RESOLUTION
OF THE
ADIRONDACK PARK AGENCY
ON
DELEGATING CERTAIN POWERS
AND
RESPONSIBILITIES

Last Amended

Comment [PVC1]: To be updated if amended by the Agency

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Comment [PVC2]: To be renumbered

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WHEREAS, in addition to those procedures set forth in, and delegations made by rule and regulation, the Agency desires to establish certain additional procedures and delegate certain additional responsibilities in order to conduct business in an efficient manner.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Sections 803, 804 and 809(14) of the Adirondack Park Agency Act, Section 15-2709 of the Wild, Scenic and Recreational Rivers System Act, and Section 24-0801 of the Freshwater Wetlands Act, the Agency delegates the responsibilities and establishes the procedures that follow:

I. POWERS RESERVED TO THE AGENCY

The Agency reserves to itself all lawful authority not delegated by 9 NYCRR Subtitle Q (the "Agency Rules and Regulations") or this resolution, including but not limited to the following:

A. To review and approve, to approve subject to conditions, to grant permits with respect to, and to determine whether to hold a public hearing with respect to, all projects subject to Agency jurisdiction other than those with respect to which authority to act has been delegated by the Agency Rules and Regulations or this resolution.

B. To exercise exclusive authority to disapprove projects after public hearings.

C. To review and take final action concerning all requests for variances other than those with respect to which authority to act has been delegated by this resolution.

D. To review and take final action concerning initial approval of all local land use programs.

E. To review and make final determinations of consistency with the Adirondack Park State Land Master Plan for individual Unit Management Plans prepared by the Department of Environmental Conservation [NYS DEC] and other State agencies.

F. To amend the Adirondack Park State Land Master Plan and, in consultation with the Department of Environmental Conservation [NYS DEC], to interpret its guidelines and criteria for the management of State lands in the Park.

G. To make final recommendations to the Governor regarding the classification and reclassification of State lands in the Park.

H. To review and take final action concerning all amendment requests and technical amendments to the Adirondack Park Land Use and Development Plan map, except for corrections which have been delegated to the Deputy Director [for]Planning as per Section V.K. below.

I. To review and take final action concerning all proposals to modify, suspend, or revoke permits and alleged violations of the Freshwater Wetlands Act pursuant to Subparts 581-3 and 581-4 of the Agency Rules and Regulations.

J. To approve and issue all final environmental impact statements required by the State Environmental Quality Review Act, 6 NYCRR Part 617 and the Part 586 of the Agency[’s] Rules and Regulations[SEQR regulations].

K. To review and approve any disciplinary action proposed to be taken by the Agency Chairperson or Executive Director with respect to the Executive Director, Deputy Director Regulatory Programs, Deputy Director Planning, or Counsel.

II. AUTHORITY OF THE AGENCY CHAIRPERSON BETWEEN AGENCY MEETINGS

The Agency Chairperson shall have authority to conduct Agency business not specifically delegated to staff between Agency meetings, provided, however, that with respect to matters falling within the jurisdiction of the Standing Committees of the Agency, the Agency Chairperson shall consult with the Chairperson of the respective Standing Committee prior to exercising any such authority.

III. GENERAL POWERS AND AUTHORITY OF THE EXECUTIVE DIRECTOR

The Executive Director, under the supervision of the Agency Chairperson, shall have authority to exercise the following powers pursuant to the Adirondack Park Agency Act, Freshwater [NYS] Wetlands Act and the [NYS] Wild, Scenic and Recreational Rivers System Act, on behalf of the Agency:

A. With the advice of the Agency and consent of the Agency Chairperson, to appoint or remove the Deputy Director Regulatory Programs, Deputy Director Planning, and Counsel.

B. To appoint or remove all other employees of the Agency as provided for by the rules and regulations of the Department of Civil Service and the Director of the Division of the Budget.

C. To direct and supervise all management staff of the Agency.

D. To direct staff participation in the support of Agency involvement in Federal, State and regional task forces, work groups, conferences and meetings relevant to implementation of the Adirondack Park Agency [APA] Act or dealing with significant policy issues of concern to the Agency.

