

Forest Preserve Work Plan  
for  
Construction of New Facilities and Expansion or  
Modification of Existing Facilities  
Fiscal Year 2023

**Central Office  
WP #246**

**Project #** Click or tap to enter Project Number (leave blank if not applicable)

<b><u>Region</u></b>	<b><u>Project Title</u></b>
6	High Banks Trail Reroute

<b><u>Project Type</u></b>	<b><u>Town(s)</u></b>	<b><u>County</u></b>	<b><u>Management Unit</u></b>
Modification of Existing Facility	Watson	Lewis	Independence River Wild Forest

**Description of Desired Condition(s) for Project:**

Management of the High Banks Trail is guided by Article XIV on the New York State Constitution, the Adirondack Park State Land Master Plan (APSLMP), and the Independence River Wild Forest Unit Management Plan (UMP). Desired conditions for the High Banks Trail and greater Otter Creek Horse Trail system are addressed in four categories below.

1) Protect Natural Resources and Wild Forest Character

The Adirondack Park State Land Master Plan states that “the primary wild forest management guideline will be to protect the natural wild forest setting and to provide those types of outdoor recreation that will afford public enjoyment without impairing the wild forest atmosphere.” Among considerations related to this guideline:

- A) DEC aspires to follow best management practices when siting, maintaining, and designing equestrian trails. Where existing trails are sub-optimally routed or designed and environmental impacts such as erosion, mud and trail widening are being observed, rerouting of the trail segment, trail improvements or trail closure should be considered. The western portion of the Independence River Wild Forest was selected as a site for a western Adirondack horse trail system specifically due to its well-drained, resilient soils. On trails where soils are not exhibiting “resiliency” action should be considered.
- B) Reduce off-trail use. Horses travelling off-trail may trample vegetation, fragment habitat and introduce invasive species. After just a few passes, user created trails often become visible – increasing the likelihood of other users following informal trails. Designated trails are sited and designed to minimize impacts to the environment and Wild Forest character, but informal trails are not. SEQR documents show that the 1990 amendment to the Independence River Wild Forest UMP which proposed the Chase Creek Trail was partially justified by the fact that a new trail will “direct riders along the route, mitigating a previous tendency to explore in (the) area. Since current rules and regulations allow horses to go anywhere on State land except foot trails, this will result in a well-thought out direct route designed to avoid more settled areas.” Given the significant impacts off-trail equestrian recreation can cause, this thought process should apply throughout the Otter Creek Trail System.
- C) Thoughtfully site horse watering locations. Horse watering locations are a necessity for equestrian recreational users of the Otter Creek Trail system, but watering locations were not specifically identified when the trail system was established. To encourage watering activities at stable, safe, and low environmental impact locations, some horse watering signage has been posted, and more may be considered in the future. Where watering locations are not directly trail adjacent, maintaining short access trails is appropriate to facilitate and concentrate access to the water site.

2) Trail System Design

The Otter Creek Horse Trail System is projected to exist for the foreseeable future and should be maintained and improved to withstand equestrian use indefinitely. The construction, maintenance and improvement of a robust

designated trail system is imperative to encouraging equestrian recreationists to stay on trails rather than riding informal trails or riding off-trail – a focus of DEC related to protection of natural resources and Wild Forest character. Many informal trails form to circumnavigate poor conditions on official trails or roads signed as part of the trail system, or to more directly access a destination. Well maintained trails not only reduce environmental impacts associated with the official trail system but also those impacts associated with recreation that occurs off official trails.

While some trails receive more use than others within the Otter Creek Trail System, trail improvements that are appropriate on high use trails should likewise be considered on lesser used trails. The reason this approach should be taken is that stock animals concentrate a considerable amount of weight on the trail tread with their narrow hooves. Resulting trail conditions may include rutting, loosened soils that are more susceptible to erosion and/or poorly drained holes. These trail conditions may in turn increase trail widening, informal trail creation, and/or off-trail riding. Lesser used trails within this trail system exhibit the same issues as high use trails, and should likewise be constructed, maintained, and/or improved to sustainably accommodate ongoing equestrian use. Specific trail design elements are addressed below.

3) Trail Design: site, maintain and improve trails within the trail system to be resilient and sustainable.

Trail construction for the Otter Creek trails is described in the 1988 Independence River Wild Forest UMP amendment as “high pruning” existing roads and trails and cutting “a few edge or danger trees” but no trail width is mentioned. The 1990 and 1994 UMP amendments identified a trail width of 4-feet and noted no trees larger than 3” DBH were cut while establishing the trails. A 4-foot width has been historically interpreted and implemented on the Otter Creek Trails to mean a 4-foot wide tread width, and 6-foot wide cleared width. Moving forward, if new trails are constructed, or existing ones are maintained, rerouted or otherwise improved, cutting of vegetation and earth moving should be minimized, however these goals should not be allowed to justify suboptimal trail alignments or design. In protecting Wild Forest character, a trail that meaningfully degrades over time rather than a sustainably constructed one has a significantly greater impact on Wild Forest character. While tree cutting and tread manipulation are highly visible in the short term, protecting the landscape in perpetuity is better served by sustainable trail design and construction.

While much of the Otter Creek region is dominated by sandy and well drained soils, this is not true of the entire landscape. Many trails within the Otter Creek Trail system were sited based upon convenience, following old dugway roads. In some cases, these old roads have held up well to equestrian traffic (mostly in flat, particularly sandy areas), however in other cases the trails are poorly sited. Dugway roads are constructed by excavating organic material to expose more resilient soils to serve as the road surface. The result is a road surface that is lower than the surrounding forest floor and poorly drained tread. Some trail segments within the trail system follow topographic fall lines and are much more likely to become eroded due to trail steepness and alignment. Other trail segments follow valleys – these trail segments are generally less steep in grade, but the channeling of water to the trail tread still leads to erosion problems. Erosion issues are exacerbated by the fact that horses walk on relatively narrow hooves, concentrating weight on the trail tread surface. Sandy soils found throughout much of the region also do not pack well or harden, making them more susceptible to erosion.

As new trails are sited, and existing ones are maintained or improved, the desired outcome is trail tread that is resilient to equestrian use. Well drained trail tread that follows reasonable grades and avoids topographic fall lines and valleys is the end goal for all trails within the Otter Creek Trail System. While it is ideal to achieve drainage through trail alignment and grade reversals, this is most easily done when new trails are constructed and rerouting large portions of existing trails is not practical in the short term. On existing trails, issues such as erosion and mud holes should be addressed as soon as possible to minimize permanent scars on the landscape and may employ suboptimal techniques such as installation of trail drainage structures that require maintenance or rerouting short segment trails that exhibit particularly degraded trail conditions. These techniques should also be employed proactively on existing trail locations where future trail problems are anticipated.

