

 <p>P.O. Box 99 • Ray Brook, New York 12977 • (518) 891-4050</p>	<p>APA Resolution And Order</p>
	<p>Date Issued:</p>
<p>In the Matter of the Issuance of a General Permit for the:</p> <p>Management of Terrestrial Invasive Plant Species In or Within 100' of Wetlands in the Adirondack Park</p>	

WHEREAS:

1. This document constitutes a Resolution, Findings and Order for General Permit 2014G-1.
2. Section 809.13(e) of the Adirondack Park Agency Act states that the Agency shall have authority in connection with its project review jurisdiction "to issue a general permit for any class of projects concerning which the agency determines it may make the requisite statutory findings on a general basis."
3. Section 572.23(b) of Agency regulations states that the Agency may propose issuance of a general permit by the adoption of a resolution specifying the applicable geographic area, time period, basis of jurisdiction, activity and probable frequency, and proposed findings of fact, conclusions of law, and mitigating conditions.
4. The draft general permit titled "Management of Terrestrial Invasive Plant Species In or Within 100 Feet of Wetlands in the Adirondack Park" indicates that the permit will:

- 1) Be available for use throughout the Adirondack Park;
 - 2) Be effective for a period of three years from the date of issuance unless otherwise modified or revoked by the Agency;
 - 3) Authorize jurisdictional activities pursuant to Article 24 of the Environmental Conservation Law, §§ 809(2)(a) and 810(1) of the APA Act, and 9 NYCRR §§ 570.2, 578.2(a), and 578.3(n)(1) and (2);
 - 4) Allow for the conditional undertaking of regulated wetland activities incidental to the management of terrestrial invasive plant species for approximately 10 projects per year;
 - 5) Include relevant findings of fact, conclusions of law, and mitigating conditions;
5. Pursuant to Section 572.23(c) of Agency regulations, the draft general permit titled "Management of Terrestrial Invasive Plant Species In or Within 100 Feet of Wetlands in the Adirondack Park" must be publicly noticed in the Environmental Notice Bulletin, at least three newspapers of general circulation within the Park and one newspaper outside the Park, and with the Adirondack Park Local Government Review Board;
6. Pursuant to Section 572.23(d) of Agency regulations, the draft general permit titled "Management of Terrestrial Invasive Plant Species In or Within 100 Feet of Wetlands in the Adirondack Park" will constitute a type I action for purposes of the State Environmental Quality Review Act, and a determination of significance or non-significance will be prepared and filed by the Executive Director pursuant to delegated authority;

IT IS HEREBY RESOLVED THAT:

The Agency, having considered the information set forth above, the text of the draft general permit for the "Management of Terrestrial Invasive Plant Species In or Within 100 Feet of Wetlands in the Adirondack Park," and the statutory and regulatory criteria set forth in § 809.13(e) of the APA Act, ECL Article 24, and 9 NYCRR § 572.23, authorizes the Deputy Director, Regulatory Programs, to provide the draft permit for public review and comment, and further authorize the Executive Director to review the proposal and pursuant to the requirements of SEQRA, prepare and file a determination of significance or non-significance will be prepared and filed by the Executive Director pursuant to delegated authority.