

**Olympic Sports Complex at Mount Van Hoevenberg
Final Generic Environmental Impact Statement**

Prepared by:

**The Olympic Regional Development Authority
Lake Placid, New York 12946
(518) 523-1655**

**Contact Person: Ted Blazer
and**

**The Olympic Sports Complex at Mount Van Hoevenberg
Lake Placid, New York 12946
(518) 523-2202**

Contact Person: Tom Colby

**In cooperation with
The NYS Department of Environmental Conservation
and in consultation with
The Adirondack Park Agency
Ray Brook, New York 12977**

Private Consultant:

**The LA Group, Landscape Architecture and Engineering, P.C.
40 Long Alley
Saratoga Springs, New York 12866
(518) 587-8100**

**Contact Person: Holly E. Elmer
and**

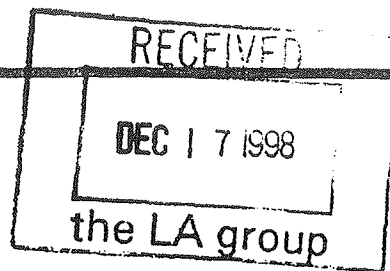
**Bartlett Pontiff Stewart and Rhodes, Attorneys
53 Main Street
Lake Placid, New York 12946
(518) 523-9772**

Contact Person: Richard A. Persico

| | |
|-------------------------------------|--------------------------|
| Date of Acceptance of DGEIS: | July 26, 1996 |
| Date of Public Hearing: | August 26, 1996 |
| Close of Comment Period: | September 9, 1996 |
| Date of Acceptance of FGEIS: | December 14, 1998 |



OLYMPIC REGIONAL DEVELOPMENT AUTHORITY



TO: John Cahill, Commissioner
Department of Environmental Conservation

Daniel Fitts, Executive Director
Adirondack Park Agency

FROM: Ted Blazer, President/CEO

SUBJECT: Olympic Sports Complex at Mount VanHoevenberg
Unit Management Plan/Final Generic Environmental
Impact Statement

As the lead agency responsible for compliance with the State Environmental Quality Review Act (SEQRA) in connection with the subject action, this Authority hereby accepts the Final Generic Environmental Impact Statement and authorizes its notice as prescribed by SEQRA.



Ted Blazer
President/Chief Executive Officer

Dated: December 14, 1998

Executive Summary

Section 816 of the Adirondack Park Agency Act directs the Department of Environmental Conservation (DEC) to develop, in consultation with the Adirondack Park Agency (APA), Unit Management Plans (UMPs) for each unit of land under its jurisdiction classified in the Adirondack Park State Land Master Plan (SLMP). Concurrent with the development of UMPs is the creation of a Generic Environmental Impact Statement (GEIS) which analyzes the significant impacts and alternatives to each UMP. This document is a Final Generic Environmental Impact Statement (FGEIS) prepared in response to comments solicited during the August 26, 1996 public hearing and the comment period which closed on September 9, 1996.

This document, prepared by the Olympic Regional Development Authority (ORDA), is an update and amendment to the 1986 UMP and EIS for the Mount Van Hoevenberg Recreation Area, now referred to as the Olympic Sports Complex (the "Complex"). As a Unit Management Plan, it satisfies the requirements that such plans contain an inventory of existing resources, facilities, systems and uses, a discussion of management policy, a description of proposed management actions, a discussion of the potential impacts of such actions, a description of mitigating measures and a description of alternative actions. As an environmental impact statement, it meets the requirements of the State Environmental Quality Review Act (SEQRA), which are similar to those for UMPs, as well as requirements unique to SEQRA, such as a discussion of growth inducing aspects.

The creation of the UMP requires compliance with SEQRA. The SEQRA aspects of this document are presented as a Generic Environmental Impact Statement. Generic EIS' may be used to assess the environmental effects of a sequence of actions contemplated by a single agency or an entire program or plan having wide application (6NYCRR617.15(a)(2) and (4)). They differ from site specific EIS' in that they apply to a group of common and related activities which have similar or related impacts. It is the intent of this GEIS to provide sufficient, site specific information for all aspects of the UMP except the snowmaking reservoir, the new racer's facility and the trailhead parking facility. The analysis in this GEIS identifies threshold issues and alternatives at a level of detail sufficient to demonstrate the environmental feasibility of the proposal for the racer's facility and the snowmaking water reservoir. It does not address final design and construction, which will be addressed in an amendment to this UMP. No additional SEQRA analyses are anticipated to be required for any other management action in this UMP, provided that such actions are carried out in accordance with the recommendations of this document. Similarly, no additional UMP approvals are anticipated to be required upon completion of this process.

The Olympic Sports Complex is a year-round recreational, day-use sports facility owned by the State of New York under the administrative jurisdiction of the Department of Environmental Conservation. The Complex is currently managed by ORDA under an agreement with the DEC. The Complex is located off NY Route 73 approximately seven miles southeast of the Village of Lake Placid, in the Town of North Elba, Essex County, New York.

The Olympic Sports Complex at Mount Van Hoevenberg is a New York State-owned facility operated by the Olympic Regional Development Authority to provide the public with intensive forms of recreation for both the spectator and participant. It is classified as an "Intensive Use Area" under the Adirondack Park State Land Master Plan, and is located on lands which are under the jurisdiction of the Department of Environmental Conservation.

The Olympic Sports Complex at Mount Van Hoevenberg currently benefits winter recreators and competitive athletes involved in bobsledding, luge, cross-country skiing and biathlon sporting activities. Summer recreators at Mount Van Hoevenberg can mountain-bike, horseback ride and hike on the cross-country and biathlon trails, use the biathlon target range, ride wheeled bobsleds and luges, and tour the Complex. It is maintained as a sports facility meeting international standards under developed and competitive conditions.

The facility includes approximately 50 km of cross-country ski trails, three lodges, independent bobsled and luge runs, a biathlon target range and a cross-country ski school program.

The primary motivation behind this UMP is to increase the safety and experience of competitive athletes and recreational users and to maintain the facility as a quality training, conditioning and racing sports complex meeting current international Olympic standards, consistent with Article XIV and the SLMP.

The following specific objectives have been identified for the updated UMP:

1. ORDA will continue to manage the Olympic Sports Complex in an environmentally responsible fashion by complying with all applicable rules and regulations and by maintaining an on-going dialogue with the DEC and APA on matters of environmental concern.
2. ORDA will seek to improve the quality of facilities at the Complex in order to continue to attract competitive and recreational athletes from New York State, the United States and the international sports community, in order that public use may better help promote the economy of the area.
3. ORDA will seek to develop new summer and other off-season events to provide greater year-round use of the facility by the public, consistent with Article XIV and the SLMP.
4. ORDA management will seek to establish annual budgets and schedules in support of the proposed capital improvements plan and other management objectives.
5. ORDA will seek to improve equipment reliability in order to reduce the frequency of breakdown, associated staffing requirements and consequent financial drain.

6. ORDA will seek to establish the Olympic Sports Complex as an international caliber facility for competitive events in bobsled, luge, biathlon and cross-country skiing.

The development of the UMP follows a logical sequence which includes an inventory of existing conditions, an analysis of potential improvements, and the creation of the proposed plan which is the subject of this UMP.

The improvements identified in the UMP are proposed to be accomplished in five phases over the next five years. ORDA recognizes that implementation may take longer for a variety of reasons.

Throughout the course of the five phases, progress evaluations will be conducted annually, work compared with the goals and objectives, and the project refocused as deemed necessary by the Olympic Sports Complex and ORDA. The results of this annual review will be a budget for the next phase of work that can be taken to the appropriate agencies for approval prior to the beginning of the work period.

The implementation of the proposed UMP is governed by a variety of laws and regulations. Article XIV of the State Constitution governs the management of forest preserve land in the Adirondack Park. The proposed UMP actions will be conducted in accordance with the provisions of Article XIV which limits the clearing and creation of development deemed to be incompatible with the use and preservation of the Forest Preserve.

During the preparation of this Final Generic Environmental Impact Statement, it became clear that the State Constitution Article XIV issues related to the project need to be resolved before certain desirable management actions can be implemented. Each of the proposed management actions has been specified either as those actions which can occur when the UMP is approved and adopted, or those actions which can occur pending resolution of the Article XIV issues.

With regard to Article XIV, it is clear that the New York State Constitution needs to be amended to include specific provision for the facilities at the Complex, including the ski trails, lodges and appurtenances thereto.

As well, in the time period between the close of the comment period to date, the list of management actions has been modified and no longer includes night lighting on ski trails, development of a telemark trail, cross-country stadium widening, a new wax test area, or a new biathlon target range in proximity to the current cross-country stadium.

The following improvements and upgrades are proposed in this UMP/GEIS.

Management Actions which can take place when UMP is approved and adopted:

Trails

- Maintain cross-country and biathlon ski trails to applicable International Ski Federation (FIS) and International Biathlon Union (IBU) standards
- Continue trail homologation (international standardization)
- In kind replacement of bridges on ski trails
- Construct mini-stadium bridge to increase safety at high speed trail intersection
- Create a longer straightaway at the start/finish at the current cross-country stadium and relocate timing building
- Upgrade trail signage and trail maps

Bobsled/Luge Run

- Construct new combined bobsled/luge track

Biathlon Course Amenities

- Purchase portable scoreboard

Lodges

- Rehabilitate the biathlon lodge as a recreational lodge (includes outside deck and landscaping)

Parking

- Restructure the existing cross-country ski center parking lot to accommodate better traffic flow, drop-off area and parking pods
- Restructure the existing biathlon lodge parking area to improve traffic flow, accommodate parking spaces, and provide overflow parking
- Restructure the existing access to the bobsled/luge area by creating a loop road with a vehicle drop-off zone

Miscellaneous

- Purchase additional grooming equipment
- Maintain and replace security fencing
- Maintain grounds and physical plant (two buildings need roof work, one needs a boiler)
- Replace bridge at existing pump station and replace weir as required by DEC and described in UMP
- Develop and schedule off-season events such as horse shows and festivals
- Replace wooden snow fencing on trails

Management Actions Pending Article XIV Resolution:

Trails

- Create three connector trails
- Widen trails north of the access road
- Construct a snowmaking system on 7.3 +/- km of ski trails. This includes building a reservoir, a building to house pumps and air compressors and controls, installing a transformer, adding a pump at the existing pump station where bobsled run icing water is currently withdrawn, installing water and air piping with snowmaking gun hydrants and power to run the guns along the trails where snowmaking is planned
- Replace two ski tunnels under the access road
- Construct a destination hut (unheated and unmanned) on the Porter Mountain loop

Lodges

- Build new racer's facility/training center in a location with better drainage to replace the cross-country lodge
- Relocate wax test area to be adjacent to new racer's facility if necessary

Parking

- Pave parking fields with high rate of use
- Pave loop road to bobsled/luge area

- Construct trailhead parking area in conjunction with DEC and DOT

Miscellaneous

- Construct a pole barn for equipment storage

In addition to those above, the improvements identified in the 1986 Unit Management Plan, which remains in effect today, are still valid. Certain of the improvements in the 1986 UMP have been modified and updated in this UMP, while others have been deferred. Many improvements identified in the 1986 UMP have been constructed, while others are under construction. They are identified as part of the five year update, and are noted as already approved in the 1986 UMP. These include land acquisition, scheduling of summer programs, annual review and appropriate modification of facilities with respect to established safety standards, and maintenance of the facility. The status of actions in the 1986 UMP is summarized in Table 1-1, "Status of 1986 UMP, As Amended, Management Actions."

Draft Generic Environmental Impact Statement (DGEIS) Table 5-1, "Summary of Vegetation Impacts," has been updated to reflect the updated list of proposed management actions and is enclosed herein.

The final design for the combined bobsled/luge run is also provided, as well as more specific information regarding the construction phasing plan relative to the specific components of this project.

The SLMP classifies State lands in the Forest Preserve according to their character and capacity to withstand use and sets forth general guidelines and criteria for the management and use of State lands. The SLMP classifies the Olympic Sports Complex as an Intensive Use Area. Intensive Use Areas are provided to allow for a significant number of visitors and a high level of use. The SLMP contains a number of management guidelines, including a recommendation that the Olympic Sports Complex "should be maintained as a year-round sports facility meeting international standards for such sports as bobsled, luge, biathlon and cross-country skiing on improved cross-country ski trails under developed, competitive conditions."

The following potential impacts have been identified from the actions proposed in the UMP.

Vegetation

The trail maintenance, construction of three connector trails, straightaway lengthening at the cross-country stadium and construction of other improvements such as a snowmaking water reservoir will result in the cutting of trees. Approximately 474 trees will be cut as a result of the plan. All vegetative cutting will be conducted in compliance with DEC tree cutting policies and State Constitution Article XIV.

Water and Wetland Resources

An attempt has been made to avoid on-site wetlands in the planning and design of the proposed improvements to the existing facilities. However, some proposed improvements will affect wetlands which are subject to federal regulation enforced by the US Army Corps of Engineers (ACOE), and possibly subject to state wetland regulations administered by the Adirondack Park Agency.

It should be possible to accomplish all of the necessary improvements under authorization of several of the general permits administered by the ACOE which are known as "nationwide permits." In performing the proposed work, ORDA will comply with the general conditions for nationwide permits. A jurisdictional determination will take place to determine if any of the activities will take place within state-regulated wetlands.

The proposed water withdrawal for the snowmaking system will not have a significant impact on North Meadow Brook or downgradient surface water resources. Optimum stream flow conditions will be maintained.

Soils

Construction of improvements on the Complex has the potential to result in soil erosion. Several measures are identified in the DGEIS to mitigate this impact.

Visual Resources

The proposed improvements will not have a significant impact on existing vantage points from which views of the Olympic Sports Complex exist. No new vantage points are created by development of the proposed management actions.

Fish and Wildlife

No rare, threatened or endangered species will be affected by the project. Fish in North Meadow Brook will not be affected because the volume of water which will be withdrawn for snowmaking is too small to have a significant impact on flows.

Transportation

The proposed improvements will not result in a significant impact on transportation resources.

Community Services

There will be some increase in demand for community services such as fire, police, rescue, solid waste and health care. However, the Complex presently makes very little demand on such services and the increase in such demand is anticipated to be small.

Local Land Use Plans

The proposed actions identified in the UMP are consistent with local planning documents such as the Town of North Elba Local Land Use Code and the Comprehensive Land Use Plan for the Town of North Elba and the Village of Lake Placid. The Comprehensive Land Use Plan has been revised and includes a discussion of ways to make the region a year-round destination, which is also one of the goals of this UMP.

Economics

Actions identified in the proposed UMP will have positive economic impacts through direct construction purchases, payroll and through new hires. In addition, competitors, recreators and spectators drawn to the Olympic Sports Complex will spend money. All such spending will be positively multiplied throughout the community.

Growth Inducing, Secondary and Cumulative Impacts

The proposed UMP is likely to allow the facility to serve the community and continue to stabilize growth in the lodging, housing, restaurant and retail sectors. However, it is anticipated that the proposed UMP will encourage and strengthen more consistent year-round attendance at the Olympic Sports Complex, with attendant consistent year-round use of existing regional lodging, eating and retail establishments. Similarly, the cumulative impacts of all ORDA facilities has been considered which indicates that ORDA has a significant positive economic impact on the Adirondack North Country Region and to the State of New York. In 1994, the direct impact was \$69.5 million, the secondary impact was \$3.4 million and another \$65.9 million was induced as these dollars cycled through the economy.

Alternatives

The UMP and DGEIS considers the alternative of limiting lighting and snowmaking, the elimination of the proposal to pave key parking areas, and the elimination of additional land acquisition or acquiring land by eminent domain. Additionally, alternative designs of the combined bobsled/luge track and alternatives to retaining the existing bobsled run are considered, as is the "no action" alternative.

The UMP and GEIS have been subjected to a public comment period, including a public hearing. The Draft Generic Environmental Impact Statement was declared complete for public review on July 26, 1996. The public hearing was held on August 26, 1996. The comment period was closed on September 9, 1996. This Final Generic Environmental Impact Statement was prepared in response to comments on the DGEIS. The FGEIS was found to be complete by the lead agency on December 14, 1998.

Table Of Contents

Cover Page
Executive Summary
Table of Contents

SECTION 1.0 COMMENTS ON THE UMP/DGEIS

- 1.01 Public Hearing Transcript - August 26, 1996
- 1.02 David H. Gibson, The Association for the Protection
 of the Adirondacks, Letter of August 26, 1996
- 1.03 Ron Rossi, United States Luge Association, Letter
 of August 28, 1996
- 1.04 Michael G. DiNunzio, The Adirondack Council,
 Letter of September 5, 1996
- 1.05 Neil F. Woodworth and John W. Caffry, Adirondack
 Mountain Club, Letter of September 6, 1996
- 1.06 Peter Bauer, Residents' Committee to Protect the Adirondacks,
 Letter of September 9, 1996
- 1.07 LTC. Donald L. Dew USA (RET), Lake Placid Adaptive
 Sports, Inc., Letter of September 9, 1996
- 1.08 John Stouffer, Sierra Club - Atlantic Chapter and Eric Siy,
 Environmental Advocates, Letter of September 9, 1996

Section 2.0 SUMMARY OF SUBSTANTIVE COMMENTS AND RESPONSE TO COMMENTS

- 2.01 Project Purpose and Need
- 2.02 Ski Tunnel
- 2.03 Stadium Widening
- 2.04 Trail Dividers
- 2.05 Warming Hut
- 2.06 Land Acquisition
- 2.07 Trailhead Parking

2.08 Lighted Ski Trails

2.09 Marketing

2.10 Alternatives

2.11 Regulatory Issues

2.12 Miscellaneous

SECTION 3.0 ERRATA

STATE OF NEW YORK

COUNTY OF ESSEX

IN THE MATTER OF A PUBLIC HEARING CONCERNING
UNIT MANAGEMENT PLAN UPDATE AND AMENDMENT AND
DRAFT GENERIC ENVIRONMENTAL IMPACT,
OLYMPIC SPORTS COMPLEX AT
MOUNT VAN HOEVENBERG

TRANSCRIPT OF PROCEEDINGS in the
above-entitled matter, held at the Olympic Regional
Development Authority, Olympic Center, Lake Placid,
New York, on August 26, 1996, commencing at 7:05 p.m.

ORIGINAL

APPEARANCES:

FOR OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

RICHARD A. PERSICO, ESQ.
BARTLETT, PONTIFF, STEWART &
RHODES, P.C.
53 Main Street
Lake Placid, New York 12946
Telephone: (518) 523-2202

Also Present:

Ted Blazer, CEO/President
Olympic Regional Development Authority

Dave Magurk, Engineer
Olympic Regional Development Authority

Tom Colby, General Manager
Olympic Sports Complex at
Mount Van Hoevenberg

Holly Elmer
The L.A. Group, P.C.

1 MR. BLAZER: Good evening. I'd
2 like to welcome you all to the public hearing on
3 the Mount Van Hoevenberg Management Plan.

4 I'd just like to run down the
5 table and welcome -- with us is Dave Magurk, our
6 engineer, Holly Elmer with the L.A. Group, Tom
7 Colby, who is the general manager at Mount Van
8 Hoevenberg, and Richard Persico, who is our
9 counsel, who will be actually administering
10 tonight's proceedings.

11 And we'll kind of go through a
12 little bit of the game plan and how we conduct
13 ourselves this evening as we go through the
14 process.

15 The last time we had a meeting a
16 couple of months ago, at the scoping session,
17 there were some good comments that came out and
18 some written comments. We certainly appreciate
19 those. And in many cases, we've incorporated
20 some of -- some of the suggestions into the
21 plan.

22 As we go through tonight, if
23 there are any answers that we can make clear and

1 concise without being too elaborate, we will do
2 that. Otherwise, we will accept them as public
3 comment and address them accordingly. So
4 without further ado, Dick Persico.

5 MR. PERSICO: And thank you,
6 Teddy, and thank you for your attendance this
7 evening.

8 The purpose of the evening is to
9 conduct a public hearing on the draft of the
10 revised Unit Management Plan and the
11 accompanying draft environmental impact
12 statement for the Mount Van Hoevenberg
13 improvements proposed by the Olympic Regional
14 Development Authority. And this has been an
15 ongoing process now for several months.

16 I believe in this room, a few
17 months ago we held our first scoping session in
18 order to identify what the public considered to
19 be the public issues or environmental issues and
20 concerns with the project.

21 And the plans, as they evolved,
22 many of these thoughts have been incorporated
23 into this draft, as will be the consideration of

1 any comments we hear this evening from the
2 public. And that's our purpose tonight, is to
3 hear from the public.

4 It's not really our show. It's
5 your opportunity to ask any questions that you
6 have, or to give your positions relative to the
7 draft document.

8 And I believe September 9 is --
9 this public hearing is a part of the thirty day
10 public comment period that ORDA is required to
11 do, as a state agency, under law, that being the
12 State Environmental Quality Review Act, under
13 which an environmental impact statement has been
14 prepared in draft form for this evening. And
15 the public has, by law, thirty days comment
16 period.

17 We're into that comment period,
18 and that will end on September 9, 1996, and this
19 hearing will be a part of the comment record.

20 ORDA will be obligated, when
21 they finalize the draft impact statement into
22 its final environmental impact statement, to
23 respond to each and every substantive comment

1 that it receives. Comments will be stated and
2 the responses by ORDA will be presented in the
3 final document.

4 That isn't to say that every
5 comment will result in a positive change in this
6 draft document, but if it's not going to be
7 changed, the reasons why it won't be will be
8 explained in the document. And that's the
9 process we're into.

10 And let me just state for a
11 minute as to the procedures this evening as in
12 the past. We have a court stenographer present,
13 who will be making a verbatim record and account
14 of this evening's proceedings. So we would
15 appreciate -- we only have indicated here, so
16 far, three speakers.

17 Is there anyone who is here now
18 that hasn't indicated -- signed in or indicated
19 that they wish -- Ed Finnerty. Okay. I'll make
20 a note of that.

21 So we now have four speakers.
22 We'll take them in the order that you arrived in
23 and signed up in.

1 And we would appreciate it -- I
2 know the stenographer will, if you would --
3 before you make your comments, if you would
4 introduce yourself and your association in
5 connection with tonight's event.

6 So, with that -- Holly, do you
7 have any comments that you wish to make about
8 the document?

9 MS. ELMER: Not really. The
10 biggest change since we wrote the draft was
11 taking out the proposal to pave trails.
12 Everything else has been incorporated.

13 As we're working on the draft
14 U.M.P., the application for the bobsled run has
15 been proceeding, the design itself, which will
16 sort of piggy-back this document.

17 When this is completed, then
18 that application will be submitted.

19 MR. JENKINS: Say that again?

20 MS. ELMER: We're working on a
21 specific design for the new bobsled-luge run,
22 and that's a specific project that's much larger
23 than this master plan.

1 MR. JENKINS: Right.

2 MS. ELMER: This will discuss
3 the larger impacts of the bobsled-luge run, and
4 that will be a specific application to the
5 A.P.A.

6 MR. KUDZMA: What was the
7 principle reason for removing the paved trails?
8 Tom Kudzma, K-U-D-Z-M-A.

9 I'm just asking to information
10 as to the principle reason for removing the
11 paved trails?

12 MS. ELMER: It didn't seem to be
13 one of the major -- major purposes of the
14 document at the time.

15 The purpose of the U.M.P. is to
16 bring the whole center up to standards, for
17 racing standards and for recreational skiers
18 also.

19 MR. KUDZMA: Are they going to
20 pursue that? Are they going to be pursued in
21 the future?

22 MS. ELMER: Not at this time.

23 MR. KUDZMA: In other words, you

1 do not anticipate that they will be built.

2 MS. ELMER: That's right. Not
3 at this time.

4 MR. JENKINS: How long is
5 this -- Jon Jenkins. How long is this document
6 that -- could you -- is it the whole book?

7 MR. PERSICO: Yeah. It's been
8 out now -- since when Holly?

9 MS. ELMER: This issue was
10 completed on July 26th.

11 MR. PERSICO: We've had it a
12 various locations in the town. At ORDA, in my
13 office, the library. It's been available.

14 And you're our first speaker.

15 MR. JENKINS: Okay. My name is
16 Jon Jenkins and I am speaking as the longest
17 tenured international luge judge, as the
18 bobsledders used to say, in the western
19 hemisphere.

20 I've been a resident here for
21 twenty years, and I've been equally involved in
22 sports, especially luge, but also ski jumping
23 and speed skating and wherever they needed a

1 warm body.

2 This is my own dumb theory.

3 When Salt Lake City has their Olympics, they
4 will be the new winter sports capital in North
5 America, and we will be desperately clinging to
6 whatever's left here.

7 If Mount Van Hoevenberg doesn't
8 have a ski trail that's good enough for
9 international competition, then who the hell
10 cares about some little dinky ski trail?

11 If they don't have a luge run
12 that's certified for international luge
13 competition, then the hell with it. Just put
14 little dibs on their flexible flyers out there.

15 The Bobsled Federation, I can't
16 speak for them. They're -- but didn't they say
17 they were going to go to Salt Lake City?

18 They're a pretty volatile group.
19 They might still go there.

20 If you remember somebody asking
21 the village if they could build a little
22 building down here, and they would donate the
23 building, other than July and August, to the

1 children of the city -- of the village to use as
2 a children's center. Two or three people
3 stopped that, and they were shore owners.

4 Did they have the right to do
5 that? Because now the kayak committee is in San
6 Diego and they're not coming back. They have an
7 east coast thing for -- and that was that.

8 Is -- is the luge group going to
9 leave when they get a brand new facility? I
10 don't know. If they do, I might go with them.

11 Is the bobsledder? They're -- I
12 don't know what they're going to do. What about
13 the cross country skiers?

14 We've got a -- we've got this
15 huge building over here, housing and feeding the
16 best athletes, the best winter athletes in the
17 world, and what's going to happen to that, if
18 all the lugers are in Salt Lake City, because
19 this track isn't good enough? Because all the
20 biathletes are in Vermont and because all the
21 cross country skiers are somewhere else.

22 This village is -- is going to
23 be hurt severely. You better think, everybody,

1 real hard about that. Because we're going to be
2 in bad shape if that happens.