While some of these trail construction and maintenance techniques have a more lasting impact on the landscape than others, it is important that officially designated horse trails are robustly constructed to withstand concentrated weight

and tread churning associated with horses. Trails that are not adequately constructed for ongoing horse use result in erosion, mud and permanent scars on the landscape. Poorly designed and constructed trails also indirectly lead to an increase in environmental impacts associated with informal trails and off-trail use to circumnavigate poor trail conditions. It is important to note that not all trail improvements are required throughout the trail system, but rather trails should be improved to a threshold at which they exhibit resiliency. For example, a relatively flat trail through the well-drained sand flats may be considered resilient despite exhibiting some tread incision if conditions are observed to be stable, but a trail exhibiting incision down a steep slope may warrant rerouting or installation of trail structures to prevent immediate and continuing erosion.

Ultimately, trail design is subject to Article 14 of the New York State Constitution, Adirondack Park State Land Master Plan and DEC trail specifications and guidance. Horse trails are permitted in Wild Forest and providing recreation opportunities where “wild forest atmosphere” is not impaired is the primary wild forest management guideline (Adirondack Park State Land Master Plan). The Otter Creek Horse Trail System is intended to conform with these guiding elements by concentrating equestrian recreation to trail corridors that are designed for and capable of supporting use indefinitely into the future while lessening impacts beyond the trails themselves.

#### 4) Provide a visitor experience that is consistent with Wild Forest character

Firstly, providing a riding experience that is consistent with Wild Forest character as described in the Adirondack Park State Land Master Plan (and addressed above under Protect Natural Resources and Wild Forest Character) should be the primary focus relating to user experience. Related to this focus - protecting natural resources ensures that this type of experience can be provided indefinitely into the future. Beyond these guiding principles, providing robust, well designed and resilient trails contributes to a safer and more immersive riding experience. For example, stable trails that are not eroded are safer to ride, and blend with the landscape better than severely eroded trails which permanently scar the landscape and require more attention from riders to safely navigate.

The Otter Creek Trail System intersects and shares segments of trail with Wild Forest roads and snowmobile trails. The 1986 Independence River Wild Forest UMP states a goal to “Segregate and further refine the trail and road systems to protect the non-motorized oriented Wild Forest users’ experiences from encroachment by those allowable motorized pursuits”. In this spirit, where possible, alternatives should be provided to trails that follow Wild Forest roads. In addition to separating trails from motorized use, other recreation activities particularly hunting, hiking and bicycling should be monitored, and management action may be required should conflicts increase. While equestrian user conflicts with these other recreationists is uncommon, it is conceivable that increasing use such as more fat-tire bicycling on the trails could meaningfully impact equestrian recreationists riding experience as well as safety. Given the unique facility the Otter Creek Horse Trails represent within New York State, quality of experience for equestrian users rather than quantity of user groups accommodated should be a focus.

Since the Otter Creek Trail System is located within Wild Forest, motorized equipment is permitted “by administrative personnel where necessary to reach, maintain or construct permitted structures and improvements.” Wherever motorized equipment provides a meaningfully more efficient means to improve and maintain the trail system, it may be considered. Selection of motorized equipment should consider the footprint of the trails (4-foot wide tread, 6-foot wide cleared width) and follow Commissioner’s Policy 17. While motorized vehicles may be used for “law enforcement and general supervision of public use” in Wild Forest, motorized use on trails for these purposes should be minimized to the greatest extent possible. These desired conditions relating to administrative motor vehicle use are meant to efficiently care for the trail system, while minimizing physical and social impacts associated with user encounters with motor vehicles and equipment.

Horses have the potential to greatly impact soils and vegetation they traverse. In many cases it takes only several off-trail passes for informal trails to become highly visible. Since they are not designed for sustainable long-term use, informal trails may have greater environmental impacts than formally designed ones. Due to the amount of equestrian use the Otter Creek Horse Trails receive and the fact that off-trail riding is permitted on Wild Forest lands, informal trails are common, and much of the area in the vicinity of the Otter Creek Horse trails is impacted beyond the trails

themselves. Persuasive communication/education may be used as one tool to modify visitor behavior, however due to high use levels this is unlikely to meaningfully reduce off-trail impacts from horses. A regulation limiting horse use in the IRWF to designated trails is another option that may be considered.

A user visitor survey was conducted in 2021 at the Otter Creek Assembly Area on adjacent State Forest land. Sixty (60) respondents replied to questions about type of use, number and impact of encounters with other users, trail conditions, wild character of the area, and general satisfaction. Surveys such as this one, or other techniques may be used in the future to probe visitor experience a guide future management.

**Description of Project Specifications:**

Relocate the High Banks Trail as it leads to the scenic point with a picnic table near the Independence River, west of the Dragline Trail intersection (Approximate location: UTM 18 476630 4847040). The trail relocation consists of a reroute of the trail along a more sustainable grade (243-feet of new trail; marked with pink flagging), and a spur trail (263-feet; marked with pink flagging) that will switchback down to the scenic point. Also, a 12-foot long segment of the trail leading to the water will be framed with imported timbers pinned with 3/8" rebar.

As designed, the new trail configuration will not require riders to ride downhill to the river unless they choose to travel the short spur trail. The new trail route should be cleared to a 6-foot width and 10-feet high and is marked in the field with pink flagging. Trees >1" DBH that will be cut have been tallied and are listed below in this work plan. The old trail route will be blocked with a significant amount of blowdown and brush to discourage continued use, slow future erosion and support revegetation. Timber water bars will be installed along the existing High Banks Trail and relocated portion of the trail. Water bars will be angled at 45 degrees to the trail and will extend 12" beyond the cleared trail width to prevent users from easily circumnavigating the structures, compromising their effectiveness. Water bar locations are marked with blue flagging. Water bars will be pinned with 3/8" rebar.

The 12-foot long segment of the trail framed with timbers will stabilize horse access to the Independence River to drink. The framed tread crosses the old water access route which has completely eroded away, leading to a new water access route. All work will occur above the mean high-water level of the Independence River.

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

Cutting of Vegetation:

In total, 8 trees 1"-3" and 0 trees > 3" DBH will be cut flush to the ground and scattered in the forest surrounding the project. Trees to be cut are broken down by trail segment below. In addition to individual trees listed below, trees and vegetation <1"DBH and branches which extend into the 6-foot cleared trail width will be cut within the 6-foot wide cleared trail width. The trail has been aligned to avoid cutting trees to the greatest extent possible while still achieving the desired goal of a sustainable trail grade.

Tree Tally (Whole Project) = 506 feet, 8 trees

- Reroute = 243 feet, 6 Trees

- Spur to Scenic Point = 263 feet, 2 Trees

DBH	Red Maple	Balsam Fir
1"-3"	3	5
3"+	0	0

Earthwork:

In total, 506-feet of new trail tread will be established to reroute the old trail. Tread establishment will entail grubbing to expose bare mineral soil and very minimal bench cutting to facilitate the sustainable routing of the trail along a side hill rather than down the fall line. Timber water bars (imported from off-site) will be pinned with 5/8" rebar and buried within the trail tread, and will extend 12" beyond the cleared trail width to prevent users from easily circumnavigating the structures, compromising their effectiveness. The trail relocation has been sited with consideration for the amount of earthwork that will be required. Some earthwork is desirable to establish bare mineral soil tread that will be resilient to ongoing equestrian use.

