



Draft Minutes
State Land Committee
June 2014 Agency Meeting
RB:JTT

**MINUTES OF THE STATE LAND COMMITTEE MEETING
June 12, 2014**

Committee members in attendance included: Richard Booth Chair, William Valentino, Sherman Craig, William Thomas, Designee Robert Stegemann, Department of Environmental Conservation.

Chairwoman Ulrich, Members Karen Feldman, Dan Wilt, and Designees Dierdre Scozzafava, Department of State and Bradley Austin, 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, Counsel James Townsend, and Senior Natural Resource Planner Kathy Regan.

The Committee meeting convened at approximately 2:00 p.m.

Approval of Draft Committee Minutes for May 2014

A motion to approve the draft committee minutes was made by Member Thomas and was seconded by Member Craig. All were in favor.

Jay Mountain UMP Amendment (K. Regan)

Kathy Regan reviewed the intent and purpose of the UMP Amendment, the proposed exploratory mineral sampling which requires a Temporary Revocable Permit (TRP) and work plan, the Natural Heritage Program Assessment, and the Constitutional Amendment (Prop 5) approved by the voters on November 5, 2013 which alters the restrictions to Lot 8. She also summarized the public comment received by the Agency regarding the proposal.

Ms. Regan noted that the Constitutional Amendment approved by the voters effectively repeals the Wilderness guidelines of the State Land Master Plan (SLMP) that would otherwise prohibit the proposed mineral sampling on Lot 8.

Committee Chair Booth asked if this was a Type I or II action under the SEQR process. Ms. Regan responded that it was a Type I action defined by the Department. Counsel Townsend added that the Department declared it to be a Type I action in an exercise of caution because of all of the actions taken under the TRP.

Otherwise the action might have been a Type II action. DEC as lead agency reviewed its environmental assessment form and concluded that the proposal had no effect on the environment and consequently filed a negative declaration.

Counsel Townsend then explained that the Constitutional Amendment abrogates the requirements of the SLMP in relation to Lot 8. The SLMP is only over-ridden to the extent necessary to carry out the provisions of the Constitutional Amendment to allow the mineral exploration proposed. It does not completely nullify other requirements of the SLMP such as the inventory analysis that has been reviewed by Kathy Regan, and the required documentation for an amendment to a UMP.

Local Government Review Board Executive Director concurred with Agency Counsel Townsend.

Jay Mountain UMP Temporary Revocable Permit (P. Frank, DEC)

Mr. Frank presented the Draft Temporary Revocable Permit (TRP) to be issued for the Jay Mountain mineral exploration proposal. He also reviewed the public comment received by the Department concerning the Draft TRP for Lot 8.

Member Craig asked what liquid is used to facilitate the drilling. Mr. Frank responded he was unsure of what liquid content is used in the drilling process, however it is a closed system so whatever is used is recycled through the system. Designee Stegemann added that typically it is heavy clay content which is proposed to be captured and recycled.

Member Feldman asked what the pad is made of. Mr. Frank responded that it is simply a cleared area. She then asked if any thought had been given to protecting the public from the active area. Mr. Frank responded that the active area will be protected by a safety barrier and public access will not be allowed as access will be through NYCO's property. Signage will also be utilized. Member Feldman also asked what measures will be taken to restore the site if a decision is made to not pursue the project. Mr. Frank stated that site reclamation will be done by NYCO under the Department's guidance. In the event that NYCO decides not to pursue the land swap, there is a performance bond that will help to alleviate site restoration costs. Counsel Townsend noted that the additional mitigative acreage will come into State ownership to compensate for the disturbance of each pad site and the access corridors. Once the land swap

is determined in finality, it will have to go back before the Legislature for approval.

The staff recommendation was that the Agency find the proposed UMP amendment to be compliant with the State Land Master Plan. A motion to adopt the resolution as drafted by Counsel was made by Member Craig and was seconded by Member Thomas. Committee Chair Booth noted that this item was controversial, his reading of this proposal is that the strategy the Department and Agency staff have come up with makes sense, it may well be litigated but given the vote of the public, it is what the public anticipated would happen. The vote was called and all were in favor.

Bog River Complex UMP Amendment (K. Regan)

This item was presented for action - staff recommendation was that the proposed UMP amendment was compliant with the State Land Master Plan and a motion to adopt the resolution as drafted by staff was made by Member Valentino and was seconded by Member Craig. All were in favor.

Cranberry Lake Wild Forest UMP (K. Regan)

This item was presented for action - staff recommendation was that the proposed UMP amendment was compliant with the State Land Master Plan and a motion to adopt the resolution drafted by staff was made Member Thomas and was seconded by Designee Stegemann. All were in favor. Member Craig recused himself.

Essex Chain Lakes Management Complex UMP (T. Martin, DEC)

This item was presented for informational purposes only by Tom Martin of DEC. The draft UMP is available on DEC's website (www.DEC.NY.GOV) for public comment.

Vanderwhacker Mountain Wild Forest UMP Amendment (R. Ripp, DEC)

This item was presented for informational purposes only by Rob Ripp of DEC. The draft UMP is available on DEC's website (www.DEC.NY.GOV) for public comment..

The meeting was adjourned at approximately 4:15 p.m.

The meeting was reconvened on Friday June 13, 2014 to hear the following presentation.

Update on Travel Corridor Management Process and Scenic Vista Management (E. Frantz, DOT)

Ed Frantz, DOT coordinator for the Adirondack Park reviewed the DOT's efforts to create a master planning document for travel corridors that guide the development of individual travel corridor plans. DOT plans to consult with APA, DEC and interested parties and have the master plan completed by the end of 2014.

Old Business

None

New Business

None