



Water Wisdom

Zebra Mussels

Extract from the ZM Task Force's report

In July 2009, zebra mussels (ZM) were discovered in Laurel Lake (a Great Pond located in Lenox, MA) in Laurel Brook, and in the Housatonic River. In response to the discovery of ZMs, in August 2009 the Department of Conservation and Recreation (DCR) and the Department of Fish and Game (DFG) issued the Zebra Mussel Interim Action Plan (IAP), which was intended to put in place interim measures to reduce the risk of further spread of ZMs to other Massachusetts water bodies. Among other things, the ZM IAP implemented the following interim actions by DFG & DCR:

- Office of Fishing and Boating Access (OFBA) issued emergency management measures that require boaters using the OFBA-controlled boat ramps to self-certify that they have not been on a water body containing ZMs within the prior thirty days, or of they have, that they have cleaned their boat in accordance with State recommended decontamination procedures.
- Developed the recommended decontamination procedures for boats using OFBA ramps.
- Made additional postings at State boat ramps alerting users to the presence of ZMs.
- Expanded the boat monitoring program at State boat ramps.
- Issued an RFP for a consultant to locate all ZM populations and identify those water bodies that had environments conducive to ZM the formation of populations.

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Forming Your Own Lake or Pond Assn. Nine Steps

By Carol T. Hildreth

(Modified from a 1980's COLAP brochure)

The following is a guide to forming your own Lake or Pond Association. It is based on the experiences of other lake and pond associations in this state. We hope it will help you save time in your efforts to save or improve the quality of your lake or pond. Forming this type of association takes time and some hard work, but can be a lot of fun, too.

Good Luck! And let us know how we can improve these steps in the future.

1. DEFINE YOUR PURPOSE(S) AND GOAL(S): Other lake and pond associations have formed around one or more of the following issues:

- a. lake or pond preservation (including nuisance aquatic vegetation & invasive species control, water quality monitoring, etc.)
- b. watershed management
- c. public health
- d. civic/community awareness
- e. marine traffic or dock issues
- f. social interests

2. PLAN AN INFORMAL MEETING: Invite a minimum of ten (10) families from around the lake or pond to a meeting to discuss their concerns about the issues identified above.

NOTE: Those people who attend can begin functioning as your Executive Committee

3. HOLD AN INFORMAL MEETING

(Once the concerns have been discussed):

- a. Elect a Temporary Chairman to oversee committees and run meetings
- b. Elect a Secretary to take thorough notes of meetings and type correspondence
- c. Elect a By-Law Committee to draft a set of by-laws
- d. Elect a Membership Committee to obtain all names, addresses (both mail and email), and telephone numbers (summer and winter)
- e. Decide how to pay for your operating costs (dues)

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4. DRAFT YOUR BY-LAWS:

- a. Obtain by-laws from neighboring or other lake associations and use them as a guideline, or
- b. Visit MA COLAP's website at www.macolap.org for a sample set of by-laws
- c. Note: Decide what constitutes full membership in your association and incorporate that into your by-laws. For example, some associations may wish to stipulate that full membership with voting rights access to the Board of Directors and the Office of President be limited to lake residents who are waterfront property owners. Others may become Associate Members.
- d. Decide what to name your association in connection with your goals. Examples include: Long Lake Property Owners Assoc., Long Lake Watershed Assoc.
- e. Note: You may wish to include an environmental control or water quality monitoring or other committee as part of your by-laws.

5. HOLD A FORMAL MEETING:

- a. Notify all lake and pond residents (and concerned watershed residents) of the forming of an association and make public all related material such as proposed by-laws.
- b. Invite them to attend. Mention date, time, place, etc.
- c. Note: You may want to have a "kick-off" banquet, pot-luck, or picnic at the same time.

6. AT THE FORMAL MEETING:

- a. Present the Executive Committee's Intentions and Purposes
- b. Propose the drafted by-laws.
- c. Discuss by-laws
- d. Vote on by-laws
- e. Elect Board of Directors, Officers, and other committees in the by-laws you just adopted.
- f. Begin work on tasks as defined by your purpose(s) and goal(s).

7. FILE YOUR BY-LAWS APPROPRIATELY:

- a. If you choose to incorporate, you may need to follow certain state-mandated procedures which involve filing the by-laws and paying certain fees. Contact the Division of Corporations in the State House in Boston.
- b. If you do not incorporate, file with the designated officer of your association.

