


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit 2023-0103</p>
<p>In the Matter of the Application of</p> <p>NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION and MWF ADIRONDACKS, LLC Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: January 4, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. MWF Adirondacks, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes installation of a culvert in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Colton, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the St. Lawrence County Clerk's Office. The Agency will consider the project in existence when the authorized culvert has been installed.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

PROJECT SITE

The project site is located within an approximately 8,594-acre parcel of land accessed from NYS Route 56 in the Town of Colton, St. Lawrence County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The parcel is identified as Tax Map Section 166, Block 1, Parcel 1 and is currently owned and managed by MWF Adirondacks, LLC and is part of the Grass River Conservation Easement.

The project site for the purposes of this authorization is the area in the immediate vicinity of 44°21'44.87"N, 74°49'3.70"W along an existing skid road and a proposed reroute of snowmobile trail C7A.

The project site contains value "2" emergent marsh wetlands and an intermittent stream. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves installation of a twenty-foot-long, thirty six-inch diameter HDPE culvert with rip rap inlet and outlet protection. The culvert will be located within the footprint of an existing skid road and snowmobile trail to allow improved access.

The project is depicted and described on the following documents prepared by the NYS Department of Environmental Conservation and received by the Agency on June 1, 2023 (Project Plans):

- A location map titled "Snowmobile Trail C7A Project Site - Grass River Conservation Easement" (Location Map);
- A two-page diagram titled "Section at Stream Crossing" (Diagram); and
- A narrative titled "Supplement to Grass River CE APA Permit Application – C7A Culvert Installation" (Narrative).

A reduced-scale copy of Page 1 of the Diagram is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any deposit of fill in or excavation of a wetland in the Adirondack Park.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The project shall not be undertaken until this permit has been recorded in the St. Lawrence County Clerk's Office.

2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the authorized culvert remains on the site. Copies of this permit and Project Plans shall be furnished by the permittee(s) to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee(s) and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit authorizes the installation of a culvert in the location shown and as depicted and described on the Project Plans. Any change to the location, dimensions, or other aspect of the authorized installation shall require prior written Agency authorization.
5. The project shall be undertaken in compliance with the erosion and sediment control measures described in the Narrative.
6. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
7. Except as authorized herein, the undertaking of any activity involving wetlands shall require a new or amended permit.

CONCLUSIONS OF LAW

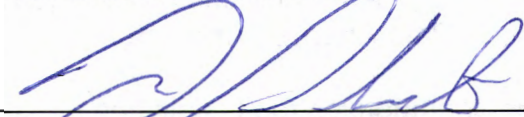
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Colton;
- b. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- c. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and

- d. will result in minimal degradation or destruction of the wetland or its associated values and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 4th day
of January, 2024.

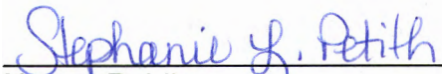
ADIRONDACK PARK AGENCY

BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 4th day of January in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

