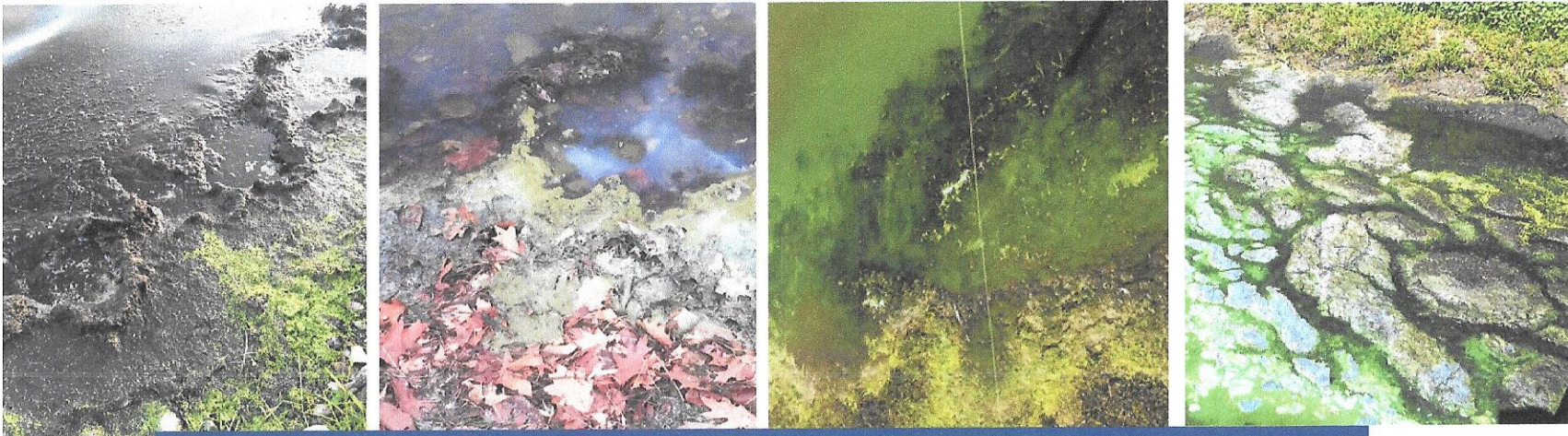


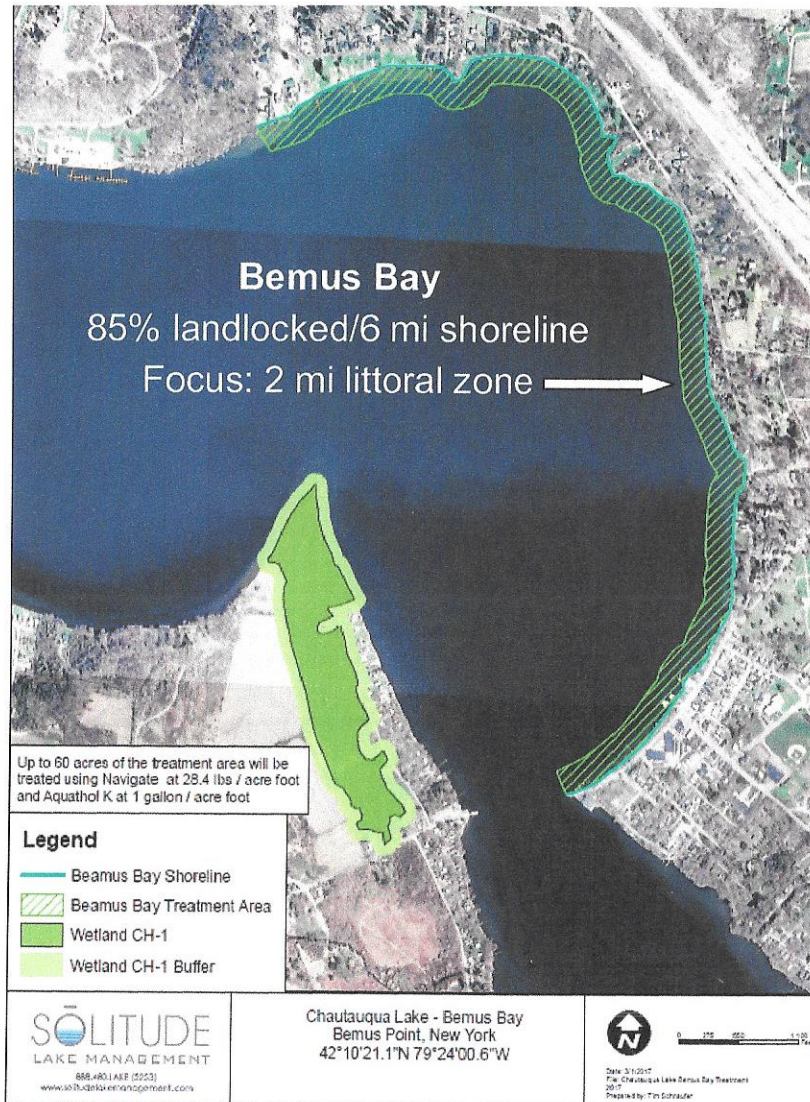
Chautauqua Lake Partnership – Weed Management

