



NOTE: The attachments referred to herein are on file at the Agency and are on the Agency's website. Copies are also available for inspection on request.

DRAFT AGENCY MINUTES

AUGUST 8-9, 2013

THURSDAY, AUGUST 8, 2013

AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT

Leilani Crafts Ulrich, Chairwoman
Richard Booth, Member
Sherman Craig, Member
Karen Feldman, Member
Arthur Lussi, Member
William Thomas, Member
F. William Valentino, Member
Dan Wilt, Member
Brad Austin, Designee, NYS Department of Economic Development
Dierdre Scozzafava, Designee, NYS Department of State
Robert Stegemann, Designee, NYS Department of Environmental Conservation
Terry Martino, Executive Director
James Townsend, Counsel

LOCAL GOVERNMENT REVIEW BOARD PRESENT

Frederick Monroe, Executive Director

AGENCY STAFF PRESENT

James Connolly, Deputy Director, Planning
Keith McKeever, Public Information Director
Brian Grisi, Local Planning Assistance Specialist
Robyn Burgess, Environmental Program Specialist 1
Elaine Caldwell, Administrative Officer
Amy Hall, Calculations Clerk
Kathy Regan, Senior Natural Resources Planner
Edward Snizek, Supervisor, Natural Resource Analysis
Matthew Kendall, Associate Natural Resources Planner
Elizabeth Phillips, Senior Attorney
Dan Kelleher, Special Assistant for Economic Affairs
Colleen Parker, Environmental Program Specialist 3
Susan Streiff, Keyboard Specialist
Deborah Lester, Secretary to Executive Director

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Video and MP3 audio recordings of the proceedings, including public comment, are available in their entirety via webcast at http://nysapa.granicus.com/ViewPublisher.php?view_id=2.

Chairwoman Ulrich called the meeting to order at 8:30 a.m. She expressed gratification for the opportunity to have worked with Messrs. Mezzano, Wray and Hooker, as well as excitement to welcome their successors on the Agency Board, Karen Feldman, Dan Wilt and Brad Austin. She provided background information on Members Feldman and Wilt as well as Mr. Austin, Economic Development Commissioner Ken Adams's designee to the Board.

1. Public Comment

Neil Woodworth, Executive Director and Counsel for the Adirondack Mountain Club, introduced Cathy Pedler, ADK's new Director of Government Relations and Conservation. Mr. Woodworth also provided some background on ADK for the benefit of the new Agency Members.

Ron Konowitz of Keene Valley introduced the Adirondack Powder Skiers Association, a user-based group of backcountry skiers promoting access to backcountry Forest Preserve land. He provided a brief history of backcountry skiing in the Adirondacks.

Carol LaGrasse, President of the Property Rights Foundation of America based in Stony Creek, NY, discussed the organization and its purpose. She encouraged people to visit their website at <http://prfamerica.org/> and invited Members to subscribe to the New York Property Rights Clearinghouse newsletter. Ms. LaGrasse also commented on the Common Ground movement and questioned the claim that common ground is increasing.

2. Motion to Confirm Committee Chair Assignments

Chairwoman Ulrich referred to Agency Member committee assignments and proposed the assignment of Acting Committee Chairs as follows:

Regulatory Programs - Sherman Craig
Enforcement - F. William Valentino
Legal Affairs - Arthur Lussi

She also noted that new members would sit in observation of all committees to familiarize themselves with the committees' work until appropriate committee assignments have been made.

On motion of Mr. Booth, seconded by Mr. Wilt, the Agency unanimously approved the Chairwoman's proposed assignments.

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3. Draft 2014 Agency Meeting Calendar

The Chairwoman referred to the proposed Agency Meeting calendar for 2014. The proposed calendar is for the Agency's initial consideration, with action planned for next month.

4. Approval of June 13, 2013 Draft Agency Minutes

On motion of Mr. Booth, seconded by Mr. Craig, the Agency unanimously adopted the Draft Agency Meeting Minutes of June 13, 2013. A copy of the official minutes as adopted by the Agency is on file at the Agency.

