

Public Access Infrastructure Plan

Lyme Emporium Highlands II LLC,
Conservation and Public Access Easement and Declaration of
Restrictive Covenants
Sterling Run Tract
Shippen and Lumber and Townships, Cameron County

July 27, 2018

I. Introduction

The Department of Conservation and Natural Resources ("DCNR" or "Department") has responsibility for managing public access and recreation on the Sterling Run easement property ("Protected Property"), in accordance with a certain Conservation and Public Access Easement and Declaration of Restrictive Covenants ("Easement") entered into between Lyme Emporium Highlands II, LLC ("Landowner") and the DCNR in a manner consistent with the terms and conditions of the Easement. DCNR will utilize this Public Access Infrastructure Plan ("PAIP") in pursuance of its affirmative rights under the Easement, as they relate to development of public access infrastructure. The purpose of this document is to serve as a communication mechanism between the Landowner and DCNR for coordination and planning regarding public access infrastructure. This PAIP will address the general objectives and guidelines regarding public access infrastructure and DCNR's plans regarding public access infrastructure on the Protected Property. The maps and action plans provided in this PAIP indicate the opportunities and desired outcomes for public access infrastructure on the Protected Property. Actual implementation of these plans is dependent on evaluations of need and suitability and subject to available funding and staffing constraints.

A. Public Access Infrastructure Plan Objectives and Guidelines

1. General Plan Objectives. The Grantee's planning for public access infrastructure shall be consistent with the Conservation Purposes and the following general objectives:
 - (i) the promotion of public access and use of the Protected Property for dispersed, low-density recreation and the associated range of activities as defined in the State Forest Resource Management Plan (SFRMP) as revised from time to time and the State Forest Rules and Regulations as revised from time to time in a manner that does not degrade the Conservation Values of the Protected Property;
 - (ii) public safety;
 - (iii) the protection of natural resource values and biological diversity, recognizing that the capacity of the Protected Property to accommodate public recreation is limited and that the intent is to focus on natural resource management and providing a dispersed, low-density recreation component; and
 - (iv) not unreasonably interfering with the Landowner's Forest Management Activities.
2. Specific Plan Guidelines and Contents. In addition to the general objectives listed above, the PAIP shall include the following and be amended from time to time pursuant to the terms of the Easement:
 - (i) The PAIP shall establish minimum standards and specifications for roads and trails designated for public use. Based on the standards and specifications, the Grantee shall decide whether portions of trails and roads designated in the Public Access Infrastructure Plan for public use shall be maintained, repaired, improved, or relocated, or if public use shall be temporarily suspended.
 - (ii) The PAIP shall include a map of the Protected Property and shall identify:
 - a) roads open to Motor Vehicles;
 - b) roads and trails open to Motorized Recreational Vehicles;
 - c) Motorized Camping areas;
 - d) major hiking trails;
 - e) trails open to biking;
 - f) trails open to horseback riding;
 - g) primitive camping corridors;

- h) group picnic areas;
- i) parking areas; and
- j) other existing or planned Public Access Infrastructure.

It is intended that the PAIP remain consistent and in effect over time, despite changes in agency personnel or private land ownership. Periodically the PAIP may be revised, updated, or amended, according to the process laid out in the Easement.

B. Public Use Administration and Management

1. Laws

The Conservation and Natural Resources Act

Recreational use of the Protected Property shall be administered pursuant to programs and policies established by DCNR for management of lands acquired as State forests, pursuant to the Conservation and Natural Resources Act, Act 18 of 1995, 71 P.S. § 1340.302(a)(1) (“Act 18”), as amended from time to time.

2. Regulatory Requirements

DCNR shall allow and have the obligation to manage public recreational uses in accordance with and subject to the State Forest Rules and Regulations, 17 Pa. Code Chapter 21, as amended from time to time (“Rules and Regulations”). In the event of any conflicts between the terms of such Rules and Regulations and the Easement, the terms and conditions of the Easement shall prevail.

3. Guidelines and Standards

Pursuant to the terms of the Easement, the DCNR shall allow for low-density, dispersed recreational use of the Protected Property and shall manage such use and its related infrastructure in accordance with the following:

2016 State Forest Resource Management Plan

The State Forest Resource Management Plan (“SFRMP”) is the primary instrument that DCNR uses to plan, coordinate, and communicate its management of the state forest system.

State Forest Road Maintenance Manual, May 2013

DCNR maintains roads for administration and management of the state forest system as well as for public access, for certain roads. The purpose of this manual is to present and explain methods that have proven to reduce the erosion, sediment, and dust that pollute streams and air, as well as to allow safe access to motorists visiting or working on state forest land.

Pennsylvania Trail Design and Development Principles

This document contains a compilation of best practices and guidelines for the planning, design, construction, and management of trails that create a desirable user experience and remain physically and environmentally sustainable.

Guidelines for Marking Recreational Trails

These guidelines provide the parameters for marking recreational trails in a consistent manner.

Erosion and Sedimentation Guidance for State Forest Management

This document provides management goals and objectives, including guidance in an effort to avoid, prevent, and remedy potential conditions for erosion and sedimentation.

Motorized and Primitive Camping Guidelines and Ethics

This pamphlet describes the rules for camping on state forest lands as well as providing guidance and recommendations. However, notwithstanding the rules in the pamphlet, a DCNR camping permit is required for all primitive and motorized camping on the Protected Property.

Bureau of Forestry Sign Manual

This manual is designed to provide uniformity standards for public signage. The goals for the sign system are to: 1) conform to a uniform sign system, 2) reflect creativity and interest, 3) be appropriate for the area, and 4) inform and direct the visitor.

Forestry Gate and Barrier Specifications

This tool provides technical drawings and specifications for the different types of gates used by DCNR on state forest lands.

Guidelines for Snowmobiling Trail Signage and Placement

This document provides guidelines for the effective placement of signs on recreational snowmobile trails.

Search and Rescue Program Manual

This manual contains processes and procedures for search and rescue operations on DCNR lands.

Trail Policies on State forest lands

This document describes different kinds of trail use within the state forest system. Motorized and non-motorized uses are included.

Policy on Use of Powered Mobility Devices by Persons with Disabilities on State Park and State Forest Property

DCNR permits persons with mobility disabilities to use powered mobility devices for purposes of accessing DCNR lands.

Camping Policy for State forest lands

This camping policy is the operating procedure that DCNR uses to manage increasing recreation camper numbers and the resulting impacts on state forest ecosystems. The policy aims to provide consistency across DCNR lands in how camping is managed.

4. General Recreation Best Management Practices

All public recreation management activities will incorporate the use of Best Management Practices (BMPs) to the greatest practical extent. BMPs are those methods, procedures, and devices that are designed to prevent or minimize soil erosion, water run-off, damage to natural resources or wildlife habitat, pollution, pathogens, or other negative environmental impacts when conducting various management activities. BMPs related to the implementation of public access and recreational improvements on the Protected Property may include, but need not be limited to, such considerations as:

- Locating improvements away from streams, wetlands, and unstable slopes.

- Locating improvements to minimize necessary cut and fill.
- Locating camping sites or other structures on flat, stable, well-drained sites.
- Locating roads on existing old roads or cleared, or partially cleared areas.
- Locating trails to minimize grade and avoid streams, wetlands, and unstable slopes.
- Avoiding areas where threatened and endangered species are known to exist.
- Limiting the size of parking lots and other improvements to the minimum necessary to meet the intended use.
- Minimizing tree cutting.
- Using proper drainage devices, such as water bars and broad-based dips, to prevent erosion and damage to improvements.
- Using stream crossings with low, stable banks, firm stream bottom, and gentle approach slopes.
- Constructing roads, trails, bridges and other stream crossings at right angles to the stream.
- Limiting stream crossings and construction on or near streams to periods of low flow.
- Designing, constructing, and maintaining bridges and other improvements on or near streams to avoid disrupting or preventing movement of fish and other aquatic species.
- Minimizing the use of equipment in streams.
- Using soil stabilization practices on exposed soil around construction areas, especially bridges, immediately after construction.

5. Management Authority, Staff and Responsibility

DCNR, by and through its Bureau of Forestry, has primary responsibility for managing public use of the lands subject to this Easement, including development of this PAIP, development of DCNR workplans and schedules, and coordination of activities under this PAIP with the Landowner. The District Forester will have overall responsibility for these matters and will be the primary liaison with the Landowner regarding public access and use issues. Forest Rangers and State Forest Officers have primary responsibility for monitoring and enforcement of public use of the Protected Property.

The development of this PAIP has primarily involved DCNR staff and the Landowner's land management staff. DCNR staff will communicate with the Landowner regularly to address concerns or problems and to coordinate future work. Annual meetings shall be held to review and discuss: activities completed in the previous year, proposed annual work plans for the upcoming year, the proposed schedule of activities, including maps, and descriptions of activities, notices of intent to cut for the upcoming year (as may be available at the time of the annual meeting) and any activities that require review or approval of either party.

In accordance with the provisions of the Easement, the ability of DCNR to exercise its affirmative, public access infrastructure rights is subject to the availability of staff resources and moneys appropriated or otherwise available to DCNR and designated for such purposes.

C. Public Access Infrastructure Plans and Action Items

The Department has developed this PAIP in accordance with the Easement between the Lyme and DCNR effective July 31, 2018. This PAIP hereby incorporates the terms and conditions set forth in the Easement.

On the pages that follow, DCNR provides maps indicating the planned locations of the types of public access infrastructure identified for inclusion in the PAIP in the Easement. Following each map is a list

of action items related to that type of public access infrastructure. As stated above, the maps and action plans provided in this PAIP indicate the opportunities and desired outcomes for public access infrastructure on the Protected Property. Actual implementation of these plans is dependent on evaluations of need and suitability and subject to available funding and staffing constraints.

A. Roads Open to Motor Vehicles

Roads to be open to Motor Vehicles (as defined in the Easement) are generally depicted on Figure A below. Additional roads open to Motor Vehicles may be determined through further coordination with the Landowner in a revised version of this PAIP.

Roads open to Motorized Vehicles will need to be evaluated with the consideration of visitor safety as the number one priority. Bridges, culverts, road width, surface material, signage, gates, parking areas, staffing, and budgets will need to be scrutinized before decisions can be made to open a road to public use of Motor Vehicles.

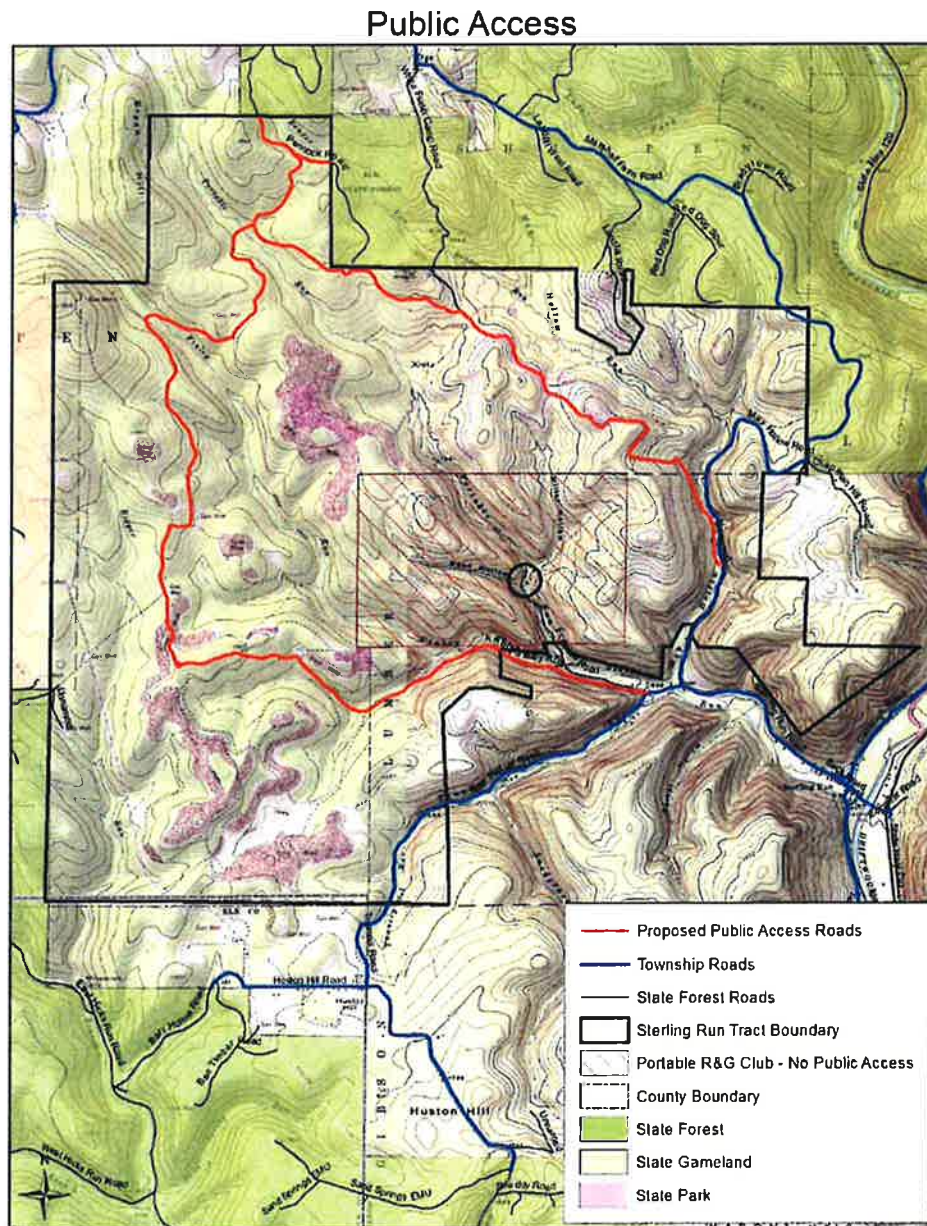


Figure A – Roads to be open to public access by Motor Vehicle.

Department Actions

Phase 1:

- Evaluate road conditions
- Evaluate the costs associated with improvement and maintenance of public access roads
- Evaluate locations for gates
- Evaluate locations for signage
- Evaluate locations for pull offs near gates
- Develop map with public access road locations

Phase 2:

- Obtain funding and staffing for additional work load
- Conduct road improvements
- Install gates
- Install signage

B. Roads and Trails Open to Motorized Recreational Vehicles

At present time, there are no plans to open trails to Motorized Recreational Vehicles (as defined in the Easement).