3 That means a few less tourists
4 come here, a few less in the summer. People
5 going to Salt Lake City instead of coming here.
6 You might think, oh, a few athletes, what's
7 that? They're all up here spending their money.

8 I am not a rich shop owner,
9 although my wife does own a shop. Between the
10 two of us, we have five jobs trying to make a
11 living here, and one was housing athletes.

12 What happens if we don't have
13 athletes, then what the hell are she and I going
14 to do? Find another job? I don't think so.

15 You got to think real long and
16 real hard about this, and if the luge proposal
17 isn't in this document, then the document's
18 incomplete, because there's two sports that are
19 depending on that run here.

20 Money is tight, God knows
21 money's tight. The damned legislature ran a
22 hundred days or so over. How are we going to
23 ask them for how many millions to build the luge

1 run?

2 If we don't have it -- the
3 lugers occupy more space in the Olympic Training
4 Center than any other sport.

5 Boom. They're in Salt Lake.
6 Think about it. This whole thing has to be -- I
7 don't know where the money's coming from, but
8 it's pretty desperate straits. Thank you.

9 MR. PERSICO: Thank you, Jon.
10 Now we'll hear from the shop owner.

11 MRS. JENKINS: My husband has
12 already touched on everything I wanted to say.
13 Leave me until last. I may think of something.

14 MR. PERSICO: I can't believe
15 he's said everything you've had on your mind.

16 MRS. JENKINS: I may still think
17 of something.

18 MR. PERSICO: Okay. We'll keep
19 it open for you.

20 MRS. JENKINS: Thank you.

21 MR. PERSICO: Okay. Jack Shea.

22 MR. SHEA: Yes. I'm Jack Shea,
23 S-H-E-A. I'm connected with -- I'm connected

1 with ORDA. Also I've been connected with local
2 government here for some twenty-six years.

3 I want to say that I agree, word
4 for word, and I can add something to it about --
5 the gentleman that has just spoken.

6 I'm not so sure that this
7 gathering here tonight is the gathering that
8 should make a decision on what ORDA has so ably
9 stated in the near past by Ted Blazer, that the
10 Olympic Regional Development Authority in this
11 community, in order to become as we have in the
12 past and in the future, one of the leading
13 sports centers in the world.

14 We've really got to come up to
15 what the standard is today, and what he has said
16 about the Mount Van Hoevenberg area and the bob
17 run and the ski trails out there. They are in
18 bad condition.

19 They need -- they need new
20 equipment. We need a combined bob run-luge
21 facility here.

22 It's so unfortunate that in 1980
23 when we, on the executive committee, wanted so

1 bad to build a combined run that -- it may have
2 been the federation, it may have been the
3 International Olympic Committee, but they
4 wouldn't allow to us to construct that, what
5 today seems to be so necessary.

6 Really what I have to say here
7 now is that -- a few questions about what I read
8 in the paper. Unfortunately, I have not had
9 seen a copy of this to read it through, but I
10 did read in the paper all about it.

11 First, I am, you might say, a
12 little bit upset, because I thought that this
13 unit management plan here was for Mount Van
14 Hoevenberg. And I find in there that there's a
15 suggestion that a parking lot be situated for
16 the purposes of Cascade Trail and Pitch Off and
17 Porter Mountain. And I'll been damned if I can
18 see why this should be in there -- that area out
19 there.

20 In order to put a parking lot on
21 state property, they have to cross the ski
22 trails. They have to -- to do some big
23 machinery work.

1 And in that area there, there is
2 a catch pond. There's two or three streams that
3 run in there out of wetland, and I just -- I
4 just can't see why that should be put in there,
5 and why the -- it should be put in there that
6 somebody that has known that land for years,
7 because our family happened to own that land
8 before it was taken away from us by the state of
9 New York, that I happen to know what it is in
10 the springtime, what it is in the summer and
11 what it is in the fall. And it would just seem
12 to me that it doesn't belong there at all.

13 We don't need a parking lot out
14 there. If a parking lot is put out there, it's
15 just an invitation for trespassers to come out
16 and use those ski trails without -- without
17 paying.

18 And another note I'd like to
19 make is that in regard to this lighted ski
20 trail. I have no objection to this seven and a
21 half meters of lighted ski trail. I think
22 probably it's a very good idea.

23 But I hope that it would be

1 situated around that part of the Mount Van
2 Hoevenberg area that is already used by the
3 public, so that it doesn't go out too far into
4 the wilderness land and disturb the wildlife,
5 which it is likely to do.

6 It just seems to me that it
7 could be done that way, and I think probably
8 that that's just what should be done. That it
9 would be around in the stadium, in that area
10 where it would be convenient for people to -- to
11 ski and get back to the warming area.

12 And when I mention warming area,
13 I notice in there that you speak about the
14 construction of a warming hut on the Porter
15 Loop. Well, I -- this -- this scares me,
16 because a warming hut can mean almost anything.

17 It can mean that it's -- it
18 could be used in that vicinity where the
19 telephone shack is now at the highest point of
20 the -- of the Porter Loop.

21 Should that become a warming --
22 warming hut, there's the possibility that it
23 could be used by a concessionaire or it's -- it

1 would just seem to me that in the -- in the
2 wilderness of that area, that it would
3 completely change it.

4 And if a hut has got to be put
5 there and -- a telephone hut is very, very
6 important, and -- I think for the last few years
7 the -- the telephone has not been there, but I'd
8 rather see this hut put there, if it's going to
9 be put there, labeled as a first aid hut. So
10 that if something is considered that is really
11 out of line for the use of the Mount Van
12 Hoevenberg Ski Trails, that you have an argument
13 that this is for first aid and not for
14 commercial purposes.

15 I have one more suggestion --
16 two -- two more.

17 You speak in here about three
18 cross trails that is -- they're not explained.
19 And probably when I sit down, this can be
20 explained to me as to where -- where they are.

21 It brings to mind, if possibly
22 it might be connected -- I think we all know
23 that between the Porter Loop and the stadium,

1 there is an area of property there that's
2 privately owned.

3 And I'm surprised that, in this
4 unit manager plan, that something isn't said in
5 there about some time in the future the Olympic
6 Regional Development Authority, for the purposes
7 of the togetherness of all of their trails, that
8 that acreage actually -- if they take the
9 acreage away from the Sheas and they leave a
10 piece of private property right in the middle,
11 it just doesn't make much sense to me, because
12 the owners of private property could, in the
13 future, change their ideas as to whether or not
14 they would continue to allow the Olympic
15 Regional Development Authority of the state to
16 take this.

17 It just seems to me that this
18 property should belong to the state of New York,
19 and ORDA could not purchase this, because it's
20 the property of the state of New York.

21 But because it's so important to
22 the ski trails, it -- I think that it should be
23 a part of the plan that, in the future,

1 something should be done to see if this property
2 could not become the property of -- the part of
3 the estate of the organization where they're
4 running these ski trails, whether it's the state
5 of New York or ORDA.

6 At the present time, ORDA has an
7 agreement that -- when this was made, it was for
8 twenty years. But that will be up.

9 I think that this is -- I can't
10 understand why, really, this wasn't approached
11 in this, because I think it's so important that
12 that piece of property out there should go with
13 the rest of this property.

14 And I understand that there's
15 property rights here, and the people that have
16 owned this property -- it's beautiful hard
17 wood -- may not want to get rid of it.

18 But it just seems to me that,
19 provided it's done in the proper way by
20 purchase, that it -- it could be done without
21 causing a lot of hard feelings.

22 And certainly I don't recommend
23 the appropriation or the taking of the land, and

1 that phase of the state doing that, I think has
2 been completely past.

3 I have read the -- the rest of
4 the -- what was in the paper, and I'm very
5 pleased to see that the committee seems to be
6 facing the problem that we have with the luge
7 and the bobsled run and with the ski trails.

8 And I would hope that, in regard
9 to the luge and the bobsled, that that is done
10 expeditiously, because it is very, very
11 important for the future of Lake Placid and for
12 the future of the two sports.

13 And that's all I've got to say.
14 I appreciate very much the opportunity to come
15 here, and I hope that these things may be looked
16 at, especially this property that comes between
17 the -- the property that was purchased from the
18 Sheas and the stadium. That private property
19 right in the middle, because it's a -- could be
20 a problem in the future.

21 MR. PERSICO: Thanks, Jack.

22 MR. JENKINS: I have a
23 question --.

1 MS. ELMER: I think I'd like to
2 respond to that. I'd like to respond to Mr.
3 Shea's questions.

4 The land acquisition is part of
5 the master plan. It was in the '87 U.M.P., and
6 it's also included in this document. It is the
7 intent of the state to buy it.

8 I think you're referring to
9 right in here (indicating). That's the Shea
10 property here (indicating), and the stadium is
11 here (indicating) --

12 MR. SHEA: Right.

13 MS. ELMER: -- and it's the land
14 right in here (indicating) that we're about to
15 acquire. If it became available that -- that
16 is -- that is an acquisition that we would like
17 to make. It would make sense, just as you said.

18 MR. SHEA: I'd like to --.

19 MS. ELMER: These show the
20 connector trails too that you mentioned.

21 MR. SHEA: Yes. Yes.

22 MS. ELMER: One of the older
23 roads that leads to the pump house right here

1 (indicating), it's just a matter of clearing
2 some brush.

3 Another one is -- is down
4 through here (indicating), and it would make it
5 easier for these (indicating) slopes. The other
6 is to connect these farther out trails over a
7 ridge line to these trails (indicating).

8 This would be hand-laid out in
9 the field.

10 MR. SHEA: I thought, perhaps,
11 one of those trails might have been where -- the
12 Eldridge commemorate sign is up here
13 (indicating), but from there over to the -- the
14 line, it's not too far.

15 I thought perhaps for safety
16 sake, on account of this problem, there might be
17 a trail or two on the state land down this way
18 (indicating).

19 MS. ELMER: That would be up
20 here (indicating). I think that if they ever
21 did inquire the property, it would be easier to
22 do that.

23 At this point, I don't think

1 they want to build any more trails on private
2 lands.

3 MR. SHEA: I thought perhaps
4 from this high point (indicating).

5 MS. ELMER: Here's the -- here's
6 the access road (indicating).

7 MR. SHEA: Yeah.

8 MS. ELMER: That would be
9 desirable. Also, this property (indicating)
10 butts against a High Peaks, and we know there's
11 parking problems for these trail heads. And
12 they're working together.

13 This plan, you know, reaches
14 into the High Peaks. It's part of this other
15 property (indicating). You know, it butts up
16 against these trail heads and there's a very
17 steep ravine right in here (indicating), and
18 there's some real safety problems. So it's just
19 being investigated.

20 We haven't even picked a spot
21 really, and we'll be working with D.E.C. and
22 ORDA to try and work something out.

23 I know they'll consider the idea

1 that people who park there may -- may use the
2 ski trails. That will be taken into
3 consideration.

4 MR. SHEA: There's more
5 appropriate land right across the -- just up the
6 road and across the road a little way. I don't
7 think that's state property.

8 MS. ELMER: Well, that's the
9 whole thing. It needs to be looked at really to
10 help them, the safety of those trail heads, and
11 if we can help out, we would. It's just still
12 in the discussion stage with D.E.C.

13 MR. SHEA: Thank you.

14 MR. PERSICO: Ed Finnerty.

15 MR. FINNERTY: Thanks, Dick. My
16 name is Ed Finnerty, F-I-N-N-E-R-T-Y. I'm
17 speaking as a private citizen, but just for
18 reference purposes, I am chairman of the Cross
19 Country Committee of U.S. Skiing, which is the
20 N.G.B. for skiing in this country as well as
21 chairman of the Cross Country Committee of the
22 New York Ski Education Foundation.

23 I had an opportunity to speak at

1 the hearing earlier in March, and expressed my
2 views at that time about a number of subjects.

3 Since then, I've had the
4 opportunity to sit down with Tom Colby and his
5 staff, and Holly Elmer, and they have, in an
6 attempt to gain more information, I have
7 discussed a lot of my concerns, many of which
8 have been addressed in here.

9 And I certainly want to express
10 my appreciation for that, to the Olympic
11 Authority and to Holly. We certainly desire to
12 have an ongoing dialogue.

13 I do want to emphasize a couple
14 of things, however. There's a reference
15 throughout the document to homologating the
16 trails, which is a technical term for bringing
17 them up to international standards.

18 And I just want to emphasize,
19 and -- and perhaps I'm not -- I'm not reading
20 the document broadly enough, that we need to
21 take a broad and -- and long-term view of this.

22 In 1994, when Bob Fries and Ray
23 Pratt secured a World Cup bid, the process was

1 started to homologate two trails. And one of
2 your appendices includes the letter from the
3 homologater (phonetic spelling) and his
4 reactions.

5 That process has not been
6 completed according to this. And I think you
7 have an opportunity -- as he points out, you
8 should homologate as many conceivable trails as
9 possible.

10 He suggests 5-K trails would be
11 appropriate for relay, for pursuit purposes, for
12 shorter races.

13 I don't think we should tie
14 ourselves to homologating trails for races that
15 we have, in fact, lost. That we didn't get. We
16 had to do it back for '96.

17 So I would urge you to look, in
18 a broad sense, when you talk about homologating
19 trails. Let's do as many as we can --
20 conceivably can.

21 Another minor point, throughout
22 the document there's talk about replacing some
23 fencing with some flexible plastic orange

1 construction fence.

2 Another safety concern, I would
3 hope that something more appropriate than orange
4 safety fence, which isn't terribly eye
5 appealing, could -- could be substituted.

6 There's reference to when D.O.T.
7 comes in to redo the highway, replacing the
8 underpasses, which I fully support.

9 I would just hope that, in
10 talking about the new construction, as Tom Colby
11 brings on some equipment out there, that we
12 think far enough ahead to conceive how big those
13 underpasses have to be so the equipment can go
14 through there.

15 Obviously, in the wintertime,
16 when there may be six inches, ten inches, a foot
17 of snow, you lose some height, and you want to
18 make sure you can get your machinery, obviously,
19 through the underpass, because if you're going
20 to use them, as Greg knows, the -- they have to
21 be groomed identically to the rest of the
22 trails, so you can't use different equipment to
23 groom the underpasses.

1 There's also a reference -- and
2 I may not have understood it exactly -- about
3 widening the stadium.

4 It indicated that -- and I was
5 looking for it, and I can't find the page --
6 that perhaps the stadium may be widened and the
7 building not actually moved until two or three
8 years later. And I can find that exact
9 reference if -- if I need to.

10 MS. ELMER: Yeah. That's pretty
11 much a budget driven --.

12 MR. FINNERTY: Yeah. I would
13 hope that that doesn't happen. I realize much
14 of the document is budget driven.

15 I think it would look somewhat
16 unusual to begin with. And -- and frankly, you
17 don't buy yourself any greater -- as I can
18 conceive of it, any greater race capability with
19 that building kind of sitting as an island in an
20 increased state. I would hope that -- that
21 could be done as a -- as a one-shot process.

22 And then there's a reference --
23 and then maybe kind of end on it -- as to the

1 things hanging over from 1986, and something
2 caught my eye as I was rereading this document
3 today.

4 And it talks about, just
5 generally, maintenance and operation of the
6 facility. And there's a sentence that says
7 that, "gradual decrease in New York State
8 appropriations for the operation of the Olympic
9 venue is possible as earned revenues increase."
10 And obviously, I know Ted would like to make the
11 Authority self-sufficient.

12 But it does go on to say,
13 "Increased revenues are expected from ORDA
14 marketing efforts." And I would really
15 underscore that.

16 I hope -- and I know this is
17 somewhat beyond the scope of this document, but
18 the Olympic Authority will initiate a legitimate
19 marketing campaign for the entire facility. But
20 particularly where I'm interested is the ski
21 aspects, and perhaps for the first time in the
22 history of the Authority, actually market the
23 facility and the sport.

1 It's not marketed now, and I
2 don't think anyone would argue that it is.
3 Because, perhaps to me, the most telling
4 statistic in the entire document is one that
5 appears back on page thirty -- thirty-four, kind
6 of the introduction of the document, kind of
7 some throw-away statistics, but -- thirty-five,
8 excuse me.

9 If I read the document
10 correctly, in the last ten years skier visits,
11 or some people refer to them as skiers days,
12 have decreased by seventy percent at that
13 facility, from a high of over twenty-four
14 thousand in '87-88, to seventy-six hundred in
15 '94-95.

16 Now, there's some commentary
17 here that says that some of that is weather
18 driven, and that -- that may be true. Obviously
19 we had some poor winters.

20 But you don't lose seventy
21 percent of your business and -- and feel
22 particularly good about.

23 So I think it's important to

1 market the facility, market the sport.

2 I study statistics sometimes,
3 and -- and it's my understanding that -- from
4 reading the industry information -- that if you
5 take snow boarding out of the Alpine statistics,
6 that actually Alpine skier visits, over the last
7 five years, have either been flat or decreased
8 or increased, depending on which study, by a
9 maximum of three percent. They haven't gone up
10 by more than three percent.

11 Whereas if you compared that to
12 Nordic or cross country skiing over the same
13 period of time, the increase in skier visits
14 has -- has gone up anywhere from -- again,
15 depending on the study, fifteen percent to
16 thirty, even -- even higher percent.

17 So what this tells me is that
18 your facility is trending against the industry.
19 Skier visits going up in most places, you lost
20 seventy percent of your business.

21 And I don't think that -- you
22 know, that that should be ignored. I would hope
23 that in implementing this plan -- and again, I

1 realize it's all budget driven -- that you will
2 bring the same sense of seriousness and the same
3 sense of purpose to this as you do to what you
4 plan at Whiteface.

5 It's somewhat telling to me,
6 when the document was prepared and I came to the
7 hearings on the Whiteface plan, that in addition
8 to the L.A. Group input and other consultants at
9 Whiteface, you also brought in a firm like Snow
10 Engineering, you know, that you recognize as an
11 expert in the industry, to tell you -- or help
12 to tell you what the industry was looking for,
13 what consumers are looking for, and I see it's
14 significant here that you didn't do that for the
15 cross country skiing.

16 You've got experienced staff,
17 you've got some people in town who may, like me,
18 think I know what I'm talking about, but most of
19 the time I probably don't.

20 There are experts out there.
21 Right now, as I indicated before, I'm part of
22 the group that's going to pick a designer to do
23 the venue at Park City.

1 We've got a stack of resumes and
2 proposals. There's a lot of qualified people
3 out there. When we're talking about
4 reconfiguring trails, bringing it up to
5 international standards, redesigning stadiums
6 and -- and training centers, I think we need
7 to -- to, again, look in a broad scope, and
8 bring the same sense of purpose as we do to
9 Whiteface, and the same commitment, both
10 staff-wise, to market it, to run it, as well as
11 have the appropriate equipment as we do to the
12 other venues.

13 I think it can be a revenue
14 enhancer. May not make as much money as
15 Whiteface. I'm not that naive.

16 But we need to -- to reverse
17 that trend of going from twenty-four thousand
18 skier days to seventy-five hundred, whatever the
19 statistic was.

20 And again, I want to compliment
21 the work that Holly has done. She's -- you
22 know, she takes any information we give her.
23 Tom immediately brought his people to the table

1 to talk.

2 But we need to -- to really
3 commit to this facility. It has a tremendous
4 potential. We're not like bobsled and luge in
5 that -- with regard to skiing, we're not the
6 only venue in the country.

7 I've made this -- I've said this
8 before, when Park City comes online, the
9 international races have a nice circuit set up
10 between Calgary, Anchorage, Sun Valley and Park
11 City. They don't need to come here.

12 We need to give them a reason to
13 come here. We need to take the idea that we're
14 going to be best in the world, whether we get
15 the Olympics in 2022 or never.

16 There are other world
17 championships out there, the World Cups. We
18 have the ability to have the best venue in the
19 world, if we bring the commitment to it.

20 So I hope -- I hope that this
21 document isn't just being done to satisfy the
22 D.E.C. or some statutory requirement. That it
23 really indicates a desire to -- to implement a

1 plan that will lead to -- to an excellent
2 facility.

3 Holly, thank you. Tom, thank
4 you. Teddy and Greg and his staff, I appreciate
5 it.

6 MR. PERSICO: Thank you very
7 much.

8 MR. JENKINS: Can I -- can I ask
9 a question, please?

10 FROM THE FLOOR: The Mount Van
11 Hoevenberg --.

12 MR. JENKINS: Has anybody told
13 you that the Luge Federation will help you run
14 the track at no cost?

15 MR. COLBY: They did last
16 winter. Did it work out?

17 MR. JENKINS: I don't know.

18 MR. COLBY: Not necessarily.

19 MR. JENKINS: I don't know. But
20 every track in the world at least breaks even,
21 if not makes money.

22 It always bothered me that Ned
23 Harkness used to whine that they'd lose two

1 thousand -- two million dollars a year out
2 there, which I think was impossible. And it's
3 been proved out that he wasn't a man of his word
4 anyway.

5 But that notwithstanding, I
6 think that you can get together with the
7 Federation.

8 And do you not get paid for each
9 time a sled goes down the track? Would it be
10 advantageous to stay open to nine at night? You
11 have the lights. If it didn't cost you
12 anything?

13 MR. COLBY: Not with the luge.
14 We've got at least three meetings with the luge
15 and bob. We have changed our hours. We have
16 changed our manpower.

17 I think the luge understands our
18 problems. We certainly understand their's. We
19 met with Matt and his people. We understand
20 their problems too.

21 We switched our hours, days,
22 operating time for training and our passengers,
23 trying to make money, and that's going to be

1 changed starting in November.

2 Now, I can sit down with you
3 sometime and tell you what we've done, but it
4 would be a long, lengthy process for me to tell
5 you all the stuff that we've done to try and
6 accommodate luge and bobsled for this upcoming
7 year. We have done a lot of things.

8 MR. PERSICO: We have another
9 speaker, Ken Klauck.

10 MR. KLAUCK: Ken Klauck,
11 K-L-A-U-C-K. I've lived -- I just moved up to
12 the Lake Placid for about the last four years,
13 so I'm retired from downstate, and I love coming
14 up here.

15 I'm just talking tonight only as
16 a private citizen, although as a reference
17 again, I am the president of Adirondack Ski
18 Touring Council, and so I'm a -- a heavy user of
19 the Mount Van Hoevenberg ski facility.

20 And that's all I just want to
21 talk about is, you know, I love that facility,
22 and I would like to see it -- what plot is in
23 your plans to upgrade it.

1 And I think we should do that
2 the best we can with the budget we have and to
3 do whatever we can over in the biathlon areas.

4 I'd like to see as many world
5 class events come in as we can. And Greg knows
6 that I'm right there all the time to volunteer
7 for anything you have. And -- because I'd love
8 to volunteer to help out there.

9 It's great to work with the
10 world class people. And I just think we ought
11 to really make a facility a world class place
12 again. So then not only can I use it myself,
13 but -- as well as bringing in the people like
14 Jon had mentioned before, and some of the things
15 that I've asked for. Thank you.

16 MR. PERSICO: Thank you very
17 much, Ken. Rich, would you like to make a
18 speech?

19 MR. ERENSTONE: Richard
20 Erenstone, E-R-E-N-S-T-O-N-E.

21 And I feel that I should just
22 say something, because I use the facility a
23 great deal. I have since 1972, both -- as a

1 cross country facility, as a -- as a racer and
2 as well as a recreational skier.

3 And, you know, what I've seen in
4 the past is that the races are conducted in an
5 extremely well-run manner and every detail is
6 taken care of, the tracks are prepared well, the
7 competitors are taken care of, and everything is
8 first class.

9 The -- the problem that I've
10 seen in the past, and it's very, very obvious,
11 is that when there's a race going on, everyone
12 forgets the recreational skiers.

13 And there's reasons for this,
14 and they're good reasons. They're good in terms
15 of the -- when we can't do it because of this.
16 But I think that those reasons need to be looked
17 at. They need to be eliminated.

18 I think that when there's a race
19 going on, it's usually on a big weekend, that
20 the recreational skiers should have as good an
21 opportunity to ski as the comparable Alpine
22 skier would at Whiteface during -- during the
23 race.

1 And with the new administration
2 there, I -- I hope to see that in the future.

3 I can tell you that this is in
4 sharp contrast to the many other areas I've been
5 to in this country, and even in Europe, where
6 the recreational skier is held in very high
7 esteem, even during a race, and the facility is
8 operated at its highest level, even during the
9 race, for recreational skiers.

10 So hopefully this is an
11 improvement that can be made in the future.

12 And to -- getting back to the --
13 to the document, this may be a major reason why
14 you're losing a number of skiers visits.

15 Remember that you can cross
16 county ski for free anywhere in the Adirondacks,
17 pretty much on state land, but the one thing
18 that you have to sell is well-groomed trails.
19 And that's what people come to Mount Van
20 Hoevenberg for, in addition to the great
21 terrain.

22 And I think that you have to
23 deliver that product regardless of what else you

1 do.

2 Again on -- on a national class
3 or world class basis, I think the terrain and
4 the weather at -- at Mount Van Hoevenberg is as
5 good as it gets anywhere in the world, and I
6 think that that needs to be marketed and
7 nurtured and managed properly so that you can
8 really attract more recreational skiers.

9 MR. PERSICO: Thank you,
10 Richard. I don't have anyone else who has
11 signed up to make a comment. Is there anyone
12 who would like to?

13 Give your name and your
14 association, if you would?

15 MR. KUDZMA: My name is Tom
16 Kudzma. I have a home on Cascade Road which
17 overlooks Mount Van Hoevenberg.

18 It overlooks Mount Van
19 Hoevenberg, although I'm International Rowing
20 Association referee, because I spend my winters
21 getting into shape -- although it doesn't look
22 it -- I cross country ski.

23 I wrote Holly Elmer my comments

1 on Mount Van Hoevenberg from the skiing
2 standpoint. And I have to agree with most of
3 the comments previously made concerning.

4 I was very -- I've been very
5 concerned with the shortening of season --
6 shortening of the season on Mount Van
7 Hoevenberg.

8 In 1980, during the Olympics,
9 that season extended well into the month of
10 April. And we find now that it's somewhat
11 unusual to have the extended -- the season
12 extended beyond March.

13 If you're looking for skier
14 visits, lopping of one month of the winter, for
15 one reason or another, is not the way to get
16 increased visits.