#### Minimizing Impacts to Water Resources:

Cutting of vegetation will be limited to cutting trees >1" DBH identified in this work plan, and brushing vegetation <1" DBH and side branches to 6-feet wide and 10-feet high. No trees will be cut in association with the framed section of trail leading to the Independence River. Rerouting the trail will reduce erosion along the trail tread, and may ultimately decrease soil that erodes into the Independence River. The old trail will be blocked from use with nearby blowdown, which will also help to prevent further erosion. No wetlands are located within the immediate vicinity of the project.

#### Rare, Threatened or Endangered Species:

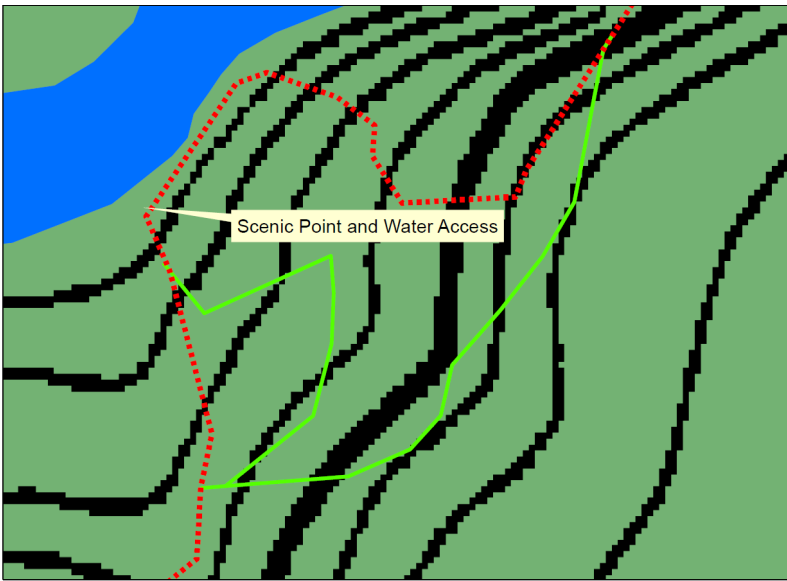
No Rare, Threatened or Endangered species, plant communities or habitats have been documented within the vicinity of this project (screening completed using Natural Heritage Program Project Review GIS layers). The Natural Heritage Program has identified a high-quality occurrence of a Successional Northern Hardwood Forest in the vicinity of this project, however this community is not rare, threatened or endangered (rather, it is a good example of this forest type). Impacts to this ecosystem will be minimal and are considered in detail throughout this work plan.

#### **Analysis of Project Location and Design Alternatives:**

Alternative trail alignments were considered, as was leaving the trail in its current alignment. Alternatives are described as below.

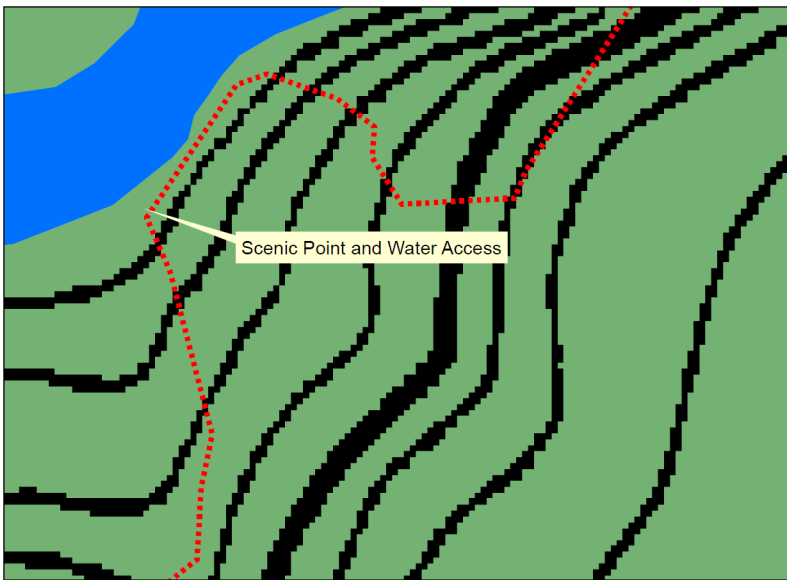
#### Preferred Alternative:

Relocate 243-feet of the trail tread to parallel the contour upslope from the Independence River. Create a 263-foot spur trail that switchbacks down to the scenic point/horse watering location near the river. This option maintains access to the river to water horses, and to the scenic point that is a popular riding destination. The length of new trail to construct has been minimized to the greatest extent possible while retaining a sustainable grade. A minimal amount of grading of the trail tread will be required, along with water bar installation and the cutting of 8 trees >1" DBH.



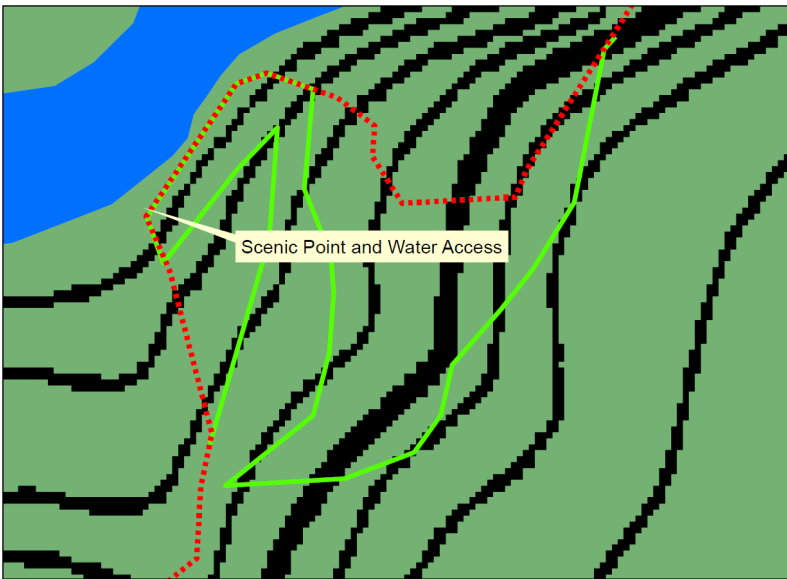
#### Alternative 1:

No action – leave trail in its current location. While no trees would need to be cut, extensive tread stabilization and continuing maintenance would be needed to reduce erosion in this section of the High Banks Trail. Regardless of what stabilization techniques and drainage structures were installed, continuing erosion and unstable footing are likely to persist.



