



# CANDLEWOOD LAKE AUTHORITY

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

## Minutes of Meeting January 14, 2009

### Attending:

R. Stroh	New Fairfield
P. Callahan	New Fairfield
B. Kemble	New Fairfield
S. Murphy	Brookfield
F. Cioffi	Brookfield
S. Conroy	Danbury
G. Dufel	Danbury
H. Berger	Sherman
C. Reppenhagen	Sherman
H. Mayer	New Milford
M. Toussaint	New Milford
R. Guendelsberger -	New Milford

### Absent:

G. Hofsess	Brookfield
E. Siergiej	Danbury
K. Mersereau	Sherman

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

Recorder M. Toussaint

Guests: Ted Backer, Esq. - Cramer & Anderson Esqs.  
Randy DeBella Esq. – New Milford Town Attorney  
G. Brouillette, Deputy Chief CLAMP  
D. Braisted, Fiorita, Kornhaus & Co.  
G. Justiniano, Fiorita, Kornhaus, & Co.  
C. Ricci, New Milford  
L. Johnson, New Milford  
A. Messerle, New Fairfield

Patrick Callahan, Chairman, called the regular meeting of the Candlewood Lake Authority to order at 7:40 P.M. at Brookfield Town Hall, Brookfield, CT. Mr. Callahan welcomed the attorneys and noted that the board would deviate from the Agenda.

Immediately Mark Toussaint moved that the CLA go into Executive Session to discuss with the attorneys the recent Notices of Intent to Commence Action served on the CLA, its members and employees, seconded by Harold Mayer and voted with all in favor the CLA went into Executive Session at 7:41 PM.

2009 JAN 22 A 10:44

BY:

At 9:01 PM the delegates returned to the meeting from the Executive Session noting that no votes or motions were made during the Executive Session. The attorneys left and the other guests joined the meeting.

Due to the late hour it was decided to have the Auditors report on the Audit for the Year ended June 30, 2008 – Ms. Braisted and Mr. Justiniano reviewed the Audit documents. Ms. Braisted noted that the CLA had a good year. With no further discussion, Bob Guendelsberger moved to accept the Audit for the year ended June 30, 2008, seconded by Bruce Kemble and voted with all in favor. Motion carried and audit will be submitted to the Towns. Mr. Callahan thanked Ms. Braisted and Mr. Justiniano.

Secretary's Report: Mark Toussaint, Secretary, noted that there were no additions, deletions or corrections to the minutes of December 10, 2008. Charlie Reppenhagen moved to accept the minutes as presented, seconded by Susan Murphy and voted with all in favor, minutes have been accepted as written.

Chairman's Report: Mr. Callahan reported that he, Mr. Marsicano, Mr. Berger, Rep. Mike McLachlin, and Selectman Ed Hayes met with the DEP regarding the Boat Sticker Program – after the CLA presented the program DEP noted that they would not support such a program. Mr. Callahan advised that it was a very frustrating meeting. Discussion followed on other ideas on how to have a BSP on Candlewood such as through the Utility or possibly through FERC.

Drawdown – Mr. Callahan thanked Alex Messerle for his research and articles on the subject. It was noted that having the lake level charts helped to show and explain how the drawdown works.

Vice Chairman's Report: Howie Berger reported that at the DEP meeting there was some confusion as to whether the water in Candlewood is water of the state or considered Federal. This was raised at the meeting on the SMP held today in New Milford. Discussion followed. It was noted that the Utility was asked if they would consider joining with the CLA on the BSP. He will report on this next month.

Treasurer's Report: In the absence of the Treasurer, Mr. Marsicano reported. Mark Toussaint moved to accept the Treasurer's Report of Income and Expenses for the months ended July 31, 2008 to December 31, 2008 as presented, seconded by Susan Murphy and voted with all in favor. Treasurer's Report for months ended July 31, 2008 to December 31, 2008 has been accepted and filed for audit.

Mr. Marsicano advised that Mr. Hofsess has asked for a motion allowing spending in a few line items that have gone over. They are Lines 218, 252 and 514. Bruce Kemble moved to allow spending in Line Items 218, 251 and 514 as long as the committee total is not exceeded, seconded by Frank Cioffi and voted with all in favor. Motion passed.

Executive Director's Report: Larry Marsicano noted that his report is attached to these minutes.

Public Education Director: Mark Howarth noted that his report will be attached to these minutes. He noted that he is working on a possible fundraiser and advised that you may want to check the Dragon Boat website **2dragons.com** for more information.

Committee Reports:

Prior to the reports, Mrs. Frattini reminded the delegates that the new FOI regulation requires that all committee meeting minutes must be on our website within seven days of the meeting. She advised that these must have the date of the meeting, time, those attending and items discussed.

Public Safety: Rich Stroh, Committee Chair noted nothing at this time.

Equipment/Facilities: In the absence of the Committee chair, Bruce Kemble reported. He advised that Mr. Siergiej has been in touch with the manufacturer of McKee II and they will do a complete rebuild of the Tower but approval of funds will be needed for this to move forward. Charlie Reppenhagen moved to approve \$5000 (five thousand) from Fixed Asset Replacements to cover the cost of this work, seconded by Susan Murphy and voted with all in favor. Mr. Siergiej will follow up on this. Mr. Kemble reported that the patrol would like to have flashing blue lights on the PWC's.

Watershed Management: Harold Mayer, Committee Chair, reported that at the last committee meeting they discussed the proposed agreement between the Towns and FirstLight – a letter was drafted and sent to the Towns.

Public Awareness: No report.

Old/New Business:

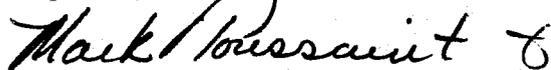
Mr. Callahan reviewed the present committees and their members asking if there were any changes – committee assignments remain the same and committee chairs will be as follows:

- Finance – Glenn Hofsess
- Equipment/Facility- Ed Siergiej
- Public Safety – Rich Stroh
- Watershed Management – Harold Mayer
- Public Awareness – Mark Toussaint

Charlie Reppenhagen moved to approve the committee chairs as noted above, seconded by Bruce Kemble and voted with all in favor.

With no further business to come before the Candlewood Lake Authority, Harold Mayer moved to adjourn, seconded by Charlie Reppenhagen. Meeting adjourned at 10:33 P. M.

Respectfully submitted,



Mark Toussaint, Secretary  
Frances Frattini, Administrative Coordinator

r/b/t



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## ***Executive Director's Report January 12, 2009 Larry Marsicano***

*The following report summarizes activities between December 5, 2008 and January 12, 2009.*

### **INTENT TO COMMENCE LEGAL ACTION AGAINST CLA**

We received three letters of intent to commence legal action against the CLA as a result of the accident that occurred last summer. That accident resulted in the deaths of two individuals, injuries to three others, and damages to two vessels. All delegates, Lake Patrol Officers, administrative staff have been named, as well as the member municipalities. All those named will be receiving copies of those letters.

We have met with Attorney Ted Backer who has reviewed the letters of intent, the referenced statutes and our insurance coverage. Attorney Backer will be advising the Authority at our monthly meeting on January 14<sup>th</sup>.

### **BOAT STICKER PROGRAM PROPOSAL / MEETING WITH CT DEP**

The CLA was able to schedule a meeting with the CT DEP to discuss the proposed boat sticker program per our letter to the CT DEP Commissioner dated December 1, 2008. That meeting occurred on December 29, 2008. Attending on behalf of the CLA were Chairman Patrick Callahan, Vice Chairman Howie Berger, Executive Director Larry Marsicano, Sherman Selectman Ed Hayes, and State Senator Michael McLachlin. The CTDEP was represented by Deputy Commissioner Susan Frechette, Bureau Chief Tom Morrissey, Division Directors Col. Eric Nelson and Bill Hyatt, Mike Payton, and legislative liaisons Tom Tyler and Rob LaFrance.

