# FOREST PRESERVE DETAILED PROJECT WORK PLAN

**Fiscal Year** 2023
**Project # 2023-WB-007:C0-WP290**

| Region | Project Title |
|---|---|
| 5 | Boreas Ponds Water Access Site |

| Project Type | Town(s) | County | Management Unit |
|---|---|---|---|
| New Construction | North Hudson | Essex | Boreas Ponds Primitive Area, 2018 Vanderwhacker Mountain Wild Forest UMP |

Description of Desired Condition(s) for Project

An accessible water access site and hand carry launch will be developed on Boreas Ponds. The 2018 Amendment to the Vanderwhacker Mountain Wild Forest UMP, says: *"An accessible hand-carry boat launch, also suitable for carted boats, will be developed on the west side of Boreas Ponds Dam. An access route will be developed from the Boreas Ponds Parking Area, enter the Boreas Ponds Primitive Area, and follow the Boreas Road to the intersection with the old lodge access road…. The access routewill drop below the road in order to provide an accessible grade to the water's edge. This hand-carry launch and access route will be laid out and constructed to current accessible standards. To help preserve the wilderness experience of Boreas Ponds and provide an appropriate transition area, a natural ramp of stone or aggregate will continue into Boreas Ponds upstream of the dam to allow for water transitions. The entry into the water will also be hardened with natural materials to maximize accessibility at the site."*

This launch and access trail will serve as the connection between motorized access and water-based opportunities such as paddling and fishing. The desired condition of this trail and water access is a stable, erosion free area that exhibits minimal wear over time. It is also important that these facilities remain free of invasive species, human waste, and litter. The tread will be constructed to remain well developed and compliant with current accessible standards for outdoor recreation access routes, whileexhibiting minimal expansion. Overall, the trail and water access are designed and will be constructed to be screened as much as possible from the water and will aesthetically blend with the natural surroundings to enhance user experience.

Description of Project Specifications

The existing water access site, along with a new trail, will be developed to meet current accessible standards for people with disabilities. Modification of the 300-foot-long trail along the road will involve raising the roadbed to meet current accessible grades and top coating

with a packed accessible stonemix. From here the approximately 200-foot-long trail will proceed north of the road and will follow usable grades to the greatest extent. A 6-foot-wide corridor will be cut, and a 5-foot-wide tread will be installed by removing organic soil and creating accessible grades. To navigate a steep area, a 20-footwide by 30-foot-long area at the top of a hill will need to be excavated and used to construct trail on lower elevations and fill a small wetland area, which is approved by APA under permit number P2018-130A. Geotextile fabric will be laid, and an accessible stone mix will then be installed for the topcoat.

Below is a map of the area showing the location of the trail and access site in relation to the other features of the site.

Description of Measures Taken to Avoid, Mitigate and Minimize Impacts to Natural Resources

Much of this trail (approximately 300 feet) will be located on the existing Boreas Road. The remaining 200 feet will be very near Boreas Road and Boreas Dam, both intensively developed areas. Tree and vegetation cutting will be necessary to construct this portion of trail, but it is designed to flow and fit in a way that minimizes vegetative disturbance while meeting accessible grades. The new trail will be constructed to be sustainable while remaining aesthetically primitive in nature, so it blends with the wild character of the surrounding environment. Due to its sustainable construction, the trail should not haveany negative effects on water quality. There is a vegetative buffer/screen between the trail and the water until the last approach to the edge of the pond. Immediately before the access into the water there is a wetland area that measures 12 by 16 feet. The trail will need to pass around the edge of this area and may require a 12-foot by 6-foot (72 square feet) area of fill installed. This is approved by the APA under permit number P2018-130A.

There are 20 trees between 1 and 3 inches in diameter at breast height (DBH), and 11 trees between 3and 9 inches DBH. The 3-to-9-inch trees to be removed are as follows: Red Maple – 3 inches, 3 inches, 3 inches, 9 inches, 9 inches; Balsam Fir – 5 inches, 5 inches, 7 inches, 7 inches, 9 inches; American Beech – 5 inches.

Earthwork: Approximately 300 feet of this route is on the dam access road and the other 200 feet is trailconstruction with tread work. This 200-foot area of earthwork will primarily require removing the organic layer, installing geotextile fabric, and filling with 6 inches of accessible stone mix, all within the 5-foot-wide tread width. There is a small 20-foot-wide by 30-foot-long area that will need to be droppedin elevation to allow the trail to comply with accessible grades. Once the grade is met, some of this mineral soil will be used for wetland fill as outlined in APA permit number P2018-130A.

No rare, threatened, or endangered species have been identified on site.

All the variables mentioned above were weighed and balanced to minimize the overall short-term andlong-term impacts to the site. This minimization and balance will result in a sustainable facility that protects the natural resource while also serving the users of the area.

Analysis of Project Location and Design Alternatives

Two other sites were looked at for the water access location.

The first was directly across the bridge from the current water access site. This was not chosen due toaccessible grades not being achievable without significant earthwork and disturbance into the earthen portion of the Boreas Ponds Dam which would compromise the structure.

The second was the old Finch dock location north of the old lodge site. This area was not chosen becausethe long running slope would have needed to be mitigated with switchbacks, leading to significantly more tree cutting and earthwork.

There are no other viable options due to the significant wetland complex around boreas ponds, and thedisturbance that would be necessary to construct a sustainable and usable facility.

Description of Use of Motorized Equipment and/or Motor Vehicles (if any)

Motor vehicles will be used to finish the 300 feet of trail along the road, as this doubles as an administrativeaccess road for dam access/maintenance. The majority of the construction of the 200 feet of trail between the administrative road and the water's edge will be completed with hand tools. If vegetative clearing can be completed during one of the chainsaw windows, chainsaws will be used to clear the trail corridor.

Description of Applicable Standards for Accessibility by People with Disabilities

The entire project is designed to facilitate access from the parking area to the water for people with all abilities. The trail and water access will comply with current accessible standards for an outdoor recreationaccess route.

