

**Agency Programs/Activities: Inventory and Key Data
Adirondack Park Agency**

Relation to Core Mission (H/M/L)	Program/Activity	Spending Category (SO, ATL, CAP)	3/31/09 FTEs (All Funds)	General Fund Disbursements (\$000s)				State Special Revenue Funds Disbursements (\$000s)				Capital Projects Funds Disbursements (\$000s)			
				2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected
M	GRANTS TO LOCAL GOVERNMENT			50	88	25	0	0	0	0	0	0	0	0	0
	PERSONAL SERVICE							0	0	0	0	0	0	0	0
H	Administration Division		9		330	769	785	0	0	0	0	0	0	0	0
	Legal Division (Total FTE = 18)				630	681	697	0	0	0	0	0	0	0	0
H	Counsel and Associate Counsel		2												
H	Senior Attorney Services		5												
H	Enforcement		7		325	362	367	0	0	0	0	0	0	0	0
H	Jurisdictional Determination Office		4		226	242	247	0	0	0	0	0	0	0	0
	Resource Analysis & Scientific Services (Total FTE = 9)				575	626	630	0	0	0	0	0	0	0	0
H	Resource Analysis		3.5					0	0	0	0	0	0	0	0
H	Wetlands Protection		2					0	0	0	0	0	0	0	0
H	Enforcement Support		1.5					0	0	0	0	0	0	0	0
	Planning Division (Total FTE = 9)				540	657	663								
H	Park Policy and Planning		2												
H	State Land		3					0	0	0	0	0	0	0	0
H	Mapping/Geographic Information Services		2												
M	Local Government Services		2												
H	Regulatory Programs Division		15		925	1032	1038	0	0	0	0	0	0	0	0
M	Interpretive Programs Division (Total FTE = 11)														
	Paul Smiths Visitor Interpretive Center		7		345	398	402								
	Newcomb Visitor Interpretive Center		4		185	201	204								
L	Grant Administration		2					0	0	0	0	0	0	0	0
			71	3944	4081	4968	5033	0	0	0	0	0	0	0	0
	NON PERSONAL SERVICE			573	928	720	745	0	0	0	0	0	0	0	0

**NYS Adirondack Park Agency – Administration Division
PROGRAM INFORMATION SHEET**

Program

Administrative Services/Public Information/Economic Services

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational River System Act (ECL Article 15, Title 27)

Mandated or Current Funding Level

\$491,851 Personal Service (10 FTE* , 3 Hourly)

\$65,000 Agency Board Support

\$556,851 TOTAL

Brief Description/History/Background

The work of the Administration Division consists of the following: The Administrative Services Unit, led by the Agency's Administrative Officer 1, is responsible for all administrative functions in support of the Agency Board and the Agency staff including fiscal management, contract administration, personnel management, physical plant and fleet management, management information systems and the operation and maintenance of the Agency's information technology (IT) systems. Specific support includes: the maintenance of computerized charts of account to monitor Agency expenditures against budget allocations; preparation of purchase orders and vouchers; monitoring and submission of all revenue to the Bureau of State Expenditures; preparation of Budget Requests for submission to the Executive Chamber and the Legislature; preparation of Fiscal and Personnel Plan for submission to the Division of the Budget, as well as all other *ad hoc* reports as requested; implementation of all Executive Chamber policies; preparation and administration of grants and contracts, including contracts for building maintenance, maintenance of phone system, computers, copying equipment, publications, and other miscellaneous services; preparation of all RFP and contract documents for federal funding grants to the Agency and all necessary subcontracts and process payment to vendors; preparation and submission of bi-weekly payroll; administration of staff time and attendance submissions and on-site administration of employee benefits programs including Health Insurance, Employee's Retirement System, Attendance and Leave Programs, Human Resources Training and Development, and an Employee Assistance Program; management of physical plants including the Agency headquarters building, Visitor Interpretive Centers at Paul Smiths and Newcomb; management of a 25-vehicle fleet including processing Office of General Services semi-annual reports; monitoring and implementing the performance evaluation system; maintaining liaisons with unions, Affirmative Action, Minority and Women-Owned Business Enterprises (MWBE), Governor's Office of Employee Relations (GOER) and related State agencies and departments; and developing and coordinating staff training programs

* Includes vacant Executive Director position.

and workshops. Administration staff operate and maintain the Agency's IT systems (hardware and software) which support all Agency programs and functions and include computer networks and servers, GIS, and the Agency's web casting system.

The Division also includes the Agency's Public Information Director who is the chief spokesperson for the Agency. This position involves media relations and community outreach services including the design and delivery of educational workshops for various constituent groups and stakeholders. The Public Information Director produces and/or edits all Agency publications, brochures, and annual reports, responds to media inquiries and produces Agency press releases. Media relations are coordinated with the Governor's Press Office.

The Agency's Special Assistant for Economic Affairs has the core responsibility of providing analytical support in the areas of fiscal and economic impact analysis for the Agency's regulatory, planning and enforcement programs. The Special Assistant helps coordinate the delivery of technical information and services regarding the requirements of the Adirondack Park Agency Act and other statutes to the sponsors of job-generating projects within the Park, and serves as liaison to State and local economic developers.

Issues

Activities of the Administration Division are in support of the full mission of the Adirondack Park Agency. Services provided by staff of the Administrative Services Unit are critical to the effective and efficient expenditure of the State's resources in support of the Agency's statutory mission and core programs. The organizational placement of the Public Information Director and Special Assistant for Economic Affairs within the Administrative Division is in recognition that these single staff functions have a critical relationship to all of the program activities of the Agency and transcend the activities of any single program division. Each of these positions report directly to the Executive Director and involve close coordination with other managers.

Population Served

Staff of the Adirondack Park Agency, including the Administrative Division, serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole. The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Administrative Services Unit: Timely and accurate completion of all administrative processes and reports; Agency expenditures consistent with budget allocations by division; consistency of personnel management with training and evaluation criteria. Public Information Director: Accuracy and timeliness of information delivered to the media and the public; quantity, quality, and regional distribution of outreach activity to constituent groups and stakeholders. Special Assistant for Economic Affairs: Accuracy and timeliness of analytical information delivered in support of planning, regulatory and enforcement activities; quantity and quality of technical information on Agency permitting procedures for prospective business applicants; quantity and quality of information support to State and local economic developers.

Risk Assessment

Loss of staff could result in a decreased ability to manage State budgetary resources, personnel decisions and payment to vendors and contractors and other fiscal and personnel obligations.

The Administrative Services Unit also provides critical support to the Agency's executive staff and Board of Directors.

**NYS Adirondack Park Agency – Interpretive Programs Division
PROGRAM INFORMATION SHEET**

Program

Environmental education/interpretation in support of the overall mission of the Adirondack Park Agency

Relation to Core Mission

Medium

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational River System Act (ECL Article 15, Title 27)

Mandated or Current Funding Level

Paul Smiths

\$374,552 Personal Service (7 FTE, 3 Hourly)

\$75,590 Non-Personal Service

\$450,142 Subtotal

Newcomb

\$186,296 Personal Service (4 FTE, 3 Hourly)

\$20,428 Non-Personal Service

\$206,724 Subtotal

\$656,866 TOTAL

Brief Description/History/Background

The Interpretive Programs Division conducts environmental education and regional interpretation through regional outreach and two Visitor Interpretive Centers (VICs) in Paul Smiths, Franklin County, and Newcomb, Essex County, which in 2007 had a combined visitation of 92,430 people. VIC programs enhance public awareness of Park resources and the role of the State of New York in their protection. Activities are guided by a strategic plan which calls for partnerships with other interpretive organizations throughout the Park in order to leverage the amount of information provided to residents and travelers. The Division's programs include naturalist-guided hikes for youth and adults, butterfly and live Bird of Prey programs, and seminars and lectures on a range of topics. The Division serves as a resource for school districts in the region which seek to connect their classrooms to the environmental resources of the Park. The Division also prepares and showcases film, art, and museum exhibits on the Park as well as print materials. Limited funding support for VIC programs is provided by the Adirondack Park Institute, a 501(c)(3) "friends" group.

The Paul Smiths VIC opened in 1989 on a 2,885-acre site leased from Paul Smith's College. The site contains a 60-acre marsh, five ponds, brooks and swamps, and varied types of forest cover. There is a 9.5-mile trail system for hiking and cross-country skiing and snowshoeing in the winter, a native species butterfly house, housing for raptors in Bird of Prey programs, a children's playground, picnic pavilions, and a 125-car parking lot. The 10,000-square-foot main

building at the VIC contains a classroom, a 150-seat theater, an environmental education resource library, an exhibit room, a visitors' lounge, restrooms, a passive energy (sun space) exhibit area, an education-oriented gift shop, administrative offices and staff workshops. Visitation for the Paul Smiths VIC was 64,057 in 2007.

The Newcomb VIC opened in 1990 on a 236-acre site on Rich Lake leased from Syracuse University and the SUNY College of Environmental Science and Forestry. This site includes a forested peninsula, distinctive wetlands, old-growth forest types, lake vistas, and scenic overlooks. Enclosed space includes a 6,000-square-foot public assembly building with a main exhibit room, a visitors' lounge, and restrooms as well as a separate garage/classroom building. The Newcomb VIC includes a 3.6-mile hiking trail system, butterfly and hummingbird gardens, housing for raptors in Bird of Prey programs, picnic tables and a 40-car parking lot. Visitation for the Newcomb VIC was 28,373 in 2007.

Issues

A strong stewardship ethic by the public is necessary to advance the goals of the Adirondack Park Agency Act. It is, therefore, critically important to build public understanding of the sensitive natural and community resources of the Adirondack Park and the role played by the Adirondack Park Agency, other State agencies, and localities in their protection and enhancement. Through building such public understanding, the Interpretive Programs Division provides core support to the overall goals and objectives of the Adirondack Park Agency.

Population Served

Staff of the Adirondack Park Agency serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole. The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Census of annual and seasonal visitation; levels of cooperative programming with regional interpretive partners; levels and diversity of interpretive program outreach (off-site).

Risk Assessment

The Paul Smiths VIC is the anchor facility for the Interpretive Programs Division and is sized and designed to support the range of staff services necessary to conduct interpretive programs on a regional basis. The Newcomb VIC has served as a satellite operation since its inception and its design and use characteristics reflect that important but subordinate role. Any staff or facility contractions, including any necessary consolidations, will need to be accomplished in a manner that will allow the Division to maintain and strengthen its educational role through the anchor VIC operation at Paul Smiths. Both Visitor Centers continue to support an important function of providing information to the public on Park resources, coordinating with State and local educational and tourism organizations, and supporting Agency-focused messages for environmental protection, improved regional and local land use planning and Park stewardship.

**NYS Adirondack Park Agency – Legal Division
PROGRAM INFORMATION SHEET**

Program

Counsel and Associate Counsel

Relation to Core Mission

High

Mandate

- Counsel Agency Board on matters before it.
- Resolve legal issues through guidance for Agency programs, including jurisdiction, project and State land management procedures and related authorities that bear on Agency programs.
- Manage Legal Division and Senior Attorneys.
- Litigation Support to Attorney General.
- Regulatory revision.
- Legislative affairs.
- Agency Ethics oversight and advice.

Mandated or Current Funding Level

\$620,849	Personal Service – Legal (7 FTE)
\$211,067	Personal Service – JIF Office (4 FTE)
\$311,604	Personal Service – Enforcement (7 FTE)
\$1,143,520	TOTAL

Brief Description/History/Background

The Agency administers the Adirondack Park Agency Act that establishes a State land and a private land plan for the Park, implemented with various administrative and permit mechanisms. The Office of Counsel provides legal advice to the Agency eleven-member board and to staff regarding the implementation of these authorities. It is directly responsible for regulatory revision, legislative affairs, Agency ethics education and advice, and supervision of legal staff and Attorney General litigation priorities.

Issues

With a small office, regulatory revision and legislative affairs remain significant challenges. An experienced and dedicated staff provides efficient service to other Agency programs with a high degree of consistency in spite of the complex issues involved in Agency jurisdiction and project review.

Population Served

The Adirondack Park is a resource of global significance and the integrity of the institutions that protect it into the future are of significance to all of New York State as well as 138,000 Park residents in over 100 distinctive and fiscally challenged communities.

Performance Measures

Timely advice; continuing regulatory revision and updates; and a legislative agenda to update authorities last visited over thirty years ago are ongoing priorities. Also, continued pursuit and success with regard to important litigation.

Risk Assessment

A decrease in staff could interrupt the ongoing regulatory revision process; disrupt dialogue regarding legislative reform and disrupt the legal guidance essential to consistent regulatory decisions.

**NYS Adirondack Park Agency – Legal Division
PROGRAM INFORMATION SHEET**

Program

Senior Attorney Services

Relation to Core Mission

High

Mandate

- Advise project review staff on permit and order drafts prepared in Regulatory Programs.
- Represent the Agency in adjudicatory hearings and assure a complete record for Agency decision.
- Advise the Agency on issues arising in the administration of the Adirondack Park State Land Master Plan.
- Advise regarding Agency approval of local land use programs pursuant to Section 807 of the Adirondack Park Agency Act.
- Advise regarding the administration of local land use programs, and particularly local administration of variances from shoreline and intensity provisions of the Adirondack Park Agency Act which must be referred to the Agency for individual approval.
- Litigation support to the Attorney General, including preparation of the Agency record for the matter in question and drafting and review of court documents which are filed and argued by the Attorney General on behalf of the Agency.
- Draft documents and advice for the Agency or for Agency Counsel.
- Draft documents for the Agency Enforcement Program (primarily addressed by one Senior Attorney detailed to the Enforcement Program).

Brief Description/History/Background

The Agency administers the Adirondack Park Agency Act that establishes a State land and a private land plan for the Park, implemented with various administrative and permit mechanisms. Legal staff plays an integral role in the delivery of both regulatory and planning services.

Issues

The uneven flow of work provides a special challenge to the Senior Attorneys at the Agency. One local land use program approval may involve months of work, equivalent to dozens of individual permit reviews. Similarly, one major adjudicatory hearing may consume months of time to assure preparation of witnesses and exhibits, actual cross-examination of witnesses at hearing, and preparation of the record for transmittal to the Agency for decision. There is also a constant stream of individual permit applications for review, each with mandated statutory deadlines for advice to avoid “default” approval status for the application.

Population Served

The programs assisted by Senior Attorneys involve the 138,000 Park residents in over 100 distinctive communities, as well as a complex fabric of constituencies that may qualify for “party” status in Agency permit and hearing proceedings.

Performance Measures

Timely advice, well coordinated with other programs at the Agency and local government or the Attorney General. Most performance considerations are indirectly measured in the performance measures for the other programs of the Agency.