Our intent was to find ways to modify last year's proposal in a way acceptable to CTDEP in effort to gain their support. It became evident early in the meeting that CTDEP was not going to support the BSP regardless of how we modified it. We are in the process of drafting a letter to the Deputy Commissioner to recap their reasons why they won't support the BSP and will then pass along that information to the CEOs of our member municipalities.

### **RESEARCH ON RECREATIONAL USE**

In preparation for the meeting with the CTDEP we have begun drafting a report on recreational pressures on Candlewood Lake. A draft was provided to everyone present at that meeting and is attached to this report. We have requested from FLPR the maps of the aerial flyovers conducted during the summer holidays and selected weekends. These flyovers are required as part of the Recreation Management Plan and are to be used to assess in-use boat densities on the lake. We have received from FLPR the preliminary, raw data for in-use vessels (see attached draft report).

### **CT DEP INVASIVE PLANT GRANT PROGRAM**

As discussed in last month's report, Danbury and New Fairfield have submitted grant proposals for a weevil introduction program. Proposals were due on Monday, December 8, 2008. A part of that proposal was to include a letter from the "land owner" agreeing to provide access to eradicate the invasive plants, whether they are terrestrial or aquatic. Both municipalities requested letters from FirstLight to that affect. On Friday, December 5<sup>th</sup> we learned that the letter FLPR submitted to the CTDEP did not support the programs since they did not have enough time to conduct due diligence. They did ask CTDEP to accept the grants and proceed parallel to the power company doing their due diligence. FLPR asked the Health Director Scott LeRoy to assemble representatives of parties involved in the research to meet with FLPR. Mr. LeRoy asked for our assistance in doing this.

A meeting was scheduled and held on December 18, 2008 in Hartford. Representing the City of Danbury and New Fairfield were Scott LeRoy, Dan Baroody, Dr. Steve Danzer, and I. FLPR had approximately six attending including legal representation, as well as legal representation conferencing in. The president of EnviroScience had also conferenced in. We were seemingly successful in answering all questions and addressing all concerns. In a response to an email sent on January 12, 2009, Jim Ginnetti said that, "Letter is being finalized. Should be sent in the next few days."

#### **RESEARCH ON HISTORICAL DEEP DRAWDOWNS**

Working with Alex Messerle of the Candlewood Watershed Initiative, we have begun examining historical deep drawdowns in effort to improve current and future deep drawdowns. Used in the analyses were data provided by FLPR and weather data as collected by Mr. Messerle. A short report is being developed and will be distributed to CLA members and elected leaders of member municipalities. Several figures from that report are attached to this report. Additional weather data from WCSU Physics, Astronomy and Meteorology Department is planned to be incorporated into analyses.

Preliminary data was presented to Bob Gates of FLPR and a discussion of deep drawdown ensued. Mr. Gates has subsequently supplied weed density data collected from 1985 to 2000. At our last Executive Committee meeting, we asked Mr. Gates to consider extending the duration of time the lake would be at the target level (419 – 420 foot level). Mr. Gates seemed agreeable to this.

#### **CANDLEWOOD WATERSHED INITIATIVE**

We have continued to meet regularly with the CWI group. This is a grassroots group that sprung out of concerns over proposed zoning changes in New Fairfield. The CWI has recently been interested in weed management and had Greg Bugby from the CT Agricultural Experiment Station attend the meeting held on December 4<sup>th</sup>. Also in attendance was Tim Simpkins, Health Director of New Fairfield.

Mr. Simpkins and I will be meeting on January 15<sup>th</sup> to plan the effort to identify all pipe outfalls directly emptying into the lake. The CLA will be working in collaboration with the Town of New Fairfield in the next couple of weeks to do this.

#### **MESERVE MEMORIAL FUND PROPOSAL**

We recently learned that our proposal entitled *Candlewood Lake Watershed Community Primer and Best Management Practice Guide* was funded. The grant proposal grew out of discussions with the CWI group who felt better information on watershed practices needed dissemination. Our proposal was for \$5,000 dollars to draft, layout, design, and distribute a document on watershed practices. We received \$2,000 dollars from Meserve and will need to find an additional \$3,000 dollars for this project.

