



# Adirondack Park Agency

**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

*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 Minutes, Full Agency, 2/27/18**  
TDM:sas 9:40 am

**FEBRUARY 1-2, 2018**

## **ADIRONDACK PARK AGENCY MEETING**

**Thursday, February 1, 2018**

### **AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT**

Sherman Craig, Chairman  
Chad Dawson, Member  
John Ernst, Member  
Karen Feldman, Member  
Arthur Lussi, Member  
William Thomas, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Lynne Mahoney, Designee, NYS Department of State  
Robert Stegemann, Designee, NYS Dept. of Environmental Conservation  
Terry Martino, Executive Director  
Sarah Reynolds, Associate Counsel

### **ABSENT AND EXCUSED**

Barbara Rice

### **LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Fred Monroe, Executive Director

### **AGENCY STAFF PRESENT**

Keith McKeever, Public Information Officer  
Amy Hall, Calculations Clerk 2  
Laurie Bullis, Secretary 1  
Rick Weber, Deputy Director Regulatory Programs  
Tom Saehrig, Environmental Program Specialist 2  
Sue Streiff, Secretary to the 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](http://nysapa.granicus.com/ViewPublisher.php?view_id=2)

Chairman Craig called the meeting to order at 9:00 a.m. He reported the meeting was primarily called for the State land classification. He said the date had been changed to accommodate a full State Land Committee presence. He thanked staff and Board members for the extra work required to be ready for the meeting. He advised it is the Agency's job to classify the land, and the Department's job to develop the unit management plan for the land. He said this was an important and historic meeting and encouraged members to ask questions. He informed the public that additional space was available at the DEC building if needed.

### **1. Public Comment**

None

### **2. Approval of January 11, 2018 Agency Minutes**

On motion of Mr. Wilt, seconded by Mr. Thomas, the Agency unanimously adopted the Draft Agency Meeting Minutes of January 11, 2018. A copy of the official minutes as adopted by the Agency is on file at the Agency.

### **3. Recusals**

Mr. Ernst recused himself from the Boreas Ponds Tract classification.

### **4. Motion for Executive Session**

None

### **5. Executive Director's Report**

Executive Director Martino commented on the State's largest land addition to Forest Preserve in over one hundred years. She said the land acquisition from the Nature Conservancy was phased in over a five-year period. She thanked The Nature Conservancy and Mike Carr for their stewardship of the land.

She thanked Agency and Department staff for their work to classify and manage the other parcels and SLMP amendments related to the acquisition and use. She stated staff have worked diligently on the 2016/17 Classification. She reported this classification received unprecedented public comment and encouraged public

participation to continue with ongoing Park policy. She thanked Kathy Regan and staff from all divisions involved in the classification process as well as other ongoing work.

#### **6. Motion to Adjourn into Committees**

On motion of Mr. Stegemann, seconded by Mr. Wilt, the Agency unanimously adjourned into committees at 9:15 a.m.

#### **Friday, February 2, 2018**

#### **AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT**

Sherman Craig, Chairman  
Chad Dawson, Member  
John Ernst, Member (following discussion on the Boreas Ponds Tract classification)  
Karen Feldman, Member  
Arthur Lussi, Member  
William Thomas, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Lynne Mahoney, Designee, NYS Department of State  
Robert Stegemann, Designee, NYS Dept. of Environmental Conservation  
Terry Martino, Executive Director  
Sarah Reynolds, Associate Counsel

#### **ABSENT AND EXCUSED**

Barbara Rice

#### **LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Fred Monroe, Executive Director

#### **AGENCY STAFF PRESENT**

Keith McKeever, Public Information Officer  
Mary Palmer, Office Assistant 2  
Rick Weber, Deputy Director Regulatory Programs  
Kathy Regan, Deputy Director Planning  
Sue Streiff, Secretary to the Executive Director

## Full Agency

Mr. Craig reconvened the Full Agency meeting at 9:45 a.m.

### **1) Committee Reports**

#### **a) State Land Committee**

Mr. Ernst was recused. On motion by Ms. Feldman, seconded by Mr. Stegemann, the Agency approved the Resolution on SEQRA and APSLMP Determinations for the Boreas Ponds Tract with eight for and one against. The vote was called by the Executive Secretary, Sue Streiff, and the following is a record of each member's comments and vote.

Ms. Mahoney stated this had been a very long process and thanked staff for package materials they provided. She reported there were a series of public hearings with 1,200 people attending and more than 400 speaking on the public record. She said the Agency received over 11,000 written comments and three petitions with over 27,000 signatures. She commented that the public participated; raised their voices and the Board listened. She reported there was very strong support for resource protection, community connectivity, and recreational access. She said she believed Alternative 2B provided for that through a combination of land classifications. She felt classifying the Boreas Ponds and northern spruce forest as Wilderness would provide maximum protection for those natural resources. She stated it was a huge win for Wilderness when one considers the vast amount of acres added to Wilderness in the High Peaks area as well as outside the Boreas Tract such as the McIntyre tracts East and West and other smaller tracts that have been considered for reclassification as Wilderness. She thought the gain to the Adirondack Park was monumental. She commented that classifying the southern portion of the tract as Wild Forest protects the natural resources but also recognized some of the concerns of local communities and offered the opportunity for increased recreational activity by the public. She said it was a very thoughtful and balanced proposal. She applauded the Governor's vision and commitment to preservation and due to that the Park now has more than 20,000 acres of stunning beauty that are for the first time, accessible by the general public. She commented that was no small accomplishment. She recognized that there were still a number of areas of concern that had been addressed at Thursday's meeting but thought many of those concerns could be addressed in the Unit Management Plan. She said sometimes one must take a leap of faith and she had confidence in the DEC staff to do everything in their power to address those concerns when developing the Unit Management Plan. She thanked the APA and DEC staff. She said this was a Herculean task and no small feat. She congratulated Chairman Craig and

committee Chairwoman Feldman for bringing the project to fruition. She cast her vote in the affirmative.

Mr. Wilt cast his vote in favor of the Alternative 2B. He said he thought it was a good compromise and a good fit for all. He reported that staff and DEC and everybody had done a very good job of preparing the information for Board members to consider.

Mr. Lussi stated he was proud to have been a small part of this classification effort for the Boreas Ponds Tract. He commented he felt much better about the outcome of these public hearings, meetings and discussions with the Board. He reported after the classification of the Essex Chain, he was very vocal about requesting intensive review of land acquisitions. He said the time for the Boreas classification enabled agencies and the people to make their voices and concerns heard. He commented on the communication that occurred over the past year plus which enabled the Board to come to a thoughtful classification. He said he understood the towns and many people wanting to use existing logging roads for more access than the Agency was proposing, especially creating a path around the ponds and with a Wild Forest classification. He reported he also listened to and read many, many, many public comments where people believed the Agency should classify this entire tract as Wilderness but said he too votes to approve staffs' recommendation of Alternative 2B for a Wilderness, Wild Forest and Primitive plan. He said what helped him come to his conclusion was the fact that there are two concrete dams as part of the project. He stated there are sand and gravel pits that have promised to be continued to be used. He said there has been aggressive use of the 56 miles of logging roads for an extended period of time. He added he could not forget the hunters and hunting camps and the phenomenal retreat created for this tract which is unfortunately no longer there. He stated these factors helped him believe that the classification is warranted and does not believe that the way the plan is proposed will unduly harm the resources. He said he supports Alternative 2B and thanked staff for their monumental effort.

Mr. Stegemann stated he would be making comments on his own behalf and on behalf of the Commissioner. He commended APA staff for the classification. He commended DEC staff on the consultation that occurred. He recognized and acknowledged the leadership of Chairman Craig and Chairwoman Feldman. He thanked the 27 towns that agreed to the acquisition in the first place. He said while most focused on the Boreas lands, one cannot forget the history and significance of the whole deal including the 91,000 acres of conservation easement land that went with this. He said he thought this was an example of good government at work. He commented it was a long process; it was not perfect but a great process and he hoped the Board will remember this as it goes

forward on other projects. He said he thought the APA, in consultation with DEC, reached a resolution that protects the resources and balances appropriate recreational opportunities. He thought The Nature Conservancy deserved recognition for the courage and partnership that enabled this to occur. He recognized Finch for over 100 years of stewardship that kept the land to a point that all valued. He highlighted again the totality of the whole deal of 161,000 acres of both easement and State lands. He commented this was a great inclusion to the whole package. He said now comes the UMP and felt that with the due diligence of the Board and the Department the work will be done. He thanked all the public that submitted comment on the different classification proposals. He thought this had been a really rich debate, discussion and conclusion. He said this was an amazing addition to the Park - epic really. He commented that from a personal standpoint he was proud to be part of the process. He cast his vote in the affirmative for Alternative 2B.

Ms. Feldman said she was pleased to be able to cast her vote in favor of this Classification and Preferred Alternative 2B. She stated this decision was historic for what it accomplished. She commented on the remarkable creation of over 270,000 acres as Wilderness by uniting the wilderness areas of Dix and High Peaks making it one of the largest east of the Rockies while also offering a wide spectrum of potential outdoor recreation activities in a Wild Forest setting. She said there is maximum protection for critical watersheds including the Au Sable, Boreas, and Marcy Swamp and areas of rare habitats above 2,500 feet. She said this will preserve water quality and the unique natural values of the area well into the future. She commented this decision also recognized a desire and a need to provide reasonable public access to the Forest Preserve. She acknowledged that while it is ultimately a management decision for DEC, it was her hope that the abandoned landing near the Boreas dam be available for those unable to walk great distances. She said they too should have an opportunity to share in the breathtaking views of Boreas Ponds from the dam; there is no reason that the State cannot protect an extraordinarily large landscape in a way that includes people rather than excludes them. She said some referred to the classification as a compromise but she felt it was the right decision. She felt it was not perfect but the Board followed the law in classifying these lands according to their character and capacity to withstand use. She reported the classification is consistent with the usage of adjoining State and private lands and conservation easements and is hopeful that this decision and the UMP to follow will encourage visitors to the area and help local towns' economies. She said the classification will protect resources, provide access and promote a healthy economy. She hoped that this classification would relieve pressure on the High Peaks area. She said she was tremendously optimistic about the future and trusts that the DEC will get this right in the UMP. She commented that this decision gives flexibility and allows for creative and thoughtful options. She

requested that DEC closely monitor activities around Boreas and outline management actions necessary to protect the natural resources from degradation. She advocated for the establishment of a boat wash station at Frontier Town to guard against invasive species.

Ms. Feldman commented on speculation that the Agency is not independent and only does what the Governor's office wants. She reported the reality is that the Agency is obligated to consult with DEC and that any changes to the State Land Master Plan require the approval of the Governor. She said DEC's input and advice are valued and the Agency makes better decisions because of their input. She suggested if everyone stopped lobbying the Governor for what they wanted every time, then perhaps he would not feel so compelled to get involved as much. She said the Governor is involved because the public demands it. She expressed her thanks to many people for making this a reality: the Governor's office, Venetia Lannon and her team, Commissioner Seggos, Division of Lands and Forest, Region Five, fellow Board members and Chairman Craig. She thanked the towns and Supervisor Ron Moore, the environmental groups and The Nature Conservancy. She commented that seeing so many come together does not happen enough and thinks it is an auspicious beginning to a new chapter. She thanked the public for sending letters, appearing at hearings and taking the time to weigh in on the momentous decision. She said the public passion for Boreas had profoundly affected the Board. She encouraged the public to contrive to hold the Agency accountable and welcomed the involvement. She encouraged all to visit Boreas often and enjoy all it has to offer. She said with everyone working together, it will live up to the Great Adirondack Experiment.

Mr. Austin said this felt historic and he was glad to be part of it. He stated he echoed a lot of what had already been said. He commented Ms. Feldman had mentioned this had been called compromise, which he felt discounted it. He said this is a balance - the balance, the vision. He reported it is protected and accessible. He commented this was a beautiful tract of land and it needed this attention so people for generations would get there and enjoy it. He said if the question to him is "2B or not 2B?" he chose 2B.

Dr. Dawson reported he was going to engage a long American tradition of free speech, of freedom of choice and was going to do it respectfully. He admitted there were a lot of people who worked very hard on this situation, very long. He said the Board had to keep quiet for a year and a half and that for some members that was difficult to do. He thanked everyone in the DEC, within Agency staff, and the public for their involvement. He said it was the voice of the public he was responding to. He stated the majority of the people said they wanted more wild areas, wilder areas. He stated they wanted areas that were

healing. He commented he did not know why that that gave people hope. He commented he did not know how it worked but that it does. He said people for so long have supported the Forest Preserve and the concept of wilderness, all across the country, even though many of whom will never go to wilderness. He said for them it is not whether or not there is a road but that it does not exist. He stated there are over 54,000 square miles of land in the State of New York and the public were asking for a few thousand more acres. He said to local people that is a psychological feeling; they are asking for something and he must be their voice. He stated he was not representing any particular organization. He said he was representing the spirit of people who have hope and asked, in this world, do we not need hope? Opioid epidemics, wars here and there, strife and discord, people killing each other and they do not even know why they are doing it. He said if there is something that gives people hope he is for it. He stated he stands firmly behind the idea of Wilderness. He said he did not know who they are or why they all come but they keep coming and they keep asking. He felt obligated to be their voice. He commented he did not know who they were but wished them well. He commented he liked that they are looking to the healing of a natural place as an important symbol to them, whatever it represents, whether they come here or not. He said he voted in favor of that and it does not cause to negate anything anyone has done. He felt he had to be that spark. He said they felt he is their voice so with all respect to everyone who was involved in the classification, and as members continue working together, he respectfully voted no.

Mr. Thomas commented he not only had to follow the other commissioners and all their ideas and thoughts that he would repeat, he also had to follow Dr. Dawson's comments. He said that was difficult. He stated this process began only because the 27 towns agreed to go forward with it. He said he thought the towns needed to be congratulated for being able to pursue this and achieve most of what they wanted. He commented it was a compromise and that sitting on the State Land Committee he reviewed all the maps. He reported some of the maps were things he could not agree with and others he could agree with and that what the Agency came up with was a compromise. He felt Alternative 2B was the map he believed gave the snowmobilers the chance to use roads that were already established within the units and gives a chance for people to get close to the ponds without a lot of degradation of the environment. He stated the Wilderness area in Boreas will become one of the largest wilderness tracts in the East when combined with the McIntyre tracts. He commented he felt this was a compromise that benefits everyone. He said some people would love it and some would not, but the Board had to come to a decision and it was the Board's job to come to the most practical and workable decision. He said he believed Alternative 2B does that so he was voting yes.



Mr. Craig commented sometimes members around the table are quiet during debate and that in roll call and following comments, it was clear why he was proud to be Chair of this Board. He stated this was the right decision; the right decision for the people of New York; the right decision for the Park now and in the future. He voted yes. He certified the vote as 8 yes, 1 no. He reported the Resolution passed with Mr. Craig, Ms. Feldman, Mr. Lussi, Mr. Thomas, Mr. Wilt, Mr. Austin, Ms. Mahoney, Mr. Stegemann voting for, Mr. Dawson voting against, Mr. Ernst recused, and Ms. Rice absent.

Mr. Ernst rejoined the meeting for discussion on the Resolution on SEQRA and APSLMP Determinations for the 2016/17 Classification Package (excluding the Boreas Ponds Tract).

On motion by Ms. Feldman, seconded by Mr. Ernst, the Agency unanimously approved the Resolution on SEQRA and APSLMP Determinations for the 2016/17 Classification Package (excluding the Boreas Ponds Tract).

Ms. Reynolds clarified that ministerial changes could be made to the Resolution.

Mr. Craig commented on the work accomplished with DEC to bring the Land Use Map up to date. He thanked State Land staff for their work on the Classification.

b) Regulatory Programs Committee

On motion by Mr. Wilt, seconded by Ms. Mahoney, the Agency unanimously approved P2016-58, NYSEG permit authorizing the rebuild of the 46kv transmission line in Circuits 871 & 872, running from Kent Falls substation to High Falls substation in the Town of Saranac, Clinton County.

Ms. Mahoney said that while utility poles are unsightly, there is often no alternative. She said approval of this project meant losing twenty-eight poles and gaining 140' of wetland.

Mr. Wilt said this project addressed aging infrastructure which had to be replaced.

**2) Interim Reports**

a) Public Awareness and Communication Committee

On motion by Mr. Wilt, seconded by Mr. Austin, the Committee unanimously adopted the Draft minutes of its January meeting.

The Administration, Economic Affairs, Enforcement, Legal Affairs, Local Government Services, Park Ecology, and Park Policy and Planning committees did not meet this month.

**3) Old Business**

None

**4) New Business**

None

**5) Public Comment**

Ron Konowitz, Adirondack Powder Skiers Association, gave a shout out for Tommy Biesemeyer of Keene who is attending his first Olympics, and to all the Olympians. He thanked all involved with the Finch Pruyn land acquisitions and classifications. He advocated for backcountry skiing and its low impact on the environment. His complete comments can be viewed on the website address above.

Dan Plumbly, Adk Wild, presented two documents to the Acting Counsel. He congratulated State Land staff and the Board on the extensive classification. He said he appreciated and respected the workload involved. He said he and many felt the “historic compromise” was against the integrity of the Board process. His complete comments can be viewed on the website address above.

**6) Member Comment**

Mr. Monroe said the Local Government Review Board criticized the land acquisition, classification and UMP process. He said there should be discussion on a better, less controversial process. He said the Review Board supports the Boreas Ponds Tract Classification compromise but is concerned about access for the disabled. He said the Review Board supports the Classification 2016/17 except for the McIntyre East and West parcels. Mr. Craig said he was aware of a panel that met to discuss the process and all attending agreed the process could be improved. He said he had not seen any documentation from that meeting and welcomed discussions on the matter.

Mr. Lussi expressed his complete support for the Classification and did not feel he had to personally compromise with his approval of Alternative 2B on the Boreas Ponds Tract.

Mr. Ernst commented the Board had asked many questions on the non-Boreas portion of the classification and staff provided good answers. He said he supported the classification as good for the land, towns, and public.

Mr. Stegemann expressed his appreciation for the compromise reached by the Board, despite differences, by listening to each other, including public comment and staff expertise. He said he hoped this relationship with all interested parties would continue in the future.

Ms. Feldman acknowledged Mr. Monroe's comments on the process of acquiring and classifying State land and agreed it should be looked into. She said public comment was important in the classification process and the Board members listened to come up with a good solution. She thanked staff in all capacities and divisions for their work on this classification.

Mr. Austin said the approval of the 2016/17 Classification capped a great week for the North Country along with the Governor's announcement of funding for the flooding victims in Plattsburgh and for completion of the State's broadband project.

Dr. Dawson thanked all involved for the civility and respect shown throughout the classification process. He said he was pleased that the Board, towns and public listened to each other and thanked all involved.

Mr. Thomas thanked Ms. Regan and staff for the enormous amount of work and effort involved with bringing the classification materials to the Board.

Ms. Martino commented on the monumental effort that went into the classification and commended Ms. Regan and staff for their work. She said she looked forward to working with DEC on the upcoming UMPs.

Mr. Craig thanked Ms. Regan, Ms. Martino, Ms. Reynolds, and State Land Committee chair, Karen Feldman for their work on this historic classification. He commented on the Governor's announcement of \$100M to complete the broadband effort in the North Country.

By unanimous consent, the meeting adjourned at 11:00 a.m.

Attachments:  
P2016-58

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Sherman Craig, Chairman