 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>PO Box 99 · 1133 NYS Route 86 Ray Brook, NY 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	Adirondack Park Agency	APA General Permit/Order 2024G-1	Permit #: 2024-0154
		Certificate for Certain Minor Regulated Activities in APA Jurisdictional Freshwater Wetlands	

This certificate under General Permit 2024G-1 is granted to the New York State Department of Environmental Conservation, authorizing a minor regulated activity in a freshwater wetland pursuant to the Freshwater Wetlands Act (Environmental Conservation Law, Article 24) and the Adirondack Park Agency Act (Executive Law, Article 27, including Section 809(13)(e)), in areas classified Wild Forest, Rural Use, Moderate Intensity Use, Canoe Area, Resource Management, and Hamlet by the Official Adirondack Park Land Use and Development Plan in the application received by the Agency on June 25, 2024 and as depicted on the attached reduced-scale Project Plans. The project site is in the Town of North Elba, Essex County, and the Towns of Harrietstown, Santa Clara, and Tupper Lake, Franklin County.

The project shall not be undertaken or continued unless the project authorized herein, including site restoration, is completed within four years of the date of issuance of this certification.

This certificate 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 certificate 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.

Failure to comply with this general permit and approved attached Project Plans is a violation and may subject the project sponsor, successors and assigns to civil penalties and other legal proceedings, including modification, suspension or revocation of the permit.

PROJECT SITE

The project site consists of multiple parcels of land located on the Adirondack Rail Trail in the Town of North Elba, Essex County, and the Towns of Harrietstown, Santa Clara, and Tupper Lake, Franklin County, in areas classified Wild Forest, Rural Use, Moderate Intensity, Canoe Area, Resource Management, and Hamlet on the Adirondack Park Land Use and Development Plan Map. The project site is identified as follows:

- Town of Harrietstown Tax Map Section 434, Block 1, Parcel 35.
- Lands under the control of the New York State Department of Environmental Conservation as described in a two-page Order from the State of New York – Executive Department Office of General Services, describing lands transferred

from the New York State Department of Transportation, signed on March 9, 2022.

Additional sections of the 34-mile-long former Adirondack Central Railroad corridor are a part of the project site, but do not have tax map numbers. All areas involving wetlands can be found on the plan titled "Provide Recreational Multi-Use Rail Trail" referenced in Permit 2021-0256.

The project site contains scrub-shrub and forested needle-leaf evergreen wetlands, emergent, seasonally-flooded wetlands, forested dead wetlands, and emergent persistent wetlands.

PROJECT DESCRIPTION AS PROPOSED

The project as conditionally approved herein involves the construction of beaver deterrent devices on 26 existing culverts along the Adirondack Rail Trail.

The project is shown on the following maps, plans, and reports:

- Two sheets titled "Provide Recreational Multi-Use Rail Trail Floodwood to Tupper Lake," prepared by Creighton Manning, and dated September 12, 2023, and last revised February 15, 2024 (Construction Details), including "Miscellaneous Details" (Drawing No. C-505) and "Miscellaneous Tables" (Drawing No. C-601).
- Four sheets titled "Adirondack Rail Trail Location Map," prepared by Keith Carrow, and dated May 16, 2024 (Site Plan).

A reduced-scale copy of Sheet 1 of the Site Plan for the project is attached to this certificate for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

CONDITIONS

1. This permit is binding on the permittee and all contractors undertaking all or a portion of the project authorized herein. Copies of this certificate and Project Plans shall be furnished by the permittee to all contractors prior to undertaking the activities authorized herein.
2. This certificate authorizes minor regulated activities in a freshwater wetland as depicted and described in the Construction Details and Site Plan. Any change to the location, dimensions, materials, or other aspect of the activities authorized herein shall require prior written Agency authorization.
3. Prior to construction, including clearing and grubbing, temporary erosion and sediment control measures shall be installed and maintained as depicted and described in the Construction Details. All silt fence shall be properly installed with the bottom buried at a depth of at least 4 inches. Once the site has been stabilized, silt fence and any other temporary erosion and sediment controls shall be completely removed.

4. All site restoration activities depicted and described in the Construction Details shall be implemented within three days of project completion, and in accordance with the approved implementation schedule.
5. The permittee shall notify the Agency in writing within five business days after the work authorized by this certificate has been successfully completed. Written notification shall include color photographs which clearly show the completed work and site restoration and identify the date and location that the photographs were taken.
6. The authorized work shall be scheduled and conducted during drier periods (not during major storm events, spring runoff, and thawing conditions) to avoid and minimize erosion of soils and to prevent silting and muddying of wetlands or surface waterbodies.
7. No mechanized equipment shall be driven in wetlands unless expressly authorized herein. Every effort shall be made to work from upland areas and to minimize disturbances to areas adjacent to wetlands. Only tracked equipment shall be used in wetlands. Vehicular access in wetlands shall be under frozen conditions when possible. If work cannot be performed under frozen conditions, timber mats shall be used for access in wetlands, to be removed within three days of project completion and areas beneath timber mats restored to pre-construction condition. No temporary access structures shall be located within a wetland for more than 30 days.
8. Wetland disturbance including grading and grubbing of stumps and roots shall be limited to the area depicted and described on the Construction Details.
9. No waste disposal, material or excavation stockpiling, or dewatering discharge shall occur in or within 100 feet of wetlands unless specifically authorized in the Construction Plans and Site Plan. Clean water bypass shall be discharged back to freshwater wetlands in a manner that limits or prevents erosion, sedimentation, and particle suspension.
10. 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.
11. Any cutting of vegetation along the shorelines of navigable waterbodies shall be in conformance with the Shoreline Restrictions of Section 806 of the Adirondack Park Agency Act. A copy of the Shoreline Restrictions or the Citizen's Guide is available upon request.
12. All tree cutting and/or vegetation removal shall be limited to the area depicted and described on the Construction Plans. All cut vegetation shall be immediately removed from the wetland and adjacent area upon completion of the activity.