17 I have a season pass and I'm
18 more than happy to use the trail at any time.
19 But -- I should say I buy a season pass every
20 year, and I start counting how many times I'm
21 able to actually use the facility, and they're
22 going down.

23 Several ways -- several methods

1 are available to us to extend the season. We
2 understand that the -- I understand fully that
3 the trails have got to be widened. I don't
4 agree that every single trail should be widened.
5 Certainly the ones used for competition could be
6 widened.

7 One of the problems with the
8 shortening of the season comes because the
9 trails are so exposed now, in some locations,
10 that the sun melts off the snow cover, and
11 they're reasonably inaccessible for re-snowing
12 or recovering with even trucked in snow.

13 The snow heave out in the
14 biathlon field decreases too slowly. There is
15 not a supply in there for re-patching.

16 Again, in the cold weather, we
17 should make snow while the sun hides. We're not
18 doing it.

19 I think that the trails must be
20 replanted with evergreens so there's some type
21 of shading.

22 If one takes a look at any of
23 the cross country events on television, one sees

1 that there's an opus amount of evergreens.

2 We don't have evergreens. We
3 have hardwoods. They do not shade the trail as
4 they should.

5 Anyone who hikes on those trails
6 in the summer realizes the agony that the
7 trail -- that the people go through in the
8 wintertime trying to maintain them with a
9 minimum snow cover, because there are rocks
10 projecting all through those trails.

11 And I would respectfully
12 suggest, having just had to return to New
13 Hampshire to take care of some vandalism by a
14 bunch of little brats, there are plenty of
15 inmates in this area who could be prevailed upon
16 to do some rock rolling, and for that matter,
17 tree planting, and for that matter, blow down
18 removal in areas where the materials could be
19 put off -- certainly put off to the side.

20 The trail junctions on the
21 trails, at the time of the 1980 Olympics, were
22 all numbered. Most of those numbers have
23 disappeared. I think that is a serious, serious

1 lack for safety reasons.

2 You go back -- if you see an
3 accident or a dangerous situation, you go back,
4 you have to describe minutely where they are,
5 even if you're experienced on the trails.

6 Someone who is new to the trails
7 could certainly look at the number at the
8 intersection and report the accident or the need
9 very, very quickly.

10 I think that, despite all
11 efforts, both the town and -- the approaches to
12 the town and many aspects of the Mount Van
13 Hoevenberg facilities have gotten, what I would
14 consider, a tattered appearance.

15 I realize there's a lot of
16 problems with cash, but I think we're paying an
17 awful lot to house some inmates, and that they
18 should be used.

19 If they're willing to get out
20 into the boonies to take the black flies for a
21 few minutes of freedom, then I think that they
22 should be used.

23 Concerning the parking lots, the

1 Pitch Off, Cascade and Porter Mountain trails
2 are probably the most used and overused trails
3 in the High Peaks Region.

4 I can't imagine why we want to
5 encourage more people to use them by putting in
6 more parking lots, especially if the people have
7 got to park somewhere in the interior of the
8 cross country ski areas, pass through areas of
9 unsupervised buildings during the summer, and
10 subject them to the vandalism which occurs.

11 I used to be naive enough to
12 think that all hikers were carry in -- carry it
13 in, carry it out people, but I've learned --
14 learned better in my old age.

15 I don't know whether the
16 proposal mentions it or not, but in the talking
17 of additional parking lots, I think that the
18 four lots within the bob run area, which were
19 put in in 1980, should be paved.

20 And I think, for that matter,
21 that you could extend the use of the cross
22 country ski area if part of that parking lot
23 were paved. It could be paved and contoured in

1 such a way that the water run off wouldn't go
2 into the ski area.

3 No one wants to go cross country
4 skiing if they have to go across a mire that
5 that lot becomes on the first sunny -- summery
6 sunny day. The ski trails may be gorgeous, but
7 when you see the mess that's in that lot, you
8 just do not want to go in there to go skiing.

9 You can go down South Meadow
10 Road, which is going to be in better condition
11 than that parking lot.

12 Now that's -- none of these
13 comments really have anything -- at throwing
14 rocks at the present management of ORDA, but
15 they're merely suggestions for one, getting some
16 free labor; and two, fixing up some of the
17 facilities to remove the tattered experience.

18 Do I intend to keep coming?
19 Well, I'm sort of stuck with it. I have a piece
20 of property which is a few hundred feet from the
21 trails, and I love the place. I wouldn't have
22 constructed that property if I didn't like it.

23 Do I have an interest in --

1 obviously, I have more than just a simple
2 financial interest in it. And I'm one hundred
3 percent for working with anyone for improving
4 it.

5 And finally I'm going to say
6 that I agree totally that there's got to be
7 increased recreational use.

8 I'd like to see the dog sleds go
9 someplace besides our own trails and -- so the
10 best weekends of the year when one can go cross
11 country skiing there without interfering the dog
12 sled races. That sort of spoiled -- talk about
13 accounts, that spoiled an entire -- probably the
14 best weekend, two years ago. The best weekend
15 for conditions for cross country skiing was
16 destroyed by the dogs.

17 So, I think we have to make a --
18 we have to have an increased renewal. If you
19 want bob run, we want the -- we want cross
20 country skiing, and these other things are
21 frills which might be fitted in, but not at the
22 expense of those who are pushing for a good
23 facility. Thank you.

1 MR. PERSICO: Thank you very
2 much.

3 MR. BLAZER: I'd like to make
4 one other comment before we close.

5 MS. ELMER: I'd like to say one
6 more thing too.

7 In response to the comments made
8 on the record, the first phase is really to get
9 that -- get that going.

10 The proposal is to make a
11 biathlon -- what's currently the biathlon lodge
12 into a regional lodge to give that recreational
13 skiers the amenities they like; fireplace,
14 lockers, showers, a lounge. You know, a big map
15 outside that you could show where races are
16 today, that kind of thing. Have better trail
17 maps.

18 The warming hut is strictly a
19 first aid hut. Concessionaires will not be
20 there. It will not have power. It's just a
21 hut, just for getting out of the cold weather.

22 The trails will be labeled.
23 They're -- I've got a picture I can show you of

1 the proposals for paving that parking lot by the
2 cross country lodge, because it is a problem.
3 And drainage would go into the woods, it will
4 cut down on the mud. The whole idea is to make
5 it more user friendly.

6 MR. KUDZMA: Well, there's a
7 river right there.

8 MS. ELMER: Yeah. Exactly. So
9 it's not sheet (phonetic spelling) draining
10 either.

11 So the thing was -- the idea was
12 to separate the racers and the recreational
13 skiers so they're not stepping on each other's
14 toes, so to speak.

15 But the biathlon lodge -- what
16 is currently the biathlon lodge would be the
17 recreational lodge. It's near the easier
18 terrain, and it will have a beginner's area out
19 there, training, lessons, and it's a good sized
20 facility now. It wouldn't take much to upgrade
21 it.

22 MR. KUDZMA: May I mention --
23 Kudzma again -- a couple of comments.

1 One of the great attractions to
2 this -- these trails, besides the terrain, is
3 the fact that they are strictly one way.

4 I am a New Hampshire native.
5 I've given up skiing -- cross country skiing in
6 New Hampshire because most of those trails are a
7 two way, and they're a hazard.

8 And the last -- the other
9 comment I had is what happened to my suggestion
10 on the Harlow Sandpit? If I'm not too dangerous
11 in mentioning it.

12 MS. ELMER: What was your
13 suggestion?

14 MR. KUDZMA: Taking part of it
15 for the paved track or to keep the sand from
16 blowing on to the perimeter.

17 Right now the sand from Harlow
18 Sandpit blows all over on the perimeter trail
19 after a storm, and you go down that hill and
20 completely gouge your skis up with the debris
21 on the trail.

22 It's -- it's like our old
23 Calgary Olympics on the bob run, wasn't it? And

1 it's all -- it all comes in this area right --
2 let's see, that's biathlon. It's all in this
3 area (indicating).

4 MR. SHEA: Is that off on the
5 main road?

6 MR. KUDZMA: Harlow's got his
7 road down there (indicating), and the perimeter
8 trail comes just -- just before you go up there
9 where the brook is, and that's a mess.

10 Yet, that's one of the nicest
11 trails out there.

12 MS. ELMER: Well, it seems like
13 something could be done during our trail work to
14 fix that.

15 MR. KUDZMA: Well, there's a
16 berm, but maybe we can get Harlow to -- tax
17 write-offs are always attractive.

18 MR. ERENESTONE: The question
19 is, will there be any heat?

20 MS. ELMER: We had discussed
21 putting a wood stove in there, but it should be
22 checked once in a while, and you just can't
23 trust people to leave it out there. It would

1 have to be checked a lot.

2 MR. ERENESTONE: Two ski areas
3 that I've been to, Mount St. Anne, which is a
4 very fine facility, and Royal Gorge both have
5 warming huts on their trails, and in both cases,
6 I believe, they're heated.

7 MS. ELMER: This isn't too
8 far --.

9 MR. ERENESTONE: And I know they
10 have done that for some time.

11 MS. ELMER: Well, this isn't too
12 far from what is already in existence, so that
13 is a possibility to put electric heat inside.

14 MR. ERENESTONE: People go in
15 and eat lunch --.

16 MS. ELMER: Yeah, that's a good
17 idea as far as a destination and have lunch
18 there and then ski back.

19 Snow making is also in the first
20 phase. Along with making the trails more user
21 friendly, snow making would extend the season.

22 And by using an existing pump
23 house, we don't have to make a new intake on

1 that brook or anything. There's the size of the
2 pond that we would use, and you don't have to
3 pull all the water from the brook, but you have
4 a large storage area. Pull it out from the
5 brook, fill the pond up, when you're not pumping
6 water.

7 MR. SHEA: I wouldn't want to
8 see it depleted --.

9 MS. ELMER: We have to be very
10 careful with the environmentalists.

11 MR. PERSICO: Did you want to
12 make a comment?

13 MRS. JENKINS: Yeah. I have a
14 question actually. If -- I noticed in the paper
15 that the improvements on the bob and luge track
16 would be in the phase three of your updating.

17 If money became available for
18 the -- for that project, would that be moved up?

19 MS. ELMER: Absolutely. The
20 whole phasing is subject to a yearly review, and
21 the design for it will be finished by early next
22 spring -- early February, so any time after
23 that.

1 MRS. JENKINS: I just think it's
2 really important that that's done as soon as
3 possible, because it looks like we're going to
4 lose the World Cup that we have for this year,
5 and I don't know how we can ask for another one
6 without improving the track that we have.

7 MS. ELMER: You're absolutely
8 right.

9 MRS. JENKINS: And that would
10 help two sports.

11 MS. ELMER: That's right. If we
12 got the support we need, we could do it all.

13 MR. BLAZER: Before Dick does
14 the closing, I'd just like to thank you all for
15 coming and making your important comments.

16 I'd also like to acknowledge
17 some of the staff that's here tonight. Greg
18 Stratford and Bob Smalta (phonetic spelling).
19 They work out at the facility.

20 And Mr. Shea was very humble.
21 He is our Vice-Chairman of the Board of the
22 Olympic Authority, and it's always interesting
23 to listen to his comments about the facilities

1 and the usage.

2 We're at a crossroads in where
3 we're going. We've got three unit management
4 plans -- two unit management plans that have
5 been processed and complete, and one that's
6 under ongoing review right now.

7 But we need to make perfectly
8 clear that it is paramount that we do move into
9 the future, that we address the needs of our
10 facilities, and that we do it in a thoughtful
11 manner, but that we look out to the greater goal
12 of where we're headed and how we need to compete
13 in the international world, and how we need to
14 compete in a tourist and customer friendly
15 world, and have them all intertwine together.

16 The Conceptual Design Report has
17 just been submitted to us today for the sports
18 complex, bob and luge combined track. We are
19 moving rapidly on that and we're not letting any
20 moss grow under our feet.

21 We're trying to get that
22 completed as quickly as we can, and we know time
23 is of the essence.

1 We are very lucky though to have
2 our federations in town to work with us with the
3 luge and with the bobsled, Matt and Ron. We've
4 got our cross country people that give us input.

5 So we are accepting it. We're
6 digesting it as quickly as we can, but we do
7 realize that we are at a crossroads where we do
8 have to act expeditiously, and we're doing all
9 that's in our power currently to bring these
10 plans to fruition. Mr. Persico.

11 MR. PERSICO: If there aren't
12 any more comments, we appreciate your
13 participation tonight.

14 And to remind you the record
15 will remain open until September 9th. If you
16 have any further comments, we would welcome
17 them.

18 I thank you very much for your
19 attendance. Thank you. That's it.

20 (Whereupon the hearing concluded
21 at 8:06 p.m.)

22

23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATION

I, Eileen M. Sharp, a shorthand reporter
and notary public in the state of New York, do
hereby certify that the foregoing record taken
by me at the time and place noted in the heading
hereof, is a true and accurate transcript of
same, to the best of my knowledge and belief.

Eileen M. Sharp

Eileen M. Sharp

8/31/96

Dated



OFFICERS

President

Peter Roemer
P.O. Box 1457

Millbrook, NY 12545

Vice Presidents

Sarah R. Bogdanovitch
Thomas L. Cobb
Jennifer Potter Hayes

Treasurer

Arthur B. Lawrence

Secretary

Maryde King

Assistant Treasurer

Lydia M. Serrell

Chairman Emeritus

Arthur M. Crocker

STAFF

Executive Director

David H. Gibson

Director of Development and Outreach

Kenneth J. Rimany

Administrative Assistant

Lydia M. Serrell
30 Roland Place
Schenectady, NY 12304

ADIRONDACK RESEARCH LIBRARY

Patricia Prindle, Chairman

TRUSTEES

Claire L. Barnett
Sarah R. Bogdanovitch
Paul M. Bray
Thomas L. Cobb
Herman F. Cole, Jr.
George D. Davis
James C. Dawson
John W. Douglas, Jr.
Oscar A. Gottscho
Jennifer Potter Hayes
Lambert Heyniger
Herbert B. Hudnut, Jr.
Harold A. Jerry, Jr.
Harvey M. Kelsey, Jr.
Maryde King
Arthur B. Lawrence
Alfred H. Lowe
David L. Newhouse
Henry W. Parnass
Harrison H. Payne
Daniel R. Plumley
Patricia Prindle
Frederic L. Rocketteller
Peter Roemer
William H. Savage
Susan L. Senecah
David Sive
Edward T. Whitcraft

HONORARY TRUSTEES

Peter A.A. Berle
Arthur M. Crocker
William P. Dunham
Richard W. Lawrence
Clarence Petty
Richard H. Pough
Edith G. Read
Paul A. Schaefer

THE ASSOCIATION FOR THE PROTECTION OF THE ADIRONDACKS

P.O. Box 951 • Schenectady, New York 12301-0951
Phone/Fax 518/377-1452

AUG 30 1996

Ted Blazer, President and Chief Executive Officer
Olympic Regional Development Authority
Olympic Center
Lake Placid, NY 12946

August 26, 1996

Dear Mr. Blazer:

The Association for the Protection of the Adirondacks submits its comments regarding the unit management plan (UMP) update and draft generic environmental impact statement (DGEIS) at the **Mount Van Hoevenberg Olympic Sports Complex**.

As many organizations pointed out in their comments on the scoping and draft UMP documents, there are fundamental inconsistencies in the ways which the Olympic Authority and its consultant, the LA Group, map and describe state land in this UMP. Facts about what constitutes Forest Preserve land which prevent ORDA even today from proceeding with paving its biathalon trail in the absence of a constitutional amendment are mysteriously omitted from this document. Yet, the facts showing that the proposed biathalon trail paving project was located on Forest Preserve land according to DEC's own real property records persuaded not only a former Environmental Conservation Commissioner (Thomas C. Jorling), but a former Governor and State Legislature. Why else would both Governor Cuomo and the State Legislature go to the trouble of drafting separate pieces of legislation for a constitutional amendment at this location in 1993.

This UMP and GEIS fails to assimilate this factual record, and fails to properly map and describe what State Legislative leaders acknowledged to be Forest Preserve land just a few years ago. This failing renders ORDA's attempt on pages 38-42 to argue about what is or is not a constitutional use of Forest Preserve land at once both curious and premature.

The legend in project maps shown as Figures 1-4 and 4-2 of the UMP and GEIS describes parcels east of the Olympic Bobsled run and north of what is acknowledged to be Forest Preserve as "Special Use Land." Such lands are described on page 6-7 of the document as comprising 353 acres, and as being "administratively classified" by the DEC as "non-forest preserve." This is factually incorrect. DEC Bureau of Real Property records classify at least a part of these lands (the parcel Essex 123, part of Subsection 2 of Lot 8), and perhaps all of them as Forest Preserve.

"Special Use" lands do not legally exist. The former Conservation Department used "ski center and special use" as an account to be charged for land acquisition expenditures under the 1960-62 park and recreation bond acts. According to Norm Van Valkenburgh, former DEC Director of Lands and Forests, that account was charged also for Forest Preserve acquisitions as a matter of practice. Nothing in Article XIV, Section 1 of the State Constitution permits any arm of state government to administratively defy the "hereafter acquired" provisions of Section 1, and turn what is properly forest preserve land into something else.

Leave aside for the moment the ongoing question of whether or not the Legislature has ever had the constitutional authority to set aside any state lands in the Adirondack Park as anything but Forest Preserve lands under Article XIV. Even if one argues that the Legislature does have such authority, the fact is that no act of the Legislature has ever created a category of state land in the Adirondack Park called "special use." It has no legal meaning, and should not, therefore, appear on DEC or ORDA map legends.

As researched by the Adirondack Mountain Club in 1992, a study during the 1960s to determine the taxable status of state lands in the Adirondack Park for the State Board of Equalization and Assessment was fully accepted by the Conservation Department. Essex 123, one of the parcels shown as "special use" in the document, was specifically listed in the study as taxable land; and the DEC subsequently re-classified all 76-acres of the parcel as Forest Preserve land (emphasis mine). The purpose for the original acquisition of this parcel is also contained in DEC records, and clearly indicates its purpose as Forest Preserve. This factual record was uncovered by the Adirondack Mountain Club, and presented by ADK, and by the Adirondack Council and the Association for the Protection of the Adirondacks to the DEC Commissioner and his staff in August, 1992. The facts were acknowledged by DEC officials at that time to be correct, which is why the issue then went before the Governor and the Legislature for a constitutional amendment.

Even ORDA appears to acknowledge Forest Preserve status of the lands in question in its lengthy interpretation of New York State Constitution and Article XIV beginning on page 38. To quote the UMP:

"It is essential, therefore, that development and tree removal on forest preserve lands at the Mt. Van Hoevenberg Sports Complex be consistent with the mandates of Article XIV..."

This document takes five pages to argue that cutting 1, 231 trees throughout the complex, constructing a snowmaking system and night lighting on 7.3 kilometers of trail, replacing two ski tunnels under the access road, constructing a recreational lodge, and building new parking lots on Lot 8, Sublot 2 (Parcels Essex 123 and 5.2 and 5.3) all constitute "reasonable use of the forest preserve", and are "consistent with the mandates of Article XIV of the State Constitution." How can the document credibly argue that what it proposes is constitutional on Forest Preserve and yet show these exact same lands to be "Special Use" and therefore non-Forest Preserve on its project maps?

Once this UMP correctly shows affected lands to be Forest Preserve on its project maps, then the question of what may be or may not be constitutional on those lands can be properly argued. That debate should take place at special meetings convened for the purpose, and may deserve a ruling from the Attorney General if the parties can not agree. This UMP/DGEIS treats the subject inconsistently at best. It says on page 58 that paving 4 kilometers of biathlon trails "is subject to approval by the New York State Legislature and the voters of the state as an amendment to the State Constitution." The document proposes new buildings and parking lots, a

reservoir, snow-making equipment and pipes, poles and night lighting for these same lands, which is says is fully consistent with Article XIV on page 42. How do these developments differ in their impact on the wild forest character of the Forest Preserve and in the absence of an "artificial setting" (McDonald v. Association) from the trail paving proposal? The UMP does not say why it finds the one unconstitutional and the other constitutional. Recall what Appellate Judge Hinman wrote in McDonald v. The Association for the Protection of the Adirondacks (1930):

"Sports which require a setting that is man-made are unmistakably inconsistent with the preservation of these forest lands in the wild and natural state."

We suggested in 1992, and we respectfully suggest now that Mt. Van Hoevenberg Olympic Sports Complex is increasingly in need of long-range plan which incorporates a well-crafted amendment to Article XIV. The cumulative effects over twenty years of land development fundamentally inconsistent with Forest Preserve purposes, the pressures of bringing facilities up to international standards and the increasingly man-made and high speed activities planned for the future point in this direction. The absence of constitutionally authorized development at Van Hoevenberg, and its presence at Gore and Whiteface Mountains is an anomaly difficult to explain. Attempts at crafting an amendment which could be supported by all parties failed in 1993, but clearly needs to be resurrected. If disagreements as to the constitutionality of present and planned developments at Van Hoevenberg continue, logic would clearly point to the seeking of an opinion of the Attorney General in this matter. The Association for the Protection of the Adirondacks would be pleased to meet with ORDA, DEC and DED officials to discuss this and related matters.

Section V of this DGEIS fails to discuss potential impacts of a constitutional amendment, including impacts of a land exchange at Mt. Van Hoevenberg. This is a rather glaring omission. One would expect to find general data and discussion about possible exchange land opportunities, costs and benefits. In Section VI, Alternatives, one would expect to find discussion of private facilities or lands elsewhere in North Elba which have been assessed as to their ability to satisfy recreational use needs or requirements not met or not adequately met at Van Hoevenberg. No such discussion is presently incorporated. The UMP/DGEIS appears quite deficient in these areas, and very inconsistent in its mapping, description, assessment and interpretation of state land resources and related laws, as discussed earlier. These were all points brought up in the earlier scoping and draft documents.

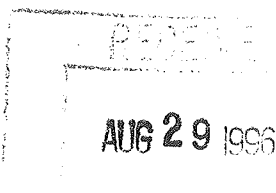
Thank you for considering our comments, and our suggestions for how to proceed.

Sincerely,

David H. Gibson
Executive Director

c. Michael D. Zagata, Commissioner
Gary Spielmann, Executive Deputy Commissioner
Stu Buchanan, Regional Director
Lynette Stark, Executive Chamber
Adirondack Council
Adirondack Mountain Club
Board of Trustees

UNITED STATES LUGE ASSOCIATION



Ronald A.J. Rossi
1984 OLYMPIAN
EXECUTIVE DIRECTOR

P.O. DRAWER 651
35 CHURCH STREET
LAKE PLACID, NEW YORK
12946-0651, USA
TELEPHONE
518.523.2071
FACSIMILE
518.523.4106

August 28, 1996

Ms. Holly E. Elmer
The LA Group P.C.
40 Long Alley
Saratoga Springs, NY 12866

RE: Mt. Van Hoevenberg Unit Management Plan

Dear Ms. Elmer:

I attended the public hearing on August 26 and got the opportunity to review the UMP the following day. I would like to make the following comments, which primarily focus on my organization's interests, the luge run. Most of the comments are factual corrections.

Page iv -- Under the section called Miscellaneous (non-luge run comment)

I'd like to echo the comments of those made by Mr. Ed Finnerty at the public hearing. Unless the UMP needs to be clarified as to why the orange snow fencing is called for, I would think such use would be more of an eyesore than a benefit.

Page 4 -- second full paragraph

The paragraph starting with "The age..." addresses how the bobsled run was constructed. Nowhere is it mentioned how the luge run was constructed, which seems to be needed to fit in with the flow of subsequent paragraphs.

Page 5 -- fourth full paragraph

There are no certified tracks in Russia. There is one in Latvia, but that qualifies as Europe.

Figures 1-2, 1-3, 1-4, 1-5, and 2-1

References on these maps to the "Olympic Bobsled Run" should be the "Olympic Bobsled and Luge Runs".

Page 25 -- fourth paragraph of "Description of Facility"

The closed circuit television system has not worked since 1981.

Ms. Holly Elmer
August 28, 1996
Page 2.

Page 53 -- first paragraph

The bobsled run does not have refrigerated walls but the luge run does.

Page 53 -- third paragraph, second and third sentences

A better way to state these sentences is as follows: "The existing runs are deteriorating and in the case of Bobsled, present too many straightway runs and too few curves for modern sled and racing techniques; while in the case of luge, incorrect geometry's of certain curves present safety hazards. The lack of curves and long straightaways on one run, as well as incorrect geometry's on the other run, has lead to excessive, unsafe speeds which made it necessary over the years to shorten both runs in consideration of athlete's safety."

Page 85 -- section IX

This is more of a question than a comment, but does it make sense to include a section on what might happen (economically) if the changes contemplated in the UMP do not happen:

| | |
|----------------|--|
| For example -- | the loss of x-country events |
| | the loss of biathlon events |
| | the loss of luge events and the U.S. Luge Association |
| | the loss of bobsled events and the U.S. Bobsled Federation |
| | the loss of the Olympic Training Center |

If all these occurrences happened, the resulting economic impact could be a very significant negative number. Such inclusion in the report could help sell the need for the changes as it could dramatically illustrate the cost of doing nothing.

If you have any questions, or need any clarifications on this letter, please call me at the number on the letterhead.

