

One Commerce Plaza
Albany, New York 12260
518.487.7600

David R. Everett
Partner
518.487.7543 phone
deverett@woh.com

FORESTRY/SILVICULTURE EXPERIENCE

- Mr. Everett has represented private clients in preparing and negotiating timber harvesting/logging agreements.
- Mr. Everett has represented private land owners and real estate developers in complying with local tree preservation or protection laws in connection with the siting and development of residential housing projects and retail projects. He has also represented private landowners in preparing tree preservation easements and deed restrictions.
- Mr. Everett has counseled private parties in complying with regulations governing the State Forest Preserve in the Catskill and Adirondack Parks. He has also represented private parties in State enforcement proceedings for alleged violations of the “forever wild” provisions in New York State Constitution which prohibit the sale, removal or destruction of timber in the forest preserve.
- Mr. Everett has represented private land owners in qualifying for New York State’s Forest Tax Program (under Section 480-a of the Real Property Tax Law).
- Mr. Everett has negotiated Consent Orders with NYSDEC for alleged violations of the State’s Forestry Tax Program. On behalf of a private landowner, Mr. Everett successfully dismissed a \$250,000 fine imposed by NYSDEC for alleged violations of the program.
- He has counseled logging companies on environmental legal issues associated with building haul roads and harvesting timber in and around wetlands, near protected streams and near Wild, Scenic and Recreational Rivers.
- Mr. Everett has represented municipalities in developing and implementing local road protection laws and programs to preserve local roads from damage due to large-scale logging operations.
- Mr. Everett has represented logging companies and landowners related to compliance with federal and State regulations governing wetland impacts, stream crossings, storm water management, endangered species issues and timber harvesting guidelines affecting silviculture operations in general.

- Mr. Everett has represented municipalities in preparing and adopting timber harvesting laws and SEQRA compliance related to those laws.
- Mr. Everett has represented landowners in timber theft cases including assisting private clients in seeking treble stumpage values for stolen timber under NYS Real Property Actions and Proceedings Law.
- On behalf of logging companies, Mr. Everett has negotiated Consent Orders with NYSDEC for alleged violations of wetland and stream regulations during logging operations.
- Mr. Everett has represented farmers and private landowners to develop strategies for maximizing their agriculture assessments for farm woodlands under the State's Agriculture and Markets Law.
- Mr. Everett is familiar with State and federal laws governing the use and disposal of hazardous materials including petroleum products register pesticides and fuels and fluids.