



NOTE: The attachments referred to herein are on file at the Agency and are on the Agency's website. Copies are also available for inspection on request.

DRAFT AGENCY MINUTES

FEBRUARY 14, 2013

THURSDAY, FEBRUARY 14, 2013

AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT

Leilani Crafts Ulrich, Chairwoman
Richard Booth, Member
Sherman Craig, Member
Arthur Lussi, Member
Frank Mezzano, Member
William Thomas, Member
F. William Valentino, Jr., Member
Cecil Wray, Member
Patrick Hooker, Designee, NYS Department of Economic Development
Dierdre Scozzafava, Designee, NYS Department of State
Robert Stegemann, Designee, NYS Department of Environmental Conservation
Terry Martino, Executive Director
James Townsend, Counsel

LOCAL GOVERNMENT REVIEW BOARD PRESENT

Frederick Monroe, Executive Director

AGENCY STAFF PRESENT

Richard Weber, Deputy Director, Regulatory Programs
Keith McKeever, Public Information Director
James Connolly, Deputy Director, Planning
Shaun LaLonde, Soil & Water Engineering Specialist
Laurie Bullis, Secretary 1
Mary Reardon, Secretary 1
Kathleen Regan, Senior Natural Resources Planner
Colleen Parker, Environmental Program Specialist 3
Paul Van Cott, Associate Attorney
Susan Parker, Environmental Program Specialist 1
John Burth, Environmental Program Specialist 2
Denise Wagner, Environmental Program Specialist 1
Nancy Heath, Environmental Program Specialist 1
Douglas Miller, Environmental Program Specialist 2
Dan Kelleher, Special Assistant for Economic Affairs

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Jennifer McAleese, Senior Attorney
Aaron Ziemann, Associate Project Analyst, Forest Resources
Beth Phillips, Senior Attorney
Elaine Caldwell, Administrative Officer
Brian Grisi, Local Planning Assistance Specialist
Sarah Reynolds, Associate Counsel
Michael Hannon, Environmental Program Specialist 1
Deborah Lester, Secretary to Executive Director

Video and MP3 audio recordings of the proceedings, including public comment, are available in their entirety via webcast at http://nysapa.granicus.com/ViewPublisher.php?view_id=2.

Chairwoman Ulrich called the meeting to order at 9:05 a.m. She welcomed new Agency Counsel Jim Townsend.

1. Approval of January 10, 2013 Draft Agency Minutes

On motion of Mr. Wray, seconded by Mr. Mezzano, the Agency unanimously adopted the Draft Agency Meeting Minutes of January 10, 2013.

2. Executive Director's Report/2012 Annual Report

Ms. Martino welcomed Mr. Townsend as the Agency's new Counsel. She noted Mr. Townsend's previous professional experience and affiliations, and called attention to his many attributes. She also noted the respect for and endorsement of Mr. Townsend from the board members and staff as well as the public.

Ms. Martino also welcomed back Mike Hannon upon his return from active duty in Afghanistan following his January 2012 deployment. She expressed thanks for his years of service to the United States, and also for the flag flown in the Agency's honor which is now framed and displayed in the lobby area.

Ms. Martino then presented a report and powerpoint presentation (copy attached) which featured a review of the Agency 2012 Annual Report and a look forward to 2013. The Annual Report is available on the Agency website at www.apa.ny.gov. Ms. Martino reviewed the metrics from the Jurisdictional Office, Regulatory Programs, Enforcement, Resource Analysis & Scientific Services, State Lands, Local Government Planning, and Administration. She noted the importance of the ACE team (Action, Coordination and Efficiency) in the efficient coordination of response between the Regulatory, Jurisdictional and Enforcement programs. Ms. Martino also highlighted a number of public presentations on environmental protection and community life, the Agency's continued engagement

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with the Regional Economic Development Councils, and various planning initiatives that were underway in 2012.

In looking forward to 2013, Ms. Martino referred to priorities including a review of permit format and structure, legal guidance, ongoing refinement of the document naming convention and linkage to the Agency's Master Action Data Base, proactive environmental and community outreach, finalization of guidance on proposed chemical treatment of water bodies, classification of former Finch lands and work with impacted communities interested in map amendments.

She also referred to activity undertaken by the Agency in 2012 and carrying forward to 2013, such as the draft silvicultural general permit which is a discussion item on the current Agency agenda. Also, the Community Spotlight series is resuming starting this month with Saranac Lake Mayor Clyde Rabideau, and the economic presentation on biomass points to a topic that the Agency will continue to hear more about in 2013. The Agency will continue to look to partners who are achieving momentum in areas that benefit communities, environment and economy, to use its regulatory and planning tools for the betterment of the Park, and to work to be predictable and efficient while achieving environmental protection in a manner that works for Adirondack communities and residents. Also, following the 40th anniversary of the State Land Master Plan in 2012, in 2013 the Agency is set to celebrate the 40th anniversary of the Private Land Use and Development Plan.

Ms. Martino thanked staff for their ongoing commitment and the Board for their ongoing engagement and direction on important policy matters impacting Agency operations.

Chairwoman Ulrich commended the annual report for its detail in accomplishments and staff work, noting it illustrates how far the Agency has come over the years. She also commented on the proposed silvicultural general permit and noted that despite the diverse public opinion there appeared to be overall agreement as to the need for healthy private forest lands in the Park.

The Agency temporarily adjourned to committees at 9:55 a.m., and then reconvened at 1:05 p.m. for the Community Spotlight presentation.

4. Community Spotlight - Clyde Rabideau, Mayor, Village of Saranac Lake

Clyde Rabideau, Mayor of the Village of Saranac Lake, was the featured Community Spotlight speaker. A copy of his powerpoint presentation is attached. Mayor Rabideau presented an overview of Saranac Lake. His presentation included discussion in the areas of

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community assets, economic development, tourism and recreation, planning and infrastructure, housing, and sustainable growth.

In his responses to questions from Agency Members and Designees, the Mayor made the following points:

- Student enrollment in Saranac Lake is declining, like other communities in the park; job growth is the key to reversing this trend;
- New York has failed to adequately market the Adirondacks in comparison to Vermont, which has spent millions of dollars and successfully projected an image as a premier skiing destination in the northeast;
- Due to its relatively close proximity, Montreal is a better choice than Long Island, for example, in terms of investing marketing resources;
- As part of its destination tourism program, Saranac Lake has recently created its own hiking challenge called the "Saranac Lake 6er," which challenges hikers to climb six peaks in the area including Mt. Baker and St. Regis, McKenzie, Haystack, Scarface and Ampersand Mountains.
- The North Country Regional Economic Development Council should incorporate the Adirondacks in a separate marketing strategy given the large geographic area of the North Country;
- Following its designation as an "All American City" fifteen years ago, it is time for Saranac Lake to move on toward other accomplishments and recognitions; and
- There is little interaction between the Village of Saranac Lake and the APA due to the Agency's limited jurisdiction in hamlet areas.

Mr. Stegemann referred to the village's interest in timely completion of the Saranac Lake Wild Forest UMP and the concern about connectivity, and assured the Mayor that it is the goal of Governor Cuomo and DEC to connect State lands with communities. Mr. Stegemann also noted the importance of community infrastructure, particularly lodging facilities, in marketing the Adirondacks as a world-class destination.

The Chairwoman presented Mayor Rabideau with a certificate of appreciation and praised him for his dedication to public service, noting he joined many other leaders throughout the Park who have the added pressure of full-time jobs.

The Agency temporarily adjourned to committees at 1:55 p.m., and then reconvened at 3:55 p.m. to receive and act on committee reports and recommendations.

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5. Committee Reports

a. Regulatory Programs Committee

(1) 2012-167, Stuart and Tracy Darrah/Town of St. Armand

The project involves the creation of a waste disposal area in an area classified Moderate Intensity Use in the Town of St. Armand, Essex County.

Mr. Mezzano noted the project would ordinarily have been handled at the staff level, but required the Agency's consideration because it involved a staff member, in accordance with Agency policy.

On motion of Mr. Mezzano, seconded by Mr. Booth, the Agency unanimously approved the project. A copy of the permit, as approved by the Agency, is attached to the official minutes on file at the Agency.

(2) General Permit 2012G-1, Silvicultural Treatments for Sustainable Forestry in the Adirondack Park

Chairwoman Ulrich commended the staff presentation and the information gathered since the Agency's first reading in November 2012. She requested that staff revisit the Agency's discussion in November and prepare to respond to the Board's questions and comments for further discussion and consideration at the March meeting. She then opened the floor to the Board for additional comment.

Mr. Thomas commended the committee discussion. He expressed his support for the general permit while acknowledging the question had been raised as to the need for one. He noted that the additional comment letters and a staff-generated Q & A, which were distributed to the Board earlier that day, would require sufficient time for review and consideration. Mr. Thomas recalled the Board's field trip to Lyme Timber forestry holdings in the fall of 2010, and he suggested that a return visit to observe the progress of the regeneration of those forestlands might be helpful to the Agency's decision making.

Mr. Valentino pointed out public misconceptions concerning the general permit and expressed the need for greater public awareness and communication. He also referred to the point made by Local Government Review Board Chairman and forester Gerry Delaney that clear cutting is not a practice that is supported by loggers. Mr. Valentino suggested the Agency consider involving professionals from Yale Forestry School and/or College of Environmental Science and

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Forestry to explain the best science supporting silvicultural treatments for sustainable forestry in the Park.

Mr. Lussi concurred with Mr. Valentino and his suggestion to seek scientific affirmation from the educational community, noting their advice might help to answer the question of whether third-party certification can protect the long-term environmental health of the Park. He expressed his concern about the 24-acre clear cuts and their impact on the future of forestlands in the Park. He also pointed out that the general permit is a way for the Agency to be proactive instead of reactive, and if accepted by the logging industry it can be an example for others to follow and learn from good stewardship. Mr. Lussi also expressed his confidence in the opinion of former RASS Supervisor Dan Spada, a respected steward in the Park.

Chairwoman Ulrich thanked the staff for their work to date and all who had provided comment, as well Board Members for their patience and indulgence in the face of the short timeframe for this discussion. She noted that the discussion of that day would be reviewed by staff going forward.

Mr. Mezzano concurred with staff in their position that the general permit represents a good improvement over the current process.

Mr. Monroe referred to the January 28 meeting where it was pointed out that an Agency permit had consumed 14 months and cost the applicant many thousands of dollars. He also referred to a comment that the general permit would benefit primarily large landowners, and pointed out that while that might be true, large landowners operate at a smaller profit margin per-acre and the current lengthy Agency permit process is a disincentive to them. The proposed general permit would discourage questionable management practices.

Mr. Mezzano called Mr. Weber's attention to the Board's comments, including Mr. Valentino's request for third party involvement, and asked if staff required any further guidance from the Board.

Mr. Weber thanked the Agency Members for their thoughtful comment, and invited them to submit any further comment in writing. He assured the Board that staff would address their comments for future discussion at the monthly Agency meeting in March.

b. Economic Affairs Committee

Mr. Lussi reported the Committee heard a presentation on wood pellet boiler heating systems. Representatives from the Saranac Lake Central School District gave a first-hand account of their experience with a high-efficiency wood pellet boiler at the Petrova

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School, and the president of ACT Bioenergy discussed the technology and marketing of his company's wood pellet boiler.

b. State Land Committee

(1) Alpine Zone Vegetation in the Adirondack Park

Mr. Booth commended the presentation, enhanced with inspiring photography, of alpine zone vegetation by Tim Howard of the New York Natural Heritage Program.

6. Interim Reports

a. Local Government Services Committee

Mr. Thomas called attention to a meeting, scheduled for the late afternoon, of the planning committee for the Adirondack Park Local Government Conference. Plans are moving ahead for the conference, which is scheduled for April 24-25 in Lake Placid.

b. Park Ecology Committee

On motion of Mr. Lussi, seconded by Mr. Hooker, the Committee unanimously approved the draft minutes of its January 10 meeting.

7. Public Comment

Ross Whaley of Tupper Lake commented on the proposed silvicultural general permit, noting flaws in the current Agency regulations, opportunity to streamline of the Agency's permitting process, and support for third-party certification.

Gerry Delaney of Saranac commented on the silvicultural general permit, noting the importance of the forestry industry to the Park, a potential learning opportunity for the Agency, and opportunity for the Agency to correct the current process.

Dan Plumley of Adirondack Wild commented on the proposed silvicultural general permit. He noted substantial public comment against the concept and offered assistance of the environmental coalition in the stakeholder process.

8. Local Government Review Board Comment

On behalf of the Local Government Review Board, Executive Director Fred Monroe expressed support for the silvicultural general permit. He spoke about the importance of forest products industry sustainability to local government and residents of the Adirondacks, and strong incentive for TIMO's to maintain healthy forest lands,

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which is accomplished through optimum management using the best science at minimum cost. Mr. Monroe suggested that implementation of the general permit process would address forest products industry needs while providing the Agency opportunity to work on improving and updating the regulations.

9. Member Comment

Mr. Valentino welcomed Mr. Townsend and commended Public Information Officer Keith McKeever for his work on the report.

Mr. Thomas thanked staff members Brian Grisi and Dan Kelleher for providing an impressive presentation at a recent business alliance meeting in North Creek.

Messrs. Hooker, Mezzano and Stegemann commented on the collegial discussion of the silvicultural general permit and the importance of continued constructive dialogue in Agency deliberations.

Mr. Lussi noted the various expressions of appreciation for the Adirondack wilderness, including people such as his grandfather who was a former forest ranger, Tim Howard's presentation on alpine vegetation, and Kathy Regan's Waterman Foundation Stewardship Award.

Mr. Craig commended staff on their high-quality presentations to the Agency. He also commented on allegations of "cut and dried" Agency decisions, and assured members of the public that Agency Members and Designees devoted ample time to studying background materials and engaging in open discussion.

Mr. Townsend expressed his appreciation for the warm welcome and for the kind comments at the last Agency meeting. He remarked on his return to the Agency as an employee and the uniqueness of the new staff, who share the same passion, interest and dedication as other current and past employees.

Ms. Martino commended staff's presentation on the general permit, and Aaron Ziemann in particular for assuming the lead for this initiative following Dan Spada's retirement. She acknowledged the need for more work and dialogue, noting the Agency can continue to provide a good forum for experts in the field to speak to changes in the industry, predictability and environmental protection.

Chairwoman Ulrich added her thanks to Mr. Ziemann. She concurred there is a need to further digest and assess information, but disagreed with the suggestion that the Agency would be relinquishing its review with a general permit. The Chairwoman expressed her appreciation of the quality of discussion at the recent Local Government Review Board meeting in Keene. She also referred to the

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alpine zone presentation by Tim Howard, noting it reminded her of the Finland exchange trip which inspired hope among the participants to regenerate not only the pride in our woods, but also the pride in our wood products.

10. Adjournment

The Agency unanimously adjourned at 4:45 p.m.

LCU/TDM/dal

Attachments:

Powerpoint - 2012 Annual Report

Powerpoint - Community Spotlight: Village of Saranac Lake

Permit 2012-167, Stuart and Tracy Darrah/Town of St. Armand

Leilani Crafts Ulrich, Chairwoman