



KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

Draft Minutes
Regulatory Programs Committee
December 13, 2018

**MINUTES OF THE REGULATORY PROGRAMS COMMITTEE MEETING
December 13, 2018**

The Committee meeting convened at approximately 10:00 a.m.

Regulatory Programs Committee Members Present

Arthur Lussi, John Ernst, Daniel Wilt, and Lynn Mahoney.

Other Members and Designees Present

Acting Agency Chairwoman Karen Feldman, Robert Stegemann, Bradley Austin, Chad Dawson, William Thomas, and Fred Monroe, LGRB.

Agency Staff Present

Terry Martino, Paul VanCott, Richard Weber, Colleen Parker, and Aaron Ziemann.

Approval of Draft Committee Minutes for November 2018

A motion to approve the draft committee minutes was made by Arthur Lussi and was seconded by John Ernst. All were in favor.

Deputy Director Report

Mr. Weber briefly discussed the high-profile report. He noted upcoming projects that applications are expected to be submitted for. He stated that AT & T has been working with Brian Ford utilizing the FOIL process to aid in their application submission by allowing the applicants to evaluate visual assessment information previously submitted as well as co-location techniques used in prior projects. The applicants hope that by reviewing past submissions, they will eliminate some of the need for additional information requests and provide for a more thorough application submission.

Mr. Weber discussed a community-scale solar project that is currently in pre-application. He also discussed variance applications received by the Agency and noted that staff are beginning to use the mini-hearing process for variances that are recommended for delegation for staff authorization.

Project P2018-153 Lyme Timber Company (Aaron Ziemann)

Proposed timber harvest on a 643 acre portion of a 4,656 acre parcel. Two silvicultural treatments are proposed: 1) A shelterwood overstory removal, with reserves, designed to release an established understory of softwood and hardwood seedlings and saplings, and; 2) Single tree and group selection harvest to capture value in select mature trees, and create small openings to release existing regeneration and promote new growth. The property is subject to a New York State Working Forest Conservation Easement, as well as Forest Stewardship Council and Sustainable Forestry Initiative certifications.

Mr. Ziemann explained the proposal and the existing conditions of the project site.

Ms. Feldman asked if removal of tree branches would occur within the wetland areas. Mr. Ziemann responded that following Agency guidance, anything less than 6 inches in diameter would be allowed to remain. Anything greater would be removed.

Mr. Ziemann stated the staff recommendation is for approval with conditions.

Mr. Ernst asked if the proposal is more of a reaction to the current condition of the overstory. Mr. Ziemann responded affirmatively. Mr. Ernst then asked if the tops and branches would be left. Mr. Ziemann responded in many cases they would be left.

Ms. Martino noted that prior to 2013 companies were not coming to the Agency for review of forestry proposals. She noted it is a snap shot into what is happening on private lands. Mr. Ziemann stated that the partnership between the Agency and the private companies allows for good silvicultural practices to occur that are appropriate for the land.

Ms. Feldman asked if prior jurisdictional or non-jurisdictional cuts had occurred here. Mr. Ziemann responded that limited harvests were likely 10 or 15 years prior and nothing jurisdictional to the Agency.

Mr. Stegemann noted that routine data is done for the forest inventory assessment which provides basic information on volume and types of species. In addition, the private companies maintain similar data.

Motion was made for approval by Mr. Lussi and was seconded by Mr. Ernst. All were in favor.

Old Business

None

New Business

None

The Committee meeting adjourned at approximately 11:00 a.m.