

**LETTER OF RESOLUTION
REGARDING
FIRE OBSERVATION TOWERS
UNDER THE JURISDICTION OF THE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

BETWEEN THE

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AND THE
OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

WHEREAS, the Department of Environmental Conservation (Department) has care, custody and control of the Forest Preserve, state reforestation areas and various other classes of public lands and holds easement rights relating to public recreational use on certain private lands, and;

WHEREAS, certain fire observation towers (fire towers) which are listed in or eligible for listing in the State and National Registers of Historic Places in accordance with the National Historic Preservation Act or the State Historic Preservation Act, are situated on these lands, and;

WHEREAS, the New York State Historic Preservation Act and the Public Building Law mandate that state agencies act as stewards of historic properties under their jurisdiction, and;

WHEREAS, the Adirondack Park State Land Master Plan defines certain structures as non-conforming in certain land classifications, and;

WHEREAS, the Department and the Office of Parks, Recreation and Historic Preservation (Office), in 1994, executed a Letter of Resolution that created a mechanism for resolving conflicts between the forgoing and that this goal has been achieved, and;

WHEREAS, in response to public interest in fire towers as recreational and historic resources to be appreciated and enjoyed, the Department has undertaken an effort to re-open many of these fire towers, and;

WHEREAS, the Department, in consultation with the Office, desires to undertake this work in a manner that takes into account their historical significance.

NOW, THEREFORE, the Department shall ensure that the following STIPULATIONS, agreed to by both parties as indicated by appended signatures, shall be implemented in compliance with the State Historic Preservation Act of 1980 and 9 NYCRR 428.

OTHER TERMS AND CONDITIONS:

- Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement.
- Disputes regarding compliance with the terms of this agreement shall be resolved through application of the consultation process established in Article 14 PRHPL and 9 NYCRR Part 428.

STIPULATIONS:

- The terms of this agreement shall apply to the fire towers listed in Attachment 1.
- Maintenance undertaken in accordance with the Fire Tower Maintenance Checklist which is made a part of this agreement as Attachment 2 shall require no further consultation under the State Historic Preservation Act.
- For actions above and beyond those listed in Attachment 2, the Department shall consult with the office in accordance with Article 14 PRHPL and 9 NYCRR Part 428.

