

# **Adirondack Park Agency**

## **2020**

### **Annual Report**



**Governor Andrew M. Cuomo**

**Executive Director Terry Martino**



## **2020 APA ANNUAL REPORT**

### **EXECUTIVE DIRECTOR LETTER**

As we look back at the year 2020, it is hard to truly comprehend the enormity of the shared experience and how all aspects of our lives have been altered. We know the uncertainty and fear caused by the Covid-19 pandemic has been overwhelming at times. However, in the true fashion of New Yorkers, we came together to overcome this unprecedented event. I extend profound gratitude to Governor Cuomo and the brave frontline workers who so selflessly gave of themselves to keep us safe. The magnitude of their efforts will forever be memorialized by history.

I am proud of how the Adirondack Park Agency staff and Board galvanized to meet the many challenges we faced in 2020. During NY PAUSE the Agency transitioned proficiently into a telework environment which was well suited during NY FORWARD. Together we outlined and implemented effective health and safety protocols. It was not an easy task, but we persevered and continued to professionally administer the mission of the Adirondack Park Agency.

Despite the pandemic our workload remained heavy. Staff increased opportunities to accept digital submissions and used innovative technologies to hold remote public meetings. These efforts minimized the impact the pandemic had on productivity. Staff reviewed telecommunication project applications and issued permits which resulted in increased cellular communications across the Park. We successfully advanced invasive species management to safeguard water quality and protect native ecosystems. The Board unanimously authorized a 5-megawatt solar project as the State continues to lead in the fight to combat Climate Change. This approval incorporated the first-time use of the Agency's new Application for Solar Generation Facilities. We approved a private land map amendment proposed in the Town of North Elba and worked in partnership with the Department of Environmental Conservation on State Land Unit Management Plans.

We will always remember 2020 as a year of crisis when individuals, communities, organizations and businesses faced relentless change due to a global pandemic. I am pleased to share with you the accomplishments of the Adirondack Park Agency for the year 2020 which document resiliency, adaptability and achievement. I express my appreciation to the staff and Board who remain committed to the high standards expected of the Agency by all of us who love the Adirondack Park.

Sincerely,

Terry Martino

Executive Director

## 2020 ADIRONDACK PARK AGENCY STAFF ROSTER

### Administration

Terry Martino,  
Executive Director  
Elaine Caldwell,  
Administrative Officer 1  
Keith McKeever,  
Public Information Officer  
Daniel Kelleher,  
Special Assistant for Economic Affairs  
Susan Streiff,  
Secretary to Executive Director  
Robert Kreider, (ITS Employee)  
Information Technology Specialist 2  
Amy Hall,  
Office Assistant 2 (Calculations)  
Norma Howard, *Retired 4/2020*  
Student Assistant  
Elizabeth Stankus,  
Assistant Office Services Manager  
Kyle Martin,  
Trades Generalist  
Michael Warner,  
Maintenance Assistant 1  
Michael Martin,  
Student Assistant

### Regulatory Programs/Enforcement

Robert Lore,  
Deputy Director  
Colleen Parker,  
Environmental Program Specialist 3  
John M. Burth,  
Environmental Program Specialist 3  
Thomas E. Saehrig, *Deceased 3/30/20*  
Environmental Program Specialist 2  
Ariel Lynch,  
Environmental Program Specialist 2  
Devan Korn,  
Environmental Program Specialist 2  
Virginia Yamrick,  
Environmental Program Specialist 1  
Trevor Fravor,  
Environmental Program Specialist 1  
Frederick Aldinger,  
Environmental Program Specialist 1  
Milton Adams,  
Environmental Program Specialist 1  
Emily O'Mahony,  
Environmental Program Specialist 1  
Sarah Staab,  
Environmental Program Specialist 1  
Bart Haralson,  
Environmental Program Specialist 1  
Matthew Brown,  
Environmental Program Specialist 1  
Christian Blue,  
Environmental Program Specialist 1  
Stephanie Petith,  
Administrative Assistant 1

## **Legal Division**

Christopher Cooper,  
Counsel  
Sarah Reynolds,  
Associate Counsel  
Paul Van Cott, *Retired 2/2020*  
Associate Attorney  
Elizabeth Phillips,  
Senior Attorney  
Jennifer Hubbard,  
Senior Attorney  
Douglas Miller, *Retired 6/2020*  
Environmental Program Specialist 2  
Brian Ford,  
Environmental Program Specialist 1  
Emily Tyner,  
Environmental Program Specialist 1  
Tracy Darrah,  
Environmental Program Specialist 1  
Mary Palmer, *Retired 6/2020*  
Office Assistant 2 (Keyboarding)

## **Planning Division**

Richard Weber,  
Deputy Director  
Walter Linck,  
Environmental Program Specialist 2 (NRP)  
Matthew Kendall,  
Environmental Program Specialist 2 (NRP)  
Kevin Prickett,  
Environmental Program Specialist 1 (NRP)  
Matthew McNamara,  
Environmental Program Specialist 1 (NRP)  
Robyn Burgess,  
A.P. Local Planning Assistance Specialist  
Kate-Lyn Knight,  
Environmental Program Specialist 1  
Molly Jordon,  
Mapping Technologist 1  
Mary Palmer, *Retired 6/2020*  
Office Assistant 2 (Keyboarding)  
Annemarie Peer,  
Office Assistant 2 (Keyboarding)

## **Resource Analysis & Scientific Services**

Kathy Regan,  
Supervisor Natural Resource Analysis  
Mary O'Dell,  
Biologist 2 (Ecology)  
Aaron Ziemann, Associate A.P.  
Project Analyst, Forest Resources  
Leigh Walrath, Associate A.P.  
Project Analyst, Fresh Water Resources  
Kelly McKean,  
Biologist 1 (Ecology)

Shaun LaLonde, *Retired 10/2020*  
Professional Engineer 2 (Environmental)  
Alicia Purzycki,  
Professional Engineer 1 (Environmental)  
David Boese,  
Assistant Engineer (Environmental)  
Annemarie Peer,  
Office Assistant 2 (Keyboarding)

## 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
Mr. John Ernst	Out of Park	New York	6/30/21
Mr. Arthur Lussi	In Park	Essex	6/30/21
Mr. Daniel Wilt	In Park	Hamilton	6/30/23
Ms. Zoe Smith	In Park	Franklin	6/30/24
Ms. Andrea Hogan	In Park	Warren	6/30/22
Mr. Mark Hall	In Park	St. Lawrence	6/30/22
Mr. Kenneth Lynch	Out of Park	Onondaga	6/30/22

### Ex-Officio Members:

Department of Environmental Conservation, Commissioner Basil Seggos  
Designee: Joe Zalewski

Department of State, Secretary of State Rossana Rosado  
Designee: Lynne Mahoney, Matthew Tebo

Department of Economic Development, Acting Commissioner Eric Gertler  
Empire State Development, President and CEO Designate  
Designee: Bradley Austin

## Agency Board 2020 Highlights

### ADMINISTRATION COMMITTEE

- **Executive Director Announcement of Staff Retirement –** Paul Van Cott, Associate Attorney (March 2020)
- **Executive Director Announcement of Staff Retirements–** Doug Miller, EPS 2; Mary Palmer, OA2; Norma Howard, Student Assistant (July 2020)
- **Executive Director Welcome to new Board Members –** Mark Hall, Andrea Hogan, Ken Lynch, and Zoe Smith (July 2020)  
See Board [APA Board Page](#) for background on all Board Members
- **Executive Director Announcement of Staff Retirement –** Shaun Lalonde, Professional Engineer 2 (Environmental) (October 2020)

### ECONOMIC AFFAIRS COMMITTEE

- **Adirondack Park Agency Economic Services –** Special Assistant for Economic Affairs Dan Kelleher provided an overview of the Agency's activities related to economic development and community planning (February 2020)

### ENFORCEMENT COMMITTEE

- **E2017-26, The Brampton –** Jennifer Hubbard and Respondents presented an enforcement proceeding for the alleged establishment of a tourist accommodation and the installation and construction of associated structures on Rural Use lands within the designated Hudson River Recreational River Area in the Town of Thurman, Warren County. The Board met in Executive Session and completed its deliberations instructing Counsel Cooper to prepare comments and plans which will be served on the respondents. (February 2020)

### PARK POLICY AND PLANNING

- **Town of Lake Luzerne Map Amendment (MA2019-01) –** Rick Weber for Matt Kendall presented the DSEIS and requested Board authorization to proceed to public comment. (March 2020)
- **Town of North Elba Map Amendment (MA2020-01) –** Matt Kendall presented the FSEIS. The Board unanimously accepted the FSEIS and authorized the Executive Director to make ministerial changes and to finalize and issue the Findings Statement no less than ten days from publication in the ENB. (July 2020)

The Board unanimously accepted the staff recommendation to approve Map Amendment 2020-01 to reclassify 32 acres of land classified as Moderate Intensity to Hamlet in the Town of North Elba, Essex County, and to approve the Order presented, to be finalized, including any ministerial changes, and executed by the Deputy Director of Planning upon issuance of the SEQR Findings Statement. (July 2020)

## **REGULATORY PROGRAMS**

- **P2019-164, Mark Rushton** – Devan Korn presented a project involving the expansion of a pre-existing single-family dwelling entirely within the shoreline setback of Third Lake resulting in an increase in overall height of the structure by 5-feet 6-inches and no increase in overall width in the Town of Webb, Herkimer County. The Board unanimously approved the project. (February 2020)
- **P2018-211, Vertical Bridge Holdings, LLC; New Cingular Wireless PCS, LLC; T-Mobile Northeast, LLC** – Virginia Yamrick presented a project involving the installation of two self-supporting monopole towers, one concealed as an 85-foot and the other as a 90-foot-tall simulated tree, with each tower supporting on single array of cellular panel antennas at an 83-foot and an 88-foot centerline height in the Town of Long Lake, Hamilton County. The Board unanimously approved the project. (February 2020)
- **P2018-207, MGH Estates, LLC** – Rob Lore (for Ariel Lynch) presented a project involving a Subdivision of a 146.06±-acre parcel to create seven residential lots, each to be developed with one single-family dwelling, and an eighth retained lot. Each dwelling will be served by an on-site wastewater treatment system and on-site water supply in the Town of Northampton, Fulton County. The Deputy Director will finalize and issue the permit and order through his delegated authority. (March 2020)
- **P2019-125, Huttoxia Adirondack Properties, LLC** – Rob Lore (for Devan Korn) presented a project involving a new seasonally operated tourist accommodation involving 101 pre-fabricated tourist accommodation structures ranging in size from 215± square feet to 269± square feet and 10 containing 525± square feet of floor space. All of the proposed tourist accommodation structures will be connected to water, electric, and wastewater utilities, except for 15 that will have electric only and be served by a shared bathhouse. A common area with a pool, a playground and a 3,000± square foot building containing the main office, a recreation area and a 58-seat café and lounge is also proposed in the Town of Lake Luzerne, Warren County. The Deputy Director will finalize and issue the permit and order through his delegated authority. (March 2020)
- **P2019-213, ORDA Convention Center** – Rob Lore (for Ariel Lynch) presented a project involving the Olympic Center Modernization including the following: (1) construction of a new three-story parking garage to the southwest of the USA arena with 256 parking spaces; (2) construction of a two-story addition to the southwest corner of the USA arena; (3) changes to the Main Street entrance (i.e., Link Building); (4) changes at the Oval; (5) plaza development in front of the 1932 arena to provide a pedestrian connection between the 1932 arena and the new main entrance in the Town of North Elba, Essex County. The