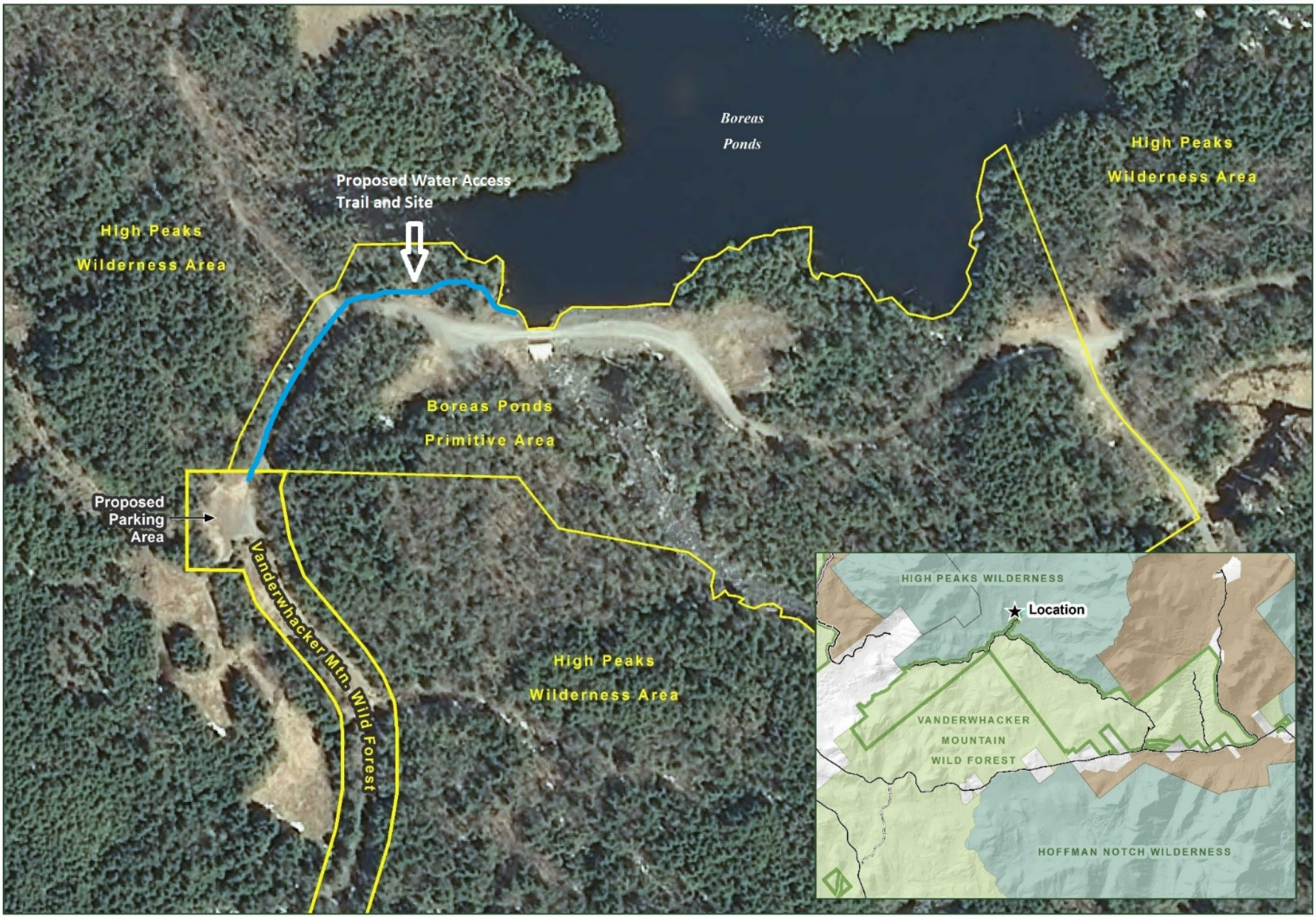
Other Relevant Considerations

The current water access location is exhibiting user created wear that predates the State's purchase of theproperty. The new, sustainable access site will be resilient to impacts from use, higher severity weather events, and flooding and is the most favorable management decision to ensure water quality and ecological integrity.

Prepared by (Name & Title): Robert Ripp Date: 7/18/2023
Phone: 518-623-1209

| REGULATORY CLEARANCE CHECKLIST – STATE LANDS and CONSERVATION EASEMENT PROJECTS | | | | | |
|---|---|---|---|---|---|
| PROGRAM | PERMIT | REQUIRED | | SECURED BY | COMMENTS |
| | | YES | NO | (NAME) | |
| Air Resources | Restricted Burning | ☐ | ☒ | | |
| Mineral Resources | Mining | ☐ | ☒ | | |
| Materials Management | Solid Waste Mgt. Fac. | ☐ | ☒ | | |
| Water | Dam Safety Review | ☐ | ☒ | | |
| | Const. in Flood Hazard | ☐ | ☒ | | |
| | Public Water Supply | ☐ | ☒ | | |
| | SPDES | ☐ | ☒ | | |
| Spills Management | Petro. Bulk Storage | ☐ | ☒ | | |
| Lands and Forests | Unit Management Plan | ☒ | ☐ | Robert Ripp | Approved in 2018 VMWF UMP Amendment |
| | Tree Cutting | ☒ | ☐ | Robert Ripp | |
| | Protected Native Plants | ☐ | ☒ | | |
| | Historic Preservation | ☐ | ☒ | | |
| Fish and Wildlife | Freshwater Wetlands | ☐ | ☒ | | |
| | Wild Scenic & Rec. River | ☐ | ☒ | | |
| Compliance Services | Other Protection of Waters | ☐ | ☒ | | |
| | EAF | ☐ | ☒ | | |
| | Negative Declaration | ☐ | ☒ | | |
| | Env. Impact Statement | ☐ | ☒ | | |
| | Water Quality Cert. | ☐ | ☒ | | |
| DEC (other) | CP-17 | ☒ | ☐ | Robert Ripp | Application included with this draft work plan. |
| | Commissioner (aircraft, motorized equipment) | ☐ | ☒ | | |
| | Flight Request | ☐ | ☒ | | |
| | Contract Clearance Sh. | ☐ | ☒ | | |
| | DOB Exemption | ☐ | ☒ | | |
| Other Agencies | APA MOU | ☐ | ☒ | | |
| | APA Wetlands Permit | ☒ | ☐ | Robert Ripp | APA wetland permit #P2018-130A |
| | Corps. of Engineers | ☐ | ☒ | | |
| | Building Permits | ☐ | ☒ | | |
| | Local Permits | ☐ | ☒ | | |
| | Easements | ☐ | ☒ | | |
| | Highway Enter DOT | ☐ | ☒ | | |
| | Wastewater Disposal | ☐ | ☒ | | |

# Vanderwhacker Mountain Wild Forest - *Boreas Ponds Tract*




NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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NEW YORK
STATE OF
OPPORTUNITY.

