

**Access and Public Use Plan for
Indian River Wildlife Management Area
2023-2026**



Division of Fish and Wildlife
Bureau of Wildlife

317 Washington Street
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**Department of
Environmental
Conservation**

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TABLE OF CONTENTS

<i>SUMMARY</i>	4
<i>I. BACKGROUND AND INTRODUCTION</i>	4
Purpose of Access and Public Use Plans	4
Background.....	4
Scope and Intent	5
Compliance with State Environmental Quality Review.....	5
WMA Regulations	5
<i>II. RECREATIONAL RESOURCES</i>	6
Points of Access.....	6
Connectivity to Other Recreation Areas	6
WMA Features.....	7
Maintaining and Improving WMA Features	8
Parking Areas	8
Roads and Bridges	8
Trails.....	9
Boat Launches and Fishing Access	9
Observation/Hunting Blinds, Towers, and Platforms.....	9
Buildings and Other Permanent Structures	9
Managing Habitat to Provide Recreational Opportunities.....	10
<i>III. PUBLIC USE ACTIVITIES</i>	10
Recreation on WMAs	10
Recreation on Indian River WMA.....	11
Primary Activities.....	11
Hunting.....	11
Trapping	11
Wildlife observation/bird watching.....	11
Fishing.....	11
Secondary Activities.....	12
Hiking.....	12
Canoeing and kayaking:	12
Bicycling	12
Cross country (Nordic) skiing and snowshoeing	12
Restricted Activities	12
Accessible Recreation	13
Management Challenges.....	14
Permits and User Agreements	15
Temporary Revocable Permits	15
Volunteer Stewardship Agreements	15

<i>IV. MANAGEMENT SUMMARY</i>	<i>16</i>
<i>V. FIGURES</i>	<i>17</i>
<i>VI. APPENDICES</i>	<i>20</i>
Appendix A. Summary of Public Comments and Responses.....	20
Comments Received	20
Summary of Changes Made to the Plan	20
Appendix B. Application of the Americans with Disabilities Act	21
Appendix C. Text of 6 NYCRR Part 51: Public Use of State Wildlife Management Areas..	23

LIST OF FIGURES

FIGURE 1. Connectivity to other public lands and recreation areas.	17
FIGURE 2. Location of existing and proposed access features at Indian River WMA.	18
FIGURE 3. Roads and trails on Indian River WMA.....	19

SUMMARY

The Indian River, one of the earliest trails of the north and the surrounding area is known to have been an important home for Native Americans. The WMA is located in the Indian River Lakes Ecological Zone which is an area characterized by rocky outcrops, floodplain wetlands, and outdoor recreation. Thirteen miles of the Indian River floodplain falls within the acquired WMA.

Indian River WMA is primarily a natural wetland complex consisting of open water, emergent marsh, shrub swamp, and flood plain forest. Water levels in the extensive wetlands of the WMA are controlled by the water level of the Indian River. A significant spring flush flows through these wetlands inundating the flood plain forest habitat and elevating water levels in the emergent marsh and shrub swamps.

Management objectives for public use and access on Indian River WMA include:

- Install an accessible parking area and parking for six additional vehicles at the end of Carpenter Road.
- Install two kiosks, one at the Red Lake boat launch and one at Carpenter Road parking area.
- Maintain 0.4 miles of administrative road (Carpenter Road).

I. BACKGROUND AND INTRODUCTION

PURPOSE OF ACCESS AND PUBLIC USE PLANS

BACKGROUND

Providing public access to lands owned by DEC is an integral part of state land management. DEC Division of Fish and Wildlife's (DFW) Bureau of Wildlife (BOW) oversees WMAs, Multiple Use Areas (MUA), Unique Areas, and other properties comprising the WMA system. The Bureau strives to provide safe, convenient, and ecologically-sound public access to these areas.

The priority public use activity on WMAs is wildlife-dependent recreation such as hunting, trapping, fishing, and wildlife observation. Other public use activities may be appropriate if DFW determines they are compatible with both wildlife conservation and the primary public use activities. Guidance on the use and purpose of WMAs and a list of allowable activities is provided on DEC's Wildlife Management Areas webpage.¹

¹ Available online at <https://www.dec.ny.gov/outdoor/7768.html>.

SCOPE AND INTENT

This Access and Public Use Plan (APUP) complements the Habitat Management Plan (HMP) for Indian River WMA and addresses management objectives for wildlife-dependent recreation, access features, and facility development and maintenance. In conjunction with WMA regulations, APUPs serve as the overarching guidance for providing access to wildlife lands and determining public use activities appropriate for each area. APUPs draw from and build upon other management plans that may exist for the area, including Unit Management Plans (UMP), previous management planning documents, and feedback received during a public comment period.

Primary purposes of this plan:

- To foster compatible wildlife-dependent recreation and wildlife conservation priorities.
- To identify public use activities and access features, highlighting exceptional opportunities specific to the WMA.
- To describe current management challenges and discuss potential solutions.
- To prioritize necessary improvements and proposed new features.
- To establish a maintenance schedule for existing facilities and features.

COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW

Activities described in this plan are included in the 1979 *Programmatic Environmental Impact Statement on Public Use Development Activities of the DEC Division of Fish and Wildlife*,² which addressed compliance with the State Environmental Quality Review Act, 6 NYCRR Part 617. All proposed management also requires compliance with the Endangered Species Act, National Environmental Policy Act, the State Historic Preservation Act, Executive Order 13175 *Consultation and Coordination with Indian Tribal Governments*, and CP-42 *Contact, Cooperation, and Consultation with Indian Nations* prior to implementation.

WMA REGULATIONS

The NY Codes, Rules and Regulations, Title 6, Chapter 1, Subchapter G, Part 51: Public Use of State WMAs (“Part 51”) lists regulations for public use of the WMA system. Part 51 addresses restricted and prohibited uses of WMAs in order to prevent disturbance to wildlife and interference with wildlife-dependent recreation.³ A new Part 51 has been adopted by New York, with an effective date of January 1, 2022. The new regulations include necessary changes that keep up with new or evolving public uses, updated laws, and current use concerns on our New York State WMAs.

Certain WMAs and other lands have site-specific regulations which will supersede Part 51. Any site-specific regulations will be cited in these plans as well as on the webpage for the subject location. The public is responsible for reading and complying with all regulations.