Deputy Director will finalize and issue the permit and order through his delegated authority. (March 2020)

- **P2020-44, Town of Minerva** – Leigh Walrath presented a project involving the application of ProcellaCOR EC in Minerva Lake for the management of Eurasian watermilfoil. No more than 8.7 gallons ProcellCOR EC was proposed to be applied over 41 acres between late-May and mid-June 2020 in the Town of Minerva, Essex County. The Board unanimously approved the project. (May 2020)
- **P2020-197, New Cingular Wireless PCS, LLC (AT&T)** – Virginia Yamrick presented a project involving the installation of a new self-supporting 150-foot-tall monopole telecommunications tower within a 36-foot by 60-foot leased area adjacent to the existing Town of Newcomb water storage tank, Essex County. The Board unanimously approved the project. (July 2020)
- **P2020-8, SolarPark Energy** – Ariel Lynch presented a project involving installation of a 5 MW photo voltaic energy system (Solar Generating Facility) on a 36.0± acre portion of the project site. The project involves installation of solar panel arrays and related infrastructure including a new access road, fencing, landscaping, and utility connections. The Board unanimously approved the project in the Town of Ticonderoga, Essex County. (September 2020)
- **P2016-29, LS Marina, LLC** – John Burth presented a project involving Installation of new structures associated with rehabilitation and expansion of the pre-existing commercial "Crescent Bay Marina." A portion of the proposal involves wetlands and requires a permit, and a portion of the proposal requires a variance from the shoreline restrictions. The project site involves two locations: the "Main Marina" on NYS Route 3 and the "Annex" on Lake Street in the Town of Harriestown, Franklin County. The Board approved the project with a vote of 8 for, 1 opposed, 2 recusals. (September 2020)
- **P2019-74, National Grid** - Devan Korn presented a project involving a rebuild of two segments of the existing 115kV transmission line, known as the Ticonderoga-Republic #2 and Ticonderoga-Republic #3, extending from the Republic Steel Substation in the Town of Moriah to the Ticonderoga Substation in the Town of Ticonderoga and from the Ticonderoga Substation to the Whitehall Substation in the Town of Whitehall. The Board unanimously approved the project. (October 2020)
- **GP2014-G-1A, Wetland General Permit Amendment**
  - Public Draft General Permit Amendment - Kathy Regan (October 2020)
  - The Board authorized the amendment to proceed to public comment (October 2020)
  - Proposed Final General Permit Amendment – Kathy Regan (December 2020)
  - The Board unanimously approved (December 2020)
- **Overview of APA Shoreline Variance Jurisdiction**
  - Presentation by Sarah Reynolds (October 2020)

## **STATE LAND**

- **Remsen-Lake Placid Travel Corridor UMP Amendment**
  - Public Draft/ Distributed by DEC – John Schmid, DEC (November 2019)
  - Proposed Final – John Schmid, DEC (March 2020)
  - The Board unanimously authorized the Remsen-Lake Placid Travel Corridor UMP Amendment to proceed to public comment on APSLMP conformance from March 20 through April 20, 2020. (March 2020)
  - Proposed Final (Rick Weber, Walt Linck (May 2020)
  - The Board adopted the Resolution on APSLMP conformance with a vote of 7 for, 1 against (May 2020)
  
- **Adirondack Visitor Use Management**
  - Staff Update -Rick Weber, APA and Karyn Richards, DEC (March 2020)
  
- **Essex Chain Lakes UMP Amendment**
  - Proposed Amendment/For Information (Corrie Magee, DEC) (July 2020)
  - The Board unanimously authorized the Essex Chain Lakes UMP Amendment to proceed to public comment concurrently with the Department until August 14, 2020. (July 2020)
  - Proposed Final Amendment (Walt Linck) (December 2020)
  - The Board Adoption of Resolution on APSLMP Conformance with a vote of 9 for, 1 against, 1 recused (December 2020)
  
- **Hinckley Intensive Use Area UMP Amendment**
  - Public Draft/ For Information (Josh Houghton, DEC) (September 2020)
  
- **Fish Creek Intensive Use Area UMP Amendment**
  - Public Draft/ For Information (Josh Houghton and Gail Sloane, DEC) (September 2020)
  
- **Debar Mountain Complex and Debar Lodge Day Use Area UMPs and Agency DEIS Reclassification Action**
  - Public Presentation (Steve Guglielmi, DEC and Matt McNamara, APA) (December 2020)
  - The Board Authorized the Draft EIS to Proceed to Joint Public Comment with 9 for, two against (December 2020)

**Public Hearings on Matters  
That Came Before the Agency in 2020**

<b>Subject</b>	<b>Date(s)</b>	<b>Location(s)</b>
P2019-30, Reale, Francis and Susan	2/9/20	Town of Webb
P2020-0009, Rancett/Kelley	5-5-20	Hope Webex
P2020-20, Schroeter, Michael and Rebecca	5/6/20	Parishville Webex Meeting
Town of North Elba Map Amendment	5/15/20	North Elba Webex
Town of Lake Luzerne Map Amendment	5/18/20	Lake Luzerne Webex
P2016-29, LS Marina LLC	8/21/20	Saranac Lake Webex
P2020-113 Town of Stony Creek	8/25/20	Stony Creek Webex
P2018-151 Darby	10/7/20	Peru Webex
P2020-209 Mark and Mary Tanski	12/15/20	Fine Webex

## **ADMINISTRATION DIVISION 2020 ANNUAL REPORT**

The Administrative Services Division is responsible for all fiscal management, contract administration, personnel management, physical plant management, technology, Division staff provide the required Agency reporting for Minority Women Business Enterprises (MWBE), Service-Disabled Veteran Owned Business (SDVOB) and the Language Access Plan (LAC) and office support. 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 staff and public interaction protocols.

### **Fiscal Management**

The Administrative Services Division implemented Governor Cuomo's FY2020-21 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. In 2020, ITS assisted Agency staff with the demanding requirements of implementing a Covid-19 telecommute remote work environment. This included integrating hardware, software and internet access protocols to transition some of the Agency's public facing applications to the virtual environment. APA employees were equipped with technology including laptops, smartphones and other related items to ensure staff continued to serve the public in a timely manner. This ensured agency staff could efficiently telecommute and access all office resources required to complete the multitude of tasks performed across all divisions.

In addition, staff successfully integrated and managed WebEx technology in support of required public hearings and the monthly Agency Board Meetings. These technologies were critical to facilitate daily interagency collaboration amongst staff as well as consulting with other involved agencies, local governments, professional services and applicants. The technology team at the APA played a critical role in supporting a transition of the Agency's project application submissions and jurisdictional inquiry services to a digital platform in response to the COVID19 pandemic. In addition, the Agency increased the utilization of the APA website during FY 2020-21 to effectively interact with the public. The technology and support provided to the staff during 2020, allowed the APA to continue to serve the public in a timely manner while still meeting all of its statutory and regulatory guidelines safely.

## **Facilities Management**

Building Maintenance staff played a critical role to ensure the Ray Brook Office Complex remained a safe work environment throughout the Covid-19 pandemic. Staff implemented a rigorous daily cleaning and sanitizing routine of office spaces and public areas. Plexiglass shields were designed and built for all non-enclosed work areas to help prevent reduce the transmission of COVID-19. Research of best management practices for HVAC system filtration was conducted and filters were integrated to restrict the airborne transmission of the virus through ductways. Staff also assisted management with the preparation of office space social distancing plans to help facilitate safe staff interactions and movement throughout the building and grounds. All agency staff greatly appreciate the dedicated efforts of the maintenance staff during this trying year.

In addition, throughout the year staff professionally performed all required building and ground maintenance tasks.

## **Public Relations**

Public Awareness efforts prioritizes communication of State directives and guidance in response to the COVID-19 pandemic. Throughout the year, the Public Information Officer represented the Agency at the biweekly NYS Multi-Agency Covid-19 Briefing calls and circulated all State issued guidance documents relevant to the operations of the Agency. Staff assisted with information dissemination through the Agency's website and social media. Staff updated the homepage with private land use project and State Land action public input and public hearing notices.

The Public Information Officer (PIO) responded to 209 media inquiries related to Agency actions and policies and 193 general information inquiries from the public. The PIO served as hearing officer for remotely held variance hearings including the LS Marina, LLC hearing. Staff assisted the Jurisdictional Inquiry Office by responding to 106 status inquiries from the general public related to jurisdictional inquiry submissions.

In addition, the PIO manages the Agency's Facebook and Twitter accounts, represents the Agency at State Agency PIO meetings, administers the Agency Board meeting webcasts and is responsible for preparing the Annual Report.

## **Human Resources**

During the FY 20-21, the Administrative Services Division continued to work with the Office of General Services, Business Services Center (NYS BSC) on Governor Cuomo's mandate to consolidate many of the Human Resources (HR) functions across state agencies.

## **ECONOMIC SERVICES 2020 ANNUAL REPORT**

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 142 public outreach, local and regional workgroup, COVID-19 relief, industry assistance, and community development meetings. The transition toward digital communication opened new pathways for cross-regional collaboration on topics including business recruitment, angel and venture financing, and regional infrastructure deployment. Among significant initiatives, staff attended meetings regarding the Common Ground Alliance, the North Country Regional Economic Development Council, Local Waterfront Revitalization planning, agricultural technology development and deployment, access to early-stage capital, and economic development planning.

Organizations staff worked with include:

Adirondack Association of Towns and Villages  
Adirondack Common Ground Alliance  
Adirondack Economic Development Corporation  
Adirondack North Country Association  
Adirondack Foundation  
ADK Action  
Center for Businesses in Transition  
Central Adirondack Partnership for the 21st Century  
CITEC Business Solutions  
Clarkson University  
Clinton County Industrial Development Agency (IDA)  
Cornell University  
Cornell Cooperative Extension  
Development Authority of the North Country  
Economic Development Corporation of Warren County  
Empire State Forest Products Association  
Essex County IDA  
Fort Drum Regional Liaison Organization  
Franklin County Economic Development  
Franklin County IDA  
Greater Watertown-North Country Chamber of Commerce

Hamilton County IDA  
Hudson Valley Startup Fund  
Indian Lake Local Development Corporation  
Jefferson County IDA  
Jefferson Community College  
Johnsburg Local Development Corporation  
Lake Champlain – Lake George Regional Planning Board  
Lake George Chamber of Commerce  
Lake Placid High School  
Lewis County Economic Development  
Lewis County IDA  
Mercy Care for the Adirondacks  
New York Pulp and Paper Workgroup  
New York State Complete Count Commission  
New York State Department of Environmental Conservation  
New York State Department of State  
New York State Empire State Development  
North Country Chamber of Commerce  
North Country Community College  
North Country Regional Economic Development Council  
North Country Regional Economic Development Council Innovation Workgroup  
North Country Regional Economic Development Council Lodging Taskforce  
North Country Regional Economic Development Council Writing Team  
Northern Border Regional Commission  
Point Positive, Inc.  
Red Bear Angels  
Regional Office of Sustainable Tourism  
Saranac Lake Area Chamber of Commerce  
SUNY Canton  
SUNY College of Environmental Science and Forestry  
SUNY Potsdam  
St. Lawrence County Chamber of Commerce  
St. Lawrence County IDA  
Ticonderoga Area Chamber of Commerce  
Ticonderoga Revitalization Alliance  
Upstate Capital Association  
Upstate Venture Connect  
The Wild Center

### **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 advised the Agency on the economic impacts of permits that were approved in 2020 including a solar energy project in the Town of Ticonderoga,

Essex County, a water and wastewater project in the Town of Chesterfield, Essex County, a tourist accommodation in the Town of Lake Luzerne, Warren County, and recreation facilities in Essex and Franklin Counties.