Sincerely,

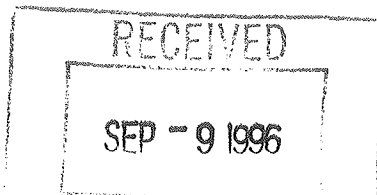


Ron Rossi
Executive Director

ac



The Adirondack Council



*Dedicated to the preservation
and enhancement
of New York State's
six-million-acre Adirondack Park*

CHURCH STREET PO BOX D-2 ELIZABETHTOWN, NEW YORK 12932-0640 TEL. (518) 873-2240 FAX (518) 873-6675

September 5, 1996

BOARD OF DIRECTORS

John Ernst
Chairman
David Skovron
Thomas D. Thacher II
Vice-Chairmen
Dean Cook
Secretary
Curtis R. Welling
Treasurer
Stephen K. Allinger
Peter Borrelli
David Bronston
Alison Hudnut Clarkson
David C. Condliffe
James C. Dawson
Joanne W. Dwyer
Barbara L. Glaser
Alyse Gray
Gary F. Heurich
George R. Lamb
Ernest LaPrairie
Clarence A. Petty
Katharine M. Preston
John K. Ryder, Jr.
Ellen Marshall Scholle
Constance A. Tate
Chase Twichell

ADVISORY BOARD

Frances Beinecke
Richard Booth
Arthur Crocker
Joseph E. Cullman 3rd
Kim Elliman
William Hord
Richard Lawrence
Paul Schaefer
David Sive
Norman J. VanValkenburgh

Executive Director
Timothy J. Burke

Mr. Ted Blazer
President/CEO
Olympic Regional Development Authority
Olympic Center
Lake Placid, New York 12946

RE: UMP UPDATE AND AMENDMENT AND DGEIS FOR OLYMPIC
SPORTS COMPLEX AT MT. VAN HOEVENBERG

Dear Ted:

On behalf of the Adirondack Council, I offer the following comments related to the Unit Management Plan Update and Amendment, and the Draft Generic Environmental Impact Statement relating to the Olympic Sports Complex at Mt. Van Hoevenberg, dated July 1996.

As we discussed at length during our meeting at your offices earlier this year, the Adirondack Council believes that the bulk of the facilities and infrastructure developed by the Department of Environmental Conservation and ORDA at Mt. Van Hoevenberg over the past several decades, except for that development located on land leased by the State of New York, may already violate the provisions of Article XIV of the State Constitution. Projects proposed for the new plan revive and heighten our concern. We believe that the time has come for a thorough assessment of the cumulative effects of the development of the Mt. Van Hoevenberg Recreation Area, and of new and expanded development proposed in the UMP Update and Amendment, with special reference to the constitutionality of such development.

We recognize that the State Land Master Plan, to which the UMP must conform, states that "The Mt. Van Hoevenberg area should be maintained as a year-round sports facility meeting international standards for such sports as bobsled, luge, biathlon and cross-country skiing on improved cross-country ski trails under developed, competitive conditions." Apparently, this guidance provided by the SLMP has been used to justify the extensive trail clearing, road paving, building construction, and associated infrastructure development which has taken place at Mt. Van Hoevenberg since the SLMP was developed in 1972. And the new UMP Update and Amendment follows this supposed precedent as justification for the new development it proposes, such as

installation of a snowmaking system and installation of night lighting on 7.3 km of ski trails, paving of parking lots, major upgrades and rehabilitation measures at the biathlon range, cross-country stadium widening, new tunnels under roads, and rebuilding and expansion of lodges, all of which would require the cutting of over 1200 trees. As you know, the SLMP cannot be used as a guide to the constitutionality of past or proposed activities, since the Master Plan specifically states that it is "constitutionally neutral." We believe that it is incumbent upon the State to conduct a thorough review of the constitutional legality of past and proposed development at Mt. Van Hoevenberg, since very serious questions arise about the way in which significant development on the Forest Preserve (including lands which ORDA classifies as "special use") has been planned, reviewed, and implemented.

It is very troubling to note that the UMP perpetuates the myth that certain state-owned "Special Use" lands at Mount Van Hoevenberg are not Forest Preserve lands. Even though the UMP officially declares its neutrality on the constitutionality of the Special Use classification, it is confusing and misleading to use maps and text which treat Special Use lands as something other than Forest Preserve, and thus not necessarily subject to the provisions of Article XIV of the State Constitution. The State Legislature and the previous administration totally rejected the notion that Special Use lands are somehow different from Forest Preserve. The UMP should remove all references, in text and on maps, to so-called Special Use lands.

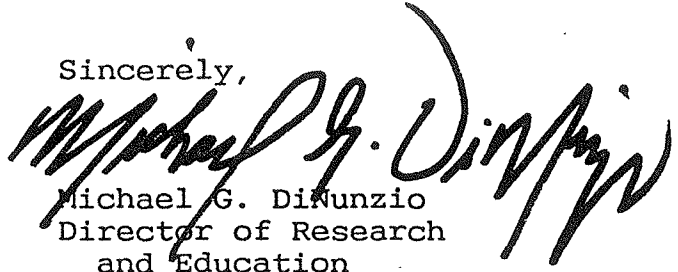
ORDA is to be commended for deferring implementation of a plan to pave ski trails on state land at Mt. Van Hoevenberg until issues concerning the constitutionality of that proposal are settled. It is ironic, therefore, that you propose to implement a number of other development proposals, which many would consider to be at least as environmentally significant as the trail paving, without first settling constitutional issues that surround those proposals.

The Adirondack Council believes that ORDA should squarely face the need to obtain a constitutional amendment that would retroactively sanction past development on state land at Mt. Van Hoevenberg and that would proactively allow limited, focused future development at the site, in keeping with the designation of that site as an intensive use area, and in keeping with the SLMP's basic guideline for such areas, which mandates that outdoor recreational pursuits be provided "... in a setting and on a scale that are in harmony with the relatively wild and undeveloped character of the Adirondack Park."

Finally, I believe that it is critical for the Mt. Van Hoevenberg UMP Update and Amendment to be closely integrated with the Draft High Peaks UMP which has recently been submitted to the Adirondack Park Agency for their review. Although the Mt. Van Hoevenberg UMP speaks to the need to investigate the feasibility of providing trailhead access to the Cascade and Pitchoff trail

systems, this is only one need among a multitude of issues that are dealt with in the High Peaks UMP that could, and should, be integrated fully with any future plans for facility development and use at Mt. Van Hoevenberg.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Michael G. DiNunzio".

Michael G. DiNunzio
Director of Research
and Education

cc: Dennis Tamburrelli, Governor's Office
Commissioner Michael Zagata, DEC
Chairman Gregory Campbell, APA
✓Holly E. Elmer, The LA Group, P.C.

RECEIVED
SEP 9 1996

6 September 1996

Mr. Ted Blazer, President and CEO
Olympic Regional Development Authority
Olympic Center
Lake Placid, NY 12946

Dear Mr. Blazer:

These comments on the draft **Mount Van Hoevenberg Olympic Sports Complex** unit management plan (UMP) update and draft generic environmental impact statement (DGEIS) are submitted on behalf of the Adirondack Mountain Club, Inc. (ADK). ADK has a membership of over 22,000, many of whom are frequent users of the High Peaks Wilderness Area which adjoins the Van Hoevenberg complex. Among ADK's corporate goals are the preservation of the Forest Preserve and the defense of Article XIV, Section 1 of the New York State Constitution which guarantees that the Forest Preserve will remain "forever wild." ADK's concerns about the complex rest mainly with the types of uses and with the structures which the UMP proposes to be built on Forest Preserve land.

We attach and incorporate by reference a 1992 letter to DEC Commissioner Jorling wherein we argue that the parcel of land labeled "Special Use Land" on your maps (Figs. 1-4 and 4-2) is actually Forest Preserve. DEC has acknowledged this to in fact be the case. This is the reason that DEC took measures to initiate a constitutional amendment to permit a land trade so that a biathlon trail on this parcel could be paved for year-round training of skiers. This was necessary because as everyone recognized at the time, the NYS Appellate Court ruled in 1930 in *McDonald vs. The Association for the Protection of the Adirondacks* that

"Sports which require a setting that is man-made are unmistakably inconsistent with the preservation of these forest lands in the wild and natural state."

Therefore, before this UMP-GEIS can be made final, we reiterate --- what we made clear in our comments on the draft scope for this document to Holly Elmer in a letter of March 13, 1996 (attached and incorporated by reference) -- that the following defects must be remedied:

1. The maps in the document should be corrected to show that land currently marked "Special Use Land" is Forest Preserve, and the text should be revised accordingly.
2. The UMP-GEIS must acknowledge that before further man-made sports facilities or improvements can be made on any Forest Preserve lands at the Mount Van Hoevenberg Olympic Sports Complex, NYS must secure a constitutional amendment.

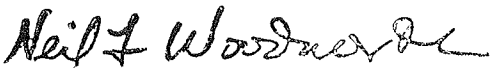
We wish to be clear that when we say "man-made" sports facilities, we refer to the proposed buildings, reservoir, snow-making equipment and pipes, superstructure required for night-lighting, paved trails, and excessive cutting of trees even without further

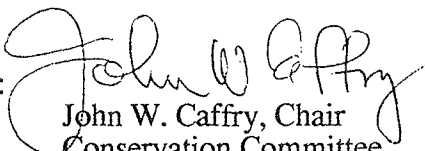
construction. All such structures and actions are blatantly inconsistent with the wild forest character of the Forest Preserve. **Thus they are all unconstitutional.**

And finally, we wish to make it clear that ADK is not opposed to the continued existence and modernization of the Van Hoevenberg Complex. Our only concern is that State agencies DEC and ORDA acknowledge the preeminence of the NYS constitution, Article XIV, Section 1. You must not perpetuate the mistaken notion that this Complex or various parts of it are somehow exempt from the constitution's "forever wild" provision as interpreted by the courts.

Sincerely,

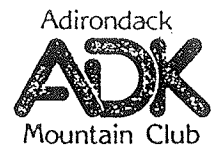
Adirondack Mountain Club, Inc.

by: 
Neil F. Woodworth
Deputy Executive Director and Counsel

by: 
John W. Caffry, Chair
Conservation Committee

encl: -- letter to Commissioner Jorling, 19 August 1992
-- "scoping" letter to Holly Elmer, 13 March 1996

cc: Holly E. Elmer, The LA Group
Commissioner Michael Zagata, DEC
John Cahill, General Counsel, DEC
Chairman Gregory Campbell, APA
Daniel Fitts, Executive Director, APA



RR 3, Box 3055
Lake George,
New York 12845
(518) 668-4447
FAX (518) 668-3746

March 13, 1996

Holly E. Elmer
The LA Group
40 Long Alley
Saratoga Springs, NY 12866

Re: Scoping of ORDA EIS and UMP for Mt. Van
Hoevenberg Olympic Sports Complex

Dear Ms. Elmer:

The Adirondack Mountain Club, Inc. ("ADK") wishes to comment on the draft scope for the Environmental Impact Statement and Update and Amendment to the Unit Management Plan for the Mt. Van Hoevenberg Olympic Sports Complex proposed to be undertaken by the Olympic Region Development Authority. We appreciate being given the opportunity to comment on this document.

ADK's principal concern in this matter is the protection of the Forest Preserve from the construction of facilities or the destruction of timber that would violate the forever wild clause of the New York State Constitution, Article XIV, §1. Secondarily, we are also concerned about the potential visual and other environmental impacts of the proposed facilities, particularly on nearby Forest Preserve units.

As ORDA is no doubt aware, ADK has in the past taken the position that the proposal to pave portions of the biathlon trails for roller blade use would violate Article XIV and would require a constitutional amendment to proceed, since these trails are located on Forest Preserve lands. This continues to be ADK's position. ADK previously agreed to support the idea of a land swap to resolve this issue, wherein ORDA would purchase additional lands to be added to the Forest Preserve, and in return, a constitutional amendment would be put before the voters to allow the paving project to proceed.

It appears that ORDA's efforts in this regard have lapsed, but ADK continues to believe that this is the best solution to the conflict between ORDA's interest in improving its facilities and the mandates of Article XIV. Upon information and belief, DEC believes that these lands are Forest Preserve and that an amendment is necessary. DEC retains ultimate control over these lands. See, Slutzky v. Cuomo, 114 A.D.2d 116 (3d Dept. 1986),

app. dism'd, 68 N.Y.2d 663 (1986). Such an amendment would clear up the legal status of the many nonconforming facilities already located on Forest Preserve lands at Mt. Van Hoevenberg and would allow the additional improvements now being proposed by ORDA to go forward without creating legal disputes as to their constitutionality.

Our specific comments are as follows:

1. As outlined in the enclosed August 19, 1992 letter from ADK counsel Neil Woodworth to former DEC Commissioner Thomas Jorling, it is quite clear, both factually and legally, that the state lands located at Mt. Van Hoevenberg are Forest Preserve. All analysis of construction on the site should proceed from that position and the constitutionality of all new construction and cutting of timber must be analyzed in light of the two leading cases on this subject, Association for the Protection of the Adirondacks v. MacDonald, 228 A.D. 73 (3d Dept. 1930); 253 N.Y. 234 (1930), and Balsam Lake Anglers Club v. DEC, 199 A.D.2d 852 (3d Dept. 1993).

2. The location of each existing or proposed facility as being on either state Forest Preserve lands or non-Forest Preserve lands owned by the Town of North Elba should be specified. As to the Forest Preserve lands, the particular parcel numbers where each such facility is located should be specified.

3. For each part of the plan proposed to be located on Forest Preserve lands, such as the construction of new facilities and the widening of trails, the following items must be assessed:

a. The number of trees to be cut.

b. The number of square feet to be paved, or square feet of structures to be constructed.

c. Whether an alternative location on non-Forest Preserve lands is available, either on the adjoining Town of North Elba lands or at another site altogether.

d. Alternate methods of construction or alternate designs that will minimize tree cutting on Forest Preserve lands. This is required by both Article XIV and by those portions of the Adirondack State Land Master Plan that regulate intensive use areas such as Mt. Van Hoevenberg, as well as by SEQR.

e. How each such part of the action individually, as

well as the cumulative impact of all of the parts, together with past construction activities, is compatible with the wild forest character of the Forest Preserve, as defined in MacDonald and Balsam Lake. This analysis must include not just the number of trees involved, but also such issues as whether snowmaking and lighted ski trails are compatible uses of the Forest Preserve under the test articulated by the courts.

4. If ORDA intends to proceed with the plans outlined in the draft scoping document, then a constitutional amendment and land swap will be needed. This would be part of the same SEQR action as the adoption of the UMP and should be assessed in the DEIS to avoid segmentation. The DEIS should assess the potential trade parcels that ORDA will consider for the swap, the potential environmental impacts associated with each and the suitability of each for the Forest Preserve.

5. The impacts of the project on the Forest Preserve, and in particular, the destruction of timber on the Forest Preserve should be assessed cumulatively. The number of trees to be destroyed and the number of acres affected were key considerations in both the MacDonald and Balsam Lake cases for constitutional purposes, and in Balsam Lake for SEQR purposes as well. When the new Van Hoevenberg facilities were originally constructed, a large number of trees located on Forest Preserve were destroyed. Had this action received a thorough analysis under the tests applied in the MacDonald and Balsam Lake cases, and even under DEC's current procedures set forth in DEC O & D Memorandum #84-06, it is questionable whether the action would have survived such scrutiny.

In undertaking to expand these facilities, ORDA must estimate the number of trees destroyed in the original construction, of each facility, and the number of acres affected thereby. These numbers should then be combined with the number of trees to be destroyed and the number of acres to be affected by the expansion in order to determine the cumulative impact of each facility, as expanded, as well as for the entire complex.

6. The EIS should explore alternatives that will reduce adverse impacts on the Forest Preserve and reduce the level of nonconformity with Article XIV.

7. The EIS should assess any potential adverse impacts upon adjacent Forest Preserve lands in the High Peaks Wilderness Area ("HPWA") that may result from the proposed action such as the possibility that unauthorized vehicles or mountain bikes may trespass upon the HPWA from the Mt. Van Hoevenberg facilities.

In addition, the planning should be coordinated with DEC's current planning efforts for the HPWA Unit Management Plan, particularly as they may relate to interlocking trail networks and DEC proposals to regulate access to the HPWA through, in part, parking lot limitations.

8. Visual impacts of proposed new facilities should be assessed from adjoining Wilderness lands, including the High Peaks themselves and from other potentially affected Forest Preserve units such as the Sentinel Range and McKenzie Mountain Wilderness Areas, and from the Whiteface Mountain Intensive Use Area.

9. Enclosed herein is a copy of ADK's comments on a negative declaration previously adopted in connection with the paving of the biathlon trails. We are pleased to see that ORDA is apparently dropping its segmented approach to the SEQR review of its plans. Please consider the enclosed letter as additional comments on the necessary scope of the current EIS.

10. The draft scoping document circulated by ORDA does not appear to comply with the SEQR regulations for the scoping process:

a. The document purports to be a SEQR positive declaration. However, it has none of the content required by §617.7(b) of the SEQR regulations for a positive declaration.

b. The draft scope does not include the content required by 6 NYCRR §617.8(b).

c. Overall, the draft scope is completely deficient in its description of the proposed project. It lacks any detail on the proposed action and fails to even mention that the lands in question are subject to Article XIV. Likewise, the environmental assessment form upon which the positive declaration was based should have been circulated. If ADK were not already somewhat familiar with this situation, it would have been impossible for us to participate meaningfully in the scoping process.

d. These deficiencies should be remedied and a revised document should be circulated for comment with a new comment period being allowed. To the extent that further disclosure of ORDA's plans may reveal additional issues meriting consideration in the DEIS, ADK reserves the right to supplement these comments and to request that the scope of the DEIS be amended.

11. The environmental impact statement will be assessing a

March 13, 1996

specific set of proposed facilities on a single site, and does not fall within the criteria set forth at 6 NYCRR §617.10 for the preparation of a generic EIS. It should be prepared as a regular EIS and not a GEIS.

In conclusion, we found a number of significant deficiencies in the Whiteface Mountain draft UMP's consideration of Article XIV issues. We would like to suggest that before the UMP and EIS for Mt. Van Hoevenberg proceed too far, that an effort be made to reach an agreement among all interested parties on how Article XIV will interact with ORDA's goals. This will allow potential conflicts to be worked out before too much effort is expended on plans that may later be found to be unconstitutional.

Thank you very much for your consideration. If you or your client would like to discuss these issues with ADK, we would be glad to do so.

Sincerely,

Adirondack Mountain Club, Inc.

By:

John W. Caffry, Chair
Conservation Committee

By:

Neil F. Woodworth
Deputy Executive Director
and Counsel

JWC/kf
Enc.

K:877:35

August 19, 1992

Thomas Jorling, Commissioner
New York State Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233

Re: Mt. Van Hoevenberg UMP Amendment

Dear Commissioner Jorling:

On behalf of the Adirondack Mountain Club, I am writing to express our serious concerns over the constitutionality of the proposal to pave a biathlon trail at the Mount Van Hoevenberg Winter Recreation Area. This letter will supplement our letter of July 23, 1992 which is incorporated herein by reference.

We are pleased that following the submission of that letter, the Department and ORDA decided to amend the original proposal so that the paved biathlon track would only be constructed on lands which the Department alleges are "special use" lands and not Forest Preserve. It is our understanding that the current proposal does not call for any construction or paving on lands which the Department concedes are Forest Preserve lands.

We still believe that the Department should request a formal opinion from the Attorney General as to whether the said "special use" lands now involved in the project are Forest Preserve. **Robert Glennon of the Adirondack Park Agency considers these same lands to be Forest Preserve and our review of the applicable law and DEC's real property records has revealed substantial evidence to support that conclusion.**

We will discuss the factual record in this matter first. We have reviewed the DEC Real Property Bureau records for the three parcels now being considered for the biathlon paving. These parcels are Essex 123 and Essex 5.2 and 5.3 respectively. The real property appraisals and physical descriptions of each of these parcels indicate that they were "forest land" within the meaning of Environmental Conservation Law (ECL) Section 9-0101, (5) at the time they were acquired by the Department. One appraisal states that the **highest and best use of the land is for forest recreation.**

The applicable contracts for purchase do not contain language stating an intent on the part of the state to keep these parcels out of the Forest Preserve. **The actual deeds and condemnation title documents which are the legal equivalent of deeds for these parcels do not contain any clauses either purporting to exclude these parcels from the Forest Preserve or indicating a purpose of acquisition inconsistent with Forest Preserve. These parcels were not acquired under any statute authorizing non-Forest preserve acquisitions.**

Moreover, the correspondence generated by the acquisition process provides substantial evidence that the purpose of acquisition was consistent with the acquisition

of Forest Preserve. In an October 31, 1962 letter, Assistant Commissioner William D. Mulholland stated with respect to Essex 123:

" It is my judgment that we should explore the possibilities of acquiring this property, since such acquisition would prevent the establishment of undesirable development or structures along practically all of one side of the road and further, even though at some future time the Bobsled Run should cease to operate, this property is adjacent to existing Forest Preserve and would be a desirable acquisition for that reason "

In a April 4, 1963 letter between Superintendent of Land Acquisition E. G. West and W. D. Mulholland, Mr. West stated:

" The acquisition would not only serve as a protection to state land now owned but would also eliminate the possibilities of the north side of the Bobrun Road being developed into small parcels with an undesirable build-up on the entrance road to the Bob Run. It would serve as a potential piece of ground for expansion of this facility for winter sports as well as summer use by the public."

It should be noted that the Mt. Van Hoevenberg Recreation Area now contains Forest Preserve lands used for winter sports such as cross-country skiing and that the bobsled run facility is located on private land leased from the Town of North Elba.

In a April 23, 1964 letter, DEC Real Property Supervisor Henry Gannon wrote E. G. West on the purposes for acquiring Essex 5.2 and 5.3:

"While it is not necessary to acquire these lands in their entirety for relocation of the (Bobsled Access) road, it is recommended that we do so in order to have better consolidation and blocking of the state holdings and at the same time assure against undesirable development of the road frontage.."

In a August 21, 1970 letter, Henry Gannon, by then the Superintendent of Land Acquisition stated the purpose of the Essex 5.3 acquisition to the landowner's testatrix M. W. Dexter:

"A public recreational development (Olympic Bob-Sled Run) of this nature requires a buffer zone around its outbounds to prevent incompatibility with abutting private development and the lands acquired from you will serve this necessary and useful purpose."

DEC's 1964 Planning Map No. 2693 for the Proposed Recreational Use Facilities at Mt. Van Hoevenberg clearly depicts Essex 123 as a wooded buffer zone with a single nordic ski trail shown.

The foregoing plan and documents demonstrate that there is ample evidence that the Department's purposes for acquiring these parcels at the time of the acquisition were for purposes clearly consistent with Forest Preserve i.e., consolidating existing Forest Preserve and buffering from development. Numerous Department documents and statutes have identified these purposes as justifications for acquiring Forest Preserve.

It is equally instructive that none of the plans or correspondence contained in these files states that the purpose of these acquisitions was to construct paved biathlon tracks or other man-made sports settings within the meaning of the McDonald case, 228 App. Div at 82.

DEC records produced subsequent to the acquisition of Essex 123, the principal parcel involved in this project, clearly reveal that the Department concluded that the land was legally Forest Preserve.

After the Hamilton County Tax Case, the State Board of Equalization and Assessment (SBEA) and DEC began a program to evaluate the classification of each parcel acquired under the 1960 Parks and Recreation Bond Act. Joseph Kennedy, a special legal consultant hired by SBEA for the purpose of reviewing the taxable status of said parcels in light of the Hamilton County Tax Case, filed a report which concluded that Essex 123 was a taxable parcel. DEC thereafter reclassified the 76 acres of Essex 123 as Forest Preserve.

A copy of the Kennedy report and property tax status listings is annexed hereto as Exhibit A. A copy of a letter from DEC accepting the listings is annexed hereto as Exhibit B. DEC never challenged the taxable classification of Essex 123 and subsequent property descriptions prepared by DEC employees listed Essex 123 as Forest Preserve (Exhibit C). These property listings include a two page DEC document which describes the origin and classification of the lands comprising the Mt. Van Hoevenberg Winter Recreation Area. This DEC document describes Essex 123 as follows:

| | |
|---------------------|--|
| Parcel #3 | Acres - 73.46 |
| Year acquired | 1964 |
| Source of Funds | 1960 Park and Recreation Bond Act |
| Source of Title | Purchase - Deed |
| Land Classification | Forest Preserve |
| Comments | Parcel acquired under the ski center special use category. Changed to Forest Preserve by Kennedy decision. |

It is clear that Kennedy and DEC employees classified Essex 123 as a taxable Forest Preserve parcel because it was not acquired pursuant to a statute such as ECL 9-0107 (where the Legislature specifically stated that such a conveyance was excluded from the Forest preserve) and because the deed did not contain statutory exclusion clauses.

It is instructive that after the Temporary Study Commission questioned the "non-Forest Preserve" DEC administrative classification of 19,000 acres of Bond Act Public Campsites, DEC reclassified these lands as Forest Preserve.

We will now examine the legal merits of the Department's contention that these alleged "special use" lands are not Forest Preserve and thus not subject to Article XIV, section 1. The Department predicates its position on the Appellate Division decision in

the Hamilton County Tax Case alleging that the case creates an "inconsistent purpose" doctrine for justifying non-Forest Preserve acquisitions "to further the purposes of the Department." The constitutional validity of the Hamilton County Tax Case has been convincingly questioned by Robert Glennon and Dean Ralph Semerad.

However, it is not necessary to further discuss the constitutionality of the Hamilton County decision- **the biathlon project parcels do not qualify for exclusion as non-Forest Preserve even under the legal test of the Hamilton County case.**

In the Hamilton County case, the majority of the Appellate Division concluded that the Salmon Lake tract was not Forest Preserve and was tax exempt because it was acquired under the express statutory authority of the predecessor to ECL 11-2103, a legislative enactment which purported to exclude certain acquisitions from the Forest Preserve. The majority also concluded that the Cascade Lake Tract was taxable Forest Preserve because it was **not** acquired under the authority of a statute purporting to exclude the acquisition from the Forest Preserve but was only acquired "for the purposes and functions of the Department." **The biathlon project parcels were not acquired under any statute purporting to authorize non-Forest preserve acquisitions.**

Judge Gibson, concurring with the holding that the Cascade Lake tract was part of the Forest Preserve, stated:

"It is essential, however, that the deed of conveyance or the appropriation in each instance adequately indicate the purpose of the acquisition."

Judge Gibson noted that this test was not met in the case of the Cascade Lake tract and concurred in the finding of Forest Preserve status. In the instant case, the deeds and condemnation title documents contain no recitals or clauses purporting to exclude the parcels from the Forest Preserve or stating the statutory basis for the exclusion.

The deed for Essex 123 does contain a bare notation on the deed jacket as follows: "Conservation Misc. - Special Use- Bond Program." **No legislative enactment ever created an inconsistent purpose- special use category statutorily excluded from the Forest Preserve.**

I have been informed by Norman J. VanValkenburgh that the "special use" notation was not a land classification, but a financial coding indicating which Bond Act Funding category the acquisition funds would be drawn from.