² Available online at https://www.dec.ny.gov/docs/wildlife_pdf/eispublic.pdf.

³ Additional information is available online at https://www.dec.ny.gov/docs/wildlife_pdf/p51expressterms.pdf.

Current Part 51 regulations can be found in [Appendix C](#).

II. RECREATIONAL RESOURCES

POINTS OF ACCESS

Indian River WMA is located in Jefferson County, 20 miles north of the city of Watertown and approximately eight miles east of Alexandria Bay. There are two separate parcels that are connected by the Indian River. One of the parcels borders Red Lake which is part of the Indian River Lakes system.

Indian River WMA is typically accessed by either the north and west side of the Indian River or the south and east side of the river. The north and west side of the WMA can be reached from NYS Route 37 on the edge of Redwood, NY. Turning onto Cottage Hill Road will take you past multiple Indian River Chain of Lakes and to the Carpenter Road access point. The south and east side parcels are accessed through the village of Theresa by turning onto Red Lake Road. Other areas of the WMA can be accessed via watercraft, however that is not very common. See Figure 1.

All Google links leave DEC website.

- Red Lake Road, large parking area, gravel boat launch (44.2703018°N, -75.7468033°W)
- Get [Google Map Driving Directions](#)
- Red Lake Road, small parking area, gravel boat launch (44.2648019°N, -75.7605972°W)
- Get [Google Map Driving Directions](#)
- Carpenter Road small parking area, gravel (44.301135°N, -75.720435°W) – Get [Google Map Driving Directions](#) (Installation summer of 2023)

All coordinates provided are in decimal degrees using NAD83/WGS84 datum.

CONNECTIVITY TO OTHER RECREATION AREAS

A few public lands are nearby to Indian River WMA (Figure 1). However, there are many fishing access locations throughout the area that offer access to the many Indian River Chain of Lakes. Pulpit Rock State Forest⁴ is to the east of the WMA. This state forest contains 1,602

⁴ More information about Pulpit Rock State Forest can be found at <https://www.dec.ny.gov/lands/8013.html?req=34039>.

acres of forested habitat where visitors can hike, camp, boat, fish, hunt, and trap. Towards the south and west of the WMA visitors can find Coyote Flats State Forest⁵. This forest is 560 acres in size and contains wetter soils. Allowed activities here include hiking, hunting, trapping, camping, snowmobiling, cross country skiing, and snowshoeing.

The nearby fishing access sites include the following:

- Butterfield Lake Fishing Access Site
- Millsite Lake Fishing Access Site
- Lake of The Woods Fishing Access Site
- Grass Lake Fishing Access Site
- Sixberry Lake Fishing Access Site
- Hyde Lake Fishing Access Site

These fishing access sites are managed by the DEC Bureau of Fisheries. Primary activities at these sites include boat launching and shoreline fishing.

Other public county, town, or village lands open for public recreation can be found by visiting the Greater Watertown North Country Chamber of Commerce⁶.

WMA FEATURES

All structures, roads, trails, and other features are documented to track existing conditions and identify future management actions to maintain, repair, or improve public use and access. Table 1 summarizes the existing and proposed features on Indian River WMA.

Table 1. Summary of current and desired public use features on Indian River WMA. Features listed here are those that are available to the public.

Category	Feature	Current Amount (as of 2023)	Proposed Changes
Parking	Vehicle parking lot	2	Increase to 3
Roads	Administrative road	0.4 Miles	No change
Boat launch & fishing access	Trailer/ramp	2	No change
Structures and facilities	Informational kiosks	0	Increase to 2
	Gate	0	Increase to 1

⁵ More information about Coyote Flats State Forest can be found at <https://www.dec.ny.gov/lands/8054.html?req=21108>.

⁶ More information about the Greater Watertown North Country Chamber of Commerce can be found at <https://www.watertownny.com/>.

Table 1 cont.			
Category	Feature	Current Amount (as of 2023)	Proposed Changes
Accessible features			
	Parking	0	Increase to 1

MAINTAINING AND IMPROVING WMA FEATURES

DEC will continue to maintain and improve public use of and access to WMAs in order to provide the following benefits for WMA visitors:

- Provide opportunities for wildlife-dependent recreation that are compatible with wildlife habitat management practices and species management considerations.
- Educate and inform WMA visitors about wildlife and habitat, DEC programs, safety and regulations, recreational activities, and other information pertinent to the WMA.
- Provide and improve inclusivity and usability with accessible facilities (i.e., accessibility for people of all abilities).
- Maintain clean and safe facilities.

Each year, BOW's Land Management and Habitat Conservation Team develops a work plan specifying maintenance and improvements to WMAs that will enhance access and use of the areas. Implementation of the management recommendations proposed in this plan is dependent upon availability of staff and funding. Locations of features that will be installed, improved, replaced, or removed are shown in Figure 2.

PARKING AREAS



Current Conditions: There are two parking areas on Indian River WMA. Both parking areas are associated with boat launches. One area (Red Lake boat launch) is large and can handle up to ten vehicles and trailers. The other area is small and can hold up to five vehicles with trailers (Nelson Road boat launch). Both parking areas are gravel material.

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Install one parking area at the end of Carpenter Road.

ROADS

Current Conditions: There are currently 0.4 miles of WMA roads on Indian River WMA. The road has a gravel surface and is known as Carpenter Road. The end of this road will end at this parking area so the adjoining fields will need to be protected from motor vehicle usage.

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Occasional grading and gravel additions every two to three years.
- Install standard gate at end of Carpenter Road parking area.

TRAILS



Current Conditions: There are no trails on Indian River WMA.

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None

BOAT LAUNCHES AND FISHING ACCESS



Current Conditions: There are two gravel boat launches on Indian River WMA. As previously mentioned in the Parking Area section, they are located off Red Lake Road and Nelson Road. The boat launch on Red Lake Road provides direct access to Red Lake. This launch has shallow water so larger boats have difficulty launching here. The Nelson Road boat launch is on Nelson Road and provides access directly onto the Indian River. This launch is deeper and allows for larger boats to be launched and can navigate the river and into Red Lake.



Nelson Road boat launch at Indian River WMA

Photo: NYSDEC

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Routine maintenance of erosion issues as needed.

OBSERVATION/HUNTING BLINDS, TOWERS, AND PLATFORMS



Current Conditions: There are no observation/hunting blinds, towers, or platforms on Indian River WMA.

