



M E M O R A N D U M

TO: Terry Martino

FROM: Daniel M. Spada

DATE: June 29, 2012

RE: RASS Division Report for June 2012

Upcoming

Adirondack Invasive Species Awareness Week- Adirondack communities and organizations will celebrate the 7th annual ISAW July 8 - July 14, 2012.

Projects

Field visits were conducted for those projects preceded by an asterisk (*).

*P1993-0250R2A, Sinsabaugh, Town of Newcomb: RASS and Reg Programs staff visited the site of a permit amendment. The permit authorized a single family dwelling. The new owner is proposing to change the location of the dwelling slightly, increase the size of the dock authorized and add a boat storage building. The site was evaluated and the extent of allowable changes were discussed. Other involved Agency Staff: Ziemann. (O'Dell, Bendell)

*P1999-0221A, Town of Peru, Town of Peru: Agency staff completed a site visit to evaluate wetlands in the Town owned reservoir. The reservoir is a potable water source for the Peru water district and the Town is requesting approval to dredge the area to remove sediment deposited after Hurricane Irene. There are jurisdictional wetlands in the reservoir, but staff believes that the reservoir should be maintained as a public water source and dredging should be allowed. Other involved Agency Staff: Walrath. (Snizek)

P2003-0073, North Country Properties, Town of North Elba: Subdivision in Low Intensity land use area. RASS staff reviewed landscaping plan for compliance with permit condition. Other involved Agency Staff: Ziemann. (Rooks)

P2007-0272, Fertig, Town of Webb: RASS staff reviewed the revised retaining wall proposal and determined no variance was required. Other involved Agency Staff: Yamrick. (LaLonde)

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P2010-0029, Siskavich, Town of Dannemora: RASS staff reviewed a NIPA response. The project has been modified to include a new campground and associated amenities. Issues include on-site wastewater treatment, DOH/DEC coordination, water supply and erosion and sediment control. Other involved Agency Staff: Darrah. (LaLonde)

*P2010-0136, Pereau, Town of Moriah: This project is for the creation of one building lot and other non-buildable lots to be merged with adjacent properties. Issues include field determination of drainage ditches or intermittent streams along with evaluation of soils for the installation of an OSWTS. The project had stalled due to a previously interested buyer who is no longer a part of the application however executed significant logging on the site. As a result of the logging, the visibility of the proposed dwelling from Lake Champlain has been significantly increased and may require mitigative measures. Other involved Agency Staff: Lynch. (Bendell)

*P2012-0021, Town of Webb TOBIE Trail: RASS staff visited the site of a proposed bridge replacement over the Moose River to confirm the boundary between wetland and open water provided by the applicant's consultant. Photos and information regarding location and extent of wetlands were then collected at the existing Green St. bridge nearby which was listed as a possible alternative location to cross the River. Other involved Agency staff: Darrah. (Bendell, O'Dell)

P2012-0039, Long Lake Motel, Town of Long Lake: A pre-application visit was conducted to discuss a proposed retaining wall that would have required a variance. In consultation with Legal staff, engineering staff reviewed a revised proposal and determined that no variance is required for the modified design. Other involved Agency staff: Brewer, Miller, Saehrig. (LaLonde)

*P2012-0040, St. Lawrence County, Town of Clare: Bridge replacement involving wetlands. Proposed mitigation site identified by applicant is not suitable. Other involved Agency Staff: Saehrig. (Rooks)

P2011-0014, Pohl, Town of Long Lake: RASS staff reviewed a NIPA response associated with a subdivision proposal (10 new building lots in Moderate Intensity Land Use Area). Due to resource constraints (steep slopes, suitable on-site wastewater treatment system locations), the applicant reduced the number of lots and adjusted building envelopes. The project remains under review. Other involved Agency Staff: C.Parker. (LaLonde)

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P2011-0204, Lake Placid Lodge: RASS staff reviewed a NIPA response associated with the conversion of existing development on Lake Placid. Issues include parking, DEC/DOH coordination, stormwater management, shoreline vegetative cutting and potential future cabin expansion. Other involved Agency Staff: Saehrig. (LaLonde)

