

Proposed Amendment to  
RCSA Section 15-121-B16  
to  
Lengthen the Waterskiing Season on Wyassup Lake,  
North Stonington

## HEARING OFFICER'S REPORT

Public Notice: January 15, 2013  
Public Hearing: February 15, 2013  
Close of Comment: March 1, 2013

Prepared by:

Boating Division  
Eleanor C. Mariani, Director  
Bureau of Outdoor Recreation  
Connecticut Department of Energy and Environmental Protection  
P.O. Box 280, 333 Ferry Road  
Old Lyme, CT 06371

(860) 434-8638 – telephone  
(860) 434-3501 - fax

28 May 2013

Proposed Amendment to RCSA Section 15-121-B16  
to  
Lengthen the Waterskiing Season on Wyassup Lake, North Stonington

**HEARING OFFICER'S REPORT**  
**28 May 2013**

**Introduction**

In January 2013 the Department of Energy and Environmental Protection proposed to amend the Regulations of the Connecticut State Agencies Section 15-121-B16 entitled "Vessel restrictions on state-owned lakes and ponds" to extend the waterskiing season on Wyassup Lake, North Stonington.

**Background**

The amendment was proposed at the request of the Wyassup Lake Improvement Association (WLIA), which via written communication received October 12, 2011, opined that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLIA conducted an informal survey in which over forty persons, including the First Selectman, agreed with the proposed change and three disagreed. The DEEP Boating Division did not object to the proposed change and agreed to propose the change to allow for this increased recreational boating opportunity.

Under the proposal, the waterskiing season identified in the existing regulation was to be amended from "June fifteenth to the Sunday following Labor Day" to the Saturday preceding Memorial Day to the Sunday following Labor Day, thereby extending for two or three weeks the season in which waterskiing is allowed on Wyassup Lake (Appendix A).

This change was not expected to have a fiscal impact to the municipality or to the State. In addition, no adverse impact to small business was anticipated.

Notice of the proposed change was published in the Connecticut Law Journal on January 15, 2013 (Appendix B). Such notice is required by law under Connecticut General Statute Section 4-168. Notice of the public hearing was placed in the North Stonington Town Hall. Although not required by law, a newspaper advertisement, announcing the proposed change and notifying residents of a public hearing on the matter was published in *The Day*, prior to the public hearing. The public hearing was held on February 15, 2013. The public comment period was held open until March 1, 2013 to ensure input from a greater number of people.

**Public Comment**

A total of 15 people spoke at the public hearing; 13 in support of the proposal and 2 opposed to the proposed extension of the waterski season. By the end of the comment period, a total of 28 persons had commented in favor of the proposal with 28 comments against (Appendix C). In some cases, proponents and opponents claimed to represent additional numbers of people who supported their side and suggested that their comment was representative and should be

weighted accordingly. Since there is no way of knowing how to fairly assess and weigh such claims, I have only considered input from those who commented either orally at the hearing or in writing under their own signature.

Those in support of the measure cited the shortness and unpredictability of the existing season, and the desire to make and share memories with visiting family over the Memorial Day weekend. They also argue claims made by opponents regarding existing erosion and sedimentation issues are exaggerated. Those against the extension of the season cited the disturbance of serenity and possible environmental impacts, focusing on possible increased erosion and potential impact to wildlife in a fragile Spring-time environment. Noise from the activity and increased water pollution from marine engines were cited. Some opponents to the extended season brought up the safety of swimmers and lack of law enforcement patrols. Others questioned the statewide impact of allowing one lake under Section 15-121-B16 of RCSA to expand the water ski season. In addition, questions were posed about the hearing process itself and valuable comments were made.

**Hearing Officer's Recommendations**

I have reviewed oral comments received at the public hearing and written comments. No clear popular support exists for extending the waterski season on Wyassup Lake. Therefore, I recommend that the Commissioner of Energy and Environmental Protection deny this proposal to amend Section 15-121-B16 of the RCSA at this time.

6/3/13  
Date

  
\_\_\_\_\_  
Eleanor C. Mariani  
Designated Hearing Officer  
Director, DEEP Boating Division

# Appendices

Appendix A	Proposed Regulation
Appendix B	Public Notice
Appendix C	Public Hearing
Appendix C.1	Public Hearing Miscellany
Appendix C.2	Public Comment*
Appendix D	NDDB Letter

\*Access to video and audio public comment is available by request. Requests can be made by regular mail to Boating Division, P.O. Box 280, Old Lyme, CT 06371; by telephone, at 860-447-4354, or by email to [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov). Requests should be made to the attention of Tim Delgado.

# APPENDIX A

## PROPOSED REGULATION

R-39 Rev. 03/2012  
(Title page)

**IMPORTANT:** Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut  
**REGULATION**  
of

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NAME OF AGENCY

Department of Energy and Environmental Protection

---

**Concerning**

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SUBJECT MATTER OF REGULATION

Wyassup Lake Waterskiing Season Extension

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*(effective from passage)*

**Section 15-121-B16 of the Regulations of the Connecticut State Agencies is amended to read as follows:**

(a) Motorboats shall not be operated at a speed in excess of eight miles per hour and no person shall water-ski or operate a vessel towing a water-skier on the following state-owned lakes and ponds unless specified in subsection (b) of this section:

- (1) Amos Lake, Preston;
- (2) Avery Lake, Preston;
- (3) Babcock Pond, Colchester;
- (4) Beachdale Pond, Voluntown;
- (5) Beseck Lake, Middlefield;
- (6) Burr Pond, Torrington;
- (7) Dooley Pond, Middletown;
- (8) Eagleville Lake, Coventry and Mansfield;
- (9) Gorton Pond, East Lyme;
- (10) Halls Pond, Ashford and Eastford;
- (11) Hatch Pond, Kent;
- (12) Higganum Reservoir, Haddam;
- (13) Holebrook Pond, Hebron;
- (14) Hopeville Pond, Griswold;
- (15) Mono Pond, Columbia;
- (16) Morey Pond, Ashford and Union;
- (17) North Farms Reservoir, Wallingford;
- (18) Park Pond, Winchester;
- (19) Pataconk Lake, Chester, and in addition, the use of internal combustion engines is prohibited during the months of July and August;
- (20) Pattagansett Lake, East Lyme;
- (21) Pickerel Lake, Colchester and East Haddam;
- (22) Powers Lake, East Lyme;

- (23) Silver Lake (Peat Works Pond), Berlin and Meriden;
- (24) Tetreault Pond, Killingly; and
- (25) Winchester Lake, Winchester[; and].
- (26) [Wyassup Lake, North Stonington.]

(b) Notwithstanding the provisions of this section, between the hours of 11:00 a.m. and 6:00 p.m. from June fifteenth to the Sunday following Labor Day, inclusive, motorboats on Amos Lake, Beseck Lake, Pattagansett Lake, Pickerel Lake[, Wyassup Lake] and Silver Lake may be operated at speeds in excess of eight miles per hour and persons may water-ski or operate a vessel towing a water-skier. [With respect to Wyassup Lake, however, no person shall water-ski or operate a vessel towing a water-skier between the islands and the east shore.]

(c) No person shall use and no owner shall allow the use of an internal combustion engine to propel a vessel on the following state-owned lakes and ponds:

- (1) Bigelow Pond, Union;
- (2) Bishops Swamp, Andover;
- (3) Black Pond, Meriden and Middlefield;
- (4) Breakneck Pond, Union;
- (5) Brewster Pond, Lebanon;
- (6) Crystal Lake, Middletown;
- (7) Green Falls Reservoir, Voluntown;
- (8) Griggs Pond, Woodstock;
- (9) Hampton Reservoir, Hampton;
- (10) Horse Pond, Salem;
- (11) Howells Pond, Hartland;
- (12) Huntington State Park Ponds (all waters within the boundaries of Collis P. Huntington State Park), Redding and Bethel;
- (13) Messerschmidt's Pond, Deep River, Westbrook;
- (14) Millers Pond, Durham;
- (15) Pine Acres Lake, Hampton;
- (16) Ross Pond, Killingly;
- (17) Savin Lake, Lebanon;
- (18) Stillwater Pond, Torrington; Wauregan Reservoir, Killingly; and
- (19) Wintergreen Lake, Hamden.

(d) No person shall use and no owner shall allow the use of an internal combustion engine or an electric motor on the following state-owned lakes and ponds:

- (1) Barber Pond, Bloomfield;
- (2) Beaver Brook Pond (Bibbins Pond), Windham;
- (3) Dodge Pond, East Lyme; and
- (4) Mohawk Pond, Cornwall and Goshen.

- (e) Except as otherwise specified herein, no person shall use and no owner shall allow the use of a vessel on the following state-owned lakes and ponds:
- (1) Barber Pond, Bloomfield. Provided that from May sixteenth to October thirty-first, manually propelled vessels may be used;
  - (2) Beaver Brook Pond (Bibbin Pond), Windham. Provided that from May sixteenth to October thirty-first, manually propelled vessels may be used;
  - (3) Black Rock Pond, Watertown;
  - (4) Day Pond, Colchester;
  - (5) Gay City Pond, Hebron;
  - (6) Mad River Impoundment, Winchester;
  - (7) Schreeder Pond (Chatfield Hollow Pond), Killingworth; and
  - (8) Wharton Pond, Wallingford.
- (f) The following additional restrictions shall apply:
- (1) Beach Pond, Voluntown. No person shall water-ski and no person shall operate or allow the operation of a motorboat which is towing a water-skier in the narrow area from the dam east eight hundred feet to the mouth of said narrow area. At the discretion of the commissioner the eastern end of this restricted area may be marked with a regulatory buoy;
  - (2) Gorton Pond, East Lyme. The operation of personal watercraft as defined in section 15-140j of the Connecticut General Statutes, is prohibited;
  - (3) Pachaug Pond, Griswold. No person shall water-ski and no person shall operate or allow the operation of a motorboat which is towing a water-skier in the narrow area from the dam one thousand feet southeast to the mouth of said narrow area. At the discretion of the commissioner the southeastern end of this restricted area may be marked with a regulatory buoy; and
  - (4) Somersville Mill Pond, Somers. No person shall operate a motorboat at a speed in excess of six miles per hour and no person shall water-ski or operate a vessel towing a water-skier.
- (g) Motorboats shall not be operated on Wyassup Lake, North Stonington, at a speed in excess of eight miles per hour and no person shall water-ski or operate a vessel towing a water-skier, except between the hours of 11:00 a.m. and 6:00 p.m. from the Saturday preceding Memorial Day to the Sunday following Labor Day, inclusive. No person shall water-ski or operate a vessel towing a water-skier between the islands and the east shore at any time.

