



LEILANI CRAFTS ULRICH
Chairwoman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: Richard Weber, Deputy Director-Regulatory Programs

DATE: April 8, 2015

RE: General Permit 2015G-1 Rapid Response Management of Aquatic Invasive Species Using Benthic Barriers and Hand Harvesting Techniques

Please find attached the above-referenced, proposed general permit, along with the application and certification for the general permit. Pursuant to 9 NYCRR § 572.23, staff seek Agency authorization to provide notice and opportunity for public comment on the proposed general permit. After the close of the 30-day public comment period, staff anticipate recommending the proposed general permit, with any changes in response to public comment, to the Agency for approval at its June, 2015 meeting.

This proposed general permit will authorize rapid response management of aquatic invasive species throughout the Adirondack Park by technically qualified and/or trained persons. The general permit is limited to two management techniques: benthic barriers and hand-harvesting.

Two types of users are expected to use the proposed general permit. Entities such as the Adirondack Park Invasive Plant Program will use the general permit the most as part of a region or park-wide management program, and the proposed general permit has been developed with input from such groups. However, municipalities and/or lake associations may also seek to use the general permit for a targeted response to a new infestation of an invasive in a specific water body.

The proposed general permit provides some regulatory flexibility to allow a more rapid response in the management aquatic invasive species. Under the general permit, the Deputy Director-Regulatory Programs would have the discretion to: (1) add new aquatic invasive species to the list of such species in the general permit; (2) authorize qualified users of the general permit; and (3) allow more than .5 acres to be treated in one water body. All of this discretion would be exercised based on facts provided by applicants and based on a recommendation from the RASS supervisor.

Pursuant to 9 NYCRR § 572.23, the issuance of general permit constitutes a Type 1 action for purposes of complying with the State Environmental Quality Review Act ("SEQR"). Accordingly, as required by the SEQR regulations set forth in 6 NYCRR Part

617, I have prepared Parts 1 and 2 of a Full Environmental Assessment Form for the proposed general permit for your review. It is my opinion that the proposed general permit will have no or minimal adverse environmental impact, so I recommend that you make and file a negative declaration for purposes of complying with SEQRA with respect to the proposed general permit.

If the Agency authorizes staff to seek public comment on the proposed general permit at its April, 2015 meeting, staff will proceed to provide public notice of the proposed general permit and opportunity for public comment as required by 9 NYCRR § 572.23, as well as through the Agency's website.