#### **NSF LETTER OF INTENT SUBMITTED**

We met several times with Dr. Dora Pinou from WCSU in efforts to draft a letter of intent to submit a grant to the National Science Foundation. The intent of Dr. Pinou's grant is to develop a University component to Project CLEAR. If funded, resources could be used to enhance the current Project CLEAR program in a way that is beneficial to CLEAR and to WCSU. The letter of intent was submitted on January 9, 2009.

#### **MEETING WITH CITY OF DANBURY REGARDING CLA BUILDING**

We were asked to meet with staff from the City of Danbury to discuss plans for the Candlewood Lake Authority office building. At a meeting on December 11, 2008 The City's Engineer, Farid Couri, and the architect they are using met with Charlie Reppenhaegan and I to discuss conceptual plans. After the Mayor reviews the plans, we were to receive a set to share with the CLA.



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## Recreational Pressures on Candlewood Lake

**Candlewood Lake Authority**  
**Larry Marsicano**  
**Executive Director**

**December 29, 2008**

### **Introduction**

Candlewood Lake is the largest lake in Connecticut with approximately 5,500 acres of surface water and over 60 miles of shoreline. The lake was created in the late 1920s as part of a hydroelectric project. Since that time lakeside homes and communities (tax districts, associations, etc.) have increased to occupy approximately 60% of the shoreline. From a recreational perspective the lake is arguably Connecticut's most important inland water resource, with diverse recreational boating communities utilizing the lake's waters.

Like other natural resources attracting many outdoor recreation enthusiasts, Candlewood can suffer from overcrowding and recreational user conflict. Conflicts exist between various user groups on the water as well as between user groups on the water and the residents of the shoreline areas.

Many local residents, elected leaders, and the Candlewood Lake Authority (CLA) believe that recreational use of Candlewood Lake has reached levels that not only create user conflict, but also jeopardize public safety on the lake, despite the efforts of the Connecticut Department of Environmental Protection (CTDEP), their Environmental Conservation (ECON) Police, and the CLA and their Marine Patrols (CLAMP). Because of this, it is the position of the CLA that current and future levels of recreational boating will require a greater level of public safety presence on the water.

Quantifying recreational pressures in lakes is challenging at best. Data on lake use is often lacking. Determining what constitutes unsafe conditions can be subjective. There are models in the literature that attempt to quantify boating carrying capacity, i.e. the number of boats (in-use or total) a lake safely supports. In the case of Candlewood Lake, there is some quantifiable data on recreational usage and some attempts to determine carrying capacity have been made. This report provides some of the recent recreational use data for Candlewood, compares it to other lakes in the State, and looks at attempts to quantify carrying capacity based on models developed in Connecticut.

### In-Use Carrying Capacity

Mr. Michael Payton from the CT DEP Boating Division developed a modeling tool to aid in gauging carrying capacity in lakes. This model is similar in some ways to other models used across the country to assess recreational boating pressures on water resources. It must be emphasized that these models are only a tools, and that carrying capacities can be influenced by variables not always incorporated in a particular model, including the shape of the waterbody (circular vs. irregular).

Using the Payton model, the in-use vessels carrying capacity for Candlewood Lake is estimated at 448 vessels, i.e. a maximum of 448 vessels should be able operate on the lake safely; numbers above that may compromise safety. The model's calculation of total carrying capacity (in-use and docked/moored vessels) is estimated to be 4,480 vessels.

The FERC-approved Recreation Management Plan requires FirstLight Power Resources to conduct six aerial in-use watercraft counts on Candlewood Lake from May through Labor Day every sixth year of the current license. The first set of data was collected in the summer of 2008. The data collected this past summer (Table 1) indicates that in-use capacity (448 vessels) was often surpassed base on the Payton Model. It should be noted that the data collected was during a year when fuel prices were at unprecedented high levels.

