

PROTECT THE ADIRONDACKS!

December 11, 2019

Board of Directors

Charles Clusen
Chair

Marilyn Murphy DuBois
Sidney Haring
Michael Wilson
Vice-Chairs

James McMartin Long
Secretary

David Quinn
Treasurer

Nancy Bernstein
Richard Booth
John Caffry
Andy Coney
Dean Cook
James C. Dawson
Lorraine Duvall
Robert Glennon
Roger Gray
Evelyn Greene
Peter Hornbeck
Mark Lawton
Peter O'Shea
Barbara Rottier
Philip Terrie

Peter Bauer
Executive Director

Dan Rosenblatt
NYS DEC - Division of Fish and Wildlife
Bureau of Wildlife
625 Broadway
Albany, NY 12233-4754
E-mail: daniel.rosenblatt@dec.ny.gov

RE: Public comment on proposed amendments to NYCRR Part 182 pertaining to endangered and threatened species in New York State

Dear Mr. Rosenblatt:

Protect the Adirondacks has reviewed the proposed changes to amend 6 NYCRR Part 182 pertaining to endangered and threatened species in New York State. The State Register states that these amended rules are needed for "Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations." The purpose for these changes is "To improve the review of projects by removing some project types that are known not to cause harm from the review stream."

Subdivision 6 NYCRR 182.2: The proposed changes seek to create a new legal definition for "experimental populations" for "threatened or endangered species" that have been extirpated from New York State. The changes authorize the NYSDEC to classify this group as an "experimental population" for possible reintroduction to a designated "experimental population area" in New York. This change is designed to expedite and facilitate the reintroduction of extirpated species in New York.

Protect the Adirondacks

PO Box 48, North Creek, NY 12853 518.251.2700

www.protectadks.org info@protectadks.org

Follow Us on Twitter @ProtectAdkPark Like Us on Facebook

While we see the utility of creating a new definition of experimental population for the purposes of facilitating reintroductions, we oppose the proposed change in Subdivision 6 NYCRR 182.2 (z) (3) that an endangered species needs to be listed as endangered or threatened in three or more adjacent states. We think that the current rule of listing in any adjacent state is appropriate.

6 NYCRR 182.9(b): This section includes new rules that govern requests for a determination regarding experimental populations. These proposed changes seem like a comprehensive approach.

New Section 182.17: This new section enumerates the steps for experimental population designation. The steps involved seem like a comprehensive approach.

On behalf of the Board of Directors of Protect the Adirondacks, please accept my gratitude for the opportunity to present our concerns on this important 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