8. ESTABLISH COMMUNITY CONTACTS:

Use your Officers and Board of Directors as liaisons with your surroundings in the following areas:

- a. Social: Plan social activities (get-togethers, newsletters, fishing derby, sailboat races, etc.) once or twice a year at which time you can inform the membership of progress, keep

SPECIAL THANKS

We would like to extend special thanks to Lee Lyman and Will Stevenson of Lycott Environmental, Inc., and Gerry Smith, Aquatic Control Technology, Inc. for providing financial support for the publication of our newsletter. Also thanks to Gerry Smith for donating copies of "Biology and Control of Aquatic Plants" for participants at the annual workshop.

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support and communication going, and maintain interest in goals and projects.

- b. State Political: Develop contact with State Senators, Representatives, and environmental agencies. Let them know of your existence and purpose, and then keep them knowledgeable of your efforts.
- c. Local Governments: Establish communication with your Selectmen, Board of Health, Conservation Commission, Planning Board, Open-space, and Community Preservation Committees, etc.

9. FOR FURTHER ASSISTANCE:

On Lake and Pond issues of all sorts, and for possible future updates of these STEPS, please contact MA COLAP at www.macolap.org

MA COLAP Annual Meeting

Over one hundred lake and pond enthusiasts traveled to Worcester State College for the Annual Meeting of the association on Saturday, January 23, 2010 to hear various speakers and learn more about maintaining and preserving our lakes and ponds. Our thanks to Carol Hildreth for another successful event. Some of the activities are highlighted in these pictures.



Zebra Mussels

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- Developed educational and outreach materials that described the ZM problem and ways to address it. These materials include brochures, signage, website, etc.

- Proposed to continue to work with local partner organizations, including some who were represented on the ZMTF, and the Aquatic Invasive Species Working Group (AIS Working Group) to develop additional measures to address the ZM problem.

The DCR and DFG envisioned that the ZM IAP was to be a “living document” that would be evaluated by DCR and DFG in cooperation with stakeholder organizations in the Winter of 2009/2010 to assess how the IAP measures were working; to determine whether modifications to the IAP were needed; and to update the text and provisions of the IAP to reflect any new and pertinent information related to ZMs, including ecology, best management practices, laws, regulations, management/control measures, and educational materials. Following up on this commitment, in November 2009, EEA convened the Zebra Mussel Task Force (ZMTF) to bring various stakeholder organizations together to review the ZM IAP and to make recommendations for amendments and updates to the IAP to be implemented by the Commonwealth and other partners and stakeholders.

The ZMTF concluded that it needed to agree on required decontamination procedures that met the following general criteria:

1. from a science perspective is it effective?
2. from a practical standpoint is it feasible and cost effective?
3. are there any potential adverse effects on the local ecosystem?
4. are there potential adverse effects on boats or equipment?
5. are there any regulatory implications based on the procedure?
6. are there sufficient resources to support the decontamination procedures?

The ZMTF also agreed that it should avoid a multiplicity of recommended decontamination options in the ZM outreach materials in order to lessen any potential confusion regarding what is advised or required as to decontamination and certification. The ZMTF encourages that the Massachusetts Aquatic Invasive Species Working Group (AIS Working Group) seek to have any procedures it recommends or coordinates on other species or through the regional collaborative be consistent so as to minimize potential confusion of the public. The ZMTF recommends that EEA maintain a website with a full listing of potential decontamination procedures for vessels and equipment.

The ZMTF makes the following Recommendations concerning decontamination procedures:

A. Clean, Drain, Dry. All visible plants, mud, or other debris should be removed. All drain plugs should be pulled with any standing water allowed to fully drain. The watercraft and equipment should then be allowed to fully dry for 1 week

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during July and August, 2 weeks in June and September, and 4 weeks before and after these dates. Dry times should be longer if weather has been unseasonably cool or wet.

OR

B. Clean, Drain, Decontaminate. After cleaning and draining, use an approved decontamination method or combination of methods on all vessel parts in contact with water and carpeted trailer bunks:

- Steam or Scalding Hot Wash (>140 degrees): To achieve this temperature at the surface being cleaned, water temperature must be as close to 155 degrees as possible at the nozzle (Note: Caution should be taken as this temperature may cause scalding to exposed skin). Keep contact for 10 seconds or more. High pressure spray is best to clean the outside surfaces of vessels and low pressure should be used to flush live wells, bilges, ballasts, and engines. Run the water through the craft's cooling system for at least 10 seconds at 140 degrees. Use "ears" for outboards, or garden hose for personal watercraft and inboards as you would normally for winterization or running while out of water.

- Chlorine/Bleach Solution (1 oz. per gal. water): Surfaces should be kept "wet" with Chlorine/Beach solution for at least 10 minutes before rinsing with clean water. Clean all exterior surfaces and flush live wells, bilges, ballasts, and engines with solution. Run outboard engines in a tub, bucket or barrel of solution or use ears to decontaminate engine cooling systems. This is also a good option for soaking ropes, dive gear, or anything else that may be placed into the solution bucket or barrel. Solution may only be used for up to 24 hours after mixing. After that, a fresh chlorine mixture must be mixed.

- Lysol (follow label directions for mixing concentrate to achieve a 1% solution): Surfaces should be kept "wet" with Lysol solution for at least 10 minutes before rinsing with clean water. Clean all exterior surfaces and flush live wells, bilges, ballasts, and engines with solution. Run outboard engines in a tub, bucket or barrel of solution or use ears to decontaminate engine cooling systems. This is also a good option for soaking ropes, dive gear, or anything else that may be placed into the solution bucket or barrel. Because of the possible dilution with rinse water, the solution should not be reused. A fresh batch should be mixed each time.

- Vinegar (as sold): Surfaces should be kept "wet" with Vinegar solution for at least 20 minutes before rinsing with clean water. This option, however, may not be the most practical or feasible for decontaminating engine cooling systems because of the quantity of vinegar that one would need to purchase in comparison to preparing decontamination solutions from Lysol or bleach concentrate. Vinegar may be a more practical option for cleaning the exterior of the boat and for soaking ropes, dive gear, or anything else that may be placed into the solution bucket or barrel. Because of the possible dilution with rinse water, the solution should not be reused. A fresh solution should be used each time.

Enforcement

The ZMTF recognized that options for establishing and enforcing vessel and equipment decontamination requirements on the waters of the Commonwealth are governed by current statutory and regulatory authority. Therefore, the ZMTF recommendations are separated into two elements: a) enforcement under current statutes and regulations and b) enforcement enhancements that are recommended through future legislation and regulation. The ZMTF recommends a graduated system of enforcement steps to provide flexibility to enforcement authorities to encourage voluntary compliance to the extent possible and to impose more severe consequences only if needed to require compliance. The ZMTF also concluded that it was important to clarify enforcement authority of the various enforcement agencies and to ensure that enforcement agencies are aware of and understand those enforcement powers. The ZMTF also concluded that it was important to clarify that boat ramp monitors are not enforcement agents but are there to educate and provide information to boaters. If necessary, boat monitors will be able to call in support from law enforcement agencies.

The ZMTF makes the following Recommendations:

- Continued implementation of the long-term management measures adopted by the OFBA applicable to the use of state boat ramps in the Hoosic and Housatonic watersheds, with improved forms and tracking of boat ramp use to inform deployment of enforcement agents and boat ramp monitors.
- OLE should (and has committed to) develop a summary of the existing authority of law enforcement entities (environmental police, state/local police, conservation enforcement officers, and harbormasters) to enforce existing statutes and regulations, including the management measures in place at OFBA boat ramps, educate those law enforcement entities on their authority, and ensure that they have appropriate discretion to select the means and methods to encourage and require compliance with applicable laws and regulations.
- OLE should (and has committed to) conduct local law enforcement training by May 2010 and will begin reaching out to notify trainees as soon as practicable.
- DCR, DFG and OLE should draft legislative recommendations for review and endorsement by the ZMTF that will:
 - Extend requirement for self-certification of boat decontamination to all vessels on water bodies at risk of ZM infestation, regardless of how they gained access to the water, i.e., not just those vessels using OFBA public access ramps. (See Section 7 on legislative recommendations.)
 - Establish a hierarchy of penalties for offenses to include a graduated series of fines, imprisonment terms, and other civil and criminal enforcement options.
 - DCR, DFG and OLE should evaluate whether additional enforcement opportunities are available through regulation without further legislation.
 - In the event of a discovery of ZM in another water body, immediately assess the extent to which additional control and management measures should be implemented or additional information materials are made available at OFBA boat ramps, i.e. additional signage at boat ramps or additional boat monitors.
 - Recommend procedures for municipal and private ramps in the event of a discovery in another water body. EEA to draft lead responsibilities and coordination plan for such an event.