#### Alternative 2:

Create a longer switchback than the proposed alternative, generally following the preferred alternative route from the east to the spur trail, down to the scenic point, then establishing additional trail with switchbacks to connect to the trail as it continues west. This alternative would create one continuous route that passes the scenic/horse watering location near the river. However, in order to minimize trail grade, the construction of a second switchback back upslope would add 450 feet to the total trail length to be constructed and maintained. Desired trail conditions for this alternative would be similar to the preferred alternative, so there would be almost twice as much tread establishment and grading, twice as many water bars to install and twice as many trees cut as the preferred alternative.



**Description of Use of Motorized Equipment and/or Motor Vehicles, if any:**

Chainsaws may be used to clear the trail reroute, including the cutting of trees identified in this work plan and side brushing of branches within the 6-foot trail width. An ATV will be used to deliver timbers to frame water access steps and to serve as water bars (CP-17 conceptual use plan applies and is attached to this work plan).

**Description of Applicable Standards for Accessibility by People with Disabilities:**

Consistent with ADA requirements, DEC incorporates accessibility for people with disabilities into siting, planning, construction, and alteration of recreational facilities and assets supporting them. In addition, Title II of the ADA requires, in part, that services, programs, and activities of DEC, when viewed in their entirety, are readily accessible to and usable by people with disabilities. DEC is not required to take any action which would result in a fundamental alteration to the nature of the service, program, or activity, or would present an undue financial or administrative burden. When accommodating access to a program, DEC is not necessarily required to make each existing facility and asset accessible, as long as the program is accessible by other means or at a different facility. The High Banks Trail is existing and is not an Accessible trail. This new trail segment will reflect typical equestrian trail design.

**Other Relevant Considerations:**

The project is located within the Independence River Scenic River Area. For Scenic Rivers - horse trails are permitted to be visible from the river, as are waterway access sites.

**Prepared by (Name & Title):** Matthew Nowak; Environmental Program      **Date:** 3/13/2023

Specialist 1 (NR)

**Phone:** 315-376-3521

**Approvals:**

**Comments:**

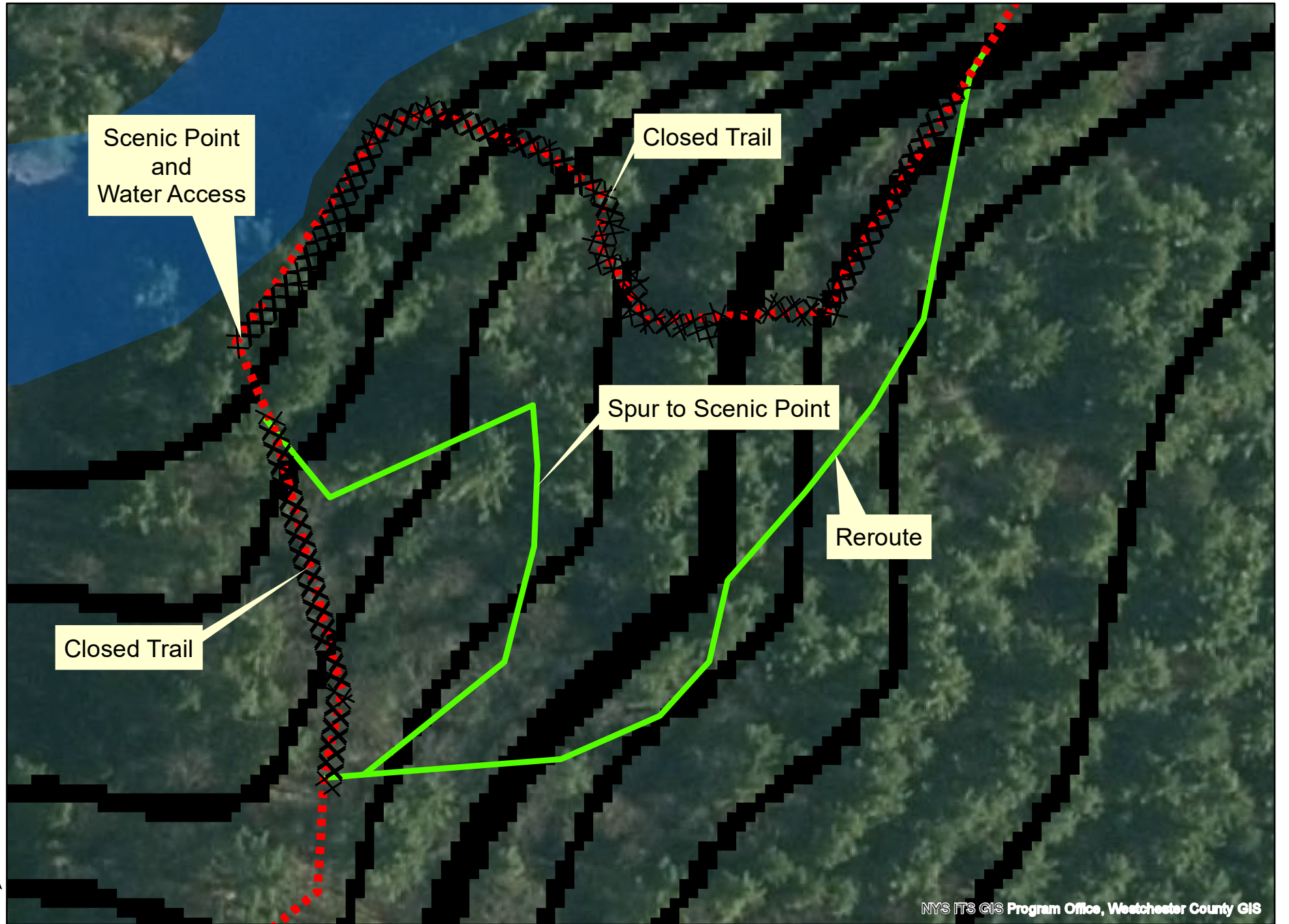
**REGULATORY CLEARANCE CHECKLIST – STATE LANDS and CONSERVATION EASEMENT PROJECTS**

PROGRAM	PERMIT	REQUIRED		SECURED BY	COMMENTS
		YES	NO	(NAME)	
Air Resources	Restricted Burning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Mineral Resources	Mining	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Materials Management	Solid Waste Mgt. Fac.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Water	Dam Safety Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Const. in Flood Hazard	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Public Water Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	SPDES	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Spills Management	Petro. Bulk Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Lands and Forests	Unit Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Nowak	Trail designated in 1994 IRWF UMP amendment
	Tree Cutting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Nowak	Eight (8) trees >1" DBH will be cut as identified in work plan.
	Protected Native Plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Historic Preservation	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Fish and Wildlife	Freshwater Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Wild Scenic & Rec. River	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Nowak	Project is within Independence River - Scenic River Area. Implications discussed in work plan.
Compliance Services	Other Protection of Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	EA/FA	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Negative Declaration	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Env. Impact Statement	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Water Quality Cert.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
DEC (other)	CP-17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Nowak	Per APA consultation, project is considered to be ordinary maintenance/rehabilitaiton/ minor relocation. Attached conceptual Use Plan covers this work plan
	Commissioner (aircraft, motorized equipment)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Flight Request	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Contract Clearance Sh.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	DOB Exemption	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Other Agencies	APA MOU	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Nowak	SL2018-0014 Attached
	APA Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Corps. of Engineers	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Building Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Local Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

Easements	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Highway Enter DOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Wastewater Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

# High Banks Trail Relocation

Independence River Wild Forest



Scenic Point  
and  
Water Access

Closed Trail

Spur to Scenic Point

Reroute

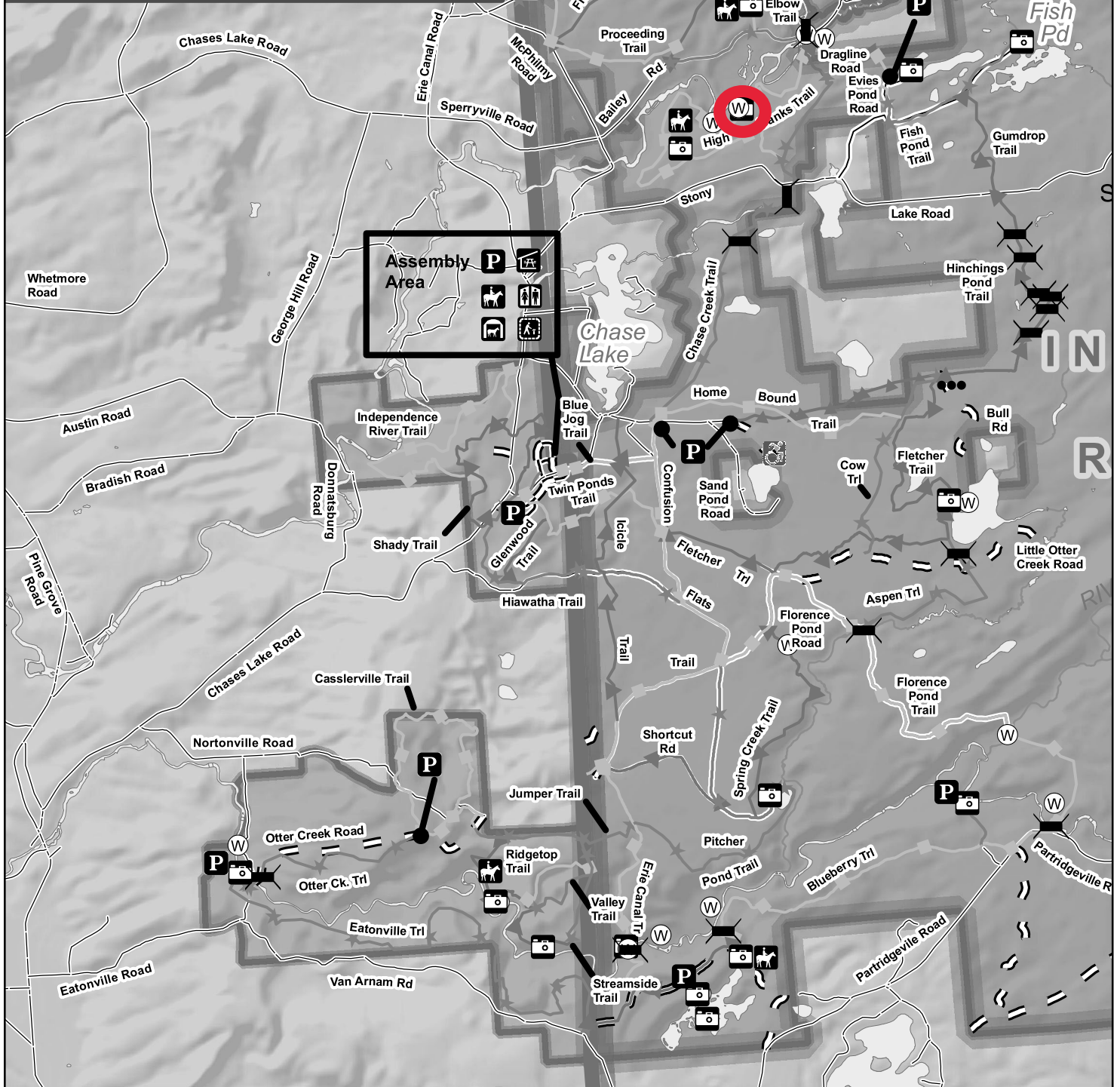
Closed Trail



0 125 250 500 Feet

# Otter Creek Horse Trails

	Accessible Site		Forest Road
	Mounting Platform		Road
	Parking		Trail
	Picnic Pavilion	<b>Horse Trail Markers by Color</b>	
	Scenic Vista		Blue
	Trail Register		Red
	Stall		Yellow
	Bridge		
	Gate		
	Water Access		



## Nowak, Matthew J (DEC)

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**From:** Linck, Walter W (APA)  
**Sent:** Monday, August 19, 2019 11:02 AM  
**To:** Nowak, Matthew J (DEC)  
**Subject:** RE: SL2018-0014 Update

You're good to go! There's no meaningful difference in those reroute lengths, and if the longer one is at a more sustainable grade, you should lay it out that way.

Sorry I didn't get back to you – ended up leaving work a little early and in a hurry.

Walt

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**From:** Nowak, Matthew J (DEC) <matthew.nowak@dec.ny.gov>  
**Sent:** Monday, August 19, 2019 10:49 AM  
**To:** Linck, Walter W (APA) <Walter.Linck@apa.ny.gov>  
**Subject:** RE: SL2018-0014 Update

Hey Walt, were you able to touch base with Rick on this?

### Matthew Nowak

Environmental Program Specialist

#### New York State Department of Environmental Conservation

7327 State Route 812, Lowville, New York 13367

P: (315) 376-3521 | F: (315) 376-8059 | [matthew.nowak@dec.ny.gov](mailto:matthew.nowak@dec.ny.gov)

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**From:** Nowak, Matthew J (DEC)  
**Sent:** Thursday, August 15, 2019 8:18 AM  
**To:** Linck, Walter W (APA) <[Walter.Linck@apa.ny.gov](mailto:Walter.Linck@apa.ny.gov)>  
**Subject:** RE: SL2018-0014 Update

That would be great

### Matthew Nowak

Environmental Program Specialist

#### New York State Department of Environmental Conservation

7327 State Route 812, Lowville, New York 13367

P: (315) 376-3521 | F: (315) 376-8059 | [matthew.nowak@dec.ny.gov](mailto:matthew.nowak@dec.ny.gov)

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**From:** Linck, Walter W (APA) <[Walter.Linck@apa.ny.gov](mailto:Walter.Linck@apa.ny.gov)>  
**Sent:** Thursday, August 15, 2019 8:16 AM  
**To:** Nowak, Matthew J (DEC) <[matthew.nowak@dec.ny.gov](mailto:matthew.nowak@dec.ny.gov)>  
**Cc:** Rivers, Keith (DEC) <[keith.rivers@dec.ny.gov](mailto:keith.rivers@dec.ny.gov)>  
**Subject:** RE: SL2018-0014 Update

Was out yesterday. Can't imagine Rick and I can't give it a thumbs-up today.

