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EXECUTIVE DEPARTMENT
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NEW YORK STATE WILD, SCENIC AND RECREATIONAL RIVERS

FOUR PAGE INFORMATION SHEET
FOR THE ADIRONDACK PARK

Many rivers in the state are subject to special protection under the State's Wild, Scenic and Recreational Rivers System Act. In the Park, this law is administered by the Agency.

If you are planning to build, subdivide, or in any way change the present use or appearance of land within the river area* of any river on the following list, it is likely you will need an Agency permit.

RIVERS OR SEGMENTS DESIGNATED AS WILD, SCENIC OR RECREATIONAL:

Ampersand Brook	Hudson	Raquette
Ausable	Independence	Red
Black	Indian	Rock
Blue Mt. Stream	Jordan	Round Lake Outlet
Bog	Kunjamuk	Sacandaga
Bouquet	Long Pond Outlet	St. Regis
Boreas	Marion	Salmon
Cedar	Moose	Saranac
Cold	Opalescent	Schroon
Deer	Oswegatchie	W. Canada Creek
E. Canada Creek	Otter Brook	West Stony Creek
Grasse	Piseco Outlet	

With respect to designated rivers, the law and Agency regulations:

- Require an Agency permit for subdivisions, single family dwellings and most new uses and structures in river areas.
- Prescribe an Agency permit for subdivisions, single family dwellings and most new uses and structures in river areas.
- Regulate the cutting of trees in the entire river area (within 1/4 mile of the river), including a prohibition on cutting within 100 feet of the river. (See pages 3-4.)

* The "river area" is almost always the entire area within ¼ mile of the bank of the river. For a few rivers, the boundary of the river area is a different distance from the river.

- Restrict motorboating and other motorized activities.
- Regulate bridge and road building.
- Regulate structures (such as dams) and activities (such as dredging or filling) that alter a river's natural flow.
- Allow continuation of lawfully existing, non-conforming uses, but require permits or variances for expansion or change in use.
- Prohibit certain "non-compatible" uses.
- Prohibit new structures in Wild River areas.

Please call or write the Agency if you have any question whether a permit is needed and staff will assist you.

STUDY RIVERS

The following rivers also are protected as "study rivers" for possible inclusion under the Wild, Scenic and Recreational Rivers System Act. All development and subdivision within ¼ mile of navigable portions of a study river, outside Hamlet and Industrial Use areas, require an Agency permit.

Bouquet (N. Branch)	Osgood
The Branch	Oswegatchie (Main Branch)
East Stony Creek	Pleasant Lake Stream
Grasse (Main Branch)	Saranac (North Branch)

MINIMUM SHORELINE LOT WIDTHS AND SETBACKS FOR DESIGNATED RIVER AREAS

Land Use Classification	<u>Scenic River Areas</u>		<u>Recreational River Areas</u>	
	Minimum lot width (feet)	Minimum structure setback (feet)	Minimum lot width (feet)	Minimum structure setback (feet)
Hamlet	50*	50*	50*	50*
Moderate Intensity	100*	50*	100*	50*
Low Intensity	150	250	150	150
Rural	200	250	200	150
Resource Management	750	250	300	150
Industrial	no minimum	250	no minimum	150

* These are the minimum shoreline lot width and setback requirements under the APA Act.

SETBACK MEASUREMENT

Setbacks are measured horizontally along the shortest line between any point of the structure (including porches, decks or other structural attachments) and any point on the shoreline at the mean high water mark. (The mean high water mark is the average of the high water levels over the years and is frequently well beyond the bank of the river.) The Agency will determine the mean high water mark.

DOCKS AND BOATHOUSES

All boathouses in scenic and recreational river areas require a permit from the Agency. (They are prohibited in wild river areas.) For a structure to qualify as a "boathouse", it must have direct access to a navigable body of water, be used for the storage of boats and associated equipment and must not contain bathroom or kitchen facilities or be designed or used for lodging or residency.

Docks are prohibited in wild river areas, and require a permit in scenic river areas. No permit is required for a dock in a recreational river area; however, the dock must not be wider than 8 feet.

VEGETATIVE CUTTING RESTRICTIONS

Part 577.6 of the Agency's regulations provides that in wild river areas and in scenic and recreational river areas outside hamlet and moderate intensity use areas, the following standards apply:*

(1) Inside the mean high water mark of the river, or within 100 feet of the mean high water mark, no trees or other vegetation shall be harvested, cut, culled, removed, thinned or otherwise disturbed, other than:

(i) the cutting and removal of up to a maximum of five percent of the total basal area of timber or other vegetation per acre during any 10-year period for the purpose of clearing the river or a tributary thereof of fallen trees, or trees which pose a threat of bank undercutting or erosion, or for the undertaking of land use and development or subdivision listed in section 577.4(b) of this Part;

(ii) vegetative cutting upon lands directly associated with any structure lawfully in existence on April 19, 1976, to the extent necessary that any existing view of the river from such structure may be preserved;

(iii) the cutting of firewood by the resident of a dwelling within the river area for personal use in such dwelling, provided that alternative sites for the cutting of such firewood are not readily available to such resident; or

(iv) in accordance with the terms of an agency rivers project permit.

* In hamlet and moderate intensity use areas, vegetative cutting is regulated by the APA Act. The clearcutting of more than 25 acres (or more than 3 acres in a wetland) requires a permit. Shoreline cutting is also restricted.

(2) Between 100 feet from the mean high water mark of the river and the exterior boundary of the river area:

(i) The cutting and removal of trees and other vegetation shall be permitted for the undertaking of rivers projects, land use and development or subdivision listed in section 577.4(b) of this Part, or activities pursuant to a rivers system land management plan.

(ii) Forest management shall conform to recognized silvicultural systems as defined in *Terminology of Forest Science, Technology, Practice and Products* (Washington: Society of American Foresters, 1971) appropriate to the site, shall be in accordance with the terms of Timber Harvesting Guidelines for New York (New York Section of the Society of American Foresters, June 1975).

(iii) If an even-aged stand of commercial timber species is present, one recognized regeneration cutting that removes the main crown canopy of such stand shall be permitted upon not more than one third of the total area of the stand within the river area during any 10-year period if undertaken as part of a plan to regenerate the stand.

(iv) In no event, however, shall more than 15 contiguous acres in the same ownership be clearcut, nor shall more than 50 percent of the basal area of timber in any tract of 30 contiguous acres in the same ownership be cut during any 10-year period.

(3) No trees shall be felled into or across the river where avoidable, and logging debris which may enter the river shall be removed. Any logging debris which may enter the area inside the mean high water mark of the river or within 100 feet of such mean high water mark shall be removed, or shall be lopped, for hardwoods, in such fashion that no such debris measures higher than four feet from ground level, and for conifers, in accordance with section 9-1113 of the Environmental Conservation Law.

(4) No new landings shall be established inside the mean high water mark of the river or within 200 feet of the mean high water mark. Adequate provisions shall be made after timber harvesting to stabilize soil on all landings, skid trails and wood roads in the river area.

(5) No new sand and gravel extractions associated with forest management shall be located inside the mean high water mark of the river or within 200 feet of the mean high water mark. Such extractions shall be invisible from the river.

(6) All timber harvesting operations shall be subject to article 15 (Water Resources) of the Environmental Conservation Law, governing, among other things, disturbances, modification and crossing of rivers and streams. In addition, skidding of logs or trees across rivers shall not be permitted, except where no feasible alternative exists and a permit therefor has been obtained pursuant to such article.

(7) Logging equipment shall not be stored within 100 feet of the river, or abandoned within the river area.

(8) Wood roads shall be located so as to be invisible from wild rivers and to minimize their visibility from scenic and recreational rivers.