



# CANDLEWOOD LAKE AUTHORITY

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

## Minutes of Meeting January 9, 2019

### Attending:

P. Schaeer	Sherman
G. Linkletter	Sherman
D. Cushnie	Sherman
S. Kluge	New Milford
M. Toussaint	New Milford
J. Wodarski	New Milford
J. Hodge	New Fairfield
J. Main	New Fairfield (electronic)
D. Rosemark	Danbury (electronic)
C. Robinson	Danbury
J. Murphy	Brookfield
W. Lohan	Brookfield

### Absent:

E. Siergiej	Danbury
B. Licht	New Fairfield
B. Brown	Brookfield

M. Howarth, Executive Director

J. Neil Stalter, Director of Ecology and Environmental Education

F. Frattini, CLA Administrative Coordinator

CLAMP – Chief R. Barnard (left at 9:00PM)

Recorder: F. Frattini

Guests: eight members of the public

Chairman, Phyllis Schaeer, called the regular meeting of the Candlewood Lake Authority to order at 7:35 P.M. at Brookfield Town Hall Brookfield, CT.

She welcomed the guests and introduced Larry Marsicano of AER who would be giving an overview of the 2018 Water Quality findings. He reported that it was pretty good out there this year. Secchi transparency was very good compared to historical data. They noted that the Nitrogen levels were higher when there was a large amount of rain during the 5 days prior to the sampling. He noted that it appears that increased winds decrease blue-green algae. Conductivity has changed in this year. He summed up with a list of recommendations concerning

- Algae and drawdowns
- Phosphorus
- Sediment/Nutrient study
- Watershed study
- Review Management Plans
- Overlay zone – all 5 towns
- Reestablish volunteer Secchi monitoring
- Supplement profile data collection
- Development of Cyanobacteria bloom predictors

Mrs. Schaer thanked him and asked if there were any questions. There was a question as to whether a lack of a deep drawdown for three years affected water quality? He noted that years following a deep drawdown have always seen better water quality but time and kind of deep drawn down also matters. It is the sub freezing temperatures that kill the milfoil. Copies of the 2018 Water Quality Monitoring Report will be available from the CLA office when the final report is received.

**Public Comment:** Mr. Marsicano commented that the CT Federation of Lakes has been working with local legislators on a startup-funding program for inland waters to be used for invasive species programs. He will keep the CLA advised of how this moves through the legislature.

Tom Quigley of the New Fairfield Inland/Wetlands Commission advised that he had some comments on the draft SMP that he gave to the CLA and is attached to these minutes. He invited the CLA to the next Commission meeting on January 15<sup>th</sup> to discuss the interest and concern of the Commission.

**Secretary's Report:** *Jerry Murphy made a motion to accept the minutes of the December 12, 2018 meeting as written, seconded by Phyllis Schaer, motion was voted with all in favor except Chris Robinson who abstained, Motion carried and minutes have been accepted as written.*

**Candlewood Lake Authority Marine Patrol:** Chief Barnard reported that he had received the Court dispositions and noted that CLAMP had a good return, they are writing good infractions on the lake.

**Chairman's Report:** Chairman Phyllis Schaer reported that there was a meeting earlier today with FirstLight to review the draft SMP. She noted that they asked for a "red line" version to see the changes from the present SMP – as the draft is more of a new version than a revision - a "red line" version is not available. She noted that items that were in the body of the SMP are now in appendixes, which could give more leeway to updates without FERC approval. There are a number of items that need clarification and there should be a list of comments on what needs to be included. She complimented, Mark Howarth, Neil Stalter and Bill Lohan for their good work on reviewing the document. She suggested that the CLA could have a legal review of the document, as it stands it is a disadvantage to the stakeholders. Presently the CLA has Version 1 of the draft and there may be a Version 2 but that is not definite. She gave the following possible schedule (dates may change): February 1 – CLA comments due, March 1 - Stakeholder meeting, March 15 – Public Hearing and March 27 FLPR submits SMP to FERC. It was said that this is very indicative of the first go round the last time the SMP was proposed. There are a number of concerns that the CLA will be sure to address with FLPR. Mrs. Schaer noted that is important that all delegates review the old and new SMP and send their comments to the office. Discussion followed on the time line and the possible need for a special meeting to review the comments before the February 1<sup>st</sup> deadline. Mrs. Schaer added that areas of concern and differences could be addressed in a positive way before the document goes to FERC. She advised that the CLA should seek input from the Public and Municipalities.

**Public Safety Committee** was moved here. Mr. Wodarski advised the delegates that a letter to DEEP advising them of the appointment of the new Chief and Assistant Chief will be going to DEEP as required under the MOA. He also noted that Mark Howarth is working with Dan Rosemark on drafting an Addendum to the MOA to reinstate the Assistant Chief position that was removed from the present MOA.

Mr. Wodarski also advised that the relationship between the CLAMP officers and the CLA was much improved this season. Mrs. Schaer added we cleared the confusion and resolved the differences. Thank you to the patrol for a good job this past season.

Mrs. Schaer continued the **Chairman's Report** – noting that FERC had responded to the comments of the CLA on the Nuisance Plant Monitoring Report finding FLRP in violation regarding the vendor change. Discussion followed noting that per the FERC letter comments the final revision of the NPMR will be discussed at the Technical Committee meeting February 28<sup>th</sup>. FERC also advised that the Technical Committee should compare the 2018 Report to previous reports - the CLA may do this to present at that meeting. Discussion continued with Mrs. Schaer advising that some of the Towns support purchasing the report from the Connecticut Agriculture Experiment Station to compare to the 2018 Report done by the new vendor. She will seek the cost of the report. Dan Rosemark noted that the CLA needs the agenda, date and location of the Technical Committee Meeting and that the items in the FERC letter of December 26, 2018 are included on the agenda as well as the approval of the vendor to do the 2019 Nuisance Plant Monitoring.

The deep drawdown has begun and should be done by the end of the month according to a press release from FLPR.

**Vice-Chairman's Report:** Vice Chairman, Mark Toussaint, noted it was covered under the SMP above.

**Treasurer's Report:** Treasurer Bill Lohan advised that we have completed a half of the fiscal year and Profit and Loss Budget vs. Actual for December 31, 2018 has income at 80% of budget, contributions coming in as year to date are \$10,400.00 and expenses year to date are Admin at 46% of budget, Equipment/Facilities 45% of budget, Public Safety 72% of budget, Public Awareness 38% of budget, and Watershed Management 41% of budget, making overall expenses 48% of budget.

*Mr. Lohan reported that two lines have gone over budget and noted the transfers as of 12/31/2018 from Line #113 Admin Insurance \$1,321.00 to Line #313 Public Safety Insurance and from Line #231 EF/ Buoy Maint \$36.05 to Line #224 EF/ Maint Supplies – Mr. Lohan moved to approve these transfers, Dan Rosemark seconded and voted with all in favor.*

*Mr. Lohan moved that the report for the month ended December 31, 2018 be accepted as presented, seconded by George Linkletter and voted with all in favor. Motion carried, and report has been filed for audit.*

The first 2019/2020-budget hearing will be tomorrow with the Town of New Fairfield.

**Executive Director's Report:** Mark Howarth advised his report is attached to these minutes and then noted the highlights.

- Annual appeal letter out
- Electronic end of year giving was out on 12/30<sup>th</sup>
- Homeowners Guide files are at the printer
- Meeting with FirstLight, UCONN Master Gardener and the CLA on a potential partnership program to make it easier for residents to envision buffers and receive some guidance

**Director of Ecology and Environmental Education:** Neil Stalter noted his report is attached to these minutes. Highlights from his report are:

- SMP review – asked for delegate comments and noted to contact him if copies of the documents are needed

- Organizing document reviews for new lake management plan
- Meeting dates with DEEP on the Decontamination Station at Squantz
- Creatures of Candlewood – firsts article was a success
- Organizing the historical water quality data.

**Committee Reports**

**Public Safety Committee:** Reported earlier.

**Equipment/Facilities Committee:** Doug Cushnie, Committee Chairman, noted that he and our OPS person had met with Echo Bay to look at equipment/engines.

**Pubic Awareness Committee:** Committee Chairman George Linkletter noted that Mr. Howarth and Mr. Stalter had covered the items of appeal, video drone project, handouts and State of the Lake.

**Watershed Management Committee:** Mark Toussaint Committee Chairman nothing more to report

**Old/New Business:** None

With no other business, *John Hodge moved to adjourn the meeting. Seconded by Chris Robinson. Meeting adjourned at 9:45 P. M.*

Respectfully submitted,

Jerry Murphy, Secretary  
Frances Frattini, Administrative Coordinator  
r/b/mh

*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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**January 9, 2019**  
**Executive Director**  
**Mark Howarth**

## **Monthly Report:**

- **End of Year Appeal:** We are in the process of receiving returns from our December appeals.
  - **Printed Appeal Letter:** We mailed the year-end appeal in December and have started to see responses come in. My thanks to Fran and Neil who pitched in to help tie up some loose ends at the end of the appeal process.
  - **Electronic Appeal:** I designed and sent an electronic appeal at the end of December. That separate, shorter, appeal was emailed to our readers in the hopes of reaching people who may not receive our printed appeal.
  
