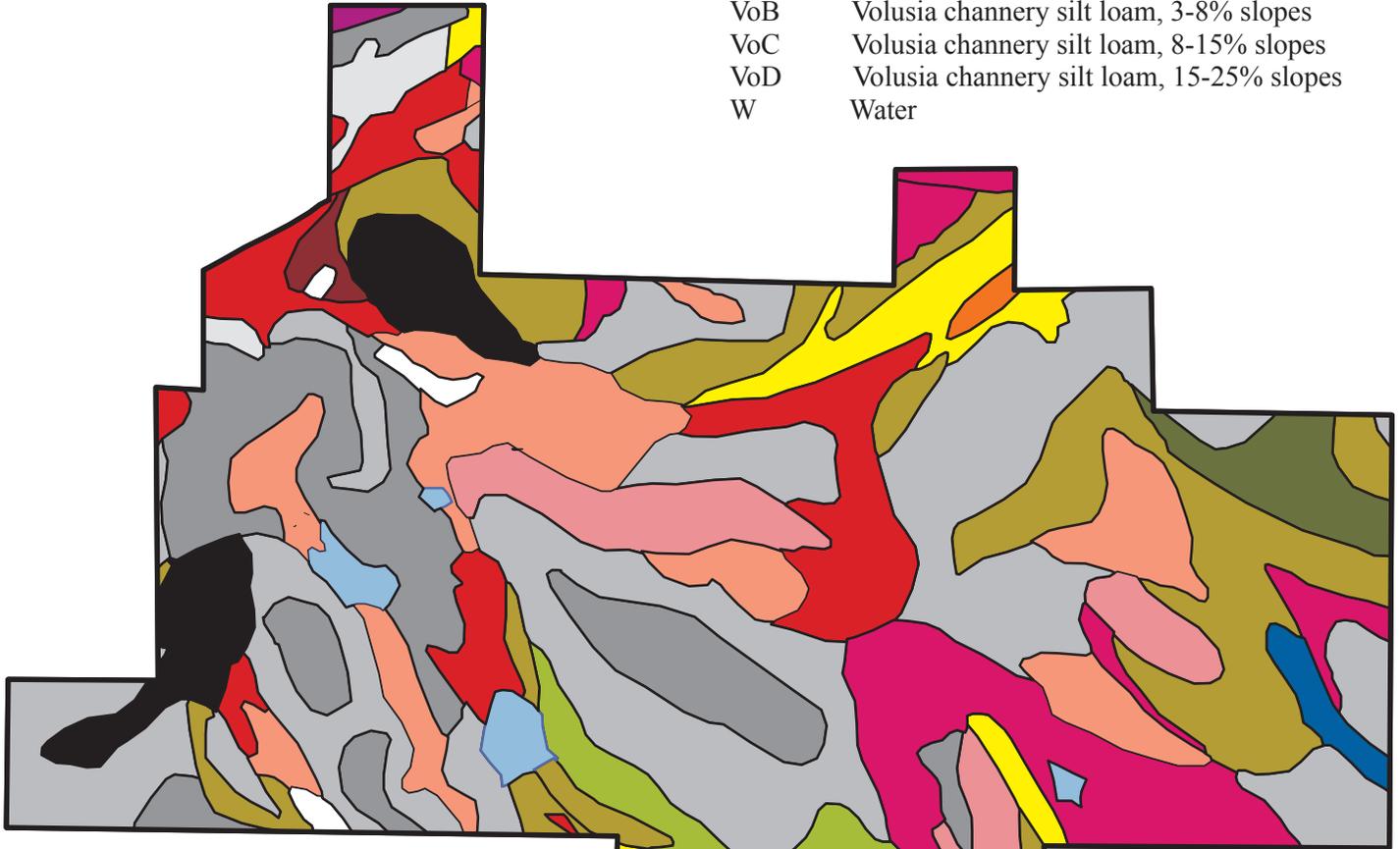
1,000 0 1,000 2,000 3,000 4,000 Feet



Erwin Wildlife Management Area Soil Map

Soil Type Codes

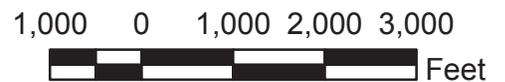
Aa	Alden silt loam	Fl	Fluvaquents and ochrepts
AIA	Alton Gravelly fine sandy loam, 0-3% slopes	LoB	Lordstown channery silt loam, 3-12% slopes
ArC	Arnot channery silt loam, 2-20% slopes	LoC	Lordstown channery silt loam, 12-20% slopes
BaB	Bath channery silt loam, 3-12% slopes	LrE	Lordstown-Arnot association, steep
BaC	Bath channery silt loam, 12-20% slopes	LrF	Lordstown-Arnot association, very steep
