

# **Adirondack Park Agency**

## **2022**

### **Annual Report**



**Governor Kathy Hochul**  
**Executive Director Barbara Rice**



## **ADMINISTRATION DIVISION**

The Administrative Services Division is responsible for all fiscal management, contract administration, personnel management, physical plant management, technology and office support. Division staff provide the NYS required reporting for Minority Women Business Enterprises (MWBE), Service-Disabled Veteran Owned Business (SDVOB); Green NY; and the Language Access Plan (LAC). Division staff are involved in the preparation of purchase orders and vouchers, fiscal record keeping, determination of availability of funds for the agency's division programs, payroll and computerization of fiscal records. Staff are also responsible for media and community relations. The Division was also responsible for implementing all Covid-19 pandemic protocols for staff and public interaction.

### **Fiscal Management**

The Administrative Services Division implemented Governor Hochul's FY2022-23 budget as enacted. The agency met all directives issued by the NYS Division of Budget and managed funding to maintain the Agency headquarters and staffing. The agency continued to work with the Business Service Center (BSC) and the Statewide Financial System for many of its fiscal transactions.

### **Information Services**

The agency interacts with the Information Technology Services Center (ITS) daily regarding its information technology needs and resources.

### **Facilities Management**

In 2022, the facilities staff maintained the buildings and grounds in accordance with continued COVID19 protocols for health and safety. Throughout the year staff professionally performed all required building and ground maintenance tasks for the health and safety of the staff and the public.

### **Communications**

Public awareness staff served as agency liaison on a number of statewide initiatives including the Clean Air Clean Water Green Jobs Environment Bond Act roll out initiative and the Climate Action Council Scoping Plan. Staff participated in planning workgroup for the 1<sup>st</sup> annual Adirondack Planning Forum. Staff coordinated the design efforts for the APA 50<sup>th</sup> anniversary logo and commemorative map. Staff helped administer the public information meetings for the Adirondack Park State Land Master Plan – No Material Increase - interpretation action. The PIO served as hearing officer for remotely held variance hearings including the Red Rock Quarry hearing.

The PIO responded to 175 media inquiries related to agency actions and policies and 229 general information inquiries from the public. Staff also assisted the Jurisdictional

Inquiry Office by responding to inquiries from the general public regarding status off jurisdictional inquiry submissions.

In addition, the PIO manages the agency's social media accounts, represents the agency at state PIO meetings, administers the agency board meeting webcasts, and is responsible for preparing and updating reports and public information documents.

### **Human Resources**

During the FY 22-23, the Administrative Services Division continued to work with the NYS Division of Civil Service on staffing levels, testing and priorities for agency needs. The agency continued to work with staff on the statewide implemented telework program.

### **Economic Services**

The Economic Services Unit provides expertise in market and financial feasibility analysis, economic and fiscal impact analysis, and economic development planning to the agency, State and local economic development organizations, and the region's business community. Staff assists project sponsors and economic developers in evaluating business locations and identifying other sources of assistance for business development. Staff also works with local governments and economic development entities in the development and implementation of sustainable economic growth strategies.

### **Community Outreach**

Staff provided support to local, regional, and cross-regional development initiatives by attending over 102 public outreach, local and regional workgroup, industry assistance, and community development meetings. The use of digital communication has enabled cross-regional collaboration on topics including business and resident recruitment, financing, and regional infrastructure development. Among significant initiatives, staff attended meetings regarding the Common Ground Alliance, the North Country Regional Economic Development Council, workforce and market rate housing, Local Waterfront Revitalization planning, and economic development planning.

### **Project Permitting**

During project review, Economic Services staff provides expertise in market and financial feasibility analysis as well as economic and fiscal impact analysis pursuant to the Agency's Section 809 mandate to take into account the potential benefits of a proposed project. Staff assisted in the review of permits that were approved in 2020 including several solar energy projects, one hospitality project, and one housing project.

Staff also provided technical expertise related to the Agency's project review process to a range of large-scale and entrepreneurial ventures during the pre-application process including solar projects, retail projects, hospitality projects, and a housing project.

### **Regional Council Support**

In 2022, the Regional Economic Development Councils were tasked evaluating and updating their strategic plans. Staff served on the North Country Regional Economic Development Council's (NCREDC) Writing Team and was the Writing Captain of the Council's Innovation Workgroup in support of the 2022 strategic plan update and report. Staff also led the enhancement of the NCREDC's Innovation Workplan and facilitated the implementation of key projects.

### **Regional Economic Development Initiatives**

Throughout 2022, staff served on a workgroup developing a four-county housing needs assessment. Led by the Lake Champlain-Lake George Regional Planning Board (LCLGRP), the project evaluated the need for below-market-rate housing in Essex, Hamilton, Franklin, and Clinton Counties. The report is expected to be made public in 2023.

### **Entrepreneurship Support**

In 2022, staff worked with the North Country Center for Businesses in Transition (CBIT) to assist aspiring entrepreneurs in the purchase and management of existing businesses. In early 2023, CBIT will host a combined in-person and digital symposium to connect potential entrepreneurs to businesses seeking to transition ownership; staff is anticipated to present at the conference. Research performed by the Adirondack North Country Association (ANCA) indicates that between 10,000 and 15,000 businesses in the North Country have owners who hope to retire and sell their businesses in the next five years.

### **Community Planning Support**

In 2022, Agency staff assisted communities on economic development and community planning initiatives. Staff assisted the Village of Tupper Lake in the development of its Local Waterfront Revitalization Plan as well as the identification of projects for the community's Downtown Revitalization Initiative. Additionally, staff worked with the Town of North Elba and Village of Lake Placid to evaluate updates to the community's Joint Comprehensive Plan. Staff also worked with the Regional Office of Sustainable Tourism (ROOST) to evaluate ways to implement the Destination Management Plan for the Town of North Elba.

## ADIRONDACK PARK AGENCY BOARD

The Adirondack Park Agency is a New York State government agency with an eleven-member Board - five of whom must be residents of the Adirondack Park. The Governor appoints eight members, subject to confirmation by the Senate, and three ex-officio members: The Commissioner of the Department of Economic Development, the Secretary of State, and the Commissioner of the Department of Environmental Conservation. The Board represents a careful balance of local, regional and statewide interests in the Adirondack Park. The Agency Board acts on Park policy issues and permit applications during Agency meetings, which are held monthly and open to the public.

### Current Board Members:

Board Member	Seat	County	Term
Chair John Ernst	Out of Park	New York	6/30/21
Arthur Lussi	In Park	Essex	6/30/21
Daniel Wilt	In Park	Hamilton	6/30/23
Zoe Smith	In Park	Franklin	6/30/24
Andrea Hogan	In Park	Warren	6/30/22
Mark Hall	In Park	St. Lawrence	6/30/22
Kenneth Lynch	Out of Park	Onondaga	6/30/22
Benita Law-Diao	Out of Park	Albany	6/30/24

### Ex-Officio Members:

Department of Environmental Conservation, Commissioner Basil Seggos

Designee: Joe Zalewski

Department of State, Secretary of State, Robert Rodriguez

Designee: Kisha Santiago

Empire State Development, Commissioner Hope Knight

Designee: Bradley Austin

## REGULATORY PROGRAMS DIVISION

The Regulatory Programs Division implements the statutory and regulatory provisions of the Adirondack Park Agency Act, the Freshwaters Wetlands Act, and the Wild Scenic and Recreational Rivers System Act. Staff review permit applications for proposed new land use and development projects throughout the Adirondack Park, including conducting site visits and coordinating with local governments and other regulating authorities, as well as providing guidance and pre-application assistance to applicants.

In 2022, the Regulatory Programs Division received 414 new applications and issued 324 permits. In addition, 126 new pre-application files were opened.

The following charts provide an overview of the permits and variances issued and the Agency project categories:

<b>PERMITS ISSUED</b>	<b>2021</b>	<b>2022</b>
Minor Projects	77	90
Major Projects	74	81
Variances	7	4
State Agency Order	2	7
Amendments/Renewals	50	57
General Permits	67	84
Emergency Authorizations	1	1
<b>Totals</b>	<b>278</b>	<b>324</b>

## REGULATORY PROGRAMS ENFORCEMENT

Staff investigated and worked to resolve violations of the laws administered by the agency in a fair and consistent manner that protects the resources of the park.

The Regulatory Programs Enforcement Program began 2022 with 313 unresolved cases. 110 cases were resolved during the year and 142 cases were opened. The most common types of enforcement matters reviewed were activities involving wetlands, permit noncompliance, and shoreline restrictions. Staff executed 17 settlement agreements with landowners, 8 cases were resolved through voluntary compliance on the part of the landowner, and 55 cases were closed following investigations indicating that no violation had occurred.