R-39 Rev. 03/2012  
(Statement of Purpose page)

### **Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*

Under this proposal, the waterskiing season identified in the existing regulation amended from "June fifteenth to the Sunday following Labor Day" to the Saturday preceding Memorial Day to the Sunday following Labor Day, thereby extending the season in which waterskiing is allowed on Wyassup Lake (North Stonington) and in which the operator of a motorboat may exceed eight miles per hour.

The amendment is proposed at the request of the Wyassup Lake Improvement Association (WLIA), which opines that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLIA conducted an informal survey in which over forty persons agreed with the proposed change and four disagreed. Among those who agreed with the proposed change was the First Selectman. The DEEP Boating Division does not object to the proposed change.

There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.

**APPENDIX B**

**PUBLIC NOTICE**

## ADMINISTRATIVE REGULATIONS

*Regulations and notices published herein, pursuant to General Statutes Sections 4-168 and 4-173, are printed exactly as submitted by the forwarding agencies. These, being official documents submitted by the responsible agencies, are consequently not subject to editing by the Commission on Official Legal Publications.*

*A cumulative list of effective amendments to the Regulations of Connecticut State Agencies may be found in the Connecticut Law Journal dated January 1, 2013.*

### DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

#### Notice of Intent to Amend the Boating Safety Regulations to Lengthen the Waterskiing Season on Wyassup Lake, North Stonington

The Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of his intent to amend Section 15-121-B16 of the Regulations of the Connecticut State Agencies to lengthen the waterskiing season on Wyassup Lake, North Stonington. This amendment is being proposed under the authority granted to the Commissioner in Connecticut General Statute Section 15-121(b)(11) and pursuant to a petitioned request for the subject action.

**Statement of purpose:** Under this proposal, the waterskiing season identified in the existing regulation will be amended from “June fifteenth to the Sunday following Labor Day” to “the Saturday preceding Memorial Day to the to the Sunday following Labor Day”, thereby extending the season in which waterskiing is allowed on Wyassup Lake (North Stonington) and in which the operator of a motorboat may exceed eight miles per hour (Regulations of the Connecticut State Agencies Section 15-121-B16).

The amendment is proposed at the request of the Wyassup Lake Improvement Association (WLIA), which opines that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLIA conducted an informal survey in which over forty persons agreed with the proposed change and four disagreed. Among those who agreed with the proposed change was the First Selectman. The DEEP Boating Division does not object to the proposed change.

There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.

All interested persons are invited to submit comments on the proposed amendment to the Department of Energy and Environmental Protection (DEEP), Bureau of Outdoor Recreation, Boating Division, P.O. Box 280, Old Lyme, CT 06371. All comments should be directed to the attention of Timothy Delgado and must be received by 4:00 PM on March 1, 2013. Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov).

In addition to accepting written comments, DEEP will also hold the public hearing described below. The Commissioner requests that any person giving oral comment at the hearing also submit a written copy of such comments.

PUBLIC HEARING  
February 15, 2013 at 6:30 PM  
Old Town Hall  
40 Main Street  
North Stonington, CT 06359

Copies of the proposed amendment are available for public inspection during normal business hours and may be obtained from Timothy Delgado at the Bureau of Outdoor Recreation, Boating Division, 333 Ferry Road, Old Lyme, Connecticut, 06371. The same documents will be posted on DEEP's website at the following location:

[http://www.ct.gov/dep/cwp/browse.asp?a=2586&depNav\\_GID=1511](http://www.ct.gov/dep/cwp/browse.asp?a=2586&depNav_GID=1511)

For additional information, contact Timothy Delgado of the Boating Division at (860) 447-4354 or [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov).

DEEP is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act, DEEP makes every effort to provide equally effective services for persons with disabilities. Individuals with disabilities who need this information in an alternative format, to allow them to benefit and/or participate in DEEP's programs and services, should call 860-424-3035 or e-mail the ADA Coordinator, at [deep.aoffice@ct.gov](mailto:deep.aoffice@ct.gov).

Persons who are hearing impaired should call the State of Connecticut relay number 711. Requests for accommodations must be made at least two weeks prior to the program date.

This notice is required pursuant to Connecticut General Statute section 4-168.