CERTIFICATE issued this 23rd day
of July, 2024.

ADIRONDACK PARK AGENCY

BY: _____

[Signature]
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd day of July 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.

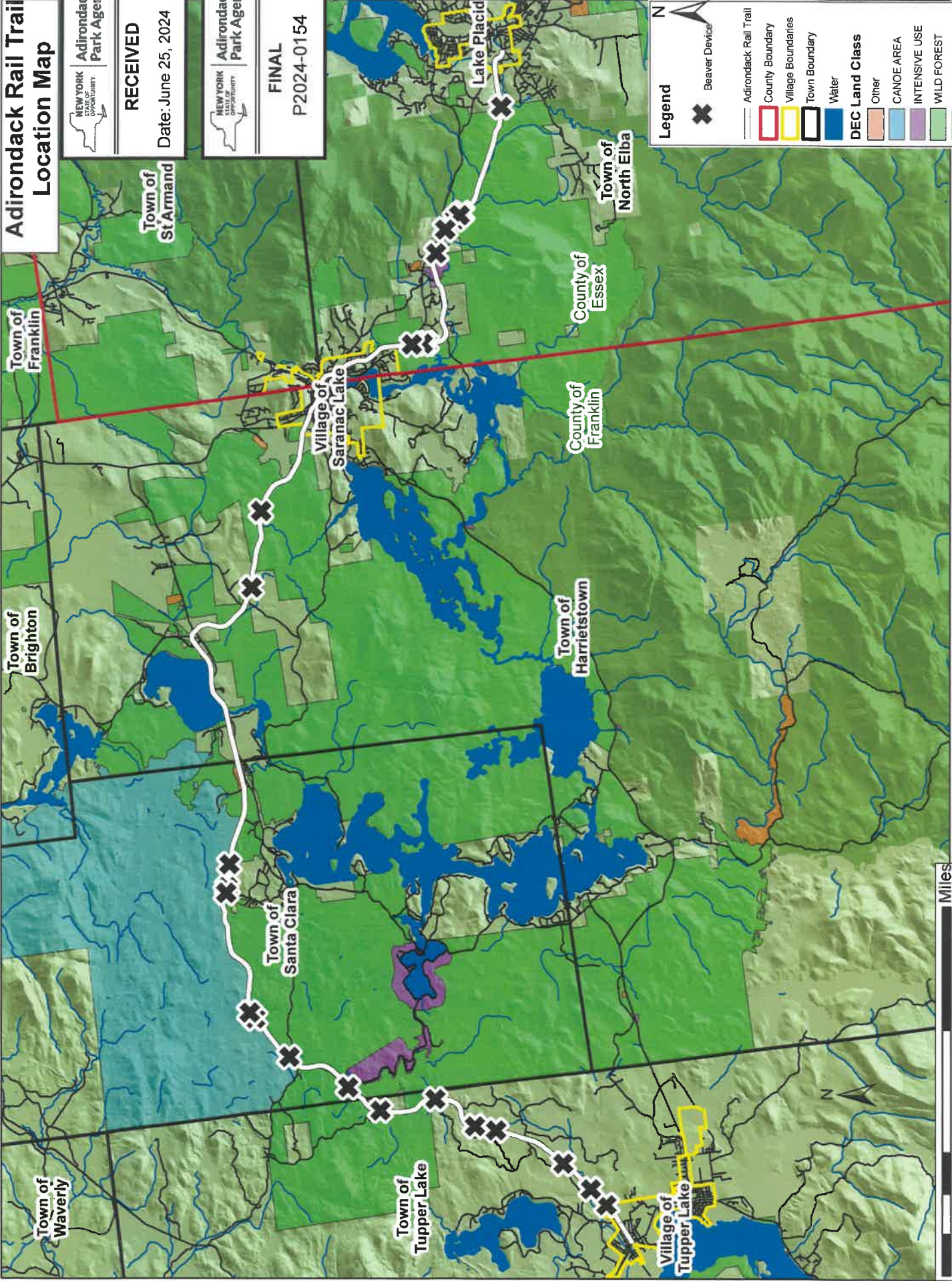
[Signature]
Notary Public

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

Adirondack Rail Trail Location Map

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
 Date: June 25, 2024

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
FINAL
 P2024-0154



Legend

- Beaver Device
- Adirondack Rail Trail
- County Boundary
- Village Boundaries
- Town Boundary
- Water

DEC Land Class

- Other
- CANOE AREA
- INTENSIVE USE
- WILD FOREST
- WILDERNESS



Keith Carrow - Forester 5/16/24