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 in Essex, Fulton, St. Lawrence, and Warren Counties, housing projects in Franklin and Essex Counties, hospitality projects in Essex and Warren Counties, and a dredging project in Fulton County.

### **Regional Council Support**

In 2020, the Regional Economic Development Councils were tasked with developing a strategic plan to "build back better" in response to the COVID-19 crisis. 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 the drafting of the 2020 strategic plan. Staff also led the development of the NCREDC's Innovation Workplan and facilitated the implementation of key projects.

### **Economic Affairs Committee**

The Agency's Economic Affairs Committee continued to highlight economic initiatives in the Park. In 2020, the Committee received a presentation from Dan Kelleher on the overall activities and services of the Economic Services Unit.

### **Entrepreneurship Support**

In September, the Agency partnered with the Upstate Capital Association and Point Positive, Inc. to digitally introduce 48 investors and entrepreneurs to the North Country economy and its vibrant startup sector. At the event, investors from New York, New Jersey, Connecticut, and Massachusetts heard from six North Country startups. Representatives from the Clarkson University, the North Country Center for Businesses in Transition, Point Positive, Inc., and Champlain National Bank also presented.

Staff also worked with a conglomerate of over twelve regional economic development organizations, the North Country Center for Businesses in Transition (CBIT), to assist aspiring entrepreneurs in the purchase and management of existing businesses. In 2020, CBIT offered eight informational symposiums, helped 10 businesses develop websites, and created a new portal to connect business owners seeking to exit their business with prospective entrepreneurs looking to purchase businesses. 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. Participating members of the CBIT include the Adirondack North Country Association, St. Lawrence County Chamber of Commerce, the Ticonderoga Area Chamber of Commerce, the Lewis County Industrial Development Agency (IDA), the Franklin County Local Development Corporation, the Hamilton County IDA, the Essex County IDA, Cornell Cooperative Extension, SUNY

Canton Small Business Development Center, the Greater Watertown-North Country Chamber of Commerce, the Saranac Lake Area Chamber of Commerce, and the Adirondack Economic Development Corporation.

Throughout 2020, staff was able to meet prospective startup founders interested in potentially relocating to the Adirondacks through attendance at virtual industry conferences including the Upstate Unleashed and Cornell University Entrepreneurship Day events. The digital pathways opened during the pandemic and enabled by Governor Cuomo's historic investments and broadband deployment, have increased the potential for Adirondack business locations and the viability of telecommuting from the Park.

### **Community Planning Support**

In 2020, Agency staff assisted communities on economic development and community planning initiatives. Staff assisted the Village of Northville in the development of its Local Waterfront Revitalization Plan and worked with the Town of North Elba and Village of Northville to update their Joint Community Land Use Plan to accommodate further economic development.

## REGULATORY PROGRAMS DIVISION 2020 ANNUAL REPORT

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 2020, the Regulatory Programs Division received 385 new applications, issued 303 permits. In addition, 120 new pre-application files were opened in 2020.

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

<b>PERMITS ISSUED</b>	<b>2019</b>	<b>2020</b>
Minor Projects	70	82
Major Projects	61	60
Variances	4	7
State Agency Order	5	1
Amendments/Renewals	62	63
General Permits	55	90
<b>Totals</b>	<b>248</b>	<b>303</b>

<b>PROJECT CATEGORIES</b>	<b>2019</b>	<b>2020</b>
Subdivision	82	83
Single Family Dwelling	37	27
Wetlands	14	42
Commercial Use	8	12
Towers / Telecommunications	29	39
Timber Harvest	4	3
Solar	0	1

### **Subdivision Projects**

In 2020, 83 Subdivision Permits were issued including 13 subdivision projects which approved three or more lots. Permit P2019-0188 authorized in the Town of North Elba, Essex County, nine residential lots, involving 20.22± acres classified as Hamlet and Low Intensity, jurisdictional due to wetland subdivision. P2019-0124 authorized in the Town of Tupper Lake, Franklin County, a 9-lot subdivision of 34.07± acres classified Moderate Intensity Use, creating four lots to be conveyed as boundary line adjustments and five lots which will be new residential building lots. Of note, Agency Project P2018-0123, was determined complete in late 2020 and will be presented to the Agency Board early in 2021. This is the first project to involve the Agency's Large-Scale Subdivision application and involves a 34-lot subdivision of 1,169± acres, with clearing and development of a total of 37 acres to allow for 34 lots, yielding 32 building lots and new dwellings (30 in Rural Use and 2 in Resource Management), one existing developed lot, and one common lot.

### **Renewable Energy Projects**

In 2020 Agency staff continued to work with various renewable energy companies regarding new solar energy projects throughout the Adirondack Park. Four new formal applications and 10 new pre-application files were initiated for proposed solar projects in various towns and land use classifications. In general, the proposals involve solar fields of approximately 2-5 MW capacity encompassing approximately 20-50± acres. Of note,

Agency Permit P2020-0008 was issued in 2020, authorizing a 5 MW Solar Generating Facility on 36.0± acres in the Town of Ticonderoga, Essex County.

### **Variances**

The Agency issued seven variances in 2020, following variance hearings conducted for each. Three of these variances were issued for expansions of existing dwellings located within the shoreline setback. Two were issued for retaining walls to stabilize shoreline erosion. One authorized a new on-site wastewater treatment system within 100 feet of the shoreline. Variance Order P2020-0113 authorized construction of an ADA compliant pedestrian bridge spanning Stony Creek, in the Town of Stony Creek, Warren County.

### **Telecommunication Projects**

2020 was another busy year for telecommunications projects in the Adirondack Park. The Agency issued 39 telecommunication permits consisting of seven Major Project permits, nine General Permits, and 23 amendments (all as General Permits). One of the Major Project permits authorized two towers (AT&T and T-Mobile) in the Town of Long Lake, Hamilton County. In 2020, 10 new towers were authorized. Of those 10 new towers, two were next to existing towers (i.e., horizontal co-locations authorized by General Permit) and eight were raw land sites. Of those 10 new towers, six were unconcealed towers and four were concealed as simulated trees. Of those 10 new towers, seven involved AT&T, two involved T-Mobile, and one involved Verizon Wireless. The 10 towers were authorized in the following towns: Duane, Elizabethtown (2), Horicon, Lewis (2), Long Lake (2), Newcomb, and Webb. The 30 General Permits and amendments issued in 2020 were for antenna replacements and co-locations on existing towers, buildings, and a water tank.

### **Commercial Use Projects**

Twelve Major Project Commercial Use projects were authorized by the Agency in 2020. Of note, Permit P2019-0125 authorized a new seasonally operated tourist accommodation in the Town of Lake Luzerne, Warren County involving 101 prefabricated tourist cabins consisting of platform tents including on site water, electric, and wastewater. Permit P2020-102 authorized conversion of a preexisting church into a commercial use store in the Town of Black Brook, Clinton County. Permit P2020-0089 authorized commercial use storage barns in the Town of St. Armand, Essex County. Permit P2019-0211 authorized reestablishment of an abandoned commercial use into a new commercial use cheese-making facility, including a restaurant, gift shop, and a single-family apartment. Permit P2019-0191 authorized a new wine production facility, with tasting room and retail space, in the Town of Ausable, Clinton County. Additionally, Permit P2020-0081 re-authorized a 19-lot business park in the Town of Harrietstown, Franklin County, which had been previously permitted in the early 2000s, but was never undertaken so the prior permits had expired.

## **Silvicultural Treatments**

In 2020, the Agency issued three permits for jurisdictional timber harvesting projects on private lands. The 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. Agency forestry staff also conducted compliance reviews on several previously issued permits for jurisdictional timber harvests, to ensure the protections of the permit conditions were being followed.

## **REGULATORY PROGRAMS ENFORCEMENT 2020 ANNUAL REPORT**

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 2020 with 211 unresolved cases. 152 cases were resolved during the year and 200 cases were opened. The most common types of enforcement matters reviewed were activities involving wetlands, subdivisions, permit noncompliance, and shoreline restrictions. Staff conducted 69 enforcement site visits, prepared 46 settlement agreements, and executed 26 settlement agreements with landowners. Eighteen cases were resolved through voluntary compliance on the part of the landowner, and 103 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 2020, this effort found that 89 out of the 109 subdivisions undertaken were issued an Agency jurisdictional determination or permit. Two enforcement cases were opened as a result of SalesWeb monitoring, both of which remain under investigation.

Regulatory Programs Enforcement staff work in 2020 included 103 jurisdictional determinations, 73 site visits for review of permit applications, and 138 permits issued.

<b>Activity</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
New Cases Opened	188	217	200
Enforcement Site Visits	148	161	69
Settlement Agreements Sent	81	91	46
Settlement Agreements Signed	44	48	26
Cases Closed Voluntary Compliance	44	24	18
Cases Closed No Violation	97	91	103
Open Cases End of Year	163	211	259

**Types of Enforcement Cases Opened:**

<b>Alleged Violation</b>	<b>2020 Total</b>
Substandard Lot Subdivision	11
Lot Counting Subdivision	4
Resource Management Subdivision	3
Wetland Subdivision	15
Wetland Project	42
Development in River Area	5
Permit Violation	37
25-Acre Clearcut	8
Commercial Use	4
Junkyard	3
Shoreline Structure Setback	26
Shoreline Cutting	15
Commercial Sand and Gravel Extraction	3
Dwelling in Resource Management	4
Septic w/in 100' of a wetland	11
Tourist Attraction	1
Group Camp	1
Watershed Management Project	1
Campground	2
Waste Disposal Area	4

## LEGAL DIVISION 2020 ANNUAL REPORT

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.

In 2020, the Legal Division had three staff retirements—the Associate Attorney, the Environmental Program Specialist 2 Jurisdictional Inquiry manager, and the Legal Division Office Assistant 2. Legal Division staff managed the transition to a reduced staff simultaneously with the transition to remote work due to the COVID-19 crisis and while supporting state-wide COVID-related efforts.

### **OFFICE OF COUNSEL AND LEGAL SERVICES**

The Office of Counsel and Legal Services Unit continued to provide daily legal advice and services to all Agency programs in 2020.

In addition, attorneys:

- Assisted in developing remote work processes to allow Agency staff to work remotely during the COVID-19 crises, while meeting statutory and regulatory requirements, including requesting an executive order to temporarily suspend Agency review timeclocks.
- Participated in a reengineering of work processes related to changes in staffing and COVID-19 responses, including providing supervisory and review support of the Jurisdictional Inquiry Unit.
- Presented the first enforcement matter in several years before the Agency Enforcement Committee, securing an order for environmental remediation and one of the largest civil penalties ever assessed by the Agency. Worked with the Office of the Attorney General to secure compliance with the order and reach a settlement to collect the penalty. Prepared two other enforcement matters for presentation to the Enforcement Committee, that were postponed to 2021 due to the COVID-19 crisis.
- Provided liaison services to the Office of the Attorney General for pending litigation matters, including the review of briefs, for the following cases
  - Protect the Adks, Inc. v APA and DEC before the Court of Appeals regarding the cutting of trees for Class II snowmobile connector trails; and
- Assisted the Planning Division in the review and Agency approval of a number of significant actions involving Adirondack Park State Land Master Plan (APSLMP)

unit management plans including the Remsen Lake Placid Travel Corridor UMP and ORDA Mid-Station Lodge replacement, interagency discussion of pressing issues such as public use in the High Peaks, and review and Agency approval of amendments to the Adirondack Park Land Use and Development Plan Map;

- Assisted the Regulatory Programs division in the review and Agency approval of significant projects and variances, including the LS Marina project, ORDA projects preparing for the 2023 Winter University Games, an influx of new solar generating projects, and telecommunications projects;
- Assisted the Local Government Services program in the review and Agency approval of approved local land use program (ALLUP) code revisions, and participated in the review and determination of ALLUP-issued variances;
- Provided legal advice and support to the Agency's jurisdictional, enforcement and administrative programs;
- Updated internal Legal Guidance memoranda;
- Advised Executive Staff and the Board on proposed legislation; and
- Provided training to new and existing Board members on Agency statutes, regulations, jurisdiction, and permitting and variance processes and standards.

