



M E M O R A N D U M

TO: Terry Martino

FROM: Daniel M. Spada

DATE: October 31, 2012

RE: RASS Division Report for October 2012

Projects

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

P1987-0292A, Lagoon Manor, Town of Bolton: This is an amendment to Project 87-292 - Phase I of Lagoon Manor Planned Unit Development - transfer from Glenn Waehner to Brook Hill Development. RASS staff reviewed the "After Cutting" plan required by permit condition. The cut was in compliance with the approved vegetative management plan. Other involved Agency staff: C. Parker, Tucker. (Ziemann)

*P98-0313D, Champion Realty Corporation, Towns of Watson and Croghan: This is an amendment to P98-0313 to authorize conveyance of 60 camp lots/lease lots on Soft Maple Flow. RASS staff has reviewed OSWTS's and offered observations regarding potential vegetative cutting restrictions. Other involved Agency staff: C. Parker. (Ziemann, LaLonde)

P2006-0189R, Goodnow Flow Association, Town of Newcomb: Dam repair and expansion of spillway and earthen dam to meet current DEC safety requirements. Project was not undertaken and applicant has requested that the permit be renewed for another 4 years. The project is controversial to several of the shoreland owners due to the cost involved and lack of state funding. (Snizek)

P2006-0298A; Kovalsky, Town of Tupper Lake: The permit amendment issued 4/20/2012 to extend the time period for required septic replacement. RASS staff reviewed and approved the submitted septic plan. Other involved Agency staff: S. Parker. (Ziemann, LaLonde, O'Dell)

*P2007-0062; Hauschka, Town of Keene: Application is for a three-lot subdivision with two proposed single family dwellings. RASS performed two deep-hole test pit examinations. Other involved Agency staff: Yamrick. (Ziemann)

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*P2007-0071; Rodzinski, Town of North Elba: Permit for 5 lot SD, 2 SFD's, recently renewed. Permit holder wants to harvest timber and the permit requires amendment for cutting outside proposed limits of clearing, and for cutting on slopes steeper than 15%. RASS staff is reviewing forestry and slopes analysis. Clearing is for increased viewshed and will be approximately 5 acres or less. Staff advised to observe road setback, avoid steep slopes, and consider a forest management plan for long term management of the property. Other involved Agency staff: Yamrick. (Ziemann)

P2012-0071; Yanulavich, Town of Saranac: Application for single family dwelling in Resource Management. RASS staff reviewed for soils verification and septic detail verification. Other involved Agency staff: Darrah. (Ziemann, Snizek, Bendell)

P2009-0134, Harris, Fort Ann: This project is for a three lot subdivision with two new single family dwellings proposed and one pre-existing. This project has been under Agency review for an extended period of time as the applicant addresses issues raised by Agency staff as well as other regulatory entities. Various site visits have occurred throughout the Agency review process including many staff members. The final outstanding item has been addressed in the most recent plans and should be deemed complete shortly. Through multiple reviews and by providing specific comments this project has been massaged into a proposal that adequately addresses Agency concerns and is protective of natural resources. (Bendell)

P2011-0047, NYS DEC, Town of Horicon: The reclamation of Long Pond was completed by DEC on 10/23 and 10/24/12. Long Pond is located in the Lake George Wild Forest Area. Approximately 130 gallons of piscicide were initially applied with an additional 15 gals applied the following day in order to boost the concentration to 1.0 ppm. Long Pond will be stocked with brook trout over the next 2 years. (Snizek)

P2011-0177; Nicholes, Town of Chester: Completed application is for a four lot subdivision involving wetlands, including three new building lots. RASS staff reviewed engineering aspects of proposed septic systems and road construction. Other involved Agency staff: C. Parker. (Ziemann, O'Dell, Greg Bendell)

*P2012-0009, McKiege, Town of Keene: Agency staff met with representatives of the landowner to discuss additional information required for the management of stormwater on the proposed building site. Located in a Resource Management Land Use Area the selected building location is on steep slopes above steeper slopes making the management of stormwater a pertinent item of concern. The Agency is expecting revised site plans based on the site visit discussions. Other involved Agency staff: S. Parker. (Bendell)

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*P2012-0102; Evangelism Baptist Church, Town of Indian Lake: The application is for a two lot subdivision involving wetlands, and creation of one vacant lot. RASS staff conducted soil investigations and wetland delineation, as well as review confirming the appropriate location for a replacement system serving an existing cabin. Other involved Agency staff: S. Parker. (Ziemann, O'Dell)

P2012-0147; Sinsabaugh, Town of Newcomb: Completed application is for a construction of a single family dwelling on a pre-existing lot of record, also subject of previous permit 93-250R2 and Settlement Agreement E2011-205. RASS staff reviewed engineering aspects of proposed septic system and house construction, and performed wetland delineation. There are ongoing discussions with the Town of Newcomb to get their comments on the proposal. Other involved Agency staff: McSherry. (Ziemann, Bendell, O'Dell)

*P2012-0155; Wichtowski, Town of Wilmington: Application is for construction of a single family dwelling on an existing lot. RASS staff performed DHTP on site. Other involved Agency staff: McSherry. (Ziemann, Bendell)

*P2012-0156, Moglia, Indian Lake: This project involves a pre-existing lot located within a Recreational River Corridor in a Low Intensity Land Use Area on a pre-existing lot of record. The one acre lot contains steep slopes and an intermittent stream making it difficult, if not impossible, to meet horizontal setbacks. The proposed access to the lot is along a steep slope right of way that would require significant improvements to become passable by vehicular traffic. RASS staff performed DHTP soils analysis, wetlands determination (vernal pool evaluation was negative) and slopes analysis, and a second DHTP performed on adjacent property in the event that adjoining landowner is willing to grant easement to the applicant for a system. The applicant is expected to request an OSWTS easement from his neighbor or seek a variance from the Agency. Other involved Agency staff: Yamrick. (Ziemann, Bendell, Rooks)

P2012-0173, Town of Ticonderoga, Town of Ticonderoga: Application is for an exploratory well for new water supply involving wetlands. Other involved Agency staff: Darrah. (Rooks)

P2012-0180, Ski Bowl Village Pond, Town Johnsburg: General Permit to allow handharvesting of nuisance aquatic plants in proposed beach/swimming area. Area has been closed for years and town is very interested in reviving the beach and picnic area. (Snizek)

P2012-0185, Zipline, Queensbury/Lake George: This project involves the construction of a zip line extending approx. 3400 feet and

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crossing from one town into another. The site contains steep slopes making stormwater, wetlands and potential visibility concerns for Agency staff. Initial review of the application material is underway and a site visit is anticipated in the near future. Other involved Agency staff: McSherry. (Rooks, Bendell)

Pre-Application

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

*A2011-0003, D'Onofrio, Village of Saranac Lake: Project is a subdivision involving wetlands. RASS staff examined wetland boundaries, located last year's flags and verified air photo interpretation. Found an area that needed correction on the interpretation. (Rooks)

*A2012-0114; Pens, Town of Broadalbin: Pre-Application is for a 2 lot subdivision involving wetlands and creation of a substandard sized lot in Rural Use. RASS staff visited the site to investigate and confirm soils data prepared by the landowner's consulting engineer. Although the soils were not adequate for the installation of an on-site wastewater treatment system in the originally proposed location, sufficient depths to boundary layers were discovered further from the wetland boundary. The Agency has received updated plans depicting the revised OSWTS location. Other Agency staff involved: Walrath. (Ziemann, Bendell)

*A2012-0141; Burnette, Town of Tupper Lake: Pre-application for 7 lot subdivision. RASS staff reviewed slope and DHTP analysis, as well as wetlands. Other Agency staff involved: McSherry. (Ziemann, Bendell, O'Dell)

*A2012-0153; McDonnell, Town of Harrietstown: Pre-application is for a two lot subdivision with one proposed single family dwelling. RASS staff performed one deep-hole test pit examination. Other Agency staff involved: S. Parker. (Ziemann)

*A2012-0156; Bozek, Town of Chesterfield: Pre-Application for 2 or possibly 3 lot subdivision, with 1 or possibly 2 new building lots. RASS staff met with Supervisor Morrow and others to conduct a soils investigation to determine whether on-site wastewater treatment systems can be installed in areas adequately setback from wetlands. Potential driveway locations and dwelling sites were investigated at this time as well. Other Agency staff involved: Saehrig. (Ziemann, O'Dell, Bendell)

*A2012-0161, Lake George Land Conservancy, Town of Putnam: RASS staff investigated a potential location for a dam to replace a beaver dam to provide a more permanent water body. A previous

beaver dam had been wiped out during the Irene flooding. Representatives from the Lake George Land Conservancy were on site to describe the situation and discuss potential alternatives. It was evident that beaver were actively constructing a new dam and the water level was increasing. APA staff advised the applicant that a water level control device would be a more cost effective option. Applicant will try to negotiate with Town to cease beaver killing so beaver dam can return naturally. Other Agency staff involved: Walrath. (Snizek, O'Dell, Bendell)

*A2012-0165, Lowes, Town of Ticonderoga: Pre-application for herbicide treatment of ACOE mitigation wetland. RASS staff met with LA Group to assess need for treatment. Other involved Agency staff: Lynch. Other involved agencies or municipalities: ACOE. (Rooks)

*A2012-0169, NYS DOT, Town of North Elba, Village of Saranac Lake: Recreational trail beside RR tracks, phase 2 between Ray Brook and Saranac Lake involving wetlands. RASS staff checked accuracy of air photo interpretation and got an initial overview of the project. RASS staff met with town of North Elba, the LA Group and Creighton Manning engineers. Other involved Agency staff: McSherry, Saehrig. Other involved agencies or municipalities: DEC, ACOE. (Rooks, Spada, O'Dell)

*A2012-0178, Sinclair Heights Corporation, Town of Edinburg: Pre-application to release grass carp in two small privately owned ponds. Both ponds are part of the Sinclair Heights Corp subdivision and are infested with Eurasian watermilfoil. A fish barrier would be required on the outlet, but grass carp would be a good management strategy for these small ponds. (Snizek)

Jurisdiction

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

J2010-0235, Ouelette, Town of Ausable: 17-lot subdivision involving wetlands and OSWTS. RASS staff reviewed additional material showing modified plans. None of the previous NIPA questions appear to be addressed. Other involved Agency staff: S. Parker. Other involved agencies or municipalities: NYS DOH, Clinton County. (Rooks)

*J2012-0559, Carlson, Town of Parishville: Proposal is for the repair of a weir/outlet structure. RASS staff determined that the project will not involve wetlands. (Rooks)

Enforcement

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

E2012-0059; Herttua, Town of Putnam: Enforcement matter dealing with alleged construction of retaining walls greater than 100' in size within the shoreline setback of Lake George. RASS staff reviewed engineering aspects of the walls. Other Agency staff involved: Burth. (Ziemann and Bendell)

E2009-0078; Giacovelli, Town of Tupper Lake: Enforcement matter related to an alleged shoreline setback violation. RASS staff reviewed the shoreline planting recommendation and advised on appropriate species of trees and shrubs for planting on the subject parcel. Other Agency staff involved: Burth. (Ziemann)

*E2012-0165, DeMarco, Putnam: Enforcement matter involves an alleged structure greater than forty feet in height and shoreline structures within the setback of Lake George greater than 100 square feet. RASS staff visited the site to investigate existing conditions along with ideas proposed to stabilize the dwelling and shoreline access alternatives. Other Agency staff involved: McNamara, Burth. (Bendell)

Wetlands

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

*W2012-0211, Village of Saranac Lake, Village of Saranac Lake: Project is to restore village beach to historic Lake Flower location. RASS staff determined there are J wetlands on the site. (Rooks)

*W2012-0218, E2012-0078, Siskavich, Town of Dannemora: Single family dwelling with driveway involving wetlands. RASS staff inspected the site to advise on avoiding/minimizing wetland impacts and removing of existing wetland fill. RASS staff delineated wetlands for two possible building sites. Other involved staff: Burth. Other involved municipalities: Clinton County. (Rooks)

*W2012-0221, NYS DEC, Towns of Inlet and Long Lake: Review of new snowmobile trail segments. RASS staff delineated wetlands to be avoided and wetlands that will require permitting to cross. Other involved staff: Linck. (O'Dell)
Field investigation conducted on October 17th

RASS staff provided 11 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

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10/3/2012; Soil Science Society of America Online Review Course

- Class #7, Soil Biology and Biochemistry
- Topics: Basic Concepts, Cycles, Soil Ecology

10/10/2012; Soil Science Society of America Online Review Course

- Class #8, Soil Biology and Biochemistry (con't)
- Topics: Nutrient Cycles, Soil Organic Matter, Applications

10/17/2012; Soil Science Society of America Online Review Course

- Class #9, Soil Physics
- Topics: Basic Concepts, Physical Properties, Soil-Water Relationships

10/24/2012; Soil Science Society of America Online Review Course

- Class #10, Soil Physics (con't)
- Topics: Soil-Water Relationships, Water Movement, Soil Aeration, Temperature, Engineering Properties

10/24/2012; Soil Science Society of America Online Review Course

- Class #11, Land Use
- Topics: Erosion/Sedimentation, Water Quality, Wetlands/Hydric Soils, Regulatory/Resource Agencies (Ziemann)

Lake Champlain Basin Program TAC meeting. (Snizek)

Conference call with Lake Champlain Sea Grant to discuss possible invasive species projects in need of funding. (Snizek)

Invasive Species Workshop sponsored by the LCPB. It was an excellent opportunity to hear about ongoing invasive species research within and outside the Champlain basin and to network with invasive species coordinators within our region. (Snizek)

New York Interagency Review Team for Ducks Unlimited New York In-Lieu Fee Wetland Mitigation Program conference call. (Rooks)

Northeast States Research Cooperative webinar. WCS staff reported on their research on exurban development wildlife impacts. (Rooks, Spada, Snizek)

North Country Cleaner Greener Communities project. (Spada)

Western New York PRISM proposal review committee. (Spada)

Ranger School presentation in Wanakena, entitled "Adirondack Park Agency Wetland Protection Program" as part of the 100 year celebration of the beginning of the Ranger School. (Spada)

2nd Pond Boat Launch rehabilitation meeting. (Spada)

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| Summary of RASS Activities for October, 2012 | | | |
|---|---|-----------------------------------|--|
| Activity | Number of Interactions (Site Visits) | Year To Date (Site Visits) | Other State Agencies Involved¹ |
| Projects | 18 (6) | 188 (68) | |
| Pre-Application | 9 (9) | 60 (43) | 2 |
| Permit Compliance | 0 (0) | 5 (3) | |
| Enforcement | 3 (1) | 58 (42) | 1 |
| Jurisdiction | 2 (1) | 62 (17) | 2 |
| Legal | 0 | 4 | |
| Planning | 0 | 3 | |
| Map Amendment | 0 | 2 | 1 |
| Wetlands | 22 (22) | 348 (197) | |
| Airphoto Interpretation | 11 | 219 | |
| Soils | 8 (8) | 51 (64) | |
| Meetings/Events | 14 | 214 | ∞ |
| Literature Reviewed | 0 | 44 | na |
| Total | 87 (45) | 1208(432*) | 6 |

*Does not add up due to overlap among activities

DMS:lhb

cc: RASS Staff

¹ May tally individual agencies more than once if they were involved with multiple activities. Does not include numbers of individual staff involved.

M E M O R A N D U M

TO: Daniel M. Spada
FROM: Mary O'Dell
DATE: October 25, 2012
SUBJECT: Updated 2012 wetland field visit statistics

Year 2012 Wetland Field Visits

| Time Period | Number of requests received during month | Number completed | Interval for processing. (Date received to date scheduled for those received in that month) | Number pending |
|---------------------|--|------------------|---|----------------|
| 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 |
| June | 26 | 23 | 14 | 10 |
| July | 26 | 27 | 12 | 9 |
| August | 27 | 31 | 9 | 5 |
| September | 28 | 27 | 10 | 6 |
| October | 15 | 22 | 8 | 0 |
| Cumulative for 2012 | 226 | 227 | Avg = 11 | 0 |

c: M. Rooks

M E M O R A N D U M

TO: Dan Spada

FROM: Aaron Ziemann

DATE: October 26, 2012

RE: October Deep-hole Test Pit Statistics

To date in October of 2012, a total of 22 deep-hole test pit (DHTP) evaluations were conducted in review of 8 projects or pre-applications. All 22 of these evaluations were performed by Agency staff. Of the 22 DHTP locations, 36% met Agency guidelines for conventional standard absorption wastewater treatment systems, 50% met Agency guidelines for conventional shallow absorption wastewater treatment systems, and 14% did not meet Agency guidelines for installation of an onsite wastewater treatment system.

| Deep Hole Test Pit Statistics | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | YTD |
|----------------------------------|-----------|-----------|----------|-----------|-----------|----------|-----------|-----------|----------|-----------|------------|
| Projects Involving DHTPs | 7 | 5 | 1 | 11 | 11 | 5 | 7 | 7 | 3 | 8 | 65 |
| DHTPs Described by APA | 13 | 7 | 2 | 24 | 6 | 8 | 13 | 21 | 7 | 22 | 123 |
| DHTPs Described by Consultants | 5 | 4 | 0 | 1 | 5 | 0 | 1 | 3 | 0 | 0 | 19 |
| Total DHTPs | 18 | 11 | 2 | 25 | 11 | 8 | 14 | 24 | 7 | 22 | 142 |
| Approved Standard Systems | 9 | 1 | 0 | 4 | 4 | 4 | 4 | 4 | 0 | 8 | 38 |
| Approved Shallow Systems | 3 | 5 | 0 | 14 | 6 | 4 | 4 | 9 | 6 | 11 | 62 |
| Did not Meet Agency Guidelines | 6 | 5 | 2 | 7 | 1 | 0 | 6 | 11 | 1 | 3 | 42 |
| Approved Standard Systems % | 50% | 9% | 0% | 16% | 36% | 50% | 29% | 17% | 0% | 36% | 27% |
| Approved Shallow Systems % | 17% | 45% | 0% | 56% | 55% | 50% | 29% | 38% | 86% | 50% | 44% |
| Did not Meet Agency Guidelines % | 33% | 45% | 100% | 28% | 9% | 0% | 43% | 46% | 14% | 14% | 30% |
| Approved Shallow Systems | 3 | 5 | 0 | 14 | 6 | 4 | 4 | 9 | 6 | 11 | 62 |
| Shallow Systems due to SHGWT | 3 | 5 | 0 | 14 | 6 | 4 | 3 | 9 | 3 | 10 | 57 |
| Shallow Systems due to Bedrock | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3 | 1 | 5 |
| Shallow Systems due to SHGWT % | 100% | 100% | 0% | 100% | 100% | 100% | 75% | 100% | 50% | 91% | 92% |
| Shallow Systems due to Bedrock % | 0% | 0% | 0% | 0% | 0% | 0% | 25% | 0% | 50% | 9% | 8% |

ACZ:acz

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