E. To direct and supervise staff in functions related to public outreach and press relations.

F. To supervise Agency programs authorized under the Adirondack Park Agency Act, Freshwater Wetlands [NYS Wetlands] Act and the [NYS] Wild, Scenic and Recreational Rivers System Act. Wetlands determinations pursuant to Part 578 of **the** Agency Rules and R[r]egulations will be managed by the Supervisor of the Agency's Resource Analysis and Scientific Services Division.

G. To develop and implement personnel and other State operations policies consistent with the policies, procedures or advice of the

Governor’s Office of Employee Relations and NYS Department of Civil Service.

H. To prepare, in consultation with the Agency Chairperson and Administrative Officer, the annual Agency budget request for submission to the Division of Budget and to monitor expenditures and compliance with Division of Budget [DOB] budget requirements and upon request, to advise Agency members on the status of the budget and related annual expenditures.

I. To make and execute contracts and all other instruments necessary or convenient for the exercise and fulfillment of the Agency's powers and responsibilities, including but not limited to contracts for professional and technical assistance, and to accept any assistance, including gifts, grants, loans or funds or property from the Federal Government or any agency or instrumentality thereof, or from public and private sources, subject, where required, to the approval of the Director of the Division of [the] Budget.

J. To exercise the authority and responsibility with respect to Agency enforcement provided by Section 581-2.3 of the Agency Rules and Regulations.

K. In consultation with the Agency Chairperson, Chairperson of the Legal Affairs Committee or Chairperson of the Enforcement Committee and Agency Counsel, to request that the Attorney General appear on behalf of the Agency in any action brought against it.

L. To file documents required by law to be filed by the Agency.

M. To make determinations of significance or non-significance, to accept final environmental impact statements and to make findings on behalf of the Agency pursuant to the State Environmental Quality Review Act, 6 NYCRR Part 617, and Part 586 of the Agency Rules and Regulations.

N. To determine whether a variance granted from the provisions of an approved local land use program involves provisions of the Adirondack Park Land Use and Development Plan, and if so, to determine whether the variance should be reversed by the Agency pursuant to Section 808 (3) of the Adirondack Park Agency Act and to reverse it on behalf of the Agency.

O. To exercise any or all of the authority granted to the staff by the Agency Rules and Regulations or by this resolution.

IV. AUTHORITY OF THE DEPUTY DIRECTOR REGULATORY PROGRAMS

The Deputy Director Regulatory Programs, under the supervision of the Executive Director, shall have authority to exercise the following powers on behalf of the Agency:

A. To approve projects in accordance with Section 809 of the Adirondack Park Agency Act, and as specified in Section 572.11 of the Agency Rules and Regulations, and to approve determinations with respect to projects by State agencies called for in Section 579.3(d) of the Agency Rules and Regulations.

B. To approve variances in accordance with Part 576 of the Agency Rules and Regulations for variance applications involving:(1) municipally-sponsored proposals;(2) dam safety proposals under the jurisdiction of the Department of Environmental Conservation; (3) shoreline stabilization structures necessary for protection of life or property; (4) highly-developed portions of Hamlets with local planning and zoning boards; or (5) proposals with minor impacts, including impacts to adjoining uses. The Deputy Director Regulatory Programs shall have discretion to refer any such application to the Agency for review. The Deputy Director Regulatory Programs shall have discretion to refer any such application to the Agency for review.

C[B]. To determine whether State agency projects are subject to Agency review jurisdiction pursuant to Section 814 of the Adirondack Park Agency Act, and to determine either (a) that the project would not be inconsistent with the Adirondack Park Land Use and Development Plan and the shoreline restrictions and would not have an undue adverse impact as described in that section, or (b) that the project should be reviewed by the full Agency.

D[C]. To schedule public hearings on projects where the Uniform Procedures Act time limitation for doing so would expire prior to the next regularly scheduled Agency meeting.

E[D]. To schedule public hearings on [shoreline restriction] variance applications and to issue a notice of intent to hold, and to schedule, a hearing to consider both the variance and the project, in the case of any project application involving a variance. The Deputy Director Regulatory Programs shall report the exercise of the power granted by paragraphs A, B, C and D[C] at or prior to each regularly scheduled meeting of the Agency.

F[E]. To direct and supervise the [Project Review] Regulatory Programs Staff in the conduct of consultation with project sponsors, both with respect to preliminary and informal plans for proposed projects, and with respect to the rendering of staff recommendations in regard to such proposals; in the receipt and processing of applications for project permits and variances; in the determination of the completeness of applications, and the notification of applicants; in site inspections necessary to the performance of Agency responsibilities; in the staff review of applications and the formulation of final staff recommendations to the Agency.

G[F]. To develop, review and monitor programs and projects established to evaluate compliance with Agency permit and variance conditions, and to make appropriate referrals to the Agency's

enforcement program for any actions determined to be potential violations.

H[G]. To determine questions involving compliance by project sponsors with conditions imposed in a notification of determination precedent to, and subsequent to the issuance of a permit, and to issue project permits following compliance.

I[H]. With the consent of the Executive Director, to authorize members of the staff to sign and issue notices of completion and incompletion in the absence of the Executive Director and Deputy Director Regulatory Programs.

In the event of the absence or incapacitation of the Executive Director, the Deputy Director Regulatory Programs, as the Deputy Director of the Agency, shall, under the supervision of the Agency Chairperson, have the authority to exercise those powers delegated to the Executive Director.

V. AUTHORITY OF THE DEPUTY DIRECTOR PLANNING

The Deputy Director Planning, under the supervision of the Executive Director, shall have the authority to exercise the following powers on behalf of the Agency:

A. To initiate, guide and supervise staff review, analysis, commentary and staff recommendations on Unit Management Plans prepared by the Department of Environmental Conservation pursuant to the Adirondack Park State Land Master Plan.

B. In the absence of approved Unit Management Plans, to determine if proposed construction, reconstruction and/or rehabilitation activities on State land constitute ordinary maintenance, rehabilitation or minor relocation within the meaning of the Adirondack Park State Land Master Plan [for the Management of State Lands].

C. To monitor implementation of Memorandum of Understandings between the Agency and the

Department of Environmental Conservation, and other State agencies with respect to State l[L]and management.

D. To initiate the process and supervise staff in the development of analysis and staff recommendations on proposed classifications for newly acquired State lands, or reclassification of existing State lands as provided in the Adirondack Park State Land Master Plan.

E. To initiate the process and supervise staff on proposed changes or revisions to the Adirondack Park State Land Master Plan.

F. To initiate and supervise staff on the review of Department of Environmental Conservation [DEC] policies for management of the Forest Preserve for consistency with the Adirondack Park State Land Master Plan and pursuant to Section 816 of the Adirondack Park Agency Act.

G. To initiate and supervise staff in the development of draft policies and/or research which will contribute to improved State land management and appropriate recreational use and enjoyment of State lands in the Park.

H. To schedule and to hold public hearings on applications to amend the Official Adirondack Park Land Use and Development Plan Map. The Deputy Director Planning may in his or her discretion refer any such amendment to the Agency. The Deputy Director Planning shall report the exercise of the power granted by this paragraph at each regularly scheduled meeting of the Agency.

I. To undertake all notices and actions necessary to amend the Official Adirondack Park Land Use and Development Plan Map in cases where the amendment is made pursuant to Section 805(2)(c)(4) of the Adirondack Park Agency Act to correct errors in the classification of State land as private land, or vice-versa, where such correction involves no exercise of discretion, and upon consultation and when there is concurrence of the Executive Director,

Agency Chairperson and Park Policy Committee Chairperson. The Deputy Director Planning shall include in the Division's monthly report any exercise of the delegation contained in this paragraph and provide the information at a regularly scheduled meeting of the Agency for its approval. Following approval by the Agency, the Deputy Director [for] Planning shall arrange for filing of the technical amendments pursuant to Section 805 of the Adirondack Park Agency Act.

J. The Deputy Director Planning may refer any such amendment to the Agency for decision, and shall refer amendments where private land is erroneously classified as State land and where alternate land use classification choices are involved and a vote of the Agency is required to determine the appropriate private land use classification for the land in question.

K. To supervise staff in the management of the Agency's GIS system, including but not limited to making interpretations of boundary lines between land use areas and making simple, non-discretionary updates to the official Park Maps and GIS data.

L. To execute orders effecting the amendment of the Official Adirondack Park Land Use and Development Plan Map and to direct the filing of such amendments.

M. To direct and supervise the Planning Staff in the conduct of consultations with applicants for map amendments and the rendering of staff recommendations in regard to such applications; in the determination of the completeness of applications, and the notification of other landowners or interested parties; in site inspections necessary to the performance of Agency responsibilities in the staff review of applications and the formulation of final staff recommendations to the Agency.

N. To direct and supervise the Planning S[s]taff when advising other Agency staff and/ or landowners regarding regional boundary

locations established by the official Adirondack Park Land Use and Development Plan map.

In the event of the absence or incapacitation of the Executive Director and the Deputy Director Regulatory Programs, the Deputy Director Planning, as a Deputy Director of the Agency, shall, under the supervision of the Agency Chairperson, have the authority to exercise those powers delegated to the Executive Director.

VI. AUTHORITY OF THE COUNSEL

The Counsel to the Agency, under the supervision of the Executive Director, shall provide legal counsel to the Agency, its members and staff concerning the exercise of the powers and duties assigned by law. Counsel shall have the following specific authority [to]:

A. To interpret the statutes and regulations administered by or affecting the Agency and prepare opinions related thereto as appropriate or at the request of the Agency or staff.

B. To supervise staff attorneys on all legal matters, including but not limited to legal support to other Agency divisions; interpretation of the APA Act, the NYS Freshwater Wetlands Act as applied in the Park, and the Wild, Scenic and Recreational Rivers System Act; interpretation of rules and regulations; litigation; Freedom of Information Law procedures; advice on conformance with State Environmental Quality Review Act and State Administrative Procedures Act process;

C. To coordinate and assist staff in the delivery of public education and workshops on Agency regulations;

D. To supervise staff attorneys in the analysis of Federal and State laws and pending legislation;

E. To supervise advice to the public regarding the jurisdiction of the Agency over new

subdivisions, and new land use and development in the Adirondack Park.

F. To determine the preexistence of subdivisions under the Adirondack Park Agency Act and the Agency Rules and Regulations.

G. To supervise revisions to the Agency Rules and Regulations [governing the Agency], including but not limited to compliance with all requirements of the State Administrative Procedures Act.

H. To supervise the preparation and filing of documents in administrative legal proceedings on behalf of the Agency, and provide liaison with and assist the Attorney General or other legal counsel with such filings in court proceedings involving the Agency.

I. To supervise the provision of legal guidance in the administration of the Agency's programs.

J. In consultation with the Agency Chairperson and Executive Director, to work with the Governor's Counsel in Executive Department matters involving the Agency, including but not limited to the legislative program of the Agency.

In the event of the absence or incapacitation of the Counsel, the Associate Counsel shall, under the guidance of the Agency Chairperson and the Executive Director, have the authority to exercise those powers delegated to and exercised by Counsel.

VII. MEETINGS OF THE AGENCY

A. REGULAR MEETINGS

Regular monthly meetings of the Agency shall be held as either one or two-day meetings on a Thursday and/or Friday of each month, and in accordance with a calendar which will be published not later than September of the previous calendar year, unless otherwise determined by the Agency Chairperson, at such location and time to be determined by the Agency Chairperson and the Executive Director.

Reasonable advance notice shall be given by the Agency Chairperson and Executive Director to each Agency Member and Designee of the date, time and location of each such regular monthly meeting, and, to the extent possible, of the items of business expected to be considered. All Agency Board meetings will be held in public session consistent with the [NYS] Open Meetings Law and will be webcast and archived on the Agency web page according to records retention guidelines. Draft Agency meeting materials will be posted on the Agency web site for public review the week prior to the Agency meeting.

B. SPECIAL MEETINGS

Special meetings of the Agency may be held from time to time either at the request of the Agency Chairperson, or at the request of any four Members of the Agency, at such location as determined by the Agency Chairperson or Executive Director, on such date and at such time as shall be determined by the Executive Director within seven days of the request. Reasonable advance notice shall be given by the staff to each Agency Member [and Designee]of the date, time and location of each such special meeting, and of the items of business expected to be considered.

C. AGENDA

The Agency Chairperson or Executive Director is authorized to make up Agency meeting and Standing Committee agendas, and, unless an already lengthy agenda precludes its consideration, shall add to a Committee agenda any item requested by the Chairperson of the Standing Committee.

D. RULES OF PROCEDURE

In conducting its meetings, the Agency will be guided by “The Modern Rules of Order, Second Edition” or as specifically directed by the Agency Chairperson consistent with the Open Meetings Law and other authorities governing

meetings of the Agency. The statutory quorum of the Board is six of its M[m]embers.

VIII. COMMITTEES OF THE AGENCY

A. APPOINTMENT OF STANDING COMMITTEES

With the concurrence of five Members of the Agency, the Agency Chairperson is authorized to appoint Standing Committees of Agency Members as specified in Sections 572.12, 581-2.1, and 583.6 of the Agency Rules and Regulations and as specified herein, and to designate a Member other than himself or herself, with the exception of the Administration Committee which shall be chaired by the Agency Chairperson, as the Chairperson of each Committee. A Committee shall consist of at least three Agency M[m]embers. The Agency Chairperson may, in his or her discretion, sit as a voting Member of any Standing Committee, and, in the absence of the Standing Committee Chairperson, may designate any Agency Member, including himself or herself, as acting Chairperson. The Commissioner of Environmental Conservation, the Commissioner of Economic Development and the Secretary of State may designate a deputy or other officer to exercise his or her other powers and perform his or her duties, including the right to vote, on any Standing Committee to which he or she has been appointed by the Agency Chairperson. In the event multiple Designees of these Ex-officio Members participate in a meeting of the Agency or its Standing Committees, only one individual may be designated to vote on behalf of the Ex-Officio M[m]ember at the same time.

B. APPOINTMENT OF AD HOC COMMITTEES AND ADVISORY TASK FORCES

With the concurrence of five Members of the Agency, the Agency Chairperson is authorized to appoint ad hoc Committees of Agency Members and advisory task forces consisting of Agency Members, citizens of the Adirondack Park, local or state officials and such other Members as he or she may deem appropriate for the purpose of investigating and analyzing any issues and problems relevant to the business of the Agency.

In order to provide an effective voice in inter-agency communications, Statewide and regional committees or Federal Task Forces or Advisory Groups, the Agency Chairperson will participate in membership on significant national, Statewide and regional task forces, work groups, conferences and meetings convened by the Governor, other State agencies, the Federal government or regional organizations which are convened to discuss significant policy issues relevant to the Agency's responsibilities under the Adirondack Park Agency Act and which are meant to advance key Park policy issues and concerns. The Agency Chairperson may delegate participation on such task forces and work groups to another Agency member or staff.

C. STANDING COMMITTEES OF THE AGENCY - FUNCTIONS AND RESPONSIBILITIES

Agency committees shall meet in combined session on matters of joint interest, as determined appropriate by the Agency Chairperson in consultation with the Committee chairpersons. The following Standing Committees have been established with membership to be reviewed periodically and determined by the Agency Chairperson in consultation with Agency M[m]embers:

1. ADMINISTRATION COMMITTEE

There is hereby established an Administration Committee. The Administration Committee shall consist of the Agency Chairperson, and the Legal Affairs and Park Policy & Planning Chairpersons.

The Administration Committee shall:

(a) Advise the Agency Chairperson and Executive Director on annual budget preparation.

(b) Review and update revisions to the Agency Delegation Resolution as needed.

(c) In consultation with the Executive Director, review Agency policies and procedures which the Executive Director refers to the Committee for input and advice.

(d) Provide advance planning and input to the Executive Director on Agency meeting procedures and agendas.

The Administration Committee shall report with respect to any business taken up by it to the whole Agency. The Agency may ratify, modify, or reverse any Committee action.

The Administration Committee may, at the request of the Agency, the Agency Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

2. REGULATORY PROGRAMS COMMITTEE

The Regulatory Programs Committee, established by Section 572.12 of the Agency Rules and Regulations, shall:

(a) Monitor staff review of applications for project permits or other determinations submitted to the Agency under Sections 809 and 814 of the Adirondack Park Agency Act; the Wild, Scenic and Recreational Rivers System Act; and the Freshwater Wetlands Act. The Committee will act on those applications directed to the Agency for decision by Section 572.11 of the Agency Rules and Regulations and this resolution, and by the Deputy Director Regulatory Programs or at the request of one or more Agency M[m]embers.

(b) Monitor staff review of applications for variances of the provisions of Section 806 of the Adirondack Park Agency Act, [and] the Wild, Scenic and Recreational Rivers System Act and the Agency Rules and Regulations. The Committee will act on those applications directed to the Agency for decision by this resolution, and by the Deputy Director Regulatory Programs or at the request of one or more Agency Members.

(c) Re-evaluate, at the request of the project sponsor, the terms and conditions of permits issued by the Deputy Director Regulatory Programs.

(d) Advise the Agency on the reconsideration of Agency actions with respect to projects or variances, except for appeals of prior decisions of the Agency on a project or variance where no new information is sought to be provided and the application is not otherwise amended or revised.

(e) Guide the staff in the preparation of testimony to be offered on behalf of the Agency in any proceeding before the Public Service Commission or other public body to which the Agency is a party.

(f) Determine pursuant to Section 574.8 of the Agency Rules and Regulations whether structures are suitable for conversion, may be converted to new structures through removal or demolition or may be converted to more than one residential unit.

(g) Monitor the revision and simplification of Agency project and variance forms and procedures.

(h) Monitor operation of the interagency coordinated project review system and recommend changes therein.

(i) Regularly monitor and evaluate compliance with the terms and conditions of permits, variances, or other determinations issued by the Agency.

The Regulatory Programs Committee shall report its decisions or determinations with respect to any business taken up by it to the whole Agency. The Agency may ratify, modify, or reverse any Committee action.

The Regulatory Programs Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

3. LEGAL AFFAIRS COMMITTEE

There is hereby established a Legal Affairs Committee. The Legal Affairs Committee shall:

(a) Advise Counsel and the Agency Chairperson regarding an annual Agency legislative program and monitor legislative activity of interest to the Agency, assist the Agency Chairperson, Executive Director and Counsel to maintain liaison with the Governor, Legislature, state agencies and interest groups on legislative and other legal matters.

(b) Advise Agency Counsel regarding revisions to the Agency R[r]ules and R[r]egulations and recommend to the Agency periodic revisions for consideration pursuant to the State Administrative Procedures Act.

(c) In consultation with Counsel, monitor liaison with the Attorney General with reference to litigation involving the Agency, and, in consultation with the Agency Chairperson, advise Counsel and the Attorney General concerning conduct of litigation.

(d) At the request of the Agency Chairperson, the Chairperson of the Local Government Services Committee or Agency Counsel, perform initial review of the legal elements and aspects of local land use programs and local freshwater wetlands protection ordinances submitted to the Agency for approval.

(e) In consultation with Counsel, monitor and interpret the laws and regulations administered by or affecting the Agency, including but not limited to jurisdictional determinations, and legal guidance published in Agency flyers and on its website.

(f) In consultation with Counsel, monitor and interpret the Agency's compliance with State laws such as Open Meetings Law, Freedom of Information Law and Public Officers Law, which affect administration and implementation of Agency programs and responsibilities.

(g) In consultation with Counsel, monitor Agency legal relations with local, state and federal agencies.

(h) At the request of the Agency Chairperson, the Chairperson of the State Land Committee or Agency Counsel, advise State Lands Committee regarding Unit Management Plan [UMP] and Adirondack Park State Land Master Plan [SLMP] legal considerations.

The Legal Affairs Committee shall report its decisions or determinations with

respect to any business taken up by it to the whole Agency. The Agency may ratify, modify, or reverse any Committee action.

The Legal Affairs Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director or at its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

4. PARK POLICY AND PLANNING COMMITTEE

The Park Policy and Planning Committee, established by Section 583.6 of the Agency Rules and Regulations, shall:

(a) Serve as a forum for issues of Park-wide concern and for the development of new Agency policies related to administration and implementation of the Adirondack Park Agency [APA] Act.

(b) Review staff recommendations on applications for amendments of the Official Adirondack Park Land Use and Development Plan Map submitted to the Agency pursuant to Section 805 of the Adirondack Park Agency Act.

(c) Provide guidance to staff in the preparation of specific long-range goals and objectives to carry out the legislative policies, findings and purposes of Section 801 of the Adirondack Park Agency Act, Section 15-2701 of the Wild, Scenic and Recreational Rivers System Act, and Sections 24-0103 and 24-0105 of the Freshwater Wetlands Act.

(d) Monitor the continual staff review and evaluation of the Adirondack Park Land Use and Development Plan as an ongoing planning process in the light of changing needs and conditions.

(e) Review any staff proposed revisions and simplification of Agency map amendment forms and procedures.

(f) Monitor and review Agency relations with other planning agencies and initiatives at the local, state and federal level.

The Park Policy and Planning Committee shall report its decisions or determinations with respect to any business taken up by it to the whole Agency. The Agency may ratify, modify, or reverse any Committee action.

The Park Policy and Planning Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

5. ENFORCEMENT COMMITTEE

The Enforcement Committee established by Section 581-2.1 of the Agency Rules and Regulations, shall in cases not resolved by agreement between Agency staff and the alleged violator:

(a) Determine the cause, nature and scope of violations of the statutes and regulations administered by the Agency and decide an appropriate disposition of violations [establish the terms and conditions of settlement agreements].

(b) Monitor dispositions of violations made pursuant to the Agency Rules and Regulations [settlement agreements executed by the Agency].

Comment [PVC3]: This language tracks changes to Part 581 made in 2003.

(c) Monitor liaison with the Attorney General with reference to enforcement litigation involving the Agency, and, in consultation with the Agency

Chairperson, advise the Counsel and Attorney General concerning conduct of such litigation.

(d) Review all proposals to modify, suspend or revoke permits and alleged violations of the Freshwater Wetlands Act pursuant to Subparts 581-3 and 581-4 of the Agency Rules and Regulations and make recommendations to the Agency for consideration. The Enforcement Committee shall also provide general policies and guidelines to staff regarding the general terms and conditions of resolutions by staff of violations resolved by it pursuant to delegated authority.

At the next regularly scheduled meeting of the Agency and after appropriate notification of the involved parties, the Committee shall report to the full Agency in its official minutes regarding its decisions or determinations with respect to any business taken up by it.

The Enforcement Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

6. ECONOMIC AFFAIRS COMMITTEE

There is hereby established an Economic Affairs Committee. The Economic Affairs Committee shall:

(a) Review information concerning economic growth within the Park.

(b) Encourage environmentally sound economic growth, consistent with the statutes administered by the Agency.

(c) In coordination with other state and local agencies, academic institutions and others, assist in the exchange of information on environmentally sound economic growth.

(d) Encourage forest products and agricultural growth in the Adirondack Park, and identify other economic enterprises which are compatible with the character and resources of the Adirondack Park and consistent with the statutes administered by the Agency.

(e) Participate in the development of strategies to promote tourism in the Adirondack Park.

(f) Encourage the revitalization of Adirondack hamlets.

The Economic Affairs Committee shall report with respect to any business taken up by it to the whole Agency. The Agency may ratify, modify, or reverse any Committee action.

The Economic Affairs Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

7. PUBLIC AWARENESS AND COMMUNICATIONS COMMITTEE

There is hereby established a Public Awareness and Communications Committee. The Public Awareness and Communications Committee shall:

(a) In consultation with the Agency Chairperson and Executive Director, periodically review the Agency's outreach programs, including but not

limited to technical and regulatory workshops, press relations, participation in conferences, publications, webcasting and web site development and other web-based communications.

(b) In consultation with the Agency Chairperson and Executive Director, encourage and promote working relationships with State agencies and regional organizations to improve understanding of the Adirondack Park Agency and its role in protecting the natural and community resources of the Park.

(c) In consultation with the Chairperson and Executive Director, periodically review public and press relations and provide input into the Agency's public awareness [affairs] and communications program development.

(d) Serve as a forum to increase public knowledge of programs and services offered by State agencies, local governments and non-profit organizations which educate the public and students about the Adirondack Park.

The Public Awareness and Communications Committee shall report its decisions and determinations with respect to any business taken up by it to the whole Agency at each regularly scheduled meeting of the Agency. The Agency may ratify, modify, or reverse any Committee action.

The Public Awareness [Affairs] and Communications Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

8. PARK ECOLOGY COMMITTEE

There is hereby established a Park Ecology Committee. The Park Ecology Committee shall:

(a) Review staff recommendations for standards and procedures applicable to the scientific and technical aspects of the statutes and regulations administered by the Agency, such as wetland determinations made pursuant to [9 NYCRR] Section 578.3 of the Agency Rules and Regulations.

(b) Review staff proposed guidelines and standards for private land development, intended for promulgation, which will help protect natural resource characteristics of the Park by defining generally acceptable methods and limitations for development.

(c) Monitor staff analysis and reports on ecological issues, including but not limited to issues such as Climate Change and Invasive Species management, which are likely to significantly affect the physical and biotic systems of the Park.

(d) Promote study and inventory of Park ecological systems as an important component of the Agency's ongoing planning and regulatory responsibilities.

(e) Provide guidance to staff on the development of and preparation of natural resource educational or interpretive material [for use in the Visitor Center programs].

(f) Encourage the development and strengthening of contacts with scientists working on ecological

issues of importance to the Adirondacks.

The Park Ecology Committee shall report with respect to any business taken up by it to the whole Agency at the next regularly scheduled meeting of the Agency. The Agency may ratify, modify, or reverse any Committee action.

The Park Ecology Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

9. LOCAL GOVERNMENT SERVICES COMMITTEE

There is hereby established the Local Government Services Committee. The Local Government Services Committee shall:

(a) Foster sound local planning and encourage cooperation between local governments and Agency.

(b) Guide the staff in providing assistance to local governments in the preparation of local land use programs.

(c) Lead the review and coordination of local land use programs, components and amendments, and designated industrial sites pursuant to Section 807([.]4) of the Adirondack Park Agency [APA] Act and river land management plans.

(d) Recommend, in coordination with other committees, proposed model provisions and ordinances and educational programs.

(e) Monitor and evaluate, in coordination with other committees, the

administration of Agency-approved local land use programs and the status of Parkwide local planning.

(f) Consult with the Park Policy and Planning Committee on the adequacy of Comprehensive Master Plans in meeting the criteria provided by section 805(2)(c)(3)of the Adirondack Park Agency Act.

The Local Government Services Committee shall report its recommendations or determinations with respect to any business taken up by it to the whole Agency at each regularly scheduled meeting of the Agency. The Agency may ratify, modify, or reverse any Committee action.

The Local Government Services Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

10. STATE LAND COMMITTEE

There is hereby established the State Land Committee. The State Land Committee shall:

(a) Review analysis, commentary and staff recommendations on Unit Management Plans prepared by the Department of Environmental Conservation pursuant to the Adirondack Park State Land Master Plan.

(b) Monitor and assist where appropriate with the implementation of the Memorandum of Understanding between the Agency and the Department of Environmental Conservation with respect to State lands.

(c) Review staff proposals and make recommendations to the Agency on proposed classifications for newly acquired State lands, or reclassification of existing State lands as provided in the Adirondack Park State Land Master Plan.

(d) Initiate or review recommended changes to the Adirondack Park State Land Master Plan and or Department of Environmental Conservation [DEC] policies on management of the Forest Preserve pursuant to Section 816 of the Adirondack Park Agency Act.

(e) Encourage policies and research which will contribute to improved State land management and appropriate recreational use and enjoyment of State lands in the Park.

The State Land Committee shall report its decisions or determinations with respect to any business taken up by it to the whole Agency at each regularly scheduled meeting of the Agency. The Agency may ratify, modify, or reverse any Committee action.

The State Land Committee may, at the request of the Agency, the Agency Chairperson, its Chairperson, the Executive Director, or on its own initiative, take up other matters not specifically enumerated herein but within the general scope of the duties imposed hereby.

IX. PROCEDURES FOR THE REVIEW OF PRIOR AGENCY ACTIONS

A. RECONSIDERATIONS

Requests for reconsideration of prior Agency actions which are based upon new information or changed conditions which may materially alter the basis therefore shall be referred initially to the Standing Committee which originally considered the matter.

B. APPEALS

Appeals of prior Agency actions where no new information is sought to be provided shall be made to the full Agency.

X. AMENDMENT AND SUPERSESSION

The Agency may alter or modify any provision of this resolution, either in a specific instance or generally, by taking express inconsistent action by a vote of a majority of its Members at any meeting. In the absence of such express action, these provisions shall remain in effect until amended or repealed.

XI. REPEAL OF PREVIOUS RESOLUTION

The previous resolution of this title, originally adopted May 1974, fully revised October 17, 1980, last amended April 15 [May 9], 2011 [08], is hereby repealed.