Finally, the Office of Counsel and Legal Services Unit contributed significantly to the following:

- Development of a fillable pdf Jurisdictional Inquiry Form;
- Development of a new Dredging Supplemental Information Request Form (SIR);
- Development of a revised general permit for Management of Terrestrial Invasive Species;
- Development of a Landowner Authorization form for telecommunications projects;
- Development of revised jurisdictional inquiry response and permit templates;
- Review of and feedback on new and revised regulations for other State agencies; and
- Ongoing strategic planning efforts for the Agency's programs and processes.

## **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 2020 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 in the increased workload while maintaining the customary level of customer service.

Jurisdictional Inquiry Unit 2020 Activities:

<b>Activity</b>	<b>2019 Totals</b>	<b>2020 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

## RESOURCE ANALYSIS AND SCIENTIFIC SERVICES 2020 ANNUAL REPORT

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 the interface between Agency Divisions and 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 also provide technical evaluations on enforcement cases, jurisdictional determinations, variances, and policies. Using the appropriate statutory and regulatory criteria, among other issues, 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**

RASS experienced staff transition in October with the retirement of Mr. LaLonde. In his 18 years with the Agency, Mr. LaLonde exhibited the highest levels of professionalism in his scientific analysis and engineering evaluation of Adirondack Park resources, and provided pertinent advice to the Agency and its staff that was consistently grounded within the Agency's mission to protect the Park's public and private lands. His extensive engineering contributions to the Agency include authoring numerous technical engineering internal guidance documents, revising Agency flyers, permit and variance applications, and co-authoring internal legal guidance. He supervised engineering and soils staff within the RASS Division and is credited with expanding the engineering section of RASS from just himself to a three-person team.

RASS staff have been involved with several permit applications, including the revision of two Supplemental Information Requests (SIRs): one for the Timber Harvesting Activity application and the second for the Dredging application.

In August, Hemlock Woolly Adelgid (HWA) was discovered along the shores of Lake George. RASS worked with Regulatory Programs staff to issue a permit that authorized treatment to begin in October. Simultaneously, staff drafted an amendment to the General Permit (GP) for the Management of Terrestrial Invasive Species to now include management for both terrestrial and non-plant species. The GP amendment was approved by the Agency Board in December.

A permit was issued for a one-time application of the pesticide ProcettaCOR for purposes of controlling Eurasian watermilfoil (*Myriophyllum spicatum*) in Minerva Lake (Town of

Minerva, Essex County). This was the first permit issued for the use of this promising pesticide. The treatment was undertaken on June 5, 2020. A post-treatment survey of the aquatic plant community was completed on August 6, 2020. The plant survey was included in a post-treatment report which was received by the Agency in late November. The treatment was determined to be successful, although it will take several years to fully understand the long-term effectiveness of the project.

Staff participated in various inter and intra-agency working groups. A new Agency workgroup, the Coordinated Action Response (CARs) was formed to identify issues and develop consistent, science-based responses. Staff also participated in the review of Department of Transportation (DOT) Jurisdictional Inquiry Forms (JIFs). When applicable, permit applications were modified to provide additional information that would better enable staff to make jurisdictional determinations.

Staff reviewed draft Executive Law 94-c and the streamlined process it provides for permitting major renewable energy facilities that were previously subject to Article 10 of the Public Service Law. Section 94-c transfers project review to the newly established Office of Renewable Energy Systems (ORES) for renewable energy generating facilities that are more than 25-megawatt in size. The Agency worked closely with ORES to advise them of Agency review standards and to ensure coordination between the agencies.

Materials available to the public on the Agency's web page were updated. This included lists for Consulting Engineers, Surveyors, Wetland Delineators and Aquatic Services.

## **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.

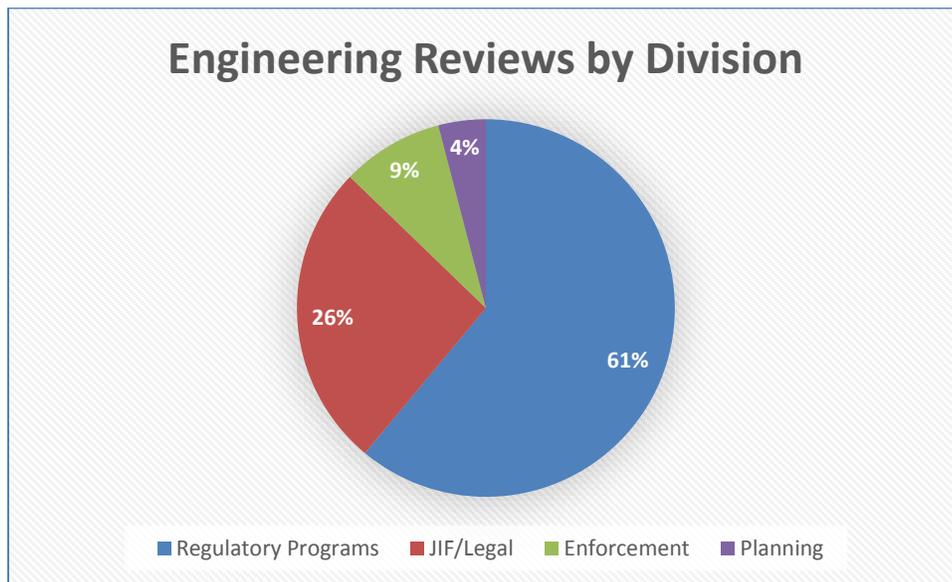
RASS engineering staff routinely conduct site visits, evaluate professionally prepared plans and designs, and provide technical comments and design recommendations. Engineering evaluations include, but are not limited to, on-site wastewater treatment systems, design of dams, bridges and roads, stormwater 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 time spent on some of the more common review areas, RASS staff track the number of engineering reviews by category and by Agency Division. Engineering staff completed 78 site visits in 2020 compared to 155 site visits in 2019. Site visits in 2020 were affected by the pandemic.

In 2020 RASS Engineering staff provided written technical recommendations by Division as follows (see Figure 1):

- Regulatory Permit Applications – 602
- Regulatory Enforcement – 86
- Legal (Jurisdictional Office, legal reviews) – 258
- Planning (Local Government/Map Amendments/State Land) – 40

**Figure 1:** Engineering Reviews by Agency Division (2020)



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 policies for protection of health and water resources.

**Stormwater Management** - Evaluation of plans prepared by a qualified professional for compliance with applicable laws, regulations, standards and policies. The goal is to prevent surface and groundwater impacts from stormwater runoff associated with development proposals. Potential impacts from untreated stormwater runoff include a decline in surface water quality, diminished groundwater recharge and quality, stream channel erosion, habitat degradation, increased overbank flooding, floodplain expansion and impacts to aquatic organisms.

**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

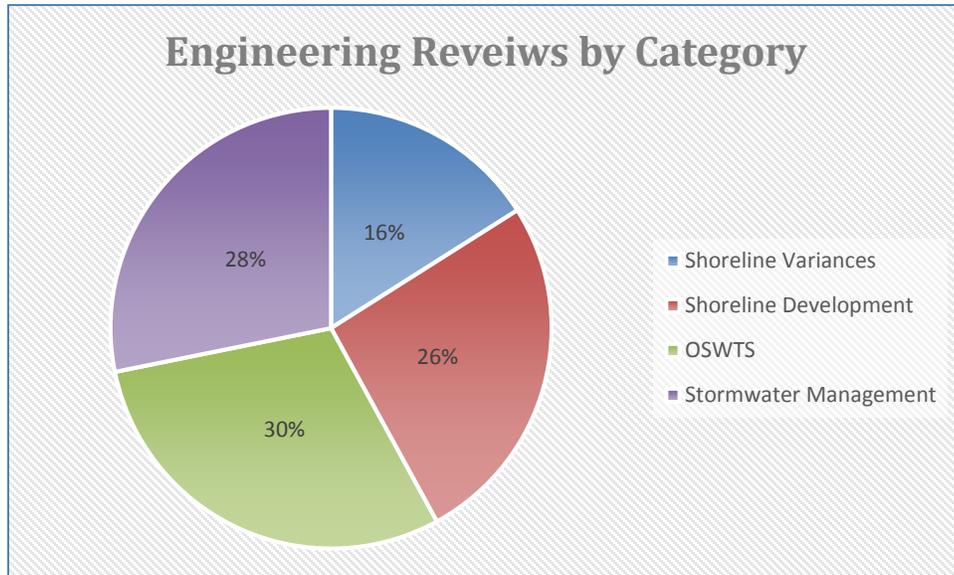
review and site visits for structures such as new and expanded single family dwelling construction, retaining walls, boathouses, docks, boardwalks, decks and other accessory structures.

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

**Table 1:** Engineering Reviews by Category

On-Site Wastewater Treatment System (OSWTS) Reviews	372
Stormwater Management	352
Shoreline Development	325
Shoreline Variance Proposals	200

**Figure 2:** Engineering Reviews by Category (2020)



## 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.

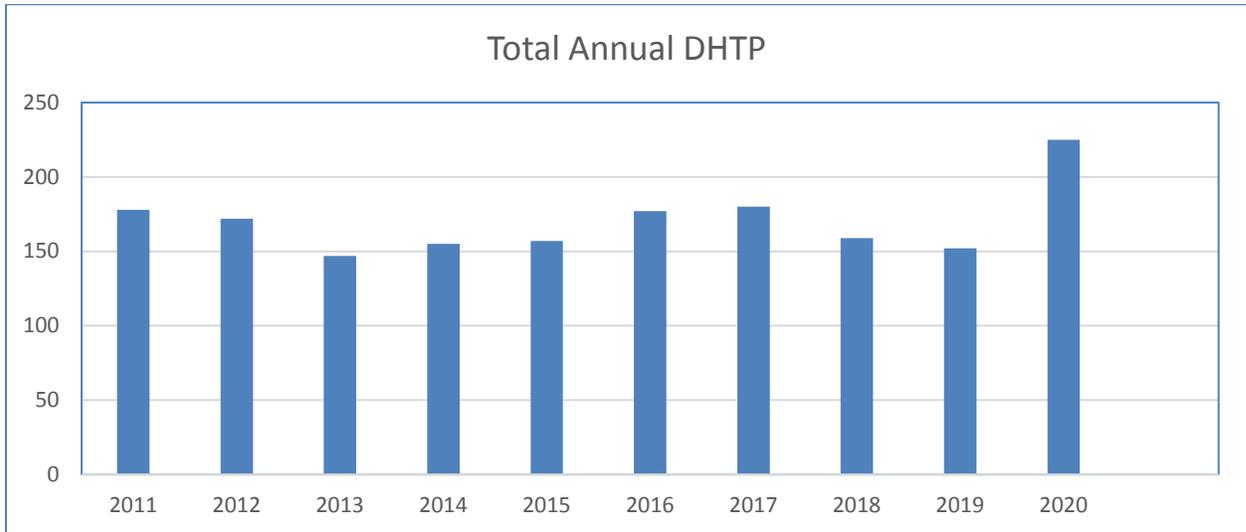
In 2020 a total of 90 projects involving 225 deep-hole test pits (DHTPs) were reviewed by Agency staff (Table 2). The number of DHTPs increased in 2020 as compared to 2019 (Figure 3). Of the 225 DHTPs, 85 were described by Agency soils staff and 140 were described by outside consultants. All data submitted by consultants is checked by Agency soils staff to ensure soil profile accuracy, separation requirements, and appropriate setback distances. In 2020, 36 percent of the test pits were accepted in support of conventional standard absorption OSWTS; 52 percent were accepted for conventional shallow absorption, and 12 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.