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- None.

BUILDINGS AND OTHER PERMANENT STRUCTURES



Current Conditions: There are no buildings or other permanent structures at Indian River WMA.

Actions: The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Install one informational kiosk at Carpenter Road parking area.
- Install one informational kiosk at Red Lake boat launch.

MANAGING HABITAT TO PROVIDE RECREATIONAL OPPORTUNITIES

Indian River WMA is predominantly a natural wetland complex consisting of open water, emergent marsh, shrub swamp, and floodplain forest. The primary objectives for this WMA are to maintain the large wetland complex it is known for and to create additional young forest habitat to promote American woodcock, ruffed grouse, golden-winged warbler, and wild turkey.

The following actions, listed in order of priority, are proposed during the timeframe of this plan:

- Create vistas to observe wildlife species primarily at the Carpenter Road parking area.
- Increase available habitat for the previously listed species.
- See Habitat Management Plan⁷ for detailed information where habitat management is proposed.



Seed tree harvest at Indian River WMA

Photo: NYSDEC

III. PUBLIC USE ACTIVITIES

RECREATION ON WMAS

WMAs are unique among other state lands because they are managed for wildlife conservation and wildlife-dependent recreation. DEC adheres to a set of broad goals based on statutory, regulatory, and policy guidance as a basis to determine compatibility of public uses. Briefly, the primary goals are: (1) providing and enhancing wildlife habitat, and (2) providing and enhancing opportunities for wildlife-dependent recreation. Secondary goals include: (3) fostering understanding and appreciation of wildlife and their habitats, and (4) allowing non-wildlife-dependent recreation when it is compatible with the primary goals. DEC carefully considers public use activities and determines whether they are compatible with these goals and the

⁷ Indian River WMA Habitat Management Plan is located at https://www.dec.ny.gov/docs/wildlife_pdf/yfiindianrivhmp.pdf.

management objectives specific to each WMA. Some activities may be restricted to protect sensitive wildlife or habitats in specific areas or during certain times of year, or to reduce conflicts between user groups. Some activities may be allowed only under certain conditions or by permit. Other activities are not allowed on WMAs because they conflict with the purposes and management of WMAs.

RECREATION ON INDIAN RIVER WMA

All WMA visitors are responsible for complying with WMA regulations. See [Appendix C](#). In addition, certain locations have area-specific regulations that apply. Any area-specific regulations would be cited in this document and the corresponding webpage of the DEC website at <https://www.dec.ny.gov>.

PRIMARY ACTIVITIES

Primary activities include wildlife-dependent recreation that is compatible with the primary goals and purposes of WMAs. Hunting, trapping, wildlife watching, wildlife/nature photography, and fishing are the primary uses of Indian River WMA. All statewide hunting, trapping, and fishing regulations apply.⁸



Hunting: The WMA is part of wildlife management unit 6A. White-tailed deer and turkey are the more common species targeted at Indian River WMA. Bears are occasionally seen here too. Waterfowl hunting can be accessed here, and many hunters encounter mallard ducks, American black ducks, wood ducks, and blue-winged teal.



Trapping: Trapping for beaver, muskrat, mink, and bobcats is popular at Indian River WMA. There are multiple types of habitats throughout the disconnected parcels of the WMA which creates multiple opportunities for trappers.



Wildlife observation/bird watching: Many habitat types are found within the WMA which provides viewing opportunities for a diverse array of wildlife species. These habitats support a wide variety of both game and non-game species to be observed. The habitat management at the end of Carpenter Road is a great place to observe golden-winged warblers, scarlet tanagers, pileated woodpecker, indigo bunting, American woodcock, turkey, deer, and other young forest dependent species. There are also a few ledges to walk to for spectacular viewing opportunities.



Fishing: Fishing is common at Indian River WMA. Many visitors' fish from the banks at the Nelson Road boat launch area and catch panfish, bass, and occasional walleye out

⁸ Available online at <https://www.dec.ny.gov/regs/2494.html>.

of the Indian River. Red Lake boat launch is shallow, so plan to only launch small boats here and gain access to Red Lake. Red Lake is known for its crappie, bass, pike, and walleye fishing. This area also has an abundant population of panfish. The new panfish management plan places an eight-inch requirement on all sunfish species within Red Lake.

SECONDARY ACTIVITIES

Secondary activities are not necessarily wildlife-dependent, but they are generally compatible with the goals and purposes of WMAs. Secondary activities including hiking, bicycling on WMA roads, cross country (Nordic) skiing, and snowshoeing are generally compatible with the goals of Indian River WMA. These activities are also permitted when used in conjunction with a primary activity (e.g., snowshoeing to go hunting or trapping).



Hiking: Hiking is generally allowed on open trails. During hunting seasons, we recommend you wear orange or other bright colors for safety. Please be mindful of hunters, trappers, and people observing or photographing wildlife.



Canoeing and kayaking: Non-motorized boating is generally allowed on open waterways.



Motorized boating (gas and electric): Boats with electric motors are also allowed. Gas powered boats are also allowed on the Indian River and Red Lake.



Bicycling: Bicycling is allowed on open WMA roads but not allowed on most trails. Only trails specifically posted and designated by DEC are open to bike use.



Cross country (Nordic) skiing and snowshoeing: These activities are allowed but participants should not remove or destroy vegetation.

RESTRICTED ACTIVITIES

Restricted activities are typically not wildlife-dependent and have the potential to adversely affect wildlife or wildlife-dependent recreation.

The following restricted activities may be allowed on Indian River WMA on a limited basis, with conditions and/or a permit:

Dog walking and training: While walking dogs on leash is allowed, training is restricted for specific purposes and during specific seasons. See Appendix C.

Taking edible plants, fruit, or fungi: Only immediate personal consumption is allowed.

Fires: Fires are only allowed for cooking or for warmth and subject to additional conditions. See [Appendix C](#).