A comprehensive treatise on the arguments against the existence of the inconsistent purpose doctrine is beyond the scope of this letter. The case against the existence of such an exception to Article XIV is well discussed in Dean Semerad's report in the Temporary Study Commission's Technical Reports and Robert Glennon's similar report in the Technical Reports of the 21st Century Commission.

The crux of the controversy over the planned biathlon project is the Department's determination *sua sponte* that it can decide whether these forested lands in Essex County are Forest Preserve or non-Forest Preserve.

On this factual record, the Department's position would make the "hereinafter acquired" language of Article XIV meaningless.

Article XIV, section 1 provides that "lands of the state, now owned or hereinafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands."

ECL Section 9-0101 provides the legislative definition of the Forest Preserve with designated exceptions such as lands acquired under the provisions of ECL sections 9-0107 and 9-0105. The biathlon parcels at issue in this case do not fall within the purview of either ECL sections 9-0107 or 9-0301. Even these statutes require deed clauses stating the purpose of the acquisition which are not present in this case. No legislative enactment exists which creates an exception to Article XIV for "Special Use" lands.

In the absence of such a statute, it is clear that neither the framers of Article XIV or the legislature ever intended to vest in the DEC commissioner the unfettered right to buy any "forested land in a Forest Preserve County" and exclude it from the Forest Preserve. Such an interpretation would totally contravene and nullify the "hereinafter acquired" clause of Article XIV and give DEC the power to hereinafter define the Forest Preserve.

Dean Semerad stated:

"The argument that a state department could, by insertion of a clause in a deed perform an act of constitutional amendment that could not be performed by the Governor and both houses of the legislature acting in concert is so baseless that it is difficult to answer except by pointing out that the constitution is the supreme law of the state and takes precedence over all other acts, rules, regulations, opinions and laws.

It is specifically intended to restrict the powers of governmental officers. The fact that it does so is the deliberate choice of the constitutional amendments and the people. If it does so unduly, its effect must be alleviated by amendment. The pattern of amendment over the years is acknowledges this simple truism."

The Court of Appeals and the Appellate Division in the McDonald case ruled that the construction of a man-made sports setting such as a bobsled run (which was much smaller than the 150,000 square foot biathlon track in this case) was unconstitutional. We do not believe that the courts will support this circumvention of the "hereinafter acquired" clause of Article XIV and the amendment process.

On the factual record of these acquisitions and the applicable law, we do not believe the courts of this state will concur with your determination that these parcels are not Forest Preserve. We renew our request that you formally request an opinion from the Attorney General before proceeding with the construction of the said paved biathlon tract.

Very truly yours,

Neil F. Woodworth

Neil F. Woodworth
Counsel

Residents' Committee to Protect the Adirondacks
P.O. Box 27, Main Street, North Creek, NY 12853
Phone/Fax (518) 251-4257

TO: Holly E. Elmer
FROM: Peter Bauer, RCPA
RE: Comments Mt. Van Hoevenberg Draft UMP
DATE: September 9, 1996

General Comments

The Residents' Committee to Protect the Adirondacks (RCPA) has received the Unit Management Plan Update and Amendment and Draft Generic Environmental Impact Statement for the Olympic Sports Complex at Mount Van Hoevenberg.

The RCPA recognizes the importance of ORDA's efforts to attract world class athletes to its facilities in Lake Placid. We recognize that facilities and athletes will attract tourists and will result in jobs for local residents. We support ORDA's effort to make the Olympic Sports Complex at Mount Van Hoevenberg less a one-season site and more a two- or three-season one.

Forest Preserve Issues

The RCPA does have concern with some of the proposals in the UMP/DEIS. We believe that the lands ORDA has designated Special Use Lands should be managed as Forest Preserve lands and remain under the protection of the forever wild clause of Article 14 of the New York State constitution.

We believe that the proposed activities of cutting 1,231 trees, paving two parking areas and laying a network of pipes over 7.1 km of trails are not appropriate for the Forest Preserve. The UMP/DEIS should be changed to eliminate or substantially reduce all of the above activities. Please note that activities, such as the pipeline network and tree clearing, require a constitutional amendment and we suggest that ORDA follow the proper procedure for such amendments.

The RCPA takes the position that ORDA and or the DEC must proffer a position on the constitutionality of Special Use lands in the Forest Preserve. The RCPA believes that this project raises serious issues associated with the Forest Preserve and that a declarative position must be formulated by ORDA and DEC prior to taking such steps for the development of this Forest Preserve area as are outlined in this UMP/DEIS.

The Bobsled Track

The RCPA is concerned about the proposal to construct a new bobsled track and manage the old track for winter tourist

sledding from Shady Corners on down and for summer use for wheeled-sleds. The RCPA supports construction of a new world class facility, but given the argument that the old track is so poorly designed, due to poor footings, that the track shifts with cold weather and pipe break, the RCPA questions the merits on its continued winter operation. It seems to us that the track is not worth the maintenance costs for winter use and that winter tourist use should be on the new state-of-the-art track and that the old track be used for summer use only, hence lower maintenance costs.

Herbicide Spraying: "Chopper"

The RCPA does not support use of "Chopper" (Imazapyr) for the maintenance of trail vegetation at Mount Van Hovenberg.

Management Issues

The RCPA questions the need for application of a salt and sand mixture on facility parking lots. Also, the RCPA is concerned about the aesthetic impacts of plastic orange fences, and finds wooden fences preferable.

Thank you very much for the opportunity to express our concerns. We look forward to continuing to work with the LA Group and ORDA towards resolution of the issues we've identified in the UMP/DEIS. Please note that a hard copy will follow.

LAKE PLACID ADAPTIVE SPORTS, INC.

"Sports and recreation programs for the disabled"

Holly E. Elmer
The L.A. Group, P.C.
40 Long Alley
Saratoga Springs, NY 12866

Re: Olympic Sports Complex at Mount Van Hoevenberg
Unit Management Plan Update and Amendment;
Draft Generic Environmental Impact Statement

Dear Ms. Elmer:

I write this letter on behalf of Lake Placid Adaptive Sports, Inc. ("LPASI"), a newly created not-for-profit New York corporation who has as its purpose:

1. To provide recreational, sporting and educational opportunities for people with disabilities;
2. To develop barrier-free, accessible outdoor facilities for people with disabilities that compliment and are in harmony with the environment of the Adirondack Park, and
3. To provide and make handicap-accessible supporting services to all disabled persons who visit the Lake Placid area and the Olympic venues.

LPASI has embraced the mission of Disabled Sports USA (DS/USA) "to ensure that disabled people have access to sports, recreation and physical education programs, from preschool through college to elite sports."

As such, LPASI is currently processing an application for chapter membership in Disabled Sports USA. DS/USA is a member of the U.S. Olympic Committee, the President's Committee on Employment for People with Disabilities, and the International Sports Organization for the Disabled.

DS/USA is a national non-profit, tax exempt organization providing year-round sports and recreation services to children and adults with disabilities. DS/USA was founded in 1967 by disabled Vietnam veterans. Today, DS/USA has established a network of over 80 community-based chapters in 40 states. DS/USA currently sanctions competitive events and/or recreational activities for disabled athletes in alpine skiing, nordic skiing, cycling, sailing, shooting, swimming, table tennis, track and

field, volleyball, weight lifting, lawn bowling, golf, hiking, rafting, kayaking, scuba diving, and many other sports. In addition, DS/USA provides training and certification for adapted ski instructors through affiliation with the Professional Ski Instructors of America. DS/USA also provides for certification of adapted aerobic fitness instructors through affiliations with several organizations, including the Aerobics and Fitness Association of America, American Council on Exercise, American Kinesiotherapy Association, the National Academy of Sports Medicine, U.S. Skiing, and the Women's Sports Foundation. LPASI will be working closely with both ORDA and the USOC to bring top competitive sports events and programs for the disabled to the North Country.

Members of our Board of Directors have reviewed the UMP and DGEIS for the Olympic Sports Complex at Mount Van Hoevenberg dated July, 1996. ORDA, the NYS Department of Environmental Conservation and the L.A. Group are to be commended for the compilation of these documents.

On behalf of LPASI, we would encourage ORDA to incorporate into the Mount Van Hoevenberg UMP and other programmatic documents for its various facilities the following concepts regarding programs, education, training and the adaptation of sports and recreational facilities for the disabled:

I. Acknowledgment and commitment to the following general principles:

- A. That participation in sports, recreation, and physical fitness is an integral part of the rehabilitative process. In this process, people with disabilities gain specific abilities that increase self-confidence, independence, and mobility, which in turn promote employment, education, and social development;
- B. That activities for the disabled be sponsored in a public recreational facility to provide maximum interaction with non-disabled people in an integrated environment;
- C. That, in most cases, there is no reason why a person with a physical disability cannot be physically fit and that fitness is particularly essential to promote physical and mental well-being with disabled people; and
- D. That sports and recreational instruction should be conducted by trained volunteers and professionals and carried out in a carefully planned educational setting.

II. A Partnership with ORDA and LPASI at its helm where appropriate state, national and international organizations utilize Lake Placid, the Olympic venues and the North Country environs to promote:

- A. Adaptive Fitness Instructor Training and Certification Clinics;

- B. Adaptive Officials and Coach Training and Certification;
- C. SKI SPECTACULAR for Disabled Skiers and Adaptive Skiing Clinics;
- D. DS/USA sanctioned regional events;
- E. DS/USA sanctioned national events including qualification trials for international competitions;
- F. Host status for National Summer Games, U.S. Disabled Ski Championships and International Disabled Sports Team Events;
- G. Training for individual and Team member competitions;
- H. Other recreational opportunities (competitive and non-competitive) for the disabled.

LPASI looks forward to working with ORDA, the USOC, the State of New York, Essex and surrounding counties and our various municipalities in the North Country in making these principles and goals a reality to our special region.

The opportunity to comment on this worthwhile undertaking is appreciated.

Dated: September 9, 1996

Sincerely,



LTC. Donald L. Dew USA (RET)

cc: Ted Blazer, CEO
Olympic Regional Development Authority

Jack Favro, Director
U.S. Olympic Training Center - Lake Placid

Steven Fulkrod, Administrative Services Manager
Disabled Sports/USA

bcc: Angel Ortiz
Calle Calve #1468
URB Antonsanti
San Juan, Puerto Rico
00927

Sierra Club - Atlantic Chapter Environmental Advocates

September 9, 1996

To: Holly Elmer, LA Group
40 Long Alley
Saratoga Springs, NY 12866

Re: Comments on the Mount Van Hoevenberg Unit Management Plan Update and Amendment and Draft Generic Environmental Impact Statement.

On review of the Mount Van Hoevenberg Unit Management Plan Update and Amendment And Draft Generic Environmental Impact Statement (UMP/DEIS) we find several areas that are seriously flawed. Most seriously the document proposes a number of actions that are prohibited by Article 14 of the New York State Constitution. The lack of any serious consideration of environmental impacts of installing snowmaking equipment and lights on 7.3 acres of cross country ski trails is another serious flaw in the document.

Constitutional Issues

Any proposed development on state owned lands in the Adirondack or Catskill Parks, must be measured against the provisions of Article 14 of the New York State Constitution and the interpretation of these provisions in decisions by the courts. **The UMP/DEIS is seriously and substantially deficient in evaluating the constitutionality of proposed actions.** There are internal inconsistencies in the document, misinterpretations of the applicability of Article 14, misinterpretations of case law on the constitution, confusion of administrative classifications and the constitutionality of certain proposed actions, and finally an apparent claim that the lands where a substantial degree of development is proposed are not New York State Forest Preserve with absolutely no discussion or justification claim anywhere in the document.

Article 14 of the New York State Constitution reads as follows:

The lands of the state, now owned or hereafter acquired, constituting the Forest Preserve as no fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed, or destroyed.

Development at what is now the Mount Van Hoevenberg Recreation Area was at the center of one of the landmark interpretations of Article 14 of the New York State Constitution - Association for the Protection of the Adirondacks v. McDonald, 228 A.D. 73(3d Dept. 1930), affirmed 253 N.Y. 234. In this decision the construction of a proposed bobsled run on state owned land was held to be unconstitutional. The Appellate Division, interpreting the simple language in Article 14, rightly held that uses of forest preserve must be consistent with the preservation of the forest lands in their wild state:

"Its uses for health and pleasure must not be inconsistent with its preservation of forest lands in a wild state. It must always retain the characteristics of a wilderness. Hunting, fishing, camping, mountain climbing, snowshoeing, skiing or skating find an ideal setting in nature's wilderness."

"No artificial setting is required for any of these purposes. Sports which require a setting which is man-made are unmistakably inconsistent with the preservation of these forest lands in the wild and natural state in which Providence has delivered them."

Sierra Club/Environmental Advocates pg. 2

The UMP/DEIS appears to argue based on dicta in McDonald, that the test of constitutionality relates only to tree cutting on Forest Preserve Lands. In fact, the UMP/DEIS seems to hold that Article 14 of the New York State constitution only governs the cutting of trees. For example in the discussion of laws and regulations governing implementation of the Unit Management Plan the UMP/DEIS states: "Article XIV of the State Constitution governs the cutting of trees in the Forest Preserve." Based on this mistaken reading of McDonald, the UMP/DEIS in its discussion of the constitutionality of the proposed actions only asserts that tree cutting associated with these actions will be conducted in accordance with Article 14. No discussion, justification or assertion is offered regarding the constitutionality of the substantial construction of stadiums, buildings, parking lots, snowmaking facilities, lighting facilities, reservoirs, target ranges, and other facilities proposed in the UMP/DEIS. The UMP/DEIS is offering an unreasonably narrow reading of Article XIV and subsequent interpretations by the courts. No court has ever held that simply because a proposed development on the Forest Preserve involved an "immaterial" cutting of trees, it met the test of constitutionality. Based on this interpretation, presumably any form of development could be judged to be constitutional if it occurred in naturally occurring clearings.

The framers of the constitution, the Appellate Division, in McDonald and subsequent interpretation, were addressing tree cutting not as the sole concern of Article 14, but as one activity that has a substantial impact on the "preservation of forest lands in a wild state." Arguably, construction of stadiums, buildings, snowmaking facilities, parking lots, lighting facilities, reservoirs, etc. also will have a significant and substantial impact on the wild state of forest lands. In fact it is reasonable to conclude that the construction of these types of facilities are incompatible with the preservation of forest lands in their wild state and so not permitted by Article 14. Arguably, it was for precisely this reason that the Appellate Division, in McDonald held that "Sports which require a setting which is man-made are unmistakably inconsistent with preservation of these forests in the wild and natural state in which Providence has delivered them."

It appears to us that since the proposed Cross Country Ski Stadium expansion, the warming hut on the Porter Mountain Loop, the snowmaking system, the reservoir, the lighting facilities, the biathlon target range, the proposed pole barn, the parking lot, are all on Forest Preserve and that construction of any one of these facilities would significantly and substantially degrade the wild state of forest lands, that these developments are prohibited by Article 14 of the New York State Constitution. Since the UMP/DEIS makes no argument for the constitutionality of these facilities, it would appear that the Olympic Regional Development Authority concedes this point.

While the UMP/DEIS does not explicitly argue for the constitutionality of the facilities proposed for construction on Forest Preserve, it does appear to argue that since the lands in question have been designated as intensive use lands in the State Land Master Plan, that more development ought to be allowed on these lands than on other Forest Preserve lands. The State Land Master Plan, is explicitly constitutionally "neutral", so that designation of lands in the State Land Master Plan in no way bears on the constitutionality of particular developments on these lands. In fact, a particular land use designation has never been weighed by the courts in determining the constitutionality of specific actions on the Forest Preserve. The constitutionality of particular actions must be weighed on a case by case basis judging the consistency of the proposed action with preserving the forest lands in question.

There has been a long history in New York State of resolving proposals to use Forest Preserve in ways that are inconsistent with Article 14 through constitutional amendments. In fact the UMP/DEIS proposes to defer an action proposed in the 1986 Unit Management Plan for the Mount Van Hoevenberg Recreation Area - the paving of biathlon trails - until Article 14 is amended to explicitly allow this action to occur. We would argue that the proposal to pave biathlon trails is not different in substance or degree from the proposals to expand stadiums, install snowmaking equipment, construct lighting facilities, or construct reservoirs, etc. Since the UMP/DEIS makes no argument why construction of the above mentioned

Sierra Club/Environmental Advocates pg. 3

facilities differs from paving biathlon trails we can only assume that they tacitly agree that construction of these facilities would also require constitutional amendment.

Finally, the UMP/DEIS appears to claim that the Forest Preserve lands on which a substantial amount of development is proposed, are not in fact Forest Preserve lands at all, but "special use lands". This claim can be found in the UMP/DEIS in Figure 4-2, a map identifying the trails where snow making and lighting are proposed. The map also purports to show those lands that are "Forest Preserve", those lands which are "Special Use", as well as lands over which the state has acquired a permanent easement and private lands. The lands that are identified as "Special Use" are in large part Sublots 2 and 4 of Lot 8, Township 12, Richards Survey, Old Military Tract, Town of North Elba, County of Essex.

It is not clear from the UMP/DEIS why these lands are defined as "Special Use" lands, or exactly what implications the designation of these lands as "Special Use" may hold for the actions proposed by the UMP/DEIS, but apparently the UMP/DEIS is asserting that these lands are not Forest Preserve lands. In fact, as defined in New York State Environmental Conservation Law, Section 9-0101(6), these lands clearly are Forest Preserve lands.

Apparently the UMP/DEIS is confusing an administrative designation employed by the New York State Department of Environmental Conservation (DEC) with the definition outlined in the Environmental Conservation Law. It is our understanding that the DEC utilizes the "special use" designation to identify Forest Preserve lands purchased with funds from certain capital fund accounts. As such, this designation would have no bearing on the Forest Preserve status of the lands in question and certainly no bearing on the compatibility of actions proposed by the UMP/DEIS with Article 14 of the New York State Constitution or any other state regulation or law.

It should also be noted that on review of the deeds for the parcels of land in question, the deeds for two of the parcels, Essex 5.2 and 5.3, representing the majority of land in subplot 2, make no mention that these parcels were acquired for "Special Uses", but instead state that the lands were acquired for general conservation purposes and as such are not legitimately identifiable as "Special Use" lands.

Thank you for your consideration of our comments.

Sincerely,

John Stouffer
Sierra Club - Atlantic Chapter
353 Hamilton St.
Albany, NY 12210
(518) 426-9144

Eric Siy
Environmental Advocates
353 Hamilton St.
Albany, NY 12210
(518) 462-5526

SECTION 2.0 SUMMARY OF SUBSTANTIVE COMMENTS AND RESPONSE TO COMMENTS

This section provides a summary of substantive comments made on the UMP/DGEIS and references to similar comments is made in order to provide a single comprehensive response.

2.01 Project Purpose and Need

Comment A (by Jon Jenkins, August 26, 1996 Public Hearing)

The Commentor states that construction of the new combined bobsled and luge run is critical to preserving the presence of the bobsled and luge athletes during training and racing and to maintaining the level of tourism present in the Lake Placid area. Development of training and racing facilities in Park City, Utah, could become a big attraction for athletes and tourists and reduce the presence and related economic activity of these groups in Lake Placid and the Lake Placid Region. The Commentor is concerned with the future level of use of the U.S. Olympic Training Center if the new bobsled/luge track is not constructed because the luge athletes occupy a substantial amount of space at the Center. The Commentor is concerned that the local economy will suffer if the improvements proposed for the Olympic Sports Complex at Mount Van Hoevenberg are not implemented.

Similar comment by Jack Shea, August 26, 1996 Public Hearing.

Response A The comment is noted.

Comment B (by Ed Finnerty, August 26, 1996 Public Hearing)

When Park City comes on-line, the international races will have a circuit which includes Calgary, Anchorage, Sun Valley and Park City and we need to give them a reason to come to Mount Van Hoevenberg. We need to commit to the facility and use this UMP document to implement the plan that will lead to an excellent facility. We have the ability to have the best venue in the world, if we bring the commitment to it.

Similar comment by Ken Klauck, August 26, 1996 Public Hearing.

Response B The comment is noted.

Comment C (by Richard Erenstone, August 26, 1996 Public Hearing)

Races at the facility are conducted in an extremely well-run manner and every detail is taken care of, the tracks are well prepared, the competitors are taken care of, and everything is first class. The problem is that when there is a race going on, everyone forgets about the recreational skiers.

The recreational skiers should have an opportunity to ski during races. This problem may be a major reason why skier visits are down at the facility. People can cross-country ski for free anywhere in the Adirondacks, but the one thing Mount Van Hoevenberg has to sell is well-groomed trails, and that's what people come to the facility for, in addition to the great terrain. Maintenance of well-groomed trails is essential to the facility.

Similar comment by Tom Kudzma, August 26, 1996 Public Hearing.

Response C In 1995 ORDA began allowing recreational racers to utilize the cross-country facilities soon after races began. ORDA feels this is an important issue and will continue to provide and expand access to recreational skiers during competitions. Addressing the needs of the recreational skier at Mount Van Hoevenberg is of paramount importance to the goals of the unit management plan. The steps proposed to be taken to meet the needs of recreational skiers are included in phase one of the UMP and include the proposal to develop snowmaking and night lighting on 7.3 km of ski trails, maintaining ski trails and ski bridges, rehabilitating the existing biathlon lodge as a recreational lodge, and paving the more heavily used parking areas.

Comment D (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA recognizes the importance of ORDA's efforts to attract world class athletes to its facilities in Lake Placid. We recognize that facilities and athletes will attract tourists and will result in jobs for local residents. We support ORDA's effort to make the Olympic Sports Complex at Mount Van Hoevenberg less a one-season site and more a two- or three-season one.

Response D The comment is noted.

2.02 Ski Tunnel

Comment A (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor supports the idea of replacing the existing undersized ski tunnel, as long as the replacement structures are appropriately sized to accommodate the same grooming equipment used on the rest of the trails while allowing for a foot or so of snow within the tunnel.

Response A Ideally, the replacement culverts will be large enough to allow a Piston Bully 270 to pass through. In the event this is not possible, culverts will be selected that will permit a Piston Bully 130 to groom the snow.

2.03 Stadium Widening

Comment A (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor questions the statement in the document that the timing building may not be moved back in line at the same time as the proposed tree cutting for the widening of the stadium. The Commentor states that leaving this structure as a virtual island in the then widened stadium would still inhibit races, that no greater race capability would be gained, and expresses the hope that the improvement can be done as a one-shot process.

Response A In the period of time elapsed since the UMP/DGEIS comment period closed, the need for widening the stadium has been eliminated by relocating the NYSEF wooden building to an area behind the cross-country lodge. This allows the stadium to meet international standards to a point. The standards require a 200 meter straightaway to the finish line, with a timing building located at the finish line. This will require removal of 25 trees over 3" dbh for the extension of the straightaway, and 12 trees for the relocation of the timing building, instead of the 367 trees originally indicated to be removed for widening the stadium. The existing scoreboard in the stadium needs to be removed and in its place the portable scoreboard proposed to be purchased can be used.

2.04 Trail Dividers

Comment A (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor suggests that trail fencing be replaced with something more eye-appealing than orange safety fence.

Similar comment by Ron Rossi, United States Luge Association, Letter of August 28, 1996.

Response A The replacement fencing will be a portable "pop" fencing consisting of composite 5 foot tall ski poles supporting a nylon mesh "fence" which is royal blue in color. This type of fencing is lightweight and easy to move around, it is safer than wooden slated fencing if a skier should run into it, and it is more noticeable, again making it safer than the wooden slate fence.

Comment B (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA is concerned about the aesthetic impacts of plastic orange fences, and finds wooden fences preferable.

Response B See Response A above.

2.05 Warming Hut

Comment A (by Jack Shea, August 26, 1996 Public Hearing)

The Commentor questions the use of the proposed warming hut and is concerned that if a concessionaire were established here then the wilderness character of the surrounding environs would be completely altered. The Commentor would prefer to see this hut referred to as a first aid hut.

Response A The proposed destination or warming hut will not have a concessionaire's stand nor will a manned first aid station be established. The proposed destination hut will simply provide a place to shelter from the weather.

Comment B (by Richard Erenstone, August 26, 1996 Public Hearing)

The Commentor asks whether the proposed warming hut will be heated.

Response B The hut will not be heated but will provide shelter from the weather.

2.06 Land Acquisition

Comment A (by Jack Shea, August 26, 1996 Public Hearing)

The Commentor feels that it would make sense if the updated UMP included a proposal to acquire private lands which form outholdings within and adjacent to the Olympic Sports Complex.

Response A The UMP on page 56 identifies the high priority of acquiring interior parcels of private land. The 1986 UMP initially identified this management action which is still valid in the updated UMP.

2.07 Trailhead Parking

Comment A (by Jack Shea, August 26, 1996 Public Hearing)

The Commentor is concerned that the proposal to investigate the feasibility of situating a parking area on lands of the Olympic Sports Complex at Mount Van Hoevenberg for trail access to Cascade, Porter and Pitchoff Mountains will have adverse impacts on vegetation and surface water resources and will increase use of ski trails by those who have not purchased tickets to do so.

Response A A parking area for trailhead access can be located so as to minimize the potential for impacts to vegetation and surface water resources. Although tree clearing will be necessary, the utilization of appropriate erosion

control and stormwater management design, implementation and maintenance will reduce or eliminate the potential for impact to soil and surface water resources. The main reason for development of the trailhead access parking area is to ensure the safety of hikers and vehicles traveling on NY Route 73. The possibility of ski trail use by skiers who have not purchased tickets is secondary to preventing potential accidents and fatalities and can be dealt with by increased patrolling of ski trails.

Comment B (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor feels that the Pitchoff, Cascade and Porter Mountain trails are the most over-used trails in the High Peaks Region and that providing a parking area will encourage more people to use them. The Commentor is concerned that if the parking area is in the interior of the cross-country ski area then buildings unsupervised in the summer will be subject to vandalism.

Response B The high level of use of the Pitchoff, Cascade and Porter Mountain trails causes many vehicles to park on the shoulder of NY Route 73 and create an unsafe condition for both hikers and passing vehicles. It is the responsibility of the DEC, which oversees use of the trails and of the Olympic Sports Complex, to ensure safe access for recreators. The need to supervise use will be included in the feasibility study for locating a parking area.

