

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 2026-0049
	Date Issued: July 8, 2026
In the Matter of the Application of UPPER SARANAC FOUNDATION Permittee for a permit pursuant to 9 NYCRR Part 578	To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Upper Saranac Foundation 2. New York State Department of Environmental Conservation

SUMMARY AND AUTHORIZATION

This permit authorizes removal of native wetland vegetation (*Vallisneria americana*) for the purposes of undertaking a wetland restoration project in Follensby Clear Pond, in an area classified as underwater lands on the Adirondack Park Land Use and Development Plan Map in the Town of Santa Clara, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when *Vallisneria americana* harvesting begins.

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 comprised of two areas totaling approximately 13.7 acres, located in Follensby Clear Pond in the Town of Santa Clara, Franklin County, in an area classified Underwater Lands on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 453, Block 1, Parcel 1, and Tax Map Section 442, Block 1, Parcel 7, and is described in deeds recorded in the Franklin County Clerk's Office at Book 107, Page 130 and at Book 533, Page 901.

The project site consists of two areas of deep-water marsh wetlands as defined in 9 NYCRR Section 578.3(i) that include Focus Area 1 (5.6± acres) and Focus Area 2 (8.1± acres). The wetlands in Focus Area 1 have a value rating of "1" as defined in 9 NYCRR Section 578.5(k) because they are a wetland covertype associated with open water with over 20 acres within the mean high-water mark of Follensby Clear Pond. The wetlands in Focus Area 2 have a value rating of "2" as defined in 9 NYCRR Section 578.5(k) because they are a wetland covertype associated with open water with over 2 acres but less than 20 acres within the mean high-water mark of Follensby Clear Pond.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a deep-water marsh wetland restoration project in Follensby Clear Pond. The permittee will selectively remove the native plant *Vallisneria americana* for propagation and subsequent replanting in areas recently cleared of the aquatic invasive plant Eurasian watermilfoil. This initiative is designed to reinforce the long-term success of prior invasive species control efforts by accelerating native vegetation recovery in formerly infested areas.

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

- A 14-page document titled, "Region 9 Aquatic Restoration Program Protocol," prepared by the New York State Department of Environmental Conservation, received by the Agency on March 10, 2026 (Program Protocol);
- A six-page document labeled, "Detailed Project Description," prepared by Guy Middleton and received by the Agency on March 10, 2026;
- Included within the "Detailed Project Description," a set of two maps labeled, "Site Plan Map," prepared by Adirondack Research and received by the Agency on March 10, 2026 (Site Plan Maps).

Reduced-scale copies of the Site Plan Maps for the project are attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 578.3(n)(1)(ii), a permit is required from the Adirondack Park Agency prior to any form of draining, dredging, excavation, removal of soil, peat, mud, sand, shells, gravel or other aggregate from any freshwater wetland, either directly or indirectly.

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 Franklin 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 *Vallisneria americana* harvesting continues on the site. Copies of this permit 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. This permit authorizes removal by hand of *Vallisneria americana* from Focus Area 1 and Focus Area 2 within Follensby Clear Pond as depicted in the Detailed Project Description, for a period of two years beginning upon commencement of the harvesting. Removals shall be managed in accordance with the Program Protocol.
5. Prior to being brought on site, all equipment (including but not limited to boats, trailers, anchors, and ropes/lines) that will be placed in or over the water shall meet the Clean Drain Dry standard as set forth on the DEC website. Disinfection, if necessary, shall also be done prior to being brought on site and shall be done in accordance with procedures outlined on the DEC website.
6. A project report shall be provided to the Agency upon completion of the restoration project, but no later than January 31, 2029. This report shall include a narrative assessment of the outcomes of the project and shall include any associated plant surveys generated during the course of the project.



CONCLUSIONS OF LAW

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

- a. is consistent with the applicable and relevant portions of the Freshwater Wetlands Act;
- b. is consistent with the Adirondack Park Land Use and Development Plan;
- c. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park, taking into account the economic and social or other benefits to be derived from the activity;
- 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 with respect to the associated Value "2" wetlands; and
- e. would be compatible with preservation of the entire wetland and would not result in degradation or loss of any part of the wetland or its associated values with respect to the associated Value "1" wetlands.