- Weed Management Plan
- Weed Survey
- Key Players
- Chautauqua Lake Herbicide Permitting History
- 2017 Permitting



2016 near shore/shoreline photos. Not good environmental management.

Chautauqua Lake Partnership – Weed Management Plan



- Average 250' treatment width x 2 mile shoreline = up to 60 acre treatment area
 - Weed Survey confirming type, density and locations in 60 acre area, to fine tune plan
- “NAVIGATE” targets Eurasian Milfoil
“AQUATHOL-K” targets Curly Leaf Pondweed
 - EPA and NYS DEC-approved aquatic herbicides
 - Widely used in NYS and other states
 - 3 of 6 Bay zones (1.6 of 2.0 miles) herbicide-approved in County’s March 2017 MMS (Macrophyte Management Strategy)
 - No significant negative impacts from selected herbicides, concentrations and application methods sensitive flora/fauna in other 3 zones
 - Sustainable long term weed control
 - + Guaranteed 90% weed removal in 1st year
 - + Potential spot treatments in 2nd and 3rd year
- SOLitude, Certified Lake Manager, to apply
 - Large corporation operating in ~10 states
 - Herbicide treatment of ~100 NYS water bodies

Chautauqua Lake Partnership – Treatment Participation

- DEC Herbicide Permit applicants: **Town of Ellery** and **Village of Bemus Point**
 - Strong leadership by Town Supervisor Arden Johnson and Town Council (Mark Schlemmer-point)
 - Strong leadership by Mayor Bryan Dahlberg and Village Board of Trustees
 - Permit application development (by SOLitude) paid for by Town of Ellery
- Town/Village supported by 145 member **Chautauqua Lake Partnership (CLP)**
 - Funding remainder of permitting, legal and treatment costs
 - Managing major outreach, fundraising and technical programs
- Strong **community, foundation** and **government** support
 - Over twice as many residents favored herbicides over weed cutting in 2012 survey
 - Support from NYS Senator Young, Assemblyman Goodell, County Executive Horigan, etc
 - Residents/local foundations providing significant funding
 - Status quo preferred by a very small minority (e. g., 1 response to 640 Letters of Notification)
- Contract with **SOLitude Lake Management, Inc**, Certified Lake Manager
 - Technical and permitting consultant and licensed herbicide applicator
 - Not aware of other Certified Lake Management in Chautauqua Lake

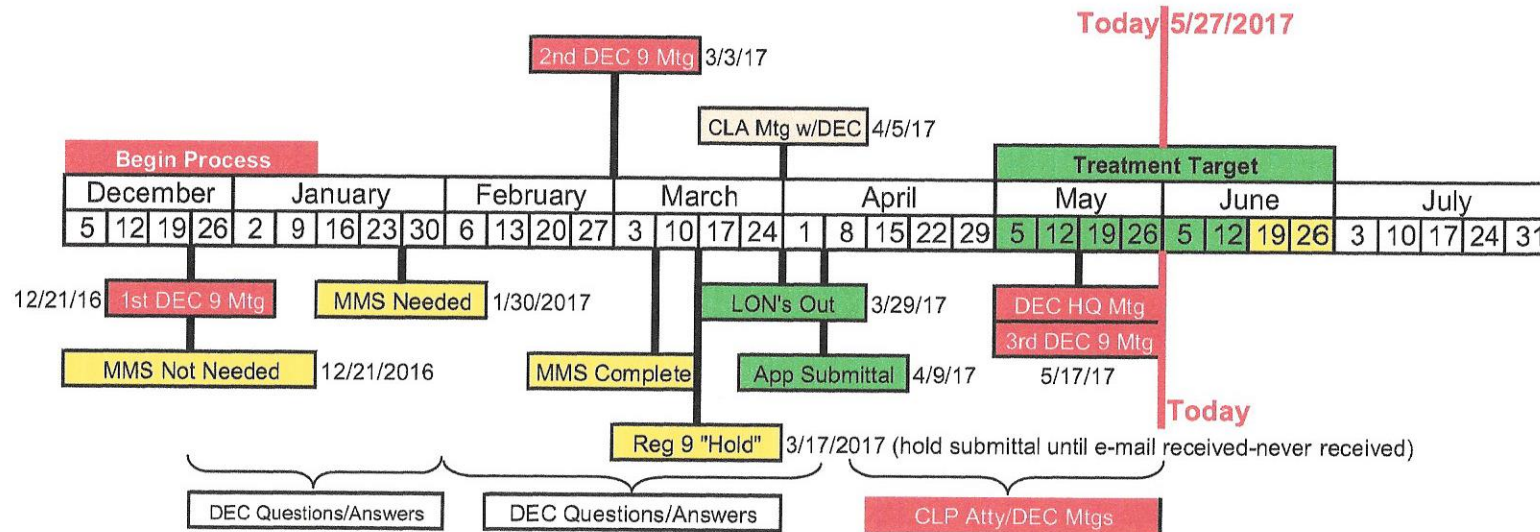
Chautauqua Lake Partnership – NYS Herbicide History

- 1955–1992: average 344 acres/yr (to 1080 acres) herbicide-treated by DEC and CLA
- Treatment challenged in 1985 with 1986 DEC/CLA agreement to one-of-a-kind herbicide permit requirements for Chautauqua Lake
 - Chautauqua Lake herbicide Environmental Impact Statement (EIS) completed in 1990
 - Permits granted for CLA herbicide treatments 1987-1992 ("emergency permit" in 1988)
 - CLA ended their herbicide program after the 1992 season
- No permit applications 1993-2001
- Town of Ellicott (with CLP) permit granted for 70 acres in Burtis Bay in 2002
 - SEIS and hearings not required
- Town of Ellicott permit application denied in 2005
 - Town declined to commit to DEC requirements (studies and open-ended commitments)
- No permit applications 2006-2016

Chautauqua Lake, A Great Lake Seeking a Greater Future

Chautauqua Lake Partnership – 2017 Permitting

Rally 052717



- Pre-application meetings December 21, 2016, and March 3, 2017
- Limited guidance/few questions answered until CLP attorney engaged in April
- Need for County's MMS (DEC-required "Lake Management Plan") unclear
- 640 Letters of Notification sent March 29 with **applications submitted April 9**
- Treatment target was May 1–June 15 with latest effective treatment June 30
- 2017 weed density very high and early - emergency situation - optimal early May treatment would have prevented current situation
- Requirement changes and confusion continues, ~\$15k committed to date

Chautauqua Lake, A Great Lake Seeking a Greater Future

Chautauqua Lake Partnership – Plan Forward

Rally 052717

- DEC requiring \$75-100k/6-12 month Bemus Bay SEIS as a result of 1986 agreement
 - Extrapolation of requirement effectively prohibits herbicide use in Chautauqua Lake
 - Chautauqua Lake SEIS requirement not applied to other NYS water bodies
 - 5 year/\$150k+ County MMS (\$50k by CLP) not facilitating permitting as intended
 - Note: herbicides are MMS-acceptable in >50% of Chautauqua Lake
- Plan forward
 - **#1: File for “Emergency Authorization” permit** for all six Bemus Bay MMS zones
 - + Cite the critical 2017 weed situation supported by recent survey
 - + Describe imminent threat to life, health, property, general welfare and environment
 - **#2: Pursue existing permit application**
 - + Receive DEC notice of “incomplete” application and request reconsideration
 - + Narrow scope to three MMS-acceptable Bemus Bay zones
 - + Cite completed MMS evaluations, respond to concerns expressed by a handful of individuals and note the critical 2017 weed situation supported by recent survey
 - **#3: Challenge 1986 DEC/CLA Agreement**, if necessary
 - + Question agreement applicability to applicants other than CLA (e. g., 2002 Ellicott permit)
 - + Cite failure of agreement/requirements to stem deterioration of lake
 - + Requirement effectively prohibits herbicide use in Chautauqua Lake (not intended)
 - + Unnecessarily discriminates against shoreline property owners and businesses