



Adirondack Park Agency
[DRAFT] NOVEMBER MEETING MINUTES

Thursday, November 13, 2024

Agency Members, Designees, and Executive Staff Present:

John Ernst, Chairperson

Mark Hall, Member

Benita Law-Diao, Member

Art Lussi, Member

Ken Lynch, Member

Matt Tebo, Department of State (remotely)

Rebecca Miller, Empire State Development

Randy Young, Department of Environmental Conservation

Barbara Rice, Executive Director

Damion Stodola, Counsel

Absent and Excused

Zoë Smith, Member

Dan Wilt, Member

Local Government Review Board Present

Gerald Delaney, Sr., Executive Director

1. CALL TO ORDER

A quorum of board members being present in person, the meeting was called to order at approximately 10:33 AM and Chairperson Ernst welcomed the public, presenters and staff.

2. WELCOMING REMARKS

Chairperson Ernst welcomed commissioners, staff and public. Ernst noted that the Common Ground Alliance is meeting tomorrow from 12:00 to 4:00 PM to discuss the Harvard Law School Negotiation and Mediation Clinical Program who reviewed the operations and effectiveness of Common Ground Alliance.

3. PUBLIC COMMENT

The Chair recognized Ron Konowitz, Adirondack Powder Skier Association, who commented on the history of ski trails in the Park and the future of trails in the Forest Preserve.

4. APPROVAL OF OCTOBER 17, 2024 AGENCY MEETING MINUTES

On motion of Art Lussi, seconded by Mark Hall, with Randy Young abstaining, the October minutes were unanimously approved without modification.

5. RECUSALS

None.

6. MOTION FOR EXECUTIVE SESSION

None

7. EXECUTIVE DIRECTOR'S REPORT

Executive Director Barbara Rice presented the Executive Director Report, highlights of which included:

- Director Rice reviewed staffing updates with the group. Dave Plante, Deputy Director of Regulatory Programs will be leaving the agency to be closer to family and pursue an opportunity in the private sector. Dave contributed greatly to the Agency with his professionalism, strong leadership skills and can-do attitude. Director Rice noted that he will be missed, but that the Agency is grateful for his contributions. In addition to posting for a replacement Deputy Director of Regulatory Programs, the Agency has posted 7 additional openings which will expand our legal, regulatory and science divisions.
- One of Director Rice's priorities has been to increase staffing to meet all of the demands that this Agency fields. In the last 3 years the Agency has increased staffing by 30%
- Director Rice shared the unfortunate news of the passing of former APA Executive Director Tom Ulasewicz who served as executive director from 1984-1987. Condolences went out to the Ulzsewicz family.

- Three public hearings were held last month to facilitate feedback on the proposed State Land Master Plan Amendments. Director Rice recognized the State Lands team for their hard work in representing the Agency with professionalism, empathy and transparency.
- Though the hearings have concluded, the public comment period remains open through December 2, 2024.

8. MOTION TO ADJOURN INTO COMMITTEES

On the motion of Mark Hall, and seconded by Benita Law-Diao, the Agency Board voted by unanimous agreement to adjourn to committees at approximately 10:45 AM.

Public Awareness and Communications Committee

The committee meeting convened at approximately 10:47 AM.

Public Awareness and Communications Committee Members Present:

Mark Hall (Chair), Benita Law-Diao, Brad Austin (ESD)

Other Members and Designees Present:

John Ernst, Art Lussi, Zoë Smith, Ken Lynch, Matt Tebo (DOS), Randy Young (DEC), Rebecca Miller (ESD)

Local Government Review Board

Gerald Delaney, Executive Director

Agency Staff Present:

Barb Rice, Damion Stodola, Keith McKeever, Ben Brosseau

(1) Ben Brosseau, Assistant Public Information Officer, provided the Public Information and Communications report, highlights of which included:

- Recent acquisition of Agency banners for events
- Growth in social media outreach

(2) **Social Media and the Agency** (Ben Brosseau, APA)

- Ben Brosseau, Assistant Public Information Officer, provided a presentation titled ‘Social Media and the Agency’ highlighting recent efforts to achieve goals outlined in the Agency’s 2021 Transparency Initiative through social media.

Old Business

None

New Business

None

Public Awareness and Communications Committee adjourned at approximately 11:21 AM

Regulatory Programs Committee Meeting

The committee meeting convened at approximately 12:32 PM.

Regulatory Committee Members: John Ernst, Chair, Art Lussi, Ken Lynch, Matt Tebo (DOS)

Other Members and Designees Present

Mark Hall, Benita Law-Diao, Randy Young (DEC), Rebecca Miller (ESD)

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Barb Rice, Damion Stodola, Dave Plante, Corrie Magee, Keri Surita, Sarah Reynolds, Alicia Purzycki

(1) Regulatory Programs Division (Dave Plante, APA)

Dave Plante, Deputy Director of Regulatory Programs provided an update on recent Division activities, highlights included:

- As of the end of October, Regulatory Programs staff had received 385 applications, up from 295 this time last year. They had issued 251 permits, up from 244 last year. Received 114 pre-applications up from 102 last year. Deputy Director Plante also reported 65 major projects completed and sent to the ENB. Regulatory Programs staff issued 27 emergency authorizations including emergency certificates and emergency recovery authorizations, up from 8 at this time last year, and 1 at this point in 2022. Only one recreation management was reviewed so far this year compared to two last year.
- Deputy Director Plante thanked the Board for allowing him to support them in their roles for the last 2 years, and for their service to the Park. He expressed gratitude for his time with the Agency and the ability to work in an area that he loves.

(2) Permit 2021-0245: Barton Mines, LLC, Town of Johnsborg, Warren County and Town of Indian Lake, Hamilton County (Corrie Magee, APA)

Corrie Magee, Environmental Program Specialist 1, provided a presentation which included location of the project site, a detailed overview of the application by Barton Mines, LLC, and the history of previous permits and enforcement actions issued by the Agency. Existing site conditions were also reviewed alongside the proposed modifications, including visual and noise impact analysis, public comment, review by others, and staff's proposed recommendations and permit conditions.

On motion of John Ernst and seconded by Ken Lynch, the committee voted to forward the permit application with conditions to the Full Agency Board for review.

(3) Revocation of Several General Permits (Keri Surita, APA)

Keri Surita, Environmental Program Specialist 1, presented a proposal regarding the revocation of several general permits to improve the Agency's efficiency and consistency.

On motion of John Ernst and seconded by Art Lussi, the committee voted to forward the proposal for a resolution to revoke GP2005G-2R, GP2005G-5R, GP2010G-3, GP2011G-1, and GP2011G-2 to the Full Agency Board for review.

Old Business

None

New Business

None

Committee Adjourned at approximately 2:42 PM.

The Board returned to Full Agency at approximately 2:42 PM

9. Committee Reports

Public Awareness and Communication (Mark Hall)

- The committee received a presentation from Ben Brosseau, Assistant Public Information Officer, relating to the Agency's efforts to utilize social media as a means to carry out the 2021 Transparency Plan.

Regulatory Programs Committee (John Ernst)

- The committee reviewed permit application Permit 2021-0245 from Barton Mines On the motion of John Ernst, and seconded by Art Lussi, the Board unanimously approved the application as presented with recommended conditions for the initial 5-year period.

- The committee reviewed the proposed revocations of several general permits:
 - In the case of GP2005G-2R - On the motion of John Ernst, and seconded by Rebecca Miller, the Board unanimously approved a resolution revoking this general permit.
 - In the case of GP2005G-5R – On motion of John Ernst and seconded by Benita Law-Diao, the Board unanimously approved a resolution revoking this general permit.
 - In the case of GP2010G-3 – On motion of John Ernst and seconded by Rebecca Miller, the Board unanimously approved a resolution revoking this general permit.
 - In the case of GP2011G-1 – On motion of John Ernst and seconded by Benita Law-Diao, the Board unanimously approved a resolution revoking this general permit.
 - In the case of GP2011G-2 – On motion of John Ernst and seconded by Rebecca Miller, the Board unanimously approved a resolution revoking this general permit.

10. Interim Reports

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

11. Member Comment

G. Delaney attended the public hearing in Albany for the proposed State Land Master Plan amendments and was disappointed to hear the opposition to the amendments addressing accessibility within the Forest Preserve.

A. Lussi added his support to the suggestion of adding a presentation of economic impact analysis as part of some of the permit application analysis.

12. Old Business

None

13. New Business

None

14. Public Comment

- Kevin Bean, Supervisor for the Town of Johnsbury expressed his support of Barton Mines continued operations.

[Link to video and audio recordings of the full Agency presentation to be added.]

Chairperson Ernst noted that the next meeting will be December 12, 2024.

The meeting was adjourned without objection at approximately 2:58 pm.

John Ernst, Chairperson