



FRIENDS
OF THE LAKE

Lilly's Letter

Spring 2008



Dear Members:

Your Friends of the Lake executive board realizes that too much time has passed since our last newsletter. Several issues facing Lake Lillinonah were on the verge of resolution, however, and as such we felt it necessary to delay this issue to get you the latest news. Please read on to become up-to-date on the progress being made on efforts to reduce the pollution and debris, about several other issues facing our lake, and about upcoming events for the summer of '08.

As always, please pass this newsletter on to your friends and neighbors, and encourage them to join our ranks. It is your membership, and your help in growing our membership, which gives Friends of the Lake a strong enough voice to force the changes you'll read about in the following pages. We look forward to seeing you on a cleaner Lake Lillinonah in the coming months and at Save the Lake Day, Family Day and our Anniversary Party.

With appreciation for your support, **Your Executive Board**

How Green Is My Lake?: A Brief History and Current Report on Water Quality, Sewage Treatment, and Phosphorous Reduction on Lake Lillinonah

Richard Llewelyn's 1939 best seller *How Green Was My Valley* and John Ford's classic 1941 movie of the same name tell the story of the devastating environmental effects of reckless coal mining activities on a pristine Welsh valley. Each summer, on Lake Lillinonah, we ask a similar question: "How green is my lake?" Since its founding in 2003, Friends of the Lake has been asking another question: "How can we fix the problem?"

We have concluded that the problem can be fixed. But we have also found that the problem has a long and complex history and that the solutions will require a cooperative effort among government entities, stakeholders and citizens. With the help and support of our members, a dedicated board of the Lake Lillinonah Authority, the Connecticut DEP, and Attorney General Blumenthal, we are now making real progress towards a solution.

But to understand the nature of the problem and to identify the path forward, one must first have some understanding of its origins and history.

Brief History of the Danbury Sewage Treatment Plant

Believe it or not, the history of efforts to treat sewage discharges into the Still River and Lake Lillinonah began more than a century ago. A history of Danbury's sewer service relates the following:

Danbury, like many other cities, first adopted the expedient of emptying its untreated sewage into the largest available river, the Still River. In time farmers, mill owners and others downstream complained. In 1893 the State ordered Danbury to build a filtration plant for treating its sewage, as an early precedent in Connecticut's water quality planning.

Since the first efforts at sewage "filtration" in 1893, Danbury's sewage treatment facilities have undergone many expansions and upgrades. However, the history is one of expansion that has outpaced improvements in treatment to protect the water quality



of the Still River and Lake Lillinonah.

There is also a long history of the Connecticut DEP's dissatisfaction with municipal sewage treatment efforts. By 1978, the Connecticut Department of Environmental Protection found the water quality of the Still River unacceptable and mere persuasion insufficient to effect change. As a result, the DEP issued a pollution abatement order to the City of Danbury with respect to its phosphorus discharges. The abatement order required the City of Danbury to take steps to reduce phosphorus discharges and to improve the water quality of the Still River from what the DEP defines as "C" quality to at least a "B" quality, and thereafter to maintain the water quality at no worse than a "B" level.

Danbury responded initially by installing temporary phosphorus removal facilities. However, in 1979, DEP issued further pollution abatement orders, requiring Danbury and Bethel to upgrade the treatment level at their sewage treatment plants. In the late 1980's Danbury planned for a major upgrade and expansion of its sewage treatment plan. Work on the project began in 1990 and upon completion in 1993, the capacity of the Danbury Sewage Treatment Plant ("DSTP") reached its present permitted discharge level of 14.5 million gallons per day. In 1993, after completing the DSTP upgrades and expansion, the City of Danbury touted the accomplishment in a brochure promoting the positive environmental role of the DSTP, entitled: *Protecting the Housatonic River Basin: Danbury's Upgraded and Expanded Water Pollution Control Plant*. While we are surely better off for the existence of the DSTP, its effluent continues to degrade the quality of the water in the Still River and Lake Lillinonah to unacceptable levels. The DSTP can and must do more to fulfill its promise as a protector of the Housatonic River Basin.

The Long History of Efforts to Study and Solve the Problem

The history of planning and formal scientific studies of Danbury's sewage treatment can be traced back at least as far as Danbury's 1960 City Plan of Development and a 1967 study of sewerage needs prepared for the city by Manganaro, Martin and Lincoln. A further study published in 1981 by Drs. Jones and Lee entitled "Impact of Phosphorus Removal at the Danbury, Connecticut Sewage Treatment Plant on Water Quality in Lake Lillinonah" found, long before the major expansion of the DSTP in the 1990's, that Lake

Lillinonah was "highly eutrophic" and received 20 to 30% of its phosphorus load from domestic wastewaters in Danbury,

In 2003, Jennifer Klug, Ph.D. of Fairfield University conducted a further study relating to the potential negative effects of proceeding with upgrades to the DSTP that focus exclusively on reducing nitrogen discharges, thus altering the ratio of nitrogen to phosphorus in Lake Lillinonah. Dr. Klug's study identified the concern that such alteration of the N/P ratio could encourage proliferation of a harmful variety of blue-green algae known as cyanobacteria in Lake Lillinonah. Further supporting this concern is an article by Val Smith, Ph.D. of the University of Kansas, published by the North American Lake Management Society. Dr. Smith recites "[e]xtensive evidence worldwide" supporting the hypothesis that nitrogen reduction without a corresponding program to reduce phosphorus can cause blooms of cyanobacteria that produce foul odors and emit toxins harmful to humans and animals. Smith, "Blue-Green Algae in Eutrophic Fresh Waters" (Lakeline, Spring 2001). Based on this evidence, Dr. Smith concludes, "it is extremely ill-advised to pursue nitrogen management strategies that remove nitrogen alone." Id.

In addition, for approximately the past four years, the Lake Lillinonah Authority has commissioned studies by its consultant, George Knoecklein, Ph.D. directed at understanding the nature of the phosphorus pollution problem in Lake Lillinonah and at identifying potential solutions. Dr. Knoecklein has conducted extensive water sampling and analysis tracking phosphorus levels from the spring through the fall months at sampling sites from the Bleachery Dam in the northern reaches of Lake Lillinonah to the Shepaug Dam and up the Shepaug River to Roxbury Falls.

We at Friends of the Lake also have commissioned studies of the issue by our consultant, Curtis Read and Larry Paetsch of Hydro-Technologies. The Hydro-Technologies studies provide compelling evidence of the DSTP's major role in causing excessive levels of phosphorus and resulting algae blooms in Lake Lillinonah. The evidence points directly to the discharge of phosphorus from the DSTP into the Still River and its eventual downstream discharge into Lake Lillinonah as the reason Lake Lillinonah passes the tipping point and experiences severe eutrophic conditions and algae blooms in the summer months. Yet, current plans to upgrade the DSTP call for spending millions of dollars to improve nitrogen reduction, while phosphorus reduction remains the subject of further study.



The Current Situation

Despite all of the efforts to address the problem, Lake Lillinonah and the Still River continue to be designated as impaired waterways by the DEP and the EPA. Further, despite the DEP's mandate that the Still River be improved to meet and maintain "B" water quality criteria, there is strong evidence that this mandate is not being met.

Does the Still River, or for that matter Lake Lillinonah, meet the DEP's definition of a "B" water quality standard? Let's review DEP's own definition of the "Class B Designated Uses" and "Class B Criteria" as stated in the DEP publication *Water Quality Standards* (available at [www.dep.state.ct.us/waterqualitystandards](#)).

"Class B Designated Uses" of a waterway are: "habitat for fish and other aquatic life and wildlife; recreation; navigation; and industrial and agricultural water supply." Id. DEP's "Class B Criteria" include the following parameters:

PARAMETER	CRITERIA
Aesthetics	Good to Excellent
Dissolved Oxygen	Not less than 5 mg/l at any time
Color	None which causes visible discoloration of the surface water outside of any designated zone of influence
Suspended	None in concentrations which would impair the most sensitive designated use; none aesthetically objectionable . . . ; shall not exceed 10 mg/L over ambient concentrations
Chemical Constituents	None in concentrations which would be harmful to designated use

It would be difficult for anyone to contend seriously that the Still River (or for that matter Lake Lillinonah) meets the above criteria, particularly in the summer months. This is so despite the fact that a DEP abatement order issued more than twenty-five years ago mandated that the Still River water quality be improved to and maintained as at least a "B" designation.

If the Still River did meet the "B" quality criteria, then its downstream discharge into Lake Lillinonah would of necessity meet those criteria as well, and the Still River would no longer be a major contributor to degradation of the water quality in Lake Lillinonah.

New Efforts and Progress Toward a Solution

Present and ongoing efforts of the Connecticut DEP, City of Danbury, the Lake Lillinonah Authority and Friends of the Lake hold out the hope that we may be able finally to make real progress on this issue of vital importance to those who care about protecting the precious natural resource known as Lake Lillinonah.

There are two significant and related areas of progress.

- First, after years of failing to include improved phosphorus removal on its list of priorities, Danbury commissioned the engineering firm of Stearns and Wheeler to conduct a feasibility study with respect to improving the phosphorus removal capabilities of the DSTP. The Stearns and Wheeler report was completed in December of last year. A summary of the report appears in this Newsletter under the heading *Pollution Update*.
- Second, the Connecticut DEP is continuing with the process to establish a legal limit, known as a "TMDL" or "Total Maximum Daily Load" of phosphorus with respect to Lake Lillinonah. The essential goal of the TMDL is to establish a total limit of phosphorus inputs that will be consistent with achieving improved water quality and will not allow the severe eutrophication and algae blooms we currently experience. The DEP has completed the data gathering aspects of this project and is in the process of completing the design of the TMDL, which is then subject to review and approval by the U.S. Environmental Protection Agency. The Stearns and Wheeler report recommends that, once the total Phosphorus limit is set, there should be further study of all "all available options for meeting the new phosphorus limit at plant capacity." The DEP has confirmed that Danbury will be issued an order to undertake such a study and that it will set an additional goal of an interim reduction of Phosphorus to 0.5 or 0.6 mg/L using either single-point or multiple-point chemical addition methods.

An article in the Brookfield Journal noted that Lake Lillinonah "has become known as the 'emerald lake' because it is covered with algae." Our goal is to make such references a distant memory and to have Lake Lillinonah known simply as the "jewel" of Northwest Connecticut. With your help, we will continue to write a new chapter in the history of Lake Lillinonah – a chapter that one day might be appropriately titled: "How Green Was My Lake."



Update on the Connecticut Housatonic River Basin Natural Resources Restoration Project (a/k/a/ the “GE Fund Projects”)

As reported in our Fall 2007 Newsletter, Friends of the Lake and the Lake Lillinonah Authority (“LLA”) co-sponsored three project proposals for restoration projects intended to improve and enhance Lake Lillinonah. The proposals were submitted in January 2007 to the Natural Resource Trustees for the Housatonic Project in Connecticut and seek a share of the settlement fund established as a result of an October 2000 Consent Decree between General Electric (“GE”) and the states of Connecticut and Massachusetts arising from GE’s release of PCB’s into the Housatonic River. The three project proposals co-sponsored by FOTL and LLA are:

- **Still River Wetland Enhancement**
- **Lake Lillinonah Sediment Control & Sand Bar Enhancement**
- **Lake Lillinonah Emergent Growth Vegetation**

A summary narrative of these proposals is available at www.housatonicrestoration.org.

From a total of 92 Restoration Project Proposals submitted to the Trustees, they selected 53, including all three of the joint FOTL/LLA proposals, as meeting the basic grant criteria and requested Supplemental Information (“SI”) submissions by June 20, 2007.

With the help of Stearns & Wheeler, LLC, environmental engineers and scientists, FOTL and LLA prepared and submitted their SI submissions by the deadline. Of the 53 SI submissions, fourteen (14) listed Aquatic Natural Resources as their primary restoration goal, twelve (12) listed Riparian and Floodplain Resources as their primary restoration category goal and twenty seven (27) listed Recreational Services as their primary restoration goal. The estimated total cost of the 53 SI submissions is almost \$36 million, including approximately \$10 million in outside funding and approximately \$26 in Natural Resources Restoration Funds. Since the funds available for Connecticut projects is limited to roughly one-half of the total GE settlement of \$15 million, plus interest, the selection process remains highly competitive.

A working group comprised of several Technical Specialists from within the Trustee Agencies and the Trustee’s outside consultants have been busy reviewing the 53 SI submissions since June. A final list of projects selected for “Detailed Analysis” – a “short list” of projects likely to be funded was just release in April of 2008.

FOTL and LLA worked in due diligence and in good faith in submitting these grant applications. All three of our projects were not included on the first “short list” from last winter. Both FOTL and LLA submitted letters and comments expressing our disappointment. We were not only disappointed in the fact our projects were not chosen but also in the fact DEP was the recipient of the majority of the projects and Lake Lillinonah was not preference over other projects. In closing, we remain very disappointed on not being included on the ‘short list of projects’.

Water Quality Update:

FOTL’s executive board continues to work closely with our consultants on Lake Lillinonah’s watershed to determine the sources of excess nutrients that negatively impact water quality. Last summer, the CT-DEP collected and tested water samples along the Still River corridor. Results confirm FOTL’s concerns that excessive nutrient loading is negatively impacting our lake, the downstream Housatonic River and eventually the Long Island Sound. FOTL’s position is that the CT-DEP needs to insist that the Danbury Wastewater Treatment Plant should implement an increased Phosphorus reduction program using “Best available Technologies” for at least nine months of the year. Recently the CT-DEP has stated their agreement with our position and is considering a reduction in the discharge levels from ‘point sources’

throughout the state. While FOTL recognizes this is not a ‘silver bullet’ to solve our excessive nutrients levels, it is a monumental step in the right direction.

The LLA has continued to secure grants from a CT-DEP program that will continue data collection and will help model a TMDL (Total Maximum Daily Load – how much nutrient inflow the lake can handle) for the lake. This coming season the LLA will continue Copper Sulfate treatments with an increased frequency in order to keep the algae blooms from reaching the prolific stage. While this is an effective method of controlling algae blooms, we remain uncertain of the long-term impact of Copper Sulfate treatments. The FOTL’s position remains that focus should be placed on reducing sources of nutrient loading which cause severe algae blooms, rather than short-term methods of killing algae. Killing algae with Copper sulfate returns the dead algae to the lake in the



form of nutrients, along with the copper sulfate.

FOTL will continue to raise awareness of water quality concerns. One method of helping would be to join our volunteer monitoring program which will help document the water quality throughout the season. FOTL has joined efforts with Professor Jennifer Klug of Fairfield University to monitor water quality criteria and the progression of algae blooms throughout the summer months. Please find the link on our website to join our monitoring program. We have also added a link on our web site for you to report problems you see on the lake. We always encourage photos and stories to help keep the CT-DEP informed of the poor conditions on Lake Lillinonah.

Another way to help would be to install a 'buffer garden' this spring along your shoreline to help reduce the nutrient runoff from your lawn into the lake. With a small amount of planning, this garden will add to the aesthetic value of your property while helping to reduce nutrients in the lake. Please contact us about our "Landscapers Resource Guide to Lake Lillinonah" for helpful guidelines for shoreline management and development. Also, if you haven't received a copy already, upon renewal of your membership you will receive FOTL's "Lake Lillinonah - Watershed Awareness and Lake Preservation" guide to help landowners protect the lake.

Danbury Sewage treatment plant

In December of 2007, Stearns and Wheler, LLC, provided a draft report to the City of Danbury in response to the CT DEP's request of Danbury to determine the costs for implementing Phosphorus removal at the Water Pollution Control Plant (WPCP) due to recent "concerns about excessive nutrients in Lake Lillinonah and the Still River." The executive summary states that "the study was not meant to be a comprehensive evaluation of all available alterna-

tives that could be used to achieve these limits, but to explore typical technologies that could be used to achieve these limits for the purpose of developing order of magnitude costs." Below are listed the four alternatives studied, and the estimates given for the costs associated with each. The current permit requires the WPCP to remove Phosphorus down to the limit of 1.0 mg/L between May and September.

ALTERNATIVE	DESCRIPTION	CAPITAL COSTS (\$MILLIONS)	FIRST YEAR OPERATIONAL & MAINTENANCE COSTS
1A, 1B	Year-round limit of 1.0 mg/L At 9.5 and 11.0 million gallons/day, achieved by single-point chemical addition	Minimal	\$1.1 to \$1.3 million
2A, 2B	Average annual limit of less than 1.0 mg/L at 9.5 and 11.0 million gallons/day, achieved by multiple point chemical addition	Minimal, plus other capital improvements required	\$1.1 to \$1.2 million
3A, 3B	Average annual low level limit of 0.2 mg/L at 9.5 and 11.0 million gallons per day, achieved by multiple point chemical addition and effluent filtration	\$32 million, plus other capital improvements required	\$1.7 to \$1.9 million
4A – 4C	Average annual low level limit of 0.2 mg/L at the plant capacity of 15.5 million gallons per day, evaluated in conjunction with three types of long-term Nitrogen removal alternatives	\$85 to \$122 million, plus other capital improvements required	\$3.0 to \$3.5 million



The above costs given do not include facility overhead costs (office, operations, maintenance staffing, heating, upkeep) or water usage costs.

The study concludes that “because the study was completed without a future phosphorus limit having been set by CT DEP, it can not make firm conclusions regarding recommendations for process upgrades.” Stearns and Wheler recommend that, once the total Phosphorus limit is set, further study should determine the long-term capacity of the plant; more study of all “all available options for meeting the new phosphorus limit at plant capacity,” and to evaluate whether modifications are required to the existing grit removal systems and alkalinity-addition processes.

The CT DEP has confirmed that the City of Danbury will be issued an order to complete long-term studies of Phosphorus

and Nitrogen removal options which incorporate population and flow projections, with the additional goal of an interim reduction of Phosphorus to 0.5 or 0.6 mg/L using either single-point or multiple-point chemical addition methods. It was reported recently in the Danbury News-Times that Danbury will commence with this study in cooperation with the CT DEP.

Friends of the Lake extends our gratitude to the CT DEP, the City of Danbury, the LLA, local elected officials and to our membership for the progress represented by this recent activity. Although the long-term solutions will be expensive and, well, long-term, we are optimistic that there are major strides being taken in the right direction towards the improvement of the water quality of not just Lake Lillinonah, but also the Still River and the Housatonic River, and eventually the Long Island Sound.

Debris Management Update:

First Power Resources (FLP) published and submitted its 2007 Debris Management Plan (DMP) Annual Report in March to the Federal Energy Regulatory Commission (FERC). The Annual Report describes debris removal activities that took place within Lake Lillinonah and is posted on the FOTL website. In 2007, FLP again aggressively undertook its DMP activities resulting in an effort that doubled last year’s amount of debris removed from Lake Lillinonah and Lake Zoar. The contractor responsible for operating the debris skimming equipment also capitalized on their 2006 experiences and doubled the daily average collection productivity. The majority of this debris collected consisted of medium to large limbless and barkless trees. Those are the trees that have been floating in the lake for multiple years. The majority of debris

removal operations were conducted on Lake Lillinonah, which captures significantly more debris than Lake Zoar.

During the 2007 season, FLP tried to improve upon monitoring the debris location and volume using GPS coordinates. It became apparent that a debris field can easily change location based on water flow, wind conditions, boater’s waves, change in water elevations, etc. They concluded that over 70% of the debris resided within a couple of miles just upstream of the dam. They also acknowledged that they underestimated the amount of debris that was submerged in the coves or trapped along the shoreline under tree branches. This became apparent during the October 2007 drawdown when the coves and shoreline became exposed. FLP monitors the program’s progress by recording the cumulative annual volume of debris removed.





Based on the results of the ongoing skimming operations and discussions with Lake advocates, FLP developed the following objectives and recommendations for the DMP for this season on Lake Lillinonah:

- Continue to comply with FERC and DMP requirements
- Continue to remove floating debris from the lake's navigable channels
- Continue to evaluate and refine the debris collection processes for improved efficiency
- Continue to use the Shepaug Dam site to temporarily store Lake Lillinonah debris
- Continue to chip Lake Lillinonah woody material at the end of the season
- Replace FLP's debris dump truck
- Overhaul the Skimmer's hydraulic drive propulsion system to maintain safe and reliable operation

- Perform debris surveys and assign a high priority to major debris accumulation locations and try to collect debris from areas further north in Lake Lillinonah
- Investigate the purchase of a litter collection pontoon boat for capturing small scattered nuisance debris

FOTL once again applauds the efforts and innovative ideas shown this past year by FLP in the removal of the floating debris from the lake. FOTL recognizes the enormous challenge that lies ahead. It is our hope that each year will bring a safer and cleaner lake with the continued removal of woody debris. FOTL will work with FLP to meet this challenge.

FOTL will be monitoring debris conditions and removal to evaluate the DMP. We need your help to:

- Document debris conditions and removal activities
- Report any debris-related conditions and removal activities
- Send letters, e-mails, photos to info@friendsofthelake.org

Hollywood Comes to Lake Lillinonah:

Filming has started on a new movie called "All Good Things" and some scenes will be filmed on Lake Lillinonah at the end of Lillinonah Drive in Brookfield during the week of April 25th. Additional scenes will be filmed in a few months during June. It is expected they will be filming a couple of days each setup. According to representatives of the film production there will be water scenes and scenes filmed at a house at the end of the road and in the nearby wooded area. This area is about a mile south of the Rte. 133 bridge. They said do not be alarmed to see actors dressed as police with guns and dogs in the area and actor divers or police boats in the water.

You may be asked to stop or detour your boat if you are on the water when they are actually filming. They advised that any delays should be minimal. The logistics of the movie also included permits, approvals and cooperation from the Town of Brookfield, State of CT DEP, and the LLA. Filming for the movie is supposed to be taking place throughout CT including Waterbury, Stamford, Greenwich, Bridgeport and Ridgefield. Some scenes are also taking place in NY and NJ.

The film is budgeted at about \$20 million and begins shooting in New York and Connecticut in April with a release date for late 2009. The film was written by Marcus Hinchey, Marc Smerling and Andrew Jarecki and is a love story and murder mystery. The background is set against a real estate dynasty in 1980s New

York. The plot centers on the scion of the dynasty (Ryan Gosling) who falls for a beautiful girl (Kirsten Dunst) from the wrong side of the tracks, who disappears. Jeffrey Dean Morgan will play a down-and-out detective who tries to uncover the truth. A detective begins to unravel a missing-persons case that looks to spell doom -- and quite possibly death -- for the heir to a New York real estate dynasty.

The notable actors in the film and associated directors and producers are:

- Ryan Gosling: "Half Nelson", 2006 Academy Award nominee
- Kirsten Dunst: "Spider Man 3", Golden Globe Award.
- Jeffrey Dean Morgan: "Grey's Anatomy" and "Accidental Husband"
- Frank Langella: "First Emperor", Golden Globe nominee
- Director/Prod.- Andrew Jarecki: "Capturing the Friedmans", Academy award nominee
- Producers- Micheal London, Bruno Papandrea, Marc Smerling



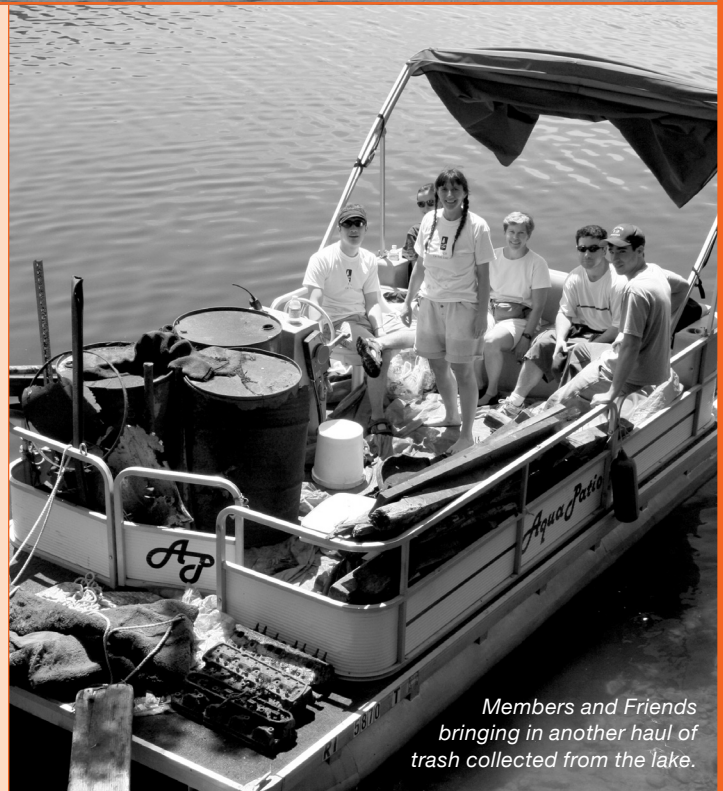
5th Annual Save the Lake Day May 31, 2008 from 9am to 1pm

Friends of the Lake is proud to announce the 5th Annual Save the Lake Day! Last year was a terrific success and we cannot wait to see you all again this year!

Save the Lake Day is a great chance for everyone to join together to help clean Lake Lillinonah of garbage and debris! All volunteers make a huge difference whether they walk the shores or take out a boat. If you can't be there – then we ask you to walk your shoreline and leave what you collect in a bag on your dock for our teams to collect.

The event will start at the Route 133 State Boat Launch in Bridgewater and supplies and food will be provided.

We encourage all of our members to spread the word and come join us. Please visit our Website at <http://www.friendsofthelake.org> or call (860) 210-8064 for more information on being a sponsor, volunteering or any questions you might have about Save The Lake Day. We look forward to seeing you and all your friends and neighbors on May 31.



Members and Friends bringing in another haul of trash collected from the lake.


Shoreline Management Plan Update

October 29, 2007, approximately one month after a public meeting at New Fairfield High School, attended by representatives of Friends of the Lake, public officials and more than 700 interested residents, the Federal Energy Regulatory Commission (“FERC”) rescinded its approval of the Shoreline Management Plan (“SMP”) as submitted by FirstLight Hydro Generating Company (“FirstLight”). Six months later, the “further action” to be taken by FERC, which was not specified at the time, remains somewhat murky. What is clear, however, is that FirstLight has no intention of voluntarily making significant changes to the SMP.

On December 12, 2007, FERC sent FirstLight a request for additional information required for its further review of the SMP. (FERC Docket No. P-2576-083; Issuance No. 20071218-0021) On January 18, 2008, FirstLight responded. (Submittal No. 20080118-5028) FirstLight’s response holds fast to its position that it is entitled to collect fees to cover its administrative costs with respect to docks and shoreline structures regardless of whether the owner claims “deeded rights” to maintain such appurtenances. FirstLight forcefully reaffirmed this position in its opposition to the City of Danbury’s motion to intervene (Submittal 20080115-5054) in which Danbury challenged the SMP process and the legal basis for imposing fees and asserted further that the

proposed fee structure was arbitrary. FirstLight responded that Danbury and all others involved in the process had been accorded due process “well beyond what is required by law.” (Submittal 20080130-5040). FirstLight further contended that each of Danbury’s objections to the fee plan was “without merit.” (Id.)

FirstLight also continues to insist that it has the right to recover legal costs incurred in enforcing the SMP and collecting fees, though it now proposes to allocate such costs “on an impoundment by impoundment basis.” (Id.) If adopted, this approach would mean that legal costs incurred by FirstLight in disputes with Candlewood Lake property owners would not be included in the Lake Lillinonah cost basis for fee recovery. Given the overwhelming outpouring of protests from Candlewood Lake property owners, this would seem to be a more equitable approach for Lake Lillinonah, where the number of shoreline docks and structures is much smaller and there is less potential for protracted battles over fees. Indeed, there has even been discussion of proposing to FirstLight the formation of a volunteer corps on Lake Lillinonah to perform the annual data collection function with respect to docks and shoreline structures, as well as the creation of a streamlined arbitration procedure to resolve disputes, so as to further reduce FirstLight’s costs and moderate the need to impose fees on Lake Lillinonah property owners. It is not known whether FirstLight would be receptive to such proposals,



however. FirstLight also proposed to lessen the burden on lake-front property owners by deferring the buffer zone revegetation requirements of the SMP. Under the revised proposal, revegetation requirements would be triggered by a sale of the property of significant changes in the property structures or uses.

FirstLight first filed the SMP with FERC in July 2006, nearly two years ago. Nevertheless, the end of the process is nowhere in

sight. The FERC docket continues to reflect numerous comments and protests filed by individuals and municipalities objecting to various aspects of the SMP. A recent inquiry to FERC established that the revised SMP and the voluminous public comments and protests remain under review by the Commission staff, with no deadline or specific date set for final action by the Commission.

The Lake Lillinonah Authority Chairman's report

The Lake Lillinonah Authority (LLA) is the official government agency representing Lake Lillinonah. The board is served by 3 appointed volunteers from each of the six towns surrounding Lake Lillinonah. The LLA works closely with town officials, Connecticut DEP, First Light and Power, and Friends of the Lake to promote safety, water quality and environmental conservation. The LLA receives about \$ 20,000 annually from each of the six towns to fund the budget, so we oversee your tax contribution. The majority of the budget is for salary and equipment for marine patrol officers. Most of the remaining budget is directed toward water quality.

The primary purpose of board members is to attend a two hour monthly meeting the first Tuesday evening of each month to approve the annual budget and to vote for LLA board officers. Board members can however, become more active by becoming members of subcommittees such as wood debris, water quality, boating and safety and other subcommittees. The LLA currently has a need for 4 volunteers. New Milford, Roxbury, Brookfield, and Newtown currently have openings, so if you care about Lake Lillinonah and want to make a difference, please advise your first selectman that you would like to be considered.

This year the LLA will be proactive in treating chronic algae blooms by treating the Lover's Leap area and the upper Shepaug branch with a copper sulfate treatment every two weeks from early July to early September. This treatment has proved effective the past few years to reduce the floating "islands" of thick disgusting algae blooms that were common late in the summer. The copper sulfate treatment will not keep Lake Lillinonah from turning greening as only phosphorous reduction can accomplish. Additionally, the LLA will chemically treat a total of 5 acres with one application in the following three areas for Milfoil reduction; the east shore below lovers leap; the mouth of Pond Brook Cove; and Barkwood Fall's Cove.

The LLA will again will partially fund with help from a Federal grant with Connecticut DEP oversight Northeast Aquatic Research

to monitor Lake Lillinonah's water quality. The good news regarding Lake Lillinonah's water quality is that testing is showing that if phosphorous inflow is reduced, we could be near the point where a substantial reduction of algae occurs. This testing is giving the Connecticut DEP the ammunition it needs to pressure end users such as Danbury WWTP to spend more on phosphorous reduction.

The LLA with the support of First Light and Friend's of the Lake will continue to fund the water level alert telephone system.

Thank you for showing an interest in improving the quality of Lake Lillinonah by being a member of Friend's of the Lake. Together with the help of LLA, we can work as a team to make a difference.

Sincerely, **Bryan Piepho** *Chairman*

2nd Annual Family Day

Friends of the Lake is pleased to host the second annual Lake Lillinonah Family Day on Saturday, August 2, 2008 from 11:30am to 2:30pm, with a rain date of Sunday, August 3rd, at the Newtown Boat Ramp.

When the FOTL was founded the mission was to not only be a vocal advocate for the protection of Lake Lillinonah, but to build a strong lake community.

The lake is a destination for a variety of activities throughout the year. The goal of Family Day is to bring together neighbors, while offering an opportunity to demonstrate the many activities available to those that love the lake and all it has to offer.