P2012-0044, The Fund for Lake George, Town of Lake George: Staff participated in a conference call with applicant to discuss installation of benthic mats at Norowal Bay Marina site and Village site without obtaining permit amendment. Staff advised that after-the-fact permit amendment should proceed after site visit and obtaining additional information from the applicant. Other involved Agency Staff: Walrath. (Snizek)

*P2012-072, Bedford, Town of Wilmington: RASS and other staff conducted a site visit with the applicant. Issues include assessment of driveway access and development areas for two new building lots, steep slopes, and stormwater management. Additional plan revisions are to be submitted. Other involved Agency Staff: Lynch. (LaLonde)

*P2012-0076, Monsour, Town of Fort Ann: This project is for a two lot subdivision creating shoreline lots less than 25,000 square feet in size each developed with a pre-existing dwelling. Issues include an evaluation of the site with respect to the proposed subdivision line to confirm that replacement locations for the existing OSWTS would not be affected. Ultimately the subdivision line was approved with mitigative measures in place to insure adequate wastewater treatment should either of the OSWTS require replacement in the future. Other involved Agency Staff: McSherry. (Bendell)

P2012-0086, Bassarab, Town of Keene: RASS staff reviewed plans for a single family dwelling and commercial use with an OSWTS within 100 ft of wetlands. Issues include wetland and water quality impacts from development and effluent from OSWTS. Other involved Agency Staff: Darrah. (O'Dell, LaLonde)

P2012-0087, Horseshoe Pond/Deer River Flow Association, Town of Duane: Review and issuance of General Permit to continue Eurasian watermilfoil management program in Horseshoe Pond and begin new management program for EWM infestation in Deer River Flow. A small number of mats will be placed on land classified as Forest Preserve, which is the first time that this general permit has been used for management of EWM on FP. (Snizek)

*P2012-0091, Ticonderoga Airport, Town of Ticonderoga: The project was identified in the North Country Regional Economic Development Council plan and includes a new fueling station and access road realignment. RASS staff conducted a site visit along an access

road into the airport to make a wetland determination in relation to proposed road improvements. The wetland along the road was determined to be non-jurisdictional. Issues include petroleum bulk storage, impacts to wetlands, waste disposal/reuse, invasive species control and stormwater management. Other involved Agency staff: McSherry. (LaLonde, O'Dell)

*P2012-0098, Greco, Town of Chester: RASS and other staff conducted a site visit with the applicant. Issues include assessment of deep-hole test pit information, potential wetland impacts, jurisdiction, access and potential development suitability on two new development areas. Other involved Agency Staff: (LaLonde/ Darrah)

Pre-Application

Field visits were conducted for those pre-application meetings preceded by an asterisk (*).

*A2012-0009, Benson, Town of Waverly: This pre-application project is for a potential three lot subdivision with one of the newly created lots possessing an existing single family dwelling. There are wetlands and steep slopes on each of the prospective lots. Although it was too wet for an excavator to reach one of the potential development locations, RASS staff identified steep slopes, drainage ditches, and wetland boundaries and delineated the appropriate horizontal setbacks from each. A severely limited area remained available for development leaving the applicant with additional decisions to contemplate before preparing and submitting a project application. Other involved Agency Staff: Lynch. (Bendell, O'Dell)

*A2012-0073, Willette & Burgess, Town of Saranac: RASS staff confirmed their air photo interpretation during the site visit. Applicants were given advice on ways to subdivide the property with and without a permit. Other Agency involved staff: Walrath. (O'Dell)

*A2012-0077, Camp Shoshannah, Town of Chesterfield: RASS and other staff conducted a site visit with the applicant to discuss four individual new building/septic and expansion projects throughout the group camp. Issues include assessment of septic locations, adequacy of existing infrastructure, mean high water mark determination and structure setbacks. It is worth noting that the community wastewater treatment system serving a majority of the project site authorized in a prior permit was under construction at the time of the site visit. Other Agency involved staff: McSherry. (LaLonde)

A2012-0097, Fehr, Town of Chesterfield: Two lot subdivision involving wetlands. Met with Town Supervisor and two of his constituents to discuss project. Staff will conduct a wetland delineation and describe a DHTP. Other involved Agency Staff: Darrah. Other involved agencies/municipalities: Town of Chesterfield. (Rooks)

*A2012-0098, Queeny, Town of Mayfield: Staff conducted a site visit to evaluate small pond for stocking of two grass carp to control nuisance aquatic vegetation. (Snizek)

Permit Compliance

Field visits were conducted for those files preceded by an asterisk (*).

