



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

**RESOLUTION WITH RESPECT TO THE AMENDMENT OF INTER-AGENCY
GUIDELINES FOR IMPLEMENTING BEST MANAGEMENT PRACTICES TO
CONTROL TERRESTRIAL AND AQUATIC INVASIVE SPECIES ON DEC
ADMINISTERED LANDS OF THE ADIRONDACK PARK**

MARCH 8, 2018

WHEREAS, the Adirondack Park State Land Master Plan (Master Plan) recognizes the responsibility of the Adirondack Park Agency (Agency) for long-range planning and the establishment of basic policy for State lands in the Adirondack Park in consultation with the Department of Environmental Conservation (Department), including the need to interpret the Master Plan; and

WHEREAS, Section 816 of the Adirondack Park Agency Act requires unit management plans developed by the Department to be consistent with the Master Plan; and

WHEREAS, the Agency has the authority to establish general guidelines and criteria for the management of State lands, and under the State Administrative Procedure Act guidelines, Section 102(2)(b)(iv), to provide direction and guidance to Agency and Department staff on how to implement the guidelines of the Master Plan; and

WHEREAS, the Department has responsibility for the care and custody of State lands governed by the Master Plan and State lands within the Adirondack Park must be managed in compliance with the guidelines and criteria of the Master Plan; and

WHEREAS, the Agency is responsible for general interpretation and revisions of the Master Plan either on its own initiative or at the request of the Department, and the Agency and the Department entered into a "Memorandum of Understanding on the Implementation of the State Land Master Plan," (APA/DEC MOU) most recently revised in March 2010, which defines a process for interpreting the Master Plan; and

WHEREAS, Appendix F to the APA/DEC MOU provides "Inter-Agency Guidelines for Implementing Best Management Practices for the Control of Terrestrial and Aquatic Invasive Species on Forest Preserve Lands in the Adirondack Park;" and

WHEREAS, the guidelines establish parameters for best management practices (BMPs) which are intended to harmonize the New York State Constitution's "forever wild" provisions with the Master Plan directive to manage forest preserve lands for their protection and preservation; and

WHEREAS, the APA/DEC MOU contemplates that it may be necessary from time to time to amend the MOU and/or the appendices thereto, and places responsibility on the staff of the agencies to bring recommendations for amendments to the Agency and the Department upon a consensus of such staff members that such action is appropriate; and

WHEREAS, Agency and Department staff jointly propose to amend Appendix F to the APA/DEC MOU to establish:

- BMPs for the control of Hemlock Woolly Adelgid, including prophylactic treatment of surrounding uninfested trees;
- A 10-acre threshold for Early Detection and Rapid Response of forest pests;
- BMPs for additional terrestrial invasive plant species; and
- BMPs for control of aquatic invasive plants authorized under Agency general permits; and

WHEREAS, this proposed amendment to Appendix F constitutes an interpretation of the Master Plan and, for purposes of the State Environmental Quality Review Act, is a Type II action pursuant to 6 NYCRR § 617.5(31).

NOW, THEREFORE, BE IT RESOLVED, that the Adirondack Park Agency finds that the amended Appendix F to the APA/DEC MOU, entitled "Inter-Agency Guidelines for Implementing Best Management Practices for the Control of Terrestrial and Aquatic Invasive Species on Forest Preserve Lands in the Adirondack Park," is consistent with the Adirondack Park State Land Master Plan; and

BE IT FINALLY RESOLVED, that the Agency authorizes its Chairman to advise the Commissioner of Environmental Conservation of the Agency's determination in this matter.

Resolution adopted on this date, March 8, 2018.

AYES:

NAYS:

ABSENT: