



**Adirondack
Park Agency**

Inter-Agency Guidelines: Best Mgmt. Practices to Control Invasive Species

**on DEC-Administered Lands of the
Adirondack Park**

September 13, 2022

Presentation Outline

- Recap of substance of guidelines
- Proposed final guidelines – description of changes made
- Summary of public comments
- Staff recommendation
- Questions

Guidelines Recap

The updated guidelines:

- Apply to DEC and its agents (APIPP, lake associations, etc.)
- Apply to DEC-administered lands and underwater lands within the Adirondack Park – comprised primarily of Forest Preserve lands
- Provide greater flexibility in the range of invasive species that can be managed, including emerging threats to the region
- Enable DEC or its agents to propose BMPs through the work planning and permitting process
 - This change enables land managers to employ the best available science and treatment technologies

Implementation

- If APA determines that a proposed mgmt. activity may potentially have a material effect on the character or use of land, water, or desirable vegetation thereon or within, DEC and APA will consult to determine if the activity must be addressed through a UMP or UMP amendment
- Additional permits may be required by either the DEC and/or APA depending on the BMP(s) selected and site information

Proposed Final Guidelines – Changes

- Added APA Act definition of “land” to clarify where the guidelines apply (pg. 4)
- Clarified that BMPs would be proposed through the work plan process (pg. 5)
- Articulated that standard work plans may apply to one or more species (pg. 7)
- Set acreage threshold for rapid response work plan (10 acres) (pg. 8)
- Clarified required documentation under SEQRA for both standard and rapid response work plans (pg. 7-8)
- Made language more clear around ENB posting requirements – 14 day public comment period for standard work plans, rapid response work plans may be implemented immediately upon posting (pg. 9-10)
- Other minor edits that did not substantively change the meaning or effect of the guidelines

Public Engagement

- 30-day public comment period (June 9-July 11)
- ~30 comments received from:
 - Individuals
 - NYSFOLA
 - Lake George Park Commission
 - Lake George Association & LG Waterkeeper
 - APIPP
 - Lake associations

Summary of Public Comments

Primary Comment Themes:

- General support
 - Benefits of new guidelines
- Impacts of invasive species
- Concern about regulatory and public review processes
- Concern over environmental risk
- Clarifying questions/comments

Summary of Public Comments

Comments in support:

- Existing regulatory system is fragmented – lakes in private vs. public ownership treated differently; updates to the guidelines are welcome
- Support for more “nimble” BMPs and a streamlined work planning process
- Support for flexibility in which species can be managed, rather than relying on static lists that require regulatory changes to update
- Support for elimination of redundancy/duplication of effort in work plans
- Updated guidelines recognize evolving nature of threats posed by invasives, and ongoing development of new methods for control

Summary of Public Comments

Comments in support:

- Updated guidelines allow for more responsive and effective management of newly detected infestations
- Appreciate the clear timeframes for Agency and Dept. review
- New guidelines do not prohibit any BMPs, but enable their review on a case-by-case basis
- More flexibility in BMPs is cost-saving for lake associations and private property owners who have borne the expense of annual management

Summary of Public Comments

Comments regarding impacts of invasive species infestations:

- Negative effect on property values
- Concern for deleterious impacts on native wildlife species, including waterfowl and birds
- Concern about decrease in biodiversity associated with invasive species infestations and cascading trophic effects
- Negative economic impact to local economies if recreational tourism decreases due to effects of invasive species on boating and swimming opportunities
 - Concern over navigability of waterways once they become choked with invasives
- Water quality concerns (HABs)

Summary of Public Comments

Comments regarding concern over regulatory and public review processes:

- One commenter expressed the following concerns:
 - It is unclear if there will be a public comment period for rapid response work plans
 - Concern that rapid response work plans can be implemented immediately upon posting in the ENB
 - Did the state apply the requirements of SEQRA to this proposed action (adopting new guidelines)?
 - The addition of aquatic herbicide as a mgmt tool should undergo its own SEQRA evaluation separate from this policy document

Summary of Public Comments

Comments regarding concern over environmental risk:

- One commenter wrote that they are concerned about the potential use of herbicides as a treatment methodology, because the EPA does not independently test the safety of these products and relies on testing by the manufacturer
- Rapid response plan could enable use of mgmt tools that have not been adequately researched and result in long-lasting ecological harm
- What type of acceptable “risks” are being referred to and what criteria are applied in determining if an outcome is “worth reasonable associated risk”? (see pg. 6)

Summary of Public Comments

Comments seeking clarification:

- What are the non-Forest Preserve lands under the jurisdiction of DEC within the Adirondack Park?
- Are underwater lands considered to be DEC-administered lands?
- What is the definition of “potentially invasive” and how is that status determined for species?
- What new tools and methodologies are being referred to that were not included in the 2018 revision to the guidelines?

Staff Recommendation

The updated guidelines enable DEC and its agents to fulfill the Master Plan's mandate in a manner that is in conformance with the Plan's guidelines for the pertinent land classification.

Agency staff retain the ability to require a new UMP or UMP amendment if during their review of the work plan they determine that the proposed management activities may potentially have a material effect on the character or use of the land, water, or the desirable vegetation thereon or within.

The Agency's permitting requirements under the Freshwater Wetlands Act, in addition to any other permits required by any state or federal entity, remain unchanged by the revision of these guidelines.

Questions?