2.08 Lighted Ski Trails

Comment A (by Jack Shea, August 26, 1996 Public Hearing)

The Commentor supports the proposal to establish 7.5 kilometers of lighted ski trails as long as the trails to be lighted are not too far into the wilderness area which would disturb wildlife. The stadium is a convenient location and should be included in the trails proposed to be lighted.

Response A ORDA has decided not to pursue the idea of lighting cross-country ski trails.

2.09 Marketing

Comment A (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor expresses the hope that ORDA will initiate a comprehensive marketing campaign for the Mount Van Hoevenberg facility, particularly the ski aspects. The Commentor feels that the facility is not currently marketed. The statistics in the UMP on page 35 indicate that skier visits (or skier days) have decreased by 70% at the facility, from a high of over 24,000 in 1987-88 to 7,600 in 1994-95. This illustrates the importance of marketing the facility and the sport. The Commentor

understands from industry information that in general, Alpine skier visits have either been flat, decreased or increased, depending on which study is examined, by a maximum of 3%. However, Nordic or cross-country skier visits over the same period of time have increased from 15% to 30% or more, again depending on which study is examined. This indicates that the facility is trending against the industry, that is, skier visits increasing in most places yet substantially decreasing at the Olympic Sports Complex.

Response A The ORDA marketing department is reevaluating its marketing program for the cross-country program at Mt. Van Hoevenberg's Olympic Sports Complex. Lake Placid's Nordic facilities have been recognized as among the best in North America by the readers of Snow Country Magazine and this testimonial will be capitalized on. In addition, the cross-country program is being jointly promoted through Whiteface Mountain, with multiple-day ticket holders having cross-country skiing included in the ticket price. This should help expose more Olympic Region visitors to Mt. Van Hoevenberg facilities.

However, national participation in the sport of cross-country has fallen dramatically in the past six years, suffering a 33% decline according to the Ski Industries of America (5.1 million skier visits in 1990 vs. 3.4 million in 1995). A heavy race program, poor natural snow conditions, declining participation in the sport and the growth of free access to the local Jackrabbit Trails system have seriously impacted the number of paid skier visits at Mt. Van Hoevenberg. While every effort will be made to significantly increase recreational participation through improved marketing, reaching the skier levels of the late 1980's will be very difficult to achieve.

Comment B (by Richard Erenstone, August 26, 1996 Public Hearing)

On a national class or world class basis, the terrain and weather at Mount Van Hoevenberg is as good as it gets anywhere in the world, and the facility needs to be marketed and nurtured and managed properly so that it can attract more recreational skiers.

Response B The comment is noted. Refer to Response A above.

2.10 Alternatives

Comment A (by David Gibson, The Association for the Protection of the Adirondacks, Letter of August 26, 1996)

In Section VI, Alternatives, one would expect to find discussion of private facilities or lands elsewhere in North Elba which have been assessed as to their ability to satisfy recreational use needs or requirements not met or not adequately met at Van Hoevenberg. No such discussion is presently incorporated.

Response A The Adirondack Park State Land Master Plan (SLMP) specifies the content of unit management plans in Section I, Introduction, Unit Management Plan Development, on page 8 of the November 1987 edition of the SLMP. To summarize, UMP's must contain an inventory of existing facilities, an inventory of the types and extent of actual and projected public use, an assessment of the impact of public use on natural resources, an assessment of the carrying capacity of the subject area, and management objectives must be set forth. Because the subject of each individual UMP is an established area, the individual management plans are site specific and need not consider alternative development sites. It is necessary to identify proposed management actions which will further the identified management objectives for each specific managed land unit. In the case of Mount Van Hoevenberg, the need to upgrade lodges, maintain and groom trails and improve trail conditions in order to extend the ski season, construct a new combined bobsled/luge run, maintain the biathlon target range and widen the stadium are all aimed at maintaining use of the facility and the attendant economic activity such use brings to the region.

2.11 Regulatory Issues

Comment A (by David Gibson, The Association for the Protection of the Adirondacks, Letter of August 26, 1996)

The Commentor objects to the use of the designation of "Special Use Land" on UMP Figures 1-4 and 4-2 and pages 6-7 and states that DEC Bureau of Real Property records classify all or part of these lands as Forest Preserve and requests that the Special Use Land designation be removed from the UMP document.

Similar comment by Michael DiNunzio, The Adirondack Council, Letter of September 5, 1996; Neil Woodworth and John Caffry, Adirondack Mountain Club, Letter of September 6, 1996; John Stouffer, Sierra Club-Atlantic Chapter and Erie Siy, Environmental Advocates, Letter of September 9, 1996.

Response A The Commentor's objection is noted, and the Special Use Land designation is hereby removed from the updated UMP.

Comment B (by David Gibson, The Association for the Protection of the Adirondacks, Letter of August 26, 1996)

The Commentor questions the constitutionality of some of the management actions in the UMP proposed on Forest Preserve land on the facility (including those currently designated in the document as Special Use Lands) including new buildings and parking lots, a reservoir, snow-making equipment and pipes, poles and night-lighting.

The Commentor asks how these developments differ in their impact on the wild forest character of the Forest Preserve and in the absence of an "artificial setting" (McDonald v. Association) from the trail paving proposal? The UMP does not say why it finds the one unconstitutional and the other constitutional. Recall what Appellate Judge Hinman wrote in McDonald v. The Association for the Protection of the Adirondacks (1930):

"Sports which require a setting that is man-made are unmistakably inconsistent with the preservation of these forest lands in the wild and natural state."

The Commentor suggested in 1992, and respectfully suggests now, that Mt. Van Hoevenberg Olympic Sports Complex is increasingly in need of a long-range plan which incorporates a well-crafted amendment to Article XIV. The cumulative effects of over twenty years of land development fundamentally inconsistent with Forest Preserve purposes, the pressures of bringing facilities up to international standards and the increasingly man-made and high speed activities planned for the future point in this direction. The absence of constitutionally authorized development at Van Hoevenberg, and its presence at Gore and Whiteface Mountains, is an anomaly difficult to explain. Attempts at crafting an amendment which could be supported by all parties failed in 1993, but clearly needs to be resurrected. If disagreements as to the constitutionality of present and planned developments at Van Hoevenberg continue, logic would clearly point to the seeking of an opinion of the Attorney General in this matter. The Association for the Protection of the Adirondacks would be pleased to meet with ORDA, DEC and DED officials to discuss this and related matters.

Similar comment by Michael DiNunzio, The Adirondack Council, Letter of September 5, 1996; Neil Woodworth and John Caffry, Adirondack Mountain Club, Letter of September 6, 1996; Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996; John Stouffer, Sierra Club-Atlantic Chapter and Eric Siy, Environmental Advocates, Letter of September 9, 1996.

Response B One of the main goals of the updated UMP is to amend New York State Constitution Article XIV in order to constitutionally authorize operations at Mount Van Hoevenberg, similar to the ski trails and related facilities at Whiteface Mountain. Such a constitutional amendment would establish the right to operate and maintain the Olympic Sports Complex and will allow the proposed management actions which will bring the facility up to world-wide standards for competition while setting a specific limit for the growth of facility. The constitutional amendment for Whiteface Mountain ski area provides the necessary flexibility to preserve and enhance a unique world class facility for use by future generations. The same needs for preservation of a unique facility exist at Van Hoevenburg. Following

is a list of management actions which are identified as those which can occur after the updated UMP is approved and adopted, and those which can occur pending the constitutional amendment to Article XIV.

Management Actions which can take place when UMP is approved and adopted:

Trails

Maintain cross-country and biathlon ski trails to applicable International Ski Federation (FIS) and International Biathlon Union (IBU) standards

Continue trail homologation (international standardization)

In kind replacement of bridges on ski trails (Refer to revised Figure 4-6, enclosed)

Construct mini-stadium bridge to increase safety at high speed trail intersection

Create a longer straightaway at the start/finish at the current cross-country stadium and relocate timing building

Upgrade trail signage and trail maps

Bobsled/Luge Run

Construct new combined bobsled/luge track

Biathlon Course Amenities

Purchase portable scoreboard

Lodges

Rehabilitate the biathlon lodge as a recreational lodge (includes outside deck and landscaping)

Parking

Restructure the existing cross-country ski center parking lot to accommodate better traffic flow, drop-off area and parking pods

Restructure the existing biathlon lodge parking area to improve traffic flow, accommodate parking spaces, and provide overflow parking

Restructure the existing access to the bobsled/luge area by creating a loop road with a vehicle drop-off zone



the LA group
Landscape Architecture
and Engineering, P.C.

**CLOUGH, HARBOUR
& ASSOCIATES**
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

UNIT MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA



OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY

**CROSS-COUNTRY
TRAIL IMPROVEMENTS**

© 1996

DATE: 4-2-96

SCALE: 1:20,000

FIGURE NO. 4-6

Miscellaneous

Purchase additional grooming equipment

Maintain and replace security fencing

Maintain grounds and physical plant (two buildings need roof work, one needs a boiler)

Replace bridge at existing pump station and replace weir as required by DEC and described in UMP

Develop and schedule off-season events such as horse shows and festivals

Replace wooden snow fencing on trails

Management Actions Pending Article XIV Resolution:

Trails

Create three connector trails

Widen trails north of the access road

Construct a snowmaking system on 7.3 +/- km of ski trails. This includes building a reservoir, a building to house pumps and air compressors and controls, installing a transformer, adding a pump at the existing pump station where bobsled run icing water is currently withdrawn, installing water and air piping with snowmaking gun hydrants and power to run the guns along the trails where snowmaking is planned

Replace two ski tunnels under the access road

Construct a destination hut (unheated and unmanned) on the Porter Mountain loop

Lodges

Build new racer's facility/training center in a location with better drainage to replace the cross-country lodge

Relocate wax test area to be adjacent to new racer's facility if necessary

Parking

Pave parking fields with high rate of use

Pave loop road to bobsled/luge area

Construct trailhead parking area in conjunction with DEC and DOT

Miscellaneous

Construct a pole barn for equipment storage

In addition to those above, the improvements identified in the 1986 Unit Management Plan, which remains in effect today, are still valid. Certain of the improvements in the 1986 UMP have been modified and updated in this UMP, while others have been deferred. Many improvements identified in the 1986 UMP have been constructed, while others are under construction. They are identified as part of the five year update, and are noted as already approved in the 1986 UMP. The status of actions in the 1986 UMP is summarized in Table 1-1, "Status of 1986 UMP, As Amended, Management Actions."

Comment C (by David Gibson, The Association for the Protection of the Adirondacks, Letter of August 26, 1996)

Section V of this DGEIS fails to discuss potential impacts of a constitutional amendment, including impacts of a land exchange at Mt. Van Hoevenberg. One would expect to find general data and discussion about possible exchange land opportunities, costs and benefits.

Response C As noted in Response B above, it is the goal of the updated UMP to pursue an amendment to New York State Constitution Article XIV in order to authorize development at the Olympic Sports Complex, for both existing and proposed facilities and their upgrading and maintenance. Such an amendment would have a positive impact as it would constitutionally authorize development at the Complex, which is designated as in Intensive Use Area in the Adirondack Park State Land Master Plan. The mechanics of this amendment will be outlined by the DEC working with the New York State Legislature.

Comment D (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA takes the position that ORDA and/or the DEC must offer a position on the constitutionality of Special Use Lands in the Forest Preserve.

Response D Refer to Responses A and B above.

Comment E (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA believes that the proposed activities of cutting 1,231 trees, paving two parking areas and laying a network of pipes over 7.1 km of

Table 1-1

Status of 1986 UMP, As Amended, Management Actions

| Management Actions | | | Completed | On-Going | Pending Implementation | Deferred | Modified & Updated in UMP, 5-Year Plan |
|--------------------|---|---|-----------|----------|------------------------|----------|--|
| 1 | | Annual review of facility compliance with established safety standards with modification as required. | | X | | | |
| 2 | | Development and scheduling of summer, or off-season, events. | | X | | | |
| 3 | | Acquisition of lands where temporary ski trail easement is located and of interior parcels of private land. | | | X | | |
| 4 | | Maintenance and operation level. | | X | | | |
| 5 | a | Construct luge finish building of 280 sf. | X | | | | |
| | b | Luge Curve 5 building of 200 sf. | X | | | | |
| | c | Bobrun finish road extension. | X | | | | |
| | d | Biathlon bridge over access road. | X | | | | |
| | e | Bobrun deck enclosure. | | | | X (1) | |
| | f | Cross-country lodge expansion. | | | | | X |
| 6 | | Maintenance of grounds and physical plant. | | X | | | |
| 7 | | Amendment to State Land Master Plan to pave biathlon trails. | | | | X (2) | |
| 8 | | Maintain 23.2 km of Cross-Country Trails | | X | | | |
| 9 | | Build Ski Bridge in Mini-Stadium | | | X | | |

5091wt06.doc

1. No longer required due to anticipated new track.
2. Project deleted pending re-evaluation once a State constitutional amendment is approved.

trails are not appropriate for the Forest Preserve. The UMP/DGEIS should be changed to eliminate or substantially reduce all of the above activities.

Response E The management actions proposed at the Complex have been modified as noted in Response B above, and include the goal of constitutionally authorizing the facilities at the Complex, and the management actions proposed in the updated UMP. As a result, the vegetative impacts have been reduced, and are reflected in revised Table 5-1, "Summary of Vegetative Impacts." Table 5-1 indicates that 474 trees will need to be removed to meet the proposed management actions.

2.12 Miscellaneous

Comment A (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor recommends that ski trail homologation (international standardization) be continued on trails for which racing bids can conceivably be obtained.

Response A It is the objective of the facility manager to continue to homologate ski trails, concentrating on those trails for which racing bids can possibly be obtained.

Comment B (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA does not support use of "Chopper" (Imazapyr) for the maintenance of trail vegetation at Mount Van Hoevenberg.

Response B The facility manager will not use the herbicide chopper (Imazapyr) to prevent resprouting of hardwood tree stumps but will instead use the more preferable treatment identified in the UMP of checking the stumps regularly during the first growing season after cutting and removing any stump sprouts. In subsequent years, the stumps will be checked at the end of the growing season and stump sprouts will be removed.

Comment C (by Peter Bauer, Residents' Committee to Protect the Adirondacks, Letter of September 9, 1996)

The RCPA is concerned about the proposal to construct a new bobsled track and manage the old track for winter tourist sledding from Shady Corners on down and for summer use for wheeled-sleds. The RCPA supports construction of a new world class facility, but given the argument that the old track is so poorly designed, due to poor footings, that the track shifts with cold weather and pipes break, the RCPA questions the merits on its continued winter operation. It seems to the RCPA that the track is not worth the maintenance costs for winter use and that winter tourist use

Table 5-1
Summary of Vegetation Impacts
Number of trees of 3 inches dbh or larger to be removed

| | X-C connector trail C-2 ¹ | Ski Trail Maintenance ¹ (15.8 km) | Snow-Making Reservoir | Straightaway At X-C Stadium | Relocate Timing Building |
|---------------|--|--|--------------------------|-----------------------------------|-----------------------------|
| Suger Maple | 19 | 45 | | | |
| White Ash | | | | | |
| Beech | 24 | 16 | | | |
| Red Maple | | | | | |
| Hemlock | | | | | |
| Basswood | | | | | |
| Yellow Birch | 3 | 10 | | 2 | 1 |
| White Birch | | 18 | 9 | | |
| Black Cherry | | 9 | 1 | | |
| Aspen | | 23 | 3 | | |
| Balsam Fir | | 190 | | 14 | 7 |
| Ironwood | | | | | |
| Striped Maple | 7 | | | | |
| Red Oak | | | | | |
| Red Spruce | 3 | 47 | 9 | | |
| Black Spruce | | | | 9 | 5 |
| Mountain Ash | | | | | |
| Tamarack | | | | | |
| Hard Maple | | | | | |
| Cedar | | 1 | | | |
| TOTALS | 56 | 359 | 22 | 25 | 12 |

TOTAL FOR ALL TREE CUTTING: 474

¹ Refer to figure titled "Cross-Country Trail Improvements."

should be on the new state-of-the-art track and that the old track be used for summer use only, hence lower maintenance costs.

Response C ORDA has carefully reviewed the issues of track time for both competitive and recreational use and is confident winter use of the bottom half of the bobsled run is not only economically viable but critical. Without having a separate half-mile track for a public ride program, there will be insufficient time on a new combined run to handle the complete programs for luge, bobsled, skeleton and the public. It is also expected that the U.S. Luge Association and the U.S. Bobsled Associations will be rapidly expanding their programs and usage with a new combined run.

The bottom half of the existing bobsled run is in a good operational state, unlike the upper half of the track. It is proposed that the public ride program continue on the bottom half of the existing run to provide the critical revenues that come with the thousands of passenger rides. "Mile rides" would be offered only on the new combined run.

Comment D (by Ed Finnerty, August 26, 1996 Public Hearing)

The Commentor recommends that an industry expert be utilized when specific plans are made to design the training center, the widened stadium and the reconfigured trails.

Response D It is ORDA's intent to consult with industry experts prior to undertaking stadium widening and trail reconfiguration.

Comment E (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor is concerned with the shortened ski season at the facility and thinks it should be extended in order to increase skier visits. The Commentor feels that one reason the season has been shortened is because in some locations the trails are so exposed that the sun melts off the snow cover, and for this reason questions the need to widen all ski trails at the facility. The Commentor suggests that the trails be replanted with evergreens to increase shading. The hardwoods that are present at the facility do not shade the trails. The rocks projecting through the trails make maintenance of ski trails more difficult. The Commentor suggests that prison inmates could perform some trail work such as rock removal and tree planting.

Response E It is believed that the proposed management action to provide snowmaking on 7.3 km of ski trails will extend the ski season at the facility. It has been the experience of facility managers that tree branches which overshadow ski trails drip water onto the trails and create icy patches and the proposal to make snow and groom and maintain ski trails comprehensively will improve trail conditions and increase the length of the ski season. The removal of protruding rocks with regrading as

necessary is identified as a proposed management action in the UMP. The use of inmate labor is not likely to be pursued because the method of rock removal is identified specific to each case and could potentially involve use of heavy equipment or explosives requiring trained and certified workers. Tree planting will be completed in conjunction with regrading, drainage improvements and erosion control and will be completed by experienced DEC and ORDA employees and supervisors.

Comment F (by Tom Kudzma, August 26, 1996 Public Hearing)

The ski trail junctions need to be numbered in order for skiers to orient themselves and for safety reasons as well. Accidents or trail hazards could then be reported very quickly.

Response F The facility managers plan to improve trail signage and the ski trail map in order to make it easier for skiers to orient themselves and to improve the ability to report trail hazards or accidents.

Comment G (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor is of the opinion that the four parking areas within the bob run area should be paved, as should a portion of the cross-country ski area parking lot. This lot is a muddy mess on a sunny day and discourages people from skiing at the facility.

Response G The proposal to pave a portion of the existing cross-country ski area parking lot is identified in the UMP on page 49 and on Figure 4-4, "Cross-Country Ski Center Concept Plan". The UMP identifies the need to pave heavily used parking areas, and does not include the four parking areas within the bob run area. However, as shown on UMP Figure 4-5, "Bobsled/Luge Area Concept Plan", it is the intent to restructure the access as a paved loop road with a vehicle drop-off zone and potentially pave the existing parking area adjacent to the bobsled/luge run ticket office. As noted in Section 2.11 Response B, the proposed paving will occur pending the amendment of New York State Constitution Article XIV.

Comment H (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor feels that dog sled races should be held someplace else besides the ski trails because the dogs and sleds ruin the trail conditions for skiers.

Response H Only once in the past decade has ORDA hosted a sled dog event, a World Championship, on the Mt. Van Hoevenberg trails, and this was at the end of the season. ORDA has no plans to conduct sled dog races on the cross-country trails in the near future.

Comment I (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor states that one of the great attractions to the facility, besides the terrain, is the fact that the trails are marked for strictly one-way travel which is much safer than allowing two-way trails.

Response I It is the intent of the facility managers to maintain the one way travel direction on ski trails at the facility.

Comment J (by Tom Kudzma, August 26, 1996 Public Hearing)

The Commentor feels that there is a hazard near the Harlow sand pit from sand blowing onto the ski trail adjacent to the pit.

Response J Measures will be taken to stop this problem should it exist in the future.

Comment K (by Mrs. Jenkins, August 26, 1996 Public Hearing)

The construction of the new combined bobsled/luge run is scheduled for phase three of the UMP. If funds become available for that project sooner would the schedule be moved up?

Response K Recently ORDA was informed that the Mt. Van Hoevenberg Bobsled & Luge Facility was selected to host a major, international event in February of 2000, the Goodwill Games. With this announcement, it was decided that design and construction of the proposed Combined Bobsled & Luge track should be advanced. In order to meet the accelerated construction schedule, the decision was made to phase the construction over several years. Phase I of the project will be construction of the track and the necessary facilities to host a sporting event. These facilities are expected to include; the track, track foundations, water supply, refrigeration systems, addition to the refrigeration plant, process piping, site lighting, access roads, and spectator paths and gathering areas. This phase of the work must be completed by November 1999 in order to host the February competition. Phase II of the project will include the construction of support and secondary buildings such as; track cover, TV viewing systems, start buildings, timing building, finish building, storage buildings, etc. This phase of the work will be completed as funding becomes available.

The final design of the combined bobsled/luge run is incorporated herein. Refer to Figures D-4 and D-5, "Combined Bobsled and Luge Track Facility Layout Plan – Sheets A and B." This plan shows the proposed track location, the associated limits of clearing, the starts and finishes, associated buildings, spectator areas and pathways, the service access road and related facilities. The new combined run and the existing runs are located on lands owned by the Town of North Elba, under permanent easement to DEC/ORDA.

Refer to the enclosed graphic which identifies the location of the new combined run relative to the existing runs, and the disposition of the existing runs.

The potential environmental impacts of the combined run were analyzed in the UMP/DGEIS. In particular, UMP Appendix C, "Visual Resource Impact Assessment," discusses the potential visual impact of the clearing limits of the project which applies to the latest design of the combined run. The simulations created for the UMP (Appendix C Figures 3, 4, 5, and 6) have been modified to reflect the clearing limits of the latest design of the combined run and are enclosed herein. The simulations are derived from a point that is 2,000 meters (1.25 miles) away from the combined run site, between the site and the respective vantage point. These views present a magnified view in order to show more detail. These simulations represent the character of the view but not the actual view in perspective that one would see from the given vantage points. Refer to the enclosed map entitled Figure 1, "Limits of Visibility Map," reproduced from the UMP, which identifies the actual distance to the available view points. It is 3.6 miles to the ski jumps, 4.7 miles to the top of Slide Mt., 2.8 miles to the top of Pitchoff Mt., and 3.2 miles to the top of Cascade Mt., from the bobsled/luge site, respectively.

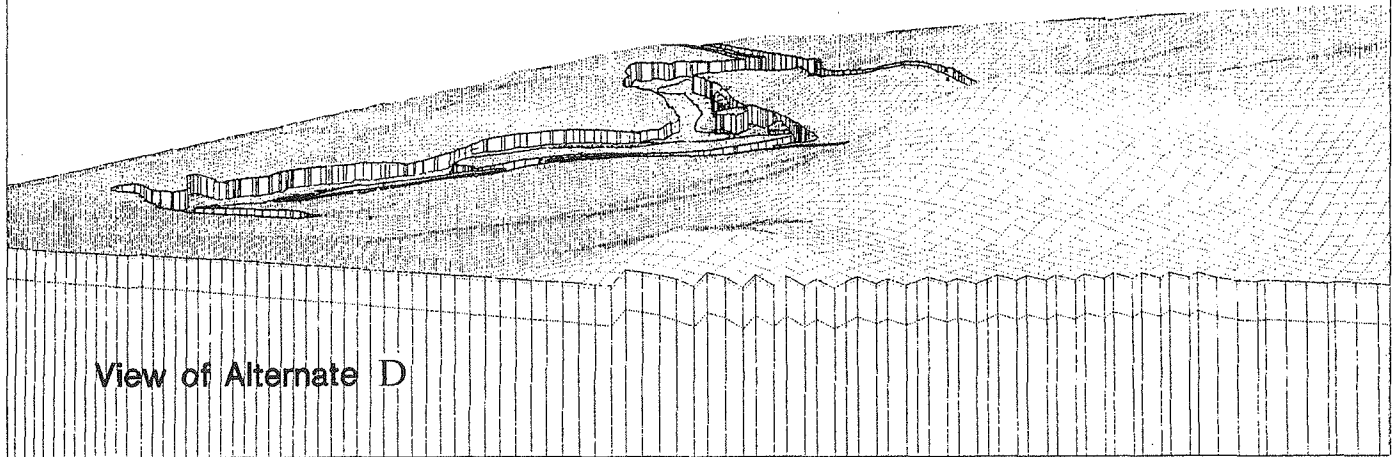
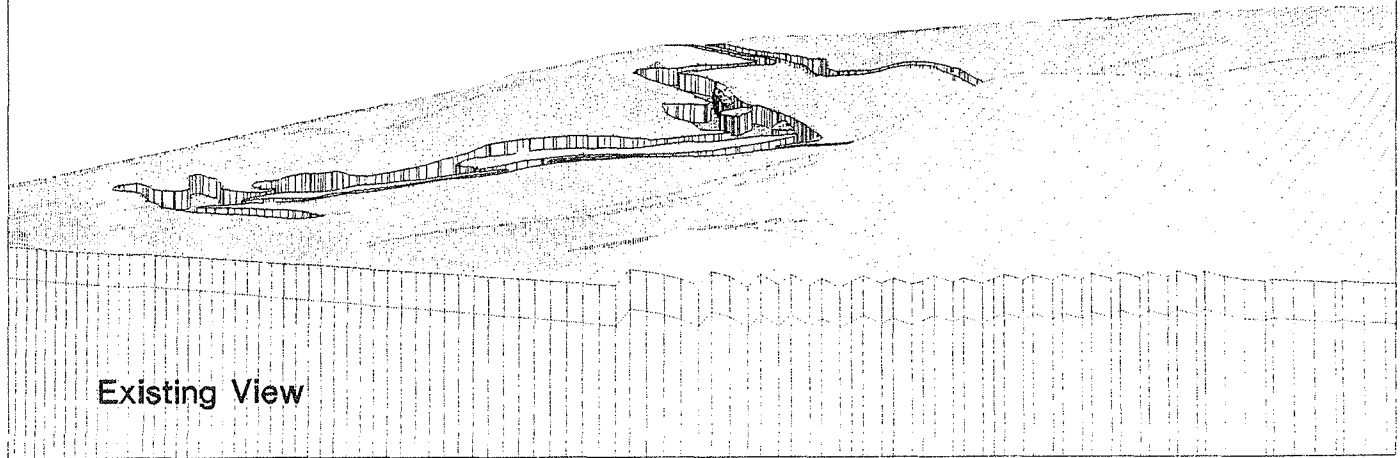
The lighting plan in the final design incorporates the same general lighting type as in the existing system, with the obvious benefits of providing sharp cut off fixtures and down-focused lights which will reduce the amount of light spill from the site. It is anticipated that lighting will not be necessary for ice maintenance such as in the existing condition because the newly constructed single track will not require nearly as much maintenance as the two existing tracks which are both several decades old. Therefore, the potential visual impact of the lighting of the new single track will be less than the existing condition.