**Table 1. In-use boating activity on Candlewood Lake. Data was collected by flyovers conducted on summer holiday and other selected weekends. Counts are compared to the in-use boating carrying capacities developed by Michael Peyton of the CT DEP.**

Date	Powerboats	Sailboats	Canoe / Kayak	PWC	Total	Peyton's Carrying Capacity
May 25 <sup>th</sup>	318	17	10	3	348	Not exceeded
June 21 <sup>st</sup>	426	3	9	13	451	Exceeded
July 12 <sup>th</sup>	417	9	12	12	450	Exceeded
July 19 <sup>th</sup>	476	4	14	21	515	Exceeded
August 9 <sup>th</sup>	403	11	5	17	436	Not exceeded
August 31 <sup>st</sup>	581	10	20	26	637	Exceeded
Mean	437	9	12	15	473	Exceeded

It should also be noted that actual in-use vessel densities are higher in selected areas of the lake. The only map of flyovers data available thus far was from May 25<sup>th</sup> (Figure 1). Note that Squantz Pond with only 5 in-use vessels is included in the data. Also note that certain areas of Candlewood Lake have relatively few in-use vessels, while other areas have concentrated in-use vessels. It is currently assumed that the same irregular distribution exists for other data sampling dates. Upon receipt of all maps from FLPR, CLA will be conducting analyses of in-use vessel densities for Candlewood Lake.

### Total Carrying Capacity

Since the early 1980s, the CLA has conducted a moored/docked vessel count on Candlewood Lake. In the early morning hours of the first weeks in August, CLA staff slowly cruise along the entire shoreline and count all vessels docked, moored, or beached. Counts include vessels observed along private residential areas, community marinas, commercial marinas, and municipal marinas. Trends gleaned from those counts are provided in Fig. 2.

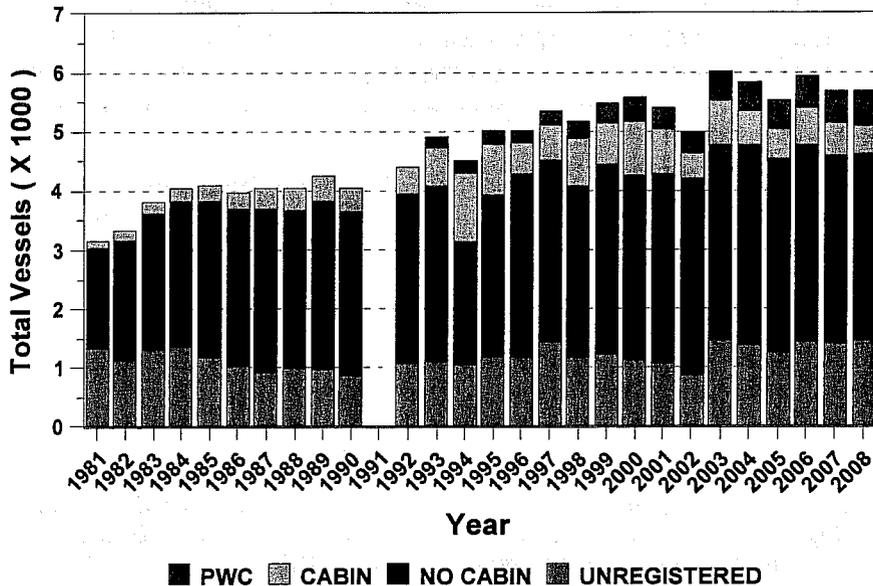


Figure 2. Results of the CLA's annual docked/moored vessel count.

Total carrying capacity has been exceeded at Candlewood since 1993 based on the Payton model (4,480 total vessels) and the CLA's moored/docked vessel counts total. It must be pointed out that the CLA's vessel data do not typically include vessels that access the lake for a short period of time by way of the numerous boat ramps on Candlewood Lake.

There are few data available that provide insights into the visiting / transient boating population on Candlewood Lake. Those that do exist include:

- There are two state ramps on Candlewood Lake and one on Squantz Pond. The CT DEP Boating Guide (2008) specifies that parking at both ramps on Candlewood can accommodate 100 cars.