Dated:

July 8th, 2026

Ray Brook, New York

ADIRONDACK PARK AGENCY

By:

[Signature]
John M. Burth

Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 8th day of July in the year 2026, 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

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029

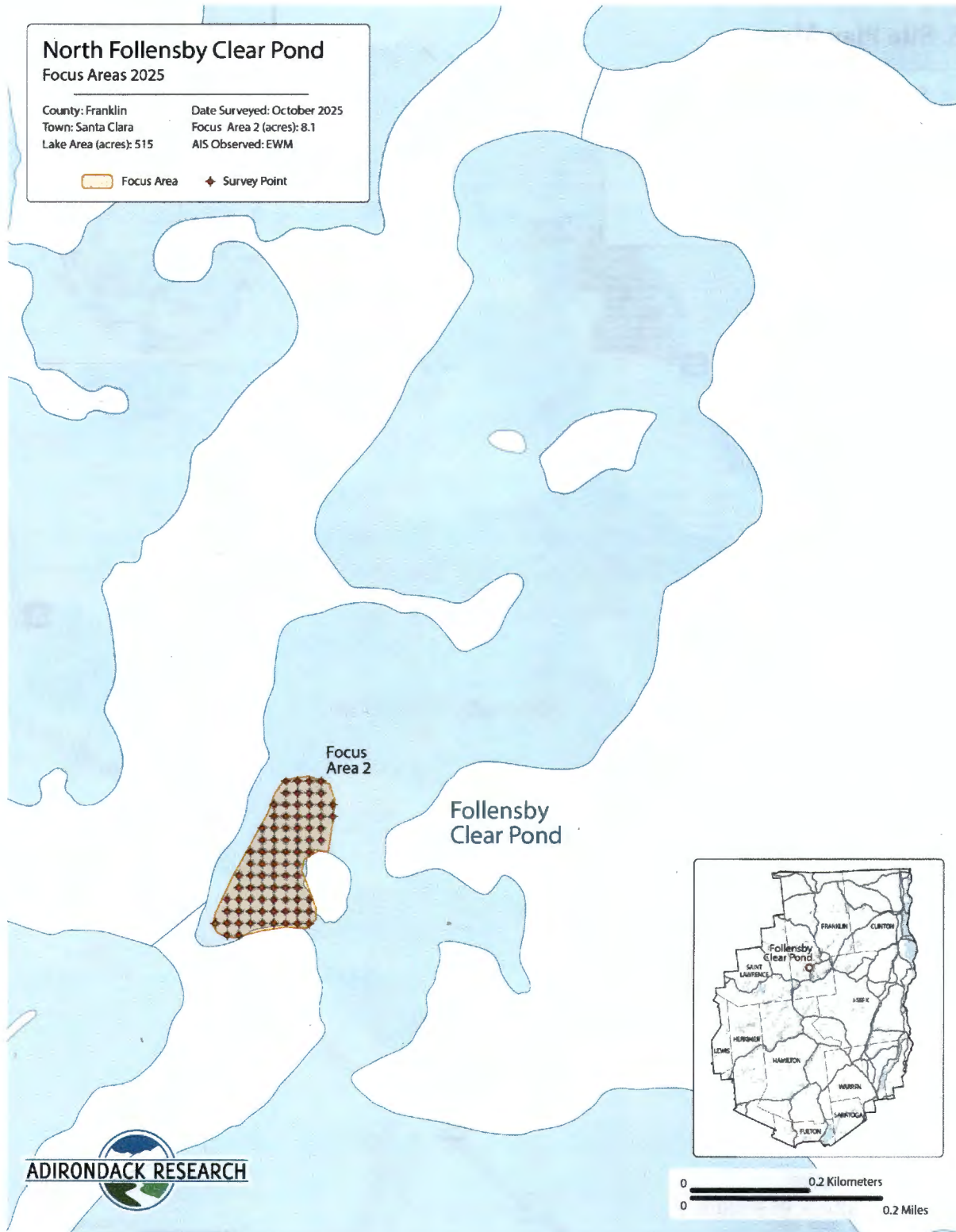
North Follensby Clear Pond

Focus Areas 2025

County: Franklin
Town: Santa Clara
Lake Area (acres): 515

Date Surveyed: October 2025
Focus Area 2 (acres): 8.1
AIS Observed: EWM

 Focus Area  Survey Point



0 0.2 Kilometers
0 0.2 Miles

5. Site Plan Map:

