



**DRAFT Minutes of the Regulatory Programs Committee Meeting  
October 8, 2020**

The committee meeting convened at approximately 1:30 pm.

**Regulatory Programs Committee Members Present**

Chair Daniel Wilt, Arthur Lussi, John Ernst, Ken Lynch, and Matt Tebo (DOS)

**Other Members and Designees Present**

Bradley Austin (ESD), Joe Zalewski (DEC), Zoe Smith, Andrea Hogan, Mark Hall, Dr. Chad Dawson

**Local Government Review Board Present**

Gerald Delaney, Executive Director

**Agency Staff Present**

Terry Martino, Executive Director; Christopher Cooper, Counsel; Robert Lore, Deputy Director of Regulatory Programs; Devan Korn, Environmental Program Specialist 2; Sarah Reynolds, Associate Counsel; Kathy Regan, Supervisor, Natural Resource Analysis

**Approval of Draft Committee Minutes for September 2020**

A motion to approve the draft committee minutes was made by Mr. Lussi, and seconded by Mr. Ernst. All were in favor. Matt Tebo abstained, as he was not in attendance for the September meeting.

**Regulatory Programs Report (Robert Lore)**

Mr. Lore gave a brief update of the activities of the Regulatory Programs Division since the last Agency meeting. He noted again the increased workload that the division has been managing over the last few months, most notably in September with a total of 48 permits being issued. Staff coordination remains key in balancing site visits and meetings while also meeting regulatory timeframes. Division managers work with staff to prioritize and balance the workload over several weeks with the help of the deadlines list. In addition to issuing 48 permits in September, the division received 41 applications, confirming that the workload remains above average and there is no anticipation of an immediate slowdown.

Mr. Lore then briefly reported on a few of the projects worked on over the last month including cell towers, an electric transmission rebuild and a solar generating facility. These projects, like all large-scale infrastructure development projects result in changes to the region's viewshed as well as to the land's historic use. Mr. Lore will continue to provide updates as these projects progress.

Mr. Lore also noted the issuance of a permit to control the spread of Hemlock Woolly Adelgid on September 28, 2020, authorizing insecticide applications under the supervision of a licensed applicator to treat and control an infestation on State Lands in the Towns of Dresden and Fort Ann, Washington County. The treated trees will be evaluated annually to determine the treatment's effectiveness. Treatments are scheduled to begin this year with possible additional treatments next spring or fall. Additional reporting on this topic will follow during a later presentation.

### **P2019-0074 National Grid (Devan Korn)**

Mr. Korn gave a detailed overview of the project including review of jurisdiction, conclusions of law, a description of and slides of the project location and the existing conditions, site history, proposed project details, visual analysis slides, public comment, review by others, and staff's recommendation and permit conditions.

The complete presentation is available at:

<https://nysapa.granicus.com/videos/548/player?autoplay=0&start=2390&stop=5623>

A motion for approval with conditions was made by Mr. Wilt and seconded by Mr. Hall. All were in favor.

### **Wetland General Permit Amendment – GP2014G-1B (Kathy Regan)**

Ms. Regan gave a detailed presentation of the proposal to update the Wetland General Permit GP2014G-1A and described the need for the updates.

The video presentation is available at:

<https://nysapa.granicus.com/videos/548/player?autoplay=0&start=5970&stop=7370>

A PowerPoint presentation is also available at:

<https://www.apa.ny.gov/assets/GP2014G-1B%20PowerPoint.pdf>

A motion to proceed to the public comment period for all related documents was made by Mr. Wilt and seconded by Dr. Dawson. All were in favor.

### **Overview of APA Shoreline Variance Jurisdiction (Sarah Reynolds)**

Ms. Reynolds gave a detailed presentation of the Agency's Shoreline Variance Jurisdiction.

The video presentation is available at:

<https://nysapa.granicus.com/videos/548/player?autoplay=0&start=7820&stop=11675>

A PowerPoint presentation is also available at:

<https://www.apa.ny.gov/assets/Shoreline%20Setbacks%20-%20an%20Overview.pdf>

### **Old Business**

None

**New Business**

Mr. Lussi recommended future presentations related to variances and setback regulations for septic systems.

The committee meeting adjourned at approximately 4:15 pm.

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