Memorandum of Understanding

among the following agencies

New York State Adirondack Park Agency,
New York State Department of Transportation
New York State Department of Environmental Conservation,
Invasive Plant Council of New York State
And
Adirondack Nature Conservancy

for the

ADIRONDACK PARK INVASIVE PLANT PROGRAM

This Memorandum of Understanding is entered into this 8th day of April 2004, by the NEW YORK STATE ADIRONDACK PARK AGENCY (hereinafter referred to as “APA”) having offices at Box 99, Ray Brook, New York, 12977, the NEW YORK STATE DEPARTMENT OF TRANSPORTATION, REGIONS 1, 2 and 7 (hereinafter referred to as “DOT”), having offices in Schenectady, Watertown and Utica, New York, the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, REGIONS 5 and 6 (hereinafter referred to as “DEC”) having offices in Ray Brook and Watertown, New York, the INVASIVE PLANT COUNCIL OF NEW YORK STATE (hereinafter referred to as the “IPC”) having offices in Troy, New York, and THE ADIRONDACK NATURE CONSERVANCY (hereinafter referred to as “ANC”) a not-for-profit corporation organized and existing under the laws of the District of Columbia, having its principal office at 1815 North Lynn Street, Arlington, Virginia, 22209, authorized to conduct business in the State of New York as The Nature Conservancy, Inc., acting by and through its Adirondack Operating Unit.

WHEREAS, the NYS Adirondack Park, a six million acre region of public and private land, is a unique natural region. It is the largest wilderness area east of the Mississippi River, and forms the headwaters of five major rivers. With large unfragmented tracts of forested land, the Park is a virtual island in the highly populated Northeast. Deciduous and coniferous forests are interspersed with lakes, rivers, wetlands, and other natural communities; and,

WHEREAS, invasive species have significant environmental, social, and economic impacts on natural areas. They can negatively impact ecosystems through competition, suppression, and displacement of native species and through the alteration of ecosystem functions such as nutrient cycling and hydrology. For the purpose of this agreement, invasive plant species are defined as those found outside of their normal range and, due to certain characteristics, are able to move into an area and become dominant numerically, in cover, resource use, or other ecological impact. It is important to recognize that most non-native plants (i.e. species that have established or been introduced to an area where they do not naturally occur) are not invasive; and,

WHEREAS, the threat from invasive species is increasing with human population growth and migration, global trade and disturbance of the environment. Effectively dealing with the problem of invasive plant species presents a significant conservation challenge, biologically,
economically and politically. The prevention of new plant invasions, early detection and monitoring of infestations of invasive plants, and effective control of established communities through area-wide partnerships have been identified as key objectives in an overall national strategy for invasive plant prevention and control; and,

WHEREAS, within the Adirondack Park, invasive plants pose a potential threat to the biodiversity and quality of natural areas found there. Stopping potentially invasive species before they spread into these areas may be the best option for long-term protection. It is our proposal that a proactive initiative be implemented to eradicate certain existing invasive populations, and control the colonization and spread of species that have demonstrated negative impacts to natural systems; and,

WHEREAS, the Adirondack Park is a natural area which provides significant habitat for a variety of fish, wildlife and plants; has substantial value as a natural scenic, and educational resource; and is a region of global significance, in which the conservation of species and ecosystems is of importance; and,

WHEREAS, invasive plant species have been shown to impact the habitat quality and functioning of natural areas across the country; and,

WHEREAS, a Presidential Order (Executive Order 13112) mandates that federal agencies and recipients of federal funds work to prevent and control the introduction and spread of invasive species; and,

WHEREAS, the Adirondack Park is a unique mixture of public and private lands; and the APA is the State entity having jurisdictional authority for the management of wetlands and regulation of development on private lands in the Adirondack Park; and,

WHEREAS, the APA is the State entity having primary responsibility for the protection of wetlands and other natural resources within the Adirondack Park; and,

WHEREAS, the DEC is the State entity having primary responsibility for the maintenance and management of the Forest Preserve, the protection of waters, and fish and wildlife resources within the Adirondack Park; and,

WHEREAS, the DOT is the State entity having primary responsibility for managing roadside vegetation to provide for adequate drainage from roadways and provide safe driving conditions in New York State; and,

WHEREAS, the IPC is the State entity having primary responsibility for coordinating invasive plant species programs throughout the State, garnering funding for said programs and interfacing with Federal entities regarding invasive plant species inventory and management; and,

WHEREAS, the mission of ANC is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they
WHEREAS, the parties wish to protect the wetlands, streams, lakes, and forested natural areas of the Adirondack Park from the negative impacts of invasive plant species; and,

WHEREAS, DOT, APA, DEC and ANC have, under a previous Memorandum of Understanding, acted to develop an Adirondack Park Non-Native Invasive Plant Species Project goals were to monitor and inventory invasive species, study invasive species autecology and control methods, implement control methods, and develop a program of outreach and education; and,

WHEREAS, DOT, APA, DEC and ANC have accomplished these goals and have maintained this effort through the terms of the original MOU; and,

WHEREAS, DOT, APA, DEC and ANC are desirous of continuing their relationship to eliminate, reduce population numbers or otherwise control invasive plant species in the Adirondack Park, and to expand upon the successes realized by the Adirondack Park Non-Native Invasive Plant Species Project; and,

WHEREAS, IPC seeks to enter into formal agreements with DOT, APA, DEC and ANC to better address invasive plant species issues within the Adirondack Park; and,

WHEREAS, the above have determined that an effort of broader scope is necessary to accommodate invasive species management throughout the Park in both terrestrial and aquatic habitats;

NOW THEREFORE, in consideration of the mutual agreements set forth herein, APA, DEC, DOT, IPC and ANC agree to act cooperatively in the implementation of an Adirondack Park Invasive Plant Program (hereinafter referred to as “APIPP”), as follows:

1. **ADIRONDACK PARK INVASIVE PLANT PROGRAM.**

   a. **Monitoring and inventory:** Identify and monitor control sites using photographs, observation forms, and GPS and GIS documentation. Develop a long-term early detection and rapid response monitoring program using a network of volunteers.

   b. **Invasive species autecology and control methods:** Review literature and best existing science on invasive plant species and BMP’s to determine the most effective method of control in specific situations.

   c. **Implementation of control methods:** DOT will utilize control methods for invasives growing in state ROW’s along roadsides. Private landowners will be contacted for permission to utilize control methods for invasives growing on private property and to encourage them to manage invasives on their property. DEC and APA will facilitate invasive plant management activities on State lands within the Park as allowed by the Adirondack Park State Land Master
Plan.

d. Monitoring to determine success: Control sites will be monitored using photographs and observation forms to evaluate the effectiveness of the control method.

e. Education and outreach: Educational materials about invasive plants, including fact sheets and information on the DOT, ANC, APA, DEC, IPC and APIPP websites, will be provided to private landowners and groups throughout the Park to increase public awareness about invasives and to encourage private management of invasives.

f. Funding: The partners will cooperate in developing proposals to garner funding to maintain and advance the Adirondack Park Invasive Plant Program.

g. Information exchange: Promote information sharing and coordination with parallel programs for watershed stewardship.

h. Management: Designate an official “Adirondack Park Weed Management Area” to advance the recognition of invasive plant issues among stakeholders, local, state, and federal governments and to facilitate cooperative approaches for invasive plant management.

2. RESPONSIBILITIES OF THE SIGNEES.

New York State Adirondack Park Agency

a. Make jurisdictional determinations for appropriate permits inside the Park;

b. Review permit applications;

c. Issue permits;

d. Read and interpret literature;

e. Report invasives locations in the ordinary course of duty;

f. Determine compliance with Agency permits;

g. Review monitoring reports in cases where monitoring is required;

h. Review invasive plant management proposals on State lands for compliance with the Adirondack Park State Land Master Plan.
New York State Department of Environmental Conservation

a. Make jurisdictional determinations for appropriate permits inside and outside the Park;
b. Review permit applications;
c. Issue permits;
d. Read and interpret literature;
e. Report invasives locations in the ordinary course of duty;
f. Determine compliance with Department permits;
g. Review monitoring reports in cases where monitoring is required;
h. Make invasive plant species management training sessions available to staff;
i. Cooperate on invasive plant species management activities on State land including inventory and control activities;
j. Develop and implement invasive plant species management protocols for DEC campgrounds.

New York State Department of Transportation

a. Conduct control activities within Interstate and state highway rights of way (ROW);
b. With the appropriate releases conduct control activities on private lands adjacent to the Department’s ROW;
c. Collect requested data regarding location, species and control methods;
d. Develop guidance, specifications, training materials and best management practices (BMP’s) that reduce or eliminate the introduction and spread of invasive species within the ROW;
e. Utilize species location information for BMP’s when designing, constructing, and maintaining Interstate and state highway systems within the Park;
f. Seek continued Federal funding for research on invasive plant management issues;
g. Develop a written annual work schedule committing to invasive plant species management within the ROW in the Park at the annual late Winter partners’ meeting;
h. Provide status reports regarding “g.” above at the annual Summer and early Winter partners’ meetings;

i. Provide invasive plant species awareness and management training to appropriate State Department of Transportation staff;

j. Identify invasive plant biomass disposal and transfer areas at local residencies and other Department controlled facilities;

k. Coordinate with local municipal maintenance and transportation departments on highway BMP’s that would be implemented on non-State highways and roads;

l. Assist maintenance of Terrestrial Invasive Plant Project database: document new infestations, document management controls implemented on existing infestations; and produce maps for APIPP website and participants.

Invasive Plant Council of New York State

a. Provide a database template for invasive plant inventory and management records;

b. Provide informational resources on technical research, educational materials, and legislative policies;

c. Maintain a list of statewide priority invasive plant species;

d. Provide a list of alternative plant species for land management purposes;

e. Serve as liaison with other weed management areas;

f. Serve as liaison with stakeholder and legislature representatives;

g. Solicit funding to support APIPP.

The Adirondack Nature Conservancy

Many of the responsibilities below will be discharged by the APIPP Coordinator and ANC Field Coordinator working for and at the ANC.

a. Host the Adirondack Park Invasive Plant Program Coordinator by providing logistic and fiscal support as funding permits;

b. Identify and document locations of invasive species along roadways, trails and waterways to enable control efforts to be conducted;
c. Determine the most effective control method for given locations of invasives (considering effectiveness against a given species, safety, and cost of the control method);

d. Coordinate and implement approved work activities and train volunteers;

e. Document results of control efforts over time;

f. Work with groups within the Park to increase public awareness about invasives;

g. Compile and review results of management efforts, update and maintain database, prepare report summarizing results of inventory and control efforts, and determine priority sites and invasive plant species to be included in ongoing management efforts;

h. Develop and implement long-term early detection and rapid response monitoring program;

i. Develop a written annual work schedule committing to invasive plant species management within the Park at the annual late Winter partners’ meeting;

j. Provide status reports regarding “i.” above at the annual Summer and early Winter partners’ meetings.

3. COMMUNICATIONS. The parties agree to share and coordinate all information regarding their respective activities in support of the Adirondack Park Invasive Plant Program. To that end, all communication shall be directed to:

Adirondack Park Invasive Plant Program Coordinator

c/o Adirondack Nature Conservancy

P.O. Box P.O. Box 65

Keene Valley, New York 12943

(518) 576-2082, fax (518) 576-4203

Resource Analysis and Scientific Services Supervisor

Adirondack Park Agency

P.O. Box 99

Ray Brook, New York 12977

(518) 891-4050, fax (518) 891-3938

Head, Operations Section

NYS Department of Transportation

Environmental Analysis Bureau

1220 Washington Avenue, 5-3-3

Albany, New York 12232

(518) 457-5566, fax (518) 457-6887
Regional Environmental Manager
NYS Department of Transportation, Region 7
317 Washington St.
Watertown, New York 13601
(315) 785-2343, fax (315) 785-2576

Regional Environmental Manager
NYS Department of Transportation, Region 2
207 Genesee Street
Utica, New York 13501
(315) 793-2429, fax (315) 793-2400

Regional Landscape Architecture and Environmental Services Manager
NYS Department of Transportation, Region 1
328 State Street
Schenectady, New York 12305
(518) 388-0278, fax (518) 388-0218

Natural Resources Supervisor
NYS Department of Environmental Conservation, Region 5
Ray Brook, New York 12977
(518) 897-1276, fax (518) 897-1370

Natural Resources Supervisor
NYS Department of Environmental Conservation, Region 6
317 Washington Street
Watertown, New York 13601
(315) 785-2263, fax (315) 785-2422

Executive Director
Invasive Plant Council of New York State
5 Broadway, Suite 205
Troy, New York 12180
(518) 271-0346
4. **TERM.**

April 2004 - April 2008

5. **TERMINATION.** The assignees to this document agree to the actions of the initiative and responsibilities assigned to them. Any of the assignees may withdraw from this action upon written notice to the other entities. This document may be modified upon written request of any of the assignees with the concurrence of all assignees.

NYS Department of Transportation
R. Cary Babyak, P.E.,
Region 7, Regional Director

NYS Department of Environmental Conservation
Stuart Buchanan,
Region 5, Regional Director

The Adirondack Nature Conservancy
Michael T. Carr,
Executive Director

NYS Department of Environmental Conservation
Sandra L. LeBaron,
Region 6, Regional Director

NYS Department of Transportation
Mary E. Ivey,
Director Environmental Analysis Bureau

NYS Department of Transportation
Mark Silo, P.E.,
Region 2, Regional Director

Invasive Plant Council of NYS
Dr. George Robinson
Chair, Board of Directors

NYS Department of Transportation
Thomas C. Werner, P.E.,
Region 1, Regional Director

NYS Adirondack Park Agency
Ross S. Whaley,
Chairman