



## Adirondack Park Agency

LEILANI CRAFTS ULRICH  
Chairwoman

TERRY MARTINO  
Executive Director

April 4, 2016

Aqualogic, Inc.  
Attn: John Jude  
120 Hoyt Road  
Gilford, NH 03249

Dear Mr. Jude:

**RE: Jurisdictional Determination J2016-0174**

Thank you for providing details regarding Aqualogic's Diver Assisted Suction Harvesting (DASH) activities, and inquiring about Adirondack Park Agency jurisdiction for such activities. The proposed use of DASH as a harvested plant conveyance device as described in the materials received on March 17, 2016 may be undertaken in compliance with Agency general permits 2015G-1 or 2015G-2 issued by the Agency. In addition, the use of DASH as a harvested plant conveyance would comply with permits issued for hand harvesting that are not issued under general permit 2015G-1 or 2015G-2. It is your responsibility to verify that the hand harvesting activity for which DASH is proposed has been authorized by the Agency; it is also your responsibility to operate within both the terms and conditions of the permit and this letter of nonjurisdiction.

### **Description**

It is our understanding that the proposed technique consists of the following:

1. The use of DASH will be employed by individuals for purposes of conveying aquatic vegetation harvested by hand to a tender vessel. The DASH will be operated such that the intake hose of the suction device will not come in direct contact with the lake bottom, nor will the intake hose be situated in close proximity to the lake bottom such that sediment resting on the lake bottom will be drawn into the hose by suction.
2. The DASH's discharge of water will pass over a filtration tray and will be filtered three times before being discharged back into the waterbody.
3. The DASH will be operated such that water returning from the vessel will not result in the resuspension of sediment. A water diffuser will be employed at the first sign of any resuspension.

**FOR YOUR INFORMATION:**

This determination is based upon the existing laws, regulations and Park Plan Map administered by the Agency. If they change before substantial commencement of the proposed project, this determination may also change.

The use of a DASH unit will occur in wetlands subject to Agency jurisdiction.

**Restrictions**

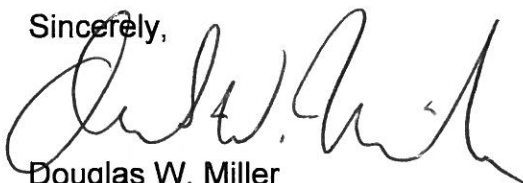
Although the proposal described above does not require an Agency permit, the following restrictions are imposed by law.

1. The DASH can only be employed for hand harvesting aquatic vegetation in accordance with an Agency issued individual or general permit.
2. The DASH shall be used as a plant conveyance device only and shall not be used to suction dredge sediments. The suction intake hose shall be kept a sufficient distance from the sediment to prevent resting sediment from being drawn into the DASH.
3. The DASH shall be operated such that there will be no resuspension of sediments from the discharged water.
4. The DASH must be operated such that filtration is employed as necessary to collect all plant fragments before the return water is discharged back to the waterbody.

Please note the proposed activity may require approvals from other government entities. We recommend that you check with the New York State Department of Environmental Conservation to obtain all necessary approvals prior to beginning your project.

If you have any questions, please do not hesitate to contact the Agency.

Sincerely,



Douglas W. Miller  
Project Administrator

LRW:DWM:mp  
Enclosures