

Resolution of the LOCA Board of Governors regarding the “Beaver Dam”

Whereas, Lake Owassa is a natural lake without a manmade dam; and

Whereas, the water level of Lake Owassa rises and falls based on the amount of precipitation and other environmental factors; and

Whereas, at the northern outlet of Lake Owassa beaver activity has resulted in the construction of a natural “dam” that has been in existence since at least the formation of the Lake Owassa Community Association (LOCA); and

Whereas, the beaver dam is on private property, not owned by LOCA; and

Whereas, persons duly authorized by the LOCA Board of Directors (BOG) have on occasion inspected the dam and engaged in certain activities relative to the dam consistent with the laws and regulations of the Department of Environmental Protection (DEP) and other governmental entities, consistent with the maintenance of a natural beaver dam and the preservation of a natural lake, and with full knowledge that activities relative to the dam could have impacts not only upon Lake Owassa, but upon properties and waterbodies downstream of the dam especially during unusual weather or environmental conditions; and

Whereas, it has been the long-standing policy and practice of the LOCA BOG to only permit persons that it specifically authorizes to, on occasion, inspect and engage in other lawful activities relative to the beaver dam; and Whereas, whenever the LOCA BOG authorizes persons to inspect the beaver dam those persons seek the permission from the private landowner, who has title to the property upon which the beaver dam is located, to enter onto the landowner’s property; and

Whereas, LOCA and the LOCA Board are insured should any liability or damages result from the Board-authorized inspection or other maintenance activities relative to the dam while individual unauthorized property owners on Lake Owassa do not have such protections should they trespass on private property or otherwise alter the dam; and

Whereas, the LOCA BOG is charged with the management of LOCA and its affairs, including the preservation and conservation of Lake Owassa and the adjoining property owned by LOCA;

Therefore, be it resolved and reaffirmed by the LOCA Board of Governors:

1. Only LOCA members, expressly authorized by the BOG, are permitted to inspect and engage in other activities relative to the beaver dam as permitted by DEP and other applicable laws and regulations for the benefit and preservation of Lake Owassa as a natural lake.
2. LOCA members, who are not expressly authorized by the BOG to inspect and engage in other activities relative to the beaver dam consistent with paragraph 1 above, are not

permitted to inspect or engage in any activities relative to the beaver dam, including, but not limited to, any activities that would alter the natural state of the beaver dam.

3. Any LOCA member who, after the date of this resolution, acts in violation of this resolution is subject to penalties under LOCA's bylaws and rules, up to and including the revocation of membership.

Adopted by the LOCA Board of Governors at its Special Meeting on August 26, 2021.