



CANDLEWOOD LAKE AUTHORITY

P.O. BOX 37 • SHERMAN, CONNECTICUT 06784-0037 • (860) 354-6928 • FAX (860) 350-5611

Minutes of Meeting December 9, 2009

Attending:

P. Callahan	New Fairfield
R. Stroh	New Fairfield
M. Toussaint	New Milford
H. Mayer	New Milford
C. Reppenhagen	Sherman
G. Hofsess	Brookfield
H. Berger	Sherman
G. Dufel	Danbury
P. Schaer	Sherman

Absent:

B. Kemble	New Fairfield
R. Guendelsberger	New Milford
F. Cioffi	Brookfield
E. Siergiej	Danbury

L. Marsicano, CLA Executive Director
M. Howarth, CLA Public Ed. Director
F. Frattini, CLA Administrative Coordinator

Recorder, M. Toussaint

Guests: M. Propper, Danbury
C. Ricci, New Milford

Chairman, Pat Callahan, called the annual meeting of the Candlewood Lake Authority to order at 7:41 P.M. at Brookfield Town Hall, Brookfield, CT.

Mr. Callahan welcomed the guests.

Secretary's Report: Mark Toussaint, Secretary, noted that there were no corrections, deletions or additions to the minutes of November 4, 2009. Harold Mayer moved to accept the minutes as written, seconded by Charlie Reppenhagen and voted with all in Favor. Minutes have been accepted as written.

Chairman's Report: Mr. Callahan noted the Executive Committee met last week and the bulk of their discussion was on the proposed 2010-11 Budget. He reported that this would be his last meeting as Chairman and thanked all the delegates for all their help and support over the past ten years. Mr. Mayer noted that the members of the CLA appreciate all that Mr. Callahan has done over the years, it was a great ride and Mr. Callahan was a great Chairman. All are sorry to see him leave. Mr. Callahan noted that he would be staying on the CLA for few months until a replacement from his Town is found.

RECEIVED FOR RECORD
DANBURY TOWN CLERK

2009 DEC 14 P 12:49

BY: 

Vice-Chairman's Report: Howie Berger reported that he believed that Mr. Callahan was genuinely surprised by the picture, plaque and proclamation that were given him at the CLA /CLAMP dinner last month. Everyone who attended the dinner really appreciate all that Mr. Callahan has done over the years on behalf of the CLA. The CLA has faced many challenges during the last ten years and Mr. Callahan has been the perfect person to be there to represent the CLA properly. Mr. Callahan responded – "Thank you for all your kind words."

Treasurer's Report: Glenn Hofsess, Treasurer – noted that the monthly reports from July to November 30 had been passed to the delegates – as they had not had a chance to review them he advised that approval would need to be voted on at the next meeting. He advised that as of November there was \$9400 in donations – the fundraising appeal is moving along nicely.

Next he noted that the Finance Committee had met with the Executive Committee and they had discussed a budget proposal for 2010-2011. They decided to recommend to the Board a proposed budget figure of 1% over last year's proposal and note that they have included donations in the proposed total budget amount. Discussion followed. Mr. Hofsess advised that the Finance Committee believes that this is a reasonable proposal. Mark Toussaint made a motion to accept the proposed total budget of \$421,725.00 (including donations of 48,095) which would be \$61,938 per town, motion seconded by Charlie Reppenhagen and voted with all in favor. Budget proposal has been approved by the delegates and will be submitted to the Towns in a timely manner.

Mr. Hofsess also noted that this was his last meeting as Treasurer and on the board of the CLA. He was thanked by the Chairman for all his efforts on behalf of the Authority

Executive Director's Report: Larry Marsicano noted that his report is attached to these minutes. Some items included in that report are: Project CLEAR has begun for the new school year, he has been involved in a few shoreline/watershed matters i.e. Pine Island in New Fairfield, Old Neversink Road in Danbury and the POCD in Sherman. He has reviewed a Draft report summarizing the survey CT DEP conducted several months ago. He advised that a GIS map of the buoys that the CLA places in the lake has been prepared for DEP at their request. He advised that he noted in FirstLight's response to FERC that they have developed a Shoreline Management System very similar to the one CLA developed back in 2006 and suggested that imitation is sincerest form of flattery. He noted that his comments on the minutes of the LAC meeting are also attached. There will be a forum at WESCON tomorrow night on the milfoil and drawdown; copies of the program were passed to the delegates. Also the Project CLEAR video and a copy of WCSU's *The Gates* has been sent to the Town CEO's and School superintendents received the video.

Committee Reports:

Public Safety: Rich Stroh had nothing to report and thanked everyone for the CLA/CLAMP dinner last month

Public Awareness: Mark Howarth reported first – he has been busy making improvement to the CLA website, has been researching the web cam and agreed to continue the CLA magnets each year. His report is also attached to these minutes.

Mark Toussaint, Committee Chair reported: regarding the watershed publication funded by the Meserve Grant – that Mr. Marsicano and Mr. Howarth are working on it and it will be electronic as the funding does not cover printing, the Fall appeal went our, the date for the Clean Up is May 22 (Rain Date May 23), the Dragon Boat race will be August 21 – he noted that the committee believes that the event has the potential to be a good fundraiser and good for community relations. Discussion followed. Having four or five outdoor seminars around the lake is in the planning stages.