Risk Assessment

The services of Senior Attorneys are essential to the Agency's decision-making process. Disruption of these services creates risks to statutory deadlines for decisions after which "default approval" is available to applicants and creates risks in faulty legal records and decision making for both major and minor projects affecting the Park resources.

**NYS Adirondack Park Agency – Legal Division
PROGRAM INFORMATION SHEET**

Program

Enforcement

Relation to Core Mission

High

Mandate

Executive Law Section 813 (Adirondack Park Agency Act)

Environmental Conservation Law Section 15-2723 (Wild, Scenic and Recreational Rivers Act)

Environmental Conservation Law Section 71-2303 (Freshwater Wetlands Act)

9 NYCRR Part 581

Brief Description/History/Background

The Agency's Enforcement Program investigates and settles alleged violations, administratively prosecutes unresolved violations, partners with the Attorney General's office in the civil prosecution of violations, and monitors compliance with settlements or administrative/civil decisions.

Historically, the Agency's Enforcement Program was understaffed, with only three enforcement investigators covering the entire Adirondack Park as recently as 2000. A process for administrative review initiated in 2003 resulted in removing old cases not susceptible to prosecution, but left a large number of old subdivision violations unresolved and not under active investigation.

At present, there are approximately 550 unresolved cases, and this year the Enforcement Program has begun a transition to more proactive and timely enforcement.

Issues

The number of unresolved violations continues to rise. This is primarily attributable to:

- a backlog of unresolved subdivision violations now prioritized for investigation and resolution;
- a growing number of reported and discovered environmental violations due to proactive actions and public perception of effective response; and
- new procedures that engage the Agency Enforcement Committee to determine persistent cases not reaching timely settlement.

This trend of an increasing number of unresolved violations will likely continue through 2008 and 2009; however, the effect of more prevention and more effective deterrence, made possible by the current program staffing level, should lead to declining violations in ensuing years.

Population Served

The Enforcement Program serves all of the owners of land in the Adirondack Park, as well as those with a legal interest in parcels of land, all residents of the State of New York, and all visitors to the Adirondack Park.

Performance Measures

The Enforcement Program measures its performance based on the number of cases opened and closed. Sub-measures include the number of open cases requiring investigation (for investigators) versus the number requiring settlement negotiation or litigation (for attorneys).

Risk Assessment

Failure to continue staffing of the Enforcement Program at its current level could hinder the Agency's ability to achieve its strategic goals of preventing violations, implementing effective enforcement activities and deterring violations.

**NYS Adirondack Park Agency – Legal Division
PROGRAM INFORMATION SHEET**

Program

Jurisdictional Determination Office

Relation to Core Mission

High

Mandate

- Advise landowners and project sponsors regarding Agency jurisdiction over subdivision and new land use and development applying the criteria of the Adirondack Park Agency Act, the Wild Scenic and Recreational River System Act, and the Freshwater Wetlands Act.
- Advise State agencies regarding Agency jurisdiction over new land use and development.
- Administer FOIL program for Agency.
- Assist with Regulatory Revision relating to Agency jurisdiction.
- Provide staff training regarding Agency jurisdiction.

Brief Description/History/Background

The Agency administers three statutes in one integrated permit system. Jurisdiction is determined based on the status of the property on August 1, 1973 and subsequent land transactions and development involving that property.

Subdivision of the nth lot where n varies by land classification or zoning triggers Agency subdivision review. New land use and development requires an Agency permit based on location, size and use characteristics that vary for each land use area.

This office applies these rules, providing informal advice by phone and formal binding advice in written determinations that are often required for real estate and mortgage transactions as well as prior to initiating a permit application with the Agency.

Issues

There are about three million acres of private land within the Park that could be developed by residential, commercial and industrial development. About 6,000 phone contacts and over one thousand written requests are processed each year. Consistent advice involving a complex statutory scheme (i.e., more than one statute) is an ongoing challenge addressed with ongoing staff development and education programs for other divisions as well as GIS and other technology-based prompt systems to retrieve prior advice involving the same individual or property.

Population Served

Park landowners, businesses, real estate professionals and internal Agency continuing education needs; all FOIL clients of the Agency.

Performance Measures

The primary measure is timely jurisdictional advice and FOIL service which are monitored in monthly public reports provided to the Agency Board.

Risk Assessment

Technology has provided important efficiencies, but experience indicates that an average response time greater than two to three weeks disrupts Agency and community decision-making, creates inconvenience to landowners, and encourages disregard for Park laws and regulations.