BbC	Bath soils, steep	MdB	Mardin channery silt loam, 2-8% slopes
Ck	Chippewa channery silt loam	MdC	Mardin channery silt loam, 8-15% slopes
		MdD	Mardin channery silt loam, 15-25% slopes
		Oc	Ochrepts and Orthents
		VoB	Volusia channery silt loam, 3-8% slopes
		VoC	Volusia channery silt loam, 8-15% slopes
		VoD	Volusia channery silt loam, 15-25% slopes
		W	Water



	ArC		LrE		OC
	Aa		LrF		VoB
	AIA		LoB		VoC
	BaB		LoC		VoD
	BaC		MdB		Water
	Ck		MdC		
	Fl		MdD		



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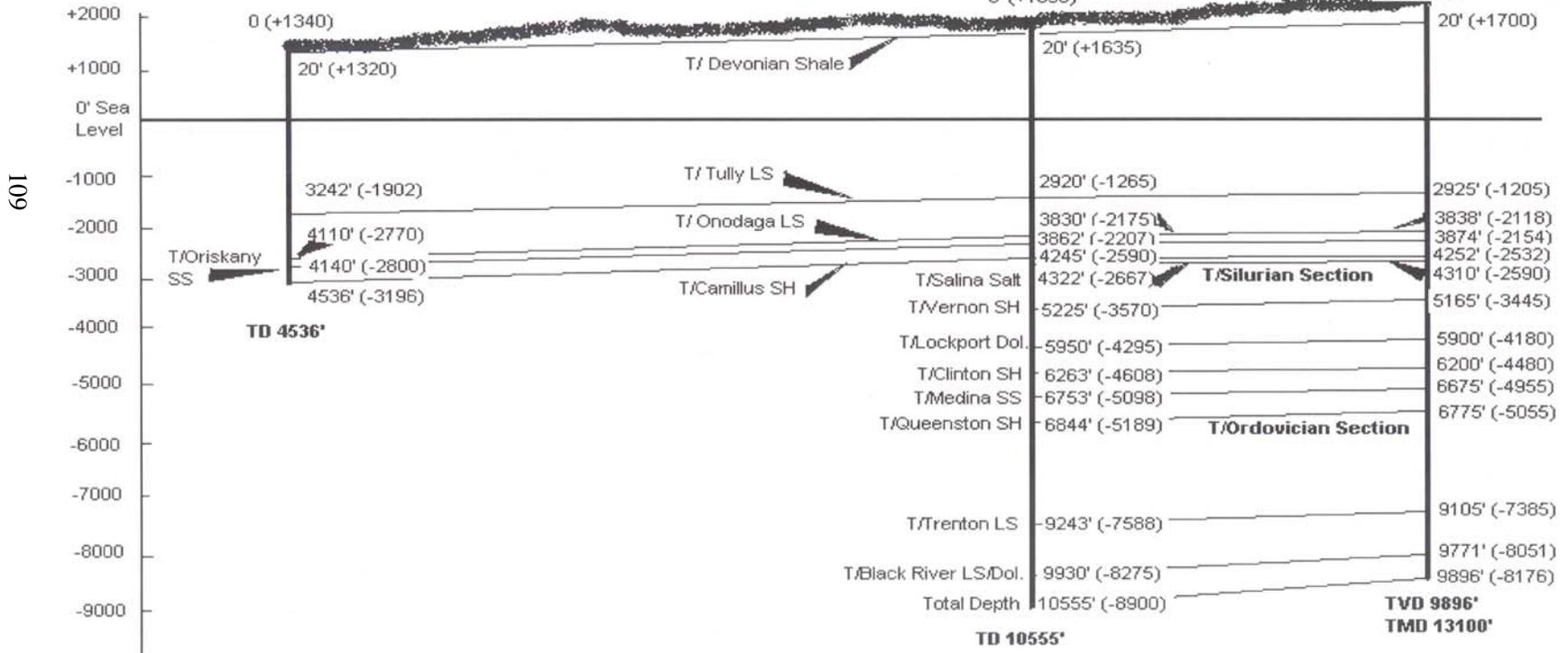


Erwin Unit Geologic Cross Section A'-A

Atwood Energy Inc.
Hand #1
31-101-17530
KB 1340'

Fairman Drilling Co.
NYS Erwin GMA #2
API# 31-101-22861
KB 1655'
0' (+1655)

Fortuna Energy Inc.
Erwin WMA #1
API# 31-101-23085
KB 1720'
0' (+1720)



Appendix I: Wildlife Harvest

Calculated Legal Deer Take in the Towns within the Erwin Unit Management Plan Area (2000 - 2004)

Town of Addison 26.4 sq. mi.
Town of Erwin 41.5 sq. mi.

Town/Year	2000	2001	2002	2003	2004
Addison	577	486	592	433	280
Erwin	495	569	534	477	266

management practices for the control of erosion, and integrated pest management for the control of insects will be followed. Acquisition of adjoining land from willing sellers will be sought, when possible. All silvicultural, gas or other mineral activity will be monitored, and best management practices (BMPs) followed. Endangered, threatened and species of special concern will be protected as well as historical and archaeological resources.

Location:

Erwin Unit: Erwin Mountain State Forest, Town of Erwin in Steuben County; McCarthy Hill State Forest, Towns of Erwin and Addison in Steuben County; Erwin Wildlife Management Area, Town of Erwin in Steuben County.

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration)

Activities planned for the unit will be covered by the following Programmatic/Generic Environmental Impact Statements:

State Forest Commercial Products Sales Program, Habitat Management Activities, Wildlife Habitat Management on State Forest Land, Red Pine Plantation Clearcut Program, New York State Open Space Plan, and the State Forest Recreation Management Program, The Oil, Gas and Solution Mining Regulatory Program (Final, 1992)

Activities which would require a site specific environmental review under the State Environmental Quality Review Act (SEQRA) include: prescribed fire of 10 acres or more, site preparation with herbicide, and clearcuts larger than 40 acres. In addition, if after the public review process, activities are added to the plan to provide better management of the unit and are not covered by this Negative Declaration or cited Programmatic/Generic Environmental Impact Statements, DEC will undertake a site specific environmental review for such activities. Activities relating to oil and gas exploration would also require a site specific environmental review and permit.

Activities in the plan will be performed in accordance with the standards and policies and procedures set forth in the following DEC documents:

Continuous Forest Inventory Handbook, State Forest Multiple Use Management Plan, Unpaved Forest Road Handbook, and the Timber Management Handbook.

In addition, activities in the plan will be guided by the Environmental Conservation Law, best management practices, the expertise of foresters and biologists, and the views expressed by the participating public.

Construction of new facilities shall include the construction of one parking lot and improving parking as needed along the shoulders of existing roads. These projects will be placed to minimize short and long term impacts by constructing the lots on level ground with reasonable slope. These projects will entail: clearing of brush and some trees,

grading and applying gravel and the installation of culverts and ditches used to control drainage and erosion as necessary. This will improve public access and safety.

The aesthetic resources will be protected by law enforcement activities, screening of logging activities, and by limiting disturbance in sensitive areas. Scenic views will be preserved by the removal of screening vegetation. There will be a favorable impact on energy resources, since timber management will produce fuelwood and gas well drilling may provide natural gas. The noise impact of construction and logging will occur so briefly as to be inconsequential.

Small water hole amphibian activity centers are constructed by scooping out soil in a suitable location, such as near a spring or on soil that will hold water. They are at least 6 foot deep, and vary in size and shape from 10 feet up to 40 feet. They are left to fill naturally with water and animals such as salamanders and frogs. Construction will take place during periods of dry weather. Best management practices (bmp's) will be followed to minimize any potential erosion or sedimentation problems to surrounding water bodies. These may include the use of hay and/or filter fabric to stabilize the soil surface.

The hardening or relocation of the trail system on the McCarthy Hill State Forest will require some minor tree cutting, the application of some gravel and the use of filter fabric to minimize any erosion as necessary. If the boardwalk is constructed it will require some minor tree cutting, and some holes dug to support the structure. Any other permits for this will be acquired at time of construction.