- Each of the five municipalities bordering Candlewood Lake provides a ramp at their park on the lake. Data on town permits or passes issued by each municipality may be available.
- Many of the approximately 65 lakeside communities (tax districts, associations, etc.) have a launch ramp. An undetermined number of homes on the lake also have ramps. There is no known data on use of those ramps.

### Fishing Tournaments

One of the few reliable sources of recreational use data for Candlewood Lake comes from the records maintained by the CT DEP Fisheries Division on permitted fishing tournaments. Up until this year, the CLA has used notifications of tournaments emailed to us by the Fisheries Division to determine numbers of tournaments on Candlewood and other inland waters each year. This year however, the Fisheries Division was able to provide data on tournaments permitted in 2008 in an Excel spreadsheet. There were 899 tournaments permitted by the CT DEP in 2008 on Connecticut's inland waters with 19% of that total permitted for Candlewood Lake. Total vessels permitted were 3,270 vessels with number of vessels for a given tournament ranging from as few as four to as many as 95.

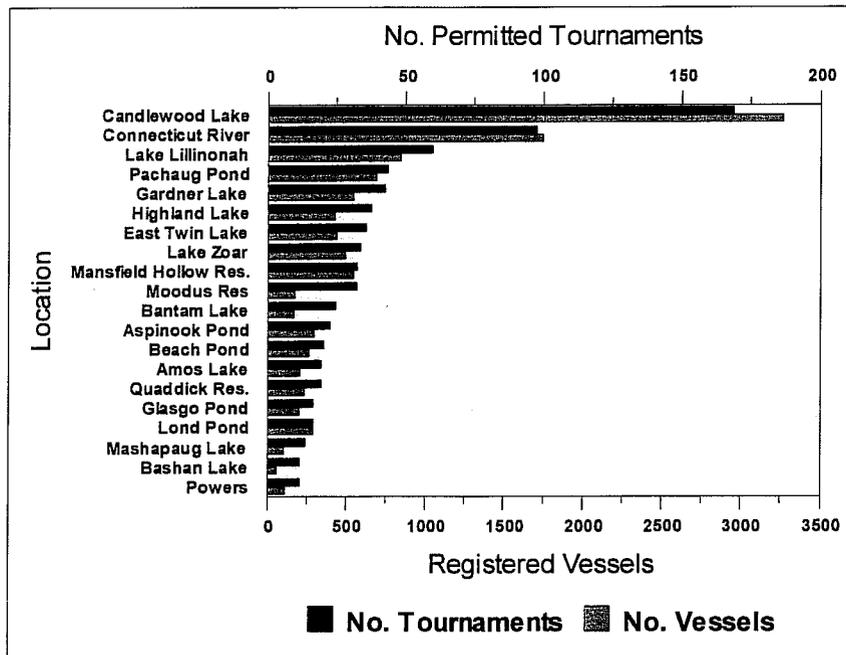


Figure 3. Total tournaments and total vessels permitted by the CT DEP in 2008 for inland waters hosting ten or more tournaments based on data provided by Fisheries Division. There are 46 other inland waterbodies in Connecticut that hosted nine or less tournaments in 2008.