The following restricted activities on Indian River WMA are authorized only under permits issued through the Regional DEC office:

- [Geocaching](#)
- Organized competitive races or group events

The following activities are not allowed on Indian River WMA:

- [Swimming](#)
- [Target shooting](#)
- Horseback riding
- Snowmobiling
- Operating motorized vehicles, including ATVs
- Overnight storage of boats
- Storage of personal property
- Camping

ACCESSIBLE RECREATION



Providing Accessible Recreation through the WMA System: Wildlife-dependent recreational opportunities are available on many state lands for people of all ages and abilities.^{9,10} The WMA system includes accessible trails, hunting blinds, observation platforms, canoe launches, and other opportunities for visitors to hunt, fish, observe, and enjoy wildlife. Throughout the WMA system:

- Service animals (dogs, miniature horses) are welcome at all DEC facilities.
- Hunters with disabilities can apply for various permits and reduced fee licenses through DEC's Special Licenses Unit.¹¹
- Through the Motorized Access Program for People with Disabilities (MAPPWD), DEC has established vehicular routes on certain WMAs to facilitate access for wildlife-dependent activities. These mapped routes are accessible by permit only, available through DEC's Central Office in Albany.¹²
- WMA visitors may apply for case-by-case accommodation permits to request the use of other power-driven mobility devices on state lands beyond MAPPWD routes.¹³ Applications for accommodation permits are available through DEC's Central Office (Albany) or regional offices.
- To maintain and improve access for persons with disabilities, DEC employs a network of accessibility coordinators throughout the regions and in Central Office.

⁹ Information about accessible recreation on state lands is available at <https://www.dec.ny.gov/outdoor/34035.html>.

¹⁰ Information about public use of State Forests is available in the *Strategic Plan for State Forest Management* at https://www.dec.ny.gov/docs/lands_forests_pdf/spsfmfinal.pdf.

¹¹ Information about permits for hunters with disabilities is available at <https://www.dec.ny.gov/permits/30419.html>.

¹² Information about MAPPWD is available at <https://www.dec.ny.gov/outdoor/2574.html>.

¹³ Information about accommodation permits is available at <https://www.dec.ny.gov/outdoor/73029.html>.

- Accessible destinations are shown on DEC's Accessible Recreation Destinations webpage. All WMA maps and webpages show available accessible features and how to get to them.

While not all existing facilities on WMAs are accessible, new features or existing features requiring repair will be evaluated and designed to be inclusive and accessible to the greatest extent possible while retaining the ecological integrity and wildlife value of the site.

Management proposed in this plan is in accord with the Americans with Disabilities Act (ADA), the Architectural Barriers Act of 1968 (ABA), the Rehabilitation Act of 1973, Title V, Section 504, the Application of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Principles of Universal Design. For more information on how DEC follows ADA guidelines on WMAs please see Appendix B at the end of this document.

Accessible Recreation on Indian River WMA: During the development of this plan, an inclusivity assessment was completed at Indian River WMA to determine the current accessible features, determine their condition, and identify appropriate actions such as updating existing facilities or installing new ones. The following accessible recreational opportunities are currently available on Indian River WMA:

- None

Recommendations for improving usability and inclusivity of wildlife-related recreation are included in this plan. The existing and proposed accessible features on this WMA are also noted in Table 1 and throughout the *Public Use Activities* section above.

MANAGEMENT CHALLENGES

Providing safe, accessible, and ecologically responsible public access on WMAs requires balancing recreation with wildlife and habitat conservation. Challenges may arise when these two priorities conflict, such as balancing protection of and providing access to or through inherently fragile habitats (e.g., wetlands, dunes). Responsible management of public access requires maintaining miles of property boundaries, working with user groups to minimize impacts of certain activities, and enforcing violations. This requires regulatory support as well as constant mindfulness of the unique purpose of WMAs.

On Indian River WMA, there are very few challenges to be concerned with. Recreational users tend to use the area at different times for different recreational activities so little conflict is shown. It is always recommended to wear hunter orange or pink during all hunting seasons in both the spring and the fall.

Encroachment issues became a concern on the WMA around 1980. There are two private roads (Purpura Road and Driveway Road) that traverse through the WMA which allow private camp and cottage owners land access to their properties. It is rather easy for neighboring landowners to dump yard material and store property in these areas and should be monitored frequently.

PERMITS AND USER AGREEMENTS

TEMPORARY REVOCABLE PERMITS

Temporary Revocable Permits (TRPs) are short-term permits for certain individual or group activities or events on DEC-managed public lands.¹⁴ A TRP may be required for some activities on WMAs. TRPs are issued by DEC regional offices and can be revoked at any time due to violations of TRP conditions.

VOLUNTEER STEWARDSHIP AGREEMENTS

Volunteer Stewardship Agreements (VSAs) are issued when an individual or organization engages in activities to provide positive benefits to state lands.¹⁵ For example, a VSA may be established for a local trail group to maintain a hiking trail on a WMA. VSAs are issued by DEC regional offices.

¹⁴ Information about TRPs is available at <https://www.dec.ny.gov/regulations/51387.html>.

¹⁵ Information about VSAs is available at <https://www.dec.ny.gov/regulations/90822.html>.

IV. MANAGEMENT SUMMARY

In summary, Table 2 lists facility maintenance and public access actions planned for Indian River WMA for the duration of this plan. Location of management actions are shown in Figure 2. Completion of actions are dependent on staff and funding availability.

Table 2. Summary of management actions recommended for Indian River WMA, 2023-2026.

Description of Action	Priority	Estimated cost ^a
Install eight car parking area (one space accessible) at the end of Carpenter Road	High	\$8,000.00
Install one gate at Carpenter Road parking area	High	\$1,000.00
Install two kiosks (Carpenter Road) (Red Lake boat launch)	Medium	\$1,000.00
Maintain 0.4 miles of administrative road (Carpenter Road)	Low	\$500.00
Maintain two other parking areas	Low	\$200.00

^a Cost estimate provided for planning purposes only and is subject to change.

