


THIS IS A TWO SIDED DOCUMENT-April 6, 2015

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</p> <p>P.O. Box 99 • Ray Brook, New York 12977 Tel: (518) 891-4050 • Fax (518) 891-3938 www.apa.ny.gov</p>	<p>APA General Permit 2015G-1</p>	<p>Permit Number:</p>
	<p>Application and Certification for the Rapid Response Management or Containment of Aquatic Invasive Species Using Benthic Barriers and Hand Harvesting Techniques</p>	

Instructions: Please answer all of the questions in each section and submit the application and required attachments in person or by mail to the Deputy Director, Regulatory Programs (DDRP), Adirondack Park Agency at the above address.

Section A-Applicability

This application is to be used for proposals to control aquatic invasive species as part of a region or park-wide rapid response or containment program. The application may also be used for waterbody-specific rapid response proposals to remove and/or control of aquatic invasive species within a single waterbody, provided the targeted species distribution is isolated and not widely distributed throughout the waterbody.

Section B-Project Information

Name of Entity Responsible for Project (Project Sponsor), mailing address, telephone and fax numbers, and email address:

Name of Certified Lake Manager, Aquatic Consultant, or other Qualified Individual responsible for overseeing the implementation of the Project or Program, mailing address, telephone and fax numbers, and email address:

Project Location (Name of Waterbody(ies)/Town(s)/Geographic Location(s)):

Required Attachments:

The application will not be processed without all required attachments unless otherwise agreed to in advance by the DDRP.

Attachment A (For Water-body specific activities):

If the proposal is for a waterbody-specific rapid response activity undertaken to eradicate or contain a newly introduced aquatic invasive species within a single waterbody, provide:

- a. an identification of the newly introduced species to be controlled and the date the species was first discovered within the waterbody;
- b. a map of the waterbody showing all areas where the newly introduced species is present, and all areas where surveys resulted in the nondetection of the target species. The map must be accompanied by a table or narrative which is referenced in the map and which provides GPS coordinates, an estimate of the area of each infestation, and a qualitative assessment of the density of the target species;
- c. a statement of the intended goals of the proposed activity (e.g., eradication, spread prevention);
- d. the list of qualifications for the individual(s) responsible for overseeing the control activity and the name(s) and qualifications of individuals overseeing the plant survey (satisfactory technical experience or training in the identification and management of aquatic invasive species is required);
- e. a brief narrative which describes the proposed treatment, including type of control (hand harvesting and/or benthic barrier installations), date(s) of treatment, and details regarding material composting (if applicable);
- f. if the proposed activity is to be undertaken on Forest Preserve lands, provide a copy of the site specific work plan (e.g. VSA or TRP) indicating the NYSDEC has approved the use of hand harvesting and/or benthic barriers for the project site;
- g. if the proposed activity is to be undertaken on other lands, proof of landowner authorization (this may be satisfied by landowner signature of the application); and
- h. if the applicant is a proposed lake association, demonstration that the association is: (i) a not-for-profit corporation; (ii) recognized by the local municipality; and (iii) represents a majority of the lakeshore owners.

Attachment B (For Region or Park-Wide Programs):

If the project is part of a region or park-wide rapid response or species containment or spread prevention program, provide:

- a. a detailed overview of the rapid response and/or spread prevention program, including the proposed term of the program, under which the activities will occur;
- b. a description of targeted species and water bodies and/or the geographic region(s) where work will be performed;
- c. a brief narrative which describes the proposed treatment, including type of control (hand harvesting and/or benthic barrier installations), date(s) of treatment, and details regarding material composting (if applicable);

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d. the list of qualifications for the individual(s) responsible for overseeing the control activity and the name(s) and qualifications of individuals overseeing the plant surveys (satisfactory technical experience or training in the identification and management of aquatic invasive species is required) (The Adirondack Park Invasive Plant Program and Adirondack Watershed Institute and the New York State Department of Environmental Conservation are recognized as possessing the necessary qualifications);

e. if hand harvested biomass will be composted, identify how the material will be de-watered and composted. Describe any offsite disposal methods which may include composting, burying and/or incineration; and

f. specify the material to be used for the benthic barrier, describe how the barriers will be anchored to the lake bed and the means to provide gas venting, if applicable. Describe the organization and/or individual(s) responsible for installing, maintaining, and removing the barriers. Provide details explaining how long the barriers are expected to be installed at each treatment location.

Section C-Terms

1. This general permit authorizes individuals and legal entities approved by the DDRP to undertake specified regulated activities in wetlands involving rapid response management or containment of aquatic invasive species.
2. This general permit authorizes hand harvesting and benthic barrier installations as part of a region or park-wide rapid response or species containment or spread prevention program. It also allows hand harvesting and benthic barrier installations as part of an eradication/control of aquatic invasive species within a single waterbody that are not part of a region or park-wide program, provided that the targeted species distribution is isolated and not widely distributed throughout the waterbody.
3. The aggregate of all treatment area(s) within a single waterbody shall not exceed 0.5 acres in size unless a larger area is approved by the Deputy Director, Regulatory Programs (DDRP).
4. This general permit authorizes the management of aquatic invasive species including Eurasian watermilfoil (*Myriophyllum spicatum*), curlyleaf pondweed (*Potamogeton crispus*), water chestnut (*Trapa natans*), yellow floating heart (*Nymphoides peltata*), European frog-bit (*Hydrocharis morsus-ranae*), fanwort (*Cabomba caroliniana*), Hydrilla (*Hydrilla verticillata*), Brazilian Elodea (*Egeria densa*), Parrot-feather (*Myriophyllum aquaticum*), Broadleaf Water-milfoil (*Myriophyllum heterophyllum*), Yellow Floating Heart (*Nymphoides peltata*), Zebra Mussel (*Dreissena polymorpha*), and Quagga Mussel (*Dreissena rostriformis bugensis*), Asian clam (*Corbicula fluminea*) and those other species identified by the DDRP.