Mr. Callahan noted that Susan Murphy who has left her delegate position from the Town of Brookfield effective December 1 has done a tremendous amount of work on this committee and thanked her for her time and many years of service to the CLA.

Equipment/Facilities: In the absence of the Committee Chair nothing to report.

Watershed Management: Harold Mayer, Committee Chair reported the committee had reviewed Mr. Marsicano's comments on the minutes of the Lake Advisory Committee minutes and that they recommend that he bring to the CT DEP meeting the subjects of Candlewood Pines and the Boat Sticker Program. Also the Committee is revisiting the efforts to one day see Vaughns Neck acquired and kept as open space.

Old/New Business:

Mr. Callahan called for the election officer. Ballots and instructions on election procedure were passed. Mark Propper and Cliff Ricci from the audience were appointed counters. Ballots were collected by Mrs. Frattini, given to the counters, tallied by the counters and returned to Mrs. Frattini who announced the new officers with the following results:

Chairman	Howie Berger	9
Vice Chairman	Mark Toussaint	9
Secretary	Rich Stroh	9
Treasurer	Phyllis Schaer	9

With a unanimous decision the officers for the coming year will be:

Chairman	Howie Berger
Vice Chairman	Mark Toussaint
Secretary	Rich Stroh
Treasurer	Phyllis Schaer

Mrs. Frattini noted that the Executive Committee would need members from the Towns of Danbury and Brookfield, as the By-Laws require that each town have a representative on that committee.

Mr. Callahan reminded the delegates that committee assignments for the coming year need to be made and committee chairmen need to be approved by the delegates at the next CLA meeting – anyone interested in changing their committee assignments should contact the new chairman or vice chairman.

Mr. Callahan wished everyone a very Happy Holiday season especially Happy Chanukah, Merry Christmas and Happy New Year.

With no further business to come before the Candlewood Lake Authority, Mr. Mayer moved to adjourn, seconded by Mr. Reppenhagen. Meeting adjourned at 8:45 P. M.

Respectfully submitted,



Mark Toussaint, Secretary
Frances Frattini, Administrative Coordinator

r/b/t

These minutes are not considered official until they have been approved at the next regularly scheduled meeting of the Candlewood Lake Authority.



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***Executive Director's Report
December 4, 2009
Larry Marsicano***

The following report summarizes activities from November 2 to December 4, 2009.

PROJECT CLEAR – CANDLEWOOD LAKE ENVIRONMENTAL AWARENESS AND RESPONSIBILITY

The first classroom day was Friday, November 6th at WCSU, was successful and included presentations from Gary Smolen of FirstLight, Mike Beachene from the CTDEP and me. Project CLEAR teachers and administrators, met with the faculty of the WCSU Science Building again on Wednesday, December 2nd. Students are scheduled to meet again on Friday, December 11, 2009. A conference call between WCSU, Education Connection, the CLA and the National Science Foundation is being scheduled to discuss possible grant funding for expanding CLEAR.

SHORELINE / WATERSHED MANAGEMENT

We toured Pine Island Thursday, November 5th with New Fairfield Zoning Enforcement Officers, Maria Horowitz. Brian Woods of FirstLight and Tim Simpkins of New Fairfield were unable to attend. Brian relayed in correspondence with Mark H. that they have visited the site separately and will be taking action. We have not learned or received anything specific or written on exactly what those actions will be.

We submitted comments on 17 Old Neversink Road in Danbury per the request of Enforcement Officer Dan Baroody. Shortly thereafter the representative of the owner contacted me to discuss our comments. I also spoke with the owner, Mr. Robert Bakish, and directed him to others with expertise in low impact development and stormwater management. Mr. Bakish has utilized the recommendations and should be in route to receiving a permit from the Danbury EIC in the near future.

On Friday, December 4th I met with Monte Clarke, a Commission member from the Sherman Planning and Zoning Commission. Sherman is starting the process of revising its Plan of Conservation and Development and was aware of our involvements and recommendations for local land use regulations. We advised on issues that should be incorporated into the POCD and provides a number of resources (e.g. Action Plan, ERT Report, section of State of CT POCD regarding lakes, etc.)

RECREATION / PUBLIC SAFETY MANAGEMENT

We received a draft of a report summarizing the survey CT DEP conducted several months ago. In addition to assisting in development of questions, CLA also assisted by

sending the questionnaire out to our electronic mailing distribution list. A meeting of the municipalities and CTDEP is scheduled for Thursday, December 10th.

Towards the end of the summer we were asked by the CT DEP to provide a new map of the placement of the 77 hazard, speed or navigational aid buoys we deploy each year. This fall when CLA Operations staff removed the buoys, a GPS data waypoint was collected and later transferred onto a GIS. The map was completed and will be delivered to the CTDEP o at the meeting n Thursday, December 10th.

FERC & FIRSTLIGHT SHORELINE MANAGEMENT PLAN

On November 6th FERC issued to FirstLight Power Resources an Additional Information Request in response to the SMP submitted by FirstLight on June 30th. In that issuance, FERC asked for specifics on seventeen different items, including an inventory of existing shoreline development facilities. On December 4th FirstLight issued a response to the FERC request. The response included a description of a shoreline data management system that was very similar to the one the CLA developed in 2006, a description of the cooperative relationships with towns, lake authorities, etc, but no inventory of shoreline structures. We are closely reviewing the original request and responses and will determine a course of action at a later date.

