

To: Jim Polk
Seven Hills Lake

Jim:

I'm sorry, but not surprised that NYSDEC denied the herbicide permit to treat waterlilies in 2015. They did, however, renew the Captain XTR permit for algae control and you should have received a copy. I've attached a proposal for algae control treatments if needed in 2015.

Deb

Deborah Mills
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March 25, 2015

SEVEN HILLS LAKE ASSOCIATION
 James Polk
 74 Seven Hills Lake Drive
 Kent Lakes, New York 10512

***2015 ALGAE CONTROL APPLICATIONS
 SEVEN HILLS LAKE
 PUTNAM COUNTY, NEW YORK***

ALLIED BIOLOGICAL is submitting this proposal to conduct Algae Control Applications at Seven Hills Lake in 2015. Optional pricing is included to conduct post algaecide treatment downstream monitoring per Freshwater Wetland Permit item 15.

The CAPTAIN XTR NYSDEC Aquatic Pesticide Permit was renewed for 2015. The Freshwater Wetland Permit is valid through 2016. Treatments, if requested, will be conducted in accordance with NYSDEC regulations which restrict the material, concentrations and frequency of such treatments. Permit regulations require notification of treatments to NYSDEC seven days in advance. Current NYSDEC permitting requirements include compliance with the State Pollution Discharge Elimination Permit (SPDES), in addition to the annual Aquatic Pesticide Use Permit.

Water use restrictions are as indicated and will be posted every 100' in the vicinity at the time of treatment. The client is responsible for removal of any treatment postings upon expiration.

	Swimming	Fish Consumption	Drinking	Irrigation	Domestic or Livestock Watering	Hold Water *
Captain XTR	24 days	none	24 days	none	24 hrs	24 hrs

* downstream notification of riparian users will negate holding restriction

Client Responsibilities

1. Conduct the NYSDEC riparian owner and user notification of properties within the treatment area. As an alternative to water retention requirements, NYSDEC allows for pre-notification and approval to include residents within ½ mile downstream. This may be preferable to the logistics of water retention and possible penalties for unintentional outflow.
2. Enforce any water use restrictions imposed by NYSDEC.

CERTIFICATION

ALLIED BIOLOGICAL is listed with the NYSDEC as a registered applicator of aquatic herbicides and algicides (#1301). Supervisory personnel and applicators hold current certification from the Department.



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INSURANCE

ALLIED BIOLOGICAL carries Workers Compensation, General Liability, Professional Liability, Property Damage and Environmental Liability Insurance which will remain in full effect throughout the term of this contract. A certificate of insurance is available upon request.

COMPENSATION FOR SERVICES

The fees to conduct Algae Control Applications for Seven Hills Lake in 2015 are as follows:

Algae Control	\$1,225.00/application 5-10 ac \$1,895.00/application 11-27 ac
Post Algae Treatment Monitoring (permit requirement)	\$ 650.00/visit

ACCEPTANCE

Acceptance of the 2015 Algae Control Applications Proposal for Seven Hills Lake can be made by returning one signed copy.

ALLIED BIOLOGICAL INC.

Glenn P. Sullivan, CLM
President

Accepted this ____ day of _____, 2015

SEVEN HILLS LAKE ASSOCIATION

By _____

Title _____



November 3, 2015

SEVEN HILLS LAKE ASSOCIATION
 James Polk
 74 Seven Hills Lake Drive
 Kent Lakes, New York 10512

2016 AQUATIC VEGETATION CONTROL APPLICATION
SEVEN HILLS LAKE
PUTNAM COUNTY, NEW YORK

ALLIED BIOLOGICAL is submitting this proposal to conduct Aquatic Vegetation Management at Seven Hills Lake in 2016. Management recommendations include an Aquatic Vegetation Survey conducted in early spring and renewal of NYSDEC Aquatic Pesticide Permits for herbicide and algicide treatments if required. Although herbicide treatment is not anticipated in 2016 due to the presence of grass carp, renewal of the NYSDEC aquatic pesticide permit is recommended.

