

ROGERS LAKE AUTHORITY
MINUTES OF THE MEETING OF September 13, 2005

A meeting of the Rogers Lake Authority (RLA) was convened at the Rogers Lake Community Center on September 13, 2005 at 7:00 PM. The following members were present: Fredrik Holth, Walter Buck, Rob Roach and Elizabeth Sunshine (secretary) of Lyme, and Roger Breunig, Brian Kyle, and Richard Smith of Old Lyme. Also noted in attendance were: Old Lyme First Selectman, Tim Griswold and approximately 110 lake area residents.

The RLA Chair, Fredrik Holth, called the meeting to order at 7:05 pm. The Minutes of the June 25th meeting were read. After discussion the minutes were approved with a correction that the number of plant species noted in Rogers Lake may be a typo.

AGENDA

1. Approval of minutes of past June 25, 2005 meeting.
2. Aquatic weed control measures.
3. Presentation of guest speakers from the Commission for the Health of Rogers Lake.
4. Ballot vote on weed control needs and possible use of herbicides.
5. New business.

The Chair presented a chart representative of the DEP's evaluation of emergent vegetation which extends from the upper basin to the lower basin of the lake and is characterized as tape grass, water wheat, water mill foil, naiad, bladder wart, and green algae. Yellow water lily, white water lily, primary infestation is mixed vegetation of millfoil and water lilies.

The RLA Chair inquired as to how many residents present were suffering from short flow in their wells by a show of hands. There were 14 respondents.

Discussion ensued with regarding the fact that the town of Old Lyme has conceded responsibility for Authority to handle the flood gates to Dick Smith.

Roger commented that his and Charlie Larson's calculations of the amount of flow by at the dam. "After several measurements, we came up with an average, and in round numbers it looks like about a million gallons per day. There is other leakage" (under the sluice) "that we were not able to capture."

Old Lyme First Selectman, Tim Griswold, commented on securing an engineering bid for evaluating the dam repairs. The Jacobson Associates preliminary assessment yielded a bid of \$68,000.00. That includes doing the work to evaluate what's wrong with the dam, and also considering the information on the building of a fish ladder. The Board of

Selectmen wanted to get estimates from other engineering firms, which is in process. This process should be complete by mid October. Hopefully, there will be a selection of the engineer in October and a contractor by this time next year.

The Chair introduced Rob Young who presented on behalf of Maureen Plumleigh, Chairman of the Committee for the Health of Rogers Lake.

“We are dedicated to a program of education, information, and behavior modification, which will result in a long term, long lasting, reduction in the basic causes of weed growth. The Committee is firmly opposed to the application of herbicides to Rogers Lake.”

Mr. Young introduced another speaker: Sarah Humpries who indicated that the opposing position “held by the Committee for the Health of Rogers Lake is not representative of the Rogers Lake West Shores Association Board of Directors or all its members. Our fundamental goal is to have a clean safe lake for everyone to enjoy. And, I believe that ultimately that is what we all want. At the last Rogers Lake Authority meeting, (sought) permission to offer an opposing view (to) Mr. Smith’s endorsement in the application of Diquat, and that is why we are here tonight. We thank the authority for the opportunity to share our information with you all.”

Mr. Young continued: “We planned to have Dr. Clayton Penniman present. He is a highly respected authority on water ecology, a professor at Connecticut College, and author on articles on the subject of herbicides and water. His teaching schedule prevents him from being here tonight, however, he has sent his information for our presentation tonight. Dr. Karl Goldkamp is here this evening. He is a naturopathic physician, an author and specialist in the area of environmental medicine. He will have information relative to our community and pesticides. We have also received a statement from Mr. George James, Acting Chair of the Old Lyme Water Pollution Control Authority.”

Mr. Young quoted information from (an article) submitted by Dr. Penniman.

“This is an aquatic variable herbicide alert by the Toxics Action Center in Wesley, Massachusetts. Certain Vendors are approaching Lake and Pond Associations advocating herbicide use as a method of choice for controlling nuisance and invasive weeds in water bodies. These vendors are not revealing the health risks involved with pesticide use and are making misleading claims about the safety, characteristics, and endorsements of their products. The most serious misleading statements involve understanding the health risks, environmental effects, and persistence of the chemicals; falsely linking the EPA registration with safety and non-cancer causing status.

They recommend that we never accept the material presented by a vendor on the health and environmental effects of an herbicide without verifying it with an independent authority.

Although the EPA does allow registration and the restricted use of pesticides, they do not encourage their use. The registration of a product by the EPA does not imply that it is safe. As a matter of fact, there are 36 EPA registered pesticides which are in fact cancer causing. The EPA states ‘All pesticide use creates some risk of harm to animals, humans and the environment. Pesticides should not be used as a repeated or long term method of controlling invasive weeds in ponds and lakes.’

Diquat poses health and environmental risks and provides only temporary relief of weed problems. They do think that Diquat is a non-selective herbicide that may present a danger

to non-target plants. ‘Swimming, fishing, and watering of domestic animals should not be allowed for at least 14 days after the application of the herbicide.’