Both the FERC Additional Information Request and the FirstLight response can be found on our website.

LAKE ADVISORY COMMITTEE

On November 9th FirstLight held it annual Lake Advisory Committee meeting as required in their FERC-approved Recreation Management Plan. Minutes of the meeting were disseminated to Committee members on Wednesday, November 25th to provide opportunity to comments. Our comments were submitted on Thursday, December 3rd (see attached).

INVASIVE PLANT MANAGEMENT / DRAWDOWN

We continued to work with the WCSU "Science at Night" program in putting together a Eurasian watermilfoil / drawdown forum to be held at WCSU on Thursday night, December 10th. Both WCSU and the CLA have released press releases regarding the event that is free and open to the public. Mark has brought copies of the program he designed.

OTHER

I was the quest speaker at the Lake Candlewood Power Squadron meeting on Thursday night, November 19th.

Earlier in the month, a DVD of the Project CLEAR documentary and copy of WCSU's *The Gates* was sent to the offices of CEOs along with a cover letter.



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December 3, 2009

Mr. Robert Gates
Station Manager
FirstLight Hydro Generating Company
143 West Street Ext., Suite E
New Milford, CT 06776

Dear Bob:

Below are our comments on the draft minutes of the November 9, 2009 Lake Advisory Committee Meeting. Text in ***bold italics*** is taken from your draft minutes and is used to signify the paragraph that our particular comments are directed at.

In the past you have attached the formal comments to your submittal to FERC. I anticipate that you will do the same with these comments made on the recent draft minutes. Could you please let me know if this is not going to be the case?

“A discussion of the extent of capacity-related conflicts on Candlewood...”

Some clarification of the assumptions I made is necessary. The first assumption I made was that the maps FLPR provided were interpretations of aerial photography, so the points representing the in-use watercraft are subject to minor error as it pertains to exact location. However, given the long and narrow morphology of the lake and the high degree of accuracy in numerating in-use boats in a given area, I would argue that the interpretations and density analyses we provided are rather accurate.

I don't recall suggesting that the rafting vessels affect the 12 in-use vessels per acre threshold. My understanding is that rafting is considered a use as opposed to docked or moored, inactive vessels. Rafting implies boaters temporarily anchoring, engaging in social activities, and later moving on, therefore we count them as in-use vessels.

The threshold, itself, is based on a variety of factors, depending upon whose model you use. We referenced two models: a simplistic model from the FERC-approved Recreation Management Plan that divided surface water area by a density standard of 12 vessels per acre; and a more complex model (Mike Payton's model) that used vessel and lake characteristics to estimate a capacity. Both yielded similar carrying capacities – 452 and 448 in-use vessels, respectively, for entire lake. However, our density maps do not reflect a lake-wide density, but rather density in any given area of the lake on the date and time of specific flyovers.

In your RMP, it indicated that the licensee would plot the data (points/boats on the maps) on a grid to analyze watercraft density in high-use zones. We would like to submit our analyses and resulting maps in lieu of that described in the RMP since this is essentially what we did using the GIS density analysis tools. I am attaching our analyses/maps for your submittal to FERC with our comments since the 8 ½ X 11 inch copy of the large poster I presented did not translate well in your draft report. I've also included analyses of the union and intersection of areas of density of ≤12 acre per in-use vessel from the flyover dates when the lake-wide capacity (~450 in-use vessels) was reached or exceeded. The results from the intersection of those areas essentially depict the known rafting areas, with some minor exceptions, while the union of those areas shows all areas with high density (rafting or otherwise) from the four flyover dates.

Towards the end of that paragraph, you referenced our July 8, 2009 report "*An Examination of Recreational Pressures on Candlewood Lake*" which we submitted to FERC as part of the record on the Shoreline Management Plan. Thank you for referencing that report for we believe it should be part of the record of the Lake Advisory Committee's discussion of overcrowding and user conflict on Candlewood Lake. For the benefit of stakeholders and FERC, please provide the FERC Submittal Number (20090709-5044).

"The Connecticut Department of Environmental Protection (CTDEP) Boating Safety Division Representative, R. Payton, discussed the CTDEP's difficulty in picking a single value of 'X number of boats per acre'..."

We concur with Mr. Payton... and always have. Modeling carrying capacity and determining in-use vessel density are not exact sciences. However, there is considerable literature that uses these concepts and the results from modeling exercises as points of discussion when examining impairment of recreational experience or public safety, as did the RMP. What is important here is not the establishment of an exact capacity number, but recognizing that on Candlewood Lake, boating activity can regularly reach levels that impair recreational experience and/or decrease public safety.

At the end of the same paragraph you relayed that "*CTDEP has discussed with the CLA defining a finite capacity number that would be unique to Candlewood Lake.*" I believe you misinterpreted Mike. What Mike did say was that the capacity number for Candlewood Lake based on his model happened to be similar to capacity estimated by the model used in the RMP that used surface area divided by the density factor of 12 in-use vessels per acre (448 and 452 in-use vessels, respectively).

"CLA then noted that the approval and development of new docks through the exercise of deeded rights would increase the number of resident boats and could impact overcrowding into the future. As a possible solution, the group discussed a proposal that involves the CLA working with its representative municipalities to minimize the future development of lands outside the FERC Project Boundary..."

As I recall, you proposed the possible solution and there wasn't a great deal of discussion. The real discussion was focused on Vaughn's Neck after I reported that Connecticut Light & Power retained rights for docks on Candlewood in the deeds of the approximately 700 acres comprising Vaughn's Neck.

The point I was making was the following. A new subdivision in Danbury, Candlewood Pines, was approved by the Environmental Impact Commission in Danbury and included a lakefront community property where a docking structure that provided a slip for each home in the subdivision was planned. If that docking structure is approved by FirstLight and then FERC, then a precedent could be set providing the existing subdivisions with a deeded right for a dock along the lake (tax districts, associations, etc.) the same level of access... a slip for each home

in the subdivision. This precedent would have a disastrous impact on the recreational use of the lake. I also mentioned that there is no information on how many lakefront properties exist with deeded rights for docks that have not yet been exercised.

As far as minimizing future development outside the FERC project boundary, the CLA continues to be committed to working with stakeholders in protecting lands that can be protected. However, I am reasonably sure that the municipalities and the CLA are not going to look to revoke anyone's legal rights.

In summary, we remain at a critical juncture as it pertains to boating overcrowding and the problem stands to get worse. With the exception of some improved understanding of the problem via the data FLPR collected during the 2008 flyover and our analysis of it, we are no closer to solution than when the LAC began meeting three years ago. In its present form the Shoreline Management Plan only glosses over the problem and provides limited measures to prevent the problem from becoming much worse. Like the RMP, the SMP lacks some of the necessary data required to fully understand the magnitude and potential of the problem, e.g., an understanding of the number of unexercised deeded rights for docks and the rationale for "subdividing" a deeded right when a parcel is subdivided.

Thank you for convening the Lake Advisory Committee and your time compiling and revising your report to FERC. If you have any questions regarding my comments, please do not hesitate to contact me.

Sincerely,

CANDLEWOOD LAKE AUTHORITY

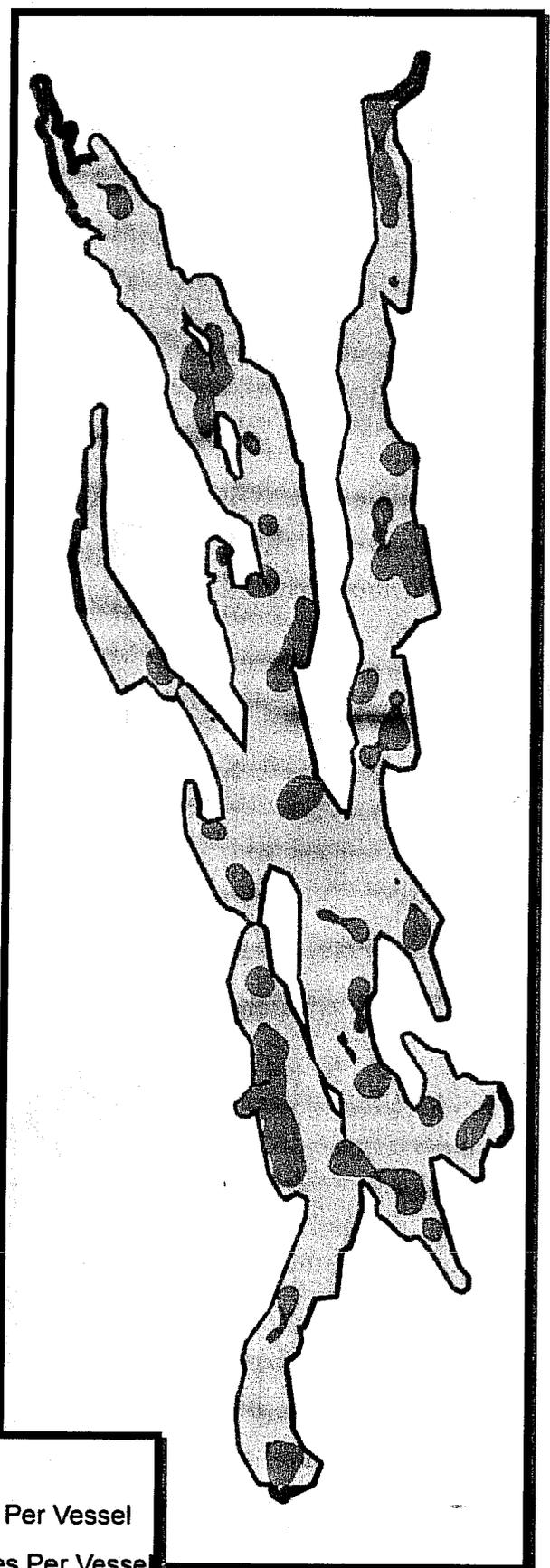
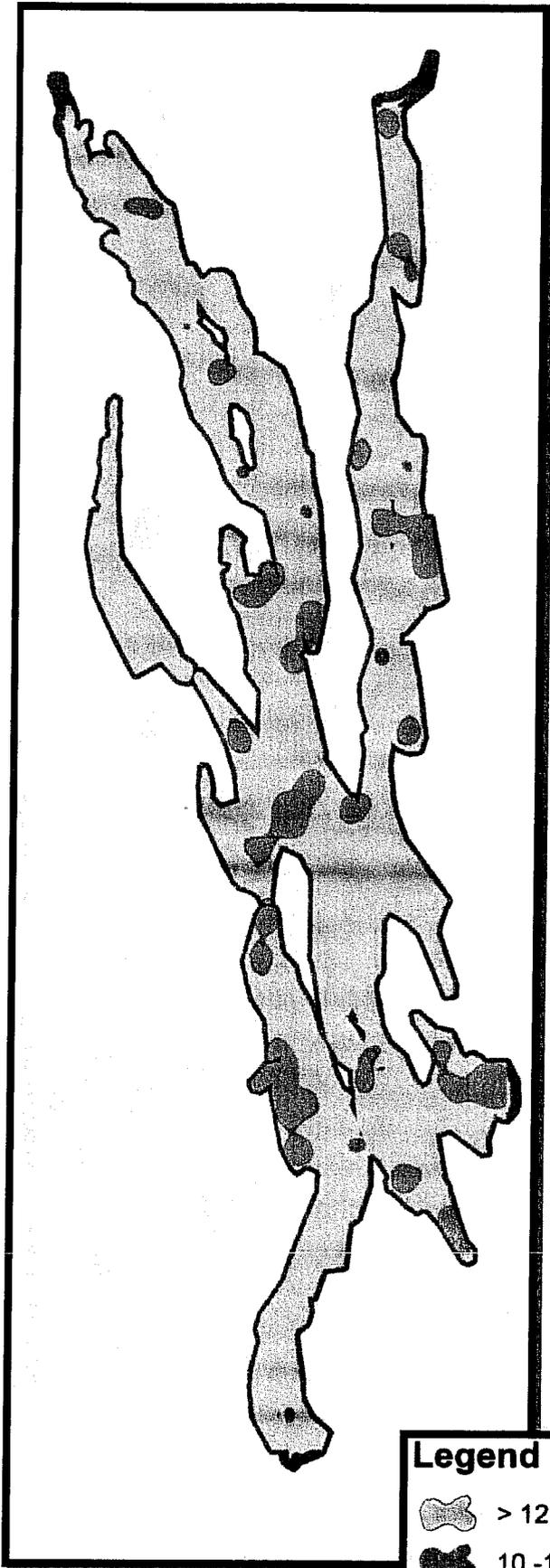