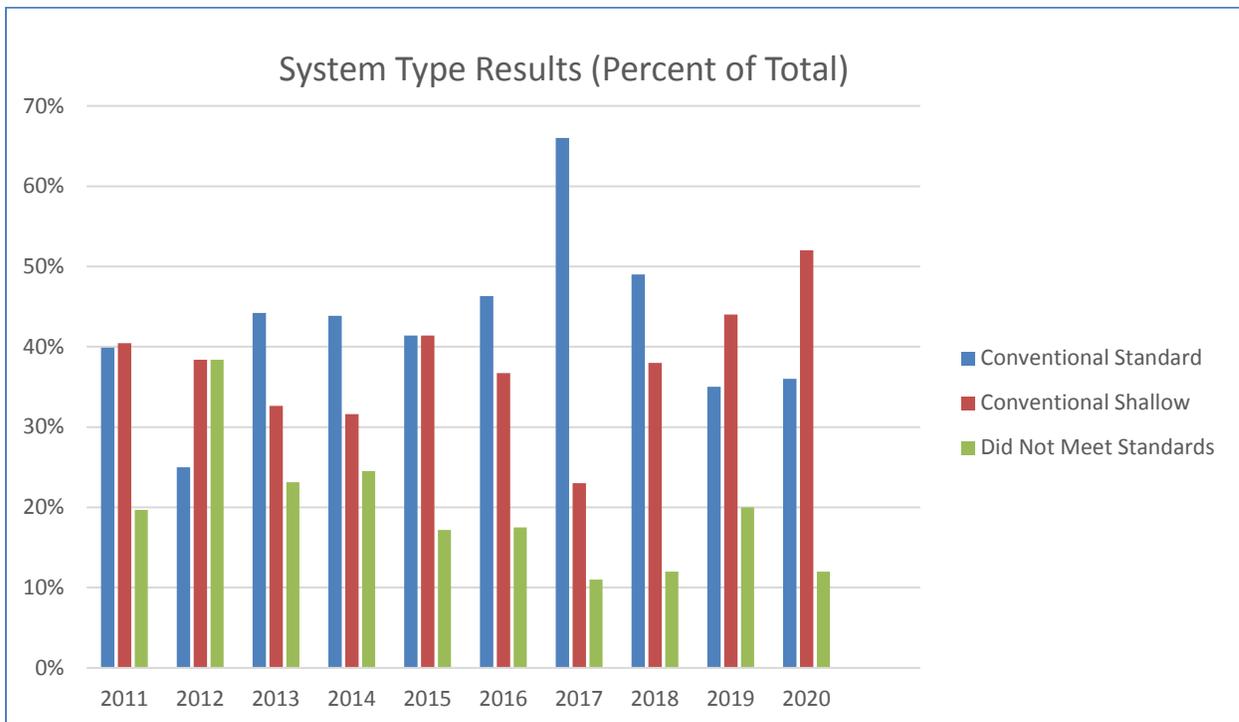
**Table 2: Deep-Hole Test Pit Statistics for 2020**

Deep Hole Test Pit Statistics	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
<b>Projects Involving DHTPs</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>9</b>	<b>23</b>	<b>11</b>	<b>13</b>	<b>4</b>	<b>13</b>	<b>4</b>	<b>90</b>
DHTPs Described by APA	1	0	2	0	0	9	22	7	14	4	15	11	85
DHTPs Described by Consultants	5	60	0	1	12	8	27	12	5	2	7	1	140
<b>Total DHTPs</b>	<b>6</b>	<b>60</b>	<b>2</b>	<b>1</b>	<b>12</b>	<b>17</b>	<b>49</b>	<b>19</b>	<b>19</b>	<b>6</b>	<b>22</b>	<b>12</b>	<b>225</b>
Approved Conventional Systems	1	8	1	1	6	8	25	10	6	2	10	2	80
Approved Shallow Systems	5	48	1	0	4	7	19	9	10	2	10	2	117
Did not Meet Agency Guidelines	0	4	0	0	2	2	5	0	3	2	2	8	28
Approved Conventional Systems %	17%	13%	50%	100%	50%	47%	51%	53%	32%	33%	45%	17%	36%
Approved Shallow Systems %	83%	80%	50%	0%	33%	41%	39%	47%	53%	33%	45%	17%	52%
Did not Meet Agency Guidelines %	0%	7%	0%	0%	17%	12%	10%	0%	16%	33%	9%	67%	12%
Approved Shallow Systems	5	48	1	0	4	7	19	9	10	2	10	2	117
Shallow Systems due to SHGWT	3	47	1	0	3	4	15	9	9	2	10	2	105
Shallow Systems due to Bedrock	2	1	0	0	1	3	4	0	1	0	0	0	12
Shallow Systems due to SHGWT %	60%	98%	100%	0%	75%	57%	79%	100%	90%	100%	100%	100%	90%
Shallow Systems due to Bedrock %	40%	2%	0%	0%	25%	43%	21%	0%	10%	0%	0%	0%	10%

**Figure 3: Deep-Hole Test Pits (DHTP) Reviewed by APA Staff (2011-2020)**



**Figure 4: Test Pit Results by System Type (2011- 2020)**

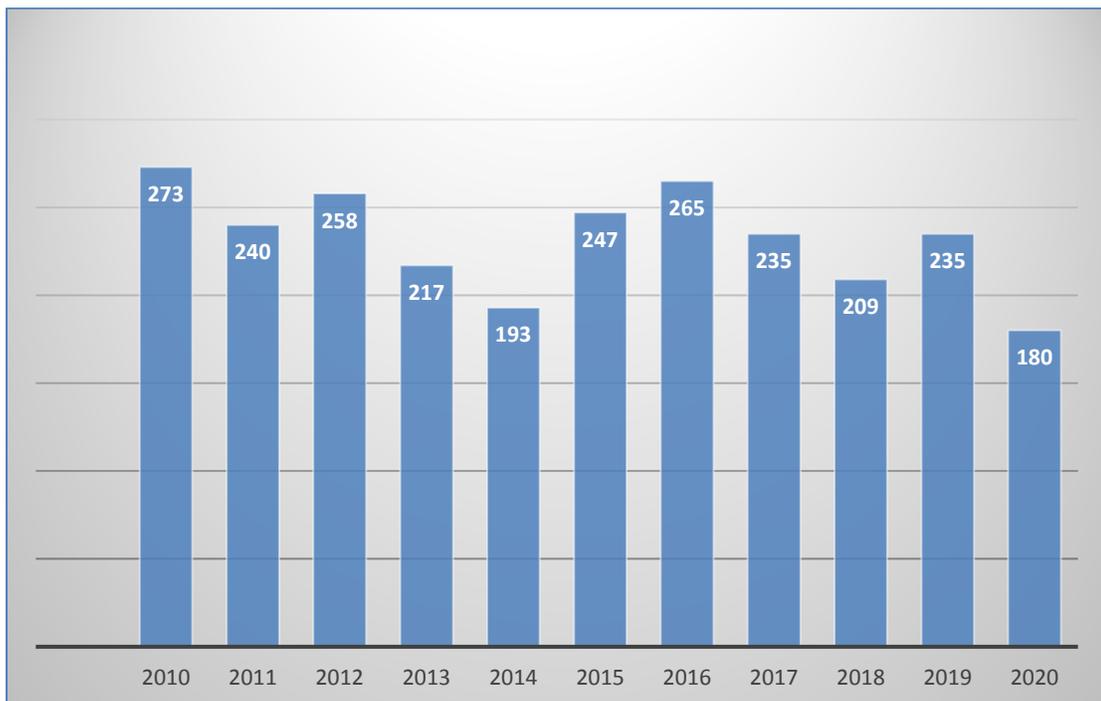


## **Wetlands**

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. Our wetlands program is proactive, responsive to public needs, and technologically advanced.

During 2020 a total of 180 wetland visits were made throughout the Park (Figure 5). This represents a decrease from 2019 which had 235 site visits. Due to the pandemic field visits were delayed resulting in a shortened field season. Each site visit involved a wetland 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 the 180 site visits, which is the amount of time it takes between receiving an application and conducting a site visit, was 8 days in 2020 (Table 3).

**Figure 5: Wetland Visits by Year (2010-2020)**



**Table 3: 2020 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. (Date received to date scheduled for those received in that month)	Number pending
January	3	3	N/A	0
February	0	0	N/A	0
March	1	0	N/A	1
April	1	0	N/A	2
May	1	0	N/A	3
June	35	26	N/A	12
July	37	43	7	6
August	32	24	11	14
September	28	30	13	12
October	32	33	11	11
November	9	20	3	0
December	1	1	1	0
<b>Cumulative for 2020</b>	<b>180</b>	<b>180</b>	<b>Average=8</b>	<b>0</b>