C. Motorized Camping Areas

Motorized Camping Areas (as defined in the Easement) are generally depicted on the Figure C below. Two additional Motorized Camping Areas may be constructed at Parking Area locations depicted in Figure I, through further coordination with the Landowner.

The Motorized Camping Areas will be located within 300 feet of a road open to the public or at/near a trail head. Motorized Camping Areas will typically accommodate between one and five vehicles. The sites will be well-drained and be located more than 200 feet from any waterbodies, following DCNR's guidelines.

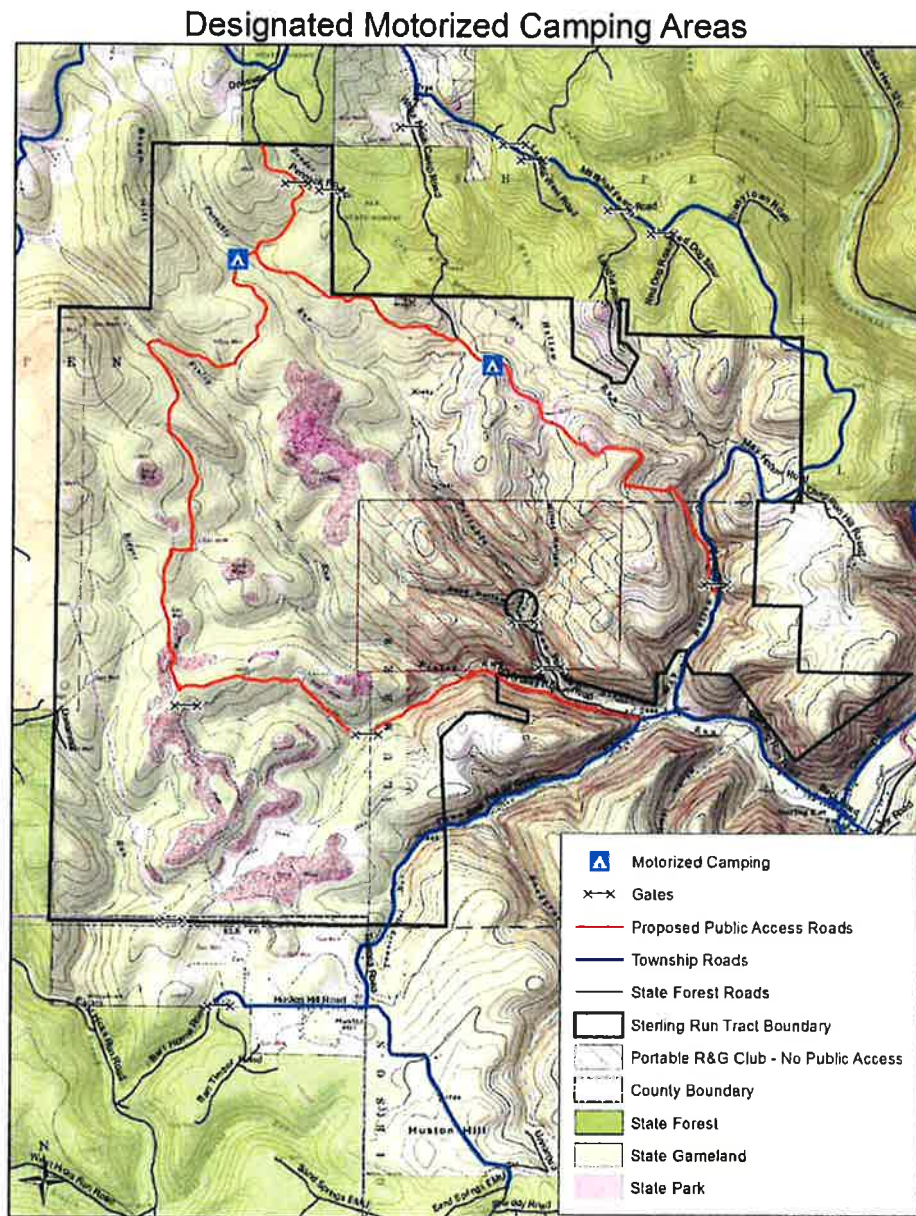


Figure C. Motorized Camping Areas.

Department Actions

Phase 1:

- Evaluate the need for Motorized Camping Areas depicted in Figure C
- Construct Motorized Camping Areas depicted in Figure C
- Install signage for any Motorized Camping Areas
- Develop the process for managing Motorized Camping Areas permits
- Develop the process for yearly Motorized Camping Areas reporting

Phase 2:

- Evaluate need and locations for additional Motorized Camping Areas
- Develop map with Motorized Camping Area locations
- Develop maintenance costs: budgets and staffing needs

D. Major Hiking Trails

At present time, DCNR has not established any major hiking trails. Major hiking trails may be determined in future versions of the PAIP. However, pursuant to the terms of the Easement, DCNR has the right to allow the public to hike on and across all of the Protected Property.