Laurence J. Marsicano
Executive Director

Attachments:

May 25, 2008

June 21, 2008



Legend



> 12 Acres Per Vessel



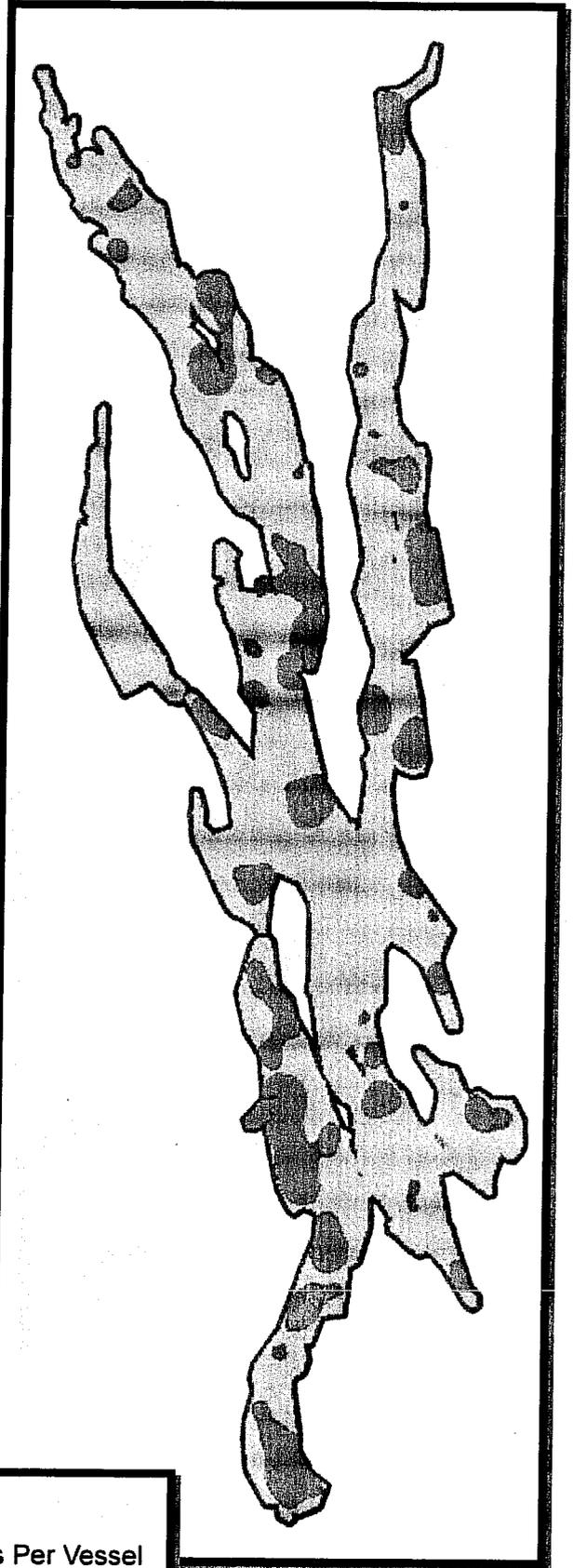
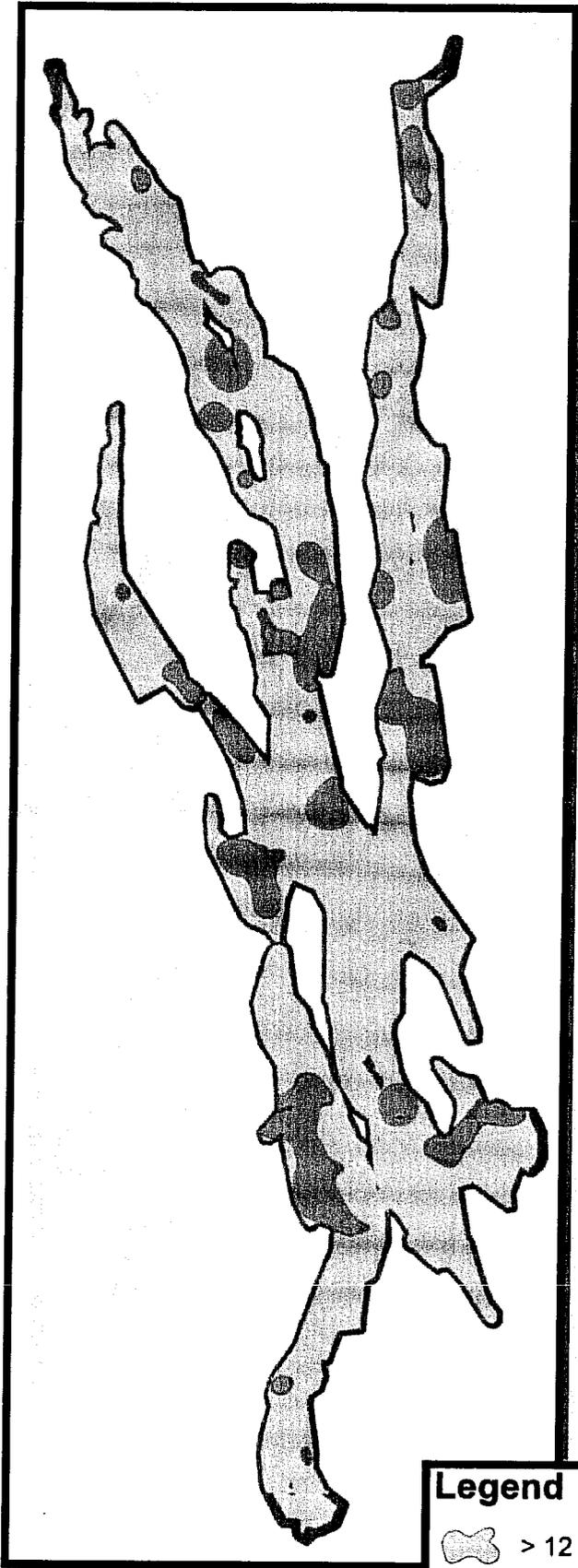
10 -12 Acres Per Vessel



< 10 Acres Per Vessel

July 12, 2008

July 19, 2008



Legend



> 12 Acres Per Vessel



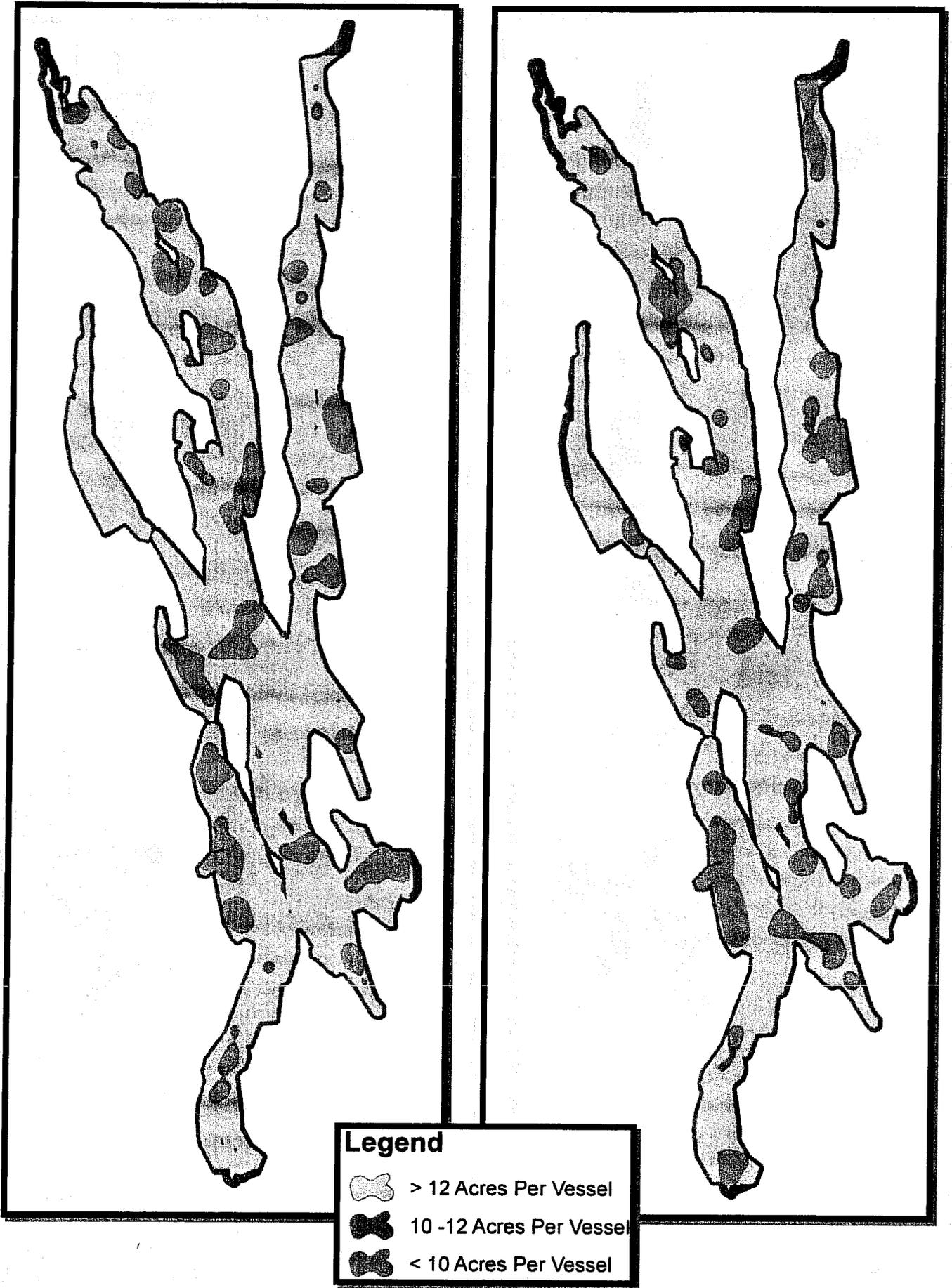