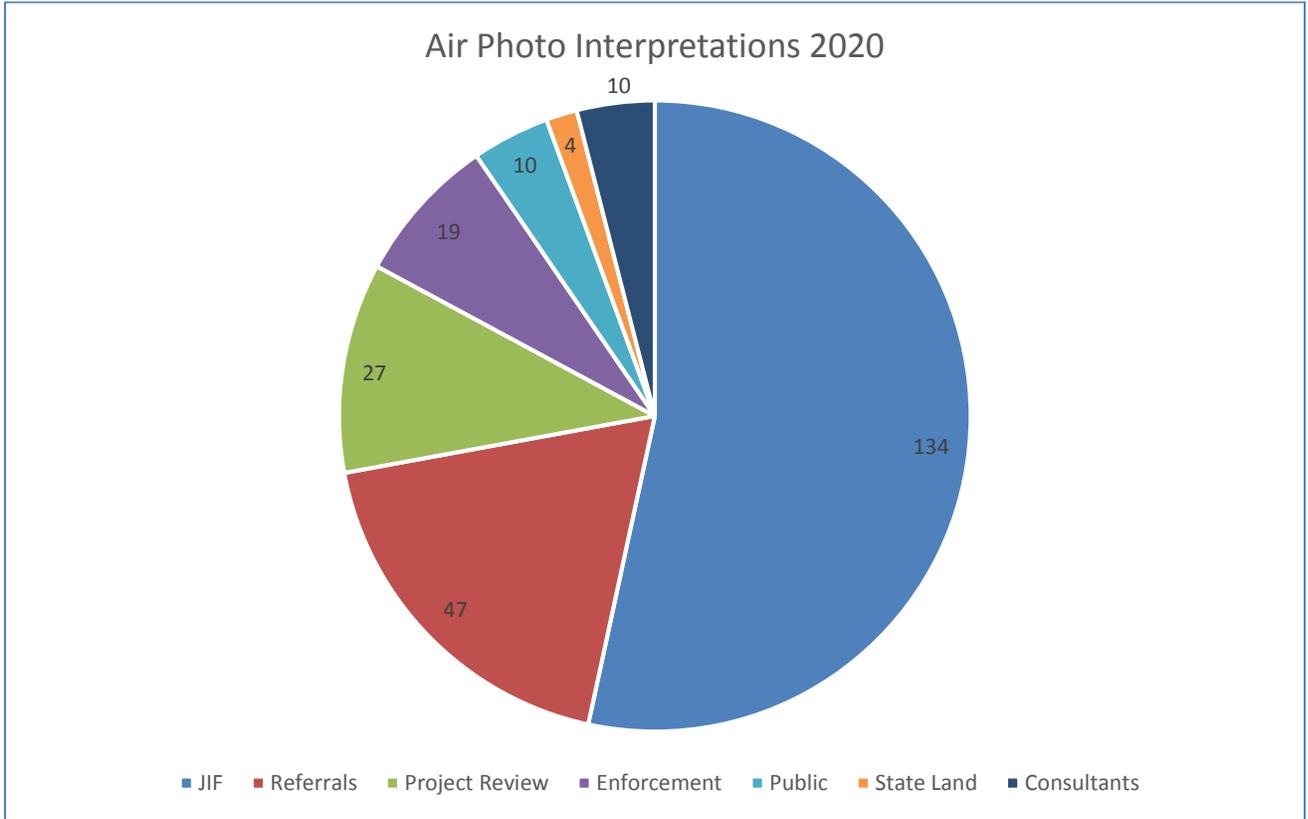
## **Remote Sensing**

RASS wetlands staff conducted 251 wetland air photo interpretations in 2020, 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.

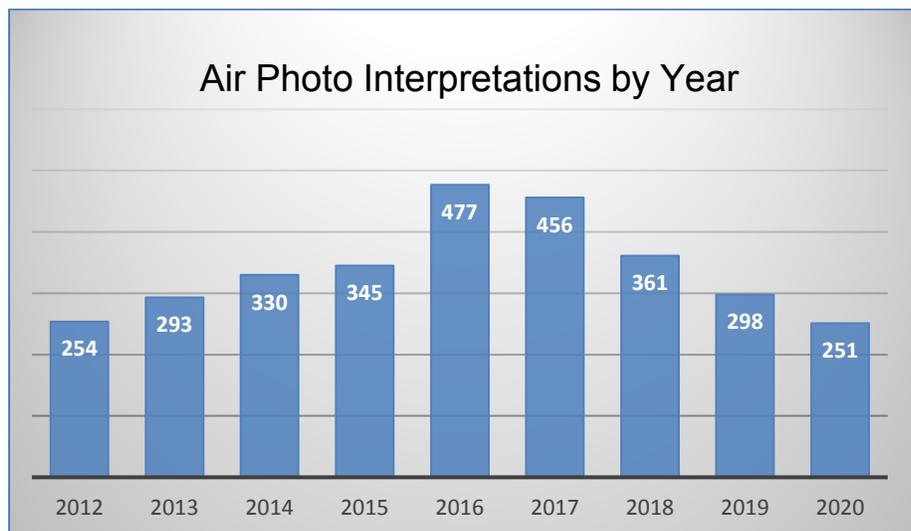
**Table 4:** Air Photo Interpretations by Request 2020

	JIF	Referrals	Project Review	Enforcement	Public	Other Staff	Other	Total
Jan.	4	7	5	1	1	0	0	18
Feb.	10	1	3	3	2	1	1	21
March	17	6	2	0	0	0	0	25
April	19	4	0	0	0	0	0	23
May	8	5	0	0	1	0	0	14
June	9	2	2	5	0	0	0	18
July	10	10	2	1	2	0	0	25
August	15	8	6	4	2	2	4	41
Sept.	10	0	2	1	2	1	0	16
Oct.	13	4	1	2	0	0	2	22
Nov.	10	0	2	2	0	0	0	14
Dec.	9	0	2	0	0	0	3	14
<b>Total</b>	<b>134</b>	<b>47</b>	<b>27</b>	<b>19</b>	<b>10</b>	<b>4</b>	<b>10</b>	<b>251</b>

**Figure 6: Air Photo Interpretations by Request 2020**



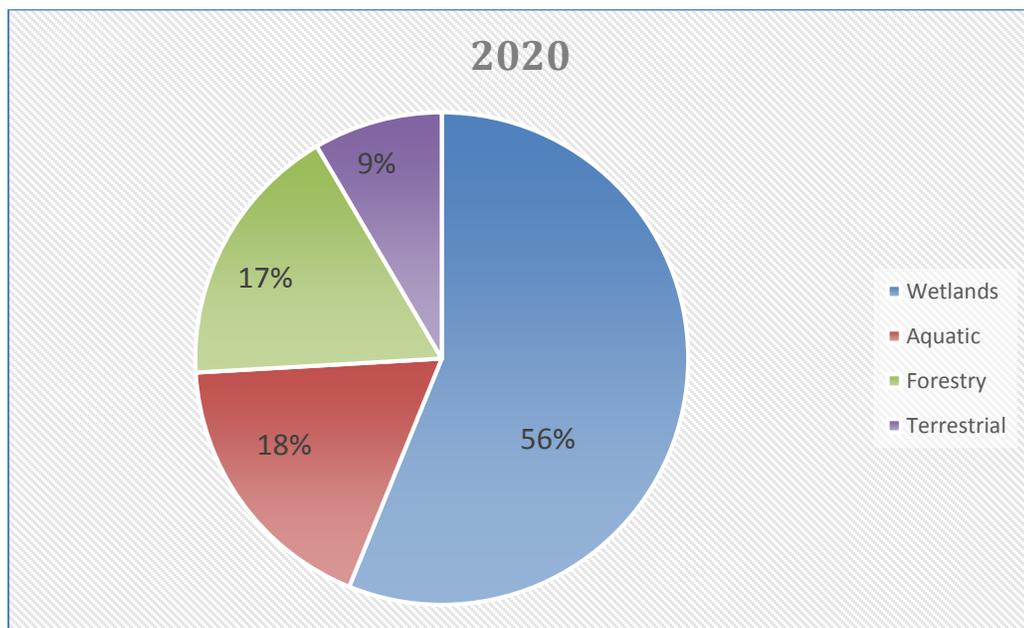
**Figure 7: Air Photo Interpretations by Year (2012-2020)**



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

RASS ecologists and forestry specialists track the number of wetland, aquatic, terrestrial, and forestry related reviews by categories. This tracking provides an overview of time spent on these more common categories and provides an overview of how wetland biologists, freshwater ecologist and forestry specialist services are utilized at the Agency. As depicted in Figure 8, wetland related project reviews accounted for approximately 56 percent of the reviews. Freshwater resource related projects, mostly attributed to aquatic invasive species management, represented 18 percent of the reviews. Forestry related reviews accounted for 17 percent by category.

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

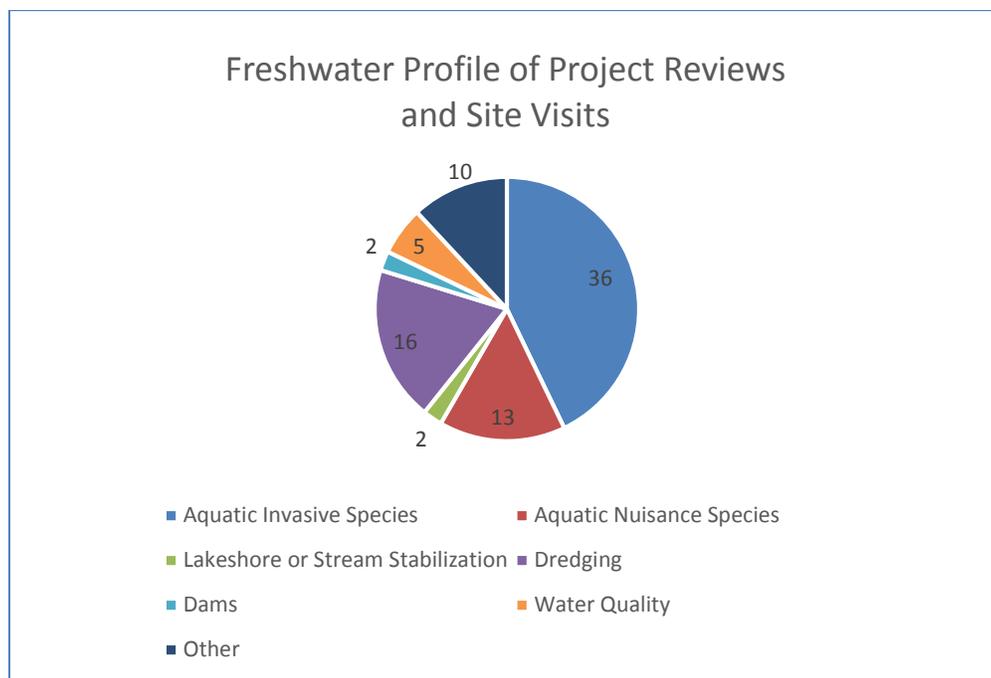


## **Freshwater Resources**

In 2020 Agency Staff developed desktop tools to aid in the identification of the presence of aquatic vegetation in 77 waterbodies using special sonar data gathered by the Adirondack Park Invasive Plant Program's Aquatic Early Detection Team. Staff presented a session on use of herbicides to treat aquatic invasive species addressing management and permitting at a virtual workshop organized by APIPP. The Agency supported the Lake Champlain Sea Grant Program and Lake Champlain Basin Program (LCBP) partners and helped to develop a non-regulatory basin-wide stream corridor protection program (called Stream Wise). Staff participated in the LCBP Dam Removal Task Force, which was formed to improve habitat in New York river systems and served on the LCBP Technical Advisory Committee.

New applications for activities occurring in open water were also developed. As part of this process the Freshwater Analyst consulted existing NYSDEC application materials (and staff) to ensure consistency and to reduce regulatory burdens associated with the permitting process. The Freshwater Analyst provided public outreach and guidance to local lake associations and watershed organizations. In addition to assisting other Agency staff with the issuance of jurisdictional determinations and the review of projects subject to regulatory review, the Freshwater Analyst assumed regulatory review responsibilities for 10 projects involving lake dredging and non-native and invasive species management activities.

**Figure 10:** Freshwater Profile of Project Reviews and Site Visits for 2020



## **Forests**

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.