- **Shoreline Management Plan:**
  - On December 19<sup>th</sup>, FirstLight Power Resources released their draft update to the Shoreline Management Plan. They have posted that draft document on their website.
  - On January 8<sup>th</sup> the CLA's Shoreline Management Plan Sub Committee will meet to discuss the FirstLight's draft update to the SMP. This meeting will assist the CLA in our preparation for a January 9<sup>th</sup> meeting between the CLA and FirstLight to discuss the FirstLight's draft update to the SMP. The CLA's comments to FirstLight's draft update to the SMP are due by February 1<sup>st</sup>.
  
- **Drawdown Update:** We had been receiving calls regarding the fact that water levels in the lake were high despite the planned deep drawdown. We contacted FirstLight about that on January 3<sup>rd</sup>, inquiring about an update to the drawdown plans as well as asking if they would issue a press release to inform the public, which we would then help disseminate. The following day we received a press release from FirstLight explaining the status and plans for the drawdown, which we then sent to our readers and posted on our website. The full press release is at the end of my report.
  
- **CLAMP Chief & Assistant Chief:** As per the MOA with the CT DEEP we have drafted and are sending a letter to the DEEP to officially notify them that the CLA Board voted to accept the CLA Public Safety Committee's recommendation to promote Ronald Barnard to Chief and Nicholas Mellas to Assistant Chief. We are requesting their consideration of these requested promotions.

- **Homeowner’s Guide Files:** We have submitted the Homeowner’s Guide Files to the printer and are waiting on the proofs to come in, so that we can begin the final printing and mailing process for this guide.
- **Shoreline Buffer Program Partnership:**
  - We are working to create a partnership between the CLA, FirstLight and the UCONN Master Gardeners to help create more shoreline buffers by breaking down barriers that may be keeping people from putting buffers in at their homes.
  - On January 4<sup>th</sup>, Neil and I met with Delegate Steve Kluge to work on program ideas and preparation and on January 7<sup>th</sup>, the CLA hosted Brian Wood and Lauren Richardson from FirstLight and Sarah Bailey from the UCONN Master Gardeners at our office for in initial meeting. It was a positive meeting with valuable input from all and we are looking forward to continuing to work on creating and implementing this exciting program for Candlewood Lake.
  - We have also begun exploring a separate grant opportunity to compliment this residential buffer initiative, which we discussed at this meeting as well.
- **2019/2020 Budget:** We are in the budget process and we are working to get the municipalities the documents and information they require.
  - We are in the process of creating a new Budget Narrative document which we will also send to all of the municipalities.



**January 4, 2019**  
**For Immediate Release**

**Candlewood Lake Drawdown Update**  
***Deep Drawdown of Candlewood Lake Begins***

**New Milford, CT** -- FirstLight Power Resources (FirstLight), the owner and operator of the Rocky River Pumped Hydro Storage plant in New Milford, commenced the annual drawdown of Candlewood Lake earlier this week to control the spread of Eurasian Water Milfoil.

“This winter has been highly unusual to this point, particularly given the amount of rainfall we’ve had.” said FirstLight spokesman Len Greene. “We’ve had historical amounts of rainfall and river flows on the Housatonic, which has been at or near flood conditions throughout the fall. In order to avoid making these conditions worse downstream of the Rocky River station, we had to delay the start of the drawdown.”

“In addition to the high river flows we’ve had very mild air temperatures, which has impacted our ability to perform an audit required to establish the generation capacity rating at the station for the season.” Greene added. “In a typical year, we would perform the audit when temperatures remain below thirty-two degrees for several consecutive days while the lake is at its maximum elevation. Unfortunately we weren’t able to do that this year, which also contributed to the delay. In order to ensure that we are able to

conduct the deep drawdown, we decided to forego the audit entirely and absorb the commercial impact to the company.”

The targeted elevation is 420' for a deep drawdown, which FirstLight expects to reach by the end of January. FirstLight will refill the impoundment to recreational elevation prior to the opening day of fishing season in early April.



# CANDLEWOOD LAKE AUTHORITY

Member Municipalities: *Brookfield • Danbury • New Fairfield • New Milford • Sherman*

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**J. Neil Stalter**

**Director of Ecology and Environmental Education**

**Candlewood Lake Authority**

**Re:** January Meeting: Monthly Report

**Date:** 1/9/19

- **SMP Review:** Significant Review of Other Areas and Past SMP's to inform our SMP review process.
  - Creating comprehensive comments of SMP review to ensure that we discuss all of our priorities and concerns with FirstLight on a consistent basis, so we can collaborate on making the best document possible.
  - Distributed draft SMP to all Inland Wetlands Commissions at the five towns. They have since distributed to their full commissions and are undergoing their own review. Plan to meet and discuss with all commissions that have thoughts.
  