10 -12 Acres Per Vessel



< 10 Acres Per Vessel

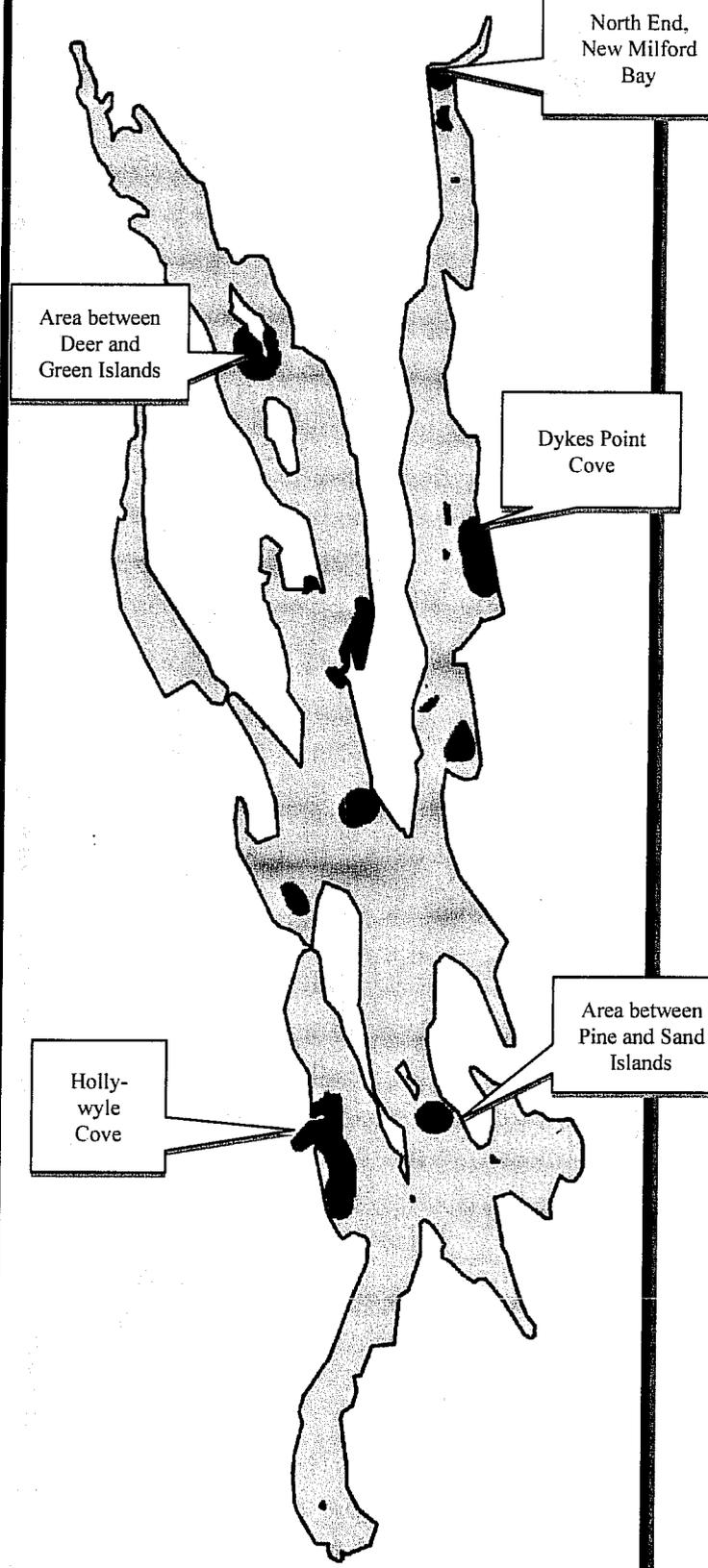
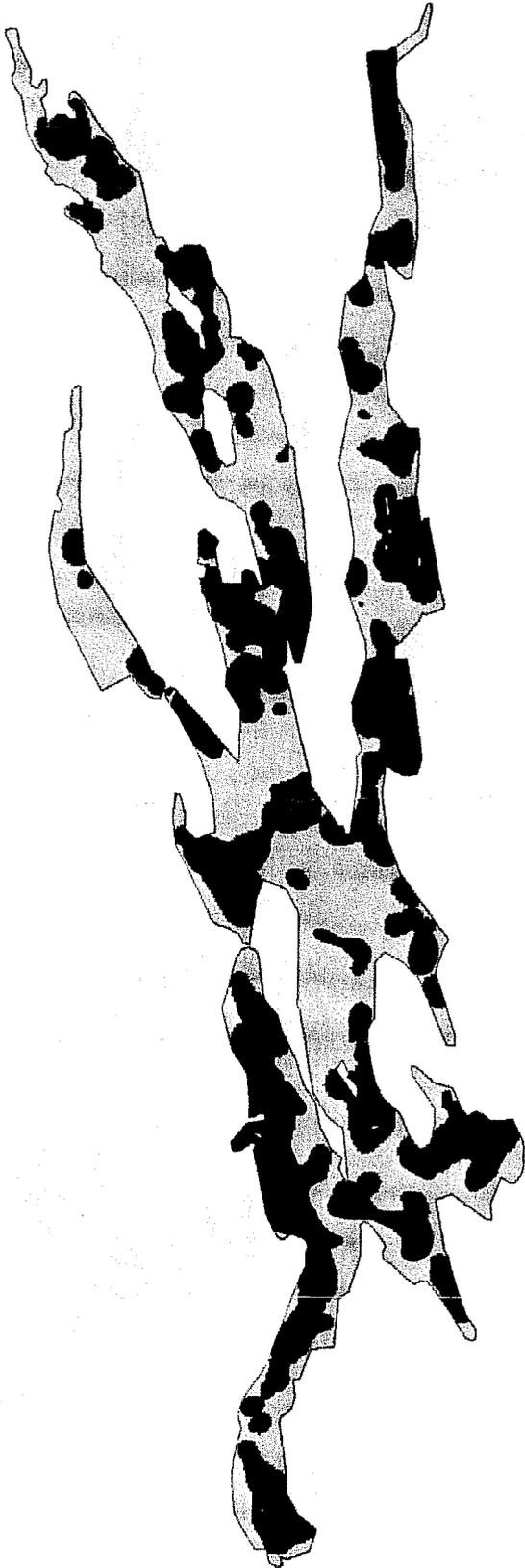
August 9, 2008