The construction of the Great Eastern Trail (GET) will mostly consist of painting trail markers along existing trails. Any small trail sections that need new construction will require DEC approval, and will follow bmp's for foot trail construction. A lean-to may be constructed along the small section of the Great Eastern Trail in the project area. There are several good locations on McCarthy Hill State Forest. The exact location would have to be approved by a NYS DEC Forester. Suitable locations would be along the trail, near water, and 0.5 mile, or more, from the gate. It will be constructed to ADA standards, and if possible, located along the section of CP-3 trail, or near enough that extending the CP-3 trail would be feasible. Best management practices for lean-tos will be followed. These include: locating lean-tos to minimize necessary cut and fill and tree cutting, locating lean-tos away from streams, wetlands and unstable slopes, use of drainage structures on trails leading to lean-to sites, to prevent water flowing into the site, locating lean-tos on flat, stable, well drained sites and limiting construction to periods of low or normal rainfall.

Archaeological and historical impacts will be minimized by disturbing the ground as little as possible. Any construction, forestry or minerals activities will incorporate the use of best management practices, including but not limited to such considerations as: locating improvements to minimize necessary cut and fill; locating improvements away from streams, wetlands, and unstable slopes; use of proper drainage devices such as water bars and broad-based dips; locating trails to minimize grade; laying out trails on existing old roads or cleared or partially cleared areas; using stream crossings with low, stable banks, firm stream bottom and gentle approach slopes; constructing stream crossings at right angles to the stream; limiting stream crossing construction to periods of low or normal flow; avoiding areas where habitats of threatened and endangered species are known to exist; and using natural materials to blend the structure into the natural surroundings. Parking lots or other structures will be located on flat, stable, well-drained

sites in areas that require a minimum amount of tree cutting. Construction will be limited to periods of low or normal rainfall. The size of the parking lot will be the minimum necessary for the intended use. Wherever possible, wooded buffers will be used to screen parking areas from roads.

When possible, gas pipelines and well pads will be constructed along existing roads or other corridors. All well pads, pipelines, and well pad access roads will require site approval by a DEC land manager, and other permits such as a Temporary Revocable Permit (TRP) and a Permit to Drill, Deepen, Plug Back or Convert a Well Subject to the Oil, Gas and Solution Mining Law (form 85-12-5)(Drilling Permit). Site review approvals will consider environmental factors including the presence or absence of rare and endangered species, sensitive soils, topography and unit management plan goals and objectives.

There are no significant impacts on the environment as a result of the actions in this plan. There are no impacts on significant habitats, threatened or endangered species or other significant impacts on natural resources or the removal of large quantities of vegetation or actions that could result in the substantial interference with the movement of any resident or migratory fish or wildlife species.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Gretchen Cicora

Address: 7291 Coon Rd.
Bath, NY 14810

Telephone Number: (607) 776-2165 ext. 29

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Appropriate Regional Office of the Department of Environmental Conservation

Chief Executive Officer, Town/City/Village of

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin - NYS DEC - 625 Broadway - Albany, NY 12233-1750 (Type One Actions Only)

GLOSSARY

Access Trails - May be permanent, unpaved and do not provide all-weather access within the Unit. These trails are originally designed for removal of forest products and may be used to meet other management objectives such as recreational trails. These trails are constructed according to Best Management Practices.

Allegheny Hardwoods - Composed of primarily of black cherry, white ash, and tulip poplar. May contain lesser amounts of sugar maple, beech, red maple, red oak and basswood.

Allowable cut - The amount of wood fiber that may be harvested annually or periodically for a specified area over a stated period in accordance with the objectives of management.

Alluvium - Clay, silt, sand, gravel or similar material deposited by running water.

Anticlinal - Rock layers that are folded so that the layers are inclined away from each other (like the legs of a capital A).

Basal Area - The cross sectional area of a tree at breast height, measured in square feet. (Forestry Handbook, 2nd Edition, 1984, p.287) For a stand: the total basal area per unit of area, usually expressed as square feet per acre. ("Silvicultural Systems For The Major Forest Types of The United States", USDA Ag. Hndbk. #445, 1973, p.103)

Bedrock - Hard lithified or consolidated rock units that underlie the unconsolidated or partially-consolidated surface (geology) sediments and soils deposited during recent sedimentation and glacial sedimentation.

Best Management Practices (BMP's) - Practices and techniques that control erosion of soil or other contaminants from the site.