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**From:** Nowak, Matthew J (DEC) <[matthew.nowak@dec.ny.gov](mailto:matthew.nowak@dec.ny.gov)>  
**Sent:** Wednesday, August 14, 2019 2:10 PM  
**To:** Linck, Walter W (APA) <[Walter.Linck@apa.ny.gov](mailto:Walter.Linck@apa.ny.gov)>  
**Subject:** SL2018-0014 Update

Hi Walt,

Last year you approved consultation SL2018-0014, which proposed in part, minor relocation of 350 feet of the High Banks Trail (Independence River Wild Forest). As I visited the site and tweaked the route this summer, I would now like to relocate a total of 506 feet of the trail. This relocation avoids the same steep and eroded section of trail as originally proposed, but takes a less direct route in order to achieve a more sustainable grade. It is my understanding this should still constitute ordinary maintenance and rehabilitation, but given our current situation with tree cutting, I now need to submit this project to Albany for review under our tree cutting policy. I am hoping that having APA's blessing for the exact relocation distance will help keep this project moving.

I think an affirmative email from yourself or Rick would suffice for my purposes.

Let me know if you want more details, photos, etc. for this project, but otherwise it remains a minor relocation, just small change in distance. No trees will be cut >3"DBH, but I do now have a tree count down to saplings.

Thank you.

**Matthew Nowak**  
Environmental Program Specialist

**New York State Department of Environmental Conservation**  
7327 State Route 812, Lowville, New York 13367  
P: (315) 376-3521 | F: (315) 376-8059 | [matthew.nowak@dec.ny.gov](mailto:matthew.nowak@dec.ny.gov)



## Adirondack Park Agency

**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

May 24, 2018

Matt Nowak  
NYSDEC  
7327 State Rt. 812  
Lowville, NY 13367

**RE: State Land Consultation Determination SL2018-0014**

Dear Matt:

Pursuant to the "MOU Between the Adirondack Park Agency and the Department of Environmental Conservation Concerning Implementation of the State Land Master Plan for the Adirondack Park," the proposed horse trail work is considered to be ordinary maintenance/rehabilitation/minor relocation of conforming structures on lands classified as Wild Forest. This project does not require an amendment to the Independence River Wild Forest Unit Management Plan before it may be undertaken.

Agency staff have determined that the project as proposed does not involve wetlands.

If you have any questions, please do not hesitate to contact the Agency.

Sincerely,

Kathy Regan  
Deputy Director, Planning

KDR:WL:mp

cc: Karyn Richards, Forest Preserve Coordinator, DEC (via email)  
Fred Munk, Supervisor of Natural Resources, Region 6 (via email)  
Dave Smith, Regional Forester, Region 6 (via email)

State Land Consultation Number  
**SL 2018 - 0014**

SHERMAN CRAIG  
Chairman

TERRY MARTINO  
Executive Director

## STATE LAND PROJECT CONSULTATION FORM

*Completion of this form is required to receive a determination of Adirondack Park State Land Master Plan (APSLMP) and/or Unit Management Plan compliance and wetland jurisdiction for all DEC State land projects from the Agency. 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.*

### **Part 1**

(To be completed by DEC staff)

#### **A. Project Identification**

Project Name: Otter Creek Horse Trail Work 2018

DEC Contact Person: Matt Nowak; EPS Lowville

Telephone: 315-376-3521

Email: matthew.nowak@dec.ny.gov

#### **B. Project Location and Other Information**

State Land Unit: Independence River Wild Forest

Region: 6

Town: Greig & Watson

County: Lewis

Is a UMP for this unit completed and approved?    Yes     No   
(If yes, please attach a copy of the cover page and all pages relevant to this project.)

Is the proposal to replace an existing structure?    Yes     No

If yes:

a) When was the structure constructed?    [Click here to enter text.](#)

b) Will the new structure be the same size and located in the same place?    Yes     No   
(Describe in the narrative, section D.)

#### **C. Prior Agency Contact**

## State Land Project Consultation Form

Has there been prior contact (including any wetland delineation work) with the Agency regarding this project?      Yes       No

If yes, name of contact person(s) and date(s) (approximate, if not known): [Click here to enter text.](#)

### D. Project Description

Provide a brief, narrative description as precisely as possible with any additional location information necessary. Include/attach map(s), photograph(s) and plan(s) whenever possible.  
Attached

If the proposed project is determined to be compliant with the APSLMP but jurisdictional for wetlands, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or if an individual Article 24 Freshwater Wetlands permit will be required. If either of these wetlands permits is applied for, additional information about the project will likely be requested. Agency staff can provide the appropriate permit application form with the return of this completed State Land Consultation Form, if requested.

**Submitted by:**      **Matt Nowak**

**Date:** 4/20/2018

Return this form to the Agency (preferably electronically) for APA staff completion of Part 2.

**Part 2**

(To be completed by APA staff)

**ADIRONDACK PARK STATE LAND MASTER PLAN COMPLIANCE REVIEW**

Planning Status (check one)

- A) The project, as planned, is described sufficiently in an approved UMP and does not require additional consultation with APA State land staff before being undertaken.
  
- B) The project is proposed in insufficient detail in an approved UMP and so does require additional consultation with APA State land staff before being undertaken.
  
- C) The project is not proposed in an approved UMP and – via this submission - is the subject of consultation with APA State land staff to determine if it may be undertaken, as per Section V of the DEC/APA MOU.

DEC/APA Consultation Guidelines

Planning Status “A” Projects:

- The proposed project has been determined by the APA Board, via approval of a UMP, to conform to APSLMP guidelines and criteria in all respects other than potential wetland impacts.
  
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:
  - WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
  
  - MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

## State Land Project Consultation Form

### Planning Status “B” Projects:

- The proposed project, via review and approval of a UMP, has received conceptual approval by the APA Board but must still be reviewed by APA State land staff in sufficient detail before it may be determined to conform to APSLMP guidelines and criteria in all respects other than potential wetland impacts.
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:
  - WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
  - MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.
- IF the result of the “APSLMP Compliance Review” is a conclusion that the proposed project:
  - DOES NOT CONFORM to APSLMP guidelines and criteria regardless of wetland impacts, THEN, the project should not be undertaken by DEC staff.

