



**M E M O R A N D U M**

**TO:** Terry Martino

**FROM:** Daniel M. Spada

**DATE:** August 23, 2012

**RE:** RASS Division Report for August 2012

**Projects**

Field visits were conducted for those projects preceded by an asterisk (\*).

\*P1996-347R3C, Graymont Quarries, Town of St. Armand: Met with project sponsor and consultant to discuss an amendment request to revise the permitted mining plan. While the request is within the existing life of mine, significant issues include potentially revising the permit term and construction of wider benches for safety reasons. Other involved Agency staff: McSherry. (LaLonde)

\*P2012-0093, Oksala, Town of Hadley: Conducted a site visit, assessed deep-hole test pit information and proposed building envelopes for two new building lots in a three-lot subdivision. Soils were not suitable for conventional on-site wastewater treatment systems. Further evaluation of the site will be required. Other involved Agency staff: Yamrick. (LaLonde, Ziemann)

\*P2012-0121, Altarac, Town of Lake Luzerne: Conducted a site visit with the landowner to assess the building envelope, limits of clearing and septic information for a new single family dwelling. The parcel was subject to a previous enforcement case (E2008-192). Other involved Agency staff: Yamrick. (LaLonde, Ziemann)

\*P2012-0124, Christmas, Town of Salisbury: Conducted a site visit to evaluate deep-hole test pits, building envelopes and wetlands for a four-lot subdivision. Previously provided soil test pit information was found to be incomplete and new locations were identified during the site visit. Other involved Agency staff: S. Parker. (LaLonde, Ziemann, O'Dell)

\*P2012-0038, Hart, Town of Mayfield: This project is a five lot subdivision; creating four lots with a single family dwelling on each and a pre-existing dwelling on the fifth lot. Aaron Ziemann and Greg Bendell assisted Virginia Yamrick on a site visit to

confirm the consultant engineer's soil data. As a result of the staff visit one dwelling location had to be moved due to the presence of shallow bedrock and two on-site wastewater treatment systems must be re-designed as a result of a shallower seasonal high groundwater table than what was initially reported. This site visit was an important example of the importance of having an Agency Soils Scientist on staff to confirm and verify soils data submitted by licensed design professionals working within the Adirondack Park. The Agency is currently awaiting an updated site plan and OSWTS designs. Other involved Agency staff: Yamrick. (Bendell, Ziemann)

\*P2012-100, Upper Jay Fire Department, Town of Upper Jay:

Replacement of the Upper Jay Fire Department building which got ruined in the flood caused by Irene last year. RASS staff investigated soils in the location of the proposed fire department. The Agency project also includes a lot being created for the future construction of a single family dwelling. The Agency is currently waiting for the design and layout of the on-site wastewater treatment systems to be submitted for review and approval. Other involved Agency staff: Saehrig. (Ziemann, Bendell)

\*P2012-0106, NYSDOT, Town of Chesterfield: Removal of part of an old beaver dam with a resultant temporary drawdown of the pond.  
RASS Issues: wetlands

Actions taken or to be taken: Collected GPS data and photographed the site in preparation for preparing an adequate site plan map for the project. DOT staff have been unable to do this after two requests. We are basically planning the project, preparing the application materials and writing the permit. I will now prepare the site plan in GIS and mark-up photographs to show the extent of the work. Other involved Agency staff: Saehrig (Rooks)

\*P2012-0123, Black, Town of Black Brook: Driveway wetland crossing with mitigation. RASS staff examined the proposed mitigation site. Other involved Agency staff: Darrah. (Rooks)

\*P2012-0131, The Landings at Schroon Lake, Town of Schroon: Dock extension and reconfiguration involving wetlands.  
Other involved Agency staff: McSherry. (O'Dell)  
Other involved agencies: DEC and OGS

P2012-0083, Genter, Town of Diana: Site visit conducted previously. Engineering staff reviewed four-lot subdivision proposal with 3 new building lots in a Scenic River Area. Deep-hole test pit and mean high water mark information was confirmed as well as building envelopes and on-site wastewater treatment system designs. Other involved Agency staff: C. Parker (LaLonde)

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P2007-0001, Schulz, Town of Fort Ann: Engineering staff reviewed and approved, with conditions, on-site wastewater treatment system designs for two new building lots. Other involved Agency staff: S. Parker (LaLonde)

### **Pre-Application**

Field visits were conducted for those pre-application meetings preceded by an asterisk (\*).

\*A2012-0112, Hutchins, Town of Santa Clara: Request to amend permit 88-270. A site visit was conducted. RASS issues include on-site wastewater treatment. Other involved Agency staff: McSherry. (LaLonde)

\*A2012-0133, Town Hall, Town of Harrietstown: RASS staff conducted a site visit with Town officials and their engineer to assess a proposed retaining wall reconstruction requiring a variance. Given the objectives, a variance will be required. A pre-application meeting was conducted with Agency staff, Town officials and their engineer to discuss the proposal and variance criteria. A variance application with engineered plans is expected to be submitted soon. Other involved Agency staff: Darrah. (LaLonde) Other involved agencies or municipalities: Town of Harrietstown.

\*A2012-131, Town of Chester:. The town is working with the Loon Lake Association to evaluate an area in Loon Lake for using an aquatic herbicide (Renovate). RASS staff met with Loon Lake Association officials and their aquatic consultant to evaluate the proposed treatment area. They intend to submit an application this fall for a Spring 2013 treatment. (Snizek)

A2012-0138, Town of Ticonderoga: Development of water supply wells involving wetlands. Met with Town Supervisor, AES engineers, NYDOH. Wetland delineations have been scheduled for the appropriate lots. Other involved Agency staff: Darrah. (LaLonde, Rooks) Other involved agencies or municipalities: NYDOH, Town of Schroon.

\*A2012-0140, Independent Towers, Town of Newcomb: RASS staff scouted 3 sites for cell phone tower and access road. One will involve a wetland crossing with mitigation. Other involved Agency staff: Yamrick. (Rooks)

\*A2012-0147, Town of Johnsbury: The Town proposes a release of sterile grass carp in Ski Bowl Village Pond in order to control nuisance aquatic plants in order to open their bathing beach. RASS staff discussed alternatives to grass carp and offered to present the plant management alternatives at a future town board meeting. (Snizek)

A2012-0008, The Arts Guild of Old Forge: Engineering staff reviewed stormwater management information and determined there to be no impact to wetlands resulting from the construction of the Arts Building. Other involved Agency staff: Walrath (LaLonde)

### **Jurisdiction**

Field visits were conducted for those jurisdictional inquiries preceded by an asterisk (\*).

\*J2012-0315, Tillack, Town of Wells: Proposed construction of a Family Dollar Store involving wetlands. It is possible that the project can be redesigned around delineated wetlands to eliminate wetland involvement. Other involved Agency staff: Miller. (O'Dell)

J2012-0364, Fern Lake Dam, Town of Black Brook: RASS staff reviewed a dam repair proposal and coordinated review with DEC. Staff determined no variance was required and no impacts to wetlands would occur and no shoreline cutting would result. Other involved Agency staff: Miller. (LaLonde)

J2012-0376, Benchik, Town of Clifton: RASS staff reviewed a revised shoreline stabilization proposal and determined no variance or permit was required. The proposal was revised based upon an August 1, 2012 site visit. Other involved Agency staff: Miller. (LaLonde)

### **Enforcement**

Field visits were conducted for those enforcement actions preceded by an asterisk (\*).

\*E2012-0110, Douros, Town of Putnam: Conducted a site visit to assess shoreline structures including a retaining wall, landing area and fencing. A remediation plan for apparent non-conforming structures has been submitted. Other involved Agency staff: Wagner, Burth. (LaLonde)

\*E2012-0082, Jackowski, Town of Providence: Conducted a site visit to evaluate compliance with a prior permit and assess an alleged mining operation. The site visit was coordinated with DEC. Remediation alternatives for stabilizing the mined area and permit compliance options for future activities were provided to the landowner. (LaLonde/Ziemann)

\*E2012-0138, Town of Franklin: A site visit was conducted with a Town official to evaluate a road construction project. Remediation alternatives to address apparent wetland and waterbody impacts were provided. Other involved Agency staff: Burth. (LaLonde) Other involved agencies/municipalities: Town of Franklin.

\*E2012-0044, Gramegna, Town of Bolton: Investigated alleged of wetland fill and determined that no fill had occurred. Other involved Agency staff: Adams, Wagner. (Rooks)

\*E2012-0094, Klass, Town of Bolton: Alleged filling of wetlands to replace an existing dock along Trout Lake. The field investigation revealed that there was no wetland fill violation on the property. Discussions with the landowner included technical advice and permitting requirements for potential construction of a sediment basin and dredging within the wetland. (O'Dell, Ziemann, Bendell)

\*E2012-0104, Haselton, Town of Wilmington: Investigated alleged wetland fill and determined that the wetland was NJ. Other involved Agency staff: Adams, Wagner. (Rooks)

\*E2012-0106, Patriots Path Council, Town of Long Lake: Staff investigated alleged wetland fill. Met with BSA official and discussed remediation of apparent wetland fill and stabilization of upland area. Other involved Agency staff: Fravor. (Rooks)

\*E2012-0120, St. Bernard's Cemetery, Town of Harrietstown: Investigated a report of a waste disposal site affecting wetlands. Staff met with Harrietstown CEO and determined that WDS was not in wetland and was otherwise non-jurisdictional for the Agency because it was located in a Hamlet land use area. Subsequently did a wetland air photo interpretation and provided it to CEO as he has jurisdiction over WDS w/in 500 feet of wetlands or water bodies. Other involved Agency staff: Wagner, Burth. (Rooks)  
Other involved agencies/municipalities: Town of Harrietstown.

\*E2012-0121, Beaudette, Town of Tupper Lake: Evaluated apparent wetland fill and discussed remediation with owner. Other involved Agency staff: Adams, Wagner. (Rooks)

\*E2011-0200, Village of Dannemora: Village waste area involving an alleged wetland fill and water quality degradation. The village has completed slope stabilization, removed wetland fill and completed excavation and seeding for wetland mitigation. (Ziemann, O'Dell)  
Other involved agencies or municipalities: DEC.

### **Wetlands**

Field visits were conducted for those jurisdictional inquiries preceded by an asterisk (\*).

\*W2012-0159, Joyce and Allison, Town of Indian Lake: Proposed RV camp site involving wetlands. (O'Dell)

\*W2012-0158, Trepanier, Town of Tupper Lake: Staff flagged wetland to assist the engineer designing a new septic system for a 4-unit

apartment building. It may need a permit and it may be an OIG violation. Submitted PVR and provided the engineer with a revised GIS map showing the wetland. (Rooks)

\*W2012-0164, Paley, Town of Willsboro: Field investigation related to new pond construction. Staff determined that there are no J wetlands or streams (intermittent or permanent) at the proposed pond site. (Rooks)

RASS staff provided 22 air photo interpretations for wetland determinations or GIS projects for: JIFs, Landowners, Enforcement cases, Reg Program projects, and towns. (Mark Rooks, Mary O'Dell)

### **Meetings/Events Attended**

On August 8th, RASS staff provided wetland training to DOT staff at the Warrensburg headquarters. This year RASS staff have provided wetland recognition training to over 70 NYS DOT staff. (O'Dell)

On August 16th, RASS staff attended a session for agencies and municipalities to view the river restoration work that has been completed at Rivermeade Farms in Keene. (O'Dell)

On August 21st, RASS staff attended a US Army Corps of Engineers training session on hydric soils and using the new supplement to the Army Corps wetland delineation manual. Participants included staff from DEC, ACOE, NRCS and APA. (O'Dell, Rooks, Spada)

RASS staff made a presentation at the recent Eurasian Watermilfoil Management Summit: Lessons learned from the Adirondack region. This free event was hosted at the Horicon Town Hall in Brant Lake on August 16th. The Summit was organized by partners of the Adirondack Park Invasive Plant Program, Adirondack Lake Alliance and Lake Champlain Lake George Regional Planning Board. Approximately 100 individuals representing elected officials, members of governmental and nongovernmental organizations, community groups, lake associations and shoreowners attended the Summit. (Snizek)

The RASS Supervisor participated in a meeting with NYS and Canadian scientists regarding the Algonquin To Adirondack (A2A) ecosystem connectivity effort on Monday, August 20. The team discussed the upcoming October workshop and strategic planning activities. (Spada)

The RASS Supervisor participated as President of the Adirondack Research Consortium in their summer business meeting on Wednesday, August 15. (Spada)

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The RASS Supervisor participated in several meetings of the LCBP ANS Rapid Response Team to assess Spiny Waterflea infestations in the Champlain Canal, the Feeder Canal and Lake George. (Spada)

RASS staff participated in hardwood forest rehabilitation training sponsored by the Society of American Foresters and presented by Dr. Ralph Nyland of SUNY ESF on Tuesday, August 21. Participants included professional foresters, TIMO's, land managers and soil scientists. (Ziemann)

The RASS Supervisor participated in several of the Cleaner Greener Communities Working Landscape and Livable Communities task group meetings. (Spada)

On August 24, RASS staff attended a soils classification and description workshop in Rindge, New Hampshire, sponsored by the New Hampshire Association of Natural Resource Scientists. The workshop provided instruction in the basics of professional soil description. The morning lecture included an overview of nomenclature and proper techniques for describing soil profiles, and a presentation of methods that meet certification and regulatory standards for soil scientists. The afternoon field session focused on the examination of soil test pits in upland and wetland settings. The workshop was a valuable opportunity for staff to refine soil analysis skills alongside soil scientists with many years of field experience. (Ziemann/Bendell)

DMS:SEL:lhb

cc: RASS Staff

**M E M O R A N D U M**

**TO:** Daniel M. Spada  
**FROM:** Mary O'Dell  
**DATE:** August 23, 2012  
**SUBJECT:** Updated 2012 wetland field visit statistics

**Year 2012 Wetland Field Visits**

<b>Time Period</b>	<b>Number of requests received during month</b>	<b>Number completed</b>	<b>Interval for processing. (Date received to date scheduled for those received in that month)</b>	<b>Number pending</b>
January	2	2	N/A	0
February	6	3	N/A	3
March	25	8	N/A	20
April	33	36	15	17
May	38	48	8	7
<b>June</b>	26	23	14	10
<b>July</b>	26	26	12	10
<b>August</b>	20	27	9	3
Cumulative for 2012	176	173	Avg = 12	3

c: M. Rooks

**M E M O R A N D U M**

**TO:** Dan Spada  
**FROM:** Aaron Ziemann  
**DATE:** August 22, 2012  
**RE:** August Deep-hole Test Pit Statistics

In August of 2012, a total of 21 deep-hole test pit (DHTP) evaluations were conducted in review of 5 projects or pre-applications. 20 of these evaluations were performed by Agency staff. 1 accepted DHTP evaluation was provided by a consultant. Of the 21 DHTP locations, 29 percent meet Agency guidelines for conventional wastewater treatment systems, 29 percent meet Agency guidelines for shallow wastewater treatment systems, and 43 percent did not meet Agency guidelines for installation of an onsite wastewater treatment system.

<b>Deep Hole Test Pit Statistics</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Year To Date</b>
<b>Projects Involving DHTPs</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>11</b>	<b>11</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>52</b>
DHTPs Described by APA	13	7	2	24	6	8	13	20	93
DHTPs Described by Consultants	5	4	0	1	5	0	1	1	17
<b>Total DHTPs</b>	<b>18</b>	<b>11</b>	<b>2</b>	<b>25</b>	<b>11</b>	<b>8</b>	<b>14</b>	<b>21</b>	<b>110</b>
Approved Conventional Systems	9	1	0	4	4	4	4	3	29
Approved Shallow Systems	3	5	0	14	6	4	4	8	44
Did not Meet Agency Guidelines	6	5	2	7	1	0	6	10	37
Approved Conventional Systems %	50%	9%	0%	16%	36%	50%	29%	14%	26%
Approved Shallow Systems %	17%	45%	0%	56%	55%	50%	29%	38%	40%
Did not Meet Agency Guidelines %	33%	45%	100%	28%	9%	0%	43%	48%	34%
<b>Approved Shallow Systems</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>14</b>	<b>6</b>	<b>4</b>	<b>4</b>	<b>8</b>	<b>44</b>
Shallow Systems due to SHGWT	3	5	0	14	5	4	3	8	42
Shallow Systems due to Bedrock	0	0	0	0	2	0	1	0	3
Shallow Systems due to SHGWT %	100%	100%	0%	100%	83%	100%	75%	100%	95%
Shallow Systems due to Bedrock %	0%	0%	0%	0%	33%	0%	25%	0%	7%