



## HAND HARVESTING OF AQUATIC PLANTS

**This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.**

Pursuant to Section 578.3(n)(1) of Agency regulations, an Agency permit is required for the removal of soil, peat, mud, sand, or gravel, or any other excavation or dredging of a wetland. However, no permit will be required for the removal of wetland plants, including their roots, under the following specific circumstances:

- The removal is conducted in open water less than 2 meters (6 feet) deep<sup>1</sup>;
- The removal is conducted entirely by hand;
- The removal leaves at least 200 square feet of contiguous indigenous wetland in the immediate vicinity;
- The removal does not involve taking more than 1000 square feet of indigenous wetland plants;
- The removal does not involve the application of pesticides or matting;
- The removal is not part of a larger harvesting program by individuals or groups;
- No rare or endangered species are removed or disturbed<sup>2</sup>; and
- The removal is not associated with any other activity involving wetlands, including dredging, filling, or other action regulated under Section 578.3(n) of Agency regulations.

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This flyer is intended to provide general information regarding Agency jurisdiction. Other provisions or restrictions may apply if an Agency permit or variance is required or if the property has previously been subject to Agency review.

Please contact the Agency with any questions at 518-891-4050. For a binding written response as to whether a specific proposal requires Agency review, please submit a Jurisdictional Inquiry Form (JIF). The JIF form is available on the Agency website at [www.apa.ny.gov/Forms/jiform.pdf](http://www.apa.ny.gov/Forms/jiform.pdf).

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<sup>1</sup> The harvesting of aquatic plants from open water more than 2 meters deep is not regulated by the Agency.

<sup>2</sup> The New York Natural Heritage Program works to facilitate the conservation of rare animals. The Endangered and Threatened Species provisions of the New York State Environmental Conservation Law are administered by the Department of Environmental Conservation. The DEC maintains lists of the rare animals currently being tracked by the Natural Heritage Program and of currently protected endangered and threatened species.