



**Board of Directors**

March 24, 2015

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NYS Adirondack Park Agency  
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**RE: Purpose and priorities of forest clearcutting stakeholders forum**

James Long  
**Secretary**

Dear Jim,

David Quinn  
**Treasurer**

Protect the Adirondacks has participated in the Adirondack Park Agency's (APA) roundtable on commercial forest clearcutting for the last two years. This forum has also been useful to dispel myths about the APA's regulatory process for reviewing and acting on applications for largescale clearcuts.

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At this point in time, we have several concerns with this effort going forward. Since the roundtable first convened, Lyme Timber Company has successfully applied for and received APA permits for large clearcuts. The roundtable process started after concerns about the APA issuing an expedited draft general permit to streamline the process for issuing permits for large clearcuts. The series of permits by Lyme Timber Company show that the current process functions satisfactorily and that the general permit is not needed after all.

Peter Bauer  
**Executive Director**

It should be noted that the majority of clearcutting and heavy cutting on conservation easement and industrial forestlands are designed to avoid APA review. Also, it simply cannot be ignored that clearcutting is prevalent because it is the most efficient and profitable form of forest management by land companies. Any discussion of this management technique has to be understood in this context.

Since the idea of a general permit for clearcutting has been proven unnecessary, the clearcutting roundtable stands as an effort in search of a purpose. The goals of the roundtable are not clear and are not widely shared by the stakeholders. Given the absence of a shared purpose, the forum is now a showcase for free flowing ideas for ways to possibly improve, or perhaps weaken, the regulation of commercial forestlands in the Adirondack Park and New York. Various proposals are now in circulation to reform the APA Act and APA rules and regulations, for the purposes of meeting the objectives of various stakeholders.

An analysis of aerial photography by PROTECT shows about 2,000 acres of clearcuts of various sizes on conservation easement lands and another 63,000 acres of "strip" cuts, including some areas of over heavy cutting of over 4,000 acres. The majority

of these heavy cuts are from recent years and use of these methods appears to be accelerating. Despite the fact that the clearcutting roundtable has met for two years we do not have good data about the extent of clearcutting and other various kinds of heavy cutting or the impacts. One factor that has limited the success of this forum is that it has failed to gather and share the latest science about forest management that would help the stakeholders fully understand the challenges from the increased use of a suite of heavy cutting techniques.



Industrial forest management in the Adirondack Park has fundamentally changed since the era of the paper manufacturing landowners (see changes in the picture above). Nearly 800,000 acres of large industrial forestlands under conservation easement in the Adirondacks is now owned and managed by short-term investors who are making decisions, such as clearcutting, that have long-term consequences. Even during the short time that the clearcutting roundtable has met, we've seen over 150,000 acres of industrial forestland in the Adirondacks change ownership. Ownerships are likely to continue to change from the time lands are clearcut, or undergo heavy cutting, to the point when regeneration is assessed.

Current sustainable forestry certifications/DEC reporting provides inadequate information to evaluate forest conditions. A review of "Conservation Easement Inspection Reports" for various state-owned conservation easements in DEC Regions 5 and 6 as well as FSC "Certification Public Summary" reports, obtained under the Freedom of Information Act, found little detailed information provided about growth and yields. FSC reports had more information than skimpy DEC reports that focused largely on the condition of roads and compliance of hunting camps, but summaries like the following were typical: "Ferrel Farm French Hill Regenerating clearcut - lots of regeneration 14/6/11." Nothing about the size of the cut or the age-class and

volumes removed, composition of the regeneration species, or goals of the clearcut.

As mentioned above, little science has been brought to this forum. The roundtable has not undertaken any assessment of regeneration of recent clearcuts. The idea that we need more clearcuts in the Adirondacks in order to promote early successional species should be examined since these species are abundant across the developed and altered New York landscape. APA and the DEC have the responsibility to incorporate scientific research into their regulations and management.

**Lyme Timber Company Proposal:** This proposal is several steps forward, in that it recognizes the value of the current 25-acre limit for clearcutting, as well as the current definition. These measures do provide some protection for the forest. It also recognizes that basal area is not a good measure of regeneration, but advocates an on-the-ground assessment of actual regeneration by counting stems. The details of this would have to be worked out. This recognizes the site-specific nature of regeneration of the forest.

Lyme also seeks access to the buffers that separate non-jurisdictional clearcuts. Even though Lyme has been the leader in securing APA permits for large management actions, including large clearcuts, it has also been aggressive in undertaking non-jurisdictional clearcuts. Lyme proposals to expand the buffer from 300 to 500 feet if they can cut the buffer areas before the 20 year “no-cut” rule. PROTECT believes that this makes the case for an APA permit because of the total acreage involved.

Lyme makes no mention of two ecological factors that are currently devastating regeneration in the Adirondack forest. Even Lyme Timber’s most recent application to the APA reported that beech would regenerate substantially in the areas it seeks to clearcut. Beech is diseased in the Adirondack Park and this stress produces an excess of beech sprouts that dominate the forest floor and block the regeneration of other species. Any regeneration plan has to take account of this. The other is the impact of heavy deer browse.

**NYS DEC Proposal:** The idea of replacing the term “clearcutting” with the term “heavy cutting” is both misleading and unscientific. “Heavy cutting” is a completely different forest management practice: high-grading and shelterwood cuts are “heavy cutting.” While both of these practices leave a standing forest, it is a very altered, often degraded one. Clearcutting does not leave a standing forest. Large-scale clearcutting is regulated and we question the idea of blurring the lines between methods. As aerial photography of conservation easements show, these lands are vastly altered from an array of heavy cutting techniques that should all be better regulated.

PROTECT supports proposals for timber harvest notification to local governments, especially for all 480/480a lands, and to all neighboring properties that share a boundary line with the lands scheduled for harvest.

**Moving Ahead:** If the roundtable is to go forward it needs to get serious about examining regeneration in clearcut and heavy cutting zones, which are becoming more prevalent across the industrial forests of the Adirondacks. It needs to incorporate scientific research into an examination of possible changes to forest management regulations.

On behalf of the Board of Directors of Protect the Adirondacks, please accept our gratitude for the opportunity to submit these thoughts on this important issue.

Sincerely,



Peter Bauer