“The US General Accounting Office found that the pesticide industry continues to make prohibited claims that its products are safe and non-toxic. Use of herbicides involves chemicals with both known and unknown environmental and health risks. These add to the risk imposed by the many chemicals we as citizens are exposed to everyday. Children are particularly susceptible... and even a small amount of exposure can have an irreversible effect lasting a lifetime. Finally, pond weed treatment should not be considered until implementation of a watershed management program is in effect.”

Mr. Young introduced Kim Matarese who delivered Dr. Penniman’s conclusions as to the above information as it pertains specifically to Rogers Lake.

Mr. Young introduced Sarah Humpries again, who presented a message from Mr. George James, Acting Chair of the Old Lyme Water Pollution Control Authority. Mr. James shared his thoughts of “A Yearly Cycle” of leaf sediment, silt deposits, and the effects of outboard motors on the fragmentation and spreading of weeds. He suggested some alternative means to deal with the weeds: private owner property maintenance, raking/pulling, divers, dredging (with possible sale of the material to offset the expense), among others. Furthermore, he suggested researching grant funds that may be available to maintain the lake as a valuable natural resource.

Mr. Young introduced Dr. Goldkamp who spoke further on the effects of Diquat. He explained the half life of the active ingredients and the characteristics of decomposition and health risks of herbicide use. He suggested a link between the water in Lyme and the high incidence rate of breast and prostate cancers. (Department of Public Health website)

Mr. Young concluded that there is enough information to cast reasonable doubt on the health and safety claims of Diquat and condemned its use in Rogers Lake. “No decision should be made by the RLA that places the public’s health and wellbeing in jeopardy.”

The Chair commented about the concerns of the RLA that those whose opinions were shared were not present to answer any questions regarding their opinions (with the exception of Dr. Goldkamp) nor did they convey their level of expertise in the field of aquatic herbicide application. He stressed that the presentations may or may not be authoritative and the validity should be questioned.

Roger Breunig expressed concern that the views presented in the letter written by Mr. James Jr. were not representative of the entire Old Lyme Water Pollution Control Authority as inferred.

The Chair continued that upon receipt of the letter presented at the last meeting, he extended invitation to Mr. James Jr. to discuss his concerns. There was no response to that invitation other than the letter presented by the HRL.

The Chair opened the floor for questions:

Roger Breunig inquired as to the generality of the information presented. He stressed the importance of following the application instructions to avoid the health and safety risks discussed. He acknowledged an alteration in the time limits to exposure.

Dr. Goldkamp commented on the lack of direct studies on endocrine disruption because the tests are run by manufacturers and not independent parties.

Discussion ensued about the toxicity levels. The MSDS sheet states that Diquat is lethal to fish and wildlife at 225-240 ppm.

Washington State website was mentioned as a resource of information on Diquat.

The Chair reiterated that there has been no commitment on the part of the RLA to apply herbicides. The meetings serve as a forum to evaluate the options.

The introduction of Grass Carp fish was brought up as a possible alternative, however the state will not permit them in public access lakes. Discussion ensued.

Walter Buck, board member, stressed that no decision has been made at the time of the meeting. The information both pro and con must be evaluated logically to bring about a risk informed decision.

Rob Roach updated his evaluation of the size of the effected areas to 200 acres and acknowledged the need for more chemicals to affect the problem.

State Funding was mentioned. Draw Down is not allowed by the state.

The Chair called for a vote of those present as to their vote on the following:

The ballots were given out and read as follows:

I SUPPORT: WEED CONTROLS YES NO HERBICIDE USE YES NO
ALTERNATIVE CONTROL _____

120 signatories in favor of Diquat were collected previous to the RLA meeting and submitted to the chair.

One of the residents spoke about the possibility of dredging and stated that the \$3.5 million cost is worth it to preserve the natural resource of Rogers Lake.

Comments were made about chemicals possibly getting in their wells. The comment was answered by a statement that per the DEP, there has not been any Diquat found in wells ever.

Comment was made that Per EPA website the ban in Denmark was Paraquat, not the chemical proposed here, and that individuals should evaluate information to make informed decisions, not just rely on the information presented by others. People need to find out what the actual science is, as opposed to what was opinions presented.

A comment was made that Diquat bonds irrevocably to the soil and will not be dissipated through the 260 acre lake water. It will be tied up in the sediments of lake.

A response was made that the sediment is then stirred up by children playing and swimming and motors from recreational boats and wave action.

The comment was made that once the chemical is put into the lake there is no way to get it out.

The Chair stated that the RLA board does not make the decision to put chemicals in the lake. It could only make an application, the DEP evaluates the safety issues history and use of the chemicals and makes the decision.

Open forum discussion followed on the pros and cons of herbicide as a weed management form.

At the end of the meeting, the ballots were collected for tabulation. The results will be published.

The next meeting is scheduled for November 1, 2005 at 7:00 pm at the Rogers Lake Community Center.

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

Respectfully submitted

A handwritten signature in purple ink, appearing to read "Elizabeth Sunshine", is enclosed in a light gray rectangular box.

Elizabeth Sunshine