5. Executive Director's Report

Executive Director Martino noted this month as a time to celebrate the history of the Adirondack Park Agency, with August 1, 2013 being the 40th year of the Adirondack Park Agency Act. She referred to an earlier letter from Thomas Ulasewicz in which he provided a historical note of the anniversary date of the adoption of the Act and he described the amended Act moving from interim implementation to enactment of the Private Land Use and Development Plan and the Private Land Use Map. Mr. Ulasewicz also commented in his letter about recognition of the past and present Agency as a "pioneer organization" that "led the nation in land use planning, management and regulation." Ms. Martino thanked Mr. Ulasewicz for his comments, and especially for revealing an interesting detail about the August 1 effective date of the 1973 legislation, in that it is also the birthday of Dick Persico, who is credited as the author and scribe of the APA Act. Mr. Persico was also the Agency's second Executive Director from August 1973 to December 1978, while Mr. Ulasewicz was Executive Director from September 1984 until November 1987.

Ms. Martino recalled the tree planting in May honoring Richard Lawrence, the first Agency Chair, and she noted the Agency is planning a program for the fall that will include past leaders within the Agency to provide a perspective on these past four decades.

She distributed a chronological listing of Chairmen and Board Members as of the August 1, 1973 effective date of the Plan, and Agency Chairs and Executive Directors for the past forty years.

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Ms. Martino also highlighted the following:

- The 7th annual Common Ground Alliance forum was held on July 18 at Newcomb Central School. People across the region gathered together to hear about the progress that has been made, particularly in the area of recreational planning with communities directly embracing their relationship to Forest Preserve lands, and to hear an overview of the Adirondack visioning work that continues to build momentum and success. These annual forums document ongoing efforts to bridge common interests and goals environmental protection, community and economic development. Thanks and congratulations to Town of Newcomb Supervisor George Canon and Newcomb Central School for hosting the event. Also to Newcomb High School students who were a part of the event.
- The Adirondack Challenge was held July 21-22 in Indian Lake and the event put the Adirondacks on true display. Both days saw glorious weather. The press coverage and follow-up Adirondack tourism promotional campaign featured the Adirondacks with what the natural landscape and businesses offer. It was an exceptional program and many thanks to the Governor for such a creative way of bringing people up here from downstate. Congratulations to Chairwoman Ulrich and Members Scozzafava and Wilt for their successful completion of the race along the Indian River whitewater to the confluence with the Hudson. Adirondack exhibits and attractions were on display at Byron Park.

Chairwoman Ulrich gave kudos to Supervisor Brian Wells and the people of Indian Lake for hosting a magnificent event which included activities from Friday through Monday. She also noted a CBS television crew who stayed through the weekend.

- One year ago this month the Governor announced the Finch Pruyn acquisition. Since then, Agency staff have outlined and implemented a plan for classification of the first phase of the acquisition which includes the Essex Chain Lakes, OK Slip Falls and the Indian River Tract. Staff's presentation of the Draft Environmental Impact Statement (EIS) to the Board in May was followed with 8 public hearings in June and July along with commentary from people around the state. The public hearings were held in Ray Brook, Newcomb, Indian Lake, Minerva, Lake George, Rochester, New York City and Albany. There was a tremendous heartfelt appreciation for the land. People spoke of the past, present and future through personal stories and aspirations. Speakers included individuals, students, municipal leaders and organizational representatives. Of the 642 people who attended the hearings, 249 of them spoke. All were cordial and respectful.

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The hearings were fully documented, producing 178 pages of transcript. Additionally, the Agency received more than 3,600 pages of public comments, including email, written correspondence and petitions, prior to the July 19 deadline. The Agency appreciates the public engagement in this classification process. Also, many thanks to the staff that have been involved in this important work at both the Agency and at DEC.

The agenda before the Agency for the next two days reflects the next steps in the classification work. Agency State Land planning staff will provide presentations on a number of issues that were presented during the public comment phase. SEQRA requires the Agency to develop specific responses to the issues raised in the public comment process. At this meeting, staff and the Board will analyze and review the issues. The interaction and the Board's input and questions are important steps in the SEQRA process. Staff do not have a recommendation for a preferred alternative at this meeting. Any debate about a preferred alternative would be premature until staff completes its current work. The discussion that takes place at this meeting will provide a foundation from where staff can proceed in the development of a preferred alternative. Following the meeting, staff will work to prepare the Final EIS. Staff will continue consultations with the Department and prepare a recommendation for the Agency Board. Staff anticipate bringing the Final EIS to the Board in September that will include a classification proposal and preferred alternative. The Agency's action will be followed with transmittal of a joint letter from the Agency Chair and DEC Commissioner, with the Governor having final review and approval of the recommendation package as the final step in the classification process.

