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August 26, 2014

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Hon. Andrew Cuomo
Executive Chamber

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State Capital
Albany, NY 12224

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Secretary

RE: Support for Enactment of A.9619B/S.7851B: An act to amend the environmental conservation law, in relation to aquatic invasive species, spread prevention, and penalties

David Quinn
Treasurer

Dear Governor Cuomo,

Nancy Bernstein
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New York needs to improve its management and control of aquatic invasive species (AIS) by expanding its focus on intervention and prevention. Legislation passed in June sponsored by Assembly Member Barbara Lifton (D-Ithaca) and Senator Thomas O'Mara (R-Chemung County) will help to prevent the spread of aquatic invasive species (AIS) by making it illegal to transport AIS throughout New York.

Similar AIS transport laws are on the books in a number of other states, such as Minnesota, Vermont, New Hampshire, Washington, Idaho, Montana, California, Nevada, Utah, Colorado, Arizona, Massachusetts, and South Carolina, among others.

This legislation aims to prevent the spread of AIS by requiring the removal of visible vegetation and animals from boats and related gear, as well as draining areas of the watercraft of all water, when entering and leaving boat launch sites to various water bodies across New York. This legislation follows recently enacted rules by the Department of Environmental Conservation (DEC) to ban launching of boats with AIS at over 200 state boat launches and fishing access sites in New York. A.9619B/S.7851B covers public, private and commercial launches. It creates the state's first comprehensive intervention and prevention program.

Peter Bauer
Executive Director

A broad coalition supported this legislation including state's leading environmental groups, such as the Adirondack Council, Adirondack Mountain Club Adirondack Wild: Friends of the Forest Preserve, Citizens Campaign for the Environment, Environmental Advocates, Natural Resources Defense Council, New York League of Conservation Voters, New York Public Interest Research Group, New York State Federation of Lake Associations, Parks & Trails New York, Protect the Adiron-

Protect the Adirondacks

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dacks, and The Nature Conservancy. Supporters also include the Adirondack Park Local Government Review Board and New York Council of Trout Unlimited. The New York State Federation of Lake Associations supported this legislation as well as dozens of lake associations across New York.

Enactment of this legislation into law will help to focus on prevention and interdiction of aquatic invasive species. This puts New York on track to be proactive to prevent the spread of invasive species rather than simply reactive to try and control new infestations of lakes and ponds.

The main vector for spreading AIS throughout the Adirondacks and New York is the transport of motorboats for public recreation. 460,000 motorboats were registered in New York in 2012. Tens of thousands of boats are transported across New York for public recreation for use on many lakes, ponds, and rivers. AIS attaches to the engines, hulls, and trailers, among other places, and are carried from one lake to another. In juvenile stages, microscopic AIS animals, such as Asian clams (*Corbicula fluminea*), quagga mussels (*Dreissena bugensis*) and spiny water flea (*Bythotrephes longimanus*), are transported in standing ballast waters, engine water and in live wells and bait buckets.

Lake George and Lake Champlain were the first lakes infested with Eurasian watermilfoil (*Myriophyllum spicatum*) and curly leaf pondweed (*Potamogeton crispus*) in the 1980s. Their high popularity and high boat traffic, combined with the weak control efforts, resulted in spreading Eurasian watermilfoil throughout the Adirondacks.

This same dynamic is at play once again, though the species have changed. The Asian clam and spiny water flea infestations in Lake George raises the likelihood that this invasive species will be transported from Lake George to other lakes and ponds throughout the Adirondacks. In Lake Tahoe, the Asian clam infestation has resulted in transforming once blue and sandy beaches into places littered with clams shells and often covered with thick wads of algae.

We cannot let this happen in the Adirondacks. We cannot let this happen to beautiful lakes across Upstate New York.

Lake George has taken bold action to control new AIS infestations through a mandatory boat inspection and decontamination program. This is one of the best programs in the U.S. One problem is that Lake George is infested with five AIS. Boats that leave Lake George could be carriers of AIS unless decontaminated. Most boats that exit Lake George are not decontaminated.

Upstate New York is an area rich in incredible lakes, ponds and rivers. The water quality of Upstate New York is vital to the local economies and supports a number of businesses, resorts, vacation homes, and high property values. AIS can rapidly change the ecology of a lake, wetland, pond or river as well as significantly impair and seriously diminish recreational enjoyment. A much greater investment is needed by New York State to prevent the

spread of AIS in order to protect the Upstate economy, environment and quality of life.

The Lifton-O'Mara legislation on your desk will lead to comprehensive statewide action that is vital in New York because we still have places like the Adirondack Park, and other areas of Upstate, where the majority of the major lakes remain un-infested with AIS. Unlike most of the rest of New York, most of the major lakes and ponds in the Adirondacks remain free of AIS, but the number of infested lakes continues to grow.

As more lakes become infested with AIS costs of control efforts rise. AIS control is very expensive, often beyond the means on lake associations, local governments and limited funding from the Environmental Protection Fund (EPF). Prevention and interdiction are far less expensive and will do much more to control the spread of AIS than the combined control and management efforts underway across New York.

The days of dirty boating must end. The protection of lakes, ponds, and rivers from AIS infestation will help the economy and quality of life of Upstate New York communities.

Protect the Adirondacks urges you to sign A.9619B/ S.7851B into law. This new law will create a strong new state protective infrastructure for lakes and ponds across Upstate New York.

Once this legislation becomes law New York will need to develop hundreds of decontamination facilities and make sure that the major boat launches across the state have inspectors. It's time to muster a greater sustained investment in the protection of water quality across Upstate New York.

On behalf of the Board of Directors of Protect the Adirondacks, please accept our gratitude for taking the time to consider our views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with a large initial "P" and "B".

Peter Bauer
Executive Director

CC: J. Malatros
B. Seggos
A. Tarpinian
J. Walke
S. Eisenstein