Staff continue to monitor new subdivision activity in the Park through the New York State Office of Real Property SalesWeb application. In 2022, this effort found that 113 out of the 148 subdivisions undertaken were issued an Agency jurisdictional determination or permit. SalesWeb monitoring did not indicate that any subdivisions had occurred without the necessary agency permit.

<b>Activity</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
New Cases Opened	200	188	142
Settlement Agreements Signed	26	25	17
Cases Closed Voluntary Compliance	18	23	8
Cases Closed No Violation	103	77	55
Open Cases End of Year	259	313	345

### Types of Enforcement Cases Opened:

<b>Type of Alleged Violation</b>	<b>2022 Total</b>
<b>Wetlands Project</b>	<b>54</b>
<b>Permit Violation</b>	<b>26</b>
<b>Shoreline Structure Setback</b>	<b>16</b>
<b>Shoreline Cutting</b>	<b>16</b>
<b>25-acre Clearcut</b>	<b>9</b>
<b>Septic w/in 100 feet of waterbody</b>	<b>5</b>
<b>Waste Disposal Area</b>	<b>4</b>
<b>Tourist Accommodation</b>	<b>4</b>
<b>Substandard Lot Subdivision</b>	<b>3</b>
<b>Commercial Use</b>	<b>3</b>

Types of Enforcement Cases Opened: continued:

<b>Junkyard</b>	<b>3</b>
<b>Wetland Subdivision</b>	<b>2</b>
<b>Campground</b>	<b>2</b>
<b>Marina</b>	<b>2</b>
<b>Development in River Area</b>	<b>2</b>
<b>Septic w/in 100' of a wetland</b>	<b>1</b>
<b>Multiple Family Dwelling</b>	<b>1</b>
<b>Structure over 40 feet</b>	<b>1</b>
<b>River Area Subdivision</b>	<b>1</b>
<b>Critical Environmental Area Subdivision</b>	<b>1</b>
<b>Development in a Critical Environmental Area</b>	<b>1</b>
<b>Private Airport</b>	<b>1</b>



## **RESOURCE ANALYSIS AND SCIENTIFIC SERVICES**

The Resource Analysis and Scientific Services (RASS) Division of the Adirondack Park Agency is responsible for providing scientific and engineering assistance to Agency staff. All agency transactions that involve wetlands, soils, wastewater treatment, invasive species, stormwater, surface water and/or forests are analyzed by RASS in protection of natural resources.

RASS staff act as an interface between agency divisions as well as a point-of-contact with project sponsors. During site visits, RASS staff provide technical direction and guidance to applicants on a wide range of issues to avoid adverse environmental impacts. Staff also provide wetland determinations and field delineations to landowners, an integral step for the planning and design of projects.

RASS staff provide technical evaluations on enforcement cases, jurisdictional determinations, variances, and policies. Using the appropriate statutory and regulatory criteria, among other resources, staff's review includes analysis of soils, slopes, ground and surface water quality, fish and wildlife, wetlands, drainage and runoff patterns, topography, hydrology, adjoining and nearby land uses, adequacy of site facilities, forest resources, open space resources, and ability of government to provide facilities and services.

### **Administration**

For 2022 staff resumed a full working schedule for the duration of the field season as project applications required. Staff worked tirelessly to fill the voids left from the retirements of two longtime RASS senior staff, Kathy Regan and Leigh Walrath. Both Kathy and Leigh provided remarkable knowledge and experience in their respective fields of technical expertise.

Staff worked with both Regulatory Programs and Planning Divisions on the wetland impacts associated with the 34 mile long Adirondack Rail Trail project. This project required the construction of two wetland mitigation areas, totaling 0.769 acres, within the Village of Saranac Lake on Village-owned properties. Multiple state and federal agencies were involved in project planning discussions over the project, culminating in wetland permit issuance by the agency in August.

Throughout 2022, an Inter-Agency work group consisting of RASS wetlands staff and NYS Department of Transportation (DOT) staff met to develop a draft memorandum of agreement for the establishment of a wetland mitigation bank for DOT projects within the Adirondack Park.

## **Engineering**

Evaluating existing and proposed development within the Park requires professional engineering services and technical analysis. This analysis is based upon sound science and engineering judgment in accordance with applicable laws, regulations, standards, policies and guidance documents.

RASS engineering staff routinely conduct site visits, evaluate professionally prepared plans and designs, and provide technical comments and design recommendations. Engineering evaluations include, but are not limited to, on-site wastewater treatment systems, design of dams, bridges and roads, stormwater management, erosion and sediment control, mineral extraction, traffic and noise studies, and adequacy of municipal infrastructure services.

To provide an overview of how engineering services are utilized at the agency and the amount of staff time spent on some of the more common review areas, RASS staff track the number of engineering reviews by category and by agency division. In 2022 an additional review category was added for structure height evaluation. This was in response to an increase in the frequency of proposals for new structures greater than 40 ft in height and existing structures with proposed height increases.

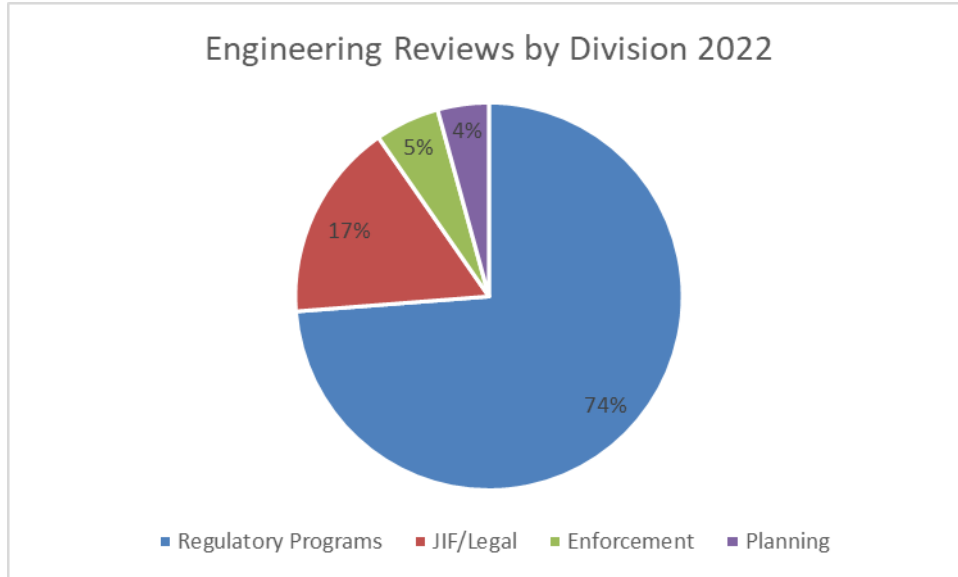
Engineering staff completed 66 site visits in 2022 compared to 95 site visits in 2021 and 78 site visits in 2020. The number of engineering reviews performed across all agency divisions was maintained at an elevated level of 2,816 reviews. The number of JIF reviews decreased from 195 in 2021 to 178 in 2022, but the number of regulatory project reviews increased from 647 in 2021 to 793 in 2022. This appears to correlate with the 2021 increased number of jurisdictional determinations becoming project applications in 2022.

The number of engineering evaluations of stormwater management increased from 423 in 2021 to 605 in 2022 and this appears to be in relation to the increased number of solar projects and development proposals within proximity to waterbodies and wetlands. In 2022, engineering staff provided support in providing a sworn affidavit for the Red Rock Quarry (P2021-0075) litigation.

In 2022, RASS Engineering staff provided written technical recommendations by division as f

- Regulatory Permit Applications – 793
- Regulatory Enforcement – 58
- Legal (Jurisdictional Office, legal reviews) – 178
- Planning (Local Government/Map Amendments/State Land) – 46

**Figure 1: Engineering Reviews by Agency Division (2022)**



Engineering staff also organized reviews by category as shown in Table 1 and Figure 2. The following is a description of categories reviewed by Agency engineers:

**On-Site Wastewater Treatment Systems (OSWTS)** - Evaluation of OSWTS design prepared by a New York State Licensed Professional Engineer utilizing site, soils, and slopes information for compliance with applicable laws, regulations, standards and guidelines for protection of human health, water quality, and natural resources.

**Stormwater Management** - Evaluation of stormwater plans prepared by a qualified professional for compliance with applicable laws, regulations, standards, and policies to prevent impacts to water quality and natural resources from stormwater runoff associated with development proposals

**Shoreline Development** – Technical reviews include a broad spectrum of programs including projects, variances, jurisdictional determinations, State land, and enforcement cases. Typical engineering evaluations include both in-office plan review and site visits for structures such as new and expanded single family dwelling construction, retaining walls, boathouses, docks, boardwalks, decks, and other accessory structures.