/s/Daniel C. Esty

January 3, 2013

\_\_\_\_\_  
Daniel C. Esty  
*Commissioner*

\_\_\_\_\_  
Date

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

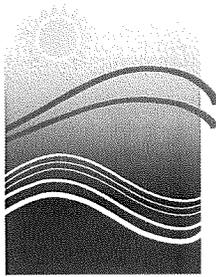
**Notice of Availability of Revised List of Municipalities Exempt from the Affordable Housing Appeals Procedure**

In accordance with C.G.S. 8-30-g and as a result of an appeal by a municipality, the Department of Economic and Community Development (DECD) has revised the list of municipalities that are exempt from the affordable housing appeals procedure and those municipalities that are not exempt. This revised list is effective retroactive to July 1, 2012. A copy of this list is available on the agency website at [www.decd.org](http://www.decd.org). For additional information please write to Michael Santoro, Community Development Specialist, Office of Housing and Community Development, DECD, 505 Hudson Street, Hartford, CT 06106 or call him at (860) 270-8171.

APPENDIX C

PUBLIC HEARING

## Appendix C.1 – Public Hearing Miscellany



Connecticut Department of

**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

Daniel C. Esty, Commissioner

**Notice of Intent to Amend the Boating Safety Regulations to Lengthen the Waterskiing Season on Wyassup Lake, North Stonington**

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**Statement of Purpose:**

Under this proposal, the waterskiing season identified in the existing regulation will be amended from "June fifteenth to the Sunday following Labor Day" to "the Saturday preceding Memorial Day to the to the Sunday following Labor Day", thereby extending the season in which waterskiing is allowed on Wyassup Lake (North Stonington) and in which the operator of a motorboat may exceed eight miles per hour (Regulations of the Connecticut State Agencies Section 15-121-B16).

The amendment is proposed at the request of the Wyassup Lake Improvement Association (WLIA), which opines that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLIA conducted an informal survey in which over forty persons agreed with the proposed change and four disagreed. Among those who agreed with the proposed change was the First Selectman. The DEEP Boating Division does not object to the proposed change.

There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.

All interested persons are invited to submit comments on the proposed amendment to the Department of Energy and Environmental Protection (DEEP), Bureau of Outdoor Recreation, Boating Division, P.O. Box 280, Old Lyme, CT 06371. All comments should be directed to the attention of Timothy Delgado and must be received by 4:00 PM on March 1, 2013. Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov).

In addition to accepting written comments, DEEP will also hold the public hearing described below. The Commissioner requests that any person giving oral comment at the hearing also submit a written copy of such comments.

*Printed on Recycled Paper*

79 Elm Street • Hartford, CT 06106-5127  
[www.ct.gov/deep](http://www.ct.gov/deep)

*Affirmative Action/Equal Opportunity Employer*

PUBLIC HEARING  
February 15, 2013 at 6:30 PM  
Old Town Hall  
40 Main Street  
North Stonington, CT 06359

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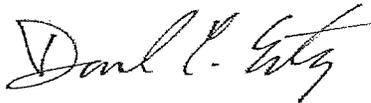
[http://www.ct.gov/dep/cwp/browse.asp?a=2586&depNav\\_GID=1511](http://www.ct.gov/dep/cwp/browse.asp?a=2586&depNav_GID=1511)

For additional information, contact Timothy Delgado of the Boating Division at (860) 447-4354 or [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov).

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Persons who are hearing impaired should call the State of Connecticut relay number 711. Requests for accommodations must be made at least two weeks prior to the program date.

This notice is required pursuant to Connecticut General Statute section 4-168.



January 3, 2013

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Daniel C. Esty  
Commissioner

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Date



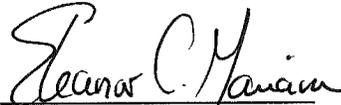
## 22a-6(h) ANALYSIS

### Federal Standards Analysis Pursuant to Section 22a-6(h) of the General Statutes Amendment of Section 15-121-B16 of the Regulations of Connecticut State Agencies

In accordance with the requirements of section 22a-6(h) of the Connecticut General Statutes (CGS), in the matter of the proposed revision of section 15-121-B16 of the Regulations of Connecticut State Agencies (RCSA), the Department of Environmental Protection has performed a comparison with federal provisions, which is set out below.

- Regarding the proposed lengthening of the season on Wyassup Lake during which vessels may travel faster than 8 m.p.h and during which water skiing is allowed, there is no analogous federal standard for this activity.

2/15/13  
Date

  
Eleanor C. Mariani  
Director, Boating Division

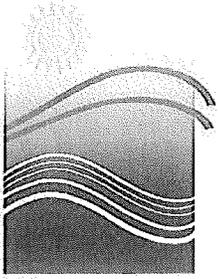
#### Controlling legal authority:

The commissioner may adopt regulations pertaining to activities for which the federal government has adopted standards or procedures.

All provisions of such regulations which differ from federal standards or procedures shall be clearly distinguishable from such standards or procedures either on the face of the proposed regulation or through supplemental documentation accompanying the proposed regulation at the time of the notice concerning such regulation required under section 4-168.

An explanation for all such provisions shall be included in the regulation-making record required under chapter 54 and shall be publicly available at the time of the notice concerning the regulation required under section 4-168.

This subsection shall apply to any regulation for which a notice of intent to adopt is published on and after July 1, 1999.



