

THIS IS A TWO-SIDED DOCUMENT

ADIRONDACK PARK AGENCY Division of Regulatory Programs PO Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Telephone (518)-891-4050 website: www.apa.ny.gov e-mail: apasubmissions@apa.ny.gov	 Adirondack Park Agency	APPLICATION FOR USE OF AQUATIC HERBICIDES and PESTICIDES with HERBICIDAL PROPERTIES Supplemental Information Request
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Applicability: This Supplemental Information Request, together with a General Information Request, is the application for an Adirondack Park Agency permit for the use of pesticides with herbicidal properties in or impacting wetlands subject to Agency permit jurisdiction. The application of herbicides also requires approval from the New York State Department of Environmental Conservation (NYSDEC) and the Agency's review of the project will be done in coordination with the NYSDEC staff. The Agency advises that you contact the NYSDEC regarding permitting requirements and that you submit your permit applications concurrently to the Agency and the NYSDEC.

Instructions: Please answer all of the applicable questions in each numbered section and provide all required plans. Type or print clearly in ink. **Submit this completed form and all required attachments along with the completed and signed General Information Request (GIR). Submit the application materials by e-mail to APAsubmissions@apa.ny.gov. All applications and materials should be in PDF or similar format and be legible. Electronic copies of plans must be fully scalable. Applications must contain scans of signatures affixed by hand or electronic signatures consistent with the Electronic Signatures and Records Act. Please note that the Agency staff assigned to review your project may subsequently request that hard copies of plans and materials also be submitted by mail.**

Landowner authorization: Please note that all owners of the lake bottom within the area of treatment and any adjoining area where wetland impacts may occur must sign the application. Agency staff can provide guidance regarding how to ascertain ownership of the lake bottom.

Adjoining Landowner notification: The list of adjoining landowners identified in the General Information Request must include all riparian owners who are required to be notified pursuant to NYSDEC's Policy DSHM-PES-05-05 Aquatic Pesticide Permit Program (see: [Policy DSHM-PES-05-05 Aquatic Pesticide Permit Program - NYS Dept. of Environmental Conservation](#)).

Assistance: For assistance in completing this application or to request a pre-application meeting (which is highly recommended), please contact the Agency's Regulatory Programs division at the above address/telephone number. A Pre-application Checklist (available at <https://www.apa.ny.gov/Forms/20100730preapplication%20letter.pdf>) must be submitted to the Agency if you are requesting a pre-application meeting. Please be advised that the information requested below is that which is required for lakes and large ponds. Please contact the Agency if your proposal is to apply an pesticide to a lotic environment or to a small waterbody as application submission needs may vary. Also, please note that this application is for the application of pesticides which have herbicidal properties; please contact the Agency if you are proposing to apply a pesticide which does not have such properties.

1. **NYSDEC Application For a Permit to Use a Pesticide For The Control of an Aquatic Pest (AQV):** Provide a complete copy of the NYSDEC's AQV Form, including all requested attachments. Please contact the Agency to discuss any item(s) requested by the AQV form but deemed unnecessary by the NYSDEC review staff. Agency staff will then review each specific item to ascertain whether it will be needed as part of the Agency's application.

Please note that this form must be completed for any pesticide application, including those identified as Exempted in the AQV form, however since not all information requested in the AQV form would be required by the Agency, it is best to discuss specific information needs with Agency staff before completing the form.

2. **Plant Survey:** Provide a current (*i.e.*, within two summers of application submission) plant survey, performed at the height of the vegetative growing season, that follows the US Army Corps of Engineers/Cornell Rake Toss protocol except as modified as below:
 - A. Grid size for establishing survey points must be one acre or less.
 - B. All species must be identified to the lowest possible taxonomic classification based upon all morphological characteristics present at the time of the survey. If common names are used in the report (see below) a reference table to each species scientific name must be included.
 - C. Survey area must include the entirety of each treatment area, and the littoral zone within no less than 0.3 miles of each treatment area (Note: certain circumstances may allow for smaller or require larger adjacent area surveys so it is always best to discuss specific survey needs with Agency staff in advance of the survey).
 1. The survey shall consist of no less than 36 vegetated survey sites with 12 vegetated survey sites from within each treatment area, and no less than 24 vegetated survey sites in the area adjacent to the treatment area (minimum 36 rake tosses for each treatment location). If a survey site contains no vegetation the site shall be documented and included in the survey report below; sites containing no vegetation cannot count toward the minimum number of survey sites and a vegetated site must be selected in the immediately adjacent area;
 2. Survey grid must be established such that survey locations capture variations in depth and micro-habitat types which may occur within and adjacent to the survey area.

Note: Agency staff will consider modifications to survey protocols based upon site-specific considerations (i.e., size and shape of treatment area, proposed treatment concentrations, etc.). Any request to modify the survey protocol must be detailed in writing to the Agency.

- D. Plant Survey Report must include a detailed discussion of the plant community and the impacts of the target species on the native plant community. The report must incorporate any historic plant survey information. The report must also identify all plants that are protected by statute found in the current or any historic survey. A detailed discussion of susceptibility of species to proposed pesticide must also be provided; this discussion can be included as an addendum or attachment to the report. The survey report must also include the following:
 1. Tables identifying:
 - a. each survey site by GPS coordinates, water depth, species richness, and abundance of target species;
 - b. each survey site and abundance of each species at that site;
 - c. each species and the total number and percent of sites where each species is found; and

- d. susceptibility of each species to the proposed herbicide/pesticide, including a determination regarding whether the species is expected to be impacted by the proposed treatment.

(Note: a discussion of expected short and long-term impacts to non-target species as well as actions proposed to be undertaken to avoid or limit impacts to the native vegetation must be included in the detailed discussion for all species determined to have moderate to high susceptibility to the proposed herbicide).

This item can be included in an addendum or attachment to the report.

2. Maps:

- a. Survey point map showing site number;
- b. Survey point map showing lake depth;
- c. Survey point map keyed to overall plant abundance;
- d. Survey point map keyed to species richness;
- e. Survey point map keyed to abundance of each species at each site (one map per species);
- f. Proposed treatment area with overlay of survey point map keyed to target species abundance (treatment area must be determined during the height of the vegetative growing season in the year prior to proposed treatment);
- g. Proposed treatment area with survey point map overlay showing location of all native plants determined to have a moderate or high sensitivity to proposed pesticide; and
- h. Proposed treatment area with survey point map overlay showing location of protected plants.

3. Macrophyte Library providing photo-inventory of each species collected from the waterbody.

3. Site Visit: A site visit by Agency staff must occur for a complete application. Unless waived by the Agency, the visit must occur at the height of the vegetative growing season within one year of the proposed treatment.

4. Assessment of Downstream Impacts: If downstream modelling (required by NYSDEC Form AQV Attachments C and D) indicates that pesticide concentrations leaving the waterbody have the potential to impact wetland communities downstream of the waterbody, provide an overview of expected impacts.

5. Management Goals: Describe the short and long-term aquatic vegetation management goals for the proposed waterbody and those specific area(s) proposed to be treated, including a detailed description of planned concurrent or follow-up management efforts. Include a description of the expected level of control that the management actions are intending to accomplish.

6. Pesticide Selection: Explain your decision for choosing the proposed pesticide, and the degree (duration and extent) of control expected from the proposed treatment. Also provide the rationalization for choosing the proposed pesticide over all other management activities (including chemical and non-chemical options) commonly used for the target species.

7. Post Treatment Monitoring: Provide a post treatment monitoring plan to monitor the effectiveness and impacts of the proposed treatment, including a post treatment pesticide residue monitoring plan and a post treatment plant survey plan.