Following is a brief discussion of the various environmental resources of the bobsled/luge run area and how they may be affected by the development.

Geology: The geology of the site will be unaffected by the proposed development of the new combined bobsled and luge. The disturbance of bedrock or surface deposits will be localized and will not create impacts beyond the individual construction sites.

Soils: Disturbance of soil will be minor.

Topography and Slope: The modification of slopes and/or topography will vary. These impacts can be controlled by the implementation of a comprehensive Construction Pollution Prevention Plan to be appended to the SPDES general permit.



the LA group
Landscape Architecture
and Engineering, P.C.

UNIT MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA



OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY

**VISUAL IMPACT ASSESSMENT
VIEW FROM SKI JUMP**

2000 Meters



**CLOUGH. HARBOUR
& ASSOCIATES**

ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

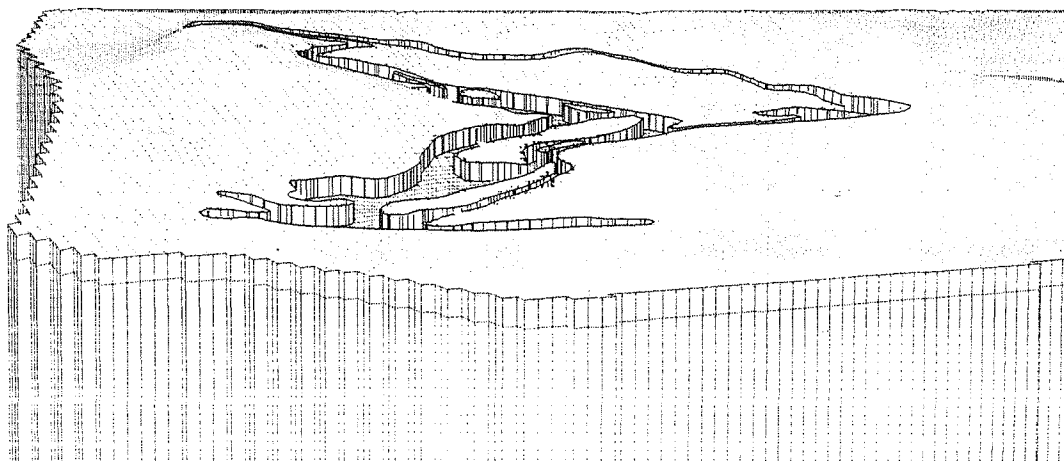
© 1995

DATE: 12-17-98

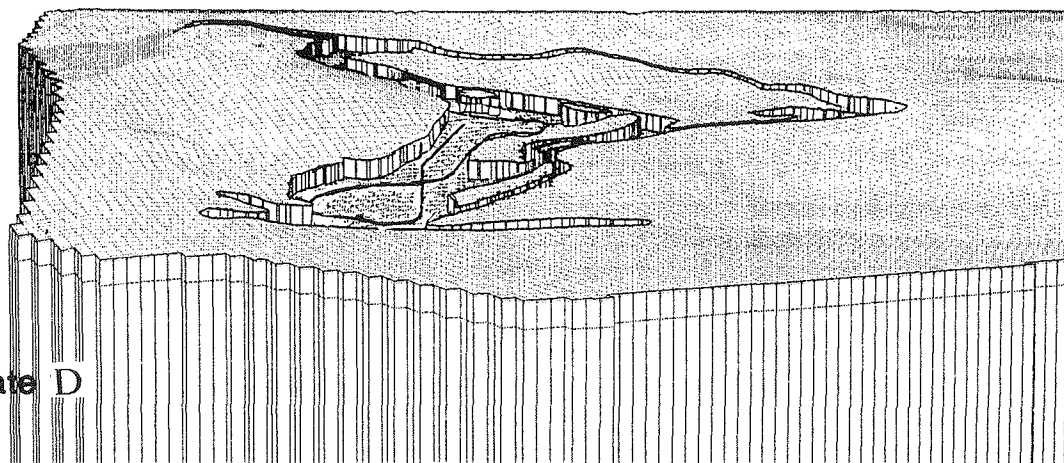
SCALE:

FIGURE NO. 3

Existing View



View of Alternate D



the LA group
Landscape Architecture
and Engineering, P.C.

UNIT MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA



**CLOUGH, HARBOUR
& ASSOCIATES**

ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS



OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY

**VISUAL IMPACT ASSESSMENT
VIEW FROM SLIDE MTN.**

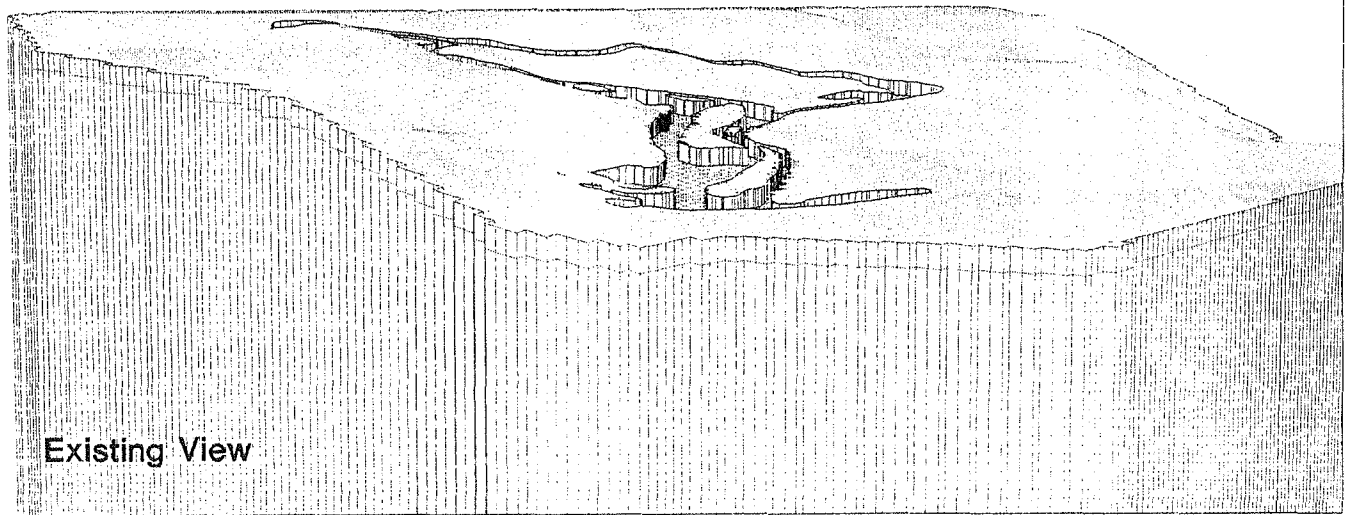
2000 Meters

© 1995

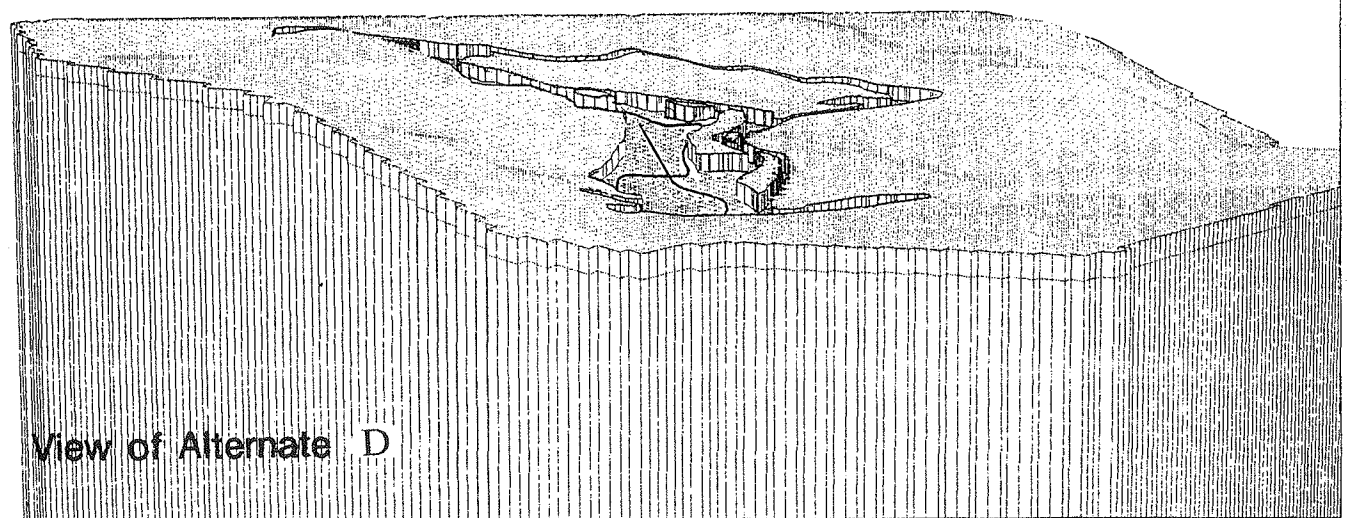
DATE: 12-17-98

SCALE:

FIGURE NO. 4



Existing View



View of Alternate D



the LA group
Landscape Architecture
and Engineering, P.C.

UNIT MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA



OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY

**VISUAL IMPACT ASSESSMENT
VIEW FROM PITCHOFF MTN.**

2000 Meters



**CLOUGH, HARBOUR
& ASSOCIATES**

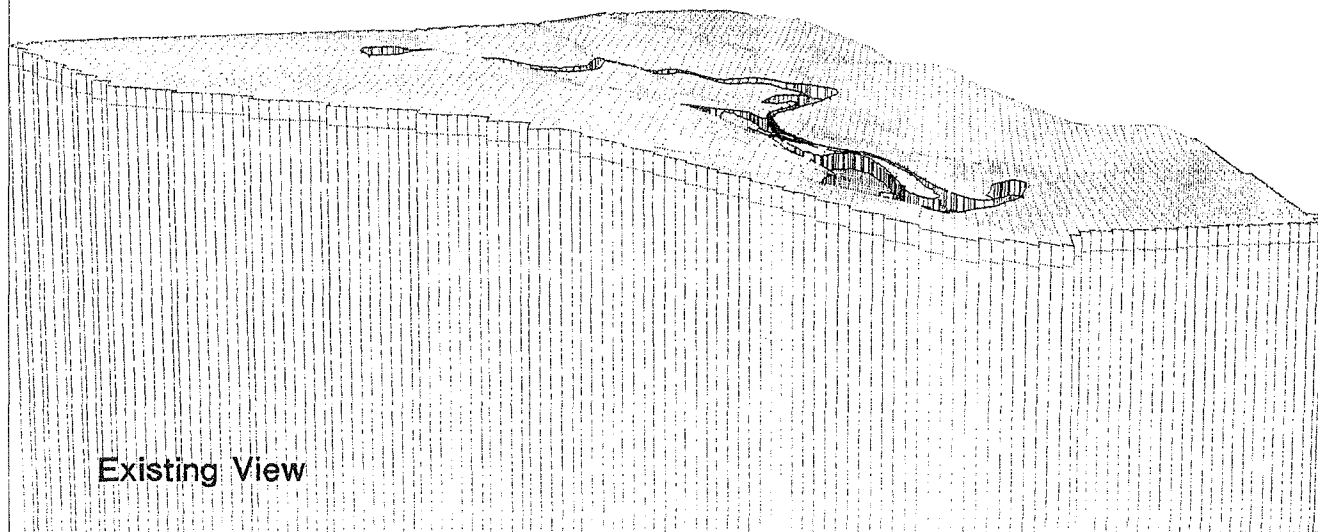
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

© 1995

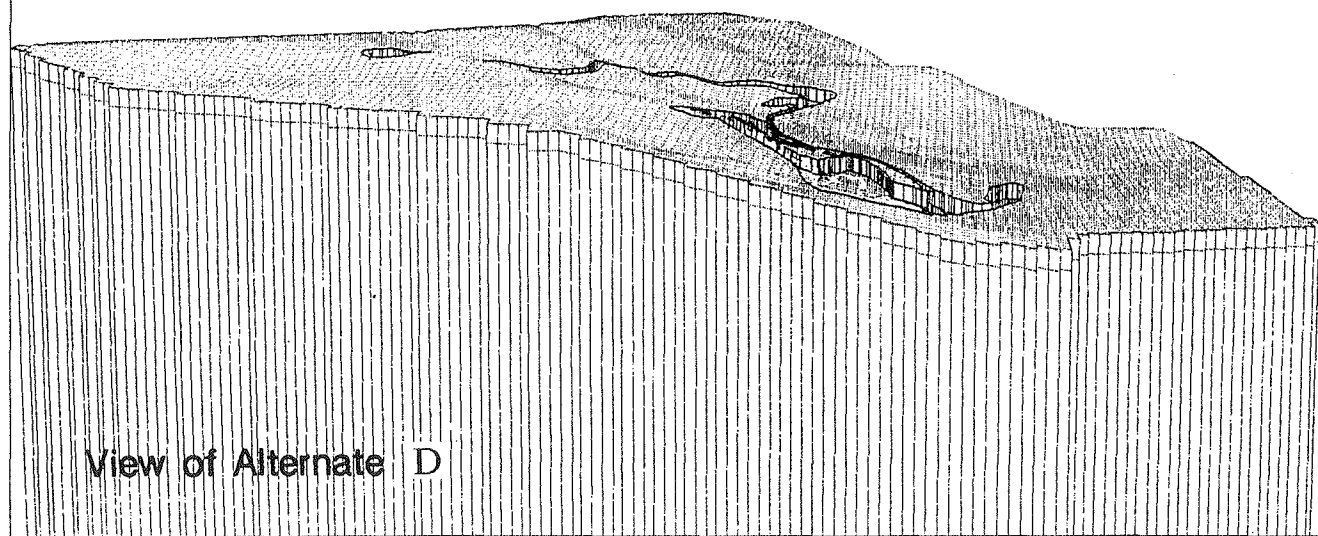
DATE: 12-17-98

SCALE:

FIGURE NO. 5



Existing View



View of Alternate D



the LA group
Landscape Architecture
and Engineering, P.C.

UNIT MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA



**CLOUGH, HARBOUR
& ASSOCIATES**

ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS



OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY

**VISUAL IMPACT ASSESSMENT
VIEW FROM CASCADE MTN.**

2000 Meters

© 1995

DATE: 12-17-98

SCALE:

FIGURE NO. 6

Water Resources: There is limited potential to affect water resources. Any necessary provisions for stormwater management will be included in the Construction Pollution Prevention Plan appended to the SPDES General Permit.

Wetlands: There are no wetlands which will be affected by the project.

Climate and Air Quality: The project will have no affect on air quality, and is not constrained by climate. Scrubbers are proposed to be added to the existing refrigeration plant, which will have a positive impact on air quality.

Vegetation: Some cutting of vegetation will be necessary for the new bobsled and luge run. This will be inventoried and will require approval by NYSDEC, in accordance with the MOU concerning tree removals.

Fisheries: Fish populations in neither North Meadow Brook nor any other surface water will be affected by the proposed project.

Unique Areas, Critical Habitats, and Rare Species: The project will have very little potential to impact rare or unusual species or habitats.

Transportation: There will be no significant increase in demand or other effect on the local or regional transportation system resulting from the project.

Community Services: Police, fire, ambulance, and other community services will not be subject to increased demand as a result of this project. However, construction and demolition debris will be disposed at a suitable landfill, probably at the North Elba C & D landfill on Dump Road, off NY Route 73. The crushed concrete from demolition of the luge run will be used for drainage rock, roadways, fill for parking areas and other construction projects on-site, primarily within the permanent easement lands.

All ammonia piping will be flushed and the runoff collected, neutralized, and trucked off site to an appropriate handling facility. The ammonia supply lines will be abandoned in place after flushing. All applicable regulations governing disposal of materials will be followed, in accordance with the Construction Pollution Prevention Plan.

It is anticipated that the lower half of the existing bobsled track will remain in place and operational to provide tourist rides. It is proposed that the upper half of the existing track remain in place and be abandoned, not demolished, both to serve as a landmark in the history of bobsled tracks at the Mt. Van Hoevenberg site and to reduce demolition costs. The upper portion of the existing bobsled run will be abandoned in place and will be

allowed to reforest naturally, with some man made assistance in the form of erosion control, or the addition of topsoil or seeding, as deemed necessary.

Local Land Use Plans: This project is consistent with local planning documents, including the Town of North Elba Local Land Use Code and the Comprehensive Land Use Plan for the Town of North Elba and the Village of Lake Placid.

Historical and Archaeological Resources: No known historical or archaeological resources will be affected by the project. Refer to the attached April 23, 1996 letter from the NYS Office of Parks, Recreation and Historic Preservation which states that the "project will have no impact upon cultural resources eligible for inclusion in the State and National Registers of Historic Places."

Visual Resources: Given the fact that the bobsled/luge track will be developed in a designated intensive use area on permanent easement lands within a largely existing clearing and thus represents a consolidation of visual impacts, the potential impact is not significant. Additionally, the upper half of the old bobsled run, the old luge run, and the portions of the existing roadway which will no longer be used, will be allowed to revegetate and will aid in mitigating the new clearing to a certain extent.

Comment L (by Michael DiNunzio, The Adirondack Council, Letter of September 5, 1996)

I believe that it is critical for the Mt. Van Hoevenberg UMP Update and Amendment to be closely integrated with the Draft High Peaks UMP which has recently been submitted to the Adirondack Park Agency for their review. Although the Mt. Van Hoevenberg UMP speaks to the need to investigate the feasibility of providing trailhead access to the Cascade and Pitchoff trail systems, this is only one need among a multitude of issues that are dealt with in the High Peaks UMP that could, and should, be integrated fully with any future plans for facility development and use at Mt. Van Hoevenberg.

Response L The DEC and APA have reviewed the Mount Van Hoevenberg UMP/DGEIS and have not requested any revisions in terms of integration with the High Peaks UMP with the exception of the addition of a discussion that the feasibility of trailhead parking for the Cascade and Pitchoff trail systems is being investigated. Another issue related to the High Peaks UMP is the feasibility of closing South Meadow Road and utilizing the Mount Van Hoevenberg parking areas for those bound for Mount Marcy and establishing a shuttle bus between South Meadow and Mount Van Hoevenberg. This concept is not included as a management action in either the High Peaks UMP or the Mount Van Hoevenberg UMP because it is not practicable. The DEC has identified that the capacity of



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

APR 29 1996

518-237-8643

Janetadette Castro
Commissioner

April 23, 1996

Janette Johnstone
Historic Preservation Specialist
the LA group
40 Long Alley
Saratoga Springs, NY 12866

RE: 96PR0718/DEC
Olympic Facilities Improvements
Mt. VanHoevenberg, North Elba
Essex County

Dear Ms. Johnstone:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09.

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources eligible for inclusion in the State and National Registers of Historic Places. This No Impact determination is given with the understanding that the proposed project will in no way impact the extant features associated with the the original c.1929 bobsled run. If the scope of the project changes to involve this historic feature, further consultation with our office will be necessary to evaluate the significance and integrity of the remaining portion of the c.1929 bobsled run.

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

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director, Historic Preservation
Field Services Bureau

RLP:cm

the parking lot for the High Peaks area dictates the level of interior use. The exterior parking lot is designed to support and complement the use of the interior. If the large parking areas at Mount Van Hoevenberg were utilized as suggested, the level of use of the High Peak trails would increase accordingly and this is not supported by the DEC which oversees such use.

Comment M (by LTC. Donald Dew USA (RET), Lake Placid Adaptive Sports, Inc., Letter of September 9, 1996)

On behalf of LPASI, we would encourage ORDA to incorporate into the Mount Van Hoevenberg UMP and other programmatic documents for its various facilities the following concepts regarding programs, education, training and the adaptation of sports and recreational facilities for the disabled:

1. Acknowledgment and commitment to the following general principals:
 - A. That participation in sports, recreation, and physical fitness is an integral part of the rehabilitative process. In this process, people with disabilities gain specific abilities that increase self-confidence, independence, and mobility, which in turn promote employment, education, and social development;
 - B. That activities for the disabled be sponsored in a public recreational facility to provide maximum interaction with non-disabled people in an integrated environment;
 - C. That, in most cases, there is no reason why a person with a physical disability cannot be physically fit and that fitness is particularly essential to promote physical and mental well-being with disabled people; and
 - D. That sports and recreational instruction should be conducted by trained volunteers and professionals and carried out in a carefully planned educational setting.
2. A partnership with ORDA and LPASI at its helm where appropriate state, national and international organizations utilize Lake Placid, the Olympic venues and the North Country environs to promote:
 - A. Adaptive Fitness Instructor Training and Certification Clinics;
 - B. Adaptive Officials and Coach Training and Certification;

- C. SKI SPECTACULAR for Disabled Skiers and Adaptive Skiing Clinics;
- D. DS/USA sanctioned regional events;
- E. DS/USA sanctioned national events including qualification trials for international competitions;
- F. Host status for National Summer Games, U.S. Disabled Ski Championships and International Disabled Sports Team Events;
- G. Training for individual and Team member competitions;
- H. Other recreational opportunities (competitive and non-competitive) for the disabled.

Response M Handicapped accessible facilities have been incorporated into the ongoing renovations at the Olympic Sports Complex. ORDA has realized the importance of providing opportunities for the disabled. Races for disabled competitors were conducted during the two U.S. Cross-Country Championships held at Mt. Van Hoevenberg in 1995 and 1996. ORDA concentrates on facility management, which is its strength, and utilizes National Governing Bodies and nationally recognized entities such as the New York Ski Educational Foundation to conduct athlete training programs. In the past the ski school program at Mt. Van Hoevenberg has not been operated by ORDA, but by its concessionaire. Where economically feasible and where budgets permit, ORDA will continue to encourage expansion of programs for the disabled.

Comment N (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

Page 4 of the UMP describes how the bobsled run was constructed, but there is no description of how the luge run was constructed which seems to be needed to fit in with the rest of the text.

Response N The following will be added to the discussion in the UMP.

The luge track was constructed in 1978 for the 1980 Winter Olympic Games. In 1989 a number of severely frost damaged luge track foundations were stabilized and in the following year the luge outrun was extended.

The luge track is an elevated structure supported on foundations which extend to approximately 5 feet below grade and rest on native soils but are not anchored to bedrock. Frost penetration into the ground is estimated to be approximately 7 feet below grade or approximately 2 feet below the

underside of the foundations. This situation has resulted in extensive frost related movements of sections of the luge track which have created dangerous conditions for athletes using the track when track-sections have moved relative to one another. In the case of the luge track, refrigeration piping is above grade and, therefore, does not contribute to frost development in the soils.

The new luge outrun structure, constructed in 1990, was designed with its foundations anchored to bedrock and, therefore, has experienced no discernible movements. During the previous year, foundation repairs were made to 12 of the 42 track sections to minimize their susceptibility to frost action. Further repairs were not made due to budget restrictions.

On the luge track, Curves 2 and 7 have serious geometry problems. The geometry of existing Curve 2 is such that the men's start had to be lowered to maintain the safety of the sleds through this curve. The International Luge Federation has requested that both curves be rebuilt to maintain their sanctioning of the track.

To overcome the geometry problems, track maintenance personnel utilize varying thickness of ice (sometimes up to 12 inches or more) to smooth out the geometry. This requirement results in excessive manpower demand for ice making and ice maintenance and increases refrigeration costs. Some grinding and patching of the concrete surface has occurred over the years in an attempt to improve the geometry, but these efforts are limited by the embedded refrigeration piping and reinforcing bars which limit the depth of grinding that can be accomplished.

Comment O (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

There are no certified tracks in Russia. There is one in Latvia, but that qualifies as Europe.

Response O The comment is noted.

Comment P (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

References on UMP Figures 1-2, 1-3, 1-4, 1-5 and 2-1 to the "Olympic Bobsled Run" should be the "Olympic Bobsled and Luge Runs."

Response P The map used as a base for UMP Figures 1-2, 1-3, 1-4, 1-5 and 2-1 is the 1969 North Elba United States Geological Survey 7.5 minute topographic quadrangle which identifies the area referred to as the Olympic Bobsled Area. This 1969 base map was drafted many years before the construction of the luge run in 1978 which is why the luge run does not appear.

Comment Q (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

The closed circuit television system identified on page 25 of the UMP has not worked since 1981.

Response Q The comment is noted. The UMP will be amended accordingly.

Comment R (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

With regard to the first paragraph on page 53 of the UMP, the bobsled run does not have refrigerated walls but the luge run does.

Response R The comment is noted. With reference to Response N above, in the case of the luge run, even though the luge run walls are refrigerated, some icing is done by hand in an attempt to improve curve geometry.

Comment S (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

With regard to the third paragraph on page 53 of the UMP, a better way to state these sentences is as follows: "The existing runs are deteriorating and in the case of bobsled, present too many straightway runs and too few curves for modern sled and racing techniques; while in the case of luge, incorrect geometry's of certain curves present safety hazards. The lack of curves and long straight-aways on one run, as well as incorrect geometry's on the other run, has lead to excessive, unsafe speeds which made it necessary over the years to shorten both runs in consideration of athlete's safety."

Response S The comment is noted.