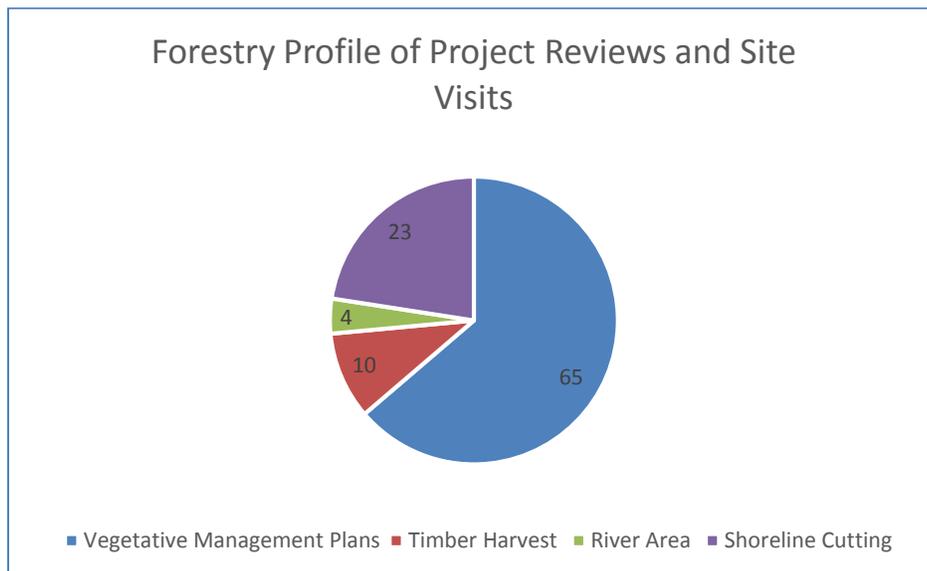
Ongoing human disturbance, including invasive pests and pathogens, climate disruption, acidic deposition and poor forest management, pose a threat of significant impairment to our forests. Notably, 2020 saw the first identification of emerald ash borer within the

Adirondack Park, as well as new infestations of hemlock woolly adelgid. Agency practices encourage sustainable forest management practices with the intent of creating resilient, healthy forests more capable of resisting these perturbation factors.

In 2020, RASS forestry staff reviewed three 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. All three of the project sites were within New York State Working Forest Conservation Easements, and all were subject to the standards of third-party forest certifications. Agency forestry staff also conducted compliance reviews on several previously issued permits for jurisdictional timber harvests, to ensure the protections of the permit conditions were being followed. Since 2013, the Agency has reviewed and issued permits for 31 timber harvest projects on approximately 8,400 acres, comprising a variety of silviculture treatment types, including shelterwood, clear-cut, thinning, salvage, and selection harvests. This harvest acreage comprises about one percent of the approximately 785,000 acres of working forest conservation easement land in the Adirondack Park.

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 2020



## **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. This year staff were unable to attend as many conferences, however, staff did participate in a wide variety of webinars.

### **Committee and working groups Included:**

- Adirondack Aquatic Invasives Species Task Force
- Adirondack Lakes Alliance
- Adirondack Park Invasive Plant Program (APIPP)
- DOT Wetland Mitigation Guidance Working Group
- Interagency Climate and Resilience Work Group (ICARWG)
- Lake Champlain Basin Program Dam Removal Task Force
- Lake Champlain Sea Grant Committee
- Lake Champlain Basin Program Stream Wise Committee
- Lake Champlain Technical Advisory Committee
- Lake Champlain Water Chestnut Management Program
- Lake George Watershed Action Plan
- NYS Invasive Species Council Meetings
- NYSDEC Pesticide Stakeholder Group
- NYS PRISM's Meetings

### **Outreach and Education Included:**

- Interacting with numerous Lake Associations. These interactions range from providing guidance on aquatic invasive or native vegetation management, permit application issues, reporting requirements, reminding applicants of DEC permits needed for certain projects and the use of Lake Management Tracker.
- Presented on Agency permitting process for Managing Milfoil: Divers, Biocontrol, ProcellaCOR for Adirondack Lake Association.

### **Conferences and Training Included:**

- Adirondack Lakes Alliance 2020 Symposium
- Erosion, Sediment and Stormwater Training
- NYS Society of American Foresters Annual Meeting
- Various Webinars

# PLANNING DIVISION 2020 ANNUAL REPORT

## **State Lands**

State land staff administer the Adirondack Park State Land Master Plan (APSLMP) as their primary responsibility. Unit Management Plans (UMPs) prepared by Department of Environmental Conservation (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 the APA by DEC. In addition, APA staff provide general guidance and interpretation to both DEC staff and the Agency's Board concerning the APSLMP, undertake long-range planning efforts for State lands in consultation with DEC, and develop proposals for substantive revisions of the APSLMP – including the classification and reclassification of State lands in the Park.

## **Unit Management Plan Review**

The one full unit management plan reviewed by State land staff and determined by the Agency Board to be consistent with the APSLMP in 2020 was the UMP for the Remsen – Lake Placid Travel Corridor. The Agency's review and the subsequent adoption of the plan by DEC and the New York State Department of Transportation was a monumental effort that culminated seven-years of planning work which will significantly enhance recreational use in the Park.

Additionally, an amendment to the 2016 Essex Chain Lakes Management Complex UMP was reviewed and approved by the Agency late in the year. Work in reviewing drafts of other UMPs and UMP amendments continued through the year for Cranberry Lake Wild Forest, Chazy Highlands Management Complex, Pepperbox Wilderness, Lake George Wild Forest, and the Crown Point Historic Area. Full UMPs for the Hinckley Reservoir Day Use Area and Fish Creek Public Campground Intensive Use Areas were also considered. Additional work during the year took place in the DeBar Mountain Management Complex.

## **State Land Planning**

State land staff continued to work with DEC staff to develop guidance on a Park-wide approach to "Wildlands Monitoring." With assistance from Board member Dr. Chad Dawson, the guidance progressed into a detailed framework for "visitor-use management" that was tested by DEC staff in two "pilot" projects during the fall. The preliminary work and finalization of documents to address recreational use impacts will be a priority in 2021. In addition to these pilot projects, Agency staff continued to participate in the High Peaks Advisory Group, formed in 2019, to address the variety of visitor-use management issues in the popular, heavily visited area.

Staff completed review of 10 project proposals submitted to the Agency for projects across the State lands of the Park in 2020. These consultations are to determine

APSLMP compliance and whether or not a wetland permit is needed. Projects ranged in nature from new foot trail construction and re-routing of existing trails, to snowmobile trail bridge replacement, and road maintenance activities such as improving drainage. Staff completed review of proposed a wastewater treatment facility at the Mt. Van Hoevenberg Intensive Use are as part of a referral from DEC. Staff coordinated with DEC staff to complete a primitive tent site assessment as part of future management decision making for Eagle Lake as proposed in the Hammond Pond Wild Forest UMP.

## **Regulatory Review**

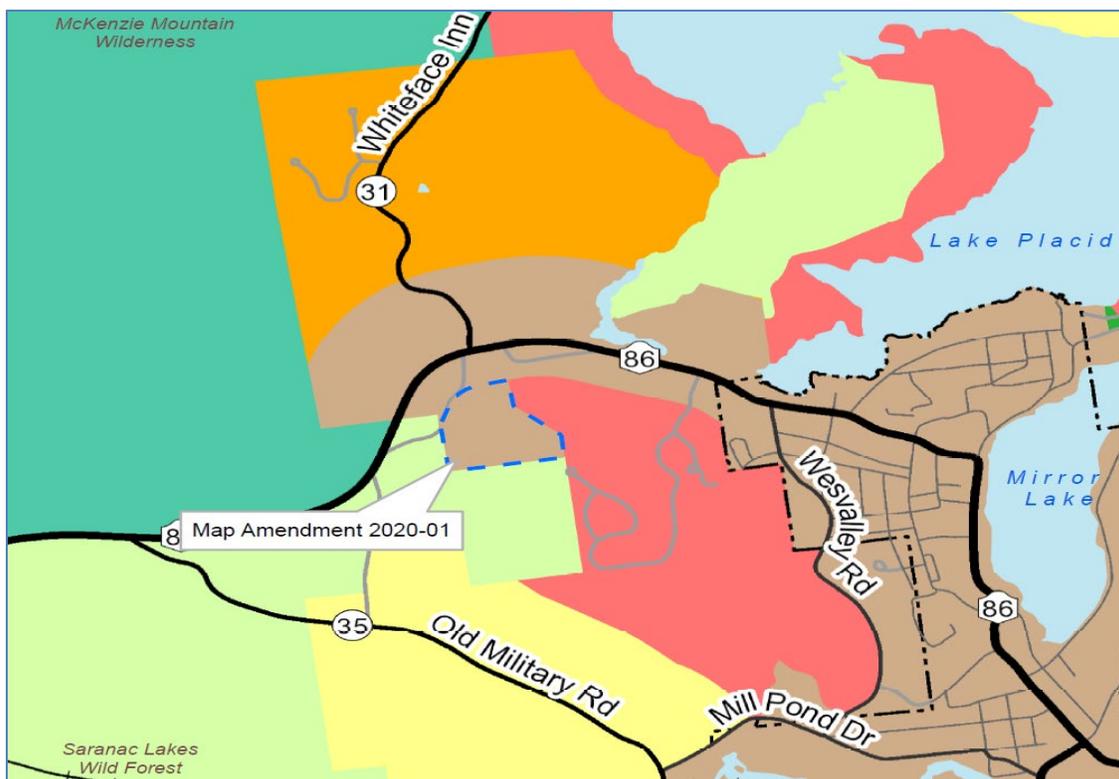
State land staff consulted with Regulatory Program and RASS staff on various State Land and DEC conservation easement land projects involving wetlands, resulting in the issuance of six wetland permits.

## **Park Policy and Planning**

### **Map Amendment**

The Agency approved an amendment to the Adirondack Park Land Use and Development Plan (APLUDP) map requested by the Town of North Elba, Essex County.

The map amendment reclassified approximately 32 acres of Moderate Intensity Use lands as Hamlet, expanding the adjacent hamlet of Lake Placid.



## New York State Scenic Byway Advisory Board

Staff represented the Agency on the NYS Scenic Byway Advisory Board's review of the Palisades Interstate Parkway Scenic Byway Corridor Management Plan application for National Scenic Byway Designation.

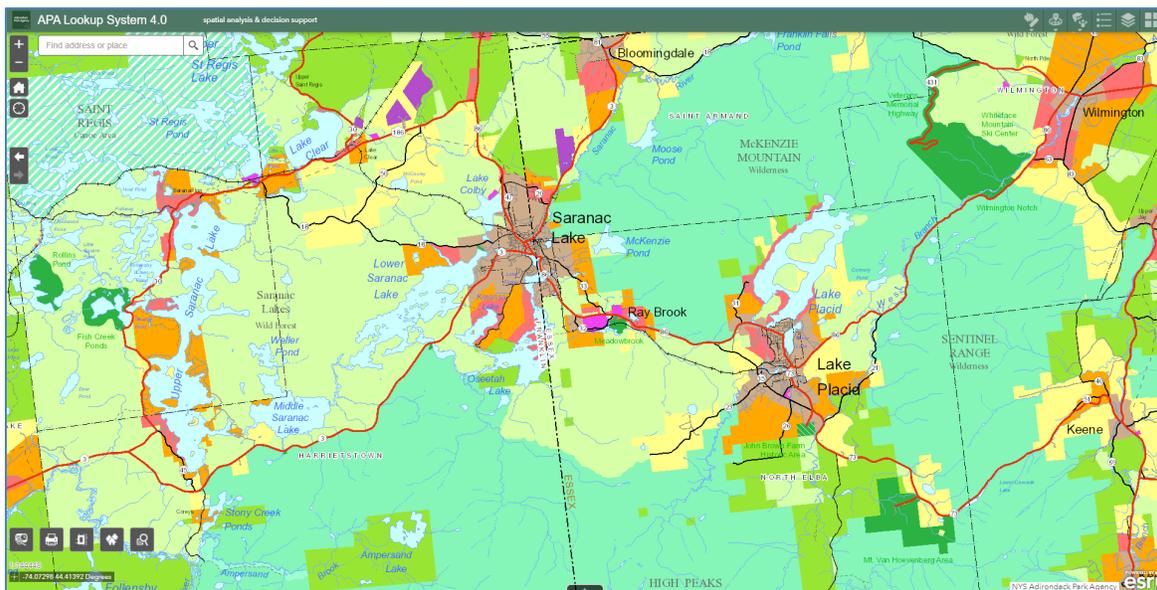
## Historic Resource Review

Staff completed the required historic resource reviews for various projects throughout the Adirondack Park. These were undertaken in 28 different Towns, including Minerva, Elizabethtown, Saranac, North Elba, Fort Ann, Lyonsdale, Jay, Dresdan, Thurman, Ticonderoga, Harrietstown, Bolton, Tupper Lake, Ticonderoga, Putnam, Hopkinton, Horicon, St. Armand, Webb, Hope, Dannemora, Ft. Ann, Lewis, Northampton, Newcomb, Indian Lake, Black Brook, and Johnsburg. Staff completed historic resource reviews for projects proposed on state lands including the Remsen – Lake Placid Travel Corridor, Debar Lodge and the Lake George Battleground.