Board Foot - A piece of lumber 1 inch thick, 12 inches wide and 1 foot long, or its equivalent.

Buffer Strips - A strip of vegetation used to protect sensitive areas from soil erosion and siltation.

Canadian Shield - the stable portion or nucleus of the North American continent, primarily igneous and metamorphic rocks, located primarily in northeastern Canada, Michigan, Wisconsin and Minnesota.

Clast - A fragment of rock

Classified Water Bodies - A system whereby water bodies are protected under Environmental Conservation Law.

Clearcut - The removal of a forest overstory. This practice is done in preparation of the reestablishment of a new forest through regeneration. One form of even aged management.

Conifer - Needle bearing trees.

Conifer/Conifer Hardwood Forest - A forest stand in which either of the two leading species is a conifer.

Conifer Stand - A forest stand containing 50% or more conifer species.

D.B.H. - (diameter at breast height) - The diameter of a tree at roughly breast height or 4½ feet from the ground.

Defoliated - Complete, or almost complete removal of leaves from a living tree.

Dip - The angle that strata (rock layers) or planar features deviate from horizontal.

Dug-Out - A 500 square foot by 3 feet deep pot hole constructed of earth and containing water.

Early Successional Forest - Trees and brush that grow after disturbance such as plowing, fire or clearcut. Common species include grass, raspberries/black berries, white pine, aspen, red maple, black cherry, birch etc.

Early Successional Wildlife Species - Animal species which require early vegetative stages such as grass, brush, aspen.

Ecological Diversity - The number of species living in an ecosystem.

Ecological Subzone - A geographic area containing fauna and flora which are adapted to that particular area.

Ecosystem - A complex of living organisms and their environment.

Endangered - Native plants (and animals) in danger of extinction throughout all or a significant portion of their ranges within the state and requiring remedial action to prevent such extinction (NYCRR Title 9 Part 193.3)

Erosion - To wear away by the action: water, wind, or ice.

Even Aged - A forest in which all of the trees are essentially the same age.

Faulting - a fracture or crack that has had movement parallel to the fracture's surface

Fluvial - pertaining to sediments deposited by stream or river actions

Fragipan - An impervious subsurface soil layer (sometimes known as "hardpan") which restricts rooting and internal soil drainage.

Glacier / Glacial - a large mass of ice and snow that is moving on the land's surface

Hardwood Forest - A forest stand in which each of the two predominant species by percent is a hardwood.

Hardwoods - Broadleafed trees.

Haul roads - Are permanent, unpaved roads but are not designed for all-weather travel. They are constructed primarily for the removal of forest products and provide only limited access within the Unit. Public motor vehicle use is not allowed, but pedestrian travel is encouraged. All administrative roads are gated and warning signs are posted. The standards for these roads are those of Class C roads as provided for in the Forest Road Handbook.

Herbaceous Opening - A non-forest vegetative type consisting of grasses and forbs.

Homocline - geologic structure that is dipping or inclined in one direction and at the same angle of inclination

Kame - a short ridge, hill, or mound of stratified glacial deposits

Lacustrine - sediments deposited in association with the processes within a lake

Large Coarse Woody Debris - The accumulation of dead woody material, both standing and fallen, which occurs in a forest stand.

Lean-To - A small, open fronted, log shelter used for overnight camping.

Linements - linear trends of weakness or fractures in the earth's crust

Log Landing - An area to which logs are skidded and then loaded for removal.

MCFGPD - thousand cubic feet of gas per day

Moraine - sediment that is accumulated due to the actions of a glacier

Multiple Use - A management philosophy by which many uses are derived for a specific land area.

Natural Regeneration - The regrowth of a forest stand by natural means.

Natural Forest - A forest established by natural regeneration.

No Entry / No Surface Occupancy Lease - A lease to explore and develop underground mineral resources without any surface disturbance. Above ground facilities and equipment to remove mineral resources must be located off the subject property.

Northern Hardwoods - Largely composed of sugar maple, American beech, yellow birch, and hemlock. These species are generally long-lived and may adapt to uneven-aged management.

Oak Opening - a globally rare plant community, also known as an oak savannah. The community is composed of native prairie grasses and associated plants usually surrounded by oak/hickory forests. Oak Openings are maintained by periodic burning. Historically, fires were set by Native Americans or caused by lightning strikes. Oak Openings can be variable in size, from just an acre to several thousand acre complexes.