Department of
Environmental
Conservation

# VANDERWHACKER MOUNTAIN WILD FOREST

and

## BOREAS PONDS PRIMITIVE AREA
## STATE ADMINISTRATIVE AREAS

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# Amendment

to the

**2005 Vanderwhacker Mountain Wild Forest Unit Management Plan**

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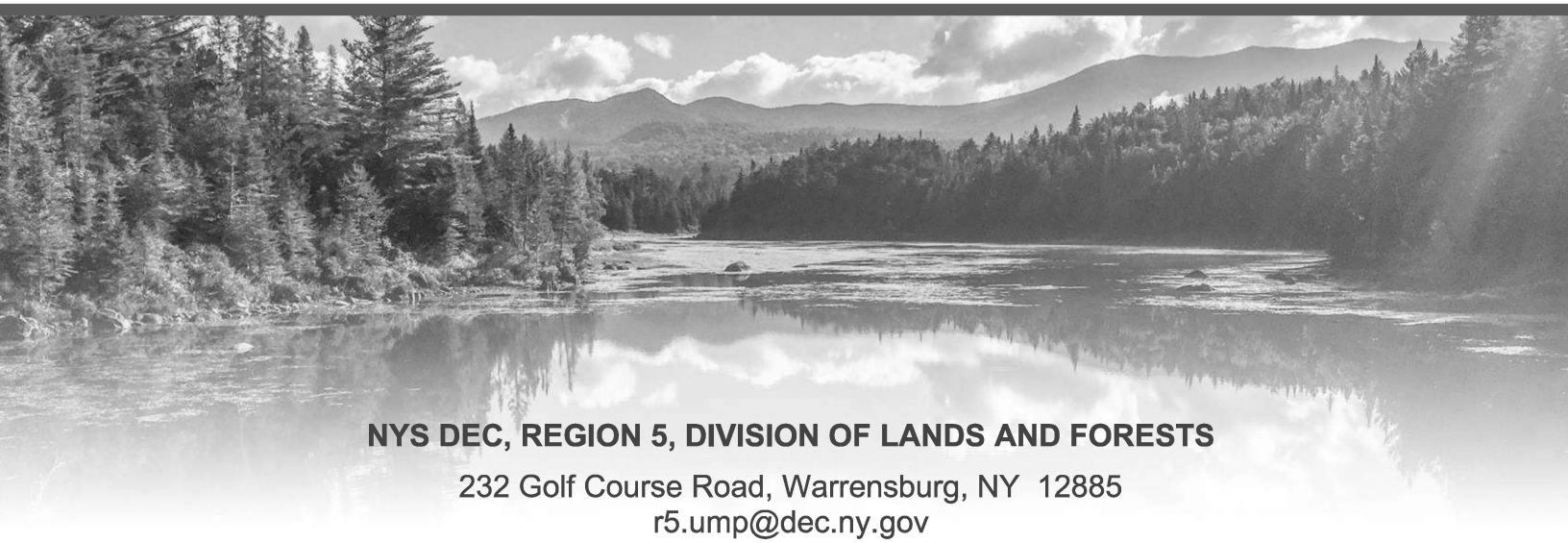
# River Area Management Plans

for the

**Hudson River** and **Opalescent River**




**NYS DEC, REGION 5, DIVISION OF LANDS AND FORESTS**

232 Golf Course Road, Warrensburg, NY 12885
r5.ump@dec.ny.gov



**www.dec.ny.gov** **July 2018**

- In the construction of new launches, seek routes that would minimize environmental impacts and maintenance costs by avoiding wetlands, stream crossings, significant habitats, unstable soils and steep slopes, while taking advantage of natural features that would contribute to the enjoyment of the launch by visitors.
- Manage the size and location of launch facilities to prevent user congestion on any one water body or portion of a large water body.
- Provide appropriate sanitary facilities at launch sites.
- Increase public awareness of the invasive species threat to unit waters from access sites to water bodies.

### *Action Steps*

- Monitoring each location for the desired conditions for a sustainable hand carry boat launch will help measure and determine impacts to better inform carrying capacity development and long term planning. Final specifics will be detailed in the Wildland Monitoring Plan but generally:
    - Desired conditions for all hand carry boat launch sites will be one that is free of erosion, occurrences of invasive species, human waste and litter, has minimal expansion from the designed footprint of the built facility and provides an enjoyable user experience.
    - Monitoring could include photo point locations, control measuring points, surveys of visual occurrences of erosion, trash, invasive species, and user surveys.
- An accessible hand-carry boat launch, also suitable for carted boats, will be developed on the west side of Boreas Ponds Dam. An access route will be developed from the Boreas Ponds Parking Area, enter the Boreas Ponds Primitive Area and follow the Boreas Road to the intersection with the old lodge access road. At this location the access route to the Lean-to, which is discussed in the High Peaks Amendment, will go north and the access route to the hand-carry launch will proceed easterly between Boreas Road and Boreas Pond. The access route will drop below the road in order to provide an accessible grade to the water's edge. This hand-carry launch and access route will be laid out and constructed to current accessible standards. To help preserve the wilderness experience of Boreas Ponds and provide an appropriate transition area, a natural ramp of stone or aggregate will continue into Boreas Ponds upstream of the dam to allow for water transitions. The entry into the water will also be hardened with natural materials to maximize accessibility at the site.
- Develop a hand-carry boat launch on the southern end of LaBier Flow. A short access route from Gulf Brook Road will be developed to be suitable for fishing

