



M E M O R A N D U M

TO: Terry Martino

FROM: RASS Staff

DATE: February 5, 2013

RE: RASS Division Report for January 2013

Projects

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

P2005-0328, National Grid, Town of Tupper Lake: Expansion of a substation with wetland impacts. Staff reviewed fourth wetland mitigation monitoring report. Other involved Agency staff: Colleen Parker. (Rooks)

P2007-0286, NYS DOT, Town of Fort Ann: Rt. 149 reconstruction, phase 2. Reviewed second wetland mitigation monitoring report. Other involved Agency staff: Saehrig. (Rooks)

P2012-0203, Dowling, Town of Greig: Dock in a wetland. Reviewed revised plan. Other involved Agency staff: Saehrig. (Rooks, LaLonde)

*P2012-0196, Verizon Wireless, Town of Minerva: Cell tower. Examined site and access road, ruled-out wetland involvement. Other involved Agency staff: Lynch, Colleen Parker. (Rooks, Bendell)

P2008-0018, NYS DOT: Vegetation management along the railroad corridor between Woodgate/Thendara and Lake Placid. The permit is for applying herbicides within 100 feet of wetlands. Met with DOT personnel to discuss renewing the permit for this season and possibly amending the permit for later. Other involved Agency staff: Saehrig, Weber, Regan. (Rooks)

P2013-0019, Cole LO, Town of Ticonderoga: Application of pesticides in and adjacent to wetlands to control *Pragmites*, as required by ACOE permit for the Ticonderoga Lowes store. Reviewed application. Other involved Agency staff: Lynch. (Rooks)

P2013-0011, Arts Guild of Old Forge, Town of Webb: Educational boardwalk through wetland. Reviewed permit application. Other involved Agency staff: Walrath. (Rooks)

P1999-0091, NYCO minerals, Town of Lewis: Wollastonite mining operation. Reviewed wetland mitigation monitoring report. Other involved Agency staff: Saehrig. (Rooks)

*P2012-0201, Reiss, Town of North Elba: Conducted site visit on January 2, 2013 to assess building envelope for a proposed single-family dwelling with potential impacts to Lake Placid. Issues include adjacent steep slopes stormwater management, erosion and sediment control, clearing limits, grading, and connection to municipal sewer services. (LaLonde/ S. Parker)

P2012-0059, Bender, Lake George: A site visit was conducted previously at the project site. The project includes a two-lot subdivision reconfiguring an existing tax parcel boundary with pre-existing development on each lot with shoreline on Lake George. Although no new land use and development is proposed, significant staff resources have been spent addressing adjacent landowner concerns. The proposed lot lines include a potential replacement area for each pre-existing two bedroom single-family dwelling, and are adequate for Agency subdivision purposes. (LaLonde/Yamrick)

P2012-0061, Bacon, Town of Ohio: A site visit was conducted previously at the site. The project includes a proposed single-family dwelling with shoreline on Honnedaga Lake. Staff reviewed a NIPA response and all technical issues associated with stormwater management, onsite wastewater treatment. Erosion and sediment control and visibility have been satisfactorily addressed for the purposes of completion. (LaLonde/C. Parker)

P1977-207A, Corcoran, Town of Morehouse: Provided finding and condition language which addressed out-dated on-site wastewater treatment language in prior permit by utilizing current standards and the need for Agency review and approval. (LaLonde/C. Parker)

P2013-0003, Beaver Brook Outfitters, Town of Johnsbury: The project includes a new commercial use (whitewater rafting/guiding) in a highway CEA and a Rivers Project. Staff reviewed issues related to stormwater management, on-site wastewater treatment, site access, impacts to adjoining landowner, visibility and parking. Staff coordinated review with

DOH, DEC, DOT and the Town (approved local land use program) as necessary. (LaLonde/Darrah)

P2012-0167, Darrah, Town of St. Armand: Provided suggested edits to conditions included in draft waste disposal permit. (LaLonde/Saehrig)

P2010-0029, Siskavich Campground, Town of Dannemora: Reviewed response to a Second Notice of Incomplete Permit Application. Project has been modified to include 26 campsites. Proposal to utilize existing mine shaft as a source of bulk water has been withdrawn. Staff coordinated review with Clinton County Department of Health and is in the process of addressing remaining water supply, wastewater treatment and, erosion and sediment control issues associated with the proposed campground. (LaLonde/Darrah)

P2006-0146, Champlain Stone, Town of Dresden: The request includes a renewal and modifications to a prior permit. Review issues include compliance with terms and conditions included in the previous permit related to reclamation and visibility, on-site wastewater treatment, stormwater management and coordination with NYS DEC. (LaLonde/Saehrig)

P2012-0009, McKeige, Town of Keene: The proposed single-family dwelling application is complete. Staff reviewed the revised stormwater management plan and deemed it satisfactory. Given the steep slopes and shallow soils on the project site, staff provided site stormwater management conditions to be included in any draft permit. (LaLonde/S.Parker)