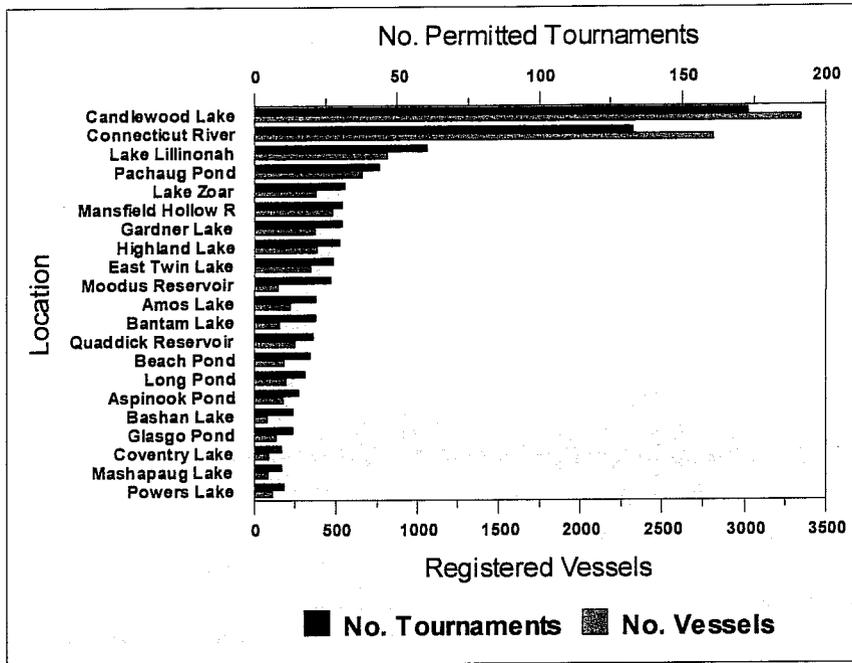


Figure 4. Total tournaments and total vessels permitted by the CT DEP in 2007 for inland waters hosting ten or more tournaments based on notifications from Fisheries compiled by the CLA.