V. FIGURES

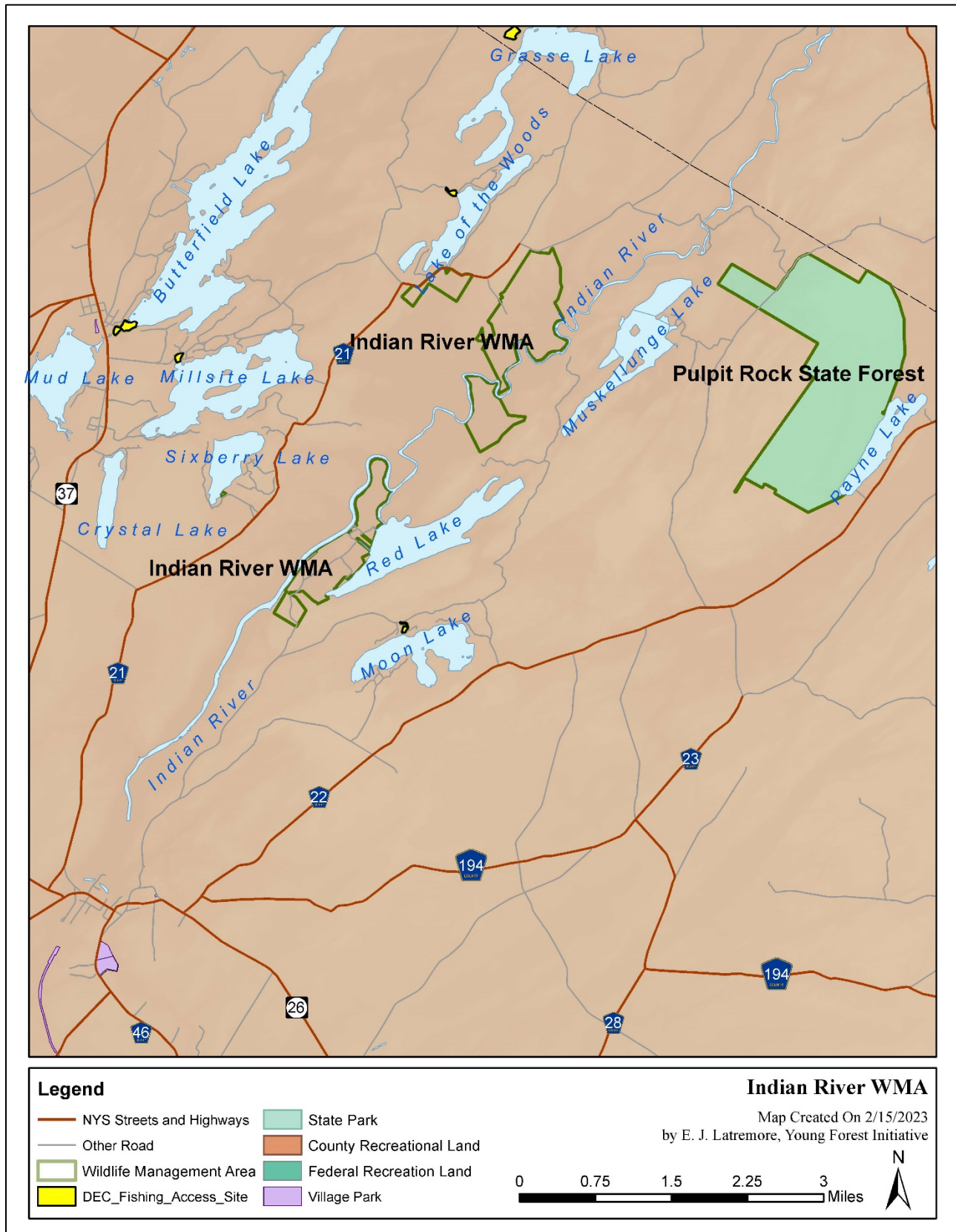


FIGURE 1. Connectivity to other public lands and recreation areas.

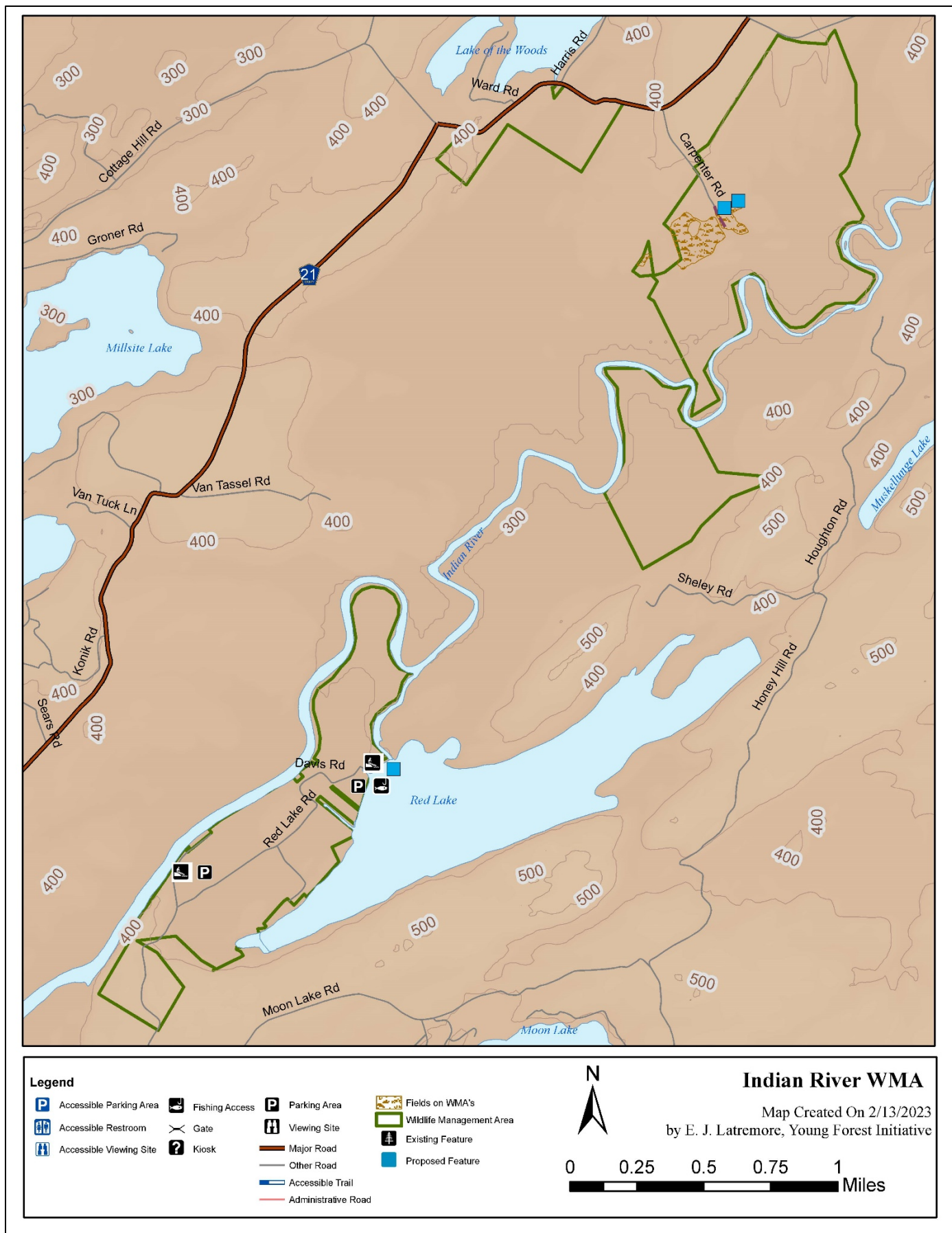


FIGURE 2. Location of existing and proposed access features at Indian River WMA.

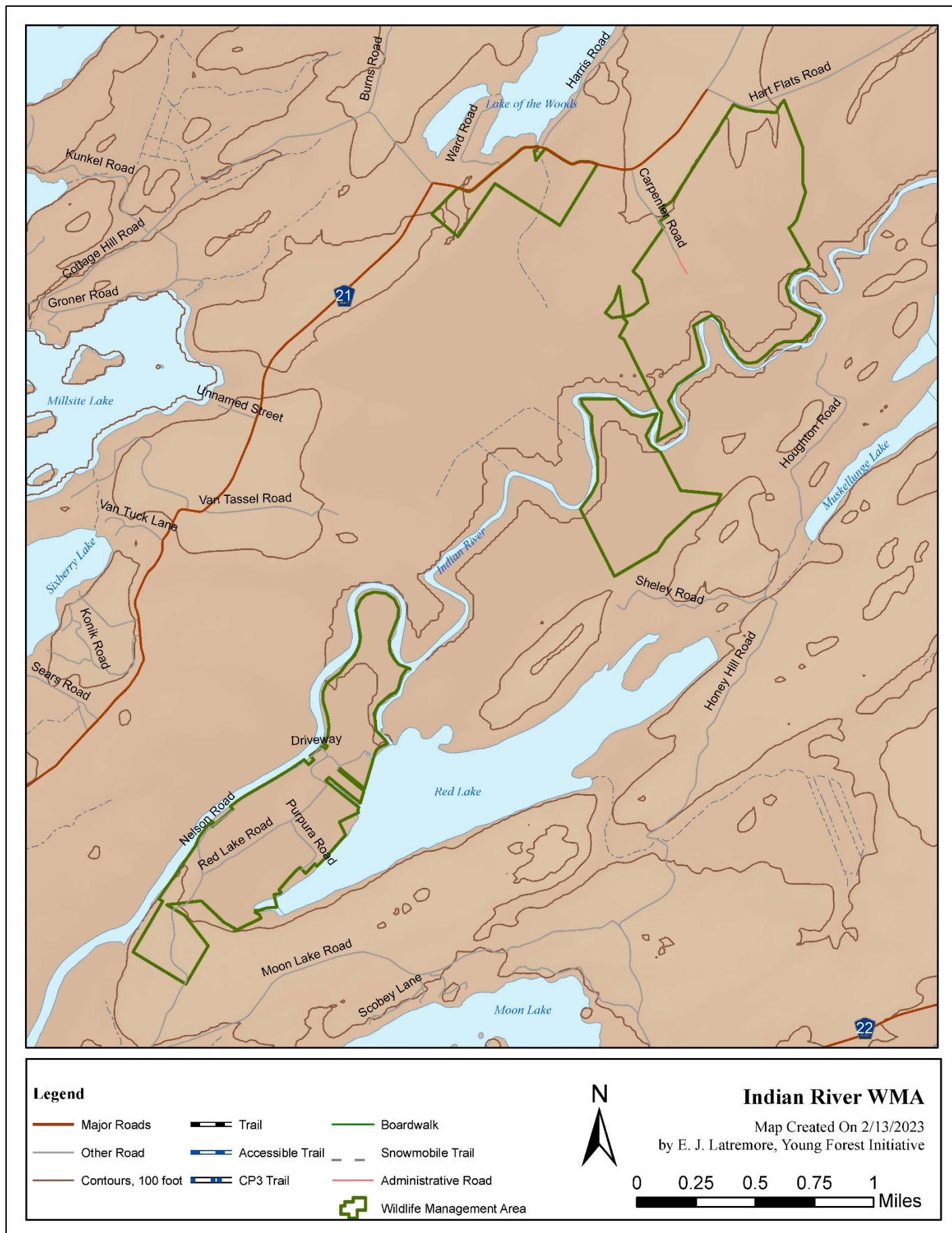


FIGURE 3. Roads and trails on Indian River WMA.

VI. APPENDICES

APPENDIX A. SUMMARY OF PUBLIC COMMENTS AND RESPONSES

The following is a summary of the public comments that were received during the creation of the Indian River Access and Public Use Plan and subsequent changes to the plan. Comments are in **bold** text, with DEC responses in *italics*.

COMMENTS RECEIVED

SUMMARY OF CHANGES MADE TO THE PLAN

APPENDIX B. APPLICATION OF THE AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA), along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973; Title V, Section 504, have had a profound effect on the manner by which people with disabilities are afforded equality in their recreational pursuits. The ADA is a comprehensive law prohibiting discrimination against people with disabilities in employment practices, use of public transportation, use of telecommunication facilities and use of public accommodations.

Consistent with ADA requirements, the Department incorporates accessibility for people with disabilities into the 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 the Department, when viewed in their entirety, are readily accessible to and usable by people with disabilities. The Department 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, the Department 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.

This plan incorporates an inventory of all the recreational facilities and assets on the unit or area, and an assessment of the programs, services and facilities provided to determine the level of accessibility. In conducting this assessment, DEC employs guidelines which ensure that programs are accessible, including buildings, facilities, and vehicles, in terms of architecture and design, transportation and communication to individuals with disabilities.

For outdoor recreation facilities not covered under the current ADA standards, the Department will use standards provided under the Architectural Barriers Act, to lend credibility to the assessment result and to offer protection to the natural resource.

All new facilities, and parts of facilities that are constructed for public use, are to be accessible to people with disabilities. Full compliance is not required where DEC can demonstrate that it is structurally impracticable to meet the requirements. Compliance is considered structurally impracticable only in those rare circumstances where the unique characteristics of terrain prevent the incorporation of accessibility features. Compliance is still required for parts of the facility that can be made accessible to the extent that it is not structurally impracticable, and for people with various types of disabilities.