**NYS Adirondack Park Agency – Planning Division
PROGRAM INFORMATION SHEET**

Program

Park Policy and Planning

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Adirondack Park State Land Master Plan

Mandated or Current Funding Level

\$559,371 Personal Service (9 FTE)

\$559,371 TOTAL

Brief Description/History/Background

The Agency has significant responsibility under the Adirondack Park Agency Act and State Land Master Plan for Park-wide planning and policy coordination. Current Park Policy efforts are focused on coordination with two regional work groups, the Common Ground Alliance and a regional Steering Committee appointed by Department of Environmental Conservation (DEC) Commissioner Grannis, which are working on developing priorities for Park-wide planning. Other groups and organizations which Agency staff interact with on regional initiatives are the Adirondack Association of Towns and Villages (AATV), Adirondack Park Local Government Review Board, DEC's Forest Preserve Advisory Committee, Adirondack Park Energy Smart Initiative, Lake George Park Commission, Lake George Watershed Conference, Lake Champlain Management Conference, Adirondack Research Consortium, Adirondack North Country Association, Northern Forest Lands Program, Lake Champlain Byways Program and other organizations involved with management and policy issues within the Park. The Agency also administers some Scenic Byway projects within the Park. Over the last ten years, the Agency has secured fifteen federal Scenic Byway grants to accomplish planning objectives in the Park worth nearly \$2.5 million.

Issues

The Agency receives regular criticism that it does not have the proper resources to develop positions or evaluate conditions on issues such as energy use, Park-wide recreational planning, transportation, water quality assessment, carrying capacity, affordable housing, development trends, and other broad concerns for the future of the Park. The Agency continues to develop collaborative approaches with other State and local agencies to advance new policy initiatives in the Park.

Population Served

Staff of the Adirondack Park Agency serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole.

The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Coordination with DOS and DEC on grant application review and awards to Adirondack communities; participation on inter-agency work groups on Park policy issues; participation on regional advisory committees and meetings of regional organizations; ensuring that Park Policy issues are adequately addressed by the Agency Board; improving funding sources for Park policy research and trends analysis reporting.

Risk Assessment

The Adirondack Park Agency Act and State Land Master Plan recognize the legislatively mandated role of the Park Agency of responsibility for long-range planning in the Park. Adequate staffing and resources are needed to accomplish basic regional planning and evaluation responsibilities for both private and public lands within the Park.

**NYS Adirondack Park Agency – Planning Division
PROGRAM INFORMATION SHEET**

Program

State Land

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Adirondack Park State Land Master Plan

Brief Description/History/Background

Agency staff have a primary role for implementation of the State Land Master Plan through coordination with DEC on the development and review of Unit Management Plans for all Wilderness, Primitive, Wild Forest and Intensive Use Areas within the Park, comprising three million acres. This work also includes coordination with the Olympic Regional Development Authority (ORDA), Hudson River-Black River Regulating District (HR-BRRD) and Department of Transportation (DOT) on State lands administered by those agencies. The Agency is mandated to periodically review and revise the State Land Master Plan, which last underwent a major review in 1987. The Agency is responsible for the classification of newly acquired State land and incorporating any new classifications or revisions into the official Adirondack Park Land Use and Development Plan Map. The functions of the State Land program include interpretation of the State Land Master Plan and approval of DEC projects and plans for consistency with the Master Plan. Project review includes a number of mandates in addition to Master Plan compliance, including review of projects involving wetlands and projects involving compliance with a Federal Court Order for Access to Forest Preserve by individuals with disabilities.

Issues

The Agency and DEC have committed to a long-term process for completion of all Unit Management Plans within the Park. To date, fourteen plans have been adopted by the Commissioner of Environmental Conservation; seventeen plans are under development as team drafts; seven plans have recently been released or are about to be released for public review; three plans have been amended to address ATV access problems, and three plans have been amended to improve snowmobile trails and access. Ongoing policy and planning efforts are focused on addressing issues such as recreational user surveys, snowmobile trail maintenance, improved long-distance trail development and retention of historic fire towers in Wilderness areas.

Population Served

Staff of the Adirondack Park Agency serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole. The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Completion of all outstanding Unit Management Plans; timely review of DEC, ORDA, HR-BRRD and DOT proposals on, or with potential impacts to, State lands and natural resources; resolution of policy issues for motorized access and snowmobile trail maintenance and construction.

Risk Assessment

Reduction in staffing could decrease the Agency's ability to provide for adequate and timely coordination and review of State Land policy and proposed projects to protect natural resources and improve public access to State lands within the Adirondack Park. There could be delays in technical assessment and implementation of the public hearing process for classification of newly acquired State Land.

**NYS Adirondack Park Agency – Planning Division
PROGRAM INFORMATION SHEET**

Program

Mapping/Geographic Information Services

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)
9 NYCRR Part 583
Adirondack Park State Land Master Plan

Brief Description/History/Background

The Planning Division provides and manages the Agency's overall Agency records management, mapping, web site, and computerized GIS services. Typical products include: official regulatory maps for State lands, private lands and freshwater; comprehensive air photo sets; data to document official regulatory maps including official soil surveys, land cover, topography, hydrography, infrastructure and recreation; information systems for use by staff and the public including the GIS-based map and document "Look-up System" for Agency-wide administrative support; quality assurance and control for data created by the Agency and data acquired from other sources for integration into Agency GIS; and meeting State and federal standards for GIS data. The Mapping/GIS Services Unit also is responsible for managing revisions to the official Adirondack Park Land Use and Development Plan Map, including both cartographic administration and amendments to land use classification boundaries approved by the Agency or as a result of new State land acquisitions or classifications.

