

LETTER OF NOTIFICATION

Date: June 20, 2019

Re: DEC Permit for the Application of aquatic herbicides Aquathol K (endothall) and Navigate (2,4-D) to Target Areas of Bemus Bay in Chautauqua Lake

From: The Town of Ellery

The Town of Ellery has applied for permits from the New York State Department of Environmental Conservation (NYSDEC) to apply the aquatic herbicides Aquathol K (endothall) and Navigate (2,4-D) over a 1 day period beginning on a date between July 8-July 31, 2019 to control Eurasian watermilfoil and curlyleaf pondweed in areas of Bemus Bay in Chautauqua Lake. These areas were included as part of the Town of Ellery's earlier permit application, but were not authorized at that time. Please contact Glenn Sullivan of Solitude Lake Management at gsullivan@solitudelake.com or 908-310-8775 for the exact date of treatment for this area. Notification of the application of the treatment will be posted at public access points on the day(s) of the application.

Water use restrictions would be in effect in certain areas of the Lake and downstream waters for the time period of the treatment PLUS the timeframes indicated in the table below. The areas of the Lake to which each restriction applies are shown in the attached map.

Water Use Restrictions

Swimming/ Bathing	Fishing	Animal Consumption	Drinking, culinary or food processing purposes	Irrigation
24 Hours	24 Hours	24 Hours	Until herbicide concentration levels equal < 50 ppb*	21 days or until 2,4-D concentrations equal <100 ppbt†

The timeframes start as soon as the treatment has been completed. Information on water use restrictions, including when those restrictions are lifted, will be posted on the website of the Town of Ellery.

* Potable uses will be restricted for the day of application and at least ten days after the application. The potable use restriction will be lifted when lab results indicate the concentration is less than 50 ppb at the water intake. Those residents who rely on lake water for drinking water and who need to be in residence during the water use restriction period (anticipated to be 1 to 2 weeks) should notify Rebecca Haines at ellerytc@windstream.net. Users who rely on the lake for drinking water and whose water intakes are within the water restriction zones can request bottled water for the duration of the drinking water restrictions.

† If treated water is intended to be used to irrigate or mix sprays for plants grown in commercial nurseries and greenhouses; and other plants or crops that are not labeled for direct treatment with 2,4-D, the water must not be used unless one of the following restrictions has been observed: (i) a setback distance from functional water intake(s) of greater than or equal to 2400 feet was used for the application, or, (ii) a waiting period of 21 days from the time of application has elapsed, or (iii) an approved test indicates that the 2,4-D concentration is 100 ppb (0.1 ppm) or less at the water intake.

When all water restrictions are lifted, posted signs will be removed. After the treatment is completed, information on the status of the restrictions may be found on Ellery's website or by contacting the Town Clerk, Rebecca Haines, at (716) 386-3465 ext. 200, ellertyc@windstream.net.

In the event that you as a riparian owner or those individuals or entities to whom you have granted legal access rights (vested riparian users), have any objections to the proposed aquatic plant management program or water use restrictions, please contact the NYSDEC at the address below within 21 days of receipt of this notice. All objections must be in writing and demonstrate that your use of water or the use of water by those in whom you have granted vested riparian rights will be significantly adversely affected (per the NYSDEC's policy). Lack of comment will be considered consent to the treatment and water use restrictions.

Robert Freese
NYSDEC, Region 9, Bureau of Pest Management
270 Michigan Avenue
Buffalo, NY 14203

