



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

SEPTEMBER 12-13, 2013

THURSDAY, SEPTEMBER 12, 2013

AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT

Leilani Crafts Ulrich, Chairwoman
Richard Booth, Member
Sherman Craig, Member
Karen Feldman, Member
Arthur Lussi, Member
William Thomas, Member
F. William Valentino, Member
Dan Wilt, Member
Brad Austin, 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

James Connolly, Deputy Director, Planning
Keith McKeever, Public Information Director
Brian Grisi, Local Planning Assistance Specialist
Robyn Burgess, Environmental Program Specialist 1
Elaine Caldwell, Administrative Officer
Amy Hall, Calculations Clerk
Kathy Regan, Senior Natural Resources Planner
Edward Snizek, Supervisor, Natural Resource Analysis
Matthew Kendall, Associate Natural Resources Planner
Elizabeth Phillips, Senior Attorney
Dan Kelleher, Special Assistant for Economic Affairs
Colleen Parker, Environmental Program Specialist 3
Paul Van Cott, Associate Attorney
Michael Hannon, Environmental Program Specialist 1

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John Burth, Environmental Program Specialist 2
Leith Walrath, Associate Project Analyst, Fresh Water Resources
Richard Weber, Deputy Director, Regulatory Programs
Jennifer McAleese, Senior Attorney
Suzanne McSherry, Environmental Program Specialist 2
Ariel Lynch, Environmental Program Specialist 2
Milt Adams, Environmental Program Specialist 1
Tracy Darrah, Environmental Program Specialist 1
Shaun LaLonde, Soil and Water Engineering Specialist
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 9:00 a.m.

1. Approval of 2014 Agency Meeting Calendar

On motion of Mr. Wilt, seconded by Ms. Feldman, the Agency unanimously approved the Agency Meeting calendar for 2014. A copy of the calendar as approved by the Agency is on file at the Agency.

2. Approval of August 8-9, 2013 Draft Agency Minutes

On motion of Mr. Booth, seconded by Mr. Wilt, the Agency unanimously adopted the Draft Agency Meeting Minutes of August 8-9, 2013. A copy of the official minutes as adopted by the Agency is on file at the Agency.

3. Executive Director's Report

Chairwoman Ulrich referred to an email from Agency staff Mike Hannon on September 11 which served as a reminder to the Agency of the events of 9/11 twelve years ago. She referred to her participation with Ms. Feldman in a recent Wounded Warrior program event in Old Forge, and she expressed her appreciation to Mr. Hannon and others who have served and are serving our country.

Executive Director Martino acknowledged the 9/11 anniversary and how the tragic events on that day twelve years ago changed the world. She also commented on the end of summer and the return to school for children around the region, and noted the variety of seasons the week had experienced in terms of weather.

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Ms. Martino then highlighted the following items of note:

- Last week showed great news for the North Country with Governor Cuomo's announcement in AuSable Forks of \$500 million in competitive funding that is available for communities that develop plans for reconstruction that will enable them to be more resilient to catastrophic weather events. In making the announcement, the Governor was surrounded by Keene Supervisor Bill Ferebee and Jay Supervisor Randy Douglas. The additional announcement of the \$1.5 million award toward the Upper Jay firehouse was also a great step in allowing the Town to fill gap financing for the construction of the new building. After seeing Keene's successful construction of their firehouse and knowing how both communities experienced the devastation of the storm event of Irene in 2011, the attention to both communities has been welcomed. The towns' continued efforts to work jointly in partnership will contribute to the possibility of bonus funding in the New York Rising Community Reconstruction Program.
- In relation to the Agency's previous interest in addressing silvicultural management practices and its regulatory role, a Forestry Roundtable, involving the Adirondack Research Consortium, Empire State Forest Products Association, Adirondack Landowners Association and Audubon New York, is scheduled to take place on October 15 at Paul Smith's College. The purpose of the workshop is to promote an understanding of current forest practice issues on privately owned and managed lands in the Park, and to consider how their ownership, condition and management practices have evolved over the past thirty years. There will also be discussion about what steps can be undertaken to enhance forest practices and forest health in the future. The program will include an indoor workshop and afternoon field visit to private forest stands. Presentations will provide the historic context of current forest management issues going back to the Agency's deliberations in the 1980's, highlights from the Forest Inventory Analysis data for the park and how it can be used to develop a set of indicators for forest health, ecological issues, private land management challenges, perceptions of current forest management practices, and next steps. Agency staff believe the discussion will be directly complementary to the Agency's work earlier this year as well as work that Agency Counsel plans to undertake in the future to address the regulatory framework that applies to silvicultural practices. The Agency plans to convene those stakeholders with whom the Agency had met in January 2013 at a meeting date to be established after the Forestry Roundtable in October.