Issues

All regulatory and enforcement functions within the Agency are dependent on accurate mapping and GIS technology. Mapping/GIS Services supports the Agency's legislatively mandated program by providing accurate aerial and ortho-photo imagery. All land use classification information and natural resource data such as soils, slopes and wetlands are integrated into the Agency's staff-level application and permit review process via a "Look-up System" which provides access to map information on all computer equipment for reference and analysis by staff. GIS data is basic to the Agency's administrative functions to update and amend the official Adirondack Park Land Use and Development Plan Map. Implementation of the State Land Master Plan also relies on accurate locational information for classification and reclassification of State lands within the Park.

Population Served

Staff of the Adirondack Park Agency serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole. The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Timely updates of GIS data; adequate QA/QC to ensure all information is reliable and accurate for use by Agency staff and by other State agencies with management responsibilities within the Park; timely response to landowners, local officials and other State agencies on map-related inquiries, map amendment and classification/reclassification requests, including completion of SEQR documents and public hearings.

Risk Assessment

Reduction in staffing could decrease the Agency's ability to provide critical information and data for the classification of State lands; could interfere with processing of community and private landowner requests for amendments on land classifications on the official Park map; and could undermine the Agency's ability to make accurate and timely jurisdictional determinations which provide the basis for all land use and wet lands permits issued by the Agency.

NYS Adirondack Park Agency – Planning Division
PROGRAM INFORMATION SHEET

Program

Local Government Services

Relation to Core Mission

Medium

Mandate

Adirondack Park Agency Act (EL Article 27)

9 NYCRR Part 582

Brief Description/History/Background

The Agency's programs include the review and approval of local land use programs for consistency with the Adirondack Park Agency Act and transfer of review authority for Class B regional projects previously administered by the Agency. The Agency retains review authority for larger projects, projects involving wetlands and other projects which trigger Agency Class A project jurisdiction. Approved programs must obtain Agency approvals of revisions to their land use codes prior to local adoption. They must also refer all variance determinations to the Agency for review. The Agency has the authority to overturn local variance determinations involving provisions of the Adirondack Park Agency Act delegated to approved programs.

The Local Government Services staff provides regular assistance to communities on zoning review and coordination with Agency project review. The Agency's Local Government Services program provides regular training sessions and outreach to local officials, planning boards, zoning boards and code enforcement officers in cooperation with staff from the Department of State (DOS). An annual local government outreach event called "Local Government Day" is also held each March.

Issues

The Local Government Services program is the key focal point integrating local and regional planning within the Park. The Adirondack Park Agency Act establishes a mechanism for review of local land use programs for consistency with the Act and creates an ongoing working relationship to coordinate review authority between regional and local projects. The intent of the Adirondack Park Agency Act is "to achieve sound local land use planning throughout the Park." A critical function of the Local Government Services program is, therefore, to provide training, technical advice and other services, in order to enhance local planning initiatives in all communities within the Park.

Population Served

Staff of the Adirondack Park Agency serve all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as the residents of the State as a whole. The people of the State of New York rely on the Agency to accomplish the balanced objectives of Section 801 of the Adirondack Park Agency Act.

Performance Measures

Timely review and approval of local land use programs and their amendments; timely review and approval of local map amendment requests; timely coordination of Class A and Class B permit review in consultation with town planning boards; timely review of variance referrals from zoning boards of appeal in Agency-approved communities; adequate coordination with DOS and other regional and local agencies to provide appropriate training to town and village officials, including but not limited to town boards, planning and zoning boards and code enforcement officers.

Risk Assessment

Reduction in staffing could decrease the Agency's ability to provide for adequate and timely review of local land use programs, referrals from zoning boards and coordination with other regional and local agencies. Resource implications also include reduction in the legal obligations of the Agency to review variances in towns with Agency approved land use plans and the reduction of technical and training services to local governments in the Park which are currently provided by Agency staff.

**NYS Adirondack Park Agency - Resource Analysis and Scientific Services Division
PROGRAM INFORMATION SHEET**

Program

Resource Analysis

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational Rivers System Act (ECL Article 15, Title 27)

Mandated or Current Funding Level

\$568,425 Personal Service (9 FTE)

\$568,425 TOTAL

Brief Description/History/Background

Program activity includes:

- Review of development proposals to determine jurisdiction;
- Review of professionally engineered plans;
- Field inspections to determine site development suitability including soils, slopes, forest resources and drainage;
- Provide technical review of all projects submitted to the Agency;
- Make recommendations regarding adverse impact to the Park's natural, scenic, aesthetic, ecological, wildlife, historic, recreational and open space resources of the Park;
- Provide educational outreach to local governments, the regulated community and the public at large; and
- Provide expert testimony at public hearings and depositions.

The RASS Division was formalized in 1984 and houses the Agency's technical staff with particular expertise and certifications. The current program is stable and meeting basic performance goals. However, the program is not adequately addressing long-term analyses and trends, and cumulative impact assessment.