P2013-0005 Beadnell, Town of Horicon: This project is a six lot subdivision involving wetlands. RASS issues include development on steep slopes and the potential for habitat fragmentation. The project was determined to have no direct wetland impacts, and was referred to Mark Rooks for Ecological Impact Zone analysis, which was completed. A Notice of Incomplete Permit Application (NIPA) has been sent to the applicant. Other involved Agency staff: McSherry (O'Dell, Bendell, Rooks, Ziemann)

P2012-0135 Green Harbor, Town of Lake George: This project is a reconfiguration and expansion of an existing marina. RASS issues relate to wetland impacts from the increased area of docks within the deepwater marsh which lies beneath a large portion of the marina. The applicant has removed a number of existing docks from a sensitive portion of the wetland at an

inlet to mitigate for impacts resulting from new docks in deeper water and has minimized the amount of new structures overall. The project has been completed and sent to public notice. Other involved agencies: LGPC. Other involved Agency staff: Lynch. (O'Dell)

P2012-0205, Miller, Town of North Elba: This project is a four lot subdivision involving wetlands. Staff met with surveyor to discuss project. Other involved Agency staff: Darrah. Other involved Agency staff: Darrah. (Rooks)

P2011-0032 Clark, Town of Wilmington: This project pertains to a two lot subdivision involving wetlands along a State Highway corridor. The Agency is awaiting final site plans and is expected to issue a permit shortly. Other involved Agency staff: Tracy Darrah (O'Dell, Bendell)

P2013-0006 Isabella, Town of Harrietstown: This Project is a two lot subdivision creating one substandard sized lot in Rural Use. One single family dwelling is proposed on the substandard lot with onsite wastewater treatment system and well. Staff reviewed submitted materials. Staff accepted the soils description and approved installation of a shallow absorption system. Additional review will be required if the proposed location changes due to a potential bedrock issue. Staff also noted that the bottom of trenches should be installed in native soil (there is some fill material noted in the soil description). Other involved Agency staff: McSherry, McNamara. (Ziemann)

P2012-0001G1; Silvicultural Treatments for Sustainable Forestry in the Adirondack Park: Stakeholder meeting was held on January 28, 2013. RASS Analyst for Forest Resources prepared and delivered a presentation to stakeholders. Other involved Agency staff: Martino, Weber, Reynolds, Townsend. (Ziemann)

P2012-0219, Town of Chester, Use of the aquatic herbicide Renovate OTF to control EWM. RASS staff assisted Regulatory Programs staff in review of the application and drafting of the first NIPA. The applicant and their consultant have provided a very comprehensive application and plan which should be complete after providing some additional information. (Snizek)

Pre-Applications

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

A2012-0209, NYS DEC, Town of Harrietstown: Rebuilding Second Pond boat launch. Conference call with DEC planners. Other involved Agency staff: Walrath. (Rooks)

A2010-0074, Misra, Town of Elizabethtown: Wetland crossing for driveway. Conference call with surveyor. Other involved Agency staff: Lynch. (Rooks)

A2013-14, Town of Fort Ann, Use of the aquatic herbicide Renovate OTF to control EWM in Hadlock Pond. RASS staff will be meeting with Hadlock Pond Association members on February 7, 2013 to discuss their proposal to apply herbicide without using a sequestration curtain. This would be the first time an aquatic herbicide was used in the Park without a curtain requirement. (Snizek)

Jurisdiction

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

J2012-0095 NYS OGS, Town of Moriah: This inquiry is for a pond drawdown to facilitate repair of a culvert. It is an addition to a previously determined dam repair project which will be undertaken concurrently. Potential RASS issues are wetland impacts. The drawdown was determined to be of minimal extent and duration and adequately timed so as to result in very minimal or no impact to wetlands. The project has been determined to be non-jurisdictional. Other involved Agency staff: Heath (O'Dell)

J2012-0703, Siuda, Town of Fort Ann: Staff reviewed potential jurisdictional issues associated with a replacement dwelling with shoreline on Lake George. Staff reviewed the replacement on-site wastewater treatment system design and the proposed height of the dwelling and determined those components of the project to be non-jurisdictional. (LaLonde/Heath)

J2012-0709, Costello, Town of Webb: This jurisdictional file is for the proposed replacement of a shoreline retaining wall. The information submitted to the Agency was insufficient for a jurisdictional determination to be made and the Agency is currently awaiting additional plans and details. Agency staff will typically guide the interested parties in a direction that

avoids the need for an Agency variance. Other involved Agency staff: Doug Miller (Bendell)

Enforcement

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

E2009-0273, Lake George Escape, Town of Lake George: Enforcement file addressing wetland impacts. Staff worked with landowner's consultant on air photos and GIS projects to help document dates and areas of fill as required by Army Corp of Engineers (ACOE). Other involved Agency staff: Burth. (Rooks)

*E2013-0007 Baertschi, Town of Queensbury: This case involves an apparent wetland fill and culvert installation. A field investigation was conducted on January 29th with the alleged violator and the Town of Queensbury Code Enforcement Officer. It was determined that a jurisdictional wetland is present, and it appears this wetland has been impacted by the placement of fill. The responsible party agreed to cease work until spring when another site visit can be conducted, and a resolution will be discussed upon completion of that site visit. Other involved Agency staff: Adams (O'Dell)

E2012-0134, Trepanier, Town of Tupper Lake: Staff is working on drafting terms in the proposed settlement agreement to address an on-site wastewater treatment system associated with an existing multi-family dwelling. (LaLonde/Adams/Burth)

E2012-0214, Wasserbach, Town of Lake George: This file involves the on-going construction of a single family dwelling potentially greater than forty feet in height. The Agency is currently waiting for additional information to clarify changes that have been made to construction plans since the Town Planning Board issued its approval. Other involved Agency staff: Matthew McNamara (Bendell)

Deep-Hole Test Pits

In January of 2013, a total of 4 deep-hole test pit (DHTP) evaluations were reviewed in relation to 2 projects. All of these evaluations were performed by outside consultants. Of the 4 DHTP locations, 1 met Agency guidelines for a conventional standard absorption wastewater treatment systems, and three did not meet Agency guidelines for installation of an onsite wastewater treatment system.

Deep Hole Test Pit Statistics	January
Projects Involving DHTPs	2
DHTPs Described by APA	0
DHTPs Described by Consultants	4
Total DHTPs	4
Approved Conventional Systems	1
Approved Shallow Systems	0
Did not Meet Agency Guidelines	3
Approved Conventional Systems %	25%
Approved Shallow Systems %	0%
Did not Meet Agency Guidelines %	75%
Approved Shallow Systems	0
Shallow Systems due to SHGWT	0
Shallow Systems due to Bedrock	0
Shallow Systems due to SHGWT %	0%
Shallow Systems due to Bedrock %	0%

Permit Compliance

P1996-0076, NYCO Mine, Town of Lewis: Staff reviewed the 2012 environmental monitoring reports for ambient noise, surface water quality and air and determined relevant conditions contained in the above referenced permit and subsequent amendments were in compliance. (LaLonde)

Wetlands

RASS staff provided 15 air photo interpretations involving wetland determinations or GIS projects for: JIFs, Project Review, Enforcement, and other staff. (Rooks)

Legal

Staff provided edits and comments to the working draft of the Development in the Adirondack Park documents. (LaLonde/McAleese)
 RASS staff provided assistance in an Agency staff presentation to explain legal guidance regarding artificial waterbodies,

wetland subdivision non-jurisdictional criteria, minor expansions, sub-acre wetlands and bodies of water, and dwelling units. (LaLonde/Reynolds)

Efficiency

RASS staff reviewed and edited standard language utilized by the Regulatory Programs Division in Permit Conditions and Notices of Incomplete Permit Application. (RASS staff)

Meetings/Events/Teleconferences Attended

January 17 - RASS staff attended the Adirondack Research Symposium at SUNY Plattsburgh, along with Kathy Regan, John Barge and Steve Langdon. This was an informal discussion about current research and interests among people from SUNY Plattsburgh, Paul Smiths College, St. Lawrence University, ALSC, DEC and APA. (Rooks)

January 13 - RASS staff participated in conference call with APIPP Committee Boat Washing Workgroup. Goal of workgroup is to produce a briefing paper explaining science behind boat inspection and boat washing programs at public boat launch. The workgroup is hoping to have the briefing paper submitted to NYS DEC, lake associations, and municipalities by April. (Snizek)

January 22-24 - The Agency's Associate Project Analyst for Freshwater Resources attended the 14th annual Northeast Aquatic Plant Management Society Conference. This year's meeting was very informative and included presentations on controlling the aggressive invasive plant hydrilla. Several presentations were focused on hydrilla management efforts in NYS, including the infestation discovered in Cayuga Lake inlet in 2011. Other presentations included managing nutrient rich waters using mechanical aeration and phosphorous inactivation by chemical control. It was an excellent opportunity to network with other officials from the New England region to discuss similar aquatic plant and water quality related issues. (Snizek)

Ongoing projects

RASS staff worked on updating and improving the Agency RAD. RAD is a MS Access database similar to MAD, which catalogs and links to documents. It is searchable by any field, including title, author and key words. The RASS portion of this contains scientific papers on biology, ecology and conservation biology, especially those that relate to the Adirondacks. RASS staff member, Mark Rooks, collects these papers and, as time allows, reads them, makes the RAD entries and puts them into folders to allow access for Agency staff. As an example, when searched

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using key words for "cumulative impact," 74 hits result, then the staff member could click on the link to see the document.
(Rooks)

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