Off - Site - The species are growing (or at least have been planted) where these species would not ordinarily be found, due to unfavorable site conditions.

Pioneer Hardwood - Early Successional trees that are hardwood, such as black cherry, white birch, red maple and aspen.

Plantation - A forest established by planting.

Pole Sized - A young tree with a D.B.H. of 6 to 11 inches.

Pre-Commercial - To do a stand treatment when the trees are too small to sell for profit, requiring the payment of someone to do the work.

Prescribed Fire - The intentional setting of forest or grass land on fire under carefully controlled conditions to achieve a vegetative or wildlife management goal adhering to a written and approved prescribed fire burn plan.

Protection Management - An area which requires special management considerations. (Special cutting regimen, short rotation, long rotation, or no treatment.)

Public access roads - Are constructed and maintained to accommodate motor vehicle traffic, they are permanent, unpaved roads. They may be designed for all-weather use depending on their location and surfacing. These roads provide primary access within a Unit. The standards for these roads are those of the Class A and Class B access roads as provided for in the Forest Road Handbook.

Rare - Native plants that have from 20 to 35 extant sites or 3,000 to 5,000 individuals statewide. (NYCRR Title

Regeneration - To reestablish a forest stand.

Rotation - The length of time between the establishment and the harvest of a forest stand.

Sawtimber Sized - A tree with a D.B.H. of 12 inches or greater.

Seedling/Sapling Sized - A young tree with a D.B.H. of less than 6 inches.

Selective Harvesting - Removal of the mature timber, usually the oldest or largest trees.

Shade Intolerant - Tree species that require full sunlight to survive past the seedling stage.

Shade Tolerant - Tree species that can survive in the shade cast by older trees.

Sidetrack Well - An inclined well that is drilled from a predetermined depth within an existing well

Site - Site is defined as a group of features (such as slope, aspect, soil type, etc.) which characterize a given area of land.

Silviculture - The establishment, development, care, and reproduction of forest stands.

Softwoods - Needle bearing trees, conifers

Species Diversity - The occurrence of a variety of plants and animals.

Stand - A group of plants with similar characteristics that are treated as a single unit in a management plan.

Stand Analysis - A systematic method of evaluating stands to determine the need for treatment.

Stand Treatment - Work done in a stand which is directed towards the management of the stand.

State Forest - Lands owned by the State of New York and administered by the Department of Environmental Conservation which are managed for the establishment and maintenance of forests for watershed protection, the production of timber, and for recreation and kindred purposes.

Stratigraphic - The layering and sequence of mapable rock units.

Succession - The gradual supplanting of one community of plants and animals by another.

Surficial - Of, or relating to, the surface

Sustained Yield - The maintenance of a continuous flow of a particular product.

Synclinal - Rock layers that are folded so that the layers are inclined towards each other (like the letter V)

Till - Unstratified glacial deposits consisting of clay, sand, gravel, and boulders

Temporary Revocable Permit (TRP) - A permit to use State Forest land for a specific purpose for a prescribed length of time.

Top Lopping - The cutting of limbs from the tops of felled trees to reduce fire danger and improve visibility. On State Forests top lopping of conifers is required by law.

Trail Head - The intersection of a trail with a ro trail head ad.

Uneven Aged - A forest containing trees of two or more age classes.

Unique Area - A parcel of land owned by the State acquired do to its special natural beauty, wilderness character, geological, ecological or historical significance for the State nature and historic preserve, and may include lands within a forest preserve county outside the Adirondack and Catskill Parks.

Vegetative Stage - A description of a plant community based on the age of the component plants.

Vegetative Type - A description of a plant community based on species composition.

Vernal Pool - A small body of water that is present in the spring, but dries up by mid-summer.

Vertical Well - a well that is straight into the ground or is 90 degrees from horizontal.

Water Hole - A laid up stone cistern built by C.C.C. volunteers and originally used for water for fire protection purposes.

Watershed - The land area from which a stream receives its water.

Wetland - Land or area saturated and sometimes partially or intermittently covered with water.

Class I, II, III or IV - The designation placed upon a mapped wetland by NYS DEC as required by 6NYCRR. The four classes rank wetlands according to their ability to perform wetland functions and provide wetland benefits. Class I is the most critical.

Yield - The production of a commodity such as; forest products, water, or wildlife.