### Reported Boating Accidents

### Candlewood Lake Elevation

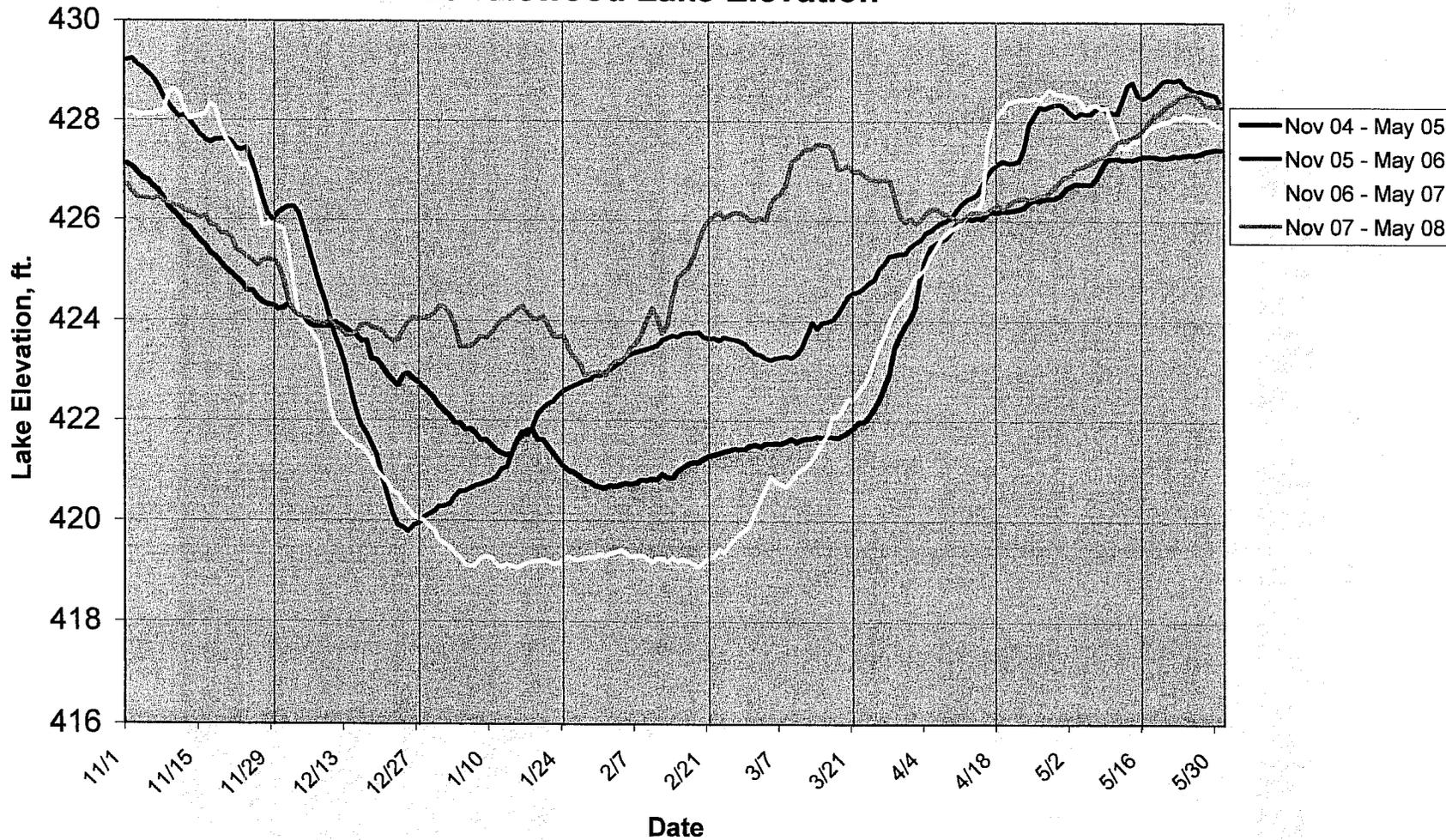


Figure 9: The 2006/2007 draw down depth and duration quality corresponds with the only good weed kill in these four years.

Historical Drawdown Data from 1980 thru 2008. No. Days  $\leq 420$  denote days lake level were at or below 420 from January 1st thru December 31st. Days  $\leq 419$  is a subset of the No. Days  $\leq 420$ .

Year	No. Days $\leq 420$	No. Days $\leq 419$	Notes
1980	0	0	
1981	0	0	
1982	0	0	
1983	0	0	
1984	0	0	
1985	62	34	Down past 420 all of Jan & Feb
1986	11	0	All December - really part of 87 drawdown
1987	64	0	
1988	0	0	
1989	77	53	Were 31 days $\leq 418$
1990	0	0	
1991	68	44	Jan, Feb, into March
1992	57	0	
1993			No data for 93
1994	0	0	
1995	67	61	Jan, Feb, into March; 21 days $\leq 418$
1996	0	0	
1997	21	0	
1998	22	17	All days were in Dec of 98
1999	25	18	All in January; nothing in February
2000	0	0	
2001	2	0	Those were 68 days $\leq 421$
2002	1	0	in December
2003	67	47	Start mid Jan & went into March
2004	0	0	
2005	3	0	Only 23 days $\leq 421$ , 3 days $\leq 420$ in Dec
2006	5	3	All in December
2007	67	0	All Jan, Feb and early March
2008	0	0	
2009			
2010			



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**January 12, 2009**  
**Public Education**  
**Mark Howarth**

## **Fishing Tournaments:**

In support of the meeting with the DEP over the proposed Boat Sticker Program I gathered, logged and summarized data on every permit-issued fishing tournament for each body of water in Connecticut, from March 2007 through November 2007. Along with 2007 data we used 2006 data (already completed and on file) as well as 2008 data (sent to us already summarized).

## **Drawdown Report:**

Currently working on creating a report on winter drawdown conditions using data and information gathered by Alex Messerle. Scientific weather and drawdown data was compiled by Alex to aid in understanding the effect different variables may have on the degree of success of drawdowns. It is hoped that with a better understanding of the variables and outcome of past drawdowns, we can help ensure a better chance of success for future drawdowns.

## **Fundraiser:**

As we are looking at a dragon boat race festival to be a possible annual fundraising event for the Lake Authority, I am continuing to gather information to help us to understand what is involved in hosting and putting on a fundraiser of this type and what the anticipated outcome would be. It is hoped that if we decide to move forward and are successful in our initial year, we can build this event in the coming years, increasing both racer participation and patron attendance.

## **Website:**

Continuing work on the new website using web page construction software in conjunction with the framework Howie has created for the site. Much of the content has been created and some of the finished pages are being uploaded to the new site. As we move through the process of creating the new website, we are making revisions to the appearance and functionality of what we have completed.