



September 9, 2015

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Mr. Aaron Ziemann
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Molpus Woodlands Group 470-acre Clearcutting Application (APA Project 2015-124)

Dear Mr. Ziemann,

Protect the Adirondacks had reviewed the new application to the Adirondack Park Agency (APA) by Molpus Woodlands Group (APA Project 2015-124) for 470-acres of various clearcuts in the town of Colton in St. Lawrence County. This tract is encumbered by a state-held conservation easement (it is part of the original Yorkshire conservation easement) where there is widespread public recreational access and longstanding public interest. This tract also borders Forest Preserve lands in the Cranberry Lake Wild Forest area.

The applicant states that the area to be harvested was subject to a shelterwood cut approximately six years ago and that the regeneration has "been established abundantly throughout the area." The applicant reports that stand regeneration is 8,200 stems per acre on one acre sampled, which is above the necessary limit to allow overstory removal in the second phase of the shelterwood clearcut. The applicant also reports that while there is vigorous regeneration in the understory there is also severe crown decline in the overstory.

The application states "The crew identified for this sale is a mechanical crew utilizing a tracked feller/buncher, grapple skidders, loader/slasher, stroke delimeter, and whole tree chipper." The clearcutting throughout the tract seeks to remove all "stems 6 inches and greater."

After review of the application, Protect the Adirondacks is troubled by a number of issues that are detailed below. We believe that the APA acted prematurely in deeming this application complete as there is missing information. The incomplete application makes it very difficult for the public to evaluate the full scope of this project, both its potential merits, and its potential hazards.

Protect the Adirondacks

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Rapid Application Review: The application arrived at the APA on August 6, 2015. There had been some pre-application consultation between Molpus Woodlands Group at the APA forester. The application was deemed complete by August 19th and the project was listed in the Environmental Notice Bulletin in the August 26th edition. The APA commenced a public comment period that closed on September 9th, just outside one month from when the application first arrived and just twenty (20) days from when the application was deemed complete. This project now appears to be on its way to approval at the October APA meeting, making it roughly a 2-month review and approval process.

For the APA, or any state or local agency, this is a rapid turnaround. There are three potential issues that arise through the rapid processing on this application.

First, this will mark the sixth major clearcutting permit that the APA has issued in the past two years since it floated the idea of a general permit to expedite the review and approval of jurisdictional clearcutting applications. The APA had sought to enact a general permit to create an expedited review process for potential largescale clearcutting operations. It appears that through the rapid 2-month process for Project 2015-124, the APA is administering a de facto general permit process for large clearcutting applications in a period of time far faster than it even anticipated in its draft general permit.

Second, this clearcutting will take place on state-held conservation easement lands where the people of the State of New York own (and pay taxes on) a majority of the value of these lands, yet there was minimal public disclosure and opportunity for public comment. Just contrast public review on APA Project 2015-124 on a state-owned conservation easement with an amendment to a Forest Preserve Unit Management Plan.

Third, an expedited review can only be accomplished by seeking to simplify the process and require minimal information. Indeed, we contend that important and necessary information was simply not provided in this application.

Missing Information: Protect the Adirondacks reviewed the contents of this application on September 8th at the APA office in Ray Brook. We found the application to be incomplete. The missing, inadequate or substandard information in this application included:

- No scaled map with wetland boundaries delineated on a “Site Plan Map” as required by the GIR.
- No map that showed buffers for perennial or intermittent streams or wetlands.
- The application included a “Molpus Pre-Timber Plan” which had a section called “Evaluation of Aesthetic Impacts of Harvesting” that was checked affirmatively for both “Yes” and “No” impacts, yet there were no follow-up measures as required for when the answer was “Yes.” This information on aesthetic impact mitigation should have been included.
- The application did not specify that wetlands will be buffered by 100 feet, yet the GIR states there will be no activities within 100 feet of wetlands. The application should have had information on wetlands protection.

- There is no mention in the application as to whether these lands are FSC/SFI certified? If these lands are certified documentation should be provided.
- The application stated that much of the 470 acres where the clearcutting is proposed was previously treated through a non-jurisdictional shelterwood cut. Of this extensive acreage subject to a shelterwood cut, sampling for stem regeneration was provided for just one acre. This was an inadequate sample to assess stem regeneration.
- There was no information on the success or failure of the shelterwood cut to change forest composition. The most abundant stem was beech.
- The application states that two different types of clearcutting treatments will be performed on the 470 acres, yet did not provide maps that delineate areas where shelterwood overstory management will take place and areas where other intensive clearcutting will occur.
- No stand level maps of management areas were provided? No management plan for this tract was provided.
- No soils maps were provided.
- No wildlife habitat inventories were provided.
- No hydrology or wetlands maps were provided.
- There was no discussion of Forest Preserve boundary buffering and protections in the application. Nor was the Forest Preserve noted as being protected on the National Register of Historic Places.
- No information was provided on the composition of the overstory trees or the expected stumpage from the total harvest.
- Upon review of the file noted exhibits to the GIR were not provided, including “Attachment D, a full scale survey map of the property.”
- Though the entirety of this tract is encumbered by a conservation easement that allows extensive public recreational access no map was included detailing public recreational amenities and there was no description of how the clearcutting will impact recreational use.
- Though the various clearcuts will be undertaken with heavy machinery in a mechanical harvest, no information was provided on how the overstory trees in the shelterwood areas will be harvested or other clearcuts will be undertaken.

The absence of so much important information and data makes it impossible to truly assess the impacts of the clearcutting in question and makes the APA review little more than a rubberstamp.

Expedited Review based on Limited, Inadequate Information and Data Shortchanges Adirondack Forests

Under the permit likely to be issued for 2015-124 abused and poorly managed Adirondack Park

industrial forests under conservation easements will continue to be abused and poorly managed. This short-term management is neither building the economic value or enhancing the ecological integrity of this forest. This management continues to keep Adirondack Park industrial forests suspended in a cycle of short-term management for short-term returns, robbing the Adirondack Park community of the future development of high value industrial forestlands capable of sustainably supporting a vigorous secondary woods products manufacturing industry in the Adirondacks and upstate New York. The Adirondack Park and Adirondack communities deserve better.

The Adirondack Park is not well served by the APA's de facto general permit program for major clearcutting applications through expedited project reviews, such as we've seen with the Molpus Woodlands Group current application 2015-124. This application is substandard, inadequate and incomplete.

On behalf of the Board of Directors of Protect the Adirondacks, please let me express our gratitude for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with a large initial "P" and "B".

Peter Bauer
Executive Director