A record of accessibility determination is kept with the work planning record. Any new facilities, assets and accessibility improvements to existing facilities or assets proposed in this plan are identified in the section containing proposed management actions.

For further information contact the ADA Coordinator at accessibility@dec.ny.gov

APPENDIX C. TEXT OF 6 NYCRR PART 51: PUBLIC USE OF STATE WILDLIFE MANAGEMENT AREAS

Parts 51, 61, 75 and 84 are repealed. A new Part 51 is added as follows:

EFFECTIVE January 1, 2022.

§51.0 Applicability and Definitions

- (a) Except as otherwise provided, the provisions of this Part shall apply to all persons entering upon or using State lands under the Department's jurisdiction that are administered by the Division of Fish and Wildlife, including but not limited to wildlife management areas, fish and wildlife management areas, and the following unique areas and multiple use areas: Bog Brook Unique Area, Seward's Island Unique Area, Junius Ponds Unique Area, Harwood Lake Multiple Use Area, and Carlton Hill Multiple Use Area. Additional area-specific regulations may also apply and will supersede the general regulations found in this Part in case of conflict.
- (b) Definitions.
 - 1. *Bicycle* shall mean a non-motorized vehicle with two or more wheels, a steering handle, a seat, or seats and is propelled solely by muscle power and/or gravity.
 - 2. *Camping* shall mean using any form of temporary shelter, including but not limited to a tent, motor home, travel trailer, mobile home, or any vehicle used for overnight shelter or sleeping.
 - 3. *Department* means the New York State Department of Environmental Conservation.
 - 4. *Motorized vehicle* shall mean a device for transporting persons, supplies or material incorporating a motor or an engine of any type for propulsion, and with wheels, tracks, skids, skis, air cushion or other contrivance for traveling on or adjacent to land, water, or ice. It shall include such vehicles as automobiles, trucks, jeeps, off-road vehicles, all-terrain vehicles, utility vehicles, golf carts, motorcycles, electric powered bicycles (e-bikes), snowmobiles, snowcats, bulldozers, and other earth-moving equipment.
 - 5. *Motorized equipment* shall mean machines not designed for transporting people, supplies or material, or for earth moving but incorporating a motor, engine, or other nonliving power source to accomplish a task, such as, but not limited to, chain saws, brush saws, rotary or other mowers, rock drills, cement mixers, and generators.
 - 6. *Off-road* shall mean on a trail, road, or terrain other than a public road or parking area.
 - 7. *Regional Manager* shall mean the Regional Wildlife Manager.

8. *Written Permission* shall mean a written permit (including but not limited to a Temporary Revocable Permit for Use of State Lands, abbreviated as TRP) issued at the sole discretion of the Department and signed by the Regional Manager authorizing temporary public use of applicable lands pursuant to the conditions cited in the document. Permits will only be issued for activities in compliance with all constitutional, statutory, and regulatory requirements.

9. *Watercraft* includes every motorized or non-motorized boat or vehicle capable of being used or operated as a means of transportation or recreation in or on water.

§51.1 Hunting, trapping and fishing

Hunting, trapping and fishing are permitted on wildlife management areas and other lands subject to Subchapter A of this Part, except as specifically restricted by posted notice.

§51.2 Boating

(a) No person shall operate a watercraft under mechanical power other than electric motor, except as specifically permitted by posted notice or under written permit by the Department.

(b) No person shall moor, anchor or store a boat overnight.

(c) No person shall transport or cause to be transported any aquatic invasive species.

1. No person shall launch, or attempt to launch a watercraft into any waterbody, or depart from a waterbody with any plant or animal, or parts thereof, visible to the human eye, in, on, or attached to any part of the watercraft, including live wells and bilges, the motor, rudder, anchor, or other appurtenances; any equipment or gear; or the trailer or any other device used to transport or launch a watercraft that may come into contact with the water, except under the written permission of the Regional Manager.

2. No person shall launch, or attempt to launch a watercraft into any waterbody, or depart from such waterbody without draining the watercraft, including bilge areas, live wells, bait wells, and ballast tanks, except under the written permission of the Regional Manager.

3. Exceptions.

The provisions of Part 51.2 shall not apply to:

- i. Plants not otherwise defined in law or regulation as invasive species or suspected of being or becoming invasive affixed to or transported in watercraft for use as camouflage for hunting or wildlife viewing purposes.
- ii. Bait, including baitfish, that can legally be used on a waterbody and is possessed consistent with Department regulations.
- iii. Legally taken game as defined in section 11-0103(2) of Environmental Conservation Law or fish as defined in section 11-0103(1)(a).

§51.3 Camping

No person shall camp on lands subject to this Part except under the written permission of the Regional Manager.

§51.4 Roads, trails and parking areas

- (a) No person shall operate a bicycle or motorized vehicle on roads posted by the Department against such uses.
- (b) No person shall operate a motorcycle, motor scooter, moped, e-bike, snowmobile or any other motorized vehicle off-road except as specifically permitted by posted notice or as otherwise permitted in writing by the Regional Manager.
- (c) No person shall operate a motorized vehicle on any road, trail or parking area maintained by the Department at a speed in excess of 25 miles per hour.
- (d) Where required by posted notice, parking shall be confined to designated parking areas or spaces
- (e) No person shall operate a bicycle or ride, drive, or lead a horse on lands subject to this Part except:
 - 1. on roads and parking areas, and those trails designated and posted by the Department as open to the activity. ;
 - 2. on other areas posted or otherwise designated as open; or
 - 3. with written permission of the Regional Manager.
- (f) No person shall possess or operate a snowmobile except:
 - 1. on routes designated and posted by the Department ; and
 - 2. following the close of the regular big game hunting season until March 31 of the following year; and

3. when the route is covered with a minimum of three inches of snow and/or ice.

§51.5 Reserved.

§51.6 Structures

- (a) No person shall erect, construct, occupy or maintain a permanent structure, blind, stand or platform without the written permission of the Regional Manager.
- (b) No person shall erect, construct, occupy or maintain any structure that is affixed to a tree by nails, screws, or other means that injure or damage the tree without the written permission of the Regional Manager.