Issues

The Resource Analysis program is staffed entirely by RASS members. Each project application the Agency receives is routed through technical staff for review and comment. The success of the Resource Analysis program is dependent on continued staffing levels to provide timely, professional service to the Agency's customers; and on funding for staff professional development.

Population Served

RASS's services have the potential to impact all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as all those with a legal interest in parcels of land. The program's services may also serve all New Yorkers who rely on the Agency to protect, preserve and conserve the Adirondack Park.

Performance Measures

Permit application review meets statutory time clocks. The technical conditions in issued permits are clear, concise, provide appropriate guidance to project sponsors and consultants, are respectful of rights, and are protective of Park resources. Staff guidance and other Agency policy documents comply with all applicable laws and regulations.

Risk Assessment

Lower staffing levels could lead to delays in processing permit applications and reduce the Agency's ability to adequately assess natural resource impacts during the permit review process.

**NYS Adirondack Park Agency – Resource Analysis and Scientific Services Division
PROGRAM INFORMATION SHEET**

Program

Wetlands Protection

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational Rivers System Act (ECL Article 15, Title 27)

Brief Description/History/Background

Program activity includes:

- Determining wetland presence and extent through office and field research and delineation, creation and maintenance of wetland maps on a periodic basis;
- Determining wetland jurisdiction;
- Analyzing the effects of regulated activities on the functions and benefits of wetlands;
- Recommending and reviewing wetland mitigation plans and actions;
- Providing staff wetland recognition training;
- Investigating and analyzing wetland impacts from alleged violations;
- Providing public educational outreach on wetland issues;
- Preparing and presenting expert testimony in public hearings regarding impacts to wetlands including habitat fragmentation and loss, wetland function and cumulative effects assessment;
- Communicating with other State and federal scientific and regulatory personnel, and academic and industry researchers to develop interpretive information;
- Monitoring and resolving emerging scientific, regulatory and management issues involving wetlands; and
- Developing policies and procedures for projects involving wetlands on State and private land.

The Agency's Wetlands Protection program originated from the mandate provided in the Adirondack Park Agency Act in 1971 and expanded through the Freshwater Wetlands Act in 1975. The most significant changes to the program are digital mapping techniques and data array and analysis capability, higher quality and more regularly produced air photos, continued research that has increased our knowledge of wetland function and potential effects to wetlands. The current program is stable and meeting basic performance goals. However, long-term analyses and trends, and cumulative impact assessment are not adequately addressed.

Issues

The success of the Wetlands Protection program is dependent on continued staffing levels to provide timely, professional service to the Agency's customers, improve natural resources data sets, complete field identification of wet land areas and adequately review permit applications.

Population Served

Potentially all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as all those with a legal interest in parcels of land. The people of the State of New York who rely on the Agency to protect, preserve and conserve the Adirondack Park.

Performance Measures

Performance may be measured by observing no net loss of wetlands in the Adirondack Park, or alternatively, observing a net gain of wetlands. Completion of all wetland field checks in a timely manner and prior to end of field season.

Risk Assessment

The Adirondack Park Agency is charged with protecting wetlands as small as 1 acre in size; outside the Park, the State regulates only those wetlands larger than 12.4 acres. Lower staffing levels would severely impact the Agency's ability to carry out its legislative mandate to protect the Park's wetlands, river systems and other natural resources.

**NYS Adirondack Park Agency - Resource Analysis and Scientific Services Division
PROGRAM INFORMATION SHEET**

Program

Enforcement Support

Relation to Core Mission

High

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational River System Act (ECL Article 15, Title 27)

Brief Description/History/Background

Program activity includes:

- Determining extent and location of alleged violations;
- Providing conditions for settlement agreements designed to remediate violations of law;
- Reviewing professionally engineered plans and proposals to determine appropriateness and adequacy of violation remediation;
- Determining compliance with approved remediation plans field inspections; and
- Providing expert testimony at public hearings and depositions

The RASS Division was formalized in 1984 and houses the Agency's technical staff with particular expertise and certifications. The current program, which is part of RASS, is stable and meeting basic performance goals.

Issues

The Enforcement Support program is staffed entirely by RASS members. All enforcement actions involving construction activities or wetland impacts are routed through technical staff for review, comment and compliance checking. In order to ensure the success of the Enforcement Support program, we must maintain staffing levels to provide timely, professional service to the Agency's customers, and we must fund staff professional development.

Population Served

Potentially all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as all those with a legal interest in parcels of land. The people of the State of New York who rely on the Agency to protect, preserve and conserve the Adirondack Park.

Performance Measures

Recommendations for resolving enforcement cases are clear, concise, provide appropriate guidance to alleged violators and other staff, and are timely. The technical conditions in settlement agreements are clear, concise, provide appropriate guidance to violators and their consultants, are respectful of rights, and are protective of the Parks' resources. Staff guidance and other Agency policy documents are compliant with all applicable laws and regulations.

Risk Assessment

Lower staffing levels could cause delay in resolving enforcement cases.