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

### Hearing Officer Delegation

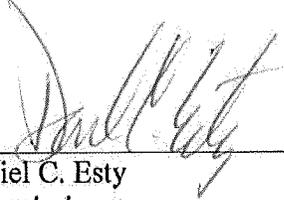
In accordance with the provisions of section 22a-2 of the Connecticut General Statutes,

Eleanor C. Mariani, Director of the Boating Division of the Bureau of Outdoor Recreation, is hereby appointed as a hearing officer to allow said officer to conduct a public hearing on **February 15, 2013** and to render a decision regarding the proposed revision of Regulations of the Connecticut State Agencies (RCSA) Section 15-121-B16, described as follows:

- The Department of Energy and Environmental Protection (DEEP) proposes to extend the beginning of the season in which waterskiing is allowed on Wyassup Lake (North Stonington) and in which the operator of a motorboat may exceed eight miles per hour from mid-June to Memorial Day Weekend. This action is taken pursuant to the request of the Wyassup Lake Improvement Association (WLIA) and others, who opine that the current short waterskiing season is unnecessarily restrictive.

This revision proposed pursuant to authority granted to the Commissioner of the Department of Energy and Environmental Protection under Connecticut General Statute 15-121(b)(11).

2/5/13  
Date

  
\_\_\_\_\_  
Daniel C. Esty  
Commissioner

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
15-Feb-13

# PROVIDING TESTIMONY

Name	SHAWN MURPHY	<input checked="" type="radio"/> For
Address	23 KINGSWOOD DRIVE NORTH STONINGTON	<input type="radio"/> Against
email	SPMUR@COMCAST.NET	<input type="radio"/> Other
Name	ARTHUR ARMSTRONG	<input checked="" type="radio"/> For
Address	44K WYASSUP LAKE RD. NORTH STONINGTON, CT 06359	<input type="radio"/> Against
email	JULIARTAKE@SBCGLOBAL.NET	<input type="radio"/> Other
Name	JOHN M LAABS	<input checked="" type="radio"/> For
Address	35 POND DRIVE NORTH STONINGTON, CT	<input type="radio"/> Against
email	JLAABS@GPSTRATEGIES.COM	<input type="radio"/> Other
Name	JOHN P. WHELLETTE	<input checked="" type="radio"/> For
Address	44 S WYASSUP LAKE RD NORTH STONINGTON, CT 06359	<input type="radio"/> Against
email	WYASSUP@COMCAST.NET	<input type="radio"/> Other
Name	WILLIAM RICKER	<input checked="" type="radio"/> For
Address	421-A WYASSUP RD NORTH STONINGTON CT 06359	<input type="radio"/> Against
email	williamricker@comcast.net	<input type="radio"/> Other
Name	Mary Ann Ricker	<input checked="" type="radio"/> For
Address	421-A WYASSUP RD NORTH STONINGTON CT	<input type="radio"/> Against
email	maryricker@comcast.net	<input type="radio"/> Other

did not  
provide  
comment

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
 RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
 15-Feb-13

# PROVIDING TESTIMONY

Name	Vilma Greenough	For
Address	114 Wyassup Lake Rd North Stonington CT	Against
		Other
email	vilmajg@att.net	
Name	Barbara Weeman	For
Address		Against
		Other
email		
Name	NICHOLAS H. MULLANE II 1 <sup>ST</sup> SELECTMAN	For
Address	28 MILLER ROAD N. STON	Against
		Other
email		
Name	Richard Dussault	For
Address	49 Pond Dr, North Stonington	Against
		Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
15-Feb-13

# PROVIDING TESTIMONY

Name	Marcia White	For
Address	205 Norwich Westbury Rd No Ston. Conn 06359	Against
		Other
email		
Name	Jeremy Perry	For <input checked="" type="checkbox"/>
Address	148 Rte. 2 North Stonington, CT 06359	Against
		Other
email		
Name	Deborah Picarazzi	For <input checked="" type="checkbox"/>
Address	4 PATON RD DE MOORE CT	Against
		Other
email dpicarazzi@gmail.com		
Name	Linda Wilkinson	For <input checked="" type="checkbox"/>
Address	3896 Wyassup Rd	Against
		Other
email lbwilkinson@gmail.com		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
15-Feb-13

# NOT PROVIDING TESTIMONY

Name	JAMES SMITH	For
Address	115 WYASSUP LAKE RD	Against
	N STONINGTON, CT 06359	Other
email		
Name	Tim Crandall	For
Address	99-B Cassaduck Hill Rd.	Against
	N. Stonington CT 06359	Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
15-Feb-13