§51.7 Dogs

Pursuant to Environmental Conservation Law sections 11-0529 and 11-0923, no owner or trainer of a dog shall allow that dog to enter lands subject to this Part without being leashed and under immediate physical control at all times except:

1. dogs may be allowed off-leash during open hunting seasons when legally used for hunting and accompanied by an appropriately licensed hunter and under the control of the hunter or handler;
2. when being legally trained for hunting in a designated dog training area or during designated training seasons as governed by Part 66 of this Chapter and accompanied by an appropriately licensed hunter;
3. when participating in a licensed field trial permitted in writing by the Regional Manager, or;
4. with written permission of the Regional Manager.

§51.8 General provisions

(a) Fires

- (1) No person shall ignite or maintain a fire except for cooking or warmth.
- (2) No wood, except from dead and down trees, shall be used for fuel
- (3) No person shall ignite a fire until all flammable material surrounding it has been removed to the extent necessary to prevent its spread.
- (4) No person shall leave a fire unattended.

- (b) No person shall swim in waters subject to this Part.
 - (c) No person shall possess or operate any motorized equipment while afield without the written permission of the Department except for equipment commonly employed in hunting, trapping, or fishing when being used for these activities. These exceptions are limited to:
 - 1. Drills or augers used for ice fishing.
 - 2. Battery-powered drills used for setting traps.
 - 3. Any motorized decoys legally permitted for hunting.
 - (d) No person shall deface, remove, cut or willfully damage, destroy or otherwise injure in any manner whatsoever any tree, flower, shrub, fern, moss, fungus or other plant organism, or other living or dead vegetation of any kind, found or growing on State lands, except for immediate personal consumption, or with the written permission of the Regional Manager.
1. No person shall erect, construct, maintain, occupy or use any tree stand that is used, operated, accessed or reached by methods or means which injure or damage a tree, and no person shall gain access to any structure in a tree by means that injure or damage the tree.
- (e) No person shall deface, remove, destroy or otherwise injure in any manner whatsoever any rock, soil, fossil or mineral except under written permit from the Department.
 - (f) No person shall deface, remove, or damage, destroy or otherwise injure in any manner whatsoever any object of archaeological or paleontological interest found on State land, except under written permit from the Department and the Commissioner of Education, pursuant to section 233 of the Education Law.
1. No person shall use or possess a metal detector afield, except under written permit from the Department. Licensed surveyors using a metal detector to locate survey markers shall not be prohibited.
- (g) All personal property shall be removed from the area at the time of leaving the area. No person shall erect, construct, install, maintain, store, discard or abandon any structure or any other property or subsequently use such structure or property, except under the written permission of the Regional Manager. This subdivision shall not apply to:
 - 1. a legally placed trap or appurtenance that is placed and used during the appropriate trapping season;
 - 2. a tree stand or hunting blind that does not injure a tree, is properly marked or tagged with the owner's name and address or valid hunting license identification number and is placed and used for the duration of the big game season, migratory gamebird season or turkey season; or
 - 3. a wildlife viewing blind that is placed for a duration not to exceed ten (10) days in one location per calendar year, does not injure a tree, and is properly

marked with the owner's name and address or valid hunting or fishing license identification number.

- (h) No person shall enter, remain upon, or use any access road, truck trail, road, trail, facility or any other area that is posted or designated by the Department as closed to public use, except under the written permission of the Regional Manager.
- (i) No person shall discard or deposit any trash, waste or litter on lands or waters, except in waste receptacles provided for such purpose.
- (j) No person shall use any lands for agricultural purposes, including but not limited to growing crops or grazing by domestic animals, except with the written permission of the Department.
- (k) No person under 21 years of age shall possess alcoholic beverages, unless accompanied by a parent or guardian. All persons who possess alcoholic beverages must produce adequate identification and proof of age upon demand of any peace or police officer.
- (l) No person shall fail to comply with the instructions contained on a sign of the Department.
- (m) No person shall remove, deface, mutilate or destroy any Department sign, structure, barrier or object.
- (n) No person shall:
 - 1. intentionally obstruct, prevent or attempt to prevent any officers or employees of the Department from performing their legal duties, by means of intimidation, physical force, interference or disobedience of any lawful order or by means of any independently unlawful act;
 - 2. engage in any activity which violates the Penal Law.
- (o) No person shall discharge firearms unless legally engaged in the act of hunting or trapping.
 - 1. Except that target shooting may occur in areas designated and posted by the Department as open to such use, and;
 - 2. No person shall possess or use breakable targets, including but not limited to clay pigeons, and
 - 3. No person shall target shoot at objects other than paper targets with a safe and sufficient earthen or other suitable backstop.
- (p) No person shall possess paint balls or paint ball guns, and no person shall sponsor, conduct or participate in any activities associated with the discharging of paint balls.
- (q) No person shall sponsor, conduct or participate in any organized event of more than twenty people without the written authorization of the Regional Manager. Examples of organized events include but are not limited to sponsored hikes; archery and fishing

tournaments; dog trials or training events; bicycle, horse and orienteering races, runs, races, rides or competitions; encampments; re-enactments. weddings, funerals and other ceremonies.

- (r) No person shall sponsor, conduct or participate in any research project except under written permit from the Department. Examples of research include, but are not limited to, population studies, collection of scientific samples, placement of scientific instruments, seismic exploration and archaeological studies. This subdivision shall not apply to observation-only population data collection such as, but not limited to, Audubon's Christmas Bird Count, the USGS Breeding Bird Survey and Cornell Lab of Ornithology's e-Bird database or other studies where animals or specimens are not caught or handled; nor shall it apply to any other research exempted by the Department in writing on a case by case basis.
- (s) No person shall sponsor, conduct or participate in: advertising, weddings, funerals, commercial film making activities or film making activities that exclude other public use of the area, and other similar events, except under the written permission of the Regional Manager.
- (t) No person shall conduct any business, buy, sell, offer or expose for sale, hire, lease, or vend any article or merchandise of any kind without a written permit from the Department. This subdivision shall not apply to recreational activities undertaken in connection with the services of a licensed outdoor guide, to landscape or wildlife photography (products not offered for sale on-site), or wildlife observation activities that do not otherwise violate any subdivisions in this Part.

§51.9 Severability

If a provision of this Part or its application to any person or circumstance is determined to be contrary to law by a court of competent jurisdiction, such determination shall not affect or impair the validity of the other provisions of this Part or the application to other persons and circumstances.