### Planning Status “C” Projects:

- The project has NOT been proposed within a UMP approved by the APA Board, and so it has not been determined to conform to APSLMP guidelines and criteria. It must therefore be determined by APA State land staff to meet the definition of “ordinary maintenance,” “rehabilitation” or “minor relocation” of conforming structures or improvements as per Section V of the DEC/APA MOU if it is to be undertaken without being included in such a UMP.
- IF the result of the determination is that the proposed project:
  - CANNOT BE so defined, THEN, the project should not be undertaken by DEC staff at this time.
  - CAN BE so defined, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.
- IF the result of the “Preliminary APA Wetlands Jurisdiction Assessment” (page 6) is an APA staff conclusion that jurisdictional wetlands:

State Land Project Consultation Form

- WILL NOT be involved or affected by the proposed project, THEN, the project may be undertaken.
- MAY BE involved or affected by the proposed project, THEN, the Agency can determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

**APA State Land Staff Determination Regarding Consistency with the Adirondack Park State Land Master Plan**

Staff have determined the proposed project – in all respects other than potential wetlands impacts - conforms , does not conform , to the guidelines and criteria of the Adirondack Park State Land Master Plan.

Kathy Regan  
Deputy Director, Planning or designee

5/14/18  
Date

**Rationale for Determination**

*Rerouting of existing, approved trails for such short distances as proposed here, and construction of framed steps for horse trails on steep slopes and at watering locations to protect resources can be considered ordinary maintenance and rehabilitation of conforming improvements and structures.*

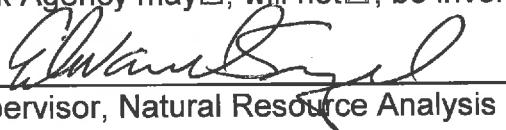
**PRELIMINARY APA WETLANDS JURISDICTION ASSESSMENT**

- |   |                                 |   |
|---|---------------------------------|---|
| 1) Is the proposed project located in a wetland?  | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| 2) Does the project involve any of the following activities whether or not it is located in a wetland?                            |                                 |   |
| Discharge of liquid wastes into (or so as to drain into) a wetland, including sewage treatment effluent within 100' of a wetland? | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| Any other form of pollution of a wetland?   | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| Any activity that may substantially impair the functions served by, or the benefits derived from, wetlands?                       | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |

State Land Project Consultation Form

**APA RASS Staff Preliminary Assessment Regarding Adirondack Park Freshwater Wetlands Jurisdiction**

Staff have determined that wetlands subject to the review jurisdiction of the Adirondack Park Agency may , will not , be involved or affected by the proposal.

 5/14/18  
Supervisor, Natural Resource Analysis or designee Date

**Rationale for Determination**

*Review of maps and other information provided shows wetlands will not be affected.*

If the project is determined to be jurisdictional for wetlands, the Agency will determine if the project qualifies for *General Permit 2005G-1R* or an individual Article 24 Freshwater Wetlands permit and may request additional information.

Form completed by APA State Land team member: **Walter Linck**

Completion Date: **May 14, 2018**

**Distribution**

DEC Contact: Matt Nowak  
Regional Forester: Dave Smith  
Natural Resources Supervisor of Region: Fred Munk  
Forest Preserve Coordinator, Central Office: Karyn Richards

## **Project Description**

The Otter Creek Horse Trails are located in the Independence River Wild Forest and adjacent State Forests. The Independence River Wild Forest UMP was completed in 1986. A UMP amendment in 1988 established the Otter Creek Horse Trail system and subsequent amendments in 1990 and 1994 provided for designation and construction of additional horse trails.

Through years of use, "problem areas" have developed throughout the Otter Creek Horse Trail system. In particular, equestrian use can lead to major erosion problems where trails are not properly sited or tread has been inadequately maintained. The Department would like to stabilize trail tread in the following areas.

### 1) Minor Relocation of Trails

Short of completely rerouting trails, minor relocation of trail segments to avoid drainages can effectively curtail erosion issues. Adding a single switchback can establish appropriate grades and facilitate shedding of precipitation. Erosion control and drainage structures may be installed in conjunction with these relocations where appropriate.

#### **a) Icicle Trail – 18T 475483 4842778 UTM**

The Icicle Trail is a high use north-south connector trail. In the summer of 2017, a volunteer group spent a significant amount of time installing turnpike in muddy locations on this trail. A short steep section of the trail is significantly eroded. Exposed cobbles provide difficult footing for horses.

A sweeping switchback (rerouting trail for 200 feet) will be cleared. No trees >3"DBH will be cut, and only minor grading of tread will be required. Several timber water bars will be installed near the apex of the switchback, which in conjunction with trail sideslope will encourage shedding of precipitation. The old eroded route will be blocked with a small berm and brush to discourage continued use and further erosion.



*The hill on Icicle Trail is eroded, and loose cobbles provide unstable footing for equestrian use.*

**b) High Banks Trail – 18T 476630 4847040 UTM**

On the High Banks Trail, a short steep section of the trail is significantly eroded leading to a scenic location along the Independence River. A sweeping switchback (rerouting the trail for 350 feet) will be cleared. No trees >3"DBH will be cut, and no grading of tread will be required.

On an existing trail segment, tread will be stabilized and drainage structures installed.

**2) Tread Stabilization at Water Approaches**

Horses loosen and displace trail soils – on sloped trail segments, Tread stabilization by installing timber steps, backfilled with existing fill. Specific water access sites are not explicitly identified in the UMP, but generally understood to be associated with the trail system. In recent years, DEC has posted signage to direct equestrian users seeking water to stable and safe locations.

**a) Erie Canal Trail @ Otter Creek – 18T 475590 4839665 UTM**

The bridge over Otter Creek was damaged by ice flows and is closed. Even prior to this damage, a large number of equestrian users had been opting to ford Otter Creek rather than walk across the bridge. In order to stabilize banks leading to the creek's edge, framed steps (backfilled with on-site soils) will be installed parallel to the bridge. The steps will be installed above the mean high water level and no wetlands are located within the vicinity of the step location.

**b) Burnt Creek Trail Water Access – 18T 478666 4849958 UTM**

## State Land Project Consultation Form

The Burnt Creek water access route will be stabilized with framed steps (backfilled with on-site soils). These improvements will protect water quality, soil integrity, and facilitate safe access for equestrian users. The steps will be installed above the mean high water level and no wetlands are located within the vicinity of the step location.