- **Document/Policy Organization:** Now that I've gotten familiar with many of the policies regulating Candlewood Lake, I've begun to organize the history of their creation, how they're implemented, and all correspondence regarding certain policies.
  - This will allow us to approach all reviews in a comprehensive and informed way, as well as help creation of a new Lake Management Plan.
  
- **Buffer Zone Program:** Started Creation and planning process with Mark H. and Delegate Steve K. on collaborative program between CLA, FirstLight, and the UCONN Master Gardeners on educating new homeowners on buffer requirements, implementation, and maintenance.
  - Met with representatives from FLPR and the Master Gardeners to begin planning this collaborative program.
  - Also preparing a grant application for creation of a new, more publicly accessible, buffer demonstration garden as a part of this new buffer implementation program.
  - Creating content for the Public Awareness Buffer Zone Video. Getting all necessary information and supplies ready for us to move forward with video planning and filming.



- **Decon Station:** Spoke with DEEP about potential meeting dates in Hartford regarding implementation of the boat wash station at Squantz Cove launch.
  - Collecting and organizing information to discuss strategy and implementation with DEEP when we meet.
  
- **Articles:** Preparing the next Creature of Candlewood Article for publishing in the Town Tribune.
  - Waiting for the cold temperatures to kick in to release “stop oversalting!” information for residents.
  - First Creature of Candlewood article came out with good feedback—looking forward to continuing the column, and potentially repurposing that research into a community presentation.
  
- **Data Organization:** Continuing the process of organizing our historical data.
  - Reviewed and enjoyed the 2018 Water Quality Report from AER. 2018 was a great water quality year, and we’re looking forward to working with the community to continue to see benefits and improvements!
  
- Enjoyed my first Christmas in Connecticut! I was able to take my family on a tour of Candlewood Lake, as well as Litchfield County and the Upper Housatonic. A little less snow than I’m used to, but a wonderful season, and enjoying exploring my new state!

**Town of New Fairfield  
Inland-Wetland Conservation Commission**

**Recommendations to the revised Shoreline Management Plan  
January 9, 2019**

**1. The term of the plan:** The document proposes to increase the length that the plan is valid from 6 years to 10 years. Most shoreline management plans are 5 years because much can change in 5 years, i.e. invasive species.

The shoreline management plan should have a term of 5 years.

**2. Vegetated buffer zones:** If you compare the old SMP plan with the new SMP draft, information on vegetated buffers has changed. Now there are only 3 years to comply with the approved waterfront plan for property owners. That is good, but there is nothing in there that says how FLP will enforce and monitor.

Specifics about this change need to be included in the document.

**3. Stormwater management:** The draft does not take any responsibility for helping to deal with stormwater management, and puts it all on the homeowners, even below the 440 line.

**4. Storm Damage Cleanup:** There is no information about FLPs responsibility for storm damage cleanup around the Lake shoreline. Their take is that fallen trees are natural. There should be wordage in the document for cleanup for storms up to and including 100 year storms.

**5. Drawdown:** There is no reference to the drawdown in the document. There should be a drawdown responsibility reference in the document.

## Additional Recommendations

1. Recommend the definition of “**Significant Activity**” should be expanded to better describe a threshold as it currently leaves this determination First Light’s discretion. Examples could include, but not limited to areas within the Project Boundary that are modified with impervious surfaces, soil disturbance, land uses not consistent with current zoning and/or activities which may have long term impacts to the shore line to habitat area. Without such a defined threshold, it would leave a decision on significance subject to challenge. It also would give applicants some way to measure whether it would be feasible to seek an approval in the first place.
  
2. Expanding on the burdening issue, it would be important to see a comparison of the potential impacts these regulation changes would have on property owners in terms of additional cost to comply, reduction in use and enjoyment of property, reduction in land values (which could impact the Towns tax base) or other potential impacts.
  
3. It appears the SMP will increase buffers beyond the 440 line and thus increase jurisdiction over those lands. There should be further study to determine the benefits and costs associated with the expansion of permit review and restrictions. There were no professional studies or reports to support the changes. If reports have been done can they be included in the SMP so all the towns can review them?
  - a. What additional costs would be incurred by the property owner or municipality for improvements?
  
  - b. The benefits of the protection should be carefully reviewed and quantified.

- c. Have unique and special habitat areas been identified and studied for protection?
  - d. Could the burden of the additional buffer areas be placed on First Light to provide mitigation needed?
4. If First Light has the authority to increase its jurisdiction, the specific reference of which should be cited in the plan.
  5. Recommend that their GIS information be made available to all the towns so the data can be used to better plan and manage all resources
  6. The SMP says it has the right to approve any stakeholder. Are there criteria in which to base this decision or is it arbitrary?