E. Trails Open to Biking

Trails Open to Biking shall use existing roads, skid trails, and cross-country connections in the partial tract shown in Figure E below. Specific locations are unknown at this time, but the general area DCNR may begin trail evaluation is delineated below in Figure E. Final trail locations will be determined by the Department in a revised Plan.

Trails may be hardened surfaces that will be sustainable and maintained on a regular rotation. If constructed, the Department may link this trail to the existing Thunder Mountain Equine Trail (TMET) which is a non-motorized multi-use trail system for hiking, bicycling and horses.

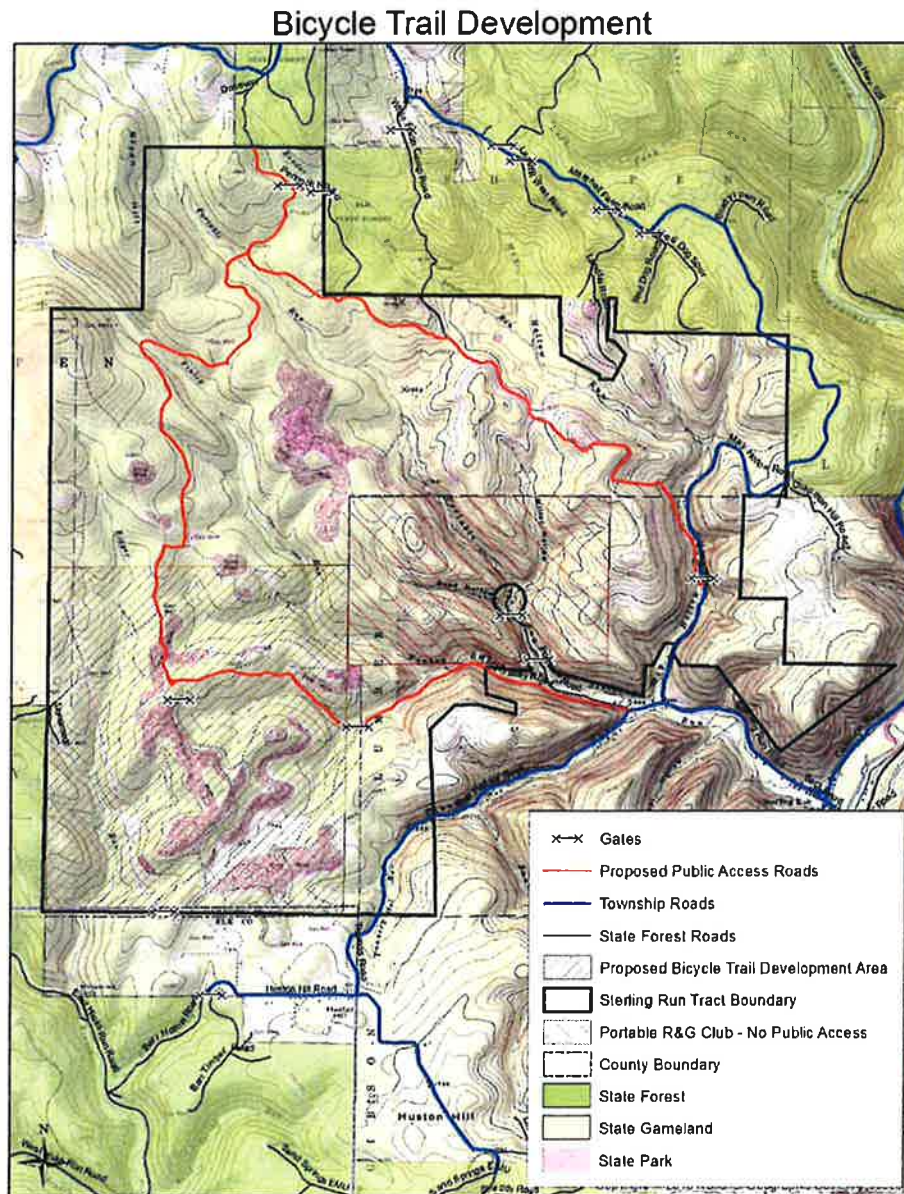


Figure E. Partial tract that will be focus area for biking trail evaluations and construction.

Department Actions

Phase 1:

- Evaluate the need for bicycle trails
- Evaluate locations for bicycle trails
- Evaluate the costs associated with development and maintenance of bicycle trails

Phase 2:

- Conduct trail construction and installation of information signage
- Determine need for new parking areas to match acceptable bicycle trail use numbers
 - Determine the locations of associated parking areas in revised PAIP
- Determine need for new camping areas associated with bicycle trail use
 - Determine the locations of associated camping areas in revised PAIP
- Develop yearly maintenance needs: staffing and budgets
- Develop map with bicycle trail locations
- Evaluate remainder of Protected Property for expansion of bicycle trails in a revised PAIP

F. Trails Open to Horseback Riding

Trails Open to Horseback Riding shall use existing roads, skid trails, and cross-country connections in the partial tract shown in Figure F below. Specific locations are unknown at this time, but the general area DCNR may begin trail evaluation is delineated below in Figure F. Final trail locations will be determined by the Department in a revised Plan.

