



PRESS RELEASE

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## Protect the Adirondacks finds DEC draft invasive species regulations to be weak and ineffective

*Proposed DEC regulations for aquatic invasive species control for state boat launches and fishing access sites will not stop the transport and spread of aquatic invasive species*

*The DEC regulations are a poor substitute for a comprehensive boat control program for New York*

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Lake George, NY – The proposed new regulations from the Department of Environmental Conservation (DEC) to help control the spread of aquatic invasive species (AIS) on boats using the hundreds of state boat launches and fishing access sites across New York is a partial step forward in efforts to protect the waters of New York State from AIS. Much more is needed from the DEC to proactively protect state waters.

“The proposed regulations are a positive step by the DEC, but is a largely symbolic gesture when measured against the spread of invasive species across New York and the Adirondack Park. We need the DEC leaders and Cuomo Administration to be much more ambitious in their thinking, planning and actions to control invasive species,” said Peter Bauer, Executive Director of Protect the Adirondacks.

The lakes, ponds and rivers throughout New York are of great economic importance as they support high property values, contribute to a high quality of life, and underwrite the important tourism economy of Upstate New York. AIS infestation has damaged and impaired many water bodies across New York. The response of the State of New York, especially of the DEC, has failed to meet the immense challenge of the AIS threat. Infestations have spread across New York and there have been few success stories of effective treatments to contain or control AIS in New York’s waters.

“The DEC needs to act as New York’s environmental leader to develop a comprehensive program for the prevention, interdiction, control and public education about AIS. Unfortunately, as evidenced with scant funding in the NYS Environmental Protection

Fund (EPF), AIS control remains a chronically low priority for state leaders,” said Chuck Clusen, Chairman of Protect the Adirondacks.

Below, details the specific comments from Protect the Adirondacks about the new DEC proposed AIS regulations for state boat launches and fishing access sites (Part 59, Section 59.4, Part 190, Section 190.24 “Aquatic Invasive Species Control at State Boat Launching and Fishing Access Sites”).

1. The current regulations do not state who will be responsible for enforcement. PROTECT has little confidence that DEC will devote the necessary resources to effectively police and enforce these regulations.
2. The current regulations do not set a penalty or fine for violators. PROTECT believes that the penalties should be severe.
3. The draft regulations state that boats should arrive clean, drained and dry. Efforts to clean-out boats lakeside may result in inadvertent transfer and introduction of microscopic veligers or juveniles. Many DEC boat launches face limitations for space for proper decontamination and often drains into the associated water body.
4. As a stand-alone program, these regulations are limited in scope and effectiveness. New York needs a comprehensive statewide AIS prevention, interdiction, control and education program based on mandatory boat inspections and decontaminations and criminalizing the transport and launching of AIS infested boats.

Most DEC boat launches are open and unsupervised 24 hours each day and seven days a week during the boating season. The proposed new regulations are designed to criminalize the transport of AIS at state boat launches and fishing access sites. While this is a positive step, it is overshadowed by the limitations the DEC faces for serious enforcement.

“The proposed new DEC regulations for boat launches and fishing access sites are baby steps when measured against the immensity of the aquatic invasive species threat across New York. The DEC plan is a meager response. What we need are new laws that ban the transport of harmful invasive species, such as they have in Vermont, as well as a statewide network of boat inspection and decontamination stations,” said Peter Bauer.

Protect the Adirondacks believes that the State of New York and the DEC need to adopt a series of new measures and laws to more fully and effectively combat aquatic invasive species infestations. These following actions would significantly improve New York’s ability to manage AIS and protect New York’s waters.

1. NYS must pass legislation that criminalizes the transport of AIS and fully empowers state and local law enforcement at every level to enforce this law. Fines must be serious.
2. NYS must pass legislation that criminalizes the launching of an infested boat into a water body by a boat owner as well as by the boat launch operator.
3. NYS must help to create a comprehensive inspection and decontamination infrastructure across the state in partnership with the PRISMs and local governments, based upon accessible decontamination stations.
4. NYS must organize a registry of infested and non-infested waterways and continuously update this database.
5. Adequate, sustained funding is badly needed for AIS management. EPF funding at \$4.6 million annually is inadequate. A dedicated funding source is needed. Successful AIS control programs, such as seen on Upper Saranac Lake or on Lake Tahoe, are based on annual efforts that are properly funded so that there is no interruption in action. New York should pass a \$25 annual surcharge on boat registrations that should form a dedicated fund for AIS control as part of the Invasive Species account in the EPF.

### **Protect the Adirondacks**

Protect the Adirondacks is a privately funded, IRS-approved not-for-profit organization dedicated to the protection of the 6-million-acre Adirondack Park in northern New York. PROTECT was formed through the merger of the Association for the Protection of the Adirondacks and the Residents' Committee to Protect the Adirondacks in 2009. PROTECT pursues its mission to protect the Adirondack Park and defend the public "forever wild" Forest Preserve through citizen advocacy, grassroots organizing, education, research, and legal action. PROTECT is governed by a volunteer Board of Directors. PROTECT maintains an office in Lake George. For more information see [www.protectadks.org](http://www.protectadks.org).

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