*Erosion at the equestrian water access on Burnt Creek Trail*

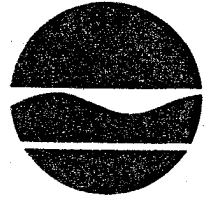
- c) High Banks Trail Water Access – 18T 476568 4847009 UTM  
The High Banks water access route will be stabilized with framed steps (backfilled with on-site soils). These improvements will protect water quality, soil integrity, and facilitate safe access for equestrian users. The steps will be installed above the mean high water level and no wetlands are located within the vicinity of the step location.
- d) Fletcher Trail Water Access – 18T 478582 4843546 UTM  
The Fletcher water access route will be stabilized with framed steps (backfilled with on-site soils). These improvements will protect water quality, soil integrity, and facilitate safe access for equestrian users. The steps will be installed above the mean high water level and no wetlands are located within the vicinity of the step location.
- e) Payne Lake Water Access - 18T 476334 4849149 UTM

## State Land Project Consultation Form

The Payne Lake water access route will be stabilized with framed steps (backfilled with on-site soils). These improvements will protect water quality, soil integrity, and facilitate safe access for equestrian users. The steps will be installed above the mean high water level and no wetlands are located within the vicinity of the step location. This water access site involves establishment of a ~200 foot trail to water. No trees >3"DBH will be cut. Walt Linck visited this site with Keith Rivers and Matt Nowak on 10/17/2016.

**Note from planner: I had hoped to submit this consultation with additional photos of water approaches, however snow cover has been persistent this Spring. A trail crew is scheduled to work on the Otter Creek Trails in June. I'm happy to provide additional pictures as snow melts if it will save wetlands staff a trip.**

**New York State Department of Environmental Conservation**  
R.D. #3, Box 22-A, Lowville, New York 13367  
(315) 376-3521 or 785-2310 FAX 376-8059



Langdon Marsh  
Acting Commissioner

June 20, 1994

To: Independence River Wild Forest Unit Management Plan  
Reviewer, Interested Citizens, Municipal Officials,  
Agency and Department Staff


Re: Independence River Wild Forest Unit Management Plan-  
1994 Horse Trail Amendment

We are writing you to inform you of the specifics of a proposed amendment to the Independence River Wild Forest Unit Management Plan that would establish an additional + 10.5 miles of horse trail in the Otter Creek Horse Trail System. If you are receiving one of these letters, you are either one of the original unit management plan reviewers, an individual or organization that has indicated an interest in the IRWF and/or the Otter Creek Horse Trail System, an official of the Town or County the project is located in, or a member of the Adirondack Park Agency or DEC Staff that will be reviewing the project.

I have included a copy of the Full Environmental Assessment Form that we are using in our State Environmental Quality Review (SEQR). I would especially call attention to the map which is part of the form and the attached Part I, Section D. Informational Details. The map should quickly orient you to the location of the trails we propose to build. The informational details is essentially a narrative that describes the project, what we propose to do in terms of trail clearing, why we are proposing individual trails and any impacts we expect.

If you have any questions or concerns you may reach me at (315)376-3521. Or, if you prefer, you may write to us at the address on the letterhead.

Sincerely,

  
Bernard J. Davies  
Supervising Forester

BJD:saw

Suggested ENB Insertion

Region 6 - DEC, as lead agency, has determined that the proposed Independence River Wild Forest Unit Management Plan - 1994 Horse Trail Amendment will not have a significant environmental impact.

The action involves the expansion of the existing trail system by designating and/or construction of six new trails with a combined length of 10.5 miles. The project is located entirely on the Independence River Wild Forest and is in the Towns of Watson and Greig, Lewis County.

CONTACT: Bernard J. Davies, R.D. #3, Box 22-A, Lowville,  
New York 13367 (315) 376-3521

D. Informational Details

1. Map - See attached
2. Situation Description - The Otter Creek Horse Trail System was established in 1988 by an amendment to the 1986 Independence River Wild Forest Unit Management Plan. In 1990 an additional amendment was implemented to allow an additional 2.65 mile expansion of the system to provide a marked connector to draw the equestrians away from an area of private lands that they were trespassing on and to provide additional trails capacity and variety. Additionally, several minor expansions have occurred during this time period on State Forests (Lewis Reforestation Areas #34 & #35) to provide additional capacity and variety and to provide an access trail to an adjacent private store, campground and pay phone.

The current situation is that recreational demand has continued to expand since the systems inception. From the 1988 figure of 340 horse days, use has continued to grow. In 1993 it was used a total of 5,558 horse days and the 1994 season looks like it will surpass that. The facility has been extremely well received and word-of-mouth has brought in many new recreationists. Additionally, television coverage, news articles, equestrian journals and a recent feature in "Adirondack Life" have raised public awareness of the recreational opportunity. Additionally, the higher levels of usage have caused a couple of limited instances of erosion on hills. These were handled by minor trail realignments. But the increased use is best handled by expansion of the system to draw persons away from the most heavily traveled sections.

Expansion of the system requires either an amendment of the IRWF UMP or a revision. A revision is planned, and a task force has been named. But realistically, due to staffing limitations, it will be 2 years before the revision is completed. Since the need is immediate, it was decided to seek an additional amendment.

3. Proposed Trail Construction - Six trail segments are proposed to be designated, for a total trail mileage increase of  $\pm 10.5$  miles. Of that, the Icicle Trail (1.6 miles) is already existant and is being heavily used by horsemen, especially during the hotter summer season. The Homebound Trail (1.4 miles) is another existing trail. Some of the equestrians are, and legally so, using the Bull Road, to return to the Assembly Area (i.e. parking, stalls and waterpoint). However, this is creating conflicts with inholders who have a right-of-way on the Bull Road and with the fee owners where we have a right-of-way over them. Some of the equestrians, partially recognizing the conflict, and in part to avoid the gravel on the road (some of the horses are unshod) and to be in the shade, have started riding south of the road. This

puts them crossing a town road on a curve, draws them by an entrance road to a beach on Sand Pond that we wish to not overburden, and sometimes brings them into a private inholding of +30 homes and camps on the south end of Sand Pond. We propose to have a part of the trail relocated North of the Bull Road to eliminate the above problems. The Aspen Trail (2.1 miles) and the Spring Creek Trail (1.3) are basically new trails although they do use short sections of Motor Vehicle Trails or old paths. The High Banks Trail (2.6 miles) and Burnt Creek Trail (1.5 miles) are essentially all new trails. The trails will use existing ground for tread. The trails have been carefully laid out on the sandier, well-drained to excessively well drained Adams and Colton soils that are typical of the area, avoiding the small ill-drained pockets in the area.

Trail clearing will consist of overhead and side pruning and brushing. The average trail width will be 4 feet in width and will avoid all trees larger than 3" dbh. This narrower width and winding alignment is attractive to equestrians but discourages ATV's.

Trail marking will consist of standard D.E.C. horse trail markers at approximately 7' height, placed intervisibly. Additionally, signs indicating road and trail names will be placed at intersections.

The layout of the new trails continues along with the previous design work. Trails have been laid out to provide a series of interconnecting loops, allowing for equestrians to vary loop length and terrain either by advance planning or when out on the trail to compensate for horse speed, animal health, time available, fly and heat conditions while having fresh scenery from ride to ride. The trails in this amendment have specifically been laid out to avoid impacting wetlands, streams, stream corridors, critical areas, private inholdings and dangerous road crossings.