August 31, 2008



UNION

INTERSECTION

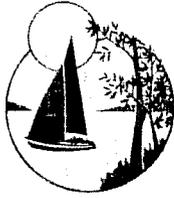


Legend



< 12 Acres Per Vessel

The union and intersection analyses maps are based on data collections from the June 21, July 12, July 19, and August 31, 2008 aerial flyovers.



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December 9, 2009
Public Education
Mark Howarth

November E-Newsletter:

An e-newsletter was sent out for the month of November. Topics covered in the newsletter were the new website launch and an appeal to join our facebook group, the New Fairfield zoning changes, our operation department, expanded Eurasian watermilfoil research with Western Connecticut State University, Candlewood's 80th Celebration in New Fairfield, an announcement about a diving display in New Milford and reminders on buoy removal, securing your dock and leaf raking for the fall.

Website Update:

We have a new home page ready, which we will be posting shortly. It will have additional graphics and more features available, including a form for our lake community presidents to fill out so we can maintain a database of current contact information for our lake community leaders. On that form we will also give them the option of scheduling a visit by CLA staff to one of their community's meetings in an effort to improve the relationship and increase the communication between the CLA and our lake communities. We are also making more changes and additions to other areas of the site, including a newly created Operations Department page, which is ready to be posted as well.

Pine Island:

The Town of New Fairfield Zoning and FirstLight Power Resources independently viewed Pine Island in November to begin the process of assessing the situation there. They are planning to meet, along with the CLA, to address the situation together as some of the issues are above the 440' and some are below it. At this time, no date has been set for the meeting.

Meeting with Mark Toussaint:

Met with Mark Toussaint to discuss an overall marketing/fundraising/public awareness strategy. We are working to develop a bundled sponsorship package, incorporating several events, which we feel will simplify our fundraising efforts and have a greater appeal with increased benefits to sponsors/donors. We also discussed ways to reach more people through a variety of public awareness and educational efforts for the future.

Project CLEAR:

We had the first of four classroom days at Western Connecticut State University in November, the second of which we will have on December 11th. Students attended two presentations in a WCSU lecture hall to broaden their understanding on Candlewood Lake and clean water issues before breaking into the respective groups they will be in for the June days in the field, where they were then led by teachers in targeted learning exercises and training which will give them the knowledge they require to effectively carry out their field research.