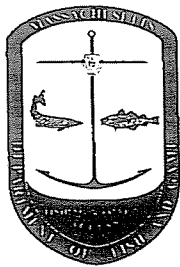


Commonwealth of Massachusetts
Department of Fish & Game



Office of
Fishing & Boating Access

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John P. Sheppard, *Director*

**Emergency Management Measure
Governing the Use of Certain Boat Ramps in Berkshire County
To Reduce the Risk of Transport of Zebra Mussels**

On July 8, 2009 I temporarily closed the public boat ramp at Laurel Lake in Lee, Berkshire County, MA, on an emergency basis pursuant to my authority as the Director of the Office of Fishing and Boating Access ("OFBA") in the Department of Fish and Game ("DFG") under the OFBA Regulations at 320 CMR 2.02(4). As explained in my emergency closure notice on file with the Secretary of State, the closure of Laurel Lake cannot extend beyond 45 days without public notice and an opportunity for the public to comment.

The above emergency closure was in response to confirmation by the Department of Conservation and Recreation ("DCR") that Zebra Mussels, a highly aggressive aquatic invasive species, are present in Laurel Lake in Lee, MA. This is the first time they have been definitively documented in a MA water body. Zebra Mussels, which significantly alter the lake ecology and cause other adverse impacts on animals, humans and boats, can be unknowingly transported from one lake to another by boaters and other lake users. Closing the Laurel Lake boat ramp on a temporary basis gives DCR and DFG time to determine more definitively the scope and severity of the Zebra Mussel infestation in Laurel Lake, the risk of transport of Zebra Mussels to other MA water bodies, and the appropriate management measures for the Lake on a going forward basis. As part of that effort, DCR in partnership with trained lake association volunteers, will conduct an initial survey of Laurel Lake and its outlet stream, as well as surrounding lakes in Berkshire County in the coming weeks, targeting lakes with higher infestation risks.

Once Zebra Mussels occupy a lake, there is no proven method of eradicating them; therefore, the focus should be on preventing their spread to other water bodies. In furtherance of this objective, I am again exercising my authority under 320 CMR 2.02(4) to authorize the following emergency management measure at certain boat ramps located in Berkshire County:

1. The purpose of this emergency management measure is to reduce the risk that boats that have been on Laurel Lake within the last 30 days may transport

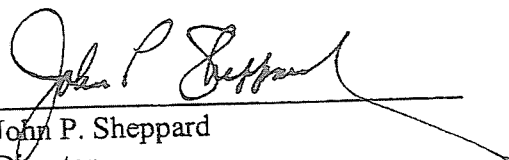
Zebra Mussels to surrounding water bodies in Berkshire County that are susceptible to a Zebra Mussel infestation.

2. Consistent with the above objective, the application of this emergency management measure is limited to a boat ramp located at a water body in Berkshire County determined by DCR to have calcium concentrations and other chemical and physical characteristics appropriate enough to support breeding populations of Zebra Mussels.

3. At the request of the municipal or other local manager of such a boat ramp, the manager shall have the authority, during the duration of this emergency management measure, to prevent the use of the boat ramp by boats that the manager determines have been on Laurel Lake within the last 30 days, unless such boat has since been subject to the following cleaning and disinfection measures:

- the boat has been thoroughly drained, flushed, cleaned and dried, including the boat engine, bilge, ballast water, recreational equipment or anything else that has come into contact with the water; and
- the boater has used a bleach solution along with high pressure hot water, and has dried the boat for at least one week in dry weather and up to 30 days in cool, wet weather.

4. As provided in 320 CMR 2.02(4), OFBA will comply with the procedures for public notice and public comment in 320 CMR 2.02(3) if this emergency management measure extends beyond 45 days.



 John P. Sheppard
 Director

7-10-09

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