



M E M O R A N D U M

TO: Jim Connolly

FROM: Rick Weber *REW*

DATE: March 2, 2010

RE: 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 - Second Reading for Agency action

Please find attached the final draft of the Inter-Agency Guidelines in legislative format for Agency review and consideration. This update includes new guidelines for the control of aquatic invasive species in addition to the terrestrial invasive plant protocols that were first reviewed in 2007. The Agency heard a first reading of the proposed updated guidelines at its January 2010 meeting of the State Land Committee. A determination of Negative Declaration was filed in the DEC Environmental Notice Bulletin on January 27, 2010 and a public comment period was established to accept comment until February 11, 2010. Two comment letters were received and are provided under this cover for Agency consideration.

The materials submitted for Agency consideration of this matter have been provided as part of the State Land Committee Mailing on a CD entitled "March Mailing - Additional Materials" and include: the revised Inter-Agency Guidelines, the proposed revision to the DEC/APA MOU (unchanged from language provided in January 2010) and the two public comment letters received. The more detailed information - including the Best Management Practices, herbicide labels and material safety data sheets - were provided on CD in the January mailing. This information is unchanged and has not been provided in this distribution of materials.

The final draft of the Inter-Agency Guidelines contains a number of editing changes in redline and strikeout format that are considered clarifications and refinements and not significant

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changes in substance. The revisions are intended to respond primarily to comments provided in an e-mail from the staff of APIPP. The second comment letter from the Adirondack Council raises important issues; however, they are in general beyond the scope of the guidelines and are more appropriately addressed as either part of a larger Park-wide policy or on an individual unit management planning basis. The purpose of the guidelines as drafted is to provide a means to respond as rapidly as possible to control invasive species infestations where they are known to exist.

In addition to the Inter-Agency Guidelines, staff has provided a proposed revision to the DEC/APA MOU regarding the implementation of the State Land Master Plan. The language identifies Invasive Species Control as a new rehabilitation activity under the Project Management section of the MOU. The intent of the language is to permit certain invasive species control practices that are not considered material in nature to be implemented without being included in an adopted unit management plan. Control activities of a nature or extent that may be considered material will require consultation between the two agencies and a unit management plan may be required.

Staff note that the Master Plan does not specifically identify invasive species control as a recognized activity in the guidelines and criteria. The Master Plan does however provide much generalized guidance that staff believe clearly supports management practices such as invasive species control that are carefully undertaken in order to restore the ecological integrity of the State lands in the Park. Staff further note the proposed language in the MOU would establish a process to ensure that the scale of invasive species control activities is adequately reviewed either as part of a DEC/APA consultative process or through the unit management plan review process. Staff recommend the MOU be revised as proposed and the Inter-Agency Guidelines become referenced as a new appendix so this important rehabilitation activity may be permitted.

REW:lhb

Attachment: CD entitled "March Mailing - Additional Materials"