

North Brookfield Conservation Commission
215 North Main Street, North Brookfield, MA 0153

Orders of Conditions for Applicant:
Lake Lashaway Community Association (LLCA)
Location: Shore Rd., North Brookfield
Five-Year Aquatic Plant Management Plan

DEP Fil No. 244-0121
NOI Filing March 10, 2020
Date: June 12, 2020

Work being regulated at Shoreline area at the northern inlet, approximately 293-acre impoundment of the Five Mile River at Lake Lashaway located in North Brookfield and East Brookfield. **Proposed by: Alex Patterson and Carl Neilson, ESS Group, Inc.**

A year to year, Five-Year Aquatic Plant Management Plan, to address non-native aquatic vegetation focused mainly on overgrowth of weeds has been approved by the North Brookfield Conservation Commission. The Commission finds that this treatment plan qualifies as an improvement to the natural resource.

These Orders must be recorded with the Registry of Deeds prior to the start of work. Please send confirmation of recording to the Commission. (See form on the last page of WPA OOC Form 5)

LLCA shall provide advance notice and a copy of the annual License to Apply Chemicals issued by DEP to the North Brookfield Conservation Commission with a range of herbicides to be used for regular annual treatment before treatment for that year may start.

Notice of each application must be sent to all abutters and POSTED at Town Offices as required by Massachusetts Department of Agricultural Resources Pesticide Bureau and Massachusetts Department of Environmental Protection.

In addition to the General Conditions under the Massachusetts Wetlands Protection Act, the North Brookfield Conservation Commission issues the following Conditions for this project.

Responsibilities of Owner and Contractors

Each treatment event shall be of an individual herbicide. There shall be no tank mixing of multiple herbicides, nor shall one of the herbicides approved by this Order be used as an adjuvant for another. Herbicide may not be applied less than 5' from the shoreline of the lake nor within 50 feet of the shore of an island.

North Brookfield Conservation Commission shall receive notice at least one week before application of herbicidal treatment and its use as proposed in section 3.1 Herbicides in the Narrative of the approved Notice of Intent before it may be applied.

The project must be conducted as described outlining the management goals and recommended actions for the lake. Projects seeking review as Ecological Restoration Limited Projects must comply with the provisions in 310 CMR 10.53(4)(a) as described in 5.1 Ecological Restoration Limited Project Provisions. This Order shall have a 5-year term.

A member of the North Brookfield Conservation Commission or its agent may enter and inspect the property associated with the activities that are the subjects of this Order at all reasonable times, with or without probable cause or prior notice.

Until a Certificate of Compliance is issued, determination must be made as to whether any additional conditions are necessary or an extension to these orders is needed to continue treatment and to protect the resource area(s).

The protection of the resource areas is the responsibility of the Owners (LLCA). The Owners must ensure that all people working on the project understand and comply with these orders.

A copy of these Orders of Conditions is to be given to the Contractor(s) at the beginning of work.

If any change is made in the Treatment Management Plans as proposed, the applicant shall inform the North Brookfield Conservation Commission prior to implementing the change in the field. Any significant change in the size or layout of the treatment will require an Amended Order of Conditions

Erosion controls shall be properly installed and maintained. They shall be checked after every rainfall of ½ inch or more and replaced if necessary.

Upon completion of the Five Year Treatment Management Plan the applicant shall submit a Request for a Certificate of Compliance form (WPA Form 8A) to the Conservation Commission. (A partial Certificate of Compliance can be issued by the Commission.) This Order is not considered completed or satisfied until the Certificate of Compliance has been requested, issued and recorded with the Registry of Deeds.

END OF ORDER OF CONDITIONS