Section D - General Conditions

1. The regulated activities in wetlands authorized by General Permit 2015G-1 shall be undertaken and completed only as described in the submitted and approved Application and Certification and in compliance with the terms and conditions of General Permit 2015G-1 and this Application and Certification. In the case of conflict, the terms and conditions control.
2. The aquatic invasive species management activities described in the Application and Certification and required attachments may not be undertaken unless and until the application and certification is signed by the DDRP, and the signed certification is returned to the applicant.
3. Failure to comply with this general permit is a violation and may subject the applicant and its agents to civil penalties and other legal proceedings, including suspension or revocation of the permit.
4. Nothing contained in this general permit certification shall be construed to satisfy any legal obligations of the applicant to obtain any governmental approval or permit for any entity other than the Agency, whether federal, State, regional or local.
5. The Agency may conduct on-site investigations, examinations and evaluations as it deems necessary to ensure compliance with the terms and conditions of this permit. Such activities shall take place at reasonable times and upon advance notice where possible.
6. At the written request of the Agency, the applicant(s) shall report in writing the status of the project, including details of compliance with any terms and conditions of this permit.
7. The applicant shall be required to provide 15 days advance mail notice to all shoreland property owners located adjacent to **or within 500 feet of** sites where benthic barriers will be used. The notice shall describe the proposed management activity, date(s) and duration of the control activity and the name of individual, including daytime telephone number, responsible for supervising the control effort. Alternatively, prior to installation of benthic barriers the applicant shall obtain adjacent shoreland owner sign-off on a document which provides notice to these shoreland owners.
8. The applicant shall require that any agent, contractor, certified lake manager, or other person responsible for the overall supervision of this project read and understand this permit and approved plans and all terms and conditions prior to undertaking the project. Copies of the signed permit and approved plans shall be kept at the project site during all control activities.

9. Additional specific conditions, if any, may be added to the certification as determined by the DDRP.
10. For Forest Preserve lands, all biomass material should be removed from the area and properly disposed of at a site off of Forest Preserve. If removing harvest materials off site proves to be difficult due to volume and or distance, permission from the Agency may be requested to scatter these materials. Harvest materials may be scattered on adjacent upland Forest Preserve areas at a minimum distance of 50 horizontal feet from the shoreline and in a manner that the biomass material is not clumped or piled which will eliminate or impede growth of native vegetation.
11. Unless authorized by the DDRP, any individual plot or subplot within the treatment area shall not be treated more than two times within any consecutive three year period.
12. Prior to the installation of benthic barriers, the applicant shall survey each proposed treatment area for the presence of NYS rare, threatened or endangered species. Unless authorized by the DDRP, if any site contains rare, threatened or endangered species, benthic barriers shall not be used and management shall be limited to hand harvesting around the protected species. Also prior to the installation of any benthic barrier, the applicant shall survey the proposed treatment area to determine if any water supply intakes, discharges, or other manmade features, including archeological resources, exist. If present, only hand harvesting activities are authorized around the feature unless the owner of intake/discharge/other feature provides written consent to the use of benthic barriers.
13. Benthic barriers deployed through the winter months shall be removed by May 31 of the year following installation. The applicant shall be responsible for inventorying and retrieving all benthic barriers, including those which were displaced by wave, wind, ice movement, or other forces.
14. All benthic barriers placed on Forest Preserve shall be removed by October 1st of the year in which they were originally installed unless otherwise authorized by the DDRP and NYSDEC.
15. This permit does not grant the applicant any right to trespass upon the lands of, or interfere with the riparian rights of others in order to perform the permitted work, nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Monitoring and Reporting Requirements

16. An electronic (pdf or similar) annual report shall be submitted to the Agency by February 28 each year following each field season and shall include at a minimum the following:

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- a. A map, or series of maps, showing all treatment locations. The map(s) shall be annotated to a table or other written report which provides the following:
 - i. a site location description including GPS coordinates;
 - ii. target species, date(s) and methods of treatment (including dates of installation and removal for all benthic barriers);
 - iii. estimated total square foot of area treated by hand harvesting and estimated total square foot of area treated with benthic barriers,
 - iv. assessment of the volume of material removed by hand harvesting, and qualitative assessment of the treatment activities including any problems and/or difficulties associated with the treatment.
- b. A second map with overlays showing all areas treated within the prior four years. The map must clearly delineate each treatment effort by year and must differentiate between hand harvesting and benthic barrier installations.
- c. Provide detailed information which demonstrates compliance with Conditions 7 and 12 above.
- d. If the project is part of a region or park-wide, rapid response program, the applicant shall provide documentation from landowner confirming authorization was obtained prior to undertaking management activities. For activities on Forest Preserve confirming authorization shall be obtained from the NYSDEC (e.g. VSA, TRP) and shall also demonstrate that approvals were obtained prior to commencement of work.

Section E- Authorization

By signing this permit application, the applicants agree to strictly comply with the terms and conditions of this application and certification.

X _____
Signature of Applicant

X _____
Signature of Project Site Landowner(s) **(A landowner signature is not required for region or park-wide rapid response programs – see condition 16.d. above)**

X _____ Date: _____
Signature of APA Environmental Program Specialist or Associate A.P. Project Analyst
(Required before regulated activity can be started)

X _____ Date: _____
Signature of APA Deputy Director, Regulatory Programs
(Required before regulated activity can be started)