Comment T (by Ron Rossi, United States Luge Association, Letter of August 28, 1996)

This is more of a question than a comment, but does it make sense to include a section on what might happen (economically) if the changes contemplated in the UMP do not happen:

For example -- the loss of x-country events
the loss of biathlon events
the loss of luge events and the U.S. Luge Association
the loss of bobsled events and the U.S. Bobsled Federation
the loss of the Olympic Training Center

If all these occurrences happened, the resulting economic impact could be a very significant negative number. Such inclusion in the report could

help sell the need for the changes as it could dramatically illustrate the cost of doing nothing.

Response T UMP Section VI, Alternatives, Subsection J., The “No-Action” Alternative, provides such a discussion and is repeated below.

Application of the “No-Action” alternative would not further the stated management goals for the Olympic Sports Complex which include the need to improve the quality of facilities at the Complex in order to continue to attract competitive and recreational athletes from New York State, the United States and the international sports community, in order that public use may better help promote the economy of the area.

If proposed maintenance of trails for safety reasons is not pursued, the trails will remain unsafe. If no improvements to the bobsled and luge runs are made, these facilities will remain unsafe and will continue to deteriorate and world class competitions and training at this site would be infeasible.

While capital or maintenance expenditures might be eliminated, failure to take corrective action may make the State increasingly liable to personal injury suits or other litigation that could be more costly in the long run. Patronage and resultant revenues (both to ORDA and the local community) could be expected to decrease over the long run. Fulfillment of health and safety codes complements and stabilizes the environmental setting. Failure to implement standards might adversely impact on visual quality, water quality and area cleanliness. The health, safety and enjoyment of athletes, recreational users and employees is sacrificed by pursuit of this alternative.

Elimination of a budget for capital improvement would result in the failure of management to appropriately address improved public use, safety of athletes, needed modernization (a guideline by interpretation in the Adirondack Park State Land Master Plan) and the overall goal for Mount Van Hoevenberg pertaining to economic and social benefit of the Olympic region. Curtailment of new construction plans particularly where justification for such plans has been identified portrays a trend of facility degeneration. Diminished employee and public safety, environmental protection and public use carrying capacity could result. Postponement of capital construction plans also results in a postponement of the conditions for quality recreation and operation efficiency.

As noted by the commentor, if the facility is allowed to continue to deteriorate, biathlon and cross-country events and luge and bobsled events cannot be held, nor will athletes be able to train at the facility, which will reduce or potentially eliminate use of the Olympic Training Center.

Also, with regard to economic impact, refer to Table 9-4, "Olympic Regional Development Authority Economic Impact," reprinted from the UMP.

Table 9-4 shows that the 1994 payroll at Lake Placid area Olympic Facilities, including Mount Van Hoevenberg, totaled \$6.7 million and purchases totaled \$3.77 million. In 1994 the U.S. Olympic Committee generated economic activity totaling \$1.7 million and visitor spending totaling over \$3.4 million. The 1994 secondary impact of the U.S. Biathlon Association, U.S. Bobsled Federation, U.S. Luge Association, New York Ski Education Foundation and National Sports Academy totaled \$2.49 million. ORDA in 1994 produced a direct and secondary impact of \$72.9 million. It's total economic impact on the region and the state, including \$65.9 million in induced economic activity, was \$138.8 million.

Obviously, if ORDA facilities are not maintained then athlete-use will decrease and the associated economic activity their presence attracts will also be reduced. This could have a significant adverse impact on the regional economy.

Additional information on the economic impact of ORDA facilities, including Mount Van Hoevenberg, is provided in UMP Section IX, "Growth Inducing, Secondary and Cumulative Impacts."

Table 9-4
Olympic Regional Development Authority
Economic Impact (5)

| | Direct⁽¹⁾ | | |
|--|-----------------------------|----------------------|---------------------|
| | Regional | NYS | Total |
| Olympic Facilities - Payroll | \$6,732,963 | | \$6,732,963 |
| Olympic Facilities - Purchases | 3,772,210 | 6,391,433 | 10,163,643 |
| Gore Mt. - Payroll | 1,988,134 | | 1,988,134 |
| Gore Mt. - Purchases | 264,834 | (2) | 264,834 |
| U.S. Olympic Committee - Payroll | *675,000 | | 675,000 |
| U.S. Olympic Committee - Purchasing | *310,000 | 385,000 | 695,000 |
| U.S. Olympic Committee - Athlete Spending | 714,690 | | 714,690 |
| Professional Skating Instructors - Wages | 425,057 | | 425,057 |
| Service America - Payroll | 880,000 | | 880,000 |
| Service America - Purchases | 350,000 | 750,000 | 1,100,000 |
| Visitor Spending - Lake Placid Overnight Stays | 27,611,370 | | 27,611,370 |
| Visitor Spending - Lake Placid Day Trips | 6,441,720 | | 6,441,720 |
| Visitor Spending - En Route | | 2,400,000 | 2,400,000 |
| Visitor Spending - Gore Overnight Stays | 6,492,300 | | 6,492,300 |
| Visitor Spending - Gore Day Trips | 2,941,500 | | 2,941,500 |
| Totals | \$59,599,778 | \$9,926,433 | \$69,526,211 |
| | Secondary | | |
| | Regional | NYS | Total |
| U.S. Biathlon Assoc. - Payroll | \$319,800 | | \$319,800 |
| U.S. Biathlon Assoc. - Purchases | 12,000 | 63,000 | 75,000 |
| U.S. Bobsled Federation - Payroll | 245,000 | | 245,000 |
| U.S. Bobsled Federation - Purchases | 16,000 | 55,000 | 71,000 |
| U.S. Luge Association - Payroll | 470,000 | | 470,000 |
| U.S. Luge Association - Purchases | 432,000 | 513,000 | 945,000 |
| NYSEF - Payroll | 330,000 | | 330,000 |
| NYSEF - Purchases | 101,000 | 123,000 | 224,000 |
| National Sports Academy - Payroll | 360,000 | | 360,000 |
| National Sports Academy - Purchases | 210,000 | 140,000 | 350,000 |
| | \$2,495,800 | \$894,000 | \$3,389,800 |
| Total of Direct & Secondary Impact | \$62,095,678 | \$10,820,433 | \$72,916,011 |
| Induced | | | |
| Regional Total (\$62,095,628 X Multiplier of 1.8) ³ | | \$111,772,130 | |
| State Total (\$10,820,433 X Multiplier of 2.5) ⁴ | | \$27,051,082 | |
| Total Impact | | \$138,823,212 | |

Notes:
*Estimated from budget reports issued by the U.S. Olympic Training Center.

(1) Figures were supplied by the organizations.

(2) Gore's NYS purchasing included in ORDA NYS.

(3) Multiplier of 1.8 was supplied by the NYS Dept. of Economic Development.

(4) Multiplier of 2.5 is generally accepted overall NYS multiplier.

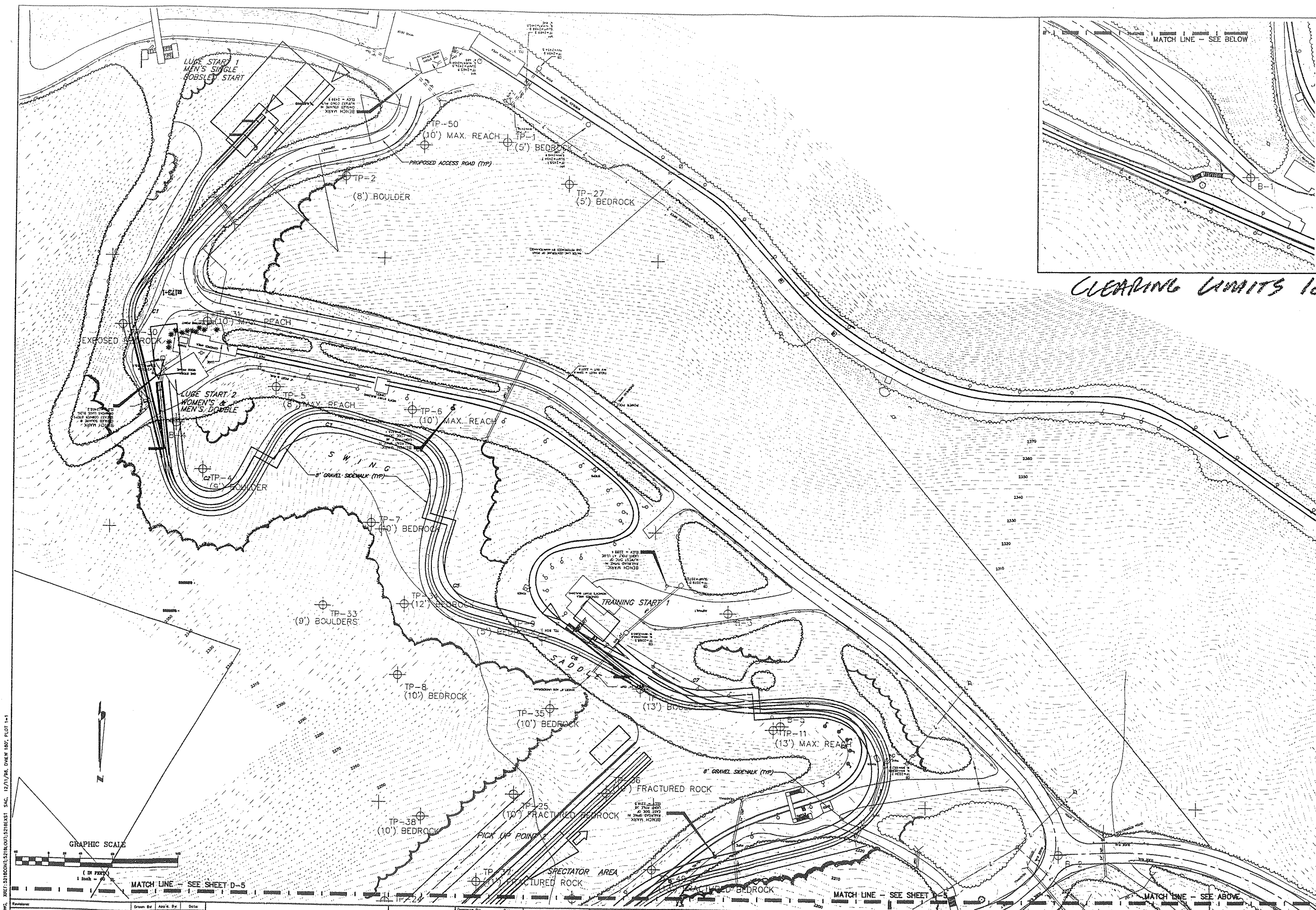
(5) Reproduced from "Economic Impact of the New York State Olympic Regional Development Authority", 1995.

SECTION 3.0 ERRATA

3.01 Existing Conditions Map

Figure 2-2, "Existing Conditions," in the UMP, is mislabeled. A corrected copy is attached herein.

5091wr09.doc



CLEARING LIMITS 12/14

| Revised | Drawn By | App'd. By | Date |
|---------|----------|-----------|------|
| | | | |
| | | | |
| | | | |
| | | | |

uma
UMA Engineering Ltd.

Designed By: WLL
Drawn By: SAC
Checked By: EDM
Date: 12/98
Date: 12/98
Date: 12/98

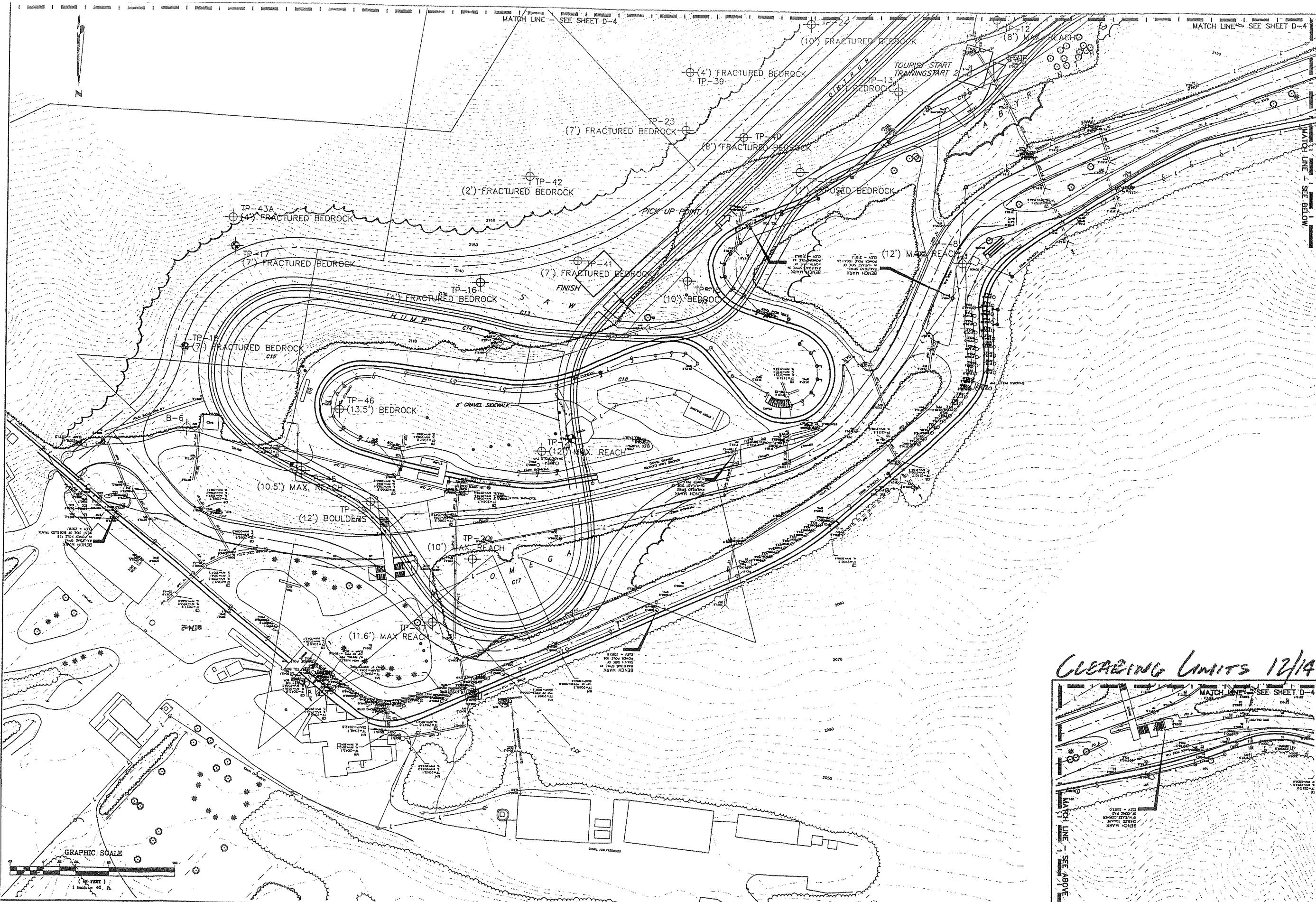
UNAUTHORIZED ALTERATION OR
ADDITION TO THIS DOCUMENT IS
A VIOLATION OF SECTION 7200
SUBDIVISION 2 OF THE NEW YORK
STATE EDUCATION LAW

CHA CLOUGH, HARBOUR
& ASSOCIATES LLP
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS
111 WINNERS CIRCLE - ALBANY, NEW YORK - 12205
P.O. BOX 5269 518-453-4500
CHA Project No. 5218.53

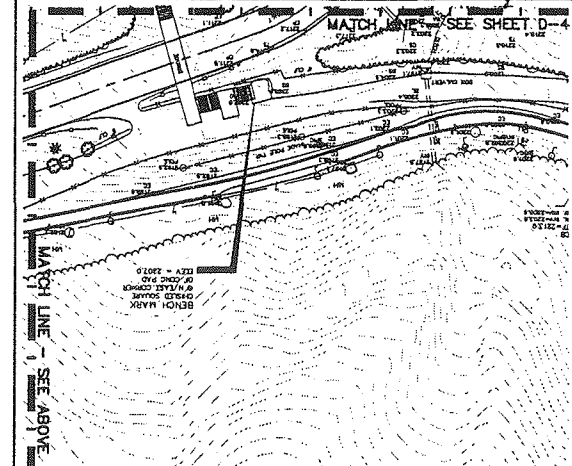
**OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

COMBINED LUGE/BOBSLED FACILITY
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA
LAYOUT PLAN - SHEET A
SCALE: 1"=40'-0"
DATE: DECEMBER 11, 1998

Drawing No.
D-4
SHEET 4 OF 4



CLEARING LIMITS 12/14



| Revisions | Drawn By | App'd. By | Date |
|-----------|----------|-----------|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

uma
UMA Engineering Ltd.

Designed By: W.J.L.
Drawn By: SAC
Checked By: EDH
Date: 12/98
Date: 12/98

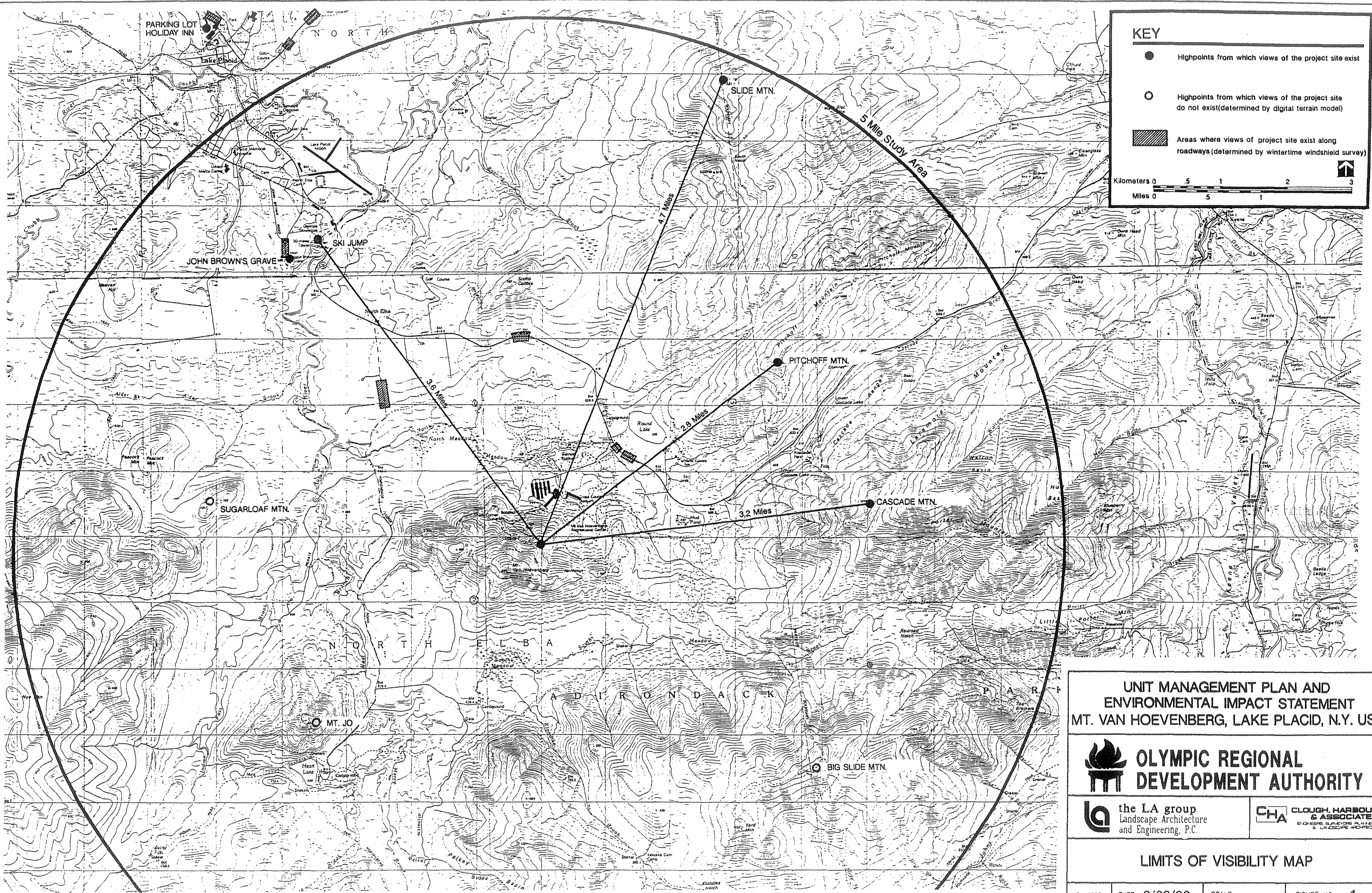
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 2206 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

CHA
CLOUGH, HARBOUR & ASSOCIATES LLP
ENGINEERS, SURVEYORS, PLANNERS & LANDSCAPE ARCHITECTS
111 WINNERS CIRCLE - ALBANY, NEW YORK - 12205
P.O. BOX 5269 518-453-4500

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

COMBINED LUGE/BOBSLED FACILITY
MT. VAN HOOVENBERG, LAKE PLACID, N.Y. USA
LAYOUT PLAN - SHEET B

Drawing No. **D-5**
SCALE: 1"=40'-0"
DATE: DECEMBER 11, 1998
SHEET 5 OF X



KEY

Highpoints from which views of the project site exist


Highpoints from which views of the project site do not exist(determined by digital terrain model)


Areas where views of project site exist along roadways (determined by wintertime windshield survey)


Kilometers 0 5 1 2 3

Miles 0 5 1 2 3

UNIT MANAGEMENT PLAN AND
ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA

 **OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

 the LA group
Landscape Architecture
and Engineering, P.C.

 **CHA** CLOUGH, HARBOUR
& ASSOCIATES
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

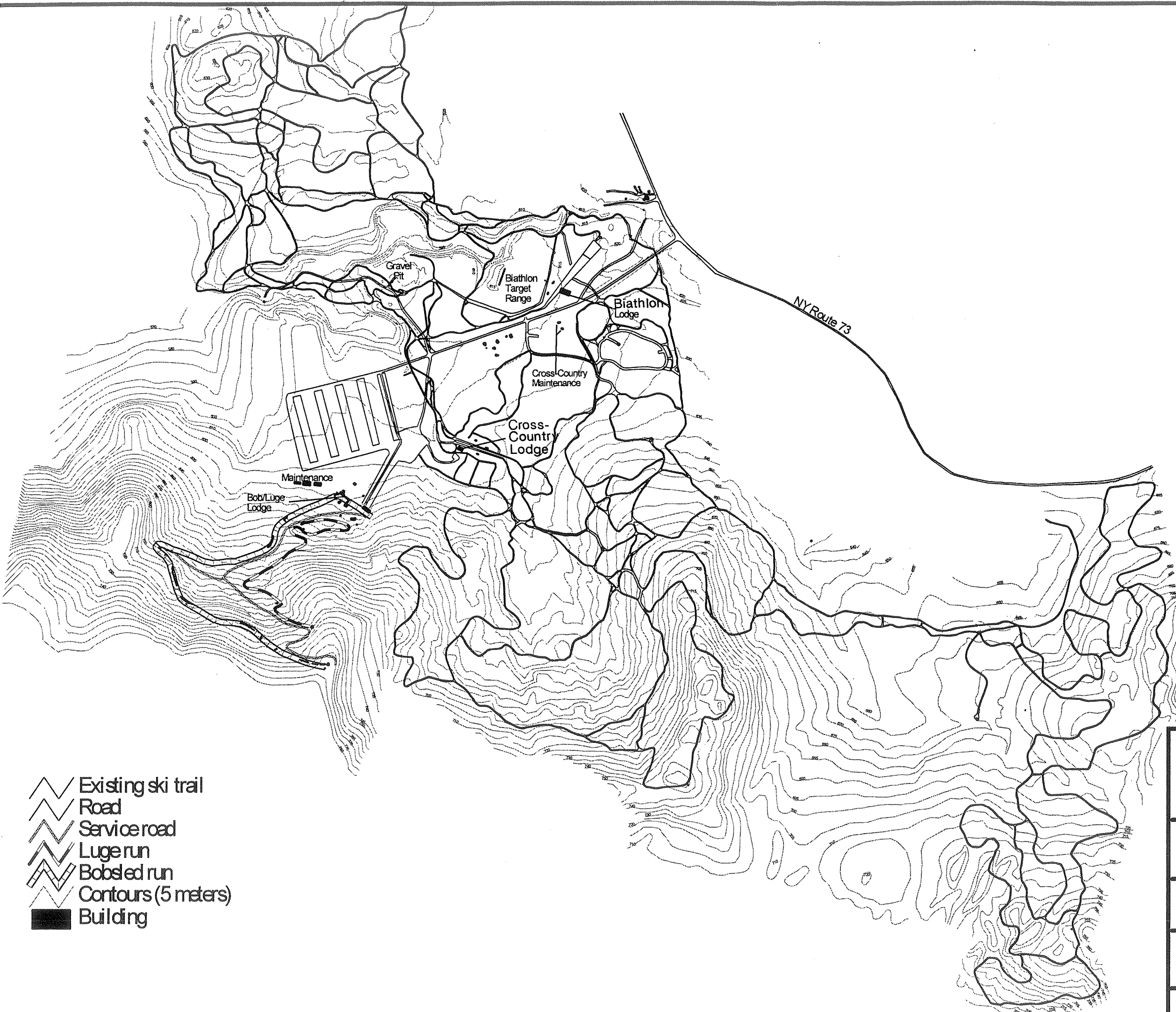
LIMITS OF VISIBILITY MAP

C 1995

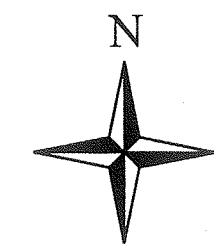
DATE: 3/29/96

SCALE:

FIGURE NO. 1




-  Existing ski trail
-  Road
-  Service road
-  Luge run
-  Bobsled run
-  Contours (5 meters)
-  Building



UNIT MANAGEMENT PLAN AND
ENVIRONMENTAL IMPACT STATEMENT
MT. VAN HOEVENBERG, LAKE PLACID, N.Y. USA

 **OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

the LA group
Landscape Architecture
and Engineering, P.C.

 **CLOUGH, HARBOUR
& ASSOCIATES**
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

EXISTING CONDITIONS