**NYS Adirondack Park Agency - Resource Analysis and Scientific Services Division
PROGRAM INFORMATION SHEET**

Program

Grant Administration

Relation to Core Mission

Low

Mandate

Adirondack Park Agency Act (EL Article 27)

Freshwater Wetlands Act (ECL Article 24)

Wild, Scenic and Recreational River System Act (ECL Article 15, Title 27)

EPA Contracts

Brief Description/History/Background

Program activity includes:

- Identify research needs based on the mission of the Agency;
- Identify appropriate grant RFP's and apply for them by developing a proposal and wending through the grant approval process;
- Administer the terms of the grant including contracting, contractor coordination, data collection and array, work product review and QA/QC, analyses, authoring and editing final report, and disseminating the final report; and
- Apply the findings of the grant research to everyday work and to future Agency program directions to protect the resources of the Park and forward the mission of the Agency.

The RASS Division began competing for EPA Wetland Protection grants in 1993. To date we have received thirteen EPA-funded grants. The RASS Division is currently administering three EPA-funded grants that will provide wetland mapping, invasive species management, a screening tool to identify potential wetland restoration sites, and develop and implement a permit condition compliance program with a total value of over \$1 million. Total grant value since this program began in 1993 is \$2.69 million.

Issues

The Grant Administration program is staffed by RASS members and other Agency staff as needed. The success of the Grant Administration program is dependent on continued staffing levels to provide grant development and administration and adequate in-kind services to meet grant matches. Other issues affecting this program include the inordinate amount of time for State contract approvals.

Population Served

Potentially all of the approximately 138,000 full-time and 45,000 to 78,000 seasonal residents of the Park as well as all those with a legal interest in parcels of land. The people of the State of New York who rely on the Agency to protect, preserve and conserve the constitutionally set aside Adirondack Park for all to enjoy.

Performance Measures

There are two significant performance measures for this program. First, the final report including data sets and analyses must be completed on time, and submitted to and approved by the US Environmental Protection Agency. Second, the data and analyses must be integrated into the various Agency programs to facilitate and enhance the delivery of the Agency's mission.

Risk Assessment

A decrease in staffing levels would impede ability to successfully compete for Federal grants for wetland mapping and GIS development.

**NYS Adirondack Park Agency – Regulatory Programs Division
PROGRAM INFORMATION SHEET**

Program

Regulatory Programs

Relation to Core Mission

High

Mandate

- Implement the permit program for new land use and development pursuant to the Adirondack Park Private Land Use and Development Plan and the Adirondack Park Agency Act on about three million acres of private land in the Adirondack Park. Issue permits and shoreline restrictions variances as appropriate.
- Provide advisory environmental review over new land use and development by other State agencies, including DOT, Department of Correctional Services, DEC and ORDA, except when DEC and ORDA are acting pursuant to the State Land Master Plan. Issue Section 814 orders as appropriate.
- Implement the Freshwater Wetlands Act within the six-million-acre Adirondack Park. Issue wetlands permits as appropriate.
- Implement the Wild, Scenic and Recreational Rivers System Act on the private lands within the Adirondack Park. Issue rivers area permits as appropriate.

The following are common project review tasks when reviewing permit and variance applications and preparing draft permits and orders:

- Conduct pre-application meetings with landowners and/or developers and their professional consultants;
- Ascertain all predicates of jurisdiction over projects;
- Assess submitted applications for substantive completeness;
- Coordinate and perform staff reviews for consistency with approval criteria under three statutes administered by the Agency;
- Plan and conduct field investigations;
- Testify at and assist in public hearings;
- Prepare draft permits and oral presentations;
- Prepare materials for and present projects to the Director or Agency Board for decision;
- Monitor projects for compliance with the conditions of issued permits;
- Provide project review assistance in enforcement proceedings; and
- Maintain contact with State and local officials during review process, including DEC, DOH, State Historic Preservation Office and town planning officials.

Mandated or Current Funding Level

\$962,559 Personal Service (15 FTE)
\$962,559 TOTAL

Brief Description/History/Background

The Agency prepared the Adirondack Park Private Land Use and Development Plan in 1973. The Agency strives, through administration of the laws and regulations it administers, to balance conservation of the Park's natural resources with well-planned residential, commercial and industrial development.

Issues

There are approximately three million acres of private land within the Park that could be developed by residential, commercial and industrial development. Division staff travels about 220,000 miles per year to conduct site visits in response to about 400-450 permit applications per year. Permit applications and Agency responses are controlled by tight statutory time clocks with default approvals on standard conditions if time clocks are not met. Much of the most suitable lands are already developed, and increasing numbers of development proposals are on marginal lands. This complicates the permitting process and increases the potential for permit denials.

Population Served

138,000 people living year-round on private lands within the Adirondack Park, all State residents (who own the Park) and Park seasonal residents and visitors (several million per year).

Performance Measures

Permits, orders and variances issued within statutory timeframes.

Risk Assessment

Delays in processing permit applications lead to frustration on the part of the public. If statutory time clocks cannot be met due to manpower, projects are approved by default with decreased time and ability to adequately address impacts to natural resources, adjacent properties and communities within the Park.