Trails may be hardened surfaces that will be sustainable and maintained on a regular rotation. If constructed, the Department may link this trail to the existing Thunder Mountain Equine Trail (TMET) which is a non-motorized multi-use trail system for hiking, bicycling and horses.

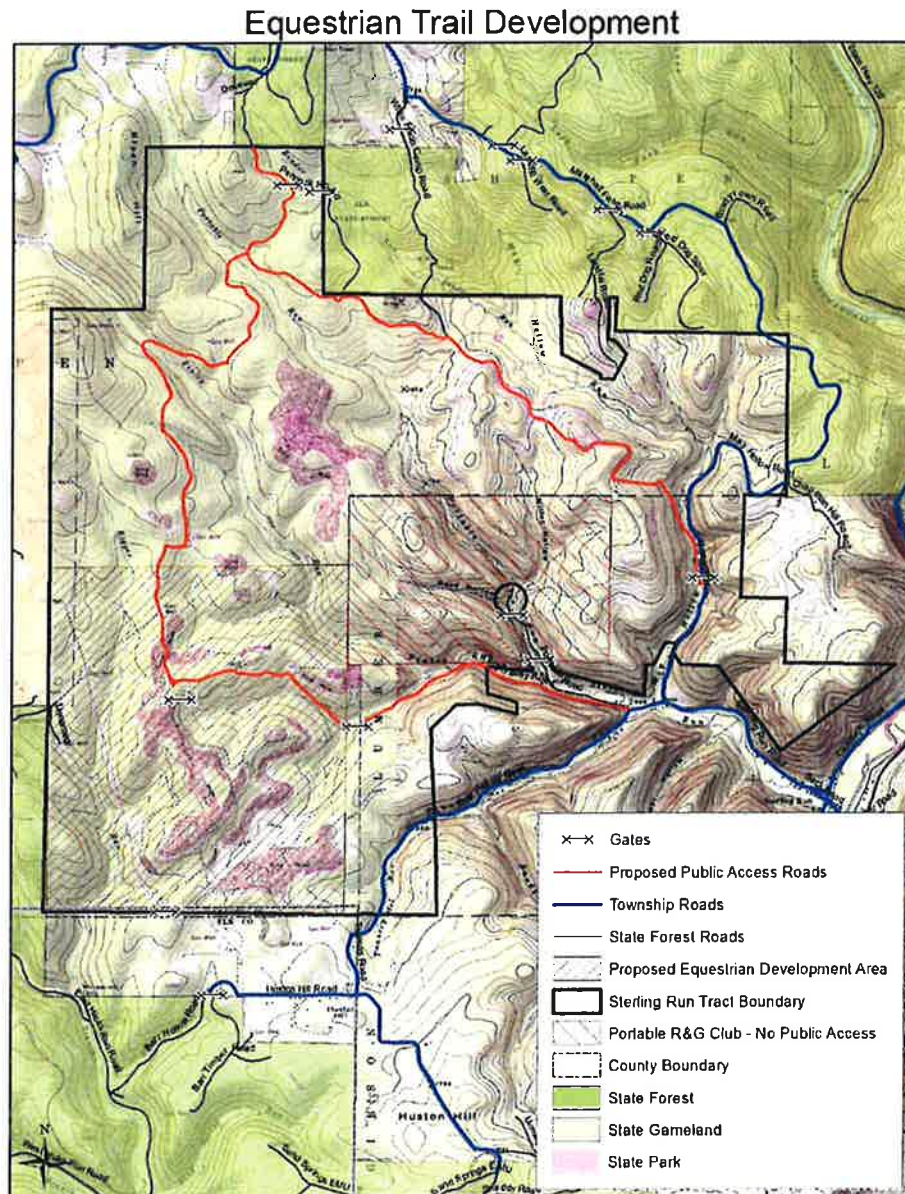


Figure F. Partial tract that will be focus area for horseback riding trail evaluations and construction.

Department Actions

Phase 1:

- Evaluate the need for horseback riding trails
- Further evaluate location options for horseback riding trails
- Evaluate the costs associated with development and maintenance of horseback riding trails

Phase 2:

- Conduct trail construction and installation of information signage
- Determine need for new parking areas to match acceptable trail use numbers
 - Determine the locations of associated parking areas in revised PAIP
- Determine need for new camping areas associated to trail use
 - Determine the locations of associated camping areas in revised PAIP
- Develop yearly maintenance needs: staffing and budgets
- Develop map of locations
- Evaluate remainder of Protected Property for expansion of horseback riding trails in a revised PAIP

G. Primitive Camping Corridors

DCNR has established primitive camping corridors at locations delineated below in Figure G. These primitive camping corridors will be located along stream corridors. According to the Department's guidelines, actual camp sites must be greater than 100 feet from any waterbody.

Primitive Camping Corridors

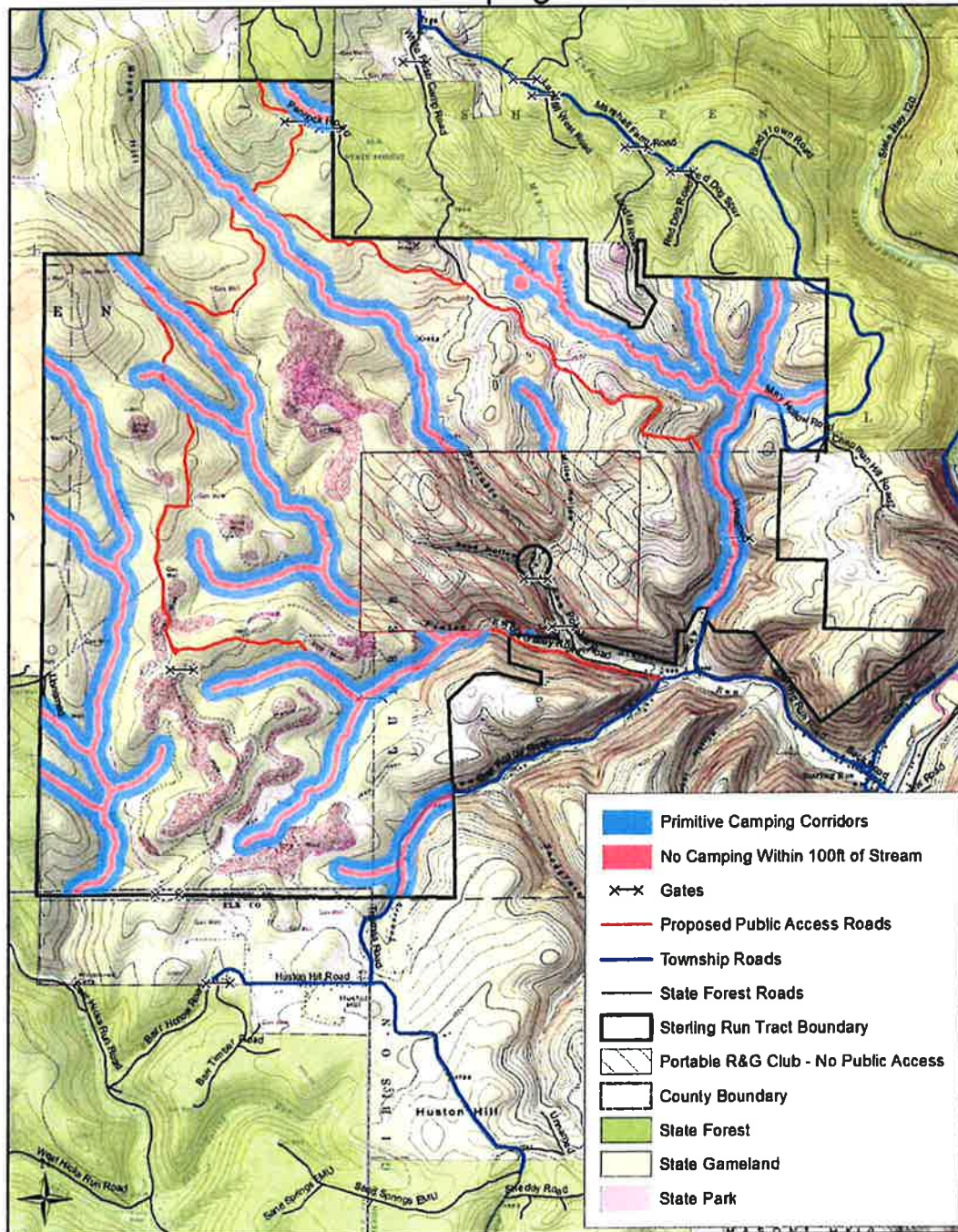


Figure G. Primitive camping corridors.

Department Actions

Phase 1:

- Develop the process for managing primitive camping corridor permits
- Develop the process for yearly primitive camping reporting

Phase 2:

- Develop map with primitive camping corridor locations
- Evaluate future needs for new primitive camping corridors for inclusion in a revised version of this PAIP.
- Develop maintenance costs: budgets and staffing needs

H. Group Picnic Areas

The Department has not determined locations of group picnic areas at this time. Typically, they are associated with vistas or other popular recreational features. Group picnic areas will be determined in future versions of the PAIP.

I. Parking Areas

DCNR may establish parking areas that will be available to the public to use at locations generally delineated below in Figure I. Parking areas may be associated with the public's use of the protected property for hunting, fishing, primitive camping, and Motorized Camping, general access and other rights associated with the public's use in the Easement. Parking areas will typically accommodate between one and five vehicles. Log-landings should not be used by the public as parking areas.

