



April 15, 2015

Richard Weber, Director
Regulatory Affairs
Adirondack Park Agency
P.O. Box 99
Ray Brook, New York 12977

**RE: Lyme Adirondacks Timberland, LLC I, APA Project No. 2015-28
Colton-Piercefield Tract, Town of Piercefield, St. Lawrence County**

Dear Richard:

Adirondack Wild would like to comment on the above project involving seven (7) treatment areas encompassing 549 acres of jurisdictional clear-cutting on State Conservation Easement lands in Colton-Piercefield.

While Adirondack Wild vigorously supports ecologically sustainable forestry on private lands within the Adirondack Park, we feel the permitting under APA's clear-cutting regulations can be enhanced, strengthened and improved to benefit the park's ecosystem health as well as the regional economy. As such, Adirondack Wild is pleased to participate in the Silvicultural Practices Working Group with Sean Ross. We recognize his deep insights and hard work to secure proper forestry and resource conservation on the holdings of Lyme Timberland.

State held Conservation Easements, purchased with significant public funds, hold significant public interest goals for permitting long-term sustainable

forestry, wildlife and habitat protection as well as public recreation. Insuring that wildlife, habitat protection and recreational goals are supported equitably in addition to the promotion of forestry and the important timber products produced is a key to upholding the public interest.

Our specific topical comments follow:

1. Public Information Access for Review:

Adirondack Wild encourages the APA to ensure that the project's Forest Management Plan, Timber Harvest Plans and Best Management Practices be made available and accessible via the Internet to the public during the public comment period without having to resort to Freedom of Information Act (FOIL) procedures.

2. Comments on Permit Conditions:

- A. **Outcomes Post-Harvest:** At present, the permit conditions do not offer indication of the number, height, diameter and quality of the viable hardwood or softwood stems per acre to remain following each of the seven (7) treatment prescriptions. Typically, the Industry has suggested retaining a minimum of 450 stems of desirable quality growing stock at 5 feet, but this may in fact be far under-stocked in some Adirondack stands.
- B. **Stand Prescriptions:** The stand status and prescriptions for this permit were clearly improved in terms of identifying existing forest types and challenges as well as the silvicultural treatment intended. It would be beneficial in review to understand when the last timbering operations or forest cutting history of each treatment area was, as well as viewing maps of the areas included.

Limits of Natural Heritage Program Tracking: That the Natural Heritage Program (NHP) is not currently tracking any rare, threatened or endangered species of plant or wildlife on the track does not mean they do not exist. The APA should require more advanced biological and ecological assessments in advance of large-scale clear cutting within the Adirondack Park, otherwise critically rare or sensitive species can be impacted or lost with no recognition of their being on-site. The APA has required the same of other large

landowners proposing developments of over 100 acres. Whether projects involve residential development or timbering, APA should ensure that the critical biological legacy of the project site should be understood far better than you do today. Identifying flora, fauna and important ecological assemblages is standard practice today for truly ecologically based forestry. This is an important discussion component in the Working Group, but speaks as much to APA's own jurisdictional review authority that has been practiced previously with large scale development practices.

- C. **Significant Gaps in Herpetological Protection Conditions:** The current draft permit offers no indication of permit conditions that will protect or provide for movement of amphibians from their breeding pools to upland habitats where these sensitive organisms forage and overwinter. As recognized by national experts (Dr. Michael Klemens) and the APA in its decisions for the Adirondack Club & Resort (ACR) project among others, amphibians require as much as 800 to 1,000 feet of transitional upland habitat beyond their breeding pools in order to survive. One hundred-foot buffers around their breeding pools are totally insufficient to protect amphibian populations. The wider buffer should be definitely considered for protection of the habitat and wildlife value of the forest lands adjacent and upland to the Kettlehole Ponds complex. Use of variable retention forest islands and corridors that can "break-up" large, open clearcuts can be part of the solution in seeking to sustain critical movement for these species of great significance to forest ecosystem health.
- D. **APA in Harvest Implementation and Compliance:** Merely requiring the applicant to submit a standardized Harvest Compliance Form to be provided by Lyme Adirondack Timberlands is wholly insufficient in our view. APA staff foresters and biologists should be on-site once pre, during and post-harvest to conduct independent post-harvest assessments of whether or not the permit conditions have been met and the resulting regeneration and habitat protections have been achieved. Because these projects have been advancing in number over the past year, the APA needs optimum oversight to assess the permits ability to meet its goals and to help set the stage for better, transparent perspective on whether or

not there are potentially increasing undue adverse impacts over time from such permitting.

Longer term, the APA needs to think about the cumulative impacts of such cutting regimes across regions of the Adirondack Park. With larger tract, variable clear-cutting permits being issued, what potential cumulative impacts might we be seeing in the future? And how do we prevent unwelcome changes and promote truly ecological forestry site by site, not simply across large landholdings under more generic (as worthwhile as they are) SFI and FSC certification programs?

These were in fact the very much the same question that Dr. Ed Ketchledge was seeking the Agency to tackle when it first developed its revised regulations in 1981, thus the APA has already historically recognized that critical question in the past and needs to address it as more and more large landowners seek clear-cutting permits across the Park's Resource Management and Conservation Easement landscapes.

Thank you for considering these comments.

Sincerely,

Dan Plumley

Dan Plumley

Dave Gibson

David Gibson

cc: T. Martino
J. Townsend