

 <p>P.O. Box 99 • Ray Brook, New York 12977 (518) 891-4050 www.apa.state.ny.us</p>	<p>General Permit 2012G-1 Application and Certification</p>	<p>Project #:</p> <p>Expiration Date: XXXXXXX, 2016</p>
<p>Application and Certification For Silvicultural Treatments For Sustainable Forestry in the Adirondack Park</p>		

Instructions: *All questions must be answered completely. Submit this form with all of the required attachments in person or by mail to the Adirondack Park Agency at the above address. A site visit by Agency staff will be required. You may not undertake the project until you have received this General Permit Certification signed by Agency staff.*

SECTION I – ELIGIBILITY

In order to be eligible for a Certification issued pursuant to this General Permit, all of the following must apply.

- (1) The sole basis of Agency jurisdiction on the project site is timber harvesting that includes a proposed clearcutting of any single unit of land of more than twenty-five acres. This General Permit is not applicable to projects involving a designated Wild, Scenic, or Recreational River area, a regulated activity under the Freshwater Wetlands Act (except construction of a woods road involving Class 3 or 4 wetlands), or on project sites involving an active application for a jurisdictional subdivision.
- (2) The lands proposed for treatment have forest management certification under the Forest Stewardship Council (FSC) or the Sustainable Forestry Initiative (SFI) certification programs as demonstrated by the certification certificate. The proposed treatment shall be in compliance with the terms of the certification certificate.
- (3) The Project Sponsor must submit a complete application.
- (4) The application must contain all of the required attachments including a narrative and graphic description of timber harvesting on the project site, including size of the site, harvest history, integration with previous forest management actions, maps, photos, and documentation that the proposed clearcut is prescribed for regeneration within the approved forest management plan and a detailed implementation schedule of project components.
- (5) If Agency staff determines that the project must be referred to the Office of Parks, Recreation and Historic Preservation (OPRHP), the Agency must receive documentation from OPRHP indicating that the project will not have an impact on historic or archeological resources, listing their recommendations for studies or surveys to be completed, and/or detailing their recommendations for mitigation of any impacts to historic or archeological resources.

- (6) The Deputy Director, Regulatory Programs determines the proposal as demonstrated by the application materials can be authorized by this General Permit under section 809(9) or 809(10) of the Adirondack Park Agency Act.

SECTION II - PROCEDURES

- (1) To commence Agency review of a proposed project pursuant to this General Permit, the Project Sponsor must fully complete and submit this application and all required attachments to:

Adirondack Park Agency
Deputy Director, Regulatory Programs
P.O. Box 99
Ray Brook, New York 12977

- (2) Upon receipt of the application materials, the Agency will post notice of the received application on the Public Input page of the Agency's website.
- (3) Within 30 working days of receipt of an application, Agency staff will confirm jurisdiction, determine whether the proposed project meets the eligibility criteria, and review the application for completeness. Agency staff will contact the applicant to arrange a meeting at the project site. If the application is incomplete, Agency staff will inform the Project Sponsor in writing what information is missing, at which time the 30 working day clock will be suspended. Upon submission of new material, the Agency shall have a new 30 working day period.
- (4) Based on analysis by Agency staff, the Agency's Deputy Director, Regulatory Programs will determine whether the project as proposed conforms to the eligibility criteria cited herein. Where an application is determined to be ineligible for processing under this General Permit, the Agency will send a letter explaining why the project is ineligible and stating that the activity will be reviewed again upon receipt of the supplemental information necessary for processing a major project permit application.
- (5) Within ten working days of receipt that the application is deemed complete and a determination by the Agency's Deputy Director, Regulatory Programs that the proposal is eligible for authorization under General Permit 2012G-1, the Agency will issue a signed Certification approving the project which will remain effective so long as eligibility criteria are maintained and there is no change to the proposed treatment or approved implementation schedule.
- (6) The review time periods established in Executive Law § 809 shall not apply to Agency review of an application pursuant to the General Permit, except that if the Agency does not issue a Certification within ten days of determining that a proposed project is eligible for authorization under General Permit 2012G-1, the procedures established in Executive Law § 809(6)(a) shall apply.

(7) By signing the application, the Project Sponsor:

- a. Confirms that the information contained in the application is true, accurate and complete;
- b. Agrees to undertake and complete the project in full compliance with the conditions of the General Permit Certification issued by the Agency; and
- c. Agrees to allow Agency staff, upon reasonable notice, access to the project site in order to review the proposed project.

Section III – REQUIRED INFORMATION

1. Project Sponsor(s) *

Name(s)_____

Mailing Address:_____

Telephone (Daytime): (____)_____ FAX: (____)_____

2. Current Property Owner(s) (All named on the current deed of record)

____ Check if same as Project Sponsor(s)

Name(s):_____

Mailing Address:_____

Telephone (Daytime): (____)_____ FAX: (____)_____

* The Project Sponsor is any person having a specific legal interest in property who makes application to the Agency for review of a project proposed on such property. Documentation demonstrating such legal interest must be provided such as a current deed or purchase contract.

3. Authorized Contact Person

I do not choose to have an authorized contact person.

If you, the Project Sponsor, choose to have your real estate agent, lawyer, surveyor, engineer, contractor, or another person act on your behalf before the Agency, please complete the following authorization:

I hereby authorize: (name) _____

Mailing Address: _____

Telephone (Daytime): (____)_____ FAX: (____)_____

to act as my agent in all matters relating to this permit application before the Adirondack Park Agency. I acknowledge that all contact regarding the permit application will be through my authorized contact person. I understand that I am ultimately responsible for the accuracy of the information contained in this permit application and for compliance with all conditions of any permit issued to me by the Agency.