Chairwoman Ulrich expressed her support for the Forestry Roundtable.

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- There continues to be considerable discussion in the region about the Remsen-Lake Placid Travel Corridor. The Agency Chairwoman responded to a request from DEC Commissioner Martens and DOT Commissioner McDonald regarding Agency staff assignments to the public process that is underway with the Departments. The assigned Agency staff are Kevin Prickett of planning staff and economic advisor Dan Kelleher. Both DEC and DOT are the lead agencies, and the Agency will participate as an "involved agency" throughout the process. To date, DEC and DOT have scheduled four sessions, two of which have already taken place in Old Forge and Ray Brook, and two which are scheduled to take place in Utica on September 16 and Tupper Lake on September 17. Good reports have been coming out about the meetings that took place in Old Forge and Ray Brook, particularly as to the process that DEC and DOT have established for the scoping sessions.

Mr. Stegemann described the process being used at the scoping sessions. The session begins with a presentation to provide everyone with the same basic information about the concept. Four or more individual stations are set up for individuals to express their views and/or submit written comment.

Chairwoman Ulrich noted the Old Forge session drew approximately 200 people, many of whom had one-on-one conversations and talked to DOT and DEC staff simultaneously.

Mr. Stegemann noted he would pass along the positive feedback regarding the scoping sessions to the planners.

- In the days following the staff presentations on the Finch classification at the August meeting, staff reviewed the list of Board questions and comments about process to be addressed at the September meeting. Additionally, staff will continue to analyze the thousands of written and oral comments submitted during the comment period. The Agency must base its recommendation on the classification criteria, substantive public comment and the factual information that will be part of the Final Supplemental Environmental Impact Statement. Substantive public comment is critical to the agency's process. As such, staff will not be presenting a preferred alternative at the September meeting. Any debate about a preferred alternative continues to be premature until staff completes its work in the development of responses to the issues raised in the public comment period.
- The September meeting agenda includes a legal staff presentation on the work to date on the "Development in the Adirondack Park" guidance, otherwise known as "DAP." It is noteworthy that DAP is a very important guidance document that has included extensive work with staff from all divisions of the Agency. Former Agency

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staff member Dan Spada, who left the Agency in December of 2012, spent a considerable amount of time working on DAP. The presentation by staff at this meeting will highlight how the work continues to evolve.

- In staff announcements, Leigh Walrath has been appointed to the Associate Adirondack Park Project Analyst, Freshwater position in the RASS Division. Mr. Walrath assumed his new position effective September 3, 2013.

The Agency will also welcome a new Environmental Program Specialist 1. Devan Korn will join the Agency on Monday, September 16, and will be introduced to the Board at the October Agency meeting.

Ms. Martino also announced the departure of Deputy Director, Planning Jim Connolly. Mr. Connolly will be retiring with over a decade of service to the Agency, and prior to that two plus decades with DEC. Ms. Martino then read and presented Mr. Connolly with a resolution, and thanked him for his dedicated civil service. A copy of the resolution is attached to the official minutes.

Mr. Connolly reminisced about a memorable St. Patrick's Day spent at Santanoni with Commissioner Martens, Mr. Stegemann and Dave Winchell of DEC. He thanked Ms. Martino and the Board for the pleasure of working at the Agency and noted after thirty plus years of State service, he looked forward to recreating on the Forest Preserve as well as joining fellow retirees, golfing and kayaking partners. Mr. Connolly then related a favorite Indian story, which conveyed the point that we all look at things in different ways. For example, places like Mount Marcy or Lake George mean different things to different people. The challenge is to find ways for people to both understand and appreciate the Park, but also to use it. That is what makes the Adirondack Park a special place.

Ms. Martino noted that in preparation for Mr. Connolly's retirement, she has met with division staff and will be assuming the responsibilities of staff supervision as the Agency moves through the process for a replacement. Also, a vacancy notice has been posted for the position.

4. Adjournment into Committees

On motion of Mr. Lussi, seconded by Ms. Feldman, the Agency unanimously adjourned into committees at 9:30 a.m.

FRIDAY, SEPTEMBER 13, 2013

AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT

Leilani Crafts Ulrich, Chairwoman
Richard Booth, Member
Sherman Craig, Member
Karen Feldman, Member
Arthur Lussi, Member
William Thomas, Member
F. William Valentino, Member
Dan Wilt, Member
Brad Austin, Designee, NYS Department of Economic Development
Dierdre Scozzafava, Designee, NYS Department of State
Robert Stegemann, Designee, NYS Department of Environmental
Conservation
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Richard Weber, Deputy Director, Regulatory Programs
Colleen Parker, Environmental Program Specialist 3
Edward Snizek, Supervisor, Natural Resource Analysis
Thomas Saehrig, Environmental Program Specialist 2
Virginia Yamrick, Environmental Program Specialist 1
Deborah Lester, Secretary to Executive Director

Chairwoman Ulrich called the meeting to order at 10:05 a.m.

1. Committee Reports

a. Regulatory Programs Committee

(1) 2013-136, NYS Department of Environmental Conservation

The project involves reclamation of Lower Sargent Pond through the application of Rotenone to remove non-native largemouth bass species on State land classified Wild Forest in the Town of Arietta, Hamilton County.

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

(2) 2013-111, Barber Homestead Park, LLC

The project involves the expansion of an existing RV campground in an area classified Rural Use in the Town of Westport, Essex County.

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

(3) 2000-156R3, John and Linda Caufield

The project involves the third renewal of an Agency permit authorizing a temporary 2-lot subdivision into sites in an area classified Resource Management in the Town of Webb, Herkimer County.

On motion of Mr. Craig, seconded by Mr. Booth, the Agency unanimously approved the renewal request. A copy of the permit as approved by the Agency is attached to the official Agency Minutes on file at the Agency.

b. Economic Affairs Committee

Mr. Lussi commended Heidi Kretser and Leslie Karasin of the Wildlife Conservation Society for their presentation and discussion about conservation development ideas in the Northeast. He noted a possible incorporation of some of these ideas into the Agency's guidance document "Development in the Adirondack Park."

He also noted the Committee's approval of the draft minutes of its August 2013 meeting.

c. State Land Committee

(1) Classification/Reclassification Involving Essex Chain/
Indian River/OK Slip Parcels

Mr. Booth reported that staff reviewed answers to a series of questions of Board Members last month regarding the Finch classification decision before the Agency. Additional questions were raised. Any further questions should be directed to State Land staff, Counsel Townsend, Executive Director Martino, Chairwoman Ulrich or Committee Chair Booth.

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d. Legal Affairs Committee

Mr. Lussi noted a staff presentation on the Agency guidance document, "Development in the Adirondack Park," as well as a status report on legal guidance which generated discussion, with the goal of making things more understandable for both lawyers and laypersons.

2. Interim Reports

The Administration, Enforcement, Local Government, Park Ecology, Park Policy and Planning, and Public Awareness and Communications committees did not meet this month. Monthly reports for some of these committees were included in the mailing.

a. Local Government Services Committee

Mr. Thomas noted the 2014 Local Government Day Conference has been scheduled for April 9-10, 2014, to coincide with the April Agency meeting. The conference registration fee and location will be announced upon finalization of the contract with the conference center.

Chairwoman Ulrich added that the conference will begin on Wednesday, April 9 and run through Thursday, April 10, with the Agency meeting to follow on Friday, April 11. She said the schedule presents an opportunity for Agency Members who have not had an opportunity to attend Local Government Day in the past. She also referred to Local Government Services staff's continuing efforts to highlight some of the good work going on in the Park with the creation of a new award for "Best Adirondack Event."

3. Public Comment

Ron Konowitz of the Adirondack Powder Skier Association reported on his presentation at a recent FPAC meeting and offered to present at a future Agency Board meeting.

4. Local Government Review Board Comment

Local Government Review Board Executive Director Fred Monroe commented on the Finch classification and urged the Agency to consider all options including those that might require amendment of the State Land Master Plan or snowmobile guidance. He recalled last year, after the Governor announced the Finch purchase, a meeting between DEC and local government officials where DEC presented a potential recreation plan for the area; and while that plan did not go as far in many ways as local government would have preferred, nevertheless it went further than the proposed alternatives.

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Mr. Monroe referred to the DEC's management proposal and wondered why it was not included in the classification process. He also questioned the Agency's plan for moving forward with the decision on the classification. He suggested allowing additional input with at least one month between staff presentation of a preferred alternative and asking the Board to vote. Finally, Mr. Monroe referred to SEQRA, which requires that the Agency consider the economic impacts of its decisions, and urged the Agency to specifically consider impacts on the winter economy in terms of the residents and local government.

5. Member Comment

Ms. Scozzafava expressed her appreciation to Mr. Connolly for his hard work over the years and best wishes in his future endeavors. She then noted the Secretary of State's recent tour of the North Country, which included a visit to the Wild Center in Tupper Lake, which was the recipient of a 2012 Northern Border Regional Commission (NBRC) grant to help implement the Northern New York Maple project. Secretary Perales was encouraged by his conversations with people from the maple industry as well as other industries. Ms. Scozzafava also advised that the scoring for the 2013 NBRC grant applications had been completed, and that the Department is looking forward to announcing the recipients of the 2013 Local Government Efficiency Grants. She also noted that Department staff continues to work aggressively with many North Country communities to find ways for local governments to work more efficiently and cooperatively together, to be accessible to the people of the state, and to do all possible to help local governments within the Park and throughout the entire region.

Mr. Wilt extended best wishes to Mr. Connolly for a happy retirement. He then commented on the Paul Smiths findings regarding invasive species, and noted that although one-tenth of one percent of canoes and kayaks might seem like a very low number to some people, he felt it was high based on the fact that most canoes and kayaks are not launched at boat launches; therefore, the numbers are not truly in comparison to boats on trailers. He suggested that the boat monitoring should be done at different locations, such as campers as they are entering campsites, or at pull offs or rest areas before entering town, or as they are being pulled from lakes with invasive species. He expressed concern over the very high possibility for canoes and kayaks to invade some of the smaller lakes. Mr. Wilt then addressed a comment of Ms. Feldman the previous day about the cost of maintaining the roads, and he pointed out that most of the material is available on site. He also noted the possibility of funding that might be available for road maintenance similar to the funding that is made available for treatment of lakes and waterbodies.

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Mr. Booth thanked Mr. Connolly for a long and distinguished career and wished him the best for the future. Regarding the timetable for going forward regarding the Finch classification decision, he suggested that more work needs to be done, including a staff response to Board comments, and that November appeared be the earliest target date for a decision.

Mr. Lussi commended Mr. Connolly for sharing the wealth of knowledge that he gained while working for DEC and for the Agency, experience and knowledge that would be missed at the Agency. He referred to previous retirees, some of whom he has seen in the woods, on the lakes, and on the golf course, and said they represented part of the goal of the Agency, which is to help ensure the health of our environment while at the same time allow people who live in and visit the Park to use and enjoy it. The Finch land classification presents the issue of how to balance opportunity for use versus wilderness, and the opportunity for the Board to discuss and debate specific classification issues and plans is important to the decision process. Mr. Lussi concurred with Mr. Booth's comment regarding a timetable, and said he looked forward to staff's response to the Board comments as well as some thoughtful debate in October.

Mr. Valentino expressed best wishes to Mr. Connolly. Regarding the Finch classification, he suggested the Agency have an in depth discussion on the limits of its authority under the law. Mr. Valentino also described his recent trip to Scotland, Ireland and Norway. He noted that while the scenic beauty of Ireland and Scotland is remarkable, he felt New York's Hudson River Valley and the Adirondacks were scenically superior with more lakes, spectacular mountains and healthier forests.

Mr. Thomas stated that as a Board member and as a former town supervisor, he would miss Mr. Connolly and the assistance that he provided throughout the years. Regarding the Finch land classification, he agreed that a longer time table was needed to reach a decision. Mr. Thomas also commended the Wildlife Conservation Society and their dedication to the Park and its future.

Mr. Austin commented on the informative materials received at the meeting. He also remarked on staff's hard work on the classification issue as well as DAP and other important matters. He agreed with other members that more work is required on the classification issue before a decision is made. Mr. Austin congratulated Mr. Connolly on his retirement, and noted the 40th anniversary of the Adirondack Park Land Use and Development Plan.

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Mr. Craig expressed congratulations and best wishes to Mr. Connolly on his retirement. He then commented that after many years of people hoping to add this land to the Park, the Finch acquisition has presented an incredible opportunity. He added that when the State purchased the property, he considered it to be a wonderful addition to the Park that would be well protected under Article XIV.

Ms. Feldman offered congratulations to Mr. Connolly and best wishes on his retirement. She commented on the large quantity of information that has been provided regarding the Finch classification. She also agreed with Mr. Craig that it presents an incredible opportunity to do something very special. Ms. Feldman suggested that the Agency take time for discussion, to flesh out the issues and answer all the questions. She also said she felt honored to sit at the table and be a part of the discussion.

Mr. Stegemann stated his and the Department's tremendous respect for Mr. Connolly's work and leadership, and that while the void would be filled with good people, Mr. Connolly would still be missed. He then commended the excellent discussion on the Finch classification. He also highlighted the fact that there will be an interim access plan that will be available soon for the Essex Chain Lakes. Mr. Stegemann noted DEC staff's ongoing involvement in the public rail/trail meetings and whether or not to reopen the plan for the rail corridor between Remsen and Lake Placid. He also noted Lake Placid is hosting the National Outdoor Writers Association this weekend through Monday, September 16, and the Regional Economic Development Council is scheduled to meet on September 20.

Mr. Townsend commented on his close working relationship with Mr. Connolly this past year, in his first year as Counsel, and Mr. Connolly's increasing high spirits as he headed closer toward his retirement date.

Ms. Martino referred to Governor Cuomo's New York Rising Program, which provides funding for communities to work together to respond to catastrophic weather events. She noted the importance of the program, especially considering the flooding in Boulder, Colorado, and the Sandy storm event last year, and although not weather-related, the New Jersey Boardwalk fires that are currently on the news. Ms. Martino congratulated Dan Wilt for having Senator Schumer tour his facility, and noted the exposure the Senator's visit provided for the North Country. Ms. Martino then said she had received a report about a telephone call survey by an individual asking questions about the Adirondack Club and Resort project and claiming they were from the Adirondack Park Agency. Ms. Martino advised that the Agency is not conducting any telephone surveys regarding the ACR project and that the Agency would be interested in

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learning about anyone else who has received such calls. She then referred to the next steps with the Finch classification, and noted the Board had been very helpful with its discussion and input regarding the time frame for a decision. Staff will continue preparation of the response to public comments, the drafting of the final EIS, and consultation with DEC. Ms. Martino thanked Mr. Connolly for his great deal of assistance with the Finch classification to date, and for his tremendous contributions to the Park Agency over the years, as well as the support he provided as Acting Director. She expressed best wishes to Mr. Connolly in his future endeavors.

Chairwoman Ulrich thanked the staff and Agency Members on their thoughtful work time, deliberations and concerns regarding the Finch classification. She also noted the staff presentation on DAP and the Wildlife Conservation Society presentation, and looked forward to the updates to DAP. The Chairwoman then recalled a recent conversation with some visitors from Texas which made her appreciate the fresh air, forests and waters of the Adirondacks. She said it was a lesson on reminding herself the importance of getting out of the Park in order to appreciate and understand the impact of returning home. Addressing Mr. Connolly, she said she hoped he has passed along to others his wisdom and fun management style, as well as his humor. Finally, Chairwoman Ulrich noted the beginning of autumn, an exceptionally beautiful time of year in the Adirondacks.

6. Adjournment

On motion of Ms. Feldman, seconded by Mr. Valentino, the Agency unanimously adjourned at 10:50 a.m.

LCU/TDM/dal

Attachments:

Resolution - James E. Connolly

Permit 2013-136, NYS Department of Environmental Conservation

Permit 2013-111, Barber Homestead Park, LLC

Permit 2000-156R3, John and Linda Caufield

Leilani Crafts Ulrich, Chairwoman