



Draft Minutes  
State Land Committee  
May 2013 Agency Meeting  
RB:JEC:lhb

**MINUTES OF THE STATE LAND COMMITTEE MEETING  
May 9, 2013**

Committee members in attendance included Agency Chairwoman Leilani Ulrich, William Thomas, William Valentino, Sherman Craig, Designee Robert Stegemann, Department of Environmental Conservation, and Committee Chair Richard Booth. Member Frank Mezzano, and Designees Dierdre Scozzafava, Department of State and Patrick Hooker, Department of Economic Development joined the Committee. Also participating in the meeting was Executive Director Fred Monroe of the Local Government Review Board. Staff included Executive Director Terry Martino, Planning Director James Connolly, Senior Natural Resource Planner Kathy Regan and Associate Natural Resource Planners Matthew Kendall and Walter Linck.

The Committee meeting convened at approximately 9:30 a.m.

**Deputy Director, Planning Report (J. Connolly)**

Mr. Connolly briefly reviewed the April activity report for the Planning Division.

**Essex Chain of Lakes/Indian River Tracts Classification Alternatives and Draft SEQR Documents/Supplemental Programmatic EIS (J. Connolly/K. Regan/M. Kendall/W. Linck)**

Planning Director Jim Connolly and Senior Natural Resource Planner Kathy Regan reviewed the Classification Package for the Essex Chain Lakes, Indian River, OK Slip Falls and OSC (Open Space Conservancy) tracts. Associate Natural Resource Planners, Walt Linck and Matt Kendall also participated in the presentation. Staff reviewed the DSEIS for the Board and requested acceptance of the DSEIS and authorization to proceed to public hearings.

Kathy Regan explained the guidelines and criteria necessary for classification of newly acquired public lands. She also noted that lands are classified according to their characteristics and their ability to withstand use. The classification categories include: Wilderness, Primitive, Canoe, Wild Forest, Intensive Use, Historic, and State Administrative. Classification of land is preliminary to unit management planning. Through the development of unit management plans, management objectives and

actions for the land are addressed for each category of land classified according to State Land Master Plan guidelines. Matt Kendall reviewed location maps that depicted the areas that are proposed to be classified.

Walt Linck reviewed potential recreational opportunities for the proposed areas of classification. He noted that each of the maps displayed by staff contains a listing of acceptable uses for each area proposed for classification.

Kathy Regan presented various alternatives developed by staff and noted that these proposals are primarily a starting point and will likely be modified after the public comment period is final. The various alternative boundaries presented by staff are not final.

Staff presented a tentative public hearing schedule and requested acceptance of the DSEIS and approval to proceed to public hearing.

Committee Chair Booth asked for more information regarding the corridor along the portion of the Hudson that has been deemed wild in terms of access by cars. Ms. Regan responded that there are restrictions that would apply in that area. Mr. Connolly added that the provision of the Wild Scenic and Recreational Rivers Act which essentially restricts motorized access within a 1/2 mile of a wild river is not subject to the Agency's classification process and can only be changed through an amendment to the Rivers Act by the State legislature. Counsel Townsend noted that classification of the lands can be done independent of the Wild, Scenic and Recreational Rivers Act. However, future management objectives would need to incorporate the statute requirements as well as Master Plan guidelines.

Member Thomas asked for more detail to be shown on the maps in terms of proximity of proposed lands to be classified to communities and towns.

Member Wray asked what motorized access routes are available into the area proposed for classification. Staff responded that there is no continuous route, however, there are routes to the north and the south of the proposed area. The Cedar River splits the road to the north and the south.

Member Craig asked if the roads were gated at this time. Kathy Regan responded affirmatively. However, at this time, there is

no public access until October 1 as there is a lease agreement in effect until that time.

Designee Stegemann noted that the easement and fee lands are specific in some cases and more general in others and will undergo detailed planning processes accordingly.

Member Mezzano asked about the motorized access to the private in-holding at the OK Slip Falls Tract. Jim Connolly responded that there would still be access to the landowner exclusively. The public would not be allowed direct access along the road due to potential conflicts with the private in-holding.

Local Government Review Board Executive Director Fred Monroe asked about the Wilderness classification for the Hudson Gorge area as there is a commercial river rafting use currently there. Kathy Regan responded that the commercial use would not be impacted by the Wilderness classification.

Executive Director Fred Monroe then referred to page 24 of the DSEIS, the intangible characteristics notation is misleading as the river has been used and accessed by the public. Mr. Connolly agreed and responded that the section would be clarified.

Kathy Regan noted that the public comment period will run through the end of July. She emphasized the importance of public attendance at the public hearings and noted that public input is very important to the process.

Committee Chair Booth asked for a motion to accept the Draft Supplemental Environmental Impact Statement, to authorize staff to proceed to public hearing and delegate to the Executive Director authorization to make minor editorial changes to the DSEIS. Member Thomas made a motion to move the item to the full Agency as proposed and was seconded by Member Craig. All were in favor of the motion.

**Whiteface Mountain UMP Amendment (Robert Hammond, ORDA/J. Connolly/R. Weber)**

This item was a first reading of the proposed unit management plan amendment for Whiteface Mountain and was for informational purposes only. No action was taken.

Rick Weber updated the Board on the status of the shared emergency communications system that received an Agency permit

in December, 2012. He noted that Condition 9 of the permit requires an assessment of the Bicknell's thrush in the area as well as a final report which summarizes the assessment with any necessary recommendations for mitigation measures. He also noted that both the assessment and report are still required as per the permit condition. The only change that has occurred in the requirement of Condition 9 of the Agency permit is that a professional wildlife staff member from the Department of Environmental Conservation will be conducting the assessment and compiling a report with any mitigation recommendations instead of an independent environmental specialist. All involved parties have agreed to this change to Condition 9.

ORDA Director of Planning and Construction Bob Hammond reviewed the proposed amendment to the Whiteface Mountain Intensive Use Area Unit Management Plan. He noted that the replacement of the existing Ski Patrol Building with a new building which includes the public safety radio communications systems is proposed and is considered an appurtenance to the ski trail system. He also noted that the building location is an already disturbed site. The footprint of the building has a similar configuration and no tree cutting is involved.

Mr. Hammond noted that the new building will improve conditions for ski patrol operators and will be energy efficient. He added that the public safety radio communications system will provide enhanced regional emergency operations and increase safety for the public.

Agency Chair Ulrich asked if informational postings are provided for visitors to the Mountain to educate the public on the presence of the Bicknell's thrush habitat. Mr. Hammond responded affirmatively. There are displays on the premises of Whiteface and ORDA has developed a fundraising venue through the sale of shirts, hats and pins which promote education about Bicknell's thrush and the sensitive habitats associated with the species.

**Old Business**

None

**New Business**

None

The meeting was adjourned at approximately 11:45 a.m.