*P2008-0246 Carver Sand & Gravel, Town of Ephratah: On May 11, 2012 a permit compliance site inspection was conducted. Significant RASS issues included open space protection, noise, blasting and protection of surface water and groundwater resources. Other involved Agency Staff: Ziemann. (LaLonde)

Enforcement

Field visits were conducted for those files preceded by an asterisk (*).

*E2011-0204, Lizotte, Town of Tupper Lake: Staff working with landowner to address apparent wetland fill. Other involved Agency Staff: Adams. (Rooks)

*E2012-0037, Town of Stratford: RASS staff accompanied Enforcement staff on a site visit to investigate a possible wetland fill that was referred by NYSDOT. Fill will likely need to be removed from wetlands and erosion and sedimentation controls implemented to protect wetlands and water quality. Other involved Agency staff: Fravor. (O'Dell)

*E2012-0064, Town of Chesterfield Highway Department, Town of Chesterfield: RASS staff examined and measured apparent wetland fill. Staff will continue with remediation plans. Other involved Agency Staff: Adams. (Rooks)

*E2012-0081, Ronning, Town of Hague: RASS and Enforcement staff investigated soil eroding and sedimenting into wetland. Staff will coordinate with DEC and Town. Other involved Agency Staff: Adams. Other involved agencies/municipalities: DEC, Town of Hague, Lake George Park Commission. (Rooks)

Jurisdiction

Field visits were conducted for those jurisdictional inquiries preceded by an asterisk (*).

*J2012-0296 Rayder, Town of Stony Creek: RASS staff visited this proposed subdivision to make a wetland determination for the purposes of determining which of the proposed lots would be jurisdictional for Agency purposes. (O'Dell)

*J2012-0312, Town of Schroon: RASS and other staff conducted a site visit with the applicant and their contractor. RASS staff assessed whether or not the existing and proposed replacement of shoreline structures were "attached". That is, are the structures structurally and functionally integrated and what footprint is allowed for replacement. Supplemental JIF materials received after the field visit are under review.

J2012-0244, Goldsmith Rd. Bridge Replacement, Town of Franklin: RASS staff reviewed plans and assessed shoreline cutting, bridge replacement variance jurisdiction and municipal road expansion permit jurisdiction. As a result of the review, the only basis of jurisdiction was determined to be impacts to wetlands. Other involved Agency Staff: Miller. (LaLonde, O'Dell)

J2012-0226, Bedford, Town of Mayfield: RASS staff reviewed a proposal for applicability of 575.7(c) of the Agency's regulations for a proposed replacement dwelling. It was determined that no jurisdiction was associated with the on-site wastewater treatment system proposal. Other involved Agency Staff: Miller. (LaLonde)

Legal

Completed review and provided suggested edits to Man-Made Waterbody Shoreline Setback Legal Guidance memorandum. Other involved Agency Staff: Reynolds, McAleese. (LaLonde, Spada)

Wetlands

Field visits were conducted for those jurisdictional inquiries preceded by an asterisk (*).

*W2012-0096, Loreman, Town of Chesterfield: RASS staff flagged wetlands for a landowner looking to either subdivide his property, expand his business or lower his taxes. He will receive a letter regarding the extent of wetlands on his property for tax assessment purposes. (O'Dell)

*W2012-0117, NYS DOT, Towns of Newcomb, Minerva, Johnsbury, Warrensburg: The field site visit was for several culvert projects involving wetlands. Staff examined 5 culvert repair or replacement projects that qualify for the Wetland GP. Staff will review

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application materials, process and issue the GP. Other involved Agency Staff: Saehrig. (Rooks)

RASS staff provided 16 air photo interpretations for wetland determinations or GIS projects for: JIFs, Landowners, Enforcement cases, Reg Program projects, and towns. (Mark Rooks, Mary O'Dell)