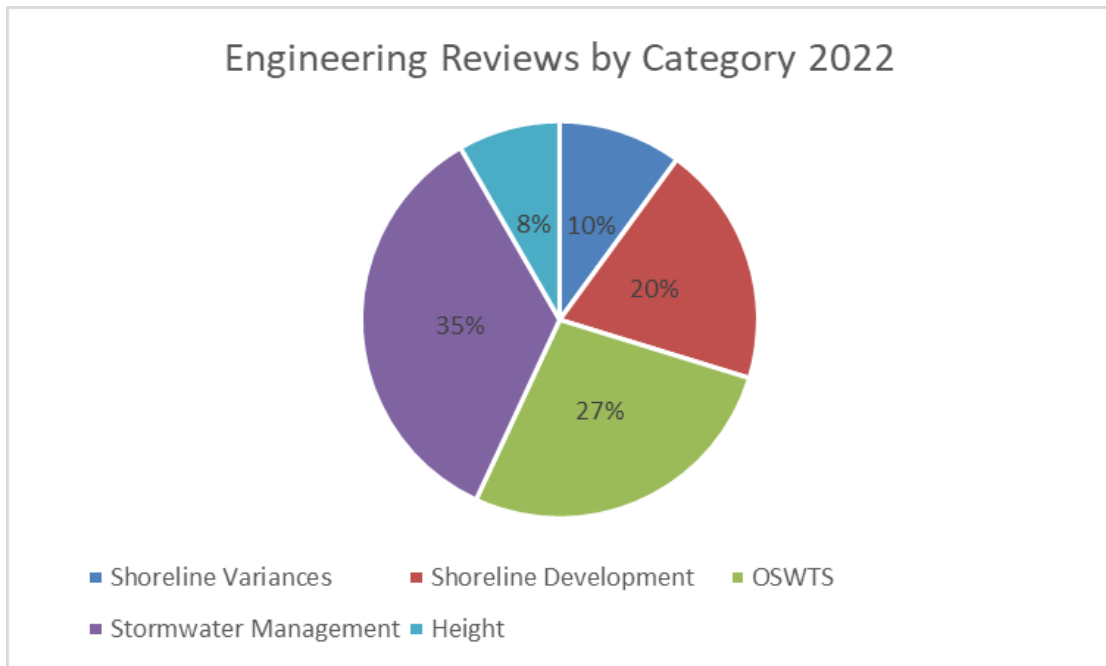
**Shoreline Variance Proposals** - Reviews include proposals submitted which require variances, enforcement, or jurisdictional determinations.

**Height-** Review of proposed new structures which exceed 40 feet in height and evaluation of existing structures that are proposed to be increased in height.

**Table 1:** Engineering Reviews by Category

On-Site Wastewater Treatment System (OSWTS) Reviews	473
Stormwater Management	605
Shoreline Development	343
Shoreline Variance Proposals	175
Height	145

**Figure 2:** Engineering Reviews by Category



**Soils**

RASS soils staff provide an essential service to the public and Agency engineers with soil test pit analysis for On-Site Wastewater Treatment System (OSWTS) design. This work is vital for efficient review of submitted OSWTS designs and is one of the key factors for identifying areas suitable for development.

In 2022 a total of 114 projects involving 184 deep-hole test pits (DHTPs) were reviewed by Agency staff (Table 2). The number of DHTPs decreased slightly in 2022 as compared to

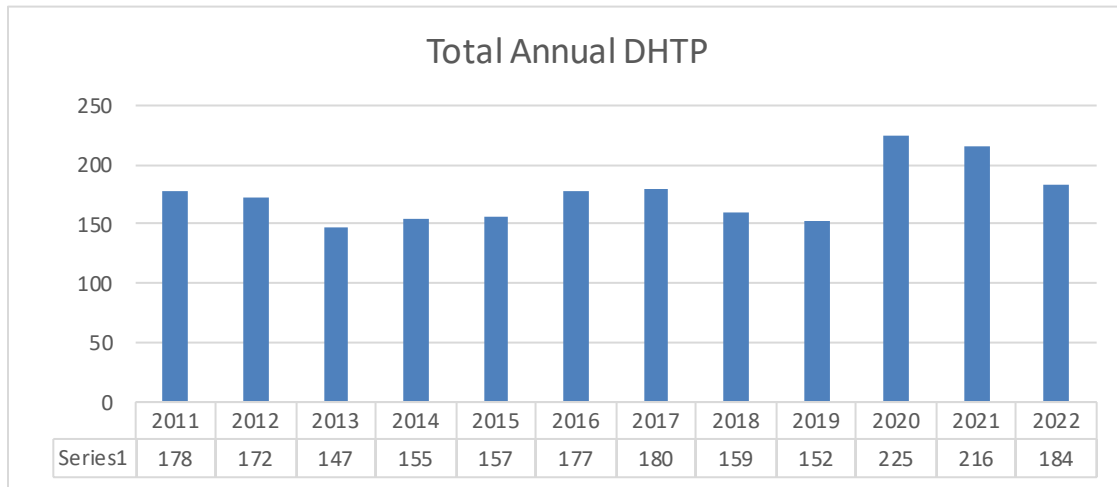
2021 (Figure 3). Of the 184 DHTPs, 128 were described by Agency soils staff and 54 were described by outside consultants. All data submitted by consultants is checked by Agency soils staff to ensure soil profile accuracy, separation requirements, and appropriate setback distances. In 2022, 28 percent of the test pits were accepted in support of conventional standard absorption OSWTS; 61 percent were accepted for conventional shallow absorption, and 9 percent did not meet Agency guidelines (Figure 4).

Of the test pits indicating the need for conventional shallow absorption systems, 90 percent were due to the presence of shallow seasonal high groundwater and 10 percent were due to the presence of shallow bedrock.

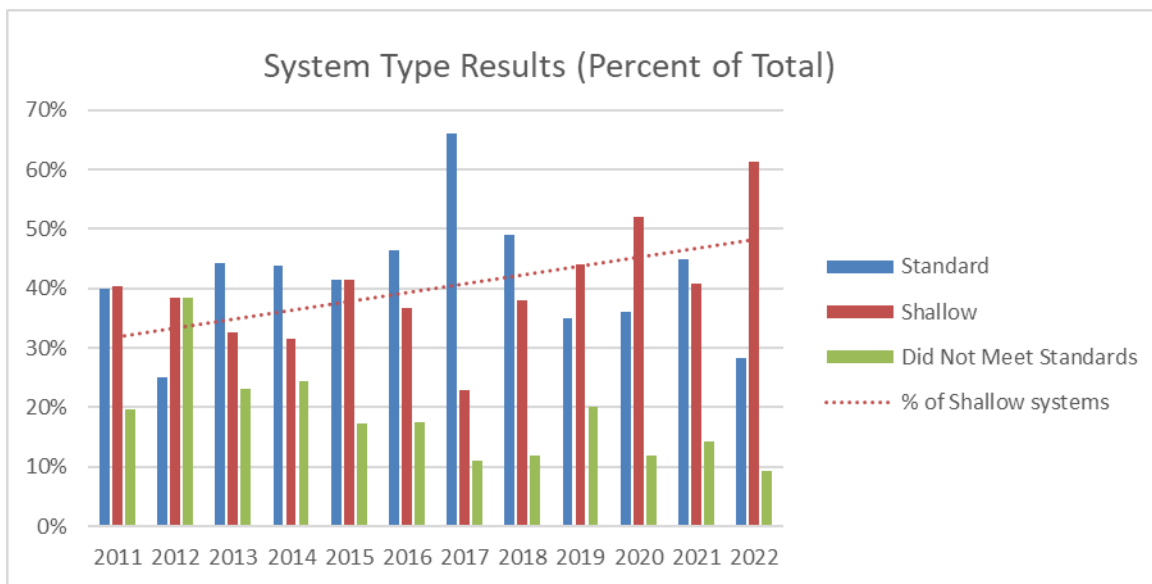
**Table 2: Deep-Hole Test Pit statistics for 2022**