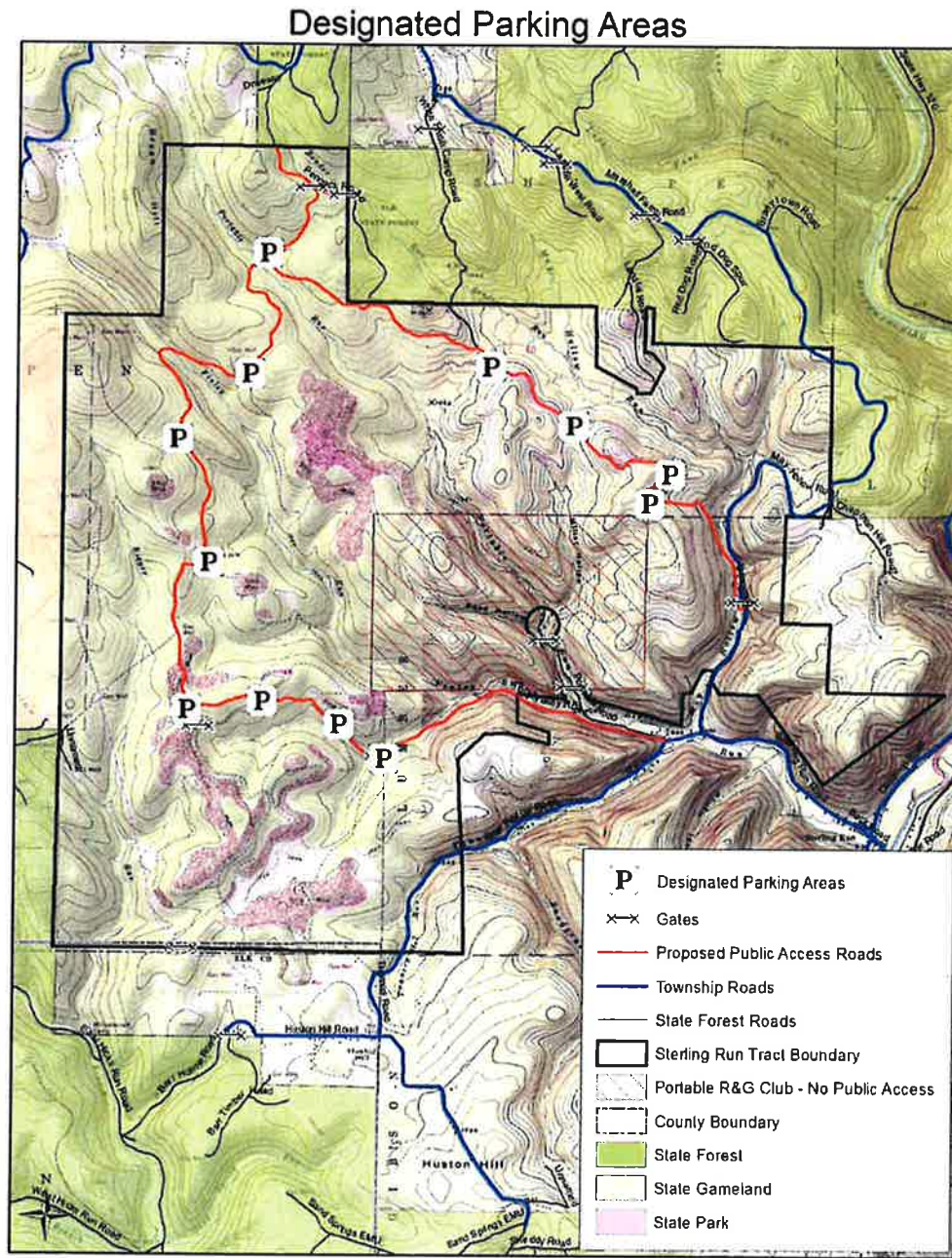


Figure I. Parking areas.

Department Actions

Phase 1:

- Evaluate the need for parking areas
- Construct parking areas and install associated signage

Phase 2:


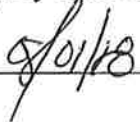
- Develop new parking areas where needed, either at locations established in Figure I or at new locations in a revised version of the PAIP.
- Develop map with parking area locations

J. Other Existing or Planned Public Access Infrastructure

No other public access infrastructure is planned at this time.


K. Landowner's Acceptance of the PAIP

The Department has developed this PAIP, dated July 27, 2018, to facilitate and manage public recreational uses of the Protected Property. This PAIP has been developed in coordination with the Landowner, for the Landowner's acceptance.

By: 
Name: John Norbeck
Title: Deputy Secretary
Date: 

The Landowner, Lyme Emporium Highlands II LLC, hereby accepts the DCNR's July 27, 2018 PAIP; and acknowledges that this PAIP has met the requirements of the Easement and that it is consistent with the Conservation Purposes and terms of the Easement.

Lyme Emporium Highlands II LLC
By: LTC Management LLC
Its: Manager

By: 
Name: Thomas Morrow
Title: Managing Member
Date: 