

## Becket lake abutter defends two applications of herbicide

By Julie Ruth

BECKET — Shrugging off a recent characterization as “a smug one-percenter living in a McMansion,” longtime resident Lee Blatt appeared at the Aug. 21 Becket Conservation Commission meeting to defend the application of herbicides in Buckley Dunton Lake, which he and three other lake abutters paid the state \$15,000 to conduct this summer.

“There was nothing surreptitious about any of this,” said Blatt of the four abutters’ petition to the state Department of Conservation and Recreation (DCR) earlier this year “to control nuisance native aquatic plant growth,” which received a permit from the town’s Conservation Commission in June after several public hearings were held.

No residents objected to the action, and the first

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herbicide application was performed by a state contractor on July 2.

“The notices were put up; I left mine on a tree at my house for a week. Everyone was notified.”

“Everyone” is a matter of opinion with many town residents, who were outraged to discover a provision in the Wetlands Protection Act, which requires the state to directly notify only houses abutting the lake of its intent to put an herbicide in the lake. They say there was no signage before or after the July 2 herbicide

application at the lake, and they learned about it after the fact.

Resident Carl Rosenstein led more than 30 residents in an effort last month to halt a planned second treatment through a temporary restraining order against Aquatic Control Technology, the contractor scheduled to apply a second application. A hearing was scheduled in Berkshire Superior Court for Aug. 4. On July 31, however, residents learned that the treatment had gone forward.

“The second treatment was already in the works,” explained Jim Straub of the Massachusetts Department of Conservation and Recreation (DCR), which manages the 161-acre lake on behalf of the Commonwealth. This second application, called a “booster treatment” was part of a planned two-step process.”

Blatt, a 30-year resident of a home in Buckley Dunton Lake’s southern cove, told the residents that the four abutters had tried many ways over the years to remove the plants from the cove, including mechanical raking, which uses a machine, with very little success. “I hired people to pull weeds by hand... we didn’t even make dent,” he said of a crew who went out in canoes and kayaks. “It would take all of the political prisoners in China rented for the summer months to (do) that.”

The abutters tried mechanical harvesting 20 years ago, which uses a machine to remove the water plants, Blatt explained, but

that created more problems than it solved. “You can’t get in to mechanically rake it, you can’t pull it by hand; and disposal is always a problem,” he said.

Blatt reminded residents at the meeting that 10 years ago the state planned to empty the lake altogether because it deemed the dam unsafe. “There would be no Buckley Dunton Lake at all,” said Blatt, who said that he and the other abutters found out that a coffer dam might be a solution, but the state didn’t have the necessary \$125,000 for the dam. So the four abutters put up the money.

“And that’s why there is a lake today, this pristine lake that everybody thinks must be saved,” said Blatt, “but nobody in this room put in a penny.”

“We should name (it) ‘Lake Blatt’ – let’s take a vote right now tonight, shouted Rosenstein from the audience, who told Blatt that he had contributed \$2,000 to the dam. Blatt said he did not recall the donation.

Resident Meredyth Babcock then spoke in a more conciliatory tone. “I just want to say I thoroughly appreciated that work that you did,” she told Blatt. “It doesn’t (follow) though, that that then gives one the right to continue to treat it as a private area.”

The question, “Whose lake is it, anyway?” has been raging for weeks now, with town residents raising questions about the right of residents to protect a community lake which is owned by the state, the legality of the state’s actions, and a host of other issues related to the herbicide application that may need to be settled in a courtroom.

The DCR had been aware



for the past 10 years of recurring nuisance aquatic plants in the lake's southern cove, Straub said. In three different seasons in the past decade, had manually "harvested" or pulled the weeds, an expensive and time-consuming process. So it was not a surprise when four residents, whose homes abut the lake, contacted the DCR this past spring about a familiar problem.

The DCR conducted a study, then decided to treat the problem, with the approval of the state's Department of Environmental Protection. Then DCR officials sat down with the homeowners along the cove to give them the choice of three management plans to control the nuisance aquatic plants: do nothing; manually pull the weeds at a cost of \$45,000; or an herbicide application at \$12,086.

"All were acceptable in this situation," Straub said.

The four abutters contributed \$15,000 for the herbicide treatment, while the state contributed the cost of staff time with the project to treat the cove. The state, through its matching grants program, offers lake associations the opportunity

to match funds when it cannot cover costs, Straub said.

The commission reiterated to residents statements it had previously made that it was restricted in what it could do. The commission's responsibility is to uphold the Wetlands Protection Act, and it can only reject a state plan if it violates something in that law, Chairman Scott Morley said.

It also told concerned residents that should the DCR wish to apply the herbicide application again next season in Buckley Dunton Lake, it would need to reapply again for a permit with the Becket Conservation Commission.

Buckley Dunton Reservoir, a 161-acre artificial lake in the October Mountain Forest, was created by the construction of a dam in the '50s. It's considered a swamp, or wetland, on the southern end of the lake where the four abutters reside, because its cove depth averages 3-4 feet with 1-3 feet of marsh along most of the bottom. The majority of the shoreline property is owned by the state of Massachusetts.

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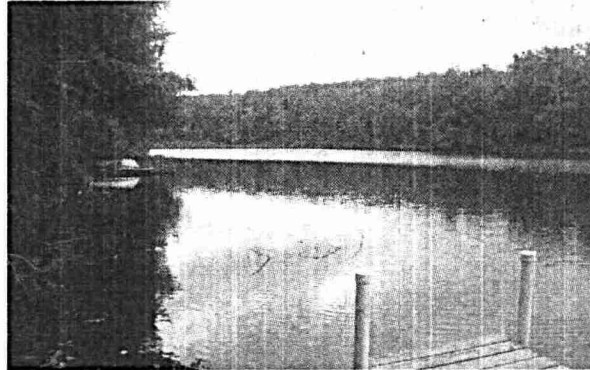


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**Becket residents have sparred over use of herbicides at Buckley Dunton Lake.**

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