



September 7, 2012

Mr. Rolf Tiedemann
358 Electric Avenue
Rochester, NY 14613

RE: A2009-76 Eagle Lake Triclopyr Residual Monitoring Guidelines and Sequestration Curtain Requirement

Dear Mr. Tiedemann:

On behalf of the Adirondack Park Agency, I am writing in follow-up to our August 23, 2012 conference call to provide preliminary staff guidance on triclopyr residual monitoring and sequestration curtain requirements.

Triclopyr Residual Monitoring Requirements

Monitoring will be required to verify triclopyr concentrations inside and outside the treatment area and to evaluate how quickly triclopyr levels degrade to non-lethal concentrations. As project sponsor, you will be required to prepare a triclopyr residual sampling plan to be included as part of your application for the use of the aquatic herbicide. The triclopyr residual monitoring plan is contingent upon several variables including size of treatment area, proposed concentration, herbicide boosting, sequestration curtain depth and location, etc. and will be required to be submitted as part of a complete permit application. The following information can be used as guidance in preparing this written plan:

1. Fox Island Site

- a. Establish monitoring at 6 sample locations. The following sites are recommended: treatment area, two sites outside the sequestration curtain, outside treatment area equi-distant between Fox Island and the northern point of the peninsula, within area classified as Forest Preserve on north shore, west cove where water marigold is located, and site located mid-lake;
- b. Samples are collected at all 6 stations at the following intervals: 12 hours, 24 hours, day 3, and day 7 after treatment. Sampling at the 6 sites continues weekly thereafter until triclopyr concentrations begin to decline or drop below 50 ppb; and,
- c. One additional sample will be required at the mid-lake station (i.e. immediately north of Fox Island) to verify when the triclopyr concentration drops below 1 ppb, at which time the ban on using treated lake water for irrigation purposes will be lifted.

Sampling locations and duration will be in response to location and extent of the proposed treatment area(s). Please note that Triclopyr residuals must be analyzed in a laboratory using the immunoassay method or equivalent.

Sequestration Curtain Requirement

As discussed during the conference call, a sequestration curtain will be required at the treatment area. Water depths adjacent to the proposed treatment area exceed 10 feet at some locations. A standard turbidity curtain which the Project Sponsor is proposing to use for sequestration purposes is typically 10 feet or less in depth.

Agency staff will consider allowing the applicant to use a standard curtain in water depths exceeding 10 feet, but it is unfeasible to provide final approval for such a request until a full permit application is received and under formal review by the Agency. The permit application should include a written proposal to allow the use of a standard curtain and must include the following information at a minimum:

1. Location and size of treatment area;
2. Proposed concentration;
3. Final triclopyr residual monitoring plan (see guidance above);
4. Map depicting location of sequestration curtain, including water depths, length of curtain, and how it will be secured to each shoreline;
5. Total number of linear feet where 10 foot curtain will not extend all the way to lake bottom;
6. Cross-sectional view of curtain showing how it will be suspended in the water column; and,
7. Location of protected plant species (i.e. *Bidens beckii*) and approximate distance from proposed curtain.

We look forward to working with ELPOI and to receiving a permit application for this proposal so that our review may proceed. We will best be able to provide commentary on the plan and use of curtains after receipt of the complete application. Please contact me if you have any additional questions.

Sincerely,



Richard E. Weber III
Deputy Director, Regulatory Programs

REW:ESS:slp

cc: Bob Stegemann, NYSDEC
Scott Kishbaugh, NYSDEC (e-mail)
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