SL 2018-0020

December 2010

Adirondack park agency

P.O. Box 99 • Ray Brook, New York 12977 (518) 891-4050
www.apa.ny.gov

# State Land ~~Jurisdictional Inquiry, Form and Application~~ For Wetlands General Permit 2005G-1R

Permit #: P2018-130A

## Combined State Land ~~Jurisdictional Inquiry Form and Application and~~ Certification for **Certain Minor Regulated Activities by NYS DEC in APA-jurisdictional Freshwater Wetlands**

Instructions: *Submittal of this form is required to receive a determination of jurisdiction for all DEC State land projects and State Land Master Plan / Unit Management Plan compliance advice from the Agency. It is also intended that, if the Department so desires, this form will be treated as a permit application for certain minor regulated activities in wetlands on State land.*

*All questions must be answered completely with the understanding that the more clearly and fully the project is described, the sooner a jurisdictional determination can be rendered and/or a wetlands permit issued. Submit this form with the required attachments in person or by mail to the Adirondack Park Agency at the above address. Be sure to indicate if you wish to proceed immediately from jurisdictional inquiry to permit application. A site visit by Agency staff may be required depending on the complexity of the project, the natural resources involved and the level of documentation provided. You may not begin regulated activities at the project site unless and until you have received this certification counter-signed by Agency staff.*

Table of Contents

Activities involving wetlands eligible for this General Permit in all State land classifications are:

1. New wetland filling of less than 200 square feet in size associated with any of the trail treatments as described in the document, "Trail Construction and Maintenance Manual, NYS DEC, Division of Operations", except for cribbing, rock tread or trail turnpiking.

2. New wetland filling of less than 100 square feet associated with rock or timber cribbing, rock tread or trail turnpiking as described in the above referenced trail manual.

3. Construction of new or replacement bridges across streams where the new timber and/or rock crib abutments have a combined footprint of less than 150 square feet per bridge located in or adjacent to wetlands and the abutments are located above the mean high water mark.

4. Installation of new culverts or extension of existing culverts where the total amount of new fill in wetlands will be no more than a total of 40 square feet per culvert installation.

5. Construction of ditches or swales disturbing more than 100 square feet and less than 200 square feet of wetlands.

6. Construction of wildlife viewing platforms or fishing piers which are less than 100 square feet in size in wetlands constructed on rock-filled cribbing or piles.

7. Minor modifications to existing fish barrier structures in or affecting contiguous wetlands resulting in less than a 6 inch increase or decrease in water depth upstream of the barrier and undertaken at a time of year that does not adversely affect wildlife or fish resources.

8. Minor trail relocation where presently impacted wetlands will be restored and, in the case where the relocation will occur in another portion of the wetland, will serve as adequate compensatory mitigation resulting in a net reduction in wetland impacts.

9. Maintenance, rehabilitation, or removal of existing conforming shoreline erosion control structures of 200 square feet or less in area in or involving wetlands so long as shoreline integrity is maintained in the case of removal. Bio-engineered techniques shall be favored.

10. Replacement or repair of existing or installation of new conforming underground utilities through wetlands with no permanent fill in or loss of wetlands. Installation activities may include placement of suitable clean soil or stone for backfill or bedding of the utility lines. Authorized utility lines include: pipes or pipelines for the transportation of gaseous, liquid or slurry substances; or any cable, line, fiberoptics or wire for the transmission of electrical energy, telephone or radio communications. This permit only authorizes temporary construction disturbance and restoration of the wetland.

11. Installation of temporary work pads or construction access, or water control structures through wetlands with no permanent fill. This permit only authorizes temporary construction disturbance generally lasting no more than one construction season and restoration of the wetland.

12. Temporary grading and filling in wetlands associated with access for survey and exploratory activities with no permanent fill. This permit only authorizes temporary construction disturbance and restoration of the wetland. Survey and/or exploratory activities include: instrument survey, archaeological and paleontological surveys, seismic operations, soil sampling and other similar exploratory-type activities. The survey and exploratory activities themselves are non-jurisdictional.

**The above activities must be determined to be APSLMP-compliant or listed in an approved UMP prior to their commencement.** Submittal of this form shall be considered "prior consultation" as described in the DEC/APA MOU. Any regulated wetlands activities exceeding the above thresholds will require an individual Article 24 Freshwater Wetlands permit from the Agency.

## Section A

**I. Contact Information:**

Date: 8/7/18

NYSDEC Contact: Robert Ripp

Signature: [signature]

Title: Forester

email: robert.ripp@dec.ny.gov

Mailing Address: 239 Golf course Rd, Warrensburg, NY

Daytime Telephone: 518-623-1909 FAX: 518-623-3606

**II. Project Location:**

Town: North Hudson County: Essex

Road: Boreas Rd Water Body: Boreas Pond

Tax Map Number: Section: 102 Block: 2 Lot: 1.038

Section: _____ Block: _____ Lot: _____

**Use either or both of the options below to further locate the property:**

- GPS* UTM Coordinates: easting 73956'7", northing 44°0'32"

  Datum: NAD 1983 UTM 18N

- Narrative description with an attached applicaton.

* Use GPS coordinates only. If not available, the general location will be determined from the map you provide.

**III. State Land Unit:** Boreas Ponds Primitive Area

Circle One: Wilderness **Primitive** Canoe

Wild Forest State Admin

Intensive Use Historic Area

Unit Management Plan Completed and Approved? Yes ✓ No ___

Date? 2018, July

(Please enclose a copy of the cover sheet and all pages relevant to this project.)

If the proposal is to replace an existing structure, when was the structure constructed? _____

Is the replacement structure to be located in the same place and will it be the same size?

Yes ~~___~~ No ___ ; please describe.

**IV. State Land Compliance Review**

DEC Staff have determined the proposed activity is consistent with the DEC/APA MOU regarding the implementation of the APSLMP.

Staff person Mary O'Dell

Signed Mary O'Dell Date: 9/6/18

DEC is requesting concurrence that the proposed activities are consistent with the guidelines in the APASLMP and DEC/APA MOU.

