

THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2025-0104
In the Matter of the Application of LANDVEST and NORTHWAY FORESTS, LLC Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: July 31, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Northway Forests, LLC

SUMMARY AND AUTHORIZATION

This permit authorizes a timber harvest in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when the timber harvest is complete as conditioned herein.

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 324±-acre portion of 15,187± contiguously-owned acres of forestland known as the Township 33 Tract, accessed from the Cedar River Road in the Town of Indian Lake, Hamilton County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is located within Town of Indian Lake Tax Map Section 64, Block 1, Parcel 1.100, and is described in a deed from Upper Hudson Woodlands ATP LP to Northway Forests LLC, dated February 2, 2024, and recorded July 9, 2024 in the Hamilton County Clerk's Office under Instrument Number 2024-687.

PROJECT DESCRIPTION

The project as conditionally approved herein involves timber harvesting on 324± acres within Northway Forest LLC's 15,187±-acre Township 33 Tract.

The estimated average overstory basal area is 79 ft²/acre, 55% of which consists of unacceptable growing stock. Overstory species in decreasing order of density include sugar maple (37%), American beech (29%), red maple (14%), yellow birch (13%), spruce (3%), and other species (4%). The understory has an estimated 2,952 stems per acre under 1 inch diameter at breast height, dominated by American beech (71%).

There are two prescriptions for the harvest area, based on existing stand conditions and desired outcomes, as follows:

- 1) Approximately 17 acres will be treated with overstory removal, in 5-to-8-acre patches, to release existing regeneration growing beneath a 10-year-old shelterwood system.
- 2) Approximately 307 acres will be treated with a variable retention clearcut, with 6 distinct sub-prescriptions based on a variety of stand conditions as follows:
 - In stands having well stocked and mature overstory with advanced beech regeneration,
 - remove overstory to encourage regeneration of non-beech species, leaving scattered trees capable of providing a supplemental seed source where possible;
 - In stands having well stocked and predominantly immature overstory,
 - remove unacceptable growing stock, or leave alone completely;
 - In stands having partial overstory with acceptable understory advanced regeneration,
 - remove the overstory, protecting regeneration as much as possible;
 - In stands having partial overstory with unacceptable understory advanced regeneration,
 - remove as much undesirable regeneration as possible and
 - retain scattered trees capable of providing a supplemental seed source where possible;

- In stands having minimal overstory with acceptable growing stock,
 - no cut is prescribed: leave the remaining overstory as reserves to protect desirable regeneration; and
- In stands having minimal overstory with unacceptable growing stock,
 - remove unacceptable regeneration mechanically if possible.

The property is subject to a New York State Working Forest Conservation Easement administered by the New York State Department of Environmental Conservation and is certified to the Forest Stewardship Council and Sustainable Forestry Initiative standards.

The harvest boundaries will be field-delineated by a professional forester. A logging crew under contract to the permittee will undertake the harvest under regular supervision of the forester.

Streams and wetlands within the project site will be buffered in accordance with the Timber Harvest Plan, and consistent with the 2018 edition of the New York State Forestry Voluntary Best Management Practices for Water Quality (NYS Forestry Best Management Practices).

The harvest will be undertaken using standard mechanized logging equipment. Felling will be done using a tracked feller-buncher. Medium to large sized grapple skidders will transport logs to the landing. Saw logs and pulp will be transported to a concentration yard in Chestertown or to Finch Paper in Glens Falls.

No new roads are proposed. Existing landings will be used. Existing skidder trails will be re-used where possible. New and existing skidder trails and landings will be established and maintained in accordance with NYS Forestry Best Management Practices.

Existing and potential snag, den, and cavity trees will be protected throughout the project site whenever possible.

No pesticide or herbicide use is proposed, and no use is authorized herein. Hazardous materials, including fuel, oil, and hydraulic fluid, will be managed in accordance with the NYS Forestry Best Management Practices and NYSDEC regulations. This includes proper techniques for storage and disposal of hazardous materials, and appropriate spill response and remediation.

Upon completion of the treatment, a detailed post-harvest memo will be submitted to the Agency for review.

The project application also includes details of proposed timber harvesting on approximately 178 acres within the designated Cedar River Scenic River Area adjacent to the project site. Harvest activities as proposed in this area do not constitute a clearcut and are otherwise non-jurisdictional to the Agency pursuant to § 577.6(c) of Agency regulations.

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

- A map labeled "Land of Eastwood Climate Smart Forestry Fund 1, LP, Indian Lakes Block, Harvest Contract Map, Igloo," dated May 5, 2025 (Timber Harvest Plan Map);
- An eight-page document titled, "Harvest Plan – Northway Forests LLC, Project # 101-Twp33-028 Igloo," received by the Agency on May 15, 2025 (Timber Harvest Plan).

A copy of the Timber Harvest Plan Map is attached as a part of this permit for easy reference. The original, full-scale map and plan described above are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to undertaking timber harvesting that includes clearcutting of any single unit of land of more than 25 acres on Resource Management lands 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 Hamilton 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 activities described herein continue on the site. Copies of this permit, the Timber Harvest Plan Map, and the Timber Harvest Plan shall be furnished by the permittee to all persons undertaking any of the 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. Authorization for the proposal described herein shall only remain valid so long as the permittee maintains a current Forest Stewardship Council or Sustainable Forestry Initiative Certification.
5. This permit authorizes the timber harvest depicted on the Timber Harvest Plan Map and described in the Timber Harvest Plan. Any change to the harvest shall require prior written Agency authorization.

6. The timber harvest shall comply with the standards contained within the NYS Forestry Best Management Practices. The harvest shall be supervised by a professional forester.
7. Upon completion of the timber harvesting project authorized herein, the permittee shall submit to the Agency a post-harvest assessment form documenting compliance with the Timber Harvest Plan, and the "New York State Forestry Best Management Practices for Water Quality."

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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 Indian Lake; and
- 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.

PERMIT issued this 31st day
of July, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK COUNTY OF ESSEX

On the 31st day of July in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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, 2029

Stephanie L. Petith
Notary Public

**LAND OF
EASTWOOD CLIMATE SMART FORESTRY FUND 1, LP
INDIAN LAKES BLOCK
HARVEST CONTRACT MAP
IGLOO**
SCALE 1:15,000
0 330 660 1,320 Feet

NEW YORK
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Adirondack
Park Agency

RECEIVED

Date: May 15, 2025

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