Deep Hole Test Pit Statistics	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
<b>Projects Involving DHTPs</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>6</b>	<b>24</b>	<b>18</b>	<b>10</b>	<b>8</b>	<b>12</b>	<b>11</b>	<b>10</b>	<b>5</b>	<b>114</b>
DHTPs Described by APA	5	0	0	3	24	29	18	9	10	20	9	1	128
DHTPs Described by Consultants	7	2	4	7	9	7	2	4	3	0	6	3	54
<b>Total DHTPs</b>	<b>12</b>	<b>2</b>	<b>4</b>	<b>10</b>	<b>35</b>	<b>36</b>	<b>20</b>	<b>13</b>	<b>13</b>	<b>20</b>	<b>15</b>	<b>4</b>	<b>184</b>
Approved Conventional Systems	0	0	2	4	13	6	6	2	4	10	5	0	52
Approved Shallow Systems	10	2	2	6	17	26	14	8	8	6	10	4	113
Did not Meet Agency Guidelines	2	0	0	0	3	4	0	3	1	4	0	0	17
Approved Conventional Systems %	0%	0%	50%	40%	37%	17%	30%	15%	31%	50%	33%	0%	28%
Approved Shallow Systems %	83%	100%	50%	60%	49%	72%	70%	62%	62%	30%	67%	100%	61%
Did not Meet Agency Guidelines %	17%	0%	0%	0%	9%	11%	0%	23%	8%	20%	0%	0%	9%
Approved Shallow Systems	10	2	2	6	17	26	14	8	8	6	10	4	113
Shallow Systems due to SHGWT	5	2	2	6	17	25	14	8	6	6	7	4	102
Shallow Systems due to Bedrock	5	0	0	0	0	1	0	0	2	0	3	0	11
Shallow Systems due to SHGWT %	50%	100%	100%	100%	100%	96%	100%	100%	75%	100%	70%	100%	90%
Shallow Systems due to Bedrock %	50%	0%	0%	0%	0%	4%	0%	0%	25%	0%	30%	0%	10%

**Figure 3: Deep-Hole Test Pits (DHTP) reviewed by APA staff (2011-2022)**



**Figure 4: Test Pit Results by System Type (2011- 2022)**



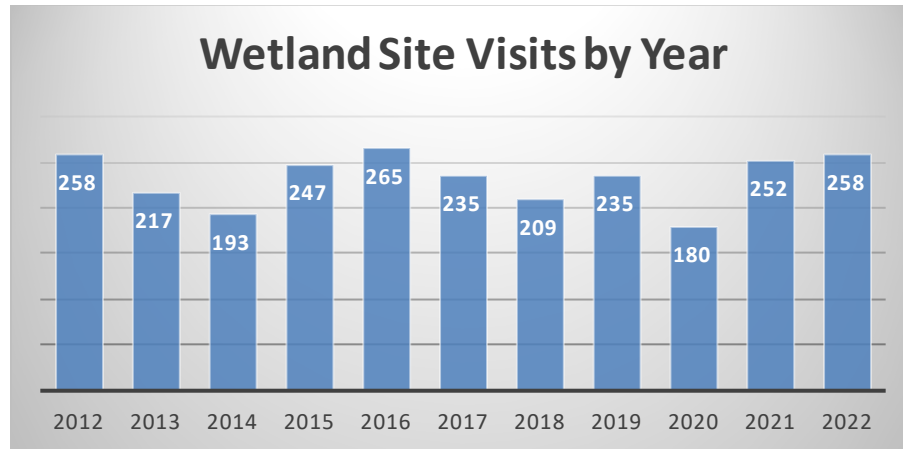
## **Wetlands**

Wetland involvement is a common jurisdictional trigger. The NYS Freshwater Wetlands Act and the APA Act have stringent requirements for regulated activities involving wetlands. The Agency’s wetlands protection program includes mapping, delineation, evaluation, mitigation, and impact analysis. The Agency’s wetlands program is responsive to public needs and utilizes some of the best available technology.

In 2022 a total of 258 wetland visits were made throughout the Park (Figure 5). This is the second highest annual total in the last decade with only 2016 having a higher number. Each site visit involved a wetland jurisdictional determination and/or delineation. Staff typically share information with applicants on the significance of wetland ecosystems so that landowners better understand the regulations. Some wetland delineations, due to

wetland size, can take several days to complete. The average processing time for these 258 site visits, which is the amount of time it takes between receiving a request and conducting a site visit, was 23 days in 2022 (Table 3).

**Figure 5: Wetland Visits by Year (2012-2022)**



**Table 3: 2022 Wetland Field Visits**

Total wetland site visits by month and average processing time for wetland site visits.

Time Period	Number of requests received during month	Number completed	Interval for processing. <i>(Date received to date scheduled for those received in that month)</i>	Number pending
January	4	0	N/A	4
February	3	0	N/A	7
March	30	1	N/A	36
April	41	11	38	66
May	43	57	32	52
June	28	57	29	23
July	29	20	29	32
August	19	31	26	20
September	33	31	19	22
October	20	34	12	8
November	6	14	12	7
December	2	2	8	0
<b>Yearly Total</b>	<b>258</b>	<b>258</b>	<b>Average = 23</b>	<b>0</b>

## **Remote Sensing**

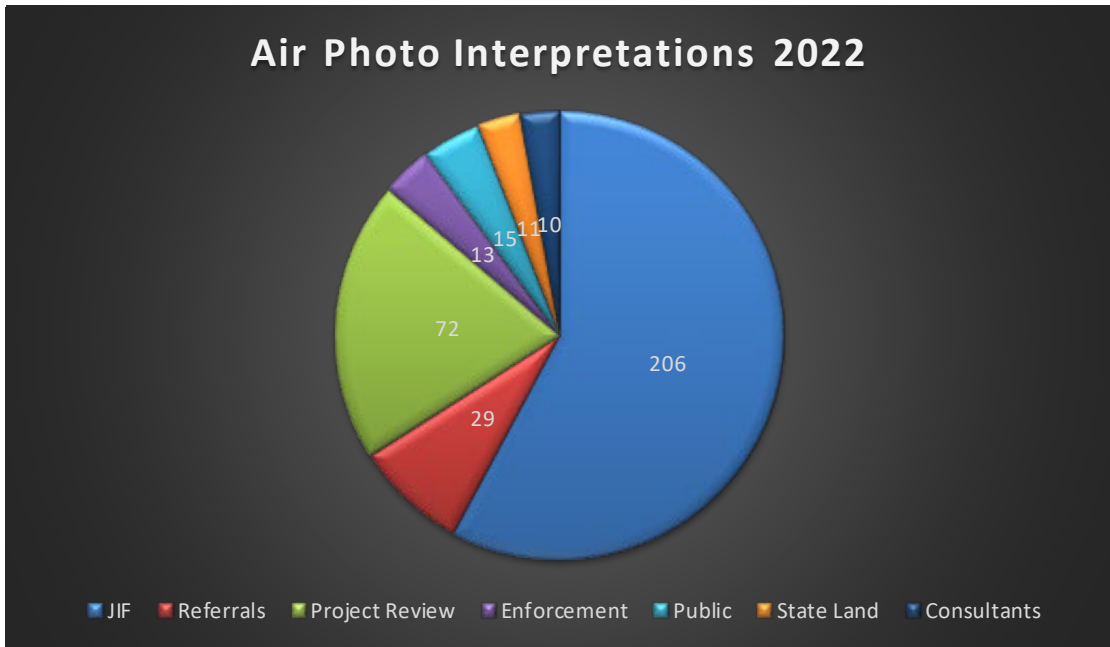
RASS wetlands staff conducted 356 wetland air photo interpretations in 2022, mostly in support of other Agency divisions as summarized in Table 4 and depicted in Figure 6. Air photo interpretations are conducted with high-resolution digital stereo pairs of aerial photographs viewed with state-of-the-art hardware and software. This equipment allows staff to respond to requests for wetland determinations in a timely manner and reduces the need for field visits. The number of air photo interpretations decreased slightly from 2021 as depicted in Figure 7.

**Table 4:** Air Photo Interpretations by Request 2022

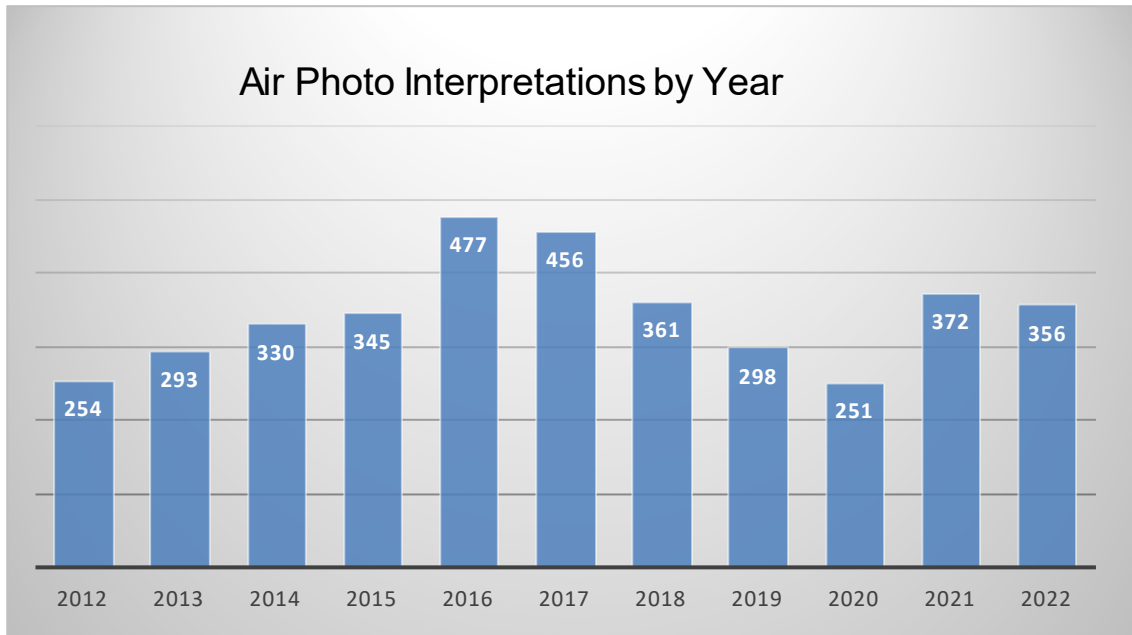
<b>Month</b>	<b>JIF</b>	<b>Referrals</b>	<b>Project Review</b>	<b>Enforcement</b>	<b>Public</b>	<b>State Land</b>	<b>Consultants</b>	<b>Total</b>
<b>January</b>	25	0	3	3	2	1	3	<b>37</b>
<b>February</b>	16	2	6	1	0	0	0	<b>25</b>
<b>March</b>	18	5	6	0	2	2	1	<b>34</b>
<b>April</b>	15	1	7	0	1	0	0	<b>24</b>
<b>May</b>	24	4	10	1	2	1	0	<b>42</b>
<b>June</b>	14	4	8	0	3	1	0	<b>30</b>
<b>July</b>	18	1	6	2	1	0	0	<b>28</b>
<b>August</b>	14	3	4	0	0	0	1	<b>22</b>
<b>September</b>	22	1	3	3	1	3	1	<b>34</b>
<b>October</b>	15	3	7	1	0	3	2	<b>31</b>
<b>November</b>	21	4	7	2	1	0	1	<b>36</b>
<b>December</b>	4	1	5	0	2	0	1	<b>13</b>
<b>Yearly Total</b>	<b>206</b>	<b>29</b>	<b>72</b>	<b>13</b>	<b>15</b>	<b>11</b>	<b>10</b>	<b>356</b>



**Figure 6: Air Photo Interpretations by Request 2022**



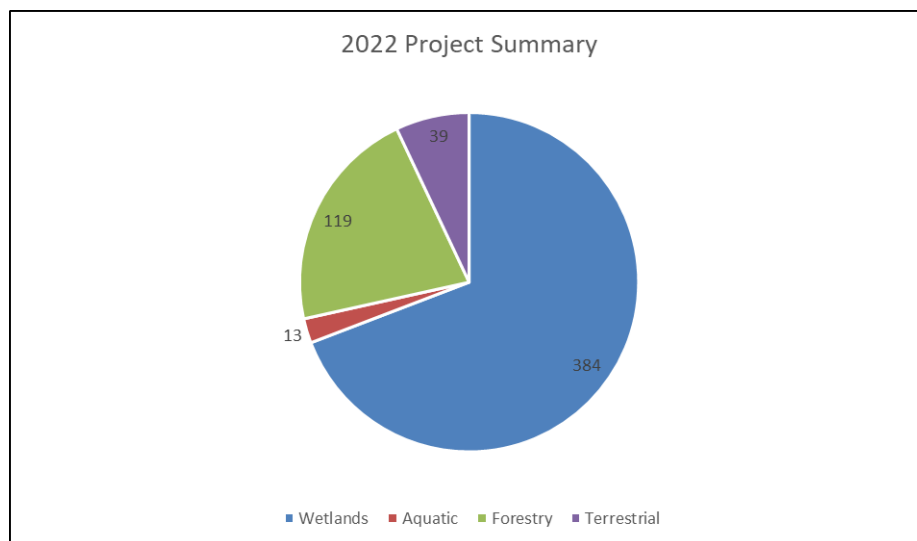
**Figure 7: Air Photo Interpretations by Year (2012-2022)**



## **Biological, Freshwater and Forestry Resources**

RASS ecologists and forestry specialists track the number of wetland, aquatic, terrestrial, and forestry related reviews by category. This tracking provides an overview of staff time spent in each category and provides an overview of how wetland biologist, freshwater ecologist, and forestry specialist services are utilized at the Agency. As depicted in Figure 8, wetland related project reviews accounted for approximately 69 percent of the reviews. This was followed by forestry related reviews which accounted for 22 percent by category.

**Figure 8:** Wetland, Aquatic, Terrestrial and Forestry Projects



## **Freshwater Resources**

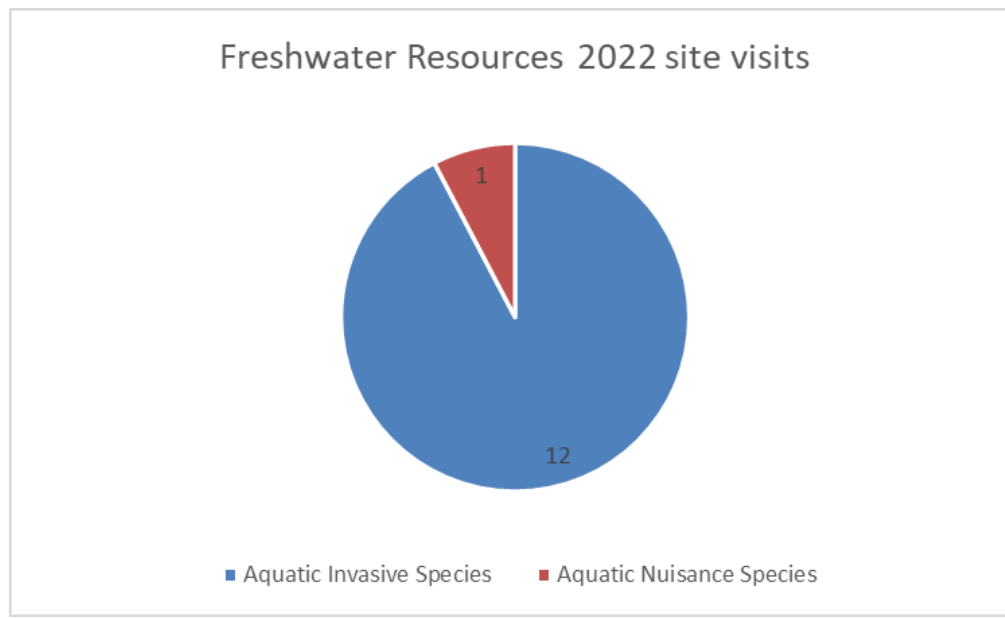
The abundance of freshwater waterbodies is a defining characteristic of the Adirondack Park. The Park contains approximately 3,745 lakes and ponds, including 50% of New York lakes greater than 100 acres in size.

Aquatic invasive species (AIS) can cause both environmental and economic harm to these waterbodies, impairing recreational use of waterways, including boating and swimming, and degrading the native habitat of fish and other wildlife. In the Adirondacks, lake and watershed organizations coordinate to prevent the spread of AIS and invest significant resources in addressing existing infestations.

In 2022, RASS staff conducted 13 lake site visits to review proposals associated with non-native and invasive species management activities. These included reviews of proposed hand harvesting methodologies, stocking of sterile triploid grass carp, and use of aquatic herbicides.

Staff also assisted other divisions with the issuance of jurisdictional determinations and the review of projects subject to regulatory review. RASS staff also partnered in meetings with the Aquatic Invasive Species Task Force organized by the Lake Champlain Basin Program, as well as the Adirondack Park Invasive Plant Program, and provided public outreach and guidance to local lake associations and watershed organizations.

**Figure 10: Freshwater Resources**



## **Forest Resources**

The forests of the Adirondacks are integral to the character of the Park, creating a living landscape that provides wildlife habitat, biodiversity, purification of water resources, and economic and recreational opportunities. Forests on State lands, in many cases having been preserved from logging for more than a century, are characterized by steadily maturing stands, while many privately-owned forests are managed for timber resulting in younger, early succession forests. This age diversity comprises a mosaic of habitats supporting a diverse variety of flora and fauna. Ongoing human disturbance, including invasive pests and pathogens, climate disruption, acidic deposition, and poor forest management, pose a threat of significant impairment to our forests.