The AQUATHOL-K (endothall) and CAPTAIN XTR (chelated copper) NYSDEC Aquatic Pesticide Permits are renewable for 2016. The Freshwater Wetland Permit is valid through 2016. Treatments, if requested, will be conducted in accordance with NYSDEC regulations which restrict the material, concentrations and frequency of such treatments. Permit regulations require notification of treatments to NYSDEC seven days in advance. ALLIED BIOLOGICAL will prepare and submit the appropriate renewable permit applications. Permit approval will require approximately **12-16** weeks to obtain. Current NYSDEC permitting requirements include compliance with the State Pollution Discharge Elimination Permit (SPDES), in addition to the annual Aquatic Pesticide Use Permit.

Water use restrictions are as indicated and will be posted every 100' in the vicinity at the time of treatment. The client is responsible for removal of any treatment postings upon expiration.

	Swimming	Fish Consumption	Drinking	Irrigation	Domestic Pet or Livestock Watering	No Outflow *
Aquathol-K	24 hrs	Fishing 24 hrs Fish Consumption 3 days	7 days	7 days	14 day	14 days
Captain XTR	24 hrs	none	none	none	24 hrs	24 hrs

* notification of riparian owners and users ½ mile downstream will negate holding restriction

Client Responsibilities

1. Conduct the NYSDEC riparian owner and user notification of properties within the treatment area. As an alternative to water retention requirements, NYSDEC allows for pre-notification to include riparian owners and users within ½ mile downstream. This may be preferable to the logistics of water retention and possible penalties for unintentional outflow.
2. Enforce any water use restrictions imposed by NYSDEC.

CERTIFICATION

ALLIED BIOLOGICAL is listed with the NYSDEC as a registered applicator of aquatic herbicides and algicides (#01301). Supervisory personnel and applicators hold current certification from the Department.



INSURANCE

ALLIED BIOLOGICAL carries Workers Compensation, General Liability, Professional Liability, Property Damage and Environmental Liability Insurance which will remain in full effect throughout the term of this contract. A certificate of insurance is available upon request.

COMPENSATION FOR SERVICES

Fees for Aquatic Vegetation Management for Seven Hills Lake in 2016 are as follows:

2016 Lake Survey Fee	\$ 575.00
Herbicide Application (Aquathol-K)	\$ 589.00/acre 5-10 acres
	\$ 495.00/acre 11+ acres
Algicide Application (Captain XTR)	\$ 245.00 per acre
Post Algae Treatment Monitoring	\$ 650.00/visit (ABI samples)
	\$ 75.00/sample (client samples)
NYSDEC Permitting	
Renewable Aquatic Pesticide Permits (2)	\$ 300.00
SPDES Notice Of Intent	\$ 50.00

General Contract Conditions

- Company will continue to maintain all appropriate licensing necessary to perform all specified work in a safe and legal manner throughout the entire contract period.
- Company will furnish personnel, equipment, boats, materials, and other items required to provide the forgoing at his expense.
- Company is dedicated to environmental stewardship in all of its work and maintains a diligent program to recycle all plastic containers, cardboard, paper and other recyclable wastes generated through the performance of our contract work.
- Company will maintain general liability and workman's compensation insurance.
- Company shall be reimbursed by the Client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the Company by the Client that are not covered specifically by the written specifications of this contract.
- Neither party may assign this Agreement without the written consent of the other party; provided, that Company may assign this Agreement upon the merger, reorganization, consolidation, change of control or sale of all or substantially all of the assets of Company. This Agreement shall inure to the benefit of, and be binding upon, the parties and their respective successors and permitted assigns.

ACCEPTANCE

Acceptance of the 2016 Aquatic Vegetation Management Proposal for Seven Hills Lake can be made by returning one signed copy. Please include the 2016 permitting fees (\$350.00) with the acceptance.

ALLIED BIOLOGICAL INC.

Accepted this ____ day of _____, 20__

Robert Schindler

SEVEN HILLS LAKE ASSOCIATION

Robert Schindler
Aquatic Biologist

By _____

Title _____