4. Project Site

Town: _____ County: _____

Road: _____

Tax Map Number (see your tax bill): Section: _____ Block: _____ Parcel: _____

Name of Water body if on shoreline: _____

5. Prior Agency Contact

- a. Has there been any previous discussion with Agency staff regarding this project or project site, or has any Agency staff visited the project site? _____

If YES, provide the name of the APA staff person, if known:

- a. Has the project site been the subject of a past Agency action (i.e., permit application, variance, jurisdictional inquiry, enforcement case or wetland flagging)? _____

If YES, provide the past project number, jurisdictional inquiry number, enforcement case number or wetland delineation boundary flagging number, if known:

6. Historic and Archaeological Resources

Agency staff will determine if the forest management activities will be within an area or contain an element(s) identified as a potentially sensitive historic or archaeological resource. A referral to the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) may be necessary depending on the results of this analysis.

If Agency staff determines that the project must be referred to OPRHP, the Agency must receive documentation from OPRHP indicating that the project will not have an impact on historic or archeological resources, listing their recommendations for studies or surveys to be completed, and/or detailing their recommendations for mitigation of any impacts to historic or archeological resources.

OPRHP may be contacted at the following address and phone number:

Deputy Commissioner for Historic Preservation
 NYS Office of Parks, Recreation and Historic Preservation
 Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, (518)237-8643

Section IV – Required Attachments

(Your application will not be processed without all of the required attachments listed below.)

Attach and label, as **ATTACHMENT A**, a **written narrative**, on 8-1/2” x 11” paper that addresses the following:

1. Name and address of the Project Sponsor(s) and tax map number of the project site.
2. Provide a detailed written and graphic (maps and photos) description of the proposed silvicultural treatment. Include:
 - a. The size of the site, harvest history, and how this proposal will integrate with previous forest management actions.
 - b. How the proposed treatment is contained in or consistent with the approved forest management plan for the project site.
 - c. A description of residual stems in size class, density and species distribution.
 - d. A detailed implementation schedule of project components.
3. Provide a copy of the certification certificate.
4. Clearly describe any other new land use or development or subdivision proposed for the project site.

Attach and label, as **ATTACHMENT B** a map depicting the current real property tax parcels within ¼ mile (1320 feet) of the proposed activity, and the property boundaries of the project site.

Attach and label, as **ATTACHMENT C**, a **SCALED SITE PLAN MAP** clearly labeled with the map scale, north arrow, date of preparation, and name of preparer. Show and label all of the following and clearly identify all existing and proposed development within and up to 500 feet from the proposed activity (including utilities, driveways, etc):

- a) The location of existing buildings that are greater than 50 years in age and proposed buildings;
- b) Existing roads.
- c) Proposed new woods roads (including temporary roads).
- d) Location and extent of the proposed treatment.
- e) Publicly accessible roads and facilities within 500 feet of the proposed treatment.
- f) Any other proposed new land use or development.

Section V – General Conditions

- 1) Any project authorized by this General Permit shall be undertaken and completed only as described in the approved application and in compliance with the conditions contained in the authorizing Certification, including any site specific conditions. In the case of conflict, the conditions control.

- 2) The Certification shall be applicable to the Project Sponsor or any contractor working on all or a portion of the project site.
- 3) The Certification shall remain effective until xxxxxxxxxx, so long as the eligibility criteria are maintained and there is no change to the proposed treatment or approved implementation schedule.
- 4) Any alteration to the forest management plan as approved by the forest management certification program shall require additional Agency review and approval.
- 5) Failure to comply with this General Permit Certification is a violation and may subject the Project Sponsor or any contractor working on all or a portion of the project site to civil penalties and other legal proceedings, including modification, suspension or revocation.
- 6) Nothing contained in this General Permit Certification shall be construed to satisfy any legal obligations of the applicant to obtain any governmental approval or permit for any entity other than the Agency, whether federal, state, regional or local.
- 7) Within 30 days of receipt by the Project Sponsor, the Project Sponsor shall submit to the Agency a copy of each publicly available audit report, as applicable.
- 8) At the written request of the Agency, the Project Sponsor shall report in writing the status of the project, including details of compliance with any conditions of this Certification.
- 9) This Certification does not grant the Project Sponsor any right to trespass upon the lands of, or interfere with the riparian rights of others in order to perform the permitted work, nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the Certification.
- 10) Additional conditions, if any, may be added as determined by the Project Analyst and Deputy Director, Regulatory Programs based on site conditions.

Section VI – Certification, Authorization and Signatures

I have personally examined and am familiar with the information submitted in this application, including all attachments, and I hereby certify and affirm that this information is true, accurate and complete. By signing this permit application, the applicant(s) agree(s) to strictly comply with the conditions of this application and Certification.

X _____
Signature of Applicant

X _____
Signature of all Project Site Landowner(s) from current deed of record:
(Required for all applications)

Date

X _____
Signature of Authorized Representative(s) (if designated)

The co-signatures below indicate that the Adirondack Park Agency has issued the Certification for the project to commence in accordance with the conditions described herein.

X _____ Date: _____
Signature of APA Associate Adirondack Park Project Analyst (Forest Resources)
(Required before regulated activity can be started)

X _____ Date: _____
Signature of APA Deputy Director, Regulatory Programs (or designee)
(Required before regulated activity can be started)