



John

New York State Conservation Council Inc.
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Dawn C. Howard
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St. Lawrence County Soil and Water Conservation District
1942 Old Dekalb Road
Canton, New York 13617

Matt Johnson, Compliance Manager
Brookfield Renewable Energy Group
399 Big Bay Road
Queensbury, N.Y. 12804

Re: Comments on Stone Valley Management Plan

Dear Land Managers:

The following comments are submitted on behalf of the N.Y.S. Conservation Council pertaining to the Draft Stone Valley Management Plan. The N.Y.S. Conservation Council represents 300,000 members of the sporting community throughout N.Y. State; the sporting community contributes 60 million dollars to conservation efforts and fish and wildlife management in N.Y.S. annually, provides funding for 247 N.Y.S. Department of Environmental Conservation staff and sportsmen and women contribute 9 billion dollars annually to the N.Y.S. Economy. The N.Y.S. Conservation Council is a signatory to the Racquette River Licensing agreement dated March 13, 1998 and a participating member of the Racquette River Advisory Committee. **The N.Y.S. Conservation Council supports equitable access for all recreational user groups of varying ability including the young, the elderly, individuals with special needs, the fit, the physically challenged and the disabled.**

The Councils comments are being submitted to the land managers in this situation, Brookfield and St. Lawrence County with copies to municipalities and the RRAC Chair. A copy will be provided to John Omohundro.

General comments:

1. **Plan Development:** Management Plans are typically developed by the land owner. In this situation allowing the plans development to be orchestrated by a singularly focused recreation group creates an inequitable platform in terms of planning for and accommodating diverse recreational stakeholder groups. The recreational preferences of the authors are evident throughout the plan.

Recommendation: In the future such plan development should be facilitated by the land owners.

2. **The recreational bias of the plans authors** is very evident when you view the pictures in the plan, three of which are of kayakers and one of an individual mountain biking. The plan in some senses looks more like a cover to a marketing brochure for the White Water Park, that some residents of Colton seek to develop, than a land management plan. I have never observed such an approach in the many management plans I have reviewed and provided input on. The picture of the two dogs is just plain hokey. The pictures serve no objective purpose in the plan and reflect a bias .

Recommendation – Remove pictures of user groups and dogs and utilize a cover that simply states Stone Valley Management Plan.

3. The Process.

A. Under the Plans introduction it states “It was agreed then to publish this draft for comment, adjust it based on comments, then the partners would sign it.”

The authors of the plan seem to be overlooking one very important step that was discussed at The Racquette River Advisory Committee (RRAC) meeting on May 30, 2013. Before Brookfield signs the plan it is obligated to consult with the RRAC regarding the document. For the plan to be signed prior to this consultation and any recommended changes by the RRAC would be circumventing the role of the RRAC as established in Federal Regulation.

Recommendation: Adjust process as follows:

1. Public comment and hearings complete
2. Plan revised
2. Plan reviewed by RRAC
3. RRAC makes recommendations to Brookfield
4. Next steps based on outcome of RRAC Recommendations.

B. Participation in the planning process. Diverse user groups were not included or encouraged to participate in the planning process. Brookfield encourages multiple uses by diverse stakeholder groups. To my knowledge NO members of the sporting community were invited to the table and hunting, fishing and trapping on these lands has been a tradition for well over 100 years.

Outreach - Plan posted and comments directed to the ADK website

Comment- Such an approach will draw traffic from a singular user group and has the ability to weight the type of comments received.

Recommendation – Future Management Plans must be convened and orchestrated by the land owners.

More specific comments:

THE PLAN

RECREATION AREA PARTNERS

“Assisted by the Raquette River Advisory Council (RRAC), composed of signatories to the settlement that led to Brookfield's current hydroelectric licenses. Signatories include NYDEC, U. S. Fish and Wildlife, Trout Unlimited, St. Lawrence County, Adirondack Mountain Club, Trout Unlimited, and American Whitewater.”

Comment – The N.Y.S. Conservation Council and other signatories to the Racquette River Licensing Agreement have been omitted. To name some and not all in the plan is inappropriate. This oversight was pointed out to John Omohundro at the last RRAC meeting.

Recommendation - List all signatories on the agreement or none.

MANAGEMENT PARTNERS (Groups with standing duties in the area)

Laurentian Chapter of the Adirondack Mountain Club (ADKL): *led in the founding and building of the trail and the CRA concept. The chapter has approximately 400 members and serves the St. Lawrence County and Ottawa region.*

The chapter regularly schedules outings and work parties on foot trails. It provides trail coordinator, and labor/expertise to maintain foot trails. It maintains a small budget for materials but also pursues outside funding, especially from RRAC/Brookfield. Contact: trail coordinator Mark Simon, simonm@potsgdam.edu.

Comment: The management partners as referenced in the plan are creating a “straw group” that will usurp the roles of the RRAC and Land Owners.

Recommendation – Remove Reference

User Groups

Recommendation - Change *USER GROUPS* to Stakeholder Groups (open list, under development) several errors exist in the list and corrections are highlighted in red.

American Whitewater, contact: Phil LaMarche, Lamarchep@canton.edu

St. Lawrence County Fish Advisory Board Fish and Wildlife Advisory Board, St.

Lawrence County

Federated Sportsmen of St. Lawrence County

Racquette Valley Fish and Game Club, South Colton, NY

St Lawrence County Environmental Management Council: contact: St. Lawrence Co.

Planning Board, John Tenbusch, jtenbusch@co.st-lawrence.ny.us., and Dawn Howard, EMC chair.

St. Lawrence County Mountain Biking Association, contact: Mike Klein, mike@wearonearth.com

St Lawrence County Recreational Trails Board, contact: Deb Christy, coordinator, dchristy@twcny.rr.com, and Dawn Howard, secretary, Dawn.Howard@ny.nacdn.net

St. Lawrence County Trappers Association

Region 6 Fish and Wildlife Management Board

PLANNED WORK IN THE SVCRA

2. *Whitewater Area Access Improvements, see attachment 3 ("SVCRAmap3.jpg").*

See also Attachment 12, "Whitewater.pdf". Approved and funded.

Comment – Under the “whitewater area access improvements” the reference to “approved and funded” is grossly inaccurate and a misrepresentation of fact. The RRAC has yet to review and discuss these improvements as a group and make a recommendation to Brookfield. For Brookfield to approve the improvements without first consulting with the RRAC would be a violation of the agreement. At the RRAC meeting held on May 30 2013 there was lengthy discussion regarding this issue.

Furthermore, the N.Y.S. Council believes that the collective improvements to Brookfield Lands in this area are significant enough to warrant a GEIS. The individuals authoring this plan are well aware of this discussion as is Brookfield.

Stone Valley Project - Whitewater Area Access Improvements – a Project description has been submitted under the name Stone Valley (SV) Whitewater Area Access Improvements.

Comment – A project description as referenced above has been included as an attachment in the plan. This seems rather presumptuous as the proposal for the plan format and process has not yet been approved by the land owners or reviewed by the RRAC. Secondly, the individuals completing the project description form, Ruth

McWilliams and Mary Jane Watson are members of the Management Partners who would be reviewing the plan and authors of the plan. Such an arrangement does not lend itself to objectivity, or transparency.

Recommendation: As previously stated the Council will not support the creation of straw groups. Further discussion on Whitewater Parks by RRAC is necessary.

Comment - 13. Organization of the work (coordination, reporting structure, safety/risk management):

Under the project description, coordination for the project is listed as follows:

Coordination:

- ✓ For grant—Fred Hanss (with assistance from Mary Jane Watson)
- ✓ For Brookfield—Matthew Johnson
- ✓ For Town of Colton—Dennis Bulger and Ruth McWilliams

It also cites a “Reporting structure: Whitewater Parks Project Advisory Committee”

Comment – Again the creation of “straw groups” such as the Whitewater Parks Advisory Committee, which includes members of the Management Partners would be circumventing existing regulation and the Ni-Mo Settlement, which calls for the creation of a “Whitewater Committee” to address whitewater issues.

Recommendation – the N.Y.S. Conservation Council cannot support “straw groups” or circumvention of existing regulation. Form whitewater committee through the RRAC to address whitewater issues. RRAC must review and recommend to Brookfield per settlement any recommendation made by whitewater committee.

3. New mountain bike trail on west side of river, on Brookfield property, from bridge over pipeline north to Browns Bridge, between the pipeline and the existing hiking trail. Proposed by SLMBA. See map, Attachment 4, “SVCRAmap4.jpg” and attachment 13 “WestSideTrail.pdf”. To seek approval in 2014.

Comment – Mountain Biking is not listed as an allowable activity on hydro lands. The N.Y.S. Conservation Council supports mountain biking as some of our members utilize mountain bikes to access hunting, fishing and trapping areas., however, the proposed west side mountain Bike trail requires further review and recommendation by the RRAC and the collective improvements to the Stone Valley area, which include the bike trail and whitewater enhancements, may be of such magnitude to require a SEQR or GEIS.

In addition it appears a special use permit would be required for the trail per Brookfield’s land use policy.

Recommendation: Mountain Bike Association should submit proposal to Brookfield for review.

CURRENT CONCERNS

7. Motorized access. Towns of Pierrepont, Colton, and Parishville have requested Brookfield to permit ATV access within the Stone Valley Cooperative Recreation Area. Motor access would add economic benefit to the area, say proposers. Currently, Brookfield Land Use Policy excludes motors from company land. FERC and Brookfield are both concerned about safety and security issues on that route. Other avenues to the hamlet may be explored.

Comment – It is a known fact that the authors of the plan are not supporters of motorized recreation, including ATV's. That said it appears the inclusion of this statement is an attempt on the part of the authors to deter appropriate use of motorized vehicles in the area to satisfy their ideological & recreational preferences. **The authors of the plan speaking on behalf of the FERC and Brookfield is inappropriate. In addition I do not believe the pipeline access road is included in the Stone Valley Recreation Area.**

The statement “Brookfield Land Use Policy excludes motors from company land” is erroneous as Brookfield Policy states:

Brookfield Policy Page 13 G. Special Uses – “Special uses include, but are not limited to snowmobile/ATV Trails, Horse Trails, educational tours, stocking programs, etc.”

Comment: The pipeline and surrounding area have supported various forms of motor vehicle use, including snowmobiles and ATV's for many years. The pipeline was a major community connector for snowmobiles until Brookfield obtained the property. The sporting community requires the use of snowmobiles and ATV's to access hunting, fishing and trapping areas and to retrieve game.

Recommendation – Groups seeking various levels of motor vehicle access should submit requests to Brookfield for review by the RRAC.

Comment - Plan is lacking in data – I have been unable to glean from the plan information pertaining to the miles of trails that currently exist in the area. This information is essential in terms of managing future build-out and its impact on the resource.

Recommendation: List distances for trails by type.

Comment – It is my understanding the Stone Valley Recreation area is from the Pipeline to the River and from the River to the Lenny Rd.

Recommendation – Land Owners need to clarify boundaries.

Comments on attachments:

From the Plan:

It is noted that the "Stone Valley Partners" request that proposed work on land within the SVCRA boundaries be reported to them for discussion and suggestions before pursuing acceptance from the relevant property owners".

Excerpt from Plan - Form for Project Descriptions - December 2013 version! _1
Stone Valley Cooperative Recreation Area (SVCRA)

Project Description

The Stone Valley partners request that proposed work on land within the SVCRA boundaries are reported to them for discussion and suggestions before pursuing acceptance from the relevant property owner(s).

Comment - The N.Y.S. Conservation Council is adamantly opposed to this provision and will not support it or comply with it and **STRONGLY** recommends the land owners do not absolve themselves of any and all responsibility of lands under their ownership. There are many groups springing up seeking to assert control to promote their individual agendas and/ or ideological and recreational preferences and to support and create "straw" organizations only serves to undermine legitimate authority and create inequity. In this case the rights of the land owners would be jeopardized and the role of the Racquet River Advisory Council usurped!

Thank-you for the Opportunity to comment!

Walt Paul

Walt Paul
Access and Land Use Specialist
N.Y.S. Conservation Council

c. Town of Colton
Town of Parishville
Town of Pierrepont
Richard McDonald, N.Y.S. D.E.C. RRAC Chair
John Omohundro