New York State Office of Parks, Recreation and Historic Preservation

By: Rose Henvey

Title: Commissioner

Date: 10/14/14

New York State Department of Environmental Conservation

By: Joseph J. Martles

Title: Commissioner

Date: 10/22/14

Attachment 1 – List of Fire Towers

OWNERSHIP / STATUS	NAME	REGISTER STATUS	REG	TOWN	COUNTY
STATE OWNED / LISTED OR ELIGIBLE					
PHOENICIA WILD FOREST	MOUNT TREMPER	LISTED	3	SHANDAKEN	ULSTER
BALSAM LAKE MOUNTAIN WILD FOREST	BALSAM LAKE MOUNTAIN	LISTED	3	NEW PALTZ	ULSTER
SUNDOWN WILD FOREST	RED HILL	LISTED	3	NEW PALTZ	ULSTER
HUNTER-WEST KILL MOUNTAIN WILDERNESS	HUNTER MOUNTAIN	LISTED	4	STAMFORD	GREENE
TAYLOR POND WILD FOREST	POKE-O-MOONSHINE MOUNTAIN	LISTED	5	CHESTERFIELD	ESSEX
SAINT REGIS MOUNTAIN FIRE TOWER HISTORIC AREA	ST. REGIS MOUNTAIN	LISTED	5	SANTA CLARA	FRANKLIN
HURRICANE MOUNTAIN FIRE TOWER HISTORIC AREA	HURRICANE MOUNTAIN	LISTED	5	ELIZABETHTOWN	ESSEX
BLUE MOUNTAIN WILD FOREST	BLUE MOUNTAIN	LISTED	5	INDIAN LAKE	HAMILTON
SARGENT PONDS WILD FOREST	OWLS HEAD MOUNTAIN	LISTED	5	LONG LAKE	HAMILTON
BLUE RIDGE WILDERNESS	WAKELY MOUNTAIN	LISTED	5	LAKE PLEASANT	HAMILTON
HAMMOND POND WILD FOREST	BELFRY MOUNTAIN	LISTED, NHL	5	MORIAH	ESSEX
VANDERWHACKER MOUNTAIN WILD FOREST	VANDRWHACKER MOUNTAIN	LISTED, NHL	5	MINERVA	ESSEX
WILCOX LAKE WILD FOREST	HADLEY MOUNTAIN	LISTED	5	HADLEY	SARATOGA
DEBAR MTN. WILD FOREST	LOON LAKE MOUNTAIN	LISTED	5	FRANKLIN	FRANKLIN
DEBAR MTN. WILD FOREST	AZURE MOUNTAIN	LISTED	5	WAVERLY	FRANKLIN
JESSUP RIVER WILD FOREST	SNOWY MOUNTAIN	LISTED	5	INDIAN LAKE	HAMILTON
JESSUP RIVER WILD FOREST	PILLSBURY MOUNTAIN	LISTED	5	ARIETTA	HAMILTON
SHAKER MOUNTAIN WILD FOREST	KANE MOUNTAIN	LISTED	5	CAROGA	FULTON
HORSESHOE LAKE WILD FOREST	MOUNT ARAB	LISTED	6	PIERCEFIELD	ST. LAWRENCE
BLACK RIVER WILD FOREST	WOODHULL MOUNTAIN	LISTED	6	WEBB	HERKIMER
FULTON CHAIN WILD FOREST	RONDAXE (AKA BALD) MOUNTAIN	LISTED	6	WEBB	HERKIMER
MCDONOUGH STATE FOREST	BERRY HILL	ELIGIBLE	7	MCDONOUGH	CHENANGO
STATE EASEMENTS / LISTED OR ELIGIBLE					
OPEN SPACE CONSERVANCY	MOUNT ADAMS	LISTED	5	NEWCOMB	ESSEX
LYME ADIRONDACK TIMBERLANDS LLC	STILLWATER MOUNTAIN	ELIGIBLE	6	WEBB	HERKIMER
STATE OWNED / UNEVALUATED					
OVERLOOK MOUNTAIN WILD FOREST	OVERLOOK MOUNTAIN		3	WOODSTOCK	ULSTER
NIMHAM MOUNTAIN MUA	NIMHAM MOUNTAIN		3	NEW PALTZ	PUTNAM
ROOSA GAP STATE FOREST	ROOSA GAP MOUNTAIN		3	MAMAKATING	SULLIVAN
GRAHAM MOUNTAIN STATE FOREST	GRAHAM MOUNTAIN		3	HOPE	ORANGE
BEEBE HILL STATE FOREST	BEEBE HILL (AKA L&F)		4	AUSTERLITZ	COLUMBIA
LEONARD HILL STATE FOREST	LEONARD HILL		4	BROOME	SCHOHARIE
PRIVATE PROPERTY	COLFAX MOUNTAIN		5	JACKSON	WASHINGTON
CHAZY HIGHLANDS WILD FOREST	LYON MOUNTAIN		5	SARANAC	CLINTON
SUGAR HILL STATE FOREST	SUGAR HILL		8	ORANGE	SCHUYLER

STATE OWNED / INELIGIBLE

LAKE GEORGE WILD FOREST	BLACK MOUNTAIN		5	DRESDEN	WASHINGTON
GORE MOUNTAIN INTENSIVE USE AREA	GORE MOUNTAIN		5	JOHNSBURG	WARREN

OWNED BY OTHERS

PRIVATE	STISSING MOUNTAIN		3	PINE PLAINS	DUTCHESS
PRIVATE	CLOVE MOUNTAIN		3	UNION VALE	DUTCHESS
OPRHP LANDS	MOUNT BEACON	LISTED	3	FISHKILL	DUTCHESS
OPRHP LANDS	STERLING MOUNTAIN	ELIGIBLE	3	WARWICK	ORANGE
NYC LANDS	ROCK RIFT FIRE		3	TOMPKINS	DELAWARE
OPRHP LANDS	DICKINSON HILL		4	GRAFTON	RENSSELAER
PRIVATE	MOUNT UTSAYANTHA		4	STAMFORD	DELAWARE
PRIVATE	CATHEAD MOUNTAIN		5	BENSON	HAMILTON
PRIVATE	PALMER HILL		5	BLACK BROOK	CLINTON
SARATOGA COUNTY	SPRUCE MOUNTAIN		5	CORINTH	SARATOGA
PRIVATE	SWEDE MOUNTAIN		5	HAGUE	WARREN
WANAKENA RANGER SCHOOL	TOOLEY POND MTN (FORMER)		6	FINE	ST LAWRENCE
PRIVATE	PAGE POND MOUNTAIN		7	SANFORD	FROOME

Attachment 2 – Fire Tower Maintenance Checklist

New York State Department of Environmental Conservation Guidelines for Historic Fire Tower Maintenance

The Department's goal in maintaining historic fire towers is to provide a safe, enjoyable recreational and educational experience to the visiting public through access to an historic structure that, insofar as practicable, retains the appearance and character of an in-service fire observation tower. These Guidelines are intended to provide Department staff and volunteer partners with the information and direction necessary to achieve this goal. The following discusses the details of the areas where experience has shown that repair or replacement of materials is necessary. Replacement of materials is assumed to be in-kind in order to maintain integrity of appearance and function. Questions regarding the implementation of these guidelines should be referred to the Regional Forester who will resolve them in consultation with appropriate Department staff.