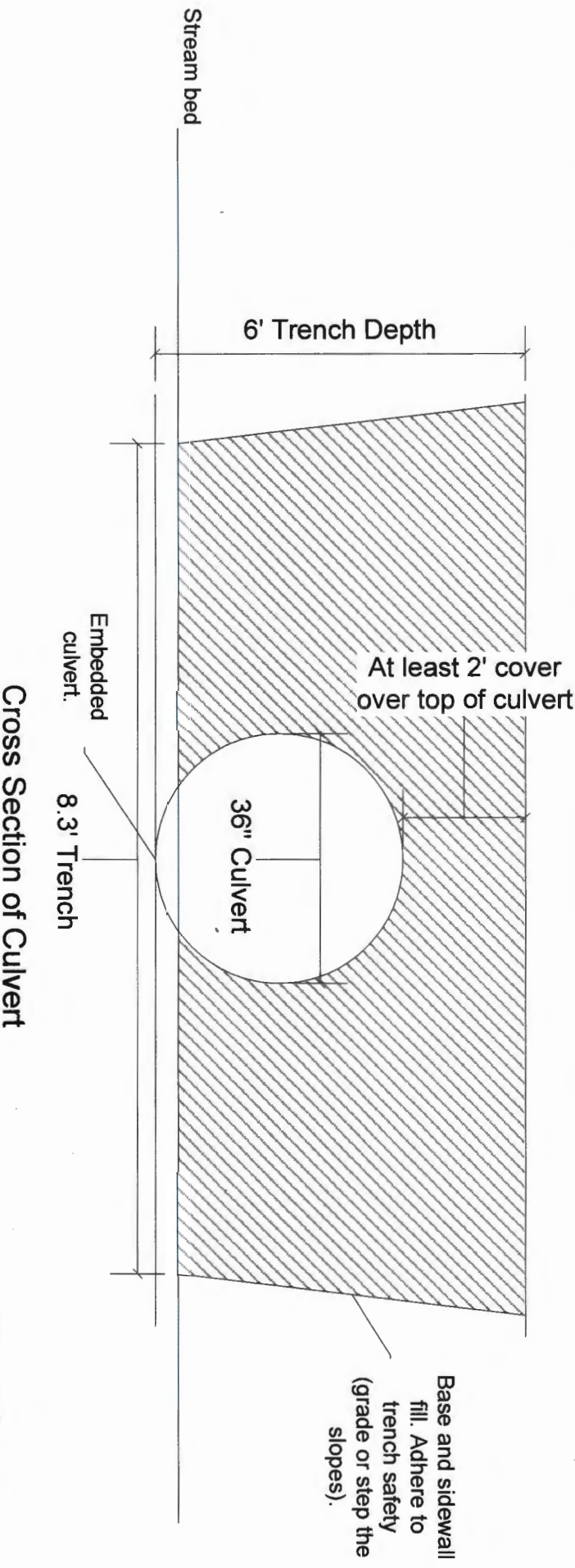
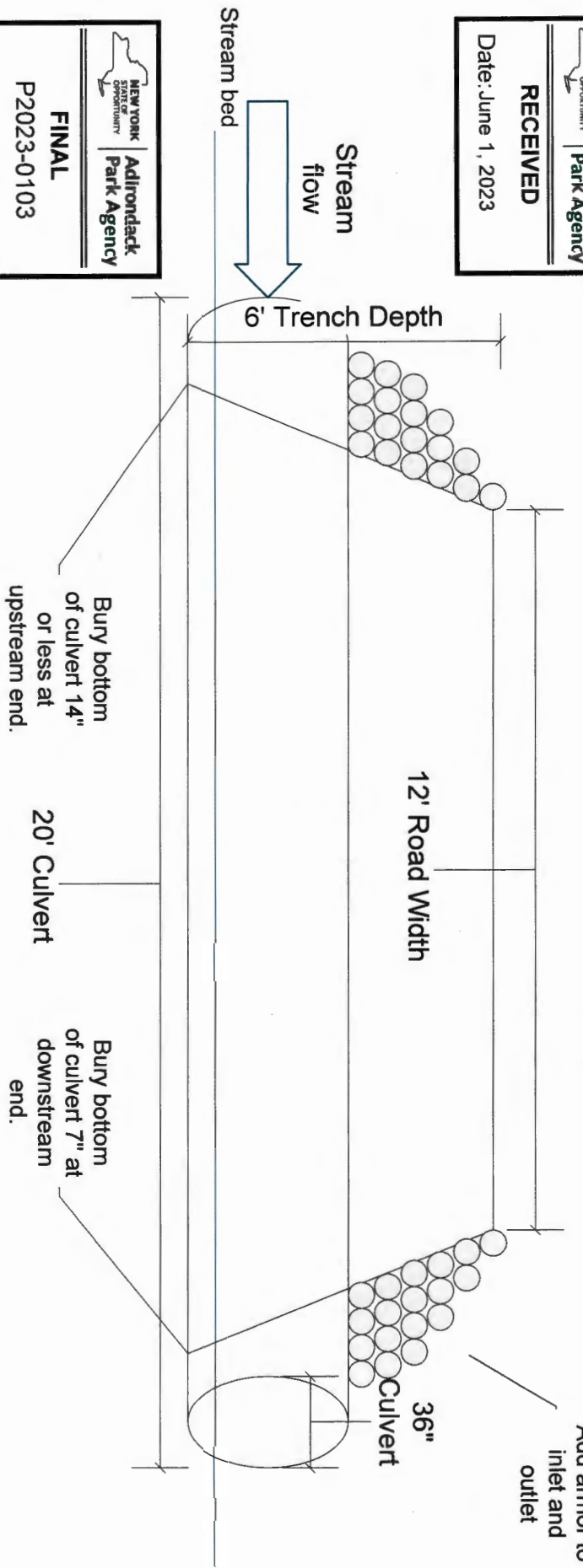
Stephanie L. Petith
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Notary Public

NEW YORK STATE OF COMMUNITY
RECEIVED
 Adirondack Park Agency
 Date: June 1, 2023

NEW YORK STATE OF COMMUNITY
 Adirondack Park Agency
FINAL
 P2023-0103

Section at Stream Crossing



Base and sidewall fill. Adhere to trench safety (grade or step the slopes).

512 cu. ft. fill needed.
 Not drawn to scale.