Meetings/Events Attended

RASS staff attended the Lake Champlain Flood Resilience Conference on June 4 and 5 in Burlington, VT. The conference allowed local officials and national experts to examine the impacts of last year's historic flooding and to consider steps to mitigate the environmental and human impact of future flood events. The conference included presentations focused on technical aspects of river and lake systems, emergency response, impact of climate change, flood hazard mapping, and flood mitigation policy. Several common themes emerged during the program, including the importance of allowing rivers to access their floodplains, the need for workable tools and incentives to limit development in flood hazard areas, and the need to communicate effectively with the public about river/stream management. The RASS Soils and Water Engineering Specialist participated in a panel discussion and provided a short presentation on APA regulations as applied to shoreline stabilization projects and review of "soft" techniques approved by the Agency. (Snizek, Lalonde, Bendell)

RASS staff attended aquatic invasive species training given by APIPP at Paul Smiths College. (Rooks)

RASS staff attended the LCBP monthly TAC meeting on June 6, 2012. The TAC met in executive session to review the proposals submitted in response to the "NYS Better Back Roads Program" RFP. A recommendation will be forwarded to the LCBP Steering Committee. (Snizek)

RASS staff, other Agency staff and DEC staff participated in the "Mapping the Future of the Adirondack Park" DEC-APA workshop on June 18-19. (Snizek, LaLonde)

The RASS Supervisor participated in the North Country Clean Energy Conference in Lake Placid. He was subsequently asked to serve on the Working Landscapes and Land Use/Livable Communities Working Groups for the North Country Homegrown Sustainability Plan. (Spada)

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Summary of RASS Activities for May, 2012			
Activity	Number of Interactions (Site Visits)	Year To Date (Site Visits)	Other State Agencies Involved ¹
Projects	18 (9)	131 (45)	
Pre-Application	5 (4)	33 (20)	1
Permit Compliance	1 (1)	4 (2)	
Enforcement	4 (4)	33 (22)	3
Jurisdiction	4 (2)	44 (12)	
Legal	1	4	
Planning	0	2	
Map Amendment	0	1	
Wetlands	2 (2)**	226 (97)	
Soils	4 (7)	28 (31)	
Meetings/Events	5	182	∞
Literature Reviewed	0	44	na
Total	44 (29)	732 (179*)	15

*Does not add up due to overlap among activities

**Incomplete data due to illness

DMS:lah

cc: RASS Staff

¹ May tally individual agencies more than once if they were involved with multiple activities. Does not include numbers of individual staff involved.

M E M O R A N D U M

TO: Dan Spada
FROM: Ed Snizek
DATE: June 28, 2012
RE: Monthly Deep-hole Test Pit Statistics

In June of 2012 a total of 7 deep-hole test pit (DHTP) evaluations were performed by Agency staff. Of the 7 DHTPs locations 43 percent meet Agency guidelines for conventional wastewater treatment systems, 57 percent meet Agency guidelines for shallow wastewater treatment systems.

Deep Hole Test Pit Statistics	Jan	Feb	Mar	Apr	May	Jun
Projects Involving DHTPs	7	5	1	11	11	4
DHTPs Described by APA	13	7	2	24	6	7
DHTPs Described by Consultants	5	4	0	1	5	?
Total DHTPs	18	11	2	25	11	7
Approved Conventional Systems	9	1	0	4	4	3
Approved Shallow Systems	3	5	0	14	6	4
Did not Meet Agency Guidelines	6	5	2	7	1	0
Approved Conventional Systems %	50%	9%	0%	16%	36%	43%
Approved Shallow Systems %	17%	45%	0%	56%	55%	57%
Did not Meet Agency Guidelines %	33%	45%	100%	28%	9%	0%
Approved Shallow Systems	3	5	0	14	6	4
Shallow Systems due to SHGWT	3	5	0	14	4	4
Shallow Systems due to Bedrock	0	0	0	0	6	3
Shallow Systems due to SHGWT %	100%	100%	0%	100%	67%	100%
Shallow Systems due to Bedrock %	0%	0%	0%	0%	100%	75%