

ROGERS LAKE AUTHORITY
MINUTES OF THE MEETING OF MARCH 22, 2005

A meeting of the Rogers Lake Authority (RLA) was convened at the Rogers Lake Community Center on March 22, 2005 at 7:00 PM. The following members were present; Fredrik Holth, and Elizabeth Sunshine (secretary) of Lyme, and Roger Breunig, Brian Kyle, and Richard Smith of Old Lyme. Approximately 15 lake area residents were in attendance.

The RLA Chair, Fredrik Holth, called the meeting to order at 7:05 pm. The Minutes of the January 11 meeting were passed out and approved. The RLA Chair outlined the agenda for the meeting.

AGENDA

1. Approval of minutes of past January 11, 2005 meeting.
2. Discussion of Navigational and police patrol activity.
3. Letter to town residents RE enforcement.
4. Aquatic weed control measures.
5. New business.

The Water Pollution Control Authority (WPCA), of which Roger Breunig is a member, held a meeting in February out of which came a letter addressed to the RLA discussing their opinions on herbicide application in Rogers lake a copy of this letter is attached as appendix A

A response to the Water Pollution Control Authority's letter was sent. A copy is attached as appendix B.

In the response was an invitation to the WPCA meet on Tues March 22, 2005 at 4:00 pm at the Old Lyme Town Hall with the two towns' selectmen and members of the board of finance a member from the WPCA and RLA to discuss and clarify any future actions on this question.

This meeting, was held at 4:00 pm today, and attended by the First Selectmen from both towns, members of the finance boards, Fred Holth as a member of the RLA and Roger Breunig who is a member of the RLA and WPCA.

The RLA Chair Fred Holth gave a summary of the 4:00 meeting:

All were concerned with the question of the method that will finally be adopted. It seemed to be the consensus of those present, that a continuing dialogue on this issue and further meetings are in order. One of the background issues was whether or not the support would generally be there on the part of town officials since this is a single lake in the two towns for the benefit of the people living around it. They seemed to wholly endorse the idea of not simply exploration but a meaningful commitment of the management of the lake weed situation on an ongoing basis. The plan that was discussed looked to a 3 year budgeting process. Alternative except dredging or draw down, involved multiple year ongoing financial commitment. So we are truly looking at a budgetary commitment that is not just for one year but for a number of years, which warrants additional exploration of alternatives.

The RLA Chair noted that we have passed the time that any weed control activity for the forthcoming summer could be reasonably budgeted. Any weed management budgeting at this point would be for the year 2006 at the earliest.

In the past, the only weed management ever attempted on the lake was Hydro Raking which had been done by individuals with the approval of the RLA.

As was mentioned in the January meeting, Aquatic Control Technology (ACT) was going to send application for Hydro Raking for individuals to complete should they chose to privately engage and hire ACT to clear their own waterfront. The applications however, requests that the checks be made out to the Rogers Lake Authority, which in turn puts the RLA in a position of a contracting party which we cannot do given that the RLA is not a 501c3. The RLA may be able to act as an escrow agent for multiple residents and hold and distribute checks made out directly to the contracting party.

The RLA could then help residents in applying to wetlands under a blanket wetlands request.

The RLA Chair discussed the need for information disbursement to local residents with a blanket mailing re:

1. Availability of Hydro raking this summer
2. There will be enhanced enforcement of the 135 hp limit this year.
3. There will be someone stationed at the boat launch on weekends to screen incoming boats to explain operational constraints around the lake

A resident noted that he sent an e-mail to the firm that had done the Hydro-raking here the last time. (Pete Brivera out of MA) He stated he did not get a response yet but he believed that they were interested in providing the service again or at least bidding on the service.

It was decided that Pete Brivera would be contacted and invited to the June meeting A member of ACT will also be invited to the June meeting, possibly with members of other Connecticut lake authorities.

In the meantime, applications of those interested in Hydro raking will be accepted by the RLA in order to prepare an application to the wetlands commissions of both towns. Hydro raking should run approximately \$165.00 per hour with a minimum of 2 hrs per property.

A resident had a question about inland wetlands concerns may be?

RLA chair stated that he was on the wetlands commission for 23 years in Lyme and the commission tends to have a concern when there is a global reversal of aquatic foliage or plant life. The boards desire to balance selective weed management with access or a swimming area recreational use, are both equally important.

A resident asked if the zoning board would be requiring permits for Hydro raking.

The RLA chair responded that the RLA would act to receive applications from any interested parties and coordinate all the individual applications into a group application before the board and hopefully they would approve the process for everyone interested at one time so any limitations would be equal over all the applications.

A resident asked if there was any obvious difficulties in getting a permit?

Rodger Breunig replied that one of the difficulties with the Hydro raking itself is that in the process of removal the milfoil gets fragmented and not all of the fragmented pieces can be collected for extraction.

RLA Chair noted that one of the recommendations that had come up almost annually in the past was to cut the weeds to provide a clear channel rather than Hydro raking. Mowing may be a sub-optimal solution to maintaining a clear navigational channel by purchasing a machine and funding for its use in a cutting type scenario as opposed to Hydro raking.

The RLA Chair reiterated that all weed management options are on the table and open for discussion and further exploration. That it is the purpose of the RLA to be transparent and openly discuss all options with residents, and that the RLA does not have any preconceived direction of any one option over any other.

The RLA Chair read a letter he had received addressed to the Board of Finance, the town Selectman and the RLA chair. This letter in summary requested that since town funding had been used to pay for the expert testimony of ACT regarding the safety of the herbicides proposed to be used in Rogers Lake, that there should be some funding set aside to provide expert witness to give opposing views. In such a significant matter, the town's people have a right to hear both sides of this issue.

In the discussion of this request in the 4:00 meeting as was pointed out at the last meeting; ACT was not brought in as a contractor to do weed abatement directly but rather to perform the studies and whatever methodology we decide to use is open to bid by the town's procurement procedures. During our discussion of this request today, there did not seem to be support for the retention of another expert to provide contravening testimony to the study that has already been presented. It is the raw data of that study, as opposed to the recommendations of abatement, that is propelling forward the idea of weed control to begin with and until a firm recommendation evolves from this group as to a method or a focus on a method it was thought to be duplicative to have another expert on board.

Roger made a suggestion; that at the meeting we are holding in June we should invite other lake authorities in order to hear their first hand experiences with using various methods of weed control so that there could be a full understanding from the public standpoint. Many of these other authorities have web sites that can be accessed to obtain additional information. The DEP website had a detailed list.

The hope is that the June meeting, given that it is being held in the summer and on a weekend, will attract a larger group of people having a meaningful discussion on the options available. As such there may be a tilt more of in opinion in one direction or another giving the RLA a direction to head. The last two meetings polls have been approx 50/50 split on whether to implement any weed control and although we know you can never have 100% agreement on an issue it is hard for the RLA to endorse any action with such an even split.

A resident asked if there would be any decisions made at the June meeting about going forward with the use of pesticides in the lake?

The RLA chair responded that the June meeting would be an open forum for education and used to get a sense of which direction the RLA should head.

The RLA Chair read a draft of a letter that is intended to be distributed to residents of Lyme and Old Lyme living around the lake. This letter will also be published as a press release in the local paper. In summary the letter addressed the 135 HP limits on the lake and that they would be strictly enforced this year. This draft will be adjusted to include information about Hydro raking availability and the June meeting and sent out ASAP.

A resident asked if the state has any liability with regards to the boat launch and keeping the channel clear?

The RLA Chair responded that this exact question came up in the earlier meeting and that he believed that the state should bear a significant portion of the responsibility at very least for the lake access or boat launch area. He also stated that acquiring funding there could be a bootstrap to future funding for other lake requirements.

The optimal solution is of course dredging until you look at the math involved. At about \$150.per sq/yd It runs about 2.5 million dollars to remove 10 acres of material to a depth of 15 feet (a level where weeds won't grow.) There may be a possibility to reduce the cost of dredging if the material that is good bank washed gravel that can in turn be sold.

The idea of a draw down was discussed, in order to remove the vegetation , possibly drinking water could be supplied to those with shallow wells during the operation, this may cause problems with the department of fisheries as drawdown tend to kill off nesting or breeding areas of some species. At this point many ideas are being explored.

A discussion of the dredging of Gorton Pond ensued with notable items that Gorton Pond is much smaller and less used by the general public than Rogers Lake and was partly funded by the state and much of the dredging was done by the National Guard.

NEW BUSINESS:

Application of Earl and Melodie Peters:

Requesting to expand their existing dock to an above water fixed dock 16 x 16 at their primary residence at 25 Osceola Trail.

After discussion the response was that the RLA was not opposed to a fixed dock but recommended that the Peters explore floating dock options given the propensity for damage to fixed structures with the annual ice flow.

LAKE ENFORCEMENT

Of recent years the lake has had little enforcement of its established rules. This was partly because our "Lake Police" were striped of their ability to "enforce" the lake rules and were given titles of "Lake Monitor."

A "Lake Monitor" can only call the police. Therefore, we have had to go in a different direction for lake enforcement. We have had to budget for police officers to patrol the waters of Rogers Lake. These officers will be stationed on the lake for rigid enforcement of the horsepower limit and have full authority to ensure that all boating regulations are being abided by, navigational lighting, proper safety and flotation devices onboard, BWI, etc. The only Horse power exception has been during a fishing tournament when the state actually has a waiver of HP limits on any lake during the time frame of that tournament.

The next meeting is scheduled for June 25, 2005 at 10:00 am at the Rogers Lake Community Center.

Motion to Adjourn at 8:14 motion seconded and moved.

Respectfully submitted,

Elizabeth Sunshine
Secretary