

THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

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Ray Brook, NY 12977
Tel: (518) 891-4050
www.apa.ny.gov

**APA General
Permit/Order
2024G-1**

Permit #: 2025-0146

**Certificate for Certain Minor
Regulated Activities in APA
Jurisdictional Freshwater
Wetlands**

This certificate under General Permit 2024G-1 is granted to New York State Department of Transportation, 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 an area classified Low Intensity Use, and Rural Use by the Official Adirondack Park Land Use and Development Plan as described in the application received by the Agency on July 2, 2025, and as depicted on the attached reduced-scale Project Plans. The project site is in the Town of Ohio, Herkimer County.

The project shall not be undertaken or continued unless the project authorized herein, including site restoration and any required compensatory wetland mitigation, 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 is located within the Route 365 right-of-way in the Town of Ohio, Herkimer County, in an area classified Rural Use and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is adjacent to Tax Map Section 073, Block 1, Parcel 16.

The project site is located within the designated West Canada Creek River Recreational River area.

PROJECT DESCRIPTION AS PROPOSED

The project as conditionally approved herein involves excavation of a gravel bar beneath the Route 365 bridge within the Finch Pond Outlet (Concklin Brook) associated with repairs to the bridge wingwall.

The project is shown on a 16-page set of plan sheets titled "Route 365 over Finch Pond Outlet" prepared by New York State Department of Transportation, and received by the Agency on August 5, 2025.

A reduced-scale copy of Sheet 5 of the Project Plans 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

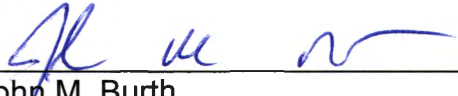
1. This permit is binding on the permittee(s) and all contractors undertaking all or a portion of the project authorized herein. Copies of this certificate and Project Plans shall be furnished by the permittee to all contractors prior to undertaking the activities authorized herein.
2. This certificate authorizes minor regulated activities in a freshwater wetland as depicted and described in the Project Plans. 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 Project Plans. 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 Project Plans 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 including any required restoration of temporary wetland impacts and/or compensatory wetland mitigation 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.
8. Wetland disturbance including grading and grubbing of stumps and roots shall be limited to the area depicted and described on the Project Plans.
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 Project Plans. 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. All tree cutting and/or vegetation removal shall be limited to the area depicted and described on the Project Plans. All cut vegetation shall be immediately removed from the wetland and adjacent area upon completion of the activity.
13. Any fills required for temporary construction access, detour and work pad facilities shall be of clean, heavy stone fill or other non-erodible material placed on geo-textile fabric up to the mean high water elevation.
14. Temporary construction access, detour and work pad facilities (including necessary fills) shall be located so as to avoid or minimize disturbance of the wetland, and appropriate temporary drainage measures must be taken to maintain pre-construction water flows and water table characteristics.
15. Temporary construction access, detour, and work pad facilities (including necessary fills) shall be entirely removed following completion of construction activities, and the affected and adjacent area successfully restored to its pre-construction condition, including replacement planting of native trees and shrubs.
16. Any water control structures shall be of the type and size and shall be placed in such a manner so as to not impair surface water flow into or out of the wetland.
18. Temporary access facilities (including necessary fills) shall be located so as to avoid or minimize disturbance of the wetland, and appropriate measures shall be taken to maintain pre-construction water flows and water table characteristics.

19. Temporary access facilities (including necessary fills) shall be entirely removed following completion of the necessary activity, and the affected wetland and adjacent area shall be graded, seeded, and restored to replicate pre-construction conditions (except that the planting of replacement trees and shrubs is not required).

CERTIFICATE issued this 20th day
of August, 2025.

ADIRONDACK PARK AGENCY

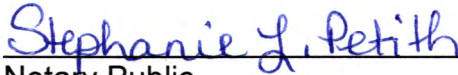
BY: 

John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th day of August 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


Notary Public

STREAM ALIGNMENT SKE

Results
275 ft²

Select a Calculator

Please enter values in the input to get it convert into square feet then press "Calculate"

Area Shape: Acres to Square Feet
Side a Length: 13 feet
Side b Length: 9 feet
Height: 25 feet
Price (Optional): foot (ft) \$

Share Results



CALCULATE



NORTH

END

BEGIN

FLOW

Bank Stone

Tree to be removed

Legend

- Cobble & gravel bars (dry)

- Siltation w/ vegetation

- Siltation w/ thick vegetation (APA Wetland)

- Shallow flow over submerged siltation