The Massachusetts Congress of Lakes and Pond Associations presents the Annual Meeting of the New England Chapter of the North American Lake Management Society: Our New England Waters -

Lake Management in Lean Times: Focusing on Practical Solutions and Achievable Results

Saturday, June 12th

- 8:00 AM **Registration, Exhibits, Continental Breakfast**, Sullivan Hall Foyer & Lounge
- 9:00 AM **Plenary Session – “A Call to Action”**
Eager Auditorium
- 9:00 AM **Welcome**, Eliz. Herron NECNALMS Chair
- 9:10 AM **What’s New with NALMS**, Bev Clark, HES, NALMS President Elect
- 9:30 AM **Loving Lakes**, Tom Gordon, -Exec. Dir. Maine Assoc. of Conservation Districts
- 10:00 AM **Break/Exhibits –Sullivan Hall Lounge**

10:30 AM Break Out Session 1:

- A. Invasive Species 1** Sullivan Hall – Classroom
Overview – Major aquatic invasive species of New England, Jim Straub, MA DCR
- Double whammy: Hydrilla strikes Maine again**, John McPhendran, ME DEP
Dreissena in Massachusetts: **A look at the background and response to zebra mussels in the Bay State**, Tom Flannery, MA CDR

- B: Watershed Management 1** Eager Auditorium
Vegetate and infiltrate: Reigning in runoff through landscaping and simple site design techniques, Jeff Schloss, UNH
- Using infiltration and filtration systems to protect water quality**, Tom Ballestero UNH Stormwater Center
- Lawn management: Tips for cost-saving, lake-friendly landscaping and getting people to go along, plus and easy landscape-related fundraiser**, Jackson Madnick, MA COLAP

- C: Monitoring Tips, Tools and Techniques** Sullivan Hall – Classroom
Volunteer Monitoring Program Updates and Tool-time: a roundtable discussion and show and tell, Linda Green and NE Vol. Mon. Coords
- Tool-time (cont.): Stormwater and groundwater samplers, plant mapping and algae documentation tools**, Ken Wagner, AECOM

NECNALMS 2010 will be held on June 11th and 12th at Worcester State College in Worcester, MA. The Friday workshops on the reverse side of this brochure provide hands-on training by experienced professionals. The Saturday program on this page provides a wealth of information for anyone interested in the management of lakes and watersheds. Overnight accommodations in modern, spacious dormitory rooms and meals, including an optional beer and wine tasting, are available on-site, as is free parking. Sullivan Hall will be the conference hub with workshops, presentations and vendors all conveniently situated in or near Eager Auditorium **Look for more information online at <http://www.uri.edu/ce/ww/hec/> including site directions and maps, complete abstracts, and workshop outlines, or contact Ken Wagner at 860-429-5323 ext 222 or ken.wagner@aecom.com for more information.**

Noon – 1 PM Lunch- Dining Hall Student Center

- 1:00 PM **Break Out Session 2:**
D: Invasive Species 2 Sullivan Hall – Classroom
Invasives Update (TBD)

- Rapid response in Maine: Is it going according to plan?** John McPhendran, ME DEP
- Pre-Invasive freshwater fish in New England**, Dave Halliwell, ME DEP

- E: Watershed Management 2** Eager Auditorium
Using porous pavement to minimize runoff and protect water resources, Tom Ballestero UNH Stormwater Center
- Low impact development stormwater techniques for developable parcels in the Nagog /Nashoba watershed**, Bob Hartzel, GeoSyntec
- NH Comprehensive Shoreland Protection Act– Overview - minimum standards and impact permitting process**, Jason Aube, NH DES

- F: In-lake Techniques** Sullivan Hall – Classroom
Dredging – options, constraints, permits and costs, Harry Jones and Tom Jenkins, BEC
- When watershed management isn’t enough – Algae control using alum**, Dom Meringolo, ACT

2:30 - 3:00 PM Break/Exhibits– Sullivan lounge

- 3:00 PM **Breakout Session 3:**
G: Emerging Issues in Lake Management Sullivan Hall – Classroom

- Managing lake drawdowns for downstream environmental flows**, Joanna Carey, MA DF&G
- Comparison of cyanobacteria cell counts and toxin concentrations in Lake Quannapowitt**, Wakefield, MA, Douglas Heath, Saugus RWC

- H: The Local Connection in Lake Management** Eager Auditorium
Locally grown lake stewards: Protecting your local lakes and engaging your community, Andrea LaMoreaux, NH LAKES Assn
- Getting municipalities and lake associations to recognize lake value**, Jacque Colburn, NH DES

- I: Understanding Water Quality** Sullivan Hall – Classroom
The importance of precise phosphorus measurements in lake management. Bev Clark, HES, NALMS
- Constructing nutrient budgets: Key pieces of the puzzle and how to assess them**. Sarah MacDougall, AECOM

Adjourn at 4 PM – See you next year in RI!

Friday, June 11th Workshops,

Each workshop will be 2 hours long, and will be repeated, except for the two-part Google workshop. Please register for 2 workshops. Check-in at Sullivan Hall starting at 11:30 AM.

Nuisance Algae: Identification and Control

– Ken Wagner (AECOM)

When algae are abundant, they can interfere with multiple uses of that water. This workshop will illustrate the common nuisance forms and provide time for participants to look at examples under microscopes. We will discuss methods of control of algae - biological, chemical and physical approaches. Participants do not need prior training in algae and will receive printed materials to help with information retention. The focus of this workshop will be on improving familiarity with the types of algae that can cause problems in lakes and the methods that can be used to monitor and control those algae.

Macrophytes: Key Native and Introduced Species to Know

- Amy Smagula (NHDES) and Leslie Matthews (VT DEC)

This workshop is intended as an introduction to aquatic ecology and identification, covering an introduction to aquatic plant zonation, an overview of invasive aquatic plants of concern in New England, and an overview of common native aquatic plants in the area. The presenters will also help distinguish between plants with similar growth forms and habitats. Information on general plant mapping techniques, early detection methods for invasive plants, and other related topics will be covered. Both live and pressed specimens will be made available, and workshop participants are encouraged to bring specimens.

Pre-invasive Freshwater Fish in New England: An Archaeological Approach

- Dave Halliwell (ME DEP) and Art Spiess (ME Senior State Archaeologists)

The freshwater fish assemblage of New England, east of the Champlain drainage in Vermont, is naturally depauperate, following Pleistocene glaciations which receded 12,000 to 14,000 years ago. In this workshop, you will gain an appreciation for 16 indigenous freshwater fish species of suitable size and distribution to have likely been harvested by Native Americans prior to European arrival. We will also identify the 12 fish species which have actually been

identified in Maine pre-Columbian archaeological sites. Hands-on sorting of actual material from Maine archaeological sites will be carried out. Fish bone identification is facilitated through the use of a draft key to pre-European fish remains in New England.

Zooplankton for Everyone: Bringing zooplankton taxonomy, ecology and biology to a wider audience

- Jim Haney and Amanda Murby (UNH)

The Center for Freshwater Biology at UNH has created and updated an image-based online zooplankton key to expand knowledge of this important, but often underappreciated member of lake ecosystems. In this workshop, we will introduce the participants to the goals and content of the CFB key, discuss the use of zooplankton in monitoring programs, and provide hands-on experience with zooplankton identification using provided samples, microscopes and the CFB key. The key is simple enough for anyone to use for those with no previous experience, and contains a wealth of additional information for lake monitors and scientists alike.

Mapping your Watershed in Google Maps or Google Earth: A Two-Part Workshop.

- Cary Chadwick & Emily Wilson (UConn), Shane Bradt (UNH) & Greg Bonyng (URI)

Creating online maps to show your sampling sites, monitoring data, projects, event locations or other information used to require help from a GIS wizard and a web designer, not to mention a large amount of money. Now you can create simple, online maps for free in Google Maps and/or Google Earth, whether you are GIS proficient or not. Participants are invited to attend both or either session depending on the tool(s) they are interested in learning. The workshop will consist of brief lectures followed by hands-on computer exercises and is BYOL (bring your own laptop - Mac or PC). To participate you will need to have installed a current web browser or two (Firefox, Chrome, and Safari work best), setup a Google account at <http://www.google.com/accounts/NewAccount>, and download Google Earth at <http://earth.google.com/>.

**NECNALMS 2010
REGISTRATION FORM**

Name: _____

Affiliation: _____

Mailing Address: _____

Phone: _____

Email: _____

Registration

(Includes annual NEC-NALMS membership dues, breaks and lunch on Saturday):

- **Friday workshops only - \$30** _____
- **Saturday sessions only - \$45** _____
- **Friday & Saturday package - \$65** _____
- **Friday dinner - \$8** _____
- **Friday beer & wine tasting - \$10** _____

Total Registration fee _____

Friday Workshop Choice(s):

1st session: _____

2nd session: _____

Return form and registration check to payable

**to NECNALMS, c/o Carol Hildreth, 135
Washington Street, Holliston, MA 01746**

Sorry - credit cards NOT accepted.

Dormitory rooms will be available Friday night for \$25 (\$20 additional linen fee or bring your own sheets/sleeping bag). Please check here if you would like to reserve a room (room payment to be made at the conference) _____ (There are also several hotels in the area).

The 2010 Annual Business Meeting of NECNALMS will be held in Sullivan Hall at 5:30 PM, followed an optional dinner in Dining Hall at about 6:30 PM. Festivities will continue with a beer and wine tasting (additional cost) after dinner.

Dredging Permit Process

By Eric Las, P.E., Beals and Thomas, Inc.

Dredging is an often discussed but less-frequently utilized management measure for inland lakes and ponds. The pre-dredging process usually involves varying levels of data collection, design, planning, and permitting. The permitting and approval process will vary depending upon the characteristics of the site, the scope of work, and dredging method proposed.

This article focuses specifically on the basics of the typical local, state, and federal permitting processes. The information below provides only a general outline, which touches upon various aspects of the permitting required for dredging projects. For further information regarding agency jurisdiction, thresholds, application requirements, or timelines, contact the regulatory agencies noted below or a consultant that specializes in dredging projects.

Local Permits / Approvals:

Conservation Commission

In accordance with the Massachusetts Wetlands Protection Act (310 CMR 10.00) and any applicable local wetland bylaw, all lake and pond dredging projects are required to file a Notice of Intent application and obtain an Order of Conditions from the local Conservation Commission. The application should justify the need for dredging to improve the natural capacity of the resource area, explain how the work will meet applicable performance standards if possible, and also protect the interests of the Act and any local bylaw. As part of the permitting process, the notification of abutters, a public notice, and public hearings will be required.

State Permits / Approvals:

Massachusetts Environmental Policy Act (MEPA)

Most dredging projects involve impacts that exceed thresholds and trigger MEPA review in accordance with 301 CMR 11.00. Projects that will alter more than 5,000 square feet of wetlands or involve more than 10,000 cubic yards of dredging will require the preparation and submission of an Environmental Notification Form (ENF) and may be subject to further MEPA review. For very large dredging projects involving over 10 acres of wetland alteration, preparation of an Environmental Impact Report may be required. Notification of ENF's and EIR's are published in the Environmental Monitor twice monthly. MEPA will consider public comments that are submitted during the designated timeframe. The Secretary of the Executive Office of Energy and Environmental Affairs will issue a Certificate upon the completion of the MEPA review. The Certificate will indicate whether the project can proceed to further state permitting as outlined in the following sections.

Massachusetts Department of Environmental Protection (MADEP)

A Section 401 Water Quality Certificate from MADEP will be required for any project involving dredging over 100 cubic yards. Submission of an application with dredging plans and sediment testing results is required. A primary focus of this permit process is often the sediment testing results and reported pollutant concentrations.

For dredging projects that are proposed on a listed Great Pond, a Chapter 91 permit from DEP Waterways will be required in accordance with 310 CMR 9.00. In addition to submitting an application and dredging plans, a public notice is also required. DEP Waterways will consider public comments received during the specified comment period before issuing a decision on the permit.

Natural Heritage and Endangered Species Program (NHESP)

If the project site is mapped in the Massachusetts Natural Heritage Atlas, 13th Edition, as Priority Habitat for rare species, the project must be reviewed in accordance with the Massachusetts Endangered Species Act (321 CMR 10.00). The project can be submitted for MESA review by NHESP as part of the Notice of Intent application. NHESP will determine if precautionary measures can be implemented as part of the project to avoid a "take" of rare species. If a "take" cannot be avoided, then it will be necessary to file for and obtain a Conservation and Management Permit from NHESP.

Federal Permits / Approvals:

U.S. Army Corps of Engineers

Dredging projects that result in the discharge of dredged or fill material to a lake or pond will require a Department of the Army General or Individual Permit in accordance with Section 404 of the Clean Water Act. The project scale and proposed dredging method will determine which permit is required. The Corps will consider both the primary fill/discharge impacts as well as secondary impacts such as water level drawdown that may be required. Projects may qualify for a Category 2 permit if total impacts are between 5,000 sq. ft. and 43,560 sq. ft. For projects with impacts totaling more than 1 acre, an Individual Permit will likely be required. These permits require the submission of an application, plans meeting Corps specifications, and sediment testing results. The Category 2 permit process is typically faster and less involved than the Individual Permit process.

National Pollutant Discharge Elimination System (NPDES)

Depending upon the proposed method of sediment dewatering and extent of ground disturbance associated with the sediment disposal area, a NPDES permit from the US EPA may be required. In addition to preparation of the appropriate forms, it may also be necessary to prepare a Stormwater Pollution Prevention Plan (SWPPP).

Timelines / Considerations:

Given the number of permits outlined above, it should be little surprise that significant time is required to complete permitting for most dredging projects. Projects may take from several months to well over a year to fully permit depending on the specific circumstances involved. Additional local, state, and federal permits beyond those noted above may also be required and can add to the complexity of the process.

Given the extent of various Agency and public involvement in the permitting process it is imperative to build as much support in favor of the project as possible. Despite the time, effort, and cost associated with dredging, projects are successfully permitted every year throughout Massachusetts.



**Massachusetts Congress of
Lake and Pond Associations, Inc. (MA COLAP)
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Summer 2010

President's Letter Summer 2010

By Al Collings, MA COLAP President

Dear members and friends of MA COLAP, One of the objectives of MA COLAP is to "Promote the development of standards, legislation and regulations beneficial to lakes and ponds". To ensure that new legislation and regulations are favorable to lakes and ponds, this objective has taken on more focus and effort lately. Led by Jack Hickey, Lee Hague and Bob Race and their associates in the LAPA West chapter of MA COLAP, a great amount of time has been devoted to the issue of Natural Flows with lake drawn downs and the proposals of the Riverways team. Also, Jack has been an active participant in the Governor's Zebra Mussel Task Force. Two bills working their way through the Massachusetts legislator are Senate Bill 2113 "An Act Protecting Lakes and Ponds," filed by Senator Benjamin Downing and House Bill 3441, "An Act Establishing the Lake Restoration and Preservation Fund and Program," filed by Representative James Murphy. Jack Hickey and I testified at the Joint Committee on Environment, Natural Resources and Agriculture last summer supporting S2113. Currently, S2113 has been redrafted to S2374 and referred to the Senate Committee on Ways and Means. H3441 has been sent to the House Ways and Means Committee. S2113 (now S2374) focuses on limiting the transportation on invasive species in

the Commonwealth and H3441 establishes a fund and grant program under the Department of Environmental Protection for research and prevention programs related to exotic plants. Details of these bills can be found on the House and Senate web sites. You are encouraged to review these bills and send letters of support to the Ways and Means Chairs, Senator Pangiotakis and Rep. Charley Murphy.

So that we have a stronger voice in the development of regulations that affect lakes and ponds, we are exploring



joining with other organizations that focus on preserving the waterways in MA. Want to learn more and help? Call me at 508.867.7165 or e-mail me at afc@charter.com.

Have a safe and enjoyable summer season.

Al Collings, President

THE NEW ENGLAND CHAPTER OF THE NORTH AMERICAN LAKE MANAGEMENT SOCIETY (NEC-NALMS)

New England Lakes and Watersheds Conference

At the Sullivan Building, Worcester State College,
Worcester, MA

Friday, June 11 and Saturday June 12, 2010.

See details inside on pages 5 & 6.