Yes ___ No ✓

APA Staff have determined that the proposed activity is consistent with the DEC/APA MOU regarding the implementation of the APSLMP as per the State Land Jurisdictional Inquiry Response, JIF #_____.

Staff person: _____

Signed: _____ Date: _____

**V. Request for Processing as Wetlands Permit Application**

Do you wish to request this form be treated as application for General Permit 2005G-1 immediately upon a determination that the proposed activity is jurisdictional and requires such a permit?

Yes ✓ No ___

If you answered "no", the jurisdictional determination and APSLMP and UMP compliance advice will be sent to you. If you answered "yes", this form will be forwarded to the APA Deputy Director of Regulatory Programs Division to begin processing as a permit application. In the latter case, you will be notified by the Agency within 10 work days of receipt that the permit application is being processed, whether the application is complete and the name of the Agency's Wetlands Biologist or Environmental Program Specialist assigned to the project.

**VI. Prior Agency Contact:**

Have you had any previous discussions with Agency staff regarding the proposed activities involving wetlands or has any Agency staff visited the project site with you or your representative?

- No
- Yes, staff person's name: Mary O'Dell

Type of Contact: (e.g. site visit, telephone call) Site Visit

Date of Field Visit: 8/7/18

Has the project site been the subject of a past Agency action?

- No
- Do not know
- Yes. If known, provide the following number and date:

Wetlands Project Permit: _____

Jurisdictional Inquiry Number: _____

Enforcement Case Number: _____

Wetland Boundary Flagging: _____

## VII. Required Attachments

**A. Narrative** - Describe the proposed project including:

1. a description of existing conditions;
2. why the project is being undertaken;
3. methods and materials to be used to undertake the project;
4. attempts to avoid, minimize and/or compensate for wetland impacts;
5. who will undertake the work;
6. a work schedule including the order of tasks and construction beginning and end dates; and,
7. erosion controls and site restoration details.

**B. Site Plan/Mapping** - Provide a sketch map including:

1. a location map at a scale appropriate to locate the proposed project site in the context of local roads and landmarks;
2. a scale appropriate to clearly illustrate the proposed project site;
3. north arrow;
4. landmarks (roads, buildings, bridges, etc.);
5. water and drainage features;
6. existing structures;
7. detailed site plan of work to be done;
8. extent of vegetative cutting (a tally of all trees proposed to be cut as part of the proposed activity in conformance with DEC Policy LF-91-2); and
9. wetland boundaries near the proposed work area.

C. **Photos** - Provide digital or printed photos that clearly show the area described in the narrative and; show.
   1. the general work area;
   2. the structure to be replaced or modified taken from different angles (i.e. showing the inlet and outlet, bridge abutments, upstream and downstream views, and views from the structure as well as to the structure from the surrounding land).

D. **DEC Approvals** - State whether a Temporary Revocable Permit (TRP) or Adopt a Natural Resource (AANR) has been issued, and if so, when. None

E. **Restoration** - Unless otherwise agreed to by Agency staff, a wetlands restoration plan for those areas disturbed by the proposed activity shall be attached to this inquiry/application. The plan shall include but not be limited to description of existing conditions, restoration goals, grading plan, planting materials, densities and patterns, monitoring, contingencies and triggers for remedial action, and invasive species considerations.

**VIII. Environmental Notice Bulletin**

Has an ENB notice been published for this action?

Yes ___ No ✓

Date: _____

Please provide a copy as published.

## Section B

Field Visit Requirements - If you answered "yes" in Section A, Part V above you should complete the following in preparation for the mandatory Agency staff field visit unless otherwise agreed to in advance by Agency staff.

1. Field delineate with stakes the approximate centerline of any driveways, roads, underground utilities, culverts or other structures to be located within or adjacent to wetlands.

2. Field delineate with stakes or colored flagging (except blue) the approximate location of all property lines that are located within 100 feet of the edge of any proposed work area.

3. Identify with colored flagging (except blue) or stakes the approximate limits of the proposed temporary and/or permanent fill in wetlands.

## Section C - Conditions

This section contains the general conditions which pertain to all proposed jurisdictional activities by the New York State Department of Environmental Conservation (the Department).

### GENERAL CONDITIONS

1. The regulated wetland activities authorized herein, including site restoration activities, shall be completed by September 6, 2023 *(Date to be filled in by APA Representative after consultation with Department staff)*. The permittee shall notify the Agency in writing of the project completion within five working days after the work has been successfully completed.

2. The activities in or affecting existing APA-jurisdictional wetlands described in this application and in the required attachments may not be undertaken unless or until this application and certification is signed by authorized Agency staff.

3. Failure to comply with this general permit and approved attached site plan is a violation and may result in modification, suspension or revocation of the permit.

4. The Agency may conduct on-site investigations, examinations and evaluations as it deems necessary to ensure compliance with the terms and conditions of this permit. Such activities shall take place at reasonable times and upon advance notice where possible.

5. At the written request of the Agency, the Department shall report in writing the status of the project, including details of compliance with any terms and conditions of this permit.

6. The Department shall require that any agent, contractor, project engineer, or other person responsible for the overall supervision of this project read and understand this permit and approved plans and all terms and conditions prior to undertaking the project. Copies of the signed permit and approved plans

shall be kept at the project site during all construction activities. The project shall be undertaken as proposed and authorized herein.

7. Any deviation from the type of project authorized by this permit or failure to comply precisely with all the terms and conditions of this permit and approved plans must be expressly approved in writing and in advance by authorized staff of the Agency.

8. This permit shall not be construed to grant the Department any right to trespass upon the lands, or interfere with the riparian rights, of others in order to perform the permitted work, nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in any person not a party to the permit.

9. All on-site work associated with this project and its maintenance shall be by or under direct supervision of the New York State Department of Environmental Conservation.

**Work in Wetlands**

10. Beyond that authorized herein, no "regulated activity" as defined in the Agency's Freshwater Wetland Regulations (9 NYCRR Part 578) shall occur on the project site without prior Agency approval. Such activities include, but are not limited to, new land use or development in, or dredging or filling of a wetland, or any other activity, whether or not occurring within the wetland, which pollutes it or substantially impairs its functions, benefits or values.

11. All mobilization of equipment and materials shall occur prior to undertaking the work involving or affecting wetlands and shall be completed in the shortest necessary time span.

12. The work shall be scheduled and conducted during drier periods (not during major storm events, spring runoff, or thawing conditions) to avoid and minimize erosion of soils and to prevent silting and muddying of wetlands or surface water bodies.

13. No mechanized equipment shall be driven in wetlands unless expressly authorized herein. Every effort shall be made to work from upland areas and to minimize disturbances to areas adjacent to wetlands. Only tracked equipment shall be used in wetlands.

14. Construction in the wetland shall only occur during frozen ground conditions or seasonally dry conditions, unless otherwise authorized herein.

15. No waste disposal, material or excavation stockpiling, or dewatering discharge shall occur in or within 50 feet of wetlands unless specifically authorized in the project plans.

**Erosion Control**

16. Prior to any earth disturbance on the site, including placement of temporary fill, clearing and grubbing, the erosion control barriers (silt fence) shall be installed as shown on the maps/plans. The silt fence shall consist of a geo-textile fabric and shall be embedded in the ground at least 4 inches. Straw bales shall not be substituted for the filter fabric fence. The barrier shall be maintained in excellent operating condition at least until the temporary road is fully removed and the site is restored including all areas of bare soil being successfully revegetated with a permanent ground cover. The Department shall inspect the fabric at least once a week and after every major storm event, and shall maintain it in a functional condition.

17. All areas of bare soil resulting from work activities at the project site shall be successfully revegetated with a permanent groundcover of native species by October 15 of the year of undertaking. If successful revegetation is not completed by this date, the area shall be seeded with annual rye grass and mulched within 5 days of attaining final grade. The area shall then be successfully established with a permanent ground cover or grass the following spring, but no later than June 15.

**Shorelines**

18. Any cutting of vegetation along the shorelines of navigable water bodies shall be kept to a minimum and conducted in such a way as to prevent shoreline erosion.

**Invasive Species**

19. All equipment, including but not limited to trucks, excavators and tractors and hand tools such as shovels, rakes, hoes, etc. shall be washed with high pressure hoses and hot water prior to being brought on the site. The intent of this condition is to insure invasive plant species are not introduced to the construction site.

20. All fill will be from sources inspected by DEC staff and deemed free of invasive species propagules [visit gravel pit and determine that common reed (Phragmites australis), Japanese knotweed (Polygonum cuspidatum) or others are not growing in or adjacent to the pit].

**Waste Disposal**

21. All waste materials including lumber scraps, sawdust, nails, hardware, etc. shall be removed from the project site and disposed of in a DEC-authorized landfill or transfer station. These and other materials shall not be disposed of on-site. No such materials shall be allowed in any wetland or surface waters. If any pressure treated lumber is used, refer to the enclosed brochure, "Using Pressure-Treated Lumber in the Adirondack Park" and,
    a. Use only wood properly dried and completely clean of surface deposits,
    b. Adhere to all United States Environmental Protection Agency label directions for handling, use and disposal,
    c. Cutting of any pressure treated lumber shall be done over a tarpaulin in an upland area away from any surface waters including lakes, pond, rivers, streams and wetlands, in order to prevent sawdust and scraps from entering the wetland,
    d. Dispose of all pressure treated waste in a New York State Department of Environmental Conservation authorized landfill. Do not bury on-site or burn.
    e. Use only pressure treated wood with chemical treatment methods and materials, which have been approved for the specific use per EPA guidelines.

22. In keeping with the management criteria and guidelines for Wilderness, Primitive and Canoe areas, any use of aircraft and motor equipment shall be confined to off-peak periods. No motor vehicles shall be utilized within any Wilderness area, and all work will be performed in conformance with DEC policy CP-17 (Administrative use of motor vehicles and aircraft use on Forest Preserve lands). The type of and timing of motorized equipment use shall be consistent with SLMP guidelines and criteria.

23. The proposed activity shall not change the historic use of the facility or materially alter the appearance of the land or the vegetation thereon.

## SPECIAL CONDITIONS BY ACTIVITY

This section contains special conditions that pertain to specific proposed actions.

### Utility Line Installation, Repair Or Replacement in Wetlands

24. The installation or repair of underground utility lines shall not result in significant change in the preconstruction contours, flow or water table characteristics of the wetland.

25. The area of wetland disturbance shall be limited to the minimum necessary to construct the utility line. Clearing of existing vegetation shall be limited to that material which poses an immediate hazard or hindrance to construction activities. Grading and grubbing of the wetland shall be minimized to the greatest extent practicable.

26. Where trenching will occur for the installation or repair of underground utilities in wetlands, the top 12 inches of wetland soil shall be first removed and temporarily placed onto a geo-textile blanket running parallel to the trench. Sub-grade soils dug from the trench shall be sidecast on the opposite side of the trench onto another geo-textile blanket running parallel to the trench. All sidecast material shall be placed and stabilized in such a manner so as to prevent its dispersion by normal or high water flows. The length of trench to be opened should be only that which can be opened and completed in one day. After installation or repair of the underground utilities, including placement of bedding materials, the sub-grade soils shall be backfilled into the trench, followed by the surface wetland soils. The wetland soil should be left 3 to 6 inches above the surrounding undisturbed wetland surface to allow for settling. All excess material must be removed to upland areas and stabilized immediately upon completion of construction. The geo-textile blanket can be utilized for the next trench section or rolled up and taken off-site after the work is completed.

### Culvert and bridge repairs, replacements, and extensions or new installations in wetlands

27. Existing pipe and box culverts, and bridges shall be replaced at their existing location with minimal realignments, if deemed necessary. These replacements shall be installed so as to preserve the pre-construction water levels and flows and shall not inhibit the natural movement of fish. If the activity involves a DEC classified stream, also obtain and comply with an ECL Article 15 permit.

28. New culverts and bridges, when determined to be consistent with the APSLMP guidelines and criteria, shall be installed so as to preserve the preconstruction water levels and flows and shall not inhibit the natural movement of fish.