Mr. Booth asked if the Agency is committing to a decision in September. Ms. Martino responded the Agency is not committing to a decision in September. She noted it is the Chairwoman's prerogative as to how the Agency moves through this process.

Chairwoman Ulrich added that this is a very important process and that she looked forward to hearing from staff first, and then from the Board.

6. Adjournment into Committees

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

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FRIDAY, AUGUST 9, 2013

AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT

Leilani Crafts Ulrich, Chairwoman
Richard Booth, Member
Sherman Craig, Member
Karen Feldman, Member
Arthur Lussi, Member
William Thomas, Member
F. William Valentino, Member
Dan Wilt, Member
Brad Austin, Designee, NYS Department of Economic Development
Dierdre Scozzafava, Designee, NYS Department of State
Judith Drabicki, Designee, NYS Department of Environmental
Conservation
Terry Martino, Executive Director
James Townsend, Counsel

LOCAL GOVERNMENT REVIEW BOARD PRESENT

Frederick Monroe, Executive Director

AGENCY STAFF PRESENT

James Connolly, Deputy Director, Planning
Dan Kelleher, Special Assistant for Economic Affairs
Keith McKeever, Public Information Director
Edward Snizek, Supervisor, Natural Resource Analysis
Walter Linck, Associate Natural Resources Planner
Deborah Lester, Secretary to Executive Director

Chairwoman Ulrich called the meeting to order at 11:50 a.m.

1. Committee Reports

a. Regulatory Programs Committee

Mr. Craig noted staff reports on an emergency authorization of stabilization of a retaining wall along State Route 73 in the Town of Keene, Essex County, and a drainage and resurfacing project on Route 28N from Long Lake to the Boreas River south of Newcomb. The Agency's review of the Route 28N project was limited to the staging areas and waste disposal sites and the wetlands impacts of the project.

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b. State Land Committee

(1) Classification/Reclassification Involving Essex Chain/Indian River/OK Slip Parcels

Mr. Booth noted extensive staff presentations and discussion of topics which included:

- General Introduction/State Land Master Plan and Decision Criteria/Overview of Material
- Overview of Purchase of Former Finch Lands from the Nature Conservancy/Snowmobile Planning/DEC Interim Access Plan
- Recreational Opportunities
- Review of Alternatives Presented at Public Hearings/Review of Public Hearings and Written Comments
- Background Presentations on General Issues Presented During Public Comment Phase including Physical Characteristics (general natural resource considerations, i.e. soil/slope/forest cover/habitat connectivity/terrestrial invasives; road infrastructure; historic structures); Biological Considerations (Essex Chain and Hudson River fisheries and wetlands; rare species and natural communities); Intangibles - Social and Other Related Issues Including Buildings and Existing Infrastructure (wild, scenic and recreational rivers; reserved rights and easements on Essex Chain and OK Slip parcels; economic factors relating to classification). The Agency staff did not discuss or present a preferred alternative for classification.
- Next steps for development of an FEIS including response to public comments, revisions to DEIS with updated information, development of a staff recommendation, and consultation with DEC on classification recommendations.

Deputy Director for Planning Jim Connolly distributed copies of a map to Agency Members and Designees depicting current State land and private land classifications, along with an overlay of the road system in the Essex Chain and the quarter-mile, half-mile river corridor designation. It was noted that the map did not depict any proposals. (A copy of the map is on file at the Agency.)

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c. Economic Affairs Committee

Mr. Lussi complimented the presentation on the J & L Steel site in the Town of Clifton, St. Lawrence County, by Town of Fine Supervisor Mark Hall, NYS DEC Region 6 Director Judy Drabicki, and Carrie Tuttle, Director of Engineering for the Development Authority of the North Country.

