


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 Emergency Recovery Authorization 2024-0045</p>
<p>In the Matter of the Application of</p> <p>SYRACUSE UNIVERSITY and THE STATE UNIVERSITY OF NEW YORK COLLEGE OF ENVIRONMENTAL SCIENCE and FORESTRY Permittees</p> <p>for an Emergency Recovery Authorization pursuant to § 572.15(d) of the Adirondack Park Agency Rules and Regulations</p>	<p>Date Issued: February 29, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Syracuse University2. The State University of New York College of Environmental Science and Forestry

EMERGENCY RECOVERY AUTHORIZATION

The Agency has determined that proposal described below constitutes an Emergency Recovery Authorization and meets all of the statutory and regulatory criteria in the Adirondack Park Agency Act and § 572.15(d) of the Adirondack Park Agency Rules and Regulations, provided the conditions listed herein are met, and is being undertaken to repair, remediate and/or recover from an emergency as it is defined in 9 NYCRR Part 572.15(b)(1).

This Emergency Recovery Authorization is based on and made only for the project described in the documents submitted in the February 27, 2024 correspondence from Kevin Franke to the Agency.

This authorization shall expire unless recorded in the Essex 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 one (1) year of the date this permit is recorded in the County Clerk's Office. The Agency will consider the project in existence when the replacement bridge has been constructed.

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 a portion of a 12,137±-acre parcel of land located on NYS Route 28N where Arbutus Lane crosses Fishing Brook Creek in the Town of Newcomb, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 109, Block 1, Parcel 1.000, and is described in a deed from Archer Milton Huntington and Anna Hyatt Huntington to Syracuse University, dated November 18, 1938, and recorded November 18, 1938 in the Essex County Clerk's Office at Book 221, Page 56. Syracuse University holds the project site in trust for the State University of New York College of Environmental Science and Forestry.

The immediate project area contains shoreline on Fishing Brook Creek. The immediate project area also contains wetlands. Additional wetlands not depicted on the Project Plans may be located on or adjacent to the immediate project area.

PROJECT DESCRIPTION

On July 10, 2023, heavy rain and severe flooding created hazardous conditions in New York State posing an imminent danger to public transportation, utility service, public health, and public safety systems. The storm caused significant damage to NYS Routes 28, 28N and 30 in the Towns of Long Lake and Newcomb. On July 11, 2023, the Town of Newcomb issued a State of Emergency and Governor Kathy Hochul issued Executive Order 29.1 declaring a State Disaster Emergency in Hamilton County.

The proposed project involves the construction of a replacement bridge where Arbutus Lane crosses Fishing Brook Creek, along with the removal of excess materials associated with the installation of the emergency replacement span. The New York State Office of General Services completed emergency repairs including the installation of a new temporary span adjacent to the existing Arbutus Lane bridge over Fishing Brook Creek. The proposed project will re-install a permanent replacement span in the original Arbutus Lane bridge location.

The project as conditionally approved herein involves the re-construction of the Arbutus Lane bridge in its original location, along with associated site work.

The project is shown on the following maps, plans, and reports (Project Plans):

- A five-sheet plan titled "ESF Bridge," prepared by MJ Engineering and Land Surveying, P.C., received by the Agency on February 27, 2024 (Engineered Plans); and

- A four-page report titled “Section 329219 Seeding,” received by the Agency on February 27, 2024 (Seeding and Mulching Plan)

A reduced-scale copy of the Project Plans for the project are attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(15) of the Adirondack Park Agency Act, emergency projects are exempted from the permitting requirements of Section 809 of the APA Act. 9 NYCRR Part 572.15 authorizes the Agency to issue Emergency Recovery Authorizations for projects being undertaken to repair, remediate or recover from an emergency as defined in 9 NYCRR Part 572.15(b)(1).

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 Essex 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 Arbutus Lane bridge remains on the site. Copies of this permit and Project Plans shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee 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. No otherwise jurisdictional activity shall occur on the project site without prior Agency approval beyond the land use and development authorized herein that is necessary for the repair, remediation or recovery from an emergency.
5. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: “The lands conveyed are subject to Adirondack Park Agency Emergency Recovery Authorization 2024-0045, issued February 29, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees.”
6. This permit authorizes the construction of a permanent replacement span of the Arbutus Lane bridge in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the bridge shall require prior written Agency authorization.

- 7. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan.
- 8. 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.
- 9. All activities described in the Seeding and Mulching Plan shall be applied and maintained as described in the Seeding and Mulching Plan.

PERMIT issued this 29th day of February, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 29th day of February 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

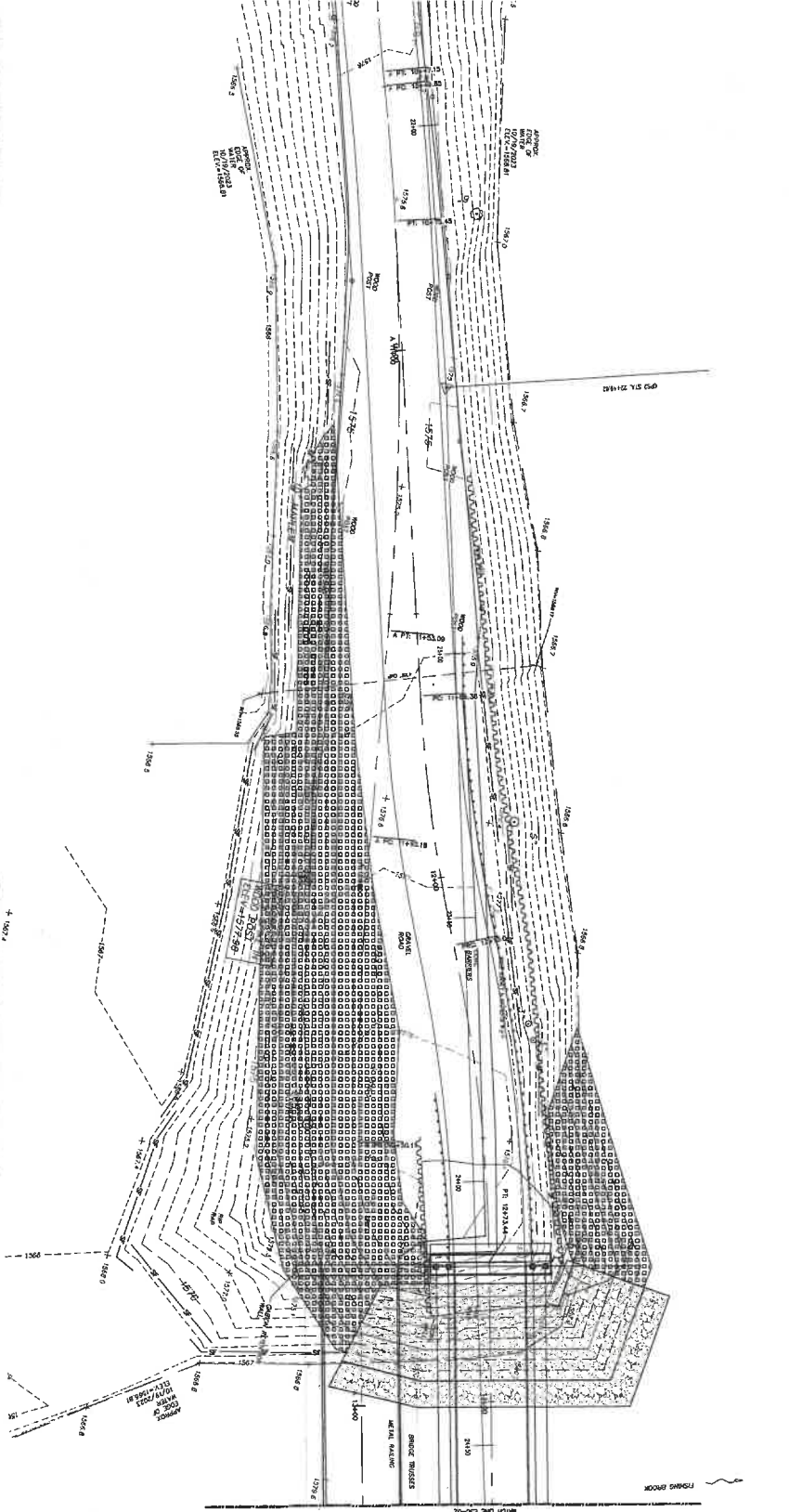
Stephanie L. Petith
Notary Public

36x24 PLOT SHEET

- EROSION AND SEDIMENT CONTROL NOTES:**
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION ACCORDING TO THE SPECIFICATIONS AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 - THE EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 - TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 - SHOULD EROSION CONTROL MEASURES BE MAINTAINED THROUGHOUT CONSTRUCTION.

- LEGEND:**
- PROPOSED SHEET NAME
 - EXISTING MAINLINE
 - HEAVY STONE FILL
 - EROSION MATERIAL
 - SEPT. FENCE
 - SOLID EROSION CONTROL PRODUCT

EROSION AND SEDIMENT CONTROL PLAN
 SCALE: 1" = 100'



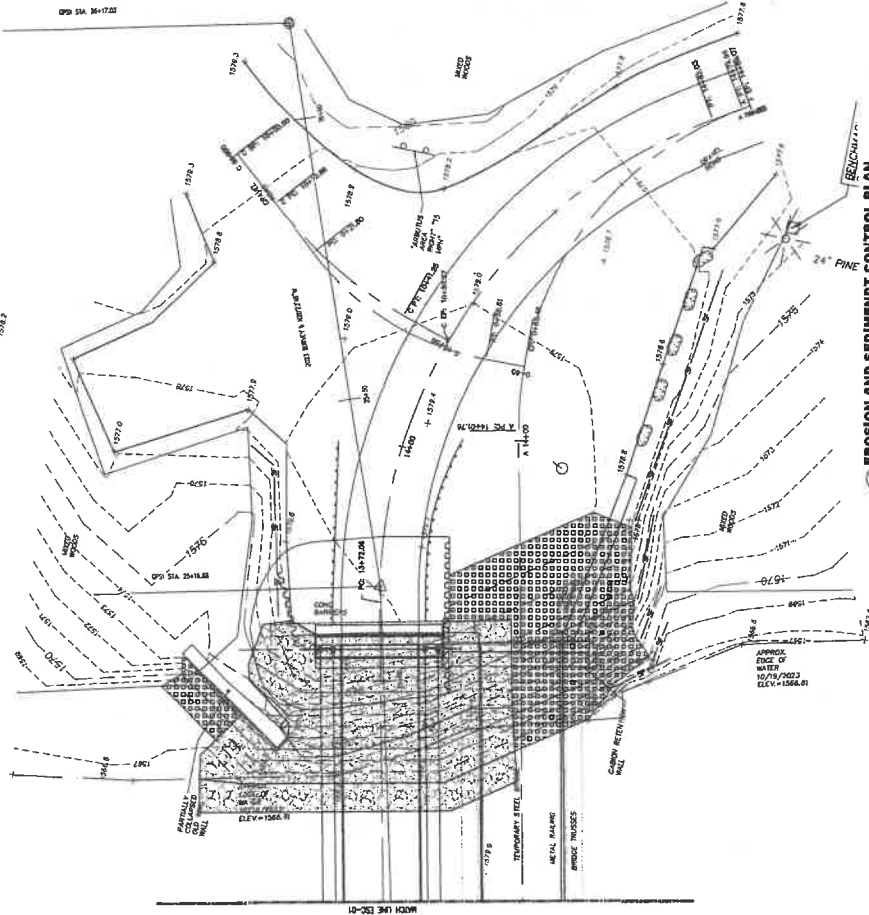
Office of General Services
 DESIGN & CONSTRUCTION

MJ
 Engineering and
 Land Surveying, P.C.

CONSTRUCTION
 ARBUSUS LANE
 NEW YORK STATE OFFICE
 OF GENERAL SERVICES

NO.	DATE	DESCRIPTION
1	XX	CONSTRUCTION
2	XX	CONSTRUCTION
3	XX	CONSTRUCTION
4	XX	CONSTRUCTION
5	XX	CONSTRUCTION
6	XX	CONSTRUCTION
7	XX	CONSTRUCTION
8	XX	CONSTRUCTION
9	XX	CONSTRUCTION
10	XX	CONSTRUCTION

PROJECT NUMBER: ESC-01
 SHEET - OF X



- EROSION AND SEDIMENT CONTROL NOTES:**
1. ALL SHALL EXPOSED FOR LONGER THAN 7 DAYS SHALL RECEIVE TEMPORARY PLANTING/VEGETATION. ALL EXPOSED AREAS SHALL BE PROTECTED WITH EROSION CONTROL MATS, MULCH, OR OTHER MEASURES TO PREVENT EROSION AND SEDIMENTATION. ALL EXPOSED AREAS SHALL BE PROTECTED WITH EROSION CONTROL MATS, MULCH, OR OTHER MEASURES TO PREVENT EROSION AND SEDIMENTATION.
 2. EXPOSED STOCK PILE AREAS SHALL BE PROTECTED WITH EROSION CONTROL MATS, MULCH, OR OTHER MEASURES TO PREVENT EROSION AND SEDIMENTATION. ALL EXPOSED AREAS SHALL BE PROTECTED WITH EROSION CONTROL MATS, MULCH, OR OTHER MEASURES TO PREVENT EROSION AND SEDIMENTATION.
 3. TEMPORARY SEEDING SHALL BE APPLIED TO ALL EXPOSED AREAS NOT OTHERWISE PROTECTED BY EROSION CONTROL MEASURES. SEEDING SHALL BE APPLIED TO ALL EXPOSED AREAS NOT OTHERWISE PROTECTED BY EROSION CONTROL MEASURES.
 4. SLOPE ADJUSTMENT SHALL BE APPLIED TO ALL EXPOSED AREAS NOT OTHERWISE PROTECTED BY EROSION CONTROL MEASURES.

LEGEND:

	PROPOSED SHEET PILING
	GEOTEXTILE
	HEAVY STONE FILL
	EROSION MATERIAL
	TOPOGRAPHIC CONTOUR LINE
	SILT FENCE
	ROLLED EROSION CONTROL PRODUCT

DESIGN & CONSTRUCTION



Office of General Services
Engineering and Land Surveying, P.C.

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE STATE AND FEDERAL GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE STATE AND FEDERAL GOVERNMENT.

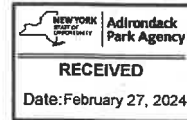
CONSTRUCTION
ESF BRIDGE
ARLJUDIS LAKE
NEPONCONG, NEW YORK
NEW YORK STATE OFFICE
OF GENERAL SERVICES

MARK	DATE	DESCRIPTION
PROJECT NUMBER	XX	DATE
DESIGNED BY	DATE	DATE
DRAWN BY	DATE	DATE
FIELD CHECKS	DATE	DATE
APPROVED	DATE	DATE
SHEET FILE	DATE	DATE

EROSION AND SEDIMENT CONTROL PLAN

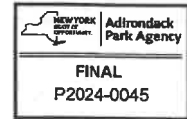
OWNER NUMBER: ESC-02

SHEET -- OF X



SECTION 329219

SEEDING



PART 1 GENERAL

1.01 SUBMITTALS

- A. Product Data; Hydro Mulch: Manufacturer's specifications and application rate.
- B. Product Data; Erosion Control Blanket: Manufacturer's specifications.
- C. Sample: One pound of seed in vendor's unopened package with label and seed analysis.

1.02 QUALITY ASSURANCE

- A. Certification of Restoration Seed Mix: From seed vendor for each seed mixture, stating the botanical and common name, percentage by weight of each species and variety, and percentage of purity, germination, and weed seed. Include the year of production and date of packaging.

1.03 DELIVERY STORAGE AND HANDLING

- A. Store all seed at the site in a cool dry place as approved by the Director's Representative. Replace any seed damaged during storage.
- D. Deliver erosion control blanket in manufacturer's standard packing material, showing the name of the manufacturer. Store as approved by the Director's Representative.

1.04 SCHEDULING

- A. Time For Seeding: Optimum period to sow grass and shrub seed is generally between April 1st and May 15th or between August 15th and September 10th. Schedule application for when weather conditions permit or as Directed.
 - 1. Provide temporary seed and mulch when final grading is complete while waiting for optimal seeding period.
 - 2. Provide temporary seed and mulch for temporary cover on disturbed ground not to be worked on for more than 7 days.
 - 3. Provide temporary seed and mulch on disturbed earth prior to temporary shutdown of construction.

PART 2 PRODUCTS

2.01 SEED

- A. Furnish fresh, clean, new-crop seed mixed in the proportions specified for species and variety, and conforming to Federal and State Standards.

- B. Acceptable material in a seed mixture other than pure live seed consists of nonviable seed, chaff, hulls, live seed of crop plants and inert matter. The percentage of weed seed shall not exceed 0.1 percent by weight.
- C. All seed will be rejected if the label or test analysis indicates any of the following contaminants: Timothy, Orchard Grass, Sheep Fescue, Meadow Fescue, Canada Blue Grass, Alta Fescue, Kentucky 31 Fescue, and Bent Grass.
- D. Provide the following seed mixture:

A = Min. Percentage of Germination

B = Min. Purity Percentage

C = Weight Pure Live Seed in Mixture

SEED MIX "A" - RESTORATION EROSION MIX

Name	Variety	A	B	C
Riverbank Wild Rye (<i>Elymus riparius</i>)	Commercial	92	98	15
Virginia Wild Rye (<i>Elymus virginicus</i>)	Commercial	98	97	15
Red Fescue (<i>Festuca rubra</i>)	Commercial	95	95	10
Switchgrass (<i>Panicum virgatum</i>)	Commercial	95	95	10
Silky Dogwood (<i>Cornus amomum</i>)	Commercial	95	98	6
Blunt Broom Sedge (<i>Carex scoparia</i>)	Commercial	95	95	5
Gray Dogwood (<i>Cornus racemosa</i>)	Commercial	95	98	5
Lurid Sedge (<i>Carex lurida</i>)	Commercial	95	95	5
Arrowwod Viburnum (<i>Viburnum dentatum</i>)	Commercial	95	98	5
Spicebush (<i>Lindera benzoin</i>)	Commercial	95	98	5
Elderberry (<i>Sambucus canadensis</i>)	Commercial	95	98	5
Swamp Milkweed (<i>Asclepia incarnata</i>)	Commercial	95	95	3
New England Aster (<i>Aster novae-angliae</i>)	Commercial	95	95	3

Name	Variety	A	B	C
Boneset (<i>Eupatorium perfoliatum</i>)	Commercial	95	95	3
Green Bulrush (<i>Scirpus atrovirens</i>)	Commercial	95	95	3
Joe Pyeweed (<i>Eupatorium maculatum</i>)	Commercial	95	95	1
Umbrella Aster (<i>Aster umbellatus</i>)	Commercial	95	95	1

2.02 MULCH

- A. Dry Application, Straw: Stalks of oats, wheat, rye or other approved crops which are free of noxious weeds. Weight shall be based on a 15 percent moisture content.
- B. Hydro Application: Colored wood cellulose fiber product specifically designed for use as a hydro-mechanical applied mulch. Acceptable Product: Conwed Hydro Mulch, Conwed Fibers, 231 4th Street SW, Hickory, NC.

2.03 EROSION CONTROL BLANKET

- A. Erosion Control Blanket: Product - SC150 by North American Green, 14649 Highway 41 North, Evansville, IN 47725, (800) 772-2040, www.nagreen.com.

PART 3 EXECUTION

3.01 PREPARATION

- A. Seed Bed: Scarify soil to a depth of 3 inches in compacted areas. Smooth out unsightly variations, bumps, ridges, and depressions which will hold water. Remove stones, litter, or other objectionable material.
 - 1. Obtain written approval of seed bed from the Director's Representative before commencing seeding operations.

3.02 SEEDING

- A. Assume all risks when seed is sowed before approval of seed analysis.
- B. Do not seed when the wind velocity exceeds 5 miles per hour.
- C. Application Rate:
 - 1. Seed Mix "A": 1 pound per 1,250 s.f. or 35 pounds per acre.
- D. Dry Application: Sow seed evenly by hand or seed spreader on dry or moderately dry soil.
- E. Hydroseeding:

1. Apply seeding materials with an approved hydroseeder.
2. Fill tank with water and agitate while adding seeding materials. Use sufficient fertilizer, mulch, and seed to obtain the specified application rate. Add seed to the tank after the fertilizer and mulch have been added. Maintain constant agitation to keep contents in homogeneous suspension. Prolonged delays in application or agitation that may be injurious to the seed will be the basis of rejection of material remaining in tank.
3. Distribute uniformly a slurry mixture of water, seed, fertilizer, and mulch at a minimum rate of 57 gallons per 1000 sq ft (2500 gallons per acre). The Director's Representative may order the amount of water increased if distribution of seeding materials is not uniform.

3.03 MULCHING

- A. Dry Application: Within one day after seeding, cover the seeded areas with a uniform blanket of straw mulch at the rate of 100 pounds per 1000 sq ft of seeded area.
- B. Hydro Application: Apply approved mulch in accordance with the manufacturer's written instructions and recommended rates of application.

3.04 EROSION CONTROL BLANKET

- A. Erosion Control Blanket: Within one day after seeding, cover sloped areas with a uniform blanket of erosion control blanket. Apply approved blanket in accordance with the manufacturer's written instructions. Do not apply straw mulch in area that erosion control blanket will be covering.
- B. Stakes: Install approved stakes in accordance with the manufacturer's written instructions.

3.05 FINAL ACCEPTANCE

- A. Final acceptance of restoration areas will be granted when a stand of acceptable shrubs, grasses, and perennials is obtained, with a minimum of 95 percent coverage. Portions of the restoration areas may be accepted at various times at the discretion of the Director's Representative.
- B. Unacceptable restoration areas, dry application: Reseed as specified and fertilized at one-half the specified rate.
- C. Unacceptable restoration areas, hydro application: Reseed, fertilize, and mulch at one-half the specified rate, use full water rate.
- D. At the physical completion of the Work, the State will assume maintenance responsibilities of the restoration areas.

END OF SECTION