29. Sections of bridging shall be pre-constructed to the extent practicable in upland areas and carried by non-motorized means to the placement site in the wetland. Where this is not practical, cutting of most pieces is to be done in upland areas. All pressure-treated wood shall be used following all label restrictions, and be dry and free of surface deposits. Pressure-treated lumber scraps and sawdust shall be collected and disposed of in a DEC-authorized landfill or transfer station.

30. All lumber cutting and machinery fueling and maintenance shall occur outside of, and at least 50 feet from, the edge of the wetland boundary. Limited custom cutting of stringers for unique angle joints will be allowed at the boardwalk or bridge site. All cutting areas shall be draped with tarps and power tools shall be fitted with dust collection bags at exhaust outlets. All sawdust, scrap wood and waste materials shall be collected daily and transported off-site, and will be properly disposed of at a DEC-approved landfill.

**Temporary access, detour and work pad facilities or water control structures in wetlands**

31. Any fills required for temporary construction access, detour and work pad facilities shall be of clean, appropriate DOT classified stone fill or other non-erodible material placed on geo-textile fabric up to the ordinary high water elevation.

32. Temporary construction access, detour and work pad facilities (including necessary fills) shall be located so as to avoid or minimize disturbance of the wetland, and appropriate temporary drainage measures must be taken to maintain preconstruction water flows and water table characteristics.

33. Temporary water control structures (i.e. cofferdams) shall be of the type and size, and shall be placed in such a manner so as not to impair surface water flow into or out of the wetland.

34. Temporary water control structures (i.e. cofferdams) shall be constructed of non-erodible materials, and located in such a manner, so as to prevent its dispersion or movement by normal or high water flows.

35. Temporary construction access, detour and work pad facilities (including necessary fills) shall be entirely removed following completion of construction activities, and the affected wetland and adjacent area successfully restored to its preconstruction condition, including replacement planting of native trees and shrubs.

**Improvements to existing trails in wetlands**

36. Any temporary wetland fill associated with widening or improvements to a trail shall be of clean, DOT classified stone fill or other non-erodible material placed on geo-textile fabric up to the ordinary high water elevation.

37. Turnpiking, dry-treading, bog bridging and placement of rock stepping stones in wetlands will be to the minimal extent possible. The placement of any of these materials shall be in such a manner so as not to impair surface water flow into or out of the wetland, and to maintain preconstruction water flows and water table characteristics.

38. Stabilize disturbed trail fill with native seed and straw or wood fiber mulch, rip rap or approved stone fill within 3 days of completion of fill activities.

**Temporary access in wetlands for survey and exploratory activities**

39. Any fills required for temporary access facilities shall be of clean, appropriate DOT classified stone fill or other non-erodible material placed on geo-textile fabric up to the ordinary high water elevation.

40. The area of wetland disturbance shall be limited to the minimum necessary to perform the survey and/or exploratory activity. Cutting of existing vegetation shall be limited to that material which poses an immediate hazard or hindrance to the necessary activity. All cut vegetation shall be immediately removed from the wetland and adjacent area upon completion of the activity. Grubbing of stumps and roots shall be avoided.

41. Temporary access facilities (including necessary fills) shall be located so as to avoid or minimize disturbance of the wetland, and appropriate measures shall be taken to maintain preconstruction water flows and water table characteristics.

42. Temporary access facilities (including necessary fills) shall be entirely removed following completion of the necessary activity, and the affected wetland and adjacent area shall be graded, seeded and restored to replicate preconstruction conditions.

Based on the site visit, proposal and site conditions, the following additional special conditions also apply:

43.

X /s/ John M. Burth Date: June 15, 2022
Signature of APA Environmental Program Specialist or Wetlands Biologist
(Required before regulated activity can be started)

X /s/ Robert J. Lore Date: June 15, 2022
Signature of Deputy Director, Regulatory Programs (or designee)
(Required before regulated activity can be started)

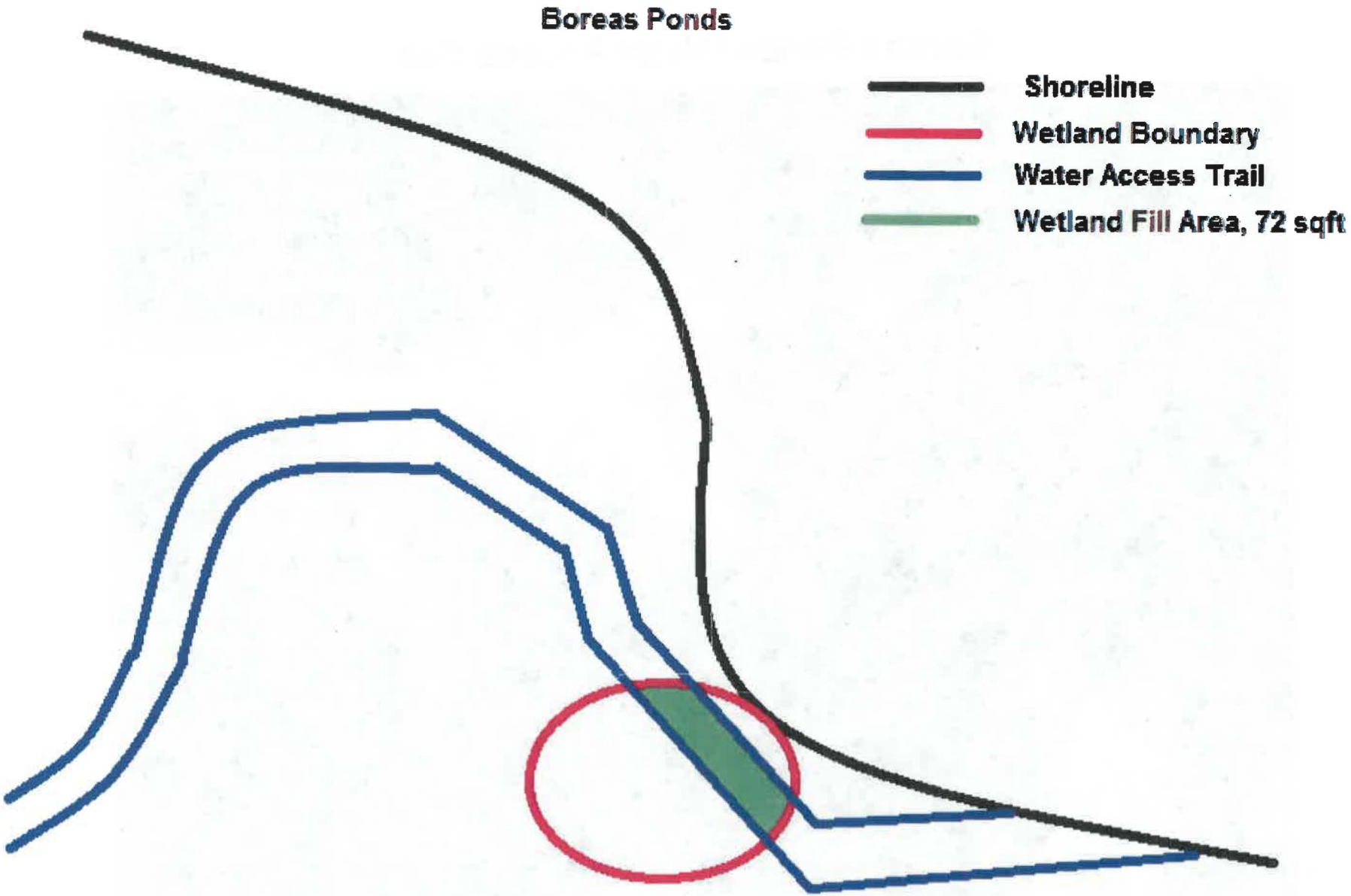
***Attach as a part of the approved certification an 8-1/2" x 11" reduced copy of the overall site plan(s) referenced in Section VI. "Required Attachments", B. "Site Plan/Mapping".***

The Boreas Ponds are a manmade impoundment created by the damming of The Boreas River in the Town of North Hudson, Essex County NY. The area offers a great opportunity for paddling, fishing, and observing wildlife for the general public. Much of the perimeter of Boreas Ponds are surrounded by either wetlands or steep terrain. A user created water access site currently used by the public is located on the earthen portion of the shoulder of the Boreas Ponds Dam which is an area that minimizes wetland disturbance and utilizes stable gravel that was originally used to construct the dam. This site is a somewhat developed and long standing water access site used by the previous property owners and their lessees.

The water access site and an ADA compliant accessible trail is prescribed in the recent Vanderwhacker Mountain Wild Forest and Boreas Ponds Primitive Area UMP Amendment. In the States short ownership of the property, Boreas Ponds has proven to be a popular paddling and fishing destination, seeing frequent use from the public. The current water access site is firm and stable but the access between Boreas Road and the waters edge does not have proper grades to allow for accessible access under the ADA, therefore an accessible trail will need to be installed to connect the users of the area from the parking lot to the water's edge. There is an approximately 12'x16' wetland area between the shoreline and the wooded area the trail will need to proceed through in order to have ADA compliant grades. Gravel from the wooded area will be used to create a 12'x 6' wide path across this wetland area, which is a total of 72 square feet of wetland fill. The path will be trapezoidal in nature with a 6' wide base and a 4' wide top tread. This angle will allow for the tread surface to remain intact and not sluff off into the wetland with use. This location minimizes environmental impacts and maximizes sustainability because the actual water access site where people will transfer to and from the water is firm and stable, and absent of wetlands. Additionally, the actual water access site will be better developed to provide a sustainable launching location and will be designed to prevent further impacts from use. The overall site location of the trail and access site is in an area that minimize wetland impacts and maximizes the use of firm and stable soils to the greatest extent. The vast majority of the shoreline is wetland and this site is the area that minimizes wetland impact and will protect the resource long term better than the existing user created site. A bridge was considered here rather than a gravel path, but discounted for several reasons. In order to maintain proper grades the 12'x6' fill area will have a slight downward slope towards the water. This will keep the trail grades outside of the wetland area fully ADA compliant. Due to the slippery nature of a bridge for people with disabilities this would not be able to be sloped like this, therefore keeping compliant grades would be difficult and somewhat extreme grades of around 10% would need to be constructed, making the trail less user friendly for many users. Even if these grades were constructed with a flat bridge there is still concern over slipping for people with mobility impairments and who are in wheel chairs. Additionally, a pressure treated lumber bridge would need to be replaced approximately every 10 years which would result in site disturbance and negative impacts to the area every 10 years. Chemicals used in a pressure treated lumber in a wetland area are also cause for concern. If pressure treated materials were discounted in favor of natural materials like cedar, then the same slope/grade issues described above are of concern, but the lifespan would be approximately 5 years making the periodic site disturbance twice as frequent. The same slipping concern for people with disabilities would continue to be of concern as well.

DEC staff, SCA, and volunteers will complete the work, all under the supervision of a DEC land manager. Work will likely be undertaken in 2018, but depending on resources may be done in the 2019 construction season. Specific dates are not known at this time. The site will be cleared of vegetation, filled with gravel, then top coated with an ADA compliant stone mix. Erosion controls will not be used for the sites because their instillation will create more erosion and site disturbance than the activity itself. No trees will be cut within the wetland boundary.

# Boreas Ponds Water Access Site


Boreas Ponds
Shoreline
Wetland Boundary
Water Access Trail
Wetland Fill Area, 72 sqft

NEW YORK STATE OF OPPORTUNITY. | Department of Environmental Conservation

# VANDERWHACKER MOUNTAIN WILD FOREST

and

## BOREAS PONDS PRIMTIVE AREA
## STATE ADMINISTRATIVE AREAS

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## Proposed Final Amendment

to the

**2005 Vanderwhacker Mountain Wild Forest Unit Management Plan**

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## River Area Management Plans

for the

**Hudson River** and **Opalescent River**

**NYS DEC, REGION 5, DIVISION OF LANDS AND FORESTS**

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**www.dec.ny.gov** **July 2018**