2. Interim Reports

The Administration, Enforcement, Legal Affairs, Local Government, Park Ecology, Park Policy and Planning, and Public Awareness and Communications committees did not meet this month. Monthly reports for some of these committees were included in the mailing.

a. Legal Affairs Committee

On motion of Mr. Booth, seconded by Mr. Craig, the Committee unanimously approved the draft committee meeting minutes of June 13, 2013.

b. Park Ecology Committee

Chairwoman Ulrich referred to the Invasive Species Council meeting held on July 19 in Albany. She thanked Agency Supervisor of Natural Resource Analysis Ed Snizek for his meeting preparation, and also Mr. Valentino for joining her at the meeting.

c. Park Policy and Planning Committee

On motion of Mr. Booth, seconded by Mr. Valentino, the Committee unanimously approved the draft committee meeting minutes of June 13, 2013.

3. Local Government Review Board Comment

Local Government Review Board Executive Director Fred Monroe welcomed new Board members Messrs. Austin and Wilt and Ms. Feldman.

4. Member Comment

The new members were welcomed by the Board. They were encouraged to ask questions and to participate in discussions. Board members also expressed appreciation for the considerable work done by DEC and APA staff between meetings, including the two tours of the Finch properties.

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Ms. Scozzafava commended the illustrative features of the meeting. She expressed particular interest in the public comment and how the Agency might organize the substantive issues in terms of how they can or cannot be addressed.

Mr. Wilt said he was compiling some questions for future discussion. He expressed his pleasure to serve on the Agency and said he looked forward to contributing.

Mr. Valentino spoke about the importance of broadband. He noted the government of Norway is considering providing high speed internet to the entire Arctic using a new satellite system, and that Canada is considering a similar system for their northern territories. Mr. Valentino asked about what percentage of the population in the Adirondacks has access to broadband, and Mr. Kelleher explained the Department of Economic Development's efforts to undertake a broadband mapping program for the Park which relied on private service providers and where they can provide broadband. Unfortunately, they view that information as proprietary and are reluctant to share it. The reported 65-80% is inaccurate and people in the Adirondacks and rural areas are encouraged to report discrepancies to get a more accurate picture of access.

Mr. Austin conveyed his appreciation for the Agency's hospitality and his eagerness to be involved in the classification action.

Ms. Feldman expressed her gratitude for the warm welcome from the Board and staff, as well as people affiliated with the various organizations. She said she looked forward to being part of the classification process.

Ms. Drabicki said she anticipated more good things happening in St. Lawrence County and the western part of the Adirondacks. She also noted her appreciation for the time and interest in J & L site. She referred to Ms. Martino's point made earlier about what they are trying to do with the water and wastewater, and she pointed out that at the end of the day, some municipality has to take responsibility for that.

Mr. Townsend said it was a pleasure to serve and advise the Board and to add clarity to the Board's discussions. He encouraged members to reach out to him if they needed further clarification.

Ms. Martino congratulated Ms. Feldman and Messrs. Austin and Wilt on their first Agency meeting. She referred to the Adirondack Challenge held July 20-22 in Indian Lake and noted follow-up discussions about linking businesses that were on display with the products that were being sold at the Taste New York venue. She

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described it as an important step to see that kind of branding coming together. Ms. Martino also commended Hamilton County Tourism's promotional brochures. Referring to the Finch classification, she commended staff's work and the dialogue with DEC, as well as the Agency's input and the public response through the eight hearings and through written comment received by the July 18 deadline.

Chairwoman Ulrich added her welcome to the new members, and to Judy Drabicki as DEC's Region 6 Director. She noted the substantial amount of work completed by staff as well as the amount of public involvement in the hearings. She referred to the economic impact of State lands and the need for a way to quantify the impact of previous State land purchases. She noted the current situation where five towns are embracing the value of having so much State land and ways of moving forward with their communities with these magnificent resources versus fighting back. She quoted Supervisor Susan Montgomery-Corey, "Cooperation is the new competition." She also complimented Supervisor Brian Wells and the work by Indian Lake to showcase the magnificence of the Park. Chairwoman Ulrich then urged people to support their local theaters. She referred to the "Go Digital or Go Dark" campaign, which has been working hard to raise money for theaters to complete the required transition to digital transition before the end of the year or face the possibility of closing their doors.

5. Adjournment

The Agency unanimously adjourned at 12:15 p.m.

LCU/TDM/dal

Leilani Crafts Ulrich, Chairwoman