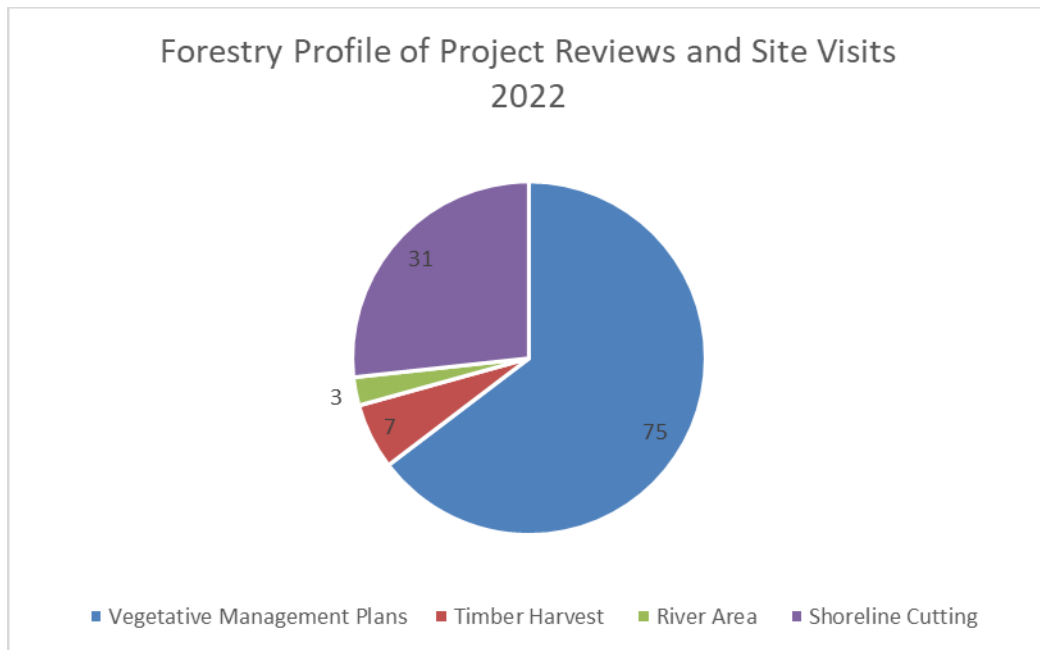
In 2022, Agency staff reviewed two proposals for jurisdictional timber harvesting projects on private lands. These projects were designed to meet specific silvicultural goals, based upon existing forest conditions, with the intent of creating favorable conditions for long-term forest health and timber value.

In reviewing proposed development, staff seek to minimize and mitigate environmental impacts associated with removal of vegetation. In 2022, staff

conducted 75 reviews of proposed cutting and planting plans, 31 reviews of cutting involving shoreline areas, and 3 reviews of cutting involving designated river areas.

RASS staff continue to be engaged with State agencies, forest health researchers, and APIPP to monitor invasive pest disturbances within the lands and waters of the Adirondack Park. Continued vigilance and public education regarding these threats are vital, as the spread of pests and our response to them impacts the health of Adirondack forests.

**Figure 9: Forestry Profile of Project Reviews and Site Visits for 2022**



### **Committee and Organizational Affiliations**

During the course of the year RASS staff participated in numerous committees and working groups and provided education and outreach to a wide variety of participants. Typically, staff attend many conferences or workshops to further Agency expertise.

#### **Committee and working groups included:**

- Adirondack Aquatic Invasive (AIS) Species Task force
- Adirondack Park Invasive Plant Program (APIPP)
- DOT Wetland Mitigation Guidance Working Group
- Lake Champlain Basin Program (LCBP) Streamwise Committee
- LCBP AIS Rapid Response Task Force
- LCBP AIS Grant review Committee
- NYS DOT wetland mitigation agreement working group
- NYS Invasive Species Council

## **Education and Outreach**

- Wetland Crossings for Master Logger Certification Program
- Wetland recognition training for Agency staff
- Forest Stewardship Discussion with Northern Forest Center

## **Conferences and Training for Staff**

- APIPP Invasive Species Summit- Invasives at our door
- Connecting Research with Communities
- NYS PRISM's Invasive species speaker series
- Post-Construction stormwater practices: Eastern NY Stormwater Regional Training Center
- Adirondack Research Consortium: Human Dimensions of Natural Resources
- Society of American Foresters Online Course: Physical Science of Forests, Climate Regulation and Carbon Storage.
- Webinar: An introduction to NYS Species designations
- MSU Webinar: Innovative Approaches to Carbon Monitoring and Measurement

## **PLANNING DIVISION**

### **State Land**

State Land staff administer the Adirondack Park State Land Master Plan (APSLMP) as their primary responsibility. Unit management plans (UMP's) prepared by DEC staff for various areas of the Park must be reviewed to ensure their conformance with the APSLMP's management guidelines and criteria, as do many individual State-land project proposals submitted to APA by DEC. In addition, APA staff provide general guidance and interpretation to both DEC staff and the agency's Board concerning the APSLMP, they undertake long-range planning efforts for State lands in consultation with DEC, and they develop proposals for substantive revisions of the APSLMP – including the classification and reclassification of State lands in the Park – also in consultation with DEC.

### **Unit Management Plan Review**

State land staff reviewed for consistency with the APSLMP the amendment to the 2004 UMP for the Whiteface Mountain Ski center Intensive Use area to include certain new connector trails, widen other existing ski trails, install a new lift, expand an existing building, and develop hiking and mountain biking trails.

State land and DEC staff presented the initial draft of the unit management plan for the Broadalbin Boat Launch on Great Sacandaga Lake and sought authorization from the Agency board to hold a joint public comment period. The 14.09-acre boat launch site that exists today was constructed in 1998 for the purpose of improving boat access to the 26,880-acre reservoir in an area where public access had otherwise been limited.

Additionally, State land and DEC staff presented the initial draft of the unit management plan for the Sharp Bridge Campground & Day Use Area UMP. Staff sought authorization from the board to hold joint public comment periods with DEC.

### **State Land Planning**

State land staff worked with DEC staff to amend the Campgrounds & Day-Use Areas Generic Unit Management Plan to allow for the construction and permanent placement of aquatic invasive species (AIS) decontamination facilities. Staff worked to develop various alternatives to inform an agency board interpretation regarding the topic of no material increase of road mileage on wild forest lands; this topic was discussed at multiple board meetings in 2022. A 60-day comment period was held as well as two public information sessions to gather input from members of the public, as well as additional presentations to specific stakeholder groups upon request.

Staff worked with DEC to update the Inter-Agency Guidelines for Implementing Best Management Practices to Control Invasive Species on DEC-Administered Lands of the Adirondack Park. Agency and Department staff briefed the agency's board on progress made toward implementing a visitor use management framework for state lands. Staff worked with DEC and a third-party expert as part of developing a visitor use management plan to address issues in the Central High Peaks. DEC and APA staff

gave an overview of how the State provides access to state lands for individuals with disabilities. Staff continued to work with DEC staff and trail stewardship stakeholders to develop guidance for Park wide trail standards as part of the Trail Stewardship Working Group. Staff participated in Road Salt Reduction Task Force including preparing a report detailing its recommendations and pilot projects. Staff completed work, including field visits, in preparation for a 2023 classification package including roughly 6,000 acres of state land that have been acquired since the last classification action in 2018.

Staff completed review of 30 project proposals submitted to the agency for projects across the State lands of the Park. These consultations are to determine APSLMP compliance and whether or not a wetland permit is needed. Projects ranged in nature from accessibility at Camp Santanoni; designs for the Remsen Lake Placid rail trail, specifically for destination features like the Lake Colby causeway; various bridge projects in the Pigeon Lake Wilderness; removal of non-conforming structures in a primitive area; charging stations for personal mobility devices in intensive use areas; re-routes and bog bridging for foot trails in the Horseshoe Lake Wild Forest and Independence River Wild Forest; and relocation of a caretaker's cabin in an intensive use area.

### **Regulatory Review**

State land staff consulted with Regulatory Program and RASS staff on various State land and DEC conservation easement land projects involving wetlands, resulting in the issuance of six wetland permits. Project review sites were located in Saranac Lakes Wild Forest, Moose River Plains Wild Forest, Independence River Wild Forest, High Peaks Wilderness Area, West Canada Lakes Wilderness Area, Silver Lake Wilderness Area, Remsen Lake Placid Travel Corridor, and St. Lawrence County Conservation Easement lands.

## **PLANNING DIVISON**

### **Map Amendments**

The Agency reviewed a request for two amendments to the Adirondack Park Land Use and Development Plan (APLUDP) map by the Town of Warrensburg, Warren County. The Agency determined that the proposed reclassifications, which were both requested to expand the Hamlet of Warrensburg, were not warranted for these areas primarily due to concerns with impacts to wetlands, water quality, and open space character. The map amendments were not approved.

The agency received a joint application from the Town of Mayfield and a landowner in the Town for a map amendment to expand the Hamlet of Mayfield. The agency requested additional information from the applicants regarding potential for on-site wastewater treatment or public sewer availability to the area. The applicants have informed the agency that they will respond to the agency's request when more information about a potential sewer extension project is available, which is expected in early 2023.

### **Mapping**

The Agency prepared for a printing of the 50th Anniversary 2023 Adirondack Park Land Use and Development Plan map. This printing will be publicly available in 2023.

GIS staff worked with State Land staff to prepare mapping for a State land classification package. This package will include several parcels of State land acquired since 2018 and may include other reclassifications and corrections the State land map. GIS staff also worked with State Land staff and DEC staff to draft reclassification proposals for Rollins Pond and Golden Beach intensive use areas to correct long-standing errors in the State land map. Staff also prepared maps to inform discussions at the Road Salt Reduction Task Force meetings.

GIS staff also routinely provided advice and technical assistance to other agency divisions, local governments, and the public with mapping and GIS-related questions and problems.

### **Lookup System**

GIS staff spent a large portion of 2022 troubleshooting and rebuilding the Lookup System and Edit APA applications. Due to bugs and application corruption these applications would no longer allow staff to make the updates that were necessary. In December, GIS staff finished rebuilding these applications and have three new applications ready for staff use, Lookup System 4.1, EditAPA and EditAPA Advanced 2.1. Staff continues to use these applications daily for project review and mapping of all the agency's transactions through EditAPA. GIS Staff continue to review these applications and make updates and add datasets that will benefit the agency.



## **Major Data Improvements**

The Agency relies on high quality GIS data both produced internally and received from external sources. Major GIS data updates this year included the 2021 Real Property tax parcel dataset, DEC lands, acquisition and trails datasets, Natural Heritage Program datasets, as well as regular updates to Agency field photo points and project transactions. GIS staff received 2020 and 2021 aerial imagery from NYS ITS and continue to troubleshoot this data to make available for staff to view in 3D. Annual updates were made to the Agency's telecommunication towers dataset internally. Staff also updated the APA Land classification data layer and generated new land classification statistics at the end of 2022 for use in 50<sup>th</sup> Anniversary mapping.

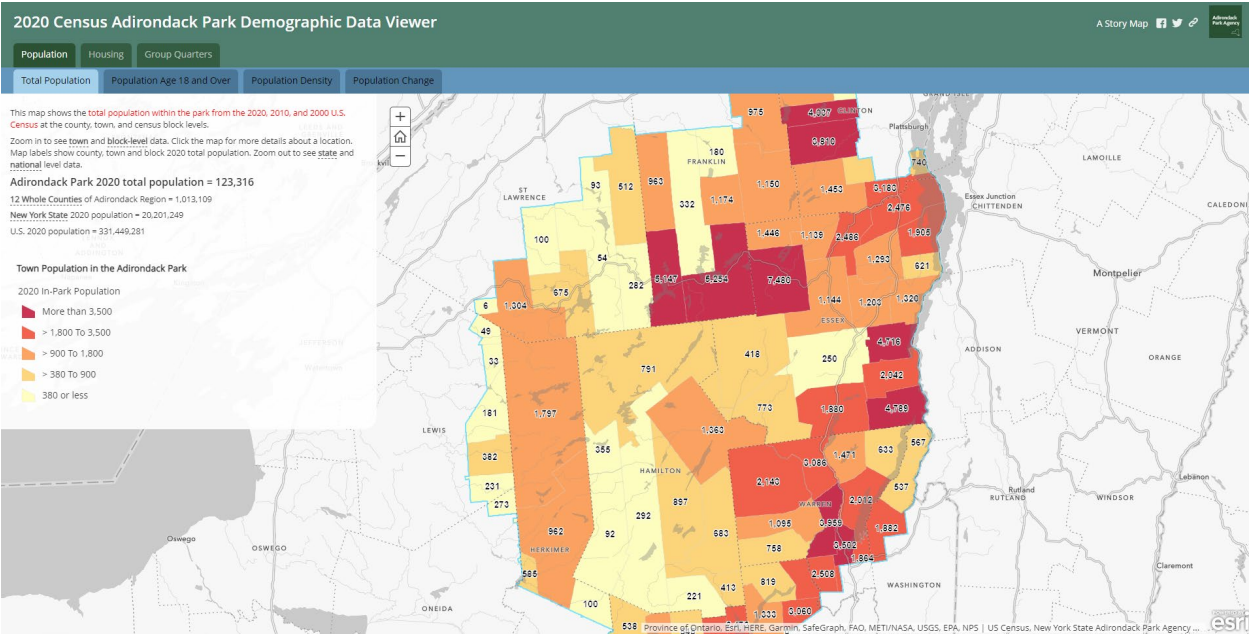
## **Hardware and Software Improvements**

The Agency's GIS Staff installed updated GIS software and are continuing to update the GIS applications on the Agency's GIS server. GIS staff installed new security certificates on the GIS server to fix issues with web applications and development. Staff downloaded and installed new software to help State lands staff with GIS work. Agency staff also started to perform major hardware and software updates for a new machine to replace the RASS Division's 3D Stereo Analyst workstation.

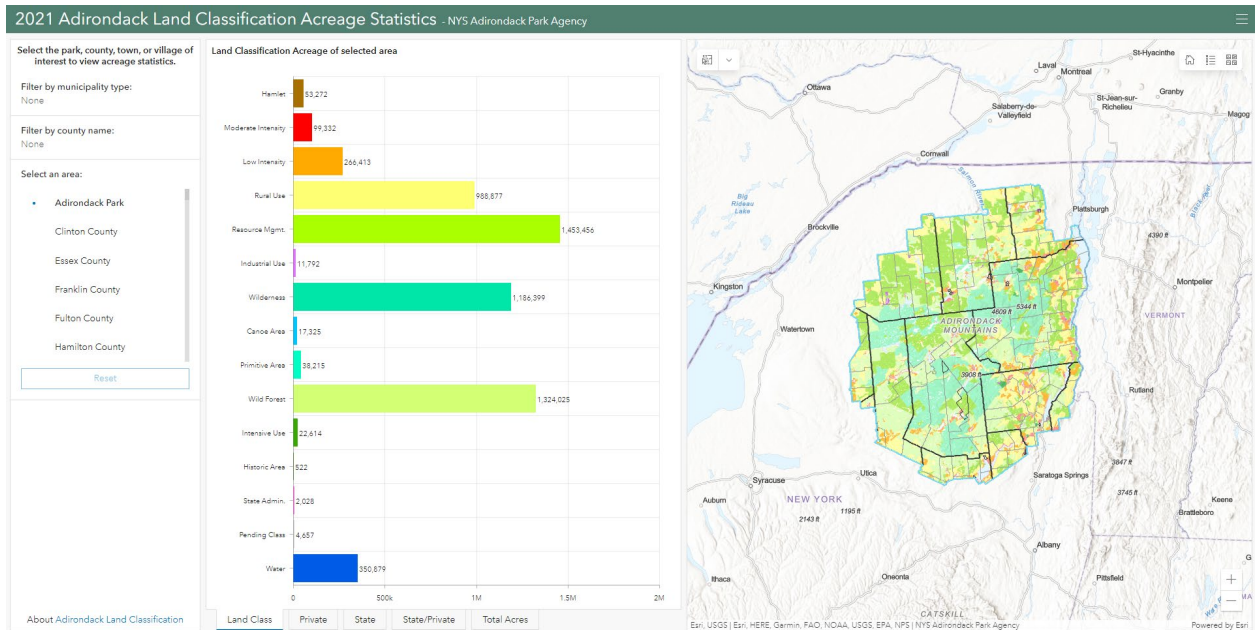
## **Website Development**

The Agency continued efforts to improve website organization and content. The Public Input page now allows the linking documents for the public to view more information about proposed projects that the Agency is soliciting comments for. The Agency now posts final, approved minutes of Board meetings on the Agency meeting schedule page. Staff also continues to research a potential replacement for the Agency's dynamic pages.

GIS staff developed two web-based GIS mapping applications to view 2020 Census data and 2021 Land Classification Statistics. A presentation on these applications was made at the February Agency meeting. See next page.



2020 Census population Adirondack Park Demographic Data Viewer Application



2021 Adirondack Land Classification Acreage Statistics Application

## 2022 GIS/Web Tasks Summary

<b>Task</b>	<b>Total</b>
GIS Agency Program Administration	64
GIS Map Production	40
LUA Boundary/Blue Line Inquiry	36
Map Amendments Review	8
State Land Classification/Reclassification Review	16
Web Administration/Content Management	120
Administrative Tasks	22

Agency staff implemented the agency's transparency plan and installed changes throughout the website. Additionally, staff prepared to move the website to a new dedicated server that can accommodate additional online data storage, enabling new postings of transactions to the web. Finally, staff updated website language translation tools and improved website accessibility features.

## **Local Government Services**

The Local Government Services (LGS) Program administers Sections 807 and 808 of the Adirondack Park Agency Act and its implementing regulations. Program staff provide oversight of the eighteen Agency-approved Local Land Use Programs (ALLUPs) and review approximately 100 variance referrals and 30-50 zoning amendments annually from the participating program municipalities. Additionally, staff respond to numerous informational requests from local officials within the Park. The workload is driven by strict statutory deadlines for responses to variance referrals and the need to provide timely responses to inquiries from elected and appointed officials.

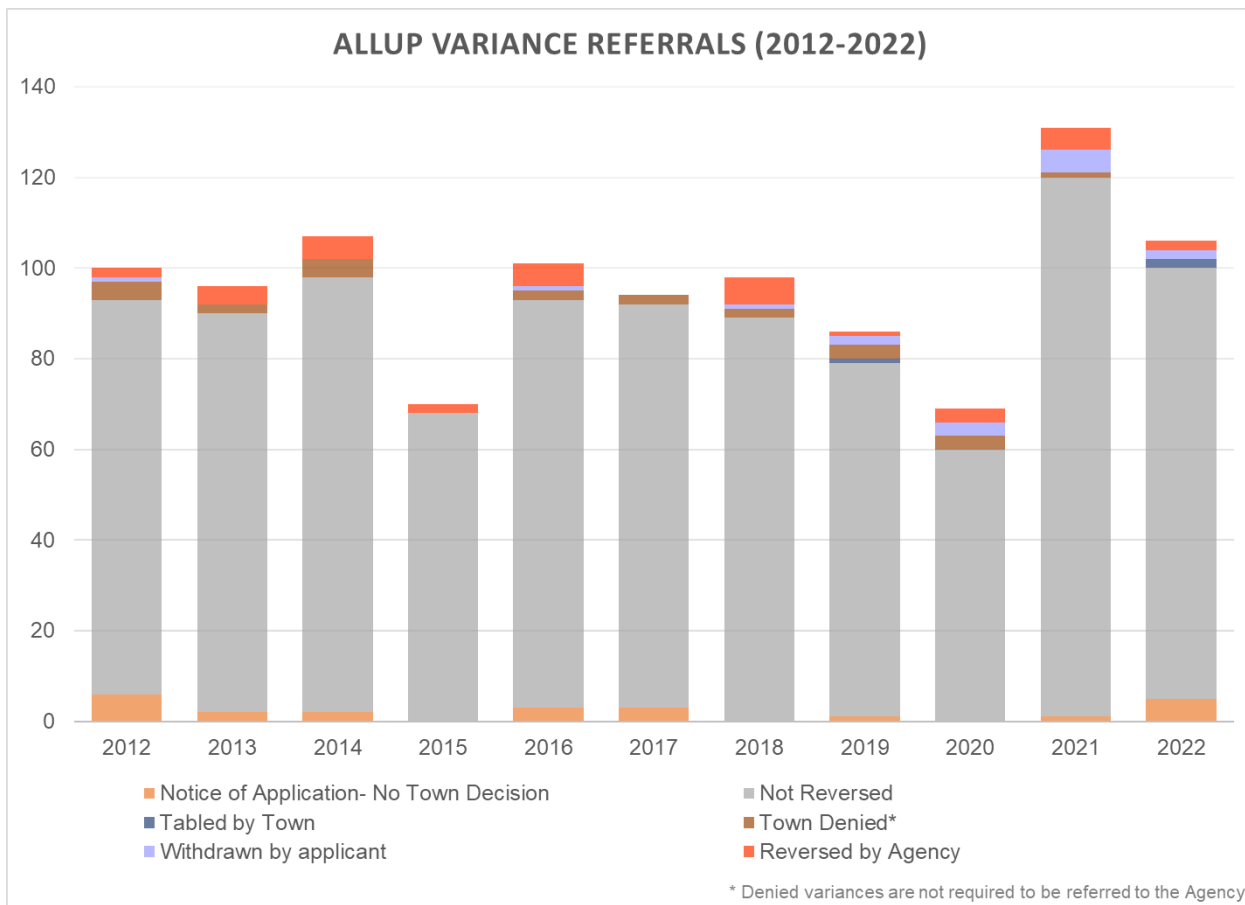
A summary of Local Government Services accomplishments and reportable items in 2022 is provided in the table below. The information is compiled from LGS Committee monthly reports. The data highlights the number of Adirondack communities and officials that staff consulted with and provided assistance to during the course of 2022. The table also includes the number of intra-Agency consultations with Agency staff and coordination and planning initiatives with other state agencies and regional and state organizations.

<b>Local Government Services Summary of Program Accomplishments and Reportable Items</b>	<b>2022 Totals</b>
ALLUP amendments approved by Board/by Del Res	1/5
ALLUP variances referred/reversed	106/2

**The reportable items in the table above include the following activities in the following categories:**

- ALLUP Amendments - In 2017 the Agency amended the Delegation Resolution (Del Res) to allow for approval of certain ALLUP amendments under the authority of the Executive Director. This change allowed certain amendments to local land use controls to be approved by Agency staff without Agency Board approval. The Agency approved 6 amendments to ALLUPs in 2022. Five were approved pursuant to the Del Res and one required Agency Board approval.

- **ALLUP Variances** - Towns with an ALLUP are required to refer certain locally approved variances (outside of Hamlet land use areas) to the Agency. The Agency has 30 days for review in which time it may reverse the local determination if it was not based upon the appropriate statutory basis. The Agency received 106 variance referrals during the year. The Agency reversed two of these variances, both of which involved shoreline setbacks.
- **Land Use Regulations Consulted/Reviewed** - Staff are regularly asked to review and comment on local land use laws. Most of the local laws are from municipalities with ALLUPs where the Agency has a statutory requirement to review. Non-ALLUP communities also request review of their local laws to determine compliance with or to avoid conflicts with APA regulations. In 2022 staff reviewed land use laws from 8 communities in the Park.



## **LEGAL DIVISION**

The Legal Division consists of three major components: the Office of Counsel, including the Legal Services Unit, and the Jurisdictional Inquiry Unit. The Counsel and Associate Counsel advise all Agency divisions and the Agency Board. Legal Division attorneys review significant permitting, planning, enforcement, and other documents, assist the Attorney General with litigation, manage adjudicatory hearings, and provide other legal services as necessary. The Jurisdictional Inquiry Unit provides advice to landowners and potential project sponsors regarding Agency jurisdiction, including informal phone advice and written jurisdictional determinations. The Jurisdictional Inquiry Unit also houses the Records Access Officer who responds to all Freedom of Information Law requests to the Agency.

### **Jurisdictional Inquiry Unit**

The public's first point of contact with the Agency is often with the Jurisdictional Inquiry Unit. Staff provide advice to landowners and others regarding Agency jurisdiction to determine if an Agency permit or variance is required. This unit also includes the Agency's Records Access Officer who is responsible for processing all Freedom of Information Law requests.

In 2022 staff processed significantly increased numbers of inquiry forms, phone calls, and Freedom of Information Law requests, including the second highest number of jurisdictional inquiries received in a single year. Division staff took on new tasks and worked together to develop more efficient forms, templates, and processes to handle the increased workload while maintaining the customary level of customer service. See chart on next page.

**Jurisdictional Inquiry Unit 2022 Activities:**

<b>Activity</b>	<b>2021 Totals</b>	<b>2022 Totals</b>
JIFs Received	921	1112
JIFs Responded To	920	1088
Non-Jurisdictional	627	791
Jurisdictional	186	220
Variance	40	25
General Information	31	33
Potential Violation	36	19
Average Response Time (in days)	16	19
Telephone Calls	3822	4196
Walk-Ins	151	34
Write-Ins/Site Visits	0	2
Other Agency Referrals	478	431
FOIL Requests Received	260	331

**JIFs** – Jurisdictional Inquiry Forms **FOIL** – Freedom of Information Law Requests