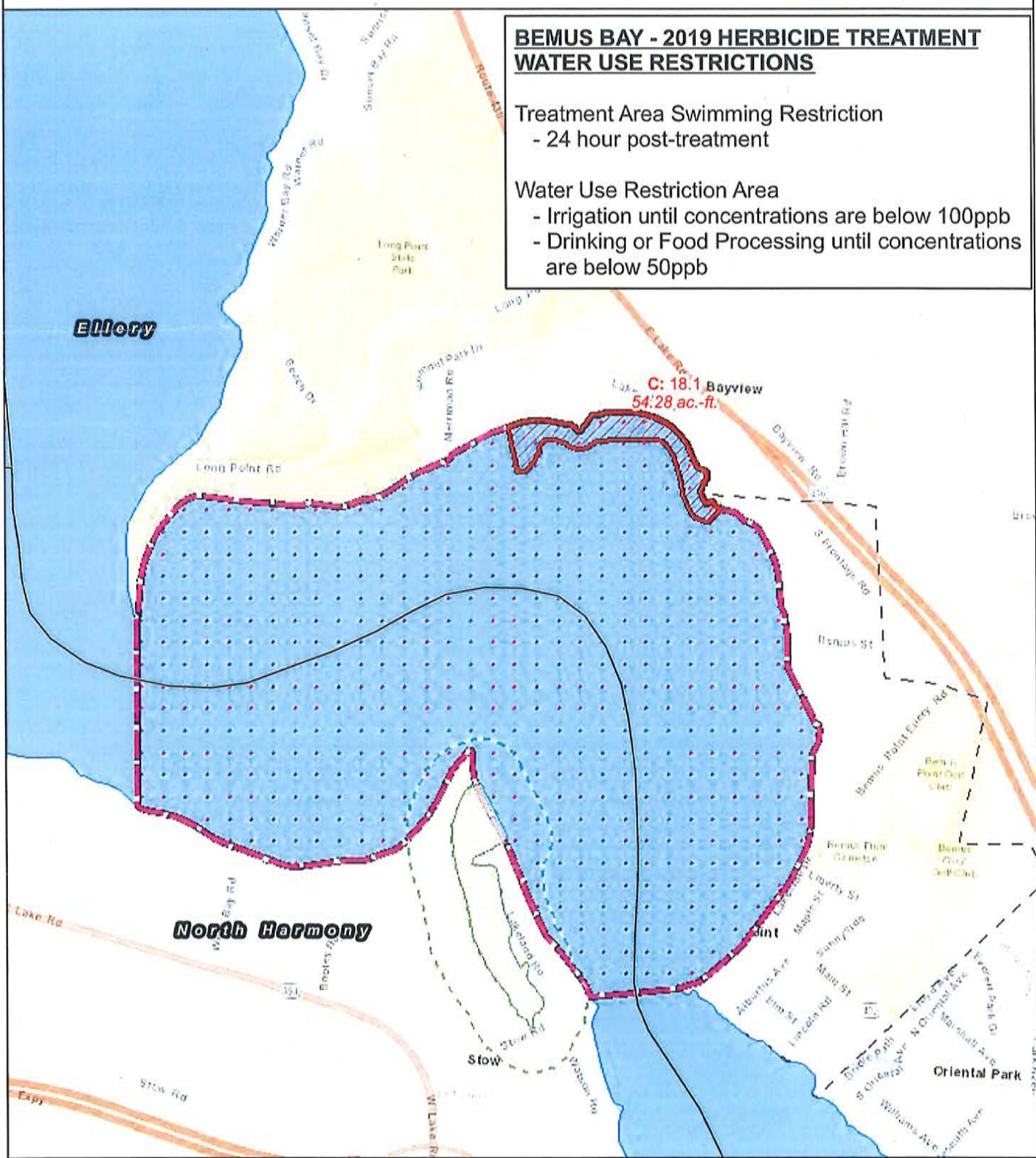
Information on the products to be applied, including product labels, may be obtained from SOLitude Lake Management at 888-480-LAKE (5253). Product labels can also be viewed online at <http://www.solitudelakemanagement.com/product-labels-new-york>.

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**BEMUS BAY - 2019 HERBICIDE TREATMENT
WATER USE RESTRICTIONS**

Treatment Area Swimming Restriction
- 24 hour post-treatment

Water Use Restriction Area
- Irrigation until concentrations are below 100ppb
- Drinking or Food Processing until concentrations are below 50ppb



BEMUS BAY
CHAUTAUQUA LAKE

 NYDEC FWW	 Proposed Treatment Areas (18.1 ac.)
 FWW Checkzone	 Dilution/Water Use Restriction Area (801 ac.)