The following list represents a compilation of typical repairs, recommendations and observations made from past fire tower inspections. The use of this list is not a substitution for an inspection by a licensed engineer, but serves as a guideline for what to expect when looking to rehabilitate a fire tower.

1. Inspect existing base pads and anchors. Concrete should be inspected for cracks and spalling – metal anchors for corrosion. Cracked anchor pads should be removed to inspect and clean the anchor within. Clean and paint anchor assemblies. Cast new concrete base pads with a loop of #3 reinforcing steel to same size and shape as the original. The pads will serve to protect the integrity of the original anchor bolts.
2. Inspect all structural members of the tower. Replace obviously bent, broken, and/or severely corroded members as recommended and specified by the Engineer. Drill new members only as required to fasten as original. Replace all end fasteners in new members with A325 Type I galvanized high strength bolts and washers. Replace interior fasteners with Grade 5 hardware or better.
3. Inspect for missing, corroded or loose bolts. Depending on the age of the tower it may be necessary to replace many of the bolts and washers. All structural bolts shall be A325 Type I galvanized high strength bolts except for diagonal bracing midpoints which may be Grade 5 bolts.
4. Inspect all wooden members of the cabin, stairs, and platforms. Replace obviously weak, worn, or broken planks with pressure treated lumber.
5. Inspect/replacement the hardware (ends only) that attaches the steel angle supporting the cabin floor decking to the tower frame.
6. Inspect existing handrail top to bottom at all levels. Replace lost or damaged rails and securely fasten loose members at all locations.
7. Galvanized welded wire fence at all platform landings and handrails should be installed where missing or replaced as necessary. Fasten securely on all sides at even intervals. Avoid sharp burrs and exposed ends of fence fabric and tie wires.

8. Replacement/repair of roof and other missing cabin components. Use Grade 5 or better bolts and washers in all locations unless noted otherwise.
9. Replacement/repair of windows and window frames in cabin.
10. Install a 42” safety rail w/ mid-rail, chain, and clasp at entrance to cabin. Chain off opening between rail and wall when occupied.
11. Mount signs (posted occupancy limit, interpretive, etc, if applicable) with clamps to structure or on posts independent of structure. Confirm that existing signs are no installed in a deleterious manner. No unnecessary/unauthorized drilling of tower members. For standard cabins (7 ft x 7 ft) the maximum occupancy is 8 persons. The landings should be limited to an occupancy of 4 persons.
12. Clear footprint of the tower of all leaves, branches, and debris and grade to drain. Anchors should be high and dry and monitored at regular intervals to insure that water does not pond at the corners. Some locations may require careful chipping of the natural rock to create a path for passive drainage.
13. Inspect existing base pads and anchors. Concrete should be inspected for cracks and spalling – metal anchors for corrosion. Cracked anchor pads should be removed to inspect and clean the anchor within. Clean and paint anchor assemblies. Cast new concrete base pads with a loop of #3 reinforcing steel to same size and shape as the original. The pads will serve to protect the integrity of the original anchor bolts.
14. Routine painting is recommended to preserve the appearance and integrity of structure. When required, paint all exposed structural steel with an appropriate coating (MC Urethane). Corroded or peeling areas should be prepared beforehand by power tool cleaning and primed.
15. Painting of the floor treads and landings with a slip resistant paint should be considered for safety.
16. All structural repairs should be made by qualified individuals. Removal/replacement of structural members and bolts needs to be done in a manner that will not jeopardize the towers integrity nor the installer’s health and safety. The installation of A325 bolts need to be properly torqued.
17. Proper direction and supervision should be provided to any volunteer groups or other individuals assisting with the rehabilitation.
18. A visual inspection of the tower should be performed on an annual basis in perpetuity. This inspection should check the general condition of all components for deterioration, damage, missing or loose fasteners, base drainage, and coating performance. Any significant changes in expected use or otherwise questionable findings should be reported to the Engineer for further investigation.