Activities to include:

BBQ (\$5 a person) • Wake Board & Ski Chair Demonstration
• Banana Boat Rides for kids and adults of all age • Kayak lessons • Rowing demonstration and lessons • Learn how to fish • and MUCH MORE...

Throughout the day there will be tents set up from a variety groups and sponsors who will have hands-on demonstrations for people of all ages.

If you are interested in more information about participating or attending please contact us at (860) 210-8064 or send an email request to info@friendsofthelake.org.



Additional FOTL Information

Friends of the Lake Anniversary Cocktail Party

Friends of the Lake Anniversary Cocktail Party will be hosting on Thursday, August, 21 from 6pm to 8pm at the home of Amy and Jeffrey Silverman in Bridgewater. This event is for members and invited guests only. Confirmed speakers to date is Connecticut Attorney General Blumenthal and two senior executives from FirstLight Power, James A. Ginnetti and Robert Gates

Invites will be send out in July, but for more information about this event please call us at (860) 210-0304

FOTL VOLUNTEER OPPORTUNITY

Our organization is 100% volunteers. To continue to grow and service our members we need volunteers to attend local events to hand out brochures and speak at community functions. If you are interested please contact us at (860) 210-8064 or e-mail us at volunteer@friendsofthelake.org.

Membership Drive

For those members that are approaching their anniversary as a member of FOTL, please look for the renewal membership form in the mail. We not only ask you to renew, but to try and increase your membership level. For those that have not joined, we encourage you to join now. As a member, you will continue to receive our newsletters, as well as our email alerts to large water level fluctuations and breaking lake news, such as chemical treatments and public forums that affect our lake today and for generations to come. Our success has been based upon our large and active membership base. A lot was accomplished since our inception in 2004 with your membership and support – let's keep up the momentum.

The Executive Board would like to sincerely thank all FOTL members for your continued support.

FOTL 2008 Funding Opportunities

FA number of companies, organizations and trusts have underwritten an FOTL program. If you or someone you know is interested please have them contact the FOTL office at (860) 210-8064. For as little as \$2,500 opportunities exist to help sponsor a program that will save and protect Lake Lillinonah. 100% of the money will go towards the program.

Student Internship Program Opportunity

The FOTL has a Student Internship opportunity available. If you know a senior in High School looking for an internship program in Marketing please have them contact the FOTL office at (860) 210-8064 or e-mail at volunteer@friendsofthelake.org.

Speaking Engagements

If you are interested in having Friends of the Lake attend an organization, neighborhood community or club, please contact us at (860) 210-8064 or email as info@friendsofthelake.org.

Friends of the Lake Alert System

Friends of the Lake has joined the Lake Lillinonah Authority and FirstLight Power alert system. This system is activated when water levels will fluctuate above normal. FOTL members have been added to this list. If you are not on this list and would like to join: Please email info@friendsofthelake.org with the following information:

- Name • Primary Phone Number
- Secondary Phone Number • Home Address

Safe Boating Certificate Classes

To legally operate any boat with an engine or motor, other than a personal watercraft, or a sailboat 19 ½ feet in length or longer, the following persons must obtain a Safe Boating Certificate (SBC):

- Residents of Connecticut
 - Owners of real property in Connecticut
 - Anyone using Connecticut waters more than 60 days in a year.
- Operators of a personal watercraft, regardless of state residency, must possess a Certificate of Personal Watercraft Operation (CPWO) to operate on Connecticut waters (from the Connecticut Boater's Guide, 2007) There are a variety of ways to fulfill the educational requirements in order to obtain a SBC or CPWO. For a listing of public classes around the State go to: <http://www.ct.gov/dep/site/default.asp>. Then navigate to "Outdoor Recreation," select "Boating," and choose the link for "Safe Boating Classes." The Sound Environmental Associates at <http://www.SeaDolphin.com> also offer classes. Classes will be starting soon in Danbury and New Milford; additionally, private classes are available. Call 1-800-510-9995 for more details. The NJ Boating Safety group also offers classes in the area for Connecticut residents. For more information, go to www.NJBoatingSafetyClasses.com. ■



Friends of the Lake

(FOTL) is a non-profit group of concerned citizens who care about the management, safety and recreational uses of Lake Lillinonah and wish to develop a lake community to encourage the continued protection of its natural beauty and wildlife. The objective is to work closely with the Lake Lillinonah Authority, elected officials and residents of the bordering towns to increase awareness, foster stewardship and solicit additional funding for prioritized projects in order to reduce debris and pollution so that we may protect and maintain the quality of Lake Lillinonah now and for future generations.