## Geographic Information Analysis

### Lookup System

The Agency has developed and deployed three new web applications to Agency staff this year using *ESRI's ArcGIS JavaScript API*. The Agency's new Lookup System 4.0 and EditAPA are critical tools used by Agency staff for day-to-day research and analysis, as well as mapping and tracking our Agency transactions and business.



## Hardware and Software Improvements

The Agency has a new GIS server that is now fully in production. Staff have updated and installed new ESRI software and other GIS programs as well as continuing the development and the setup of the new “Lookup System 4.0” on the new server.

Agency staff also preformed major software updates to the RASS Division’s 3D Stereo Analyst workstation.

## State Land Classification

Staff produced mapping products for State Land Reclassification action involving Gore Mountain Ski Center.

## Major Data Improvements

The Agency depends on high quality GIS data produced internally and received from external sources. Major GIS data updates includes the 2019 tax parcel, Land Classification updates, modifications to our Agency shoreline photo points, telecommunication data, and Agency transactions.

## Website Development

Agency staff continue to maintain and improve the website Forms and Applications, Documents and Publications pages. As the COVID-19 pandemic changed how the Agency conducted business, all forms and flyers were replaced with updated versions to better facilitate and encourage electronic submissions. Staff also made improvements to the live streaming accessibility for the monthly Agency meetings.

The Agency’s website moved to new internal and remote servers. This made no visible changes to the website but required new software for all staff involved in posting information to the website.

2020 GIS/Web Tasks Summary:

<b>Task</b>	<b>Year to Date</b>
GIS Agency Program Administration	44
GIS Map Production	49
LUA Boundary/Blue Line Inquiry	54
Map Amendments Review	12
State Land Classification/Reclassification Review	3
Web Administration/Content Management	41
Administrative Tasks	5

## **Local Government Services Program**

The Local Government Services Program administers Sections 807 and 808 of the Adirondack Park Agency Act and its implementing regulations. Two program staff provide oversight of the eighteen Agency-approved Local Land Use Programs 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.

The COVID-19 Pandemic had an unprecedented effect on the work of the Local Government Services Program. The difficult decision was made on March 16<sup>th</sup> 2020 to cancel the Adirondack Park Local Government Day Conference, scheduled for April 29<sup>th</sup> & 30<sup>th</sup>. This annual conference attracts over 350 people from throughout the Adirondack Park to learn and discuss Adirondack issues. Towns and Villages had to drastically rethink the way they do business.

A summary of Local Government Services accomplishments and reportable items in 2020 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 2020. 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>2020 Totals</b>
ALLUP amendments approved	8
ALLUP variances reviewed/reversed	69/2
Comprehensive Plans reviewed	1
Meetings with town officials	11
Responded to land use planning inquiries	152
Intra-Agency local planning assistance	32
<i>“ALLUP” denotes “APA-approved local land use program”</i>	

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

- In-Park Town and Village Interactions - Typically Agency staff meet with local officials, provide and attend training throughout the year; however the pandemic disrupted this outreach. Prior to the shutdown, the Agency staffed an information booth at the three-day Northern Adirondack Code Enforcement Officials Association conference in Lake Placid. The 2020 Adirondack Park Local Government Day Conference was cancelled in March and joined a long list of conferences across the state which were cancelled.
- 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. Staff try to comply with those requests on a case-by-case basis as time permits. In 2020 staff reviewed land use laws from 10 communities in the Park.
- ALLUP Amendments - In 2017 the Agency amended the Delegation Resolution 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 in-house at the Agency without Agency Board approval. The Agency approved eight amendments to ALLUPs in 2020. All amendments were approved pursuant to the Del Res.

The Town of Caroga, which received original approval in 1980, re-zoned a town-owned parcel. The amendment did not require formal approval as the parcel was in Hamlet.

The Town of Queensbury, which received original approval in 1981, received Agency approval for two amendments. The first were provisions for renewable energy and the second was to add a newly defined use of Tree Service/Landscape Company.

The Town of Hague, which received original approval in 1978, received approval for an amendment involving administrative provisions regarding numbers of board members.

The Town of Lake George, which received original approval in 1978, received Agency approval for four amendments to its zoning code. The amendments involved zoning changes, short term rentals, multiple family dwellings, and residency requirements for the planning director. In addition, two amendments which were submitted for consideration, did not require Agency approval as the areas affected were Hamlet.

The Village of Lake George, which received original approval in 1985, proposed a Moratorium on amusements. This action did not require approval from the Agency.

- ALLUP Variances - Towns with an ALLUP are required to refer all locally approved variances (outside of Hamlet land use areas) to the Agency. The Agency typically 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's review period was suspended pursuant to Executive Order however Agency Staff were able to honor the 30-day period for all 69 local variances referred during the year. The Agency reversed two of these variances which involved shoreline setbacks.
- ALLUP Jurisdictional Determinations - With the help from the Local Government Services staff, JIFs from 18 ALLUPs were reviewed and processed. Staff processed 152 determinations (22-J, 121-NJ and eight still in process) during the period of June through December. This represents 20% of the total determinations received by the Agency during that period.
- Meetings with Town Officials - Staff regularly meet with elected and appointed officials to discuss Agency and local issues. These meetings occur with individual town representatives or with town boards in public meeting sessions. The COVID-19 pandemic dramatically changed this aspect of staff's work. In 2020, staff conducted one in-person meeting and participated in seven remote meetings with town officials.
- Responding to Land Use Planning Inquiries - Local Government Services staff routinely answer phone calls and respond to emails from local officials to offer both formal advisories and informal guidance. In 2020 staff responded to over 100 inquiries from local officials.
- Training & Workshops Provided - Working cooperatively with other state agencies, Agency staff, and local officials, the local planning staff typically provide training for municipal officials. The largest outreach program, the Adirondack Park Local Government Day Conference, had to be cancelled due to the pandemic. Agency staff endeavored to relay online training opportunities to local officials.
- Intra-Agency Local Planning Assistance - Local Government Services staff regularly provide assistance to Agency staff working on projects in towns with an ALLUP and other towns where local laws or processes require clarification. In 2020 local government planning staff provided assistance to other Agency staff on 32 issues involving local zoning matters. Agency staff also represented the APA for the Hazard Mitigation Planning for Fulton and Hamilton Counties.

## **ADIRONDACK PARK AGENCY 2020 STAFF RECOGNITION**

*The Adirondack Park Agency Salutes the Outstanding Public Service of Staff Members **Thomas Saehrig, Paul Van Cott, Douglas Miller, Shaun LaLonde, Mary Palmer, Norma Howard and Board Members William Thomas and Chad Dawson.***

Beloved staff member Thomas Saehrig passed away in March 2020. Mr. Saehrig served diligently in the Regulatory Programs Division for nearly 30 years as an Environmental Program Specialist. He was assigned many complex projects including projects involving critical public infrastructure. He was a true professional who was dedicated to his work and cared very deeply about serving the Adirondack community. Mr. Saehrig rightfully will be best remembered for his infinitely generous nature. He never missed an opportunity to help anyone in need. He was a deeply devoted family man. His kind and gracious manner will be profoundly missed by all who were fortunate to know Mr. Saehrig.

Paul Van Cott retired in February 2020 after a distinguished state career which spanned over thirty-three years. Mr. Van Cott's State service commenced with the Department of Environmental Conservation in 1987. He was employed by the Agency as a Senior Attorney starting in 2001 and through hard work and dedication was promoted to Associate Attorney. Mr. Van Cott served as lead attorney for the Agency's review team for the large-scale residential resort project – the Adirondack Club and Resort.

Norma Howard retired April 2020 after serving as the Agency Receptionist for 14 years. Ms. Howard greeted all visitors to the Agency's headquarters with politeness and a smile that put people at ease. She was responsible for directing all communication to the appropriate staff and did so with efficiency. Her kind nature was always on display, especially when organizing the beloved Michigan Luncheons.

Douglas Miller retired June 2020 after a thirty-one-year career with the State of New York. Mr. Miller was an Environmental Program Specialist 2 who effectively managed the Jurisdictional Inquiry Office for the past nine years. His comprehensive knowledge of Agency statutes combined with strong communication skills made him an outstanding point of first contact with the public. Throughout his career he exemplified professionalism and was integral to successful efforts to streamline Agency processes. Mr. Miller served as a mentor to new staff members and was also a leader in building staff camaraderie.

Mary Palmer retired June 2020 as an Office Assistant 2 after completing sixteen years of exceptional service to the Agency. Ms. Palmer provided professional support to the Legal, State Land and Public Awareness and Communication divisions. She effectively organized extensive application records and public comments including high profile projects like the Adirondack Club and Resort and numerous State Land actions. Her attention to detail and calm demeanor was recognized by all staff who she assisted. Ms. Palmer organized many special events for colleagues and she annually coordinated the Holiday Helpers program.

Shaun LaLonde retired October 2020 after a dedicated thirty-four-year career of service to the State of New York. Mr. LaLonde began his career with the Department of Environmental Conservation in 1988 and joined the Adirondack Park Agency in 2002. He steadfastly prioritized consistency and fairness in the application of Agency laws and regulations. Throughout his career he applied sound science and engineering principals in the assessment of land use and development projects. Mr. LaLonde's extensive experience was invaluable in the compilation of internal guidance, public information flyers, and the streamlining of project applications and review processes.

William Thomas faithfully served as an In-Park Board Member from December 2006 until June 2020. Mr. Thomas most recently served as Chair of the Public Awareness and Communication Committee. He was a long-serving member of the Local Government Services, State Land, and Enforcement committees. During his tenure, the Agency approved the historic Finch Pruyn State Land Classifications, improved telecommunication coverage, streamlined regulatory processes, and strengthened communication with local government officials. Mr. Thomas often voluntarily traveled across the Park to attend public hearings on proposed Agency actions. He was a dedicated advocate for the Adirondack Park, its people and communities.

Dr. Chad P. Dawson was appointed to the Agency in July 2016 and served until December 2020. Dr. Dawson was Chair of the Park Policy and Planning Committee and a member of the Legal Affairs, Park Ecology and State Land committees. His expertise and experience in resource management and recreational use were invaluable in the deliberation of both public and private land use policy. Dr. Dawson played a critical role in State Land classification actions and the formation of Unit Management Plans. He worked closely with Agency staff on important wildlands monitoring concepts and procedures. His dedication to the wise use of the Forest Preserve was greatly appreciated.