



**DRAFT Minutes of the Regulatory Programs Committee Meeting
May 14, 2020**

The Committee Meeting convened at approximately 1:47 pm.

Regulatory Programs Committee Members Present

Chair Daniel Wilt, Arthur Lussi, John Ernst, and Lynne Mahoney (DOS)

Other Members and Designees Present

Bradley Austin (DED), Randy Young (DEC), William Thomas, and Dr. Chad Dawson

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Terry Martino, Executive Director; Christopher Cooper, Counsel; Leigh Walrath, Project Analyst – Freshwater Resources

Approval of Draft Committee Minutes for March 2020

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

Regulatory Programs Report (Robert Lore)

Ms. Martino highlighted some of what Mr. Lore had intended to report on, as he was unable to connect to the meeting. Ms. Martino noted Mr. Lore's comments in regards to Tom Saehrig, a committed public servant who played an important role in the Regulatory Division as a reviewer and a mentor; a team player who's dedication to the Park and love for the region's cultural history was evident to anyone that spoke with him. He will be missed.

Ms. Martino also noted Mr. Lore's comments on the Agency's rapid transition to teleworking within a matter of weeks while the governor implemented a temporary suspension of the Agency's Regulatory timeclocks. Agency staff have continued to review projects, hold meetings with applicants, and provide feedback in a timely fashion even within this context, noting that completion notices were issued for several cell towers, as well as a completion

notice for a wine-tasting/production facility/tasting room/retail space in the town of AuSable after consultation with OPRHP with regards to impacts to historic/cultural resources. OPRHP determined that the project was unlikely to impact those resources.

P2020-44 Town of Minerva (Leigh Walrath)

Mr. Walrath began his presentation with a brief overview of the proposed project, including the location, existing conditions, and background and historical information of vegetation management on the lake. He then went into detail about the herbicide, its proposed application, the mode of action, as well as its intended results.

Mr. Lussi asked about drawdowns and how they help or hurt the aquatic vegetation. Mr. Walrath replied that drawdowns on Minerva Lake were discontinued a while ago. He noted that while Eurasian watermilfoil can be controlled by a drawdown, it was also found that there were a lot of non-target impacts. There are also concerns with drawdowns no longer being an effective management tool in some regions due to climate change, as they require a long stretch of time with a solid frost.

Mr. Delaney asked for clarification on the suction harvesting efforts, as he understood from Mr. Walrath's presentation that it become a full-time job and that the harvesters were having a hard time keeping up with the growth. Mr. Walrath replied that while it was working to keep the density down, a consistent high amount of dive hours would be required to keep it down.

Mr. Walrath noted what the hopes are for results after the herbicide application. The anticipation is for a 95 percent reduction in Eurasian watermilfoil density. He indicated that there will likely be temporary minor impacts to watershield, water lily, and water stargrass. Alpine pondweed, a protected species, is not expected to be impacted.

Mr. Walrath concluded his presentation by recommending approval for this project with conditions, including undertaking the project as proposed and by the authorized representative, use of a watercraft that will not re-suspend soft sediment (reducing the effects of the herbicide and more greatly effecting the native plant life), and post-treatment monitoring reports. As was done prior to treatment, a wash station will be available, invasive species spread prevention signage will be maintained, and hand/suction harvesting will continue to be used to manage remaining Eurasian watermilfoil.

Mr. Lussi asked how the herbicide will be applied to the lake. Mr. Walrath replied that the herbicide will be applied sub-surface through a drip treatment. Mr. Young asked how long this treatment would be effective and when it would need to be done again. Mr. Walrath replied that although that answer isn't known, the hope is that on-going harvesting will keep the plant from taking over the treatment area. How long it is effective depends completely upon how aggressive and diligent efforts are at controlling new or remaining Eurasian watermilfoil growth.

Mr. Austin asked if when the post monitoring is done if downstream areas will be tested as well. Mr. Walrath replied that downstream monitoring is planned but the herbicide is applied at such a low concentration it will likely not be detectable.

Ms. Mahoney moved for approval of the proposal with conditions, and Mr. Lussi seconded. All were in favor.

Old Business

None

New Business

None

The Committee meeting adjourned at approximately 2:59 pm.

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