# NOT PROVIDING TESTIMONY

Name	JULIA ARMSTRONG	<input type="radio"/> For
Address	44K WYASSUP LAKE RD. N. STONINGTON, CT 06359	<input type="radio"/> Against
		<input type="radio"/> Other
email		
Name	MARK JECKE	<input checked="" type="radio"/> For
Address	387 WYASSUP RD N. STONINGTON CT 06359	<input type="radio"/> Against
		<input type="radio"/> Other
email	CampCrofts@aol.com	
Name	Anne Natwalk	<input type="radio"/> For
Address	188 Northwest Corner Rd N. Stonington CT 06359	<input type="radio"/> Against
		<input type="radio"/> Other
email	(860) 887-5878	
Name	DEBORAH PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MORRIS	<input type="radio"/> Against
		<input type="radio"/> Other
email	dpicarazzi@gmail.com	
Name	MATT PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MORRIS	<input type="radio"/> Against
		<input type="radio"/> Other
email		
Name	CHELSEA PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MORRIS	<input type="radio"/> Against
		<input type="radio"/> Other
email		

Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
 RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
 15-Feb-13

# NOT PROVIDING TESTIMONY

Name	Bruce + Linda Wilkinson	<input checked="" type="radio"/> For
Address	388E Wyassup Lake NS	<input type="radio"/> Against
		<input type="radio"/> Other
email	bwilkinson@cumb.org Lbwilkinson@gmail.com	
Name	Dana Sudarsky + Amber Sudarsky	<input checked="" type="radio"/> For
Address	421 R Wyassup Rd. (For Ann Marie Sudarsky)	<input type="radio"/> Against
	Northstoungton, CT	<input type="radio"/> Other
email	dsudarsky@comcast.net.	
Name	Robert Werner	<input checked="" type="radio"/> For
Address	464 lovely st	<input type="radio"/> Against
	Avon CT	<input type="radio"/> Other
email		
Name	Mary Ann Ricker	<input checked="" type="radio"/> For
Address	421 A Wyassup Rd	<input type="radio"/> Against
	N. Stonington, Ct. 06359	<input type="radio"/> Other
email	MaryRicker@comcast.net	
Name	Beth Strong	<input checked="" type="radio"/> For
Address	32 Case Road	<input type="radio"/> Against
	Burlington, CT 06013	<input type="radio"/> Other
email	wyassup@comcast.net	
Name		<input type="radio"/> For
Address		<input type="radio"/> Against
		<input type="radio"/> Other
email		

### **REMINDER**

This note is a friendly reminder that the speed limit on Wyassup Lake is 8 miles an hour (headway speed – no wake) from Labor Day through June 15<sup>th</sup>. Then from June 15 to Labor Day you're able to cruise normally between 11 am and 6 pm. It's State law and posted on the bulletin board here at the parking lot.

Some folks on the lake don't want **any** motors at all and report violators to DEP. They were successful a few years back in getting the law changed to no motors, so those of us who enjoy fishing, cruising, and tubing hope you'll understand and abide by the law.

~Wyassup Lake Improvement Association

TO WHOM IT MAY CONCERN:

WE, THE UNDERSIGNED, DO HEREBY REQUEST THAT THE  
BOATING REGULATIONS AT WYASSUP LAKE IN NORTH  
STONINGTON, CONN. BE CHANGED TO INCLUDE THE  
MEMORIAL DAY WEEKEND. THANK YOU FOR YOUR  
KIND CONSIDERATION IN THIS MATTER.

Judith Main

J. Main

J. Main

John Main

Robert Baya

April Johnson

James A. Deley

Christopher R. R. H.

TO WHOM IT MAY CONCERN:

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KIND CONSIDERATION IN THIS MATTER.

*Cheryl Rios*

*Jeff Gaccione*

*Nancy Gaccione*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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STONINGTON, CONN. BE CHANGED TO INCLUDE THE  
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KIND CONSIDERATION IN THIS MATTER.

Wayne Wilkinson      WAYNE WILKINSON

Robert Scott      ROBERT SCOTT

Pauline Tillinghast      Pauline Tillinghast

JoAnne Wilkinson      JOANNE WILKINSON

Jon Bayer      Jon Bayer

Romelia Boissevain      Romelia Boissevain

\_\_\_\_\_

\_\_\_\_\_

TO WHOM IT MAY CONCERN:

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Jen Cosma Poulos

Donald Hunsicker

Bob, Brenda Perry

Jim Perry Jeremy Perry

Justin Perry Justin Perry

TO WHOM IT MAY CONCERN:

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MEMORIAL DAY WEEKEND. THANK YOU FOR YOUR  
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John M. Woenicki

Mary P. Suarez

Christine J. Ladoga

Dianne Coons

Susan P. Steady

Kathleen Long

John Woenicki

Karen Friedel

TO WHOM IT MAY CONCERN:

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Patricia Gainsley

Laura Chester-Helme

Linda Thmon

Pamela Champion

Vivian Champion

Helen Jablonski

Carol M Daniels

Kathleen J. Foster

TO WHOM IT MAY CONCERN:

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MEMORIAL DAY WEEKEND. THANK YOU FOR YOUR  
KIND CONSIDERATION IN THIS MATTER.

WILBER ACUERE

JERRY MATAYA

THERESA TESSIER

Robert Gilbert

Naomi Nosel

Lisa Sacco

Holly Myers

## Appendix C.2 – Public Comment\*

\*Access to video and audio public comment is available by request. Requests can be made by regular mail to Boating Division, P.O. Box 280, Old Lyme, CT 06371; by telephone, to 860-447-4354, or by email to [timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov) . Requests should be made to the attention of Tim Delgado.

Proposed Lengthening of Wyassup Lake Waterskiing Season  
(Amending RCSA Section 15-121-B16)

**HEARING OFFICER'S REPORT**  
**Public Comment Summary and Exhibit Index**

Exhibit 1-29, except No. 20 (for) and 30-57 (against)  
Public Hearing 15 February 2013  
Comment Closing Date 1 March 2013

Exhibit	Commenter	Pull Quote	Type	Date	Track	Time
<b>Supporting</b>						
1	Chelsea Picarazzi	At no time did I ever feel in any danger on this lake.	email	24-Feb-13		
2	Matt Picarazzi	I would like to offer my support for this measure	email	22-Feb-13		
3	Dana Sudarsky	It is my opinion that the boating season should start on Memorial Day weekend, the unofficial start of summer, instead of June 15th.	email	24-Feb-13		
4	Beth Strong	Though I am not much of a boater, it is with great pleasure that I watch the boats on the water, especially those pulling skiers or children on tubes.	email	22-Feb-13		
5	Anne Marie Sudarsky	I think that it is fitting that water skiing season begin on the Memorial Day weekend and would welcome this proposed extension.	email	22-Feb-13		
6	John WIELLETTE	President, WLIA - our membership overwhelmingly supports extending the season for all water sports	letter / audio	21-Feb-13	2	0:15
7	Deborah Picarazzi	...extending the boating season to begin on Memorial Day would be greatly appreciated by many of the	email / audio	19-Feb-13	3	7:59
8	Brad Ormsby	I would hope that the State of CT take into consideration the wishes of the lake association and 95% of the lake residents to extend the boating season for all this 2013 boating season.	email	19-Feb-13		
9	Nicholas Mullane	I hope they will approve it	audio	15-Feb-13	3	2:37
10	Richard Dassault	"...and I also think the lake is a safe environment for my kids"	audio	15-Feb-13	3	3:50
11	Shawn Murphy	We have a very limited timeframe as it is...	audio	15-Feb-13	1	6:40
12	Arthur Armstrong	Just missing two or three weeks out of the summer takes a good percentage of our time away...	audio	15-Feb-13	1	7:40
13	John Laabs	I'm in favor for this...	audio	15-Feb-13	4	3:05
			mail	25-Feb-13	1	8:30
14	William Ricker	When grandchildren come you want to provide them with an experience that they can enjoy - memories they can sotre away...	audio	15-Feb-13	2	2:21
		I hope you will support the association in their representing the majority of homeowners asking for this extension.	email	26-Feb-13		
15	Mary Ann Ricker	No testimony provided				
16	Bruce Wilkensen	We are in favor of having boating on the lake starting with Memorial Day Weekend.	note	15-Feb-13		
17	Linda Wilkensen	Same as above	audio /note	15-Feb-13	4	0:45
18	Marcia White	It would be very sad not to give us another two and one-half weeks...	audio	15-Feb-13	3	4:25
19	Jeremy Perry	I'm completely for it...	audio	15-Feb-13	3	9:30
20	No testimony provided, mistakenly attributed to "supporting" by the author					
21	Mark Jeckel	No testimony provided		15-Feb-13		
22	Robert Werner	It does not make sense to not be able to go for a full speed ride in boats on this holiday weekend, Memorial Day	letter	28-Feb-13		
23	John Picarazzi Jr.	"...it would be extra special to be able to use the lake starting Memorial Day"	letter	15-Feb-13		
24	Kimberly Laabs	We are highly in favor of having the lake open up on Memorial Day weekend...	letter	25-Feb-13		
25	Michelle Roise*	"...it would be wonderful for families, relatives, and friends to better enjoy their holiday weekend..."	email	25-Feb-13		
26	Jean Armstrong	Being a landowner at Wyassup Lake since 1955, I feel extending the boating season to include Memorial Day weekend is long overdue.	email	27-Feb-13		

Proposed Lengthening of Wyassup Lake Waterskiing Season  
(Amending RCSA Section 15-121-B16)

**HEARING OFFICER'S REPORT**  
**Public Comment Summary and Exhibit Index**

Exhibit 1-29, except No. 20 (for) and 30-57 (against)  
Public Hearing 15 February 2013  
Comment Closing Date 1 March 2013

Exhibit	Commenter	Pull Quote	Type	Date	Track	Time
27	Julia Wiellette	This change will not significantly impact those who would like to also enjoy a quiet time on the lake, while it will address those who only have those few weeks of summer to do other boating activities.	email	28-Feb-13		
28	Kevin Cyr	...in our opinion this would not jeopardize the environment and fishing season...nor will it create unsafe boating conditions...	email	28-Feb-13		
29	JoAnn Cyr	Same as above				
<b>Opposing</b>						
30	Duncan Schweitzer	President, Avalonia Land Conservancy - The fact that environmental concerns of any sort do not appear to be considered is alarming in itself and we wonder how the Department can proceed with such an action without some consideration of environmental concerns.	email	24-Feb-13		
31	Sandy Schroeder*	I would hate to see the change of this environment with the sounds of continuous noisy motorboats speeding up and down the lake.	email	24-Feb-13		
32	Sue Ames	The boats already have most of the summer and two holidays, would it not only be fair to keep spring and the only other holiday to those who like a quieter way of enjoying the water?	email	24-Feb-13		
33	Mary Kocol*	Please don't destroy the peace of this place.	email	24-Feb-13		
34	Nizhoni Brown	I would like to enjoy the lake the way it is while there is still some nice weather to do so. PLEASE! Let people like me have the last few days of spring!	email	24-Feb-13		
35	Lynne Galili*	Allowing motorboats will take away this peace from both those who live on the lake and those lucky enough to visit it.	email	24-Feb-13		
36	Darlene Talavera*	I am opposed to seeing motor boating extended to this lake.	email	24-Feb-13		
37	Harold Stedman	Our waterfront is constantly eroded by large wakes from the big motors.	mail	20-Feb-13		
38	Patricia Stedman	See above	mail	20-Feb-13		
39	Mimi Borden	I oppose the proposed motor-boating extension season on Wyassup Lake.	email	22-Feb-13		
40	Michael Mackay	The present number of days of disquiet on the lake is challenging. To begin it weeks earlier is aggressive disruption of the late Spring and early Summer life cycles of the wild life we have here.	email/letter	21-Feb-13		
41	Barbara Weeman	"...it seems an imposition to me to extend that period. There should be time for peace and quiet for those of us who also enjoy this lake.	Note	15-Feb-13		
42	James Smith	"...the existing situation provides some balance in public recreational use of the lake..."	email	26-Feb-13		
43	Tim Crandall	What is the environmental impact of the wakes of these large boats and jet skis slamming against the shores an additional two or three weeks?	email	27-Feb-13		
44	Vilma Gregoropoulos	It's very dangerous - I cannot let my kids swim when someone is motoring...	audio/ letter		2	7:15
44 -V	Vilma Gregoropoulos	<i>Video of boating activity on the lake including wake, noise and distance-to-shore concerns (note: not specific to waterskiing)</i>	video	available by request, Timothy Delgado, DEEP, 860-447-4354		
45	Noah Gregoropoulos	I strongly urge you not to allow the motorboat season to be extended into the spring...	email	25-Feb-13		

Proposed Lengthening of Wyassup Lake Waterskiing Season  
(Amending RCSA Section 15-121-B16)

**HEARING OFFICER'S REPORT**  
**Public Comment Summary and Exhibit Index**

Exhibit 1-29, except No. 20 (for) and 30-57 (against)  
Public Hearing 15 February 2013  
Comment Closing Date 1 March 2013

Exhibit	Commenter	Pull Quote	Type	Date	Track	Time
46	Joseph Spano	I wish to object to this plan because my home is on the west shore.	email	25-Feb-13		
47	Jim Boyd	I am not in favor of extending the motorboat season	email	25-Feb-13		
48	Eleanor Cornell	I think that the time should stay the same.	letter	25-Feb-13		
49	Evmorphia Stratis*	Please do not allow motor boats on Lake Wyassup in the spring.	email	25-Feb-13		
50	David Thaxton	I am protesting this proposal for two specific reasons: the first is that this action is environmentally harmful and, the second is the manner in which this proposal has been made..."	email	26-Feb-13		
51	Zack Stratis	The idea to bring the motorboat season into the spring is just obnoxious.	email	27-Feb-13		
52	Anne Nalwalk	It appears that no significant environmental studies have been conducted.	letter	25-Feb-13		
53	Joe Negri	I oppose the change because this will increase the environmental impact of motor boat activity on the ecosystem of the lake itself and of the surrounding habitat ...	email	27-Feb-13		
54	Annette Zelanski	There is enough motor activity on the lake already, and much erosion of beach areas for those living where the motor boats swing around.	email	27-Feb-13		
55	Barbara Fontanella	I am opposed to the Department of Energy and Environmental Protection [DEEP] implementing a regulation change that would set an unwelcome precedent in Connecticut,	email	28-Feb-13		
56	Joseph DiBrino	I would prefer that the motor boating season not be expanded, but if your decision comes in favor of expansion, I hope the DEEP will provide appropriate monitoring for possible negative impacts on the lake's water quality and area wildlife.	email	1-Mar-13		
57	Anne Marie Nelson	There are few pristine lakes left in this country and Wyassup Lake, although not pristine doesn't need to be damaged any more by allowing motor boats or jet skis.	email	1-Mar-13		

February 24, 2013

State of Connecticut  
RE: Wyassup Lake/ Memorial Day request

Dear Mr. Delgado:

After being present at the February 15<sup>th</sup> meeting with the State of Connecticut and the Wyassup Lake Association, I would like to offer my support for the extension of the boating season to Memorial Day.

I have also grown up on this lake every summer and have enjoyed this with possibly every member of my family and friends. We all love to hang out on the lake in tubes and rafts and we do enjoy tubing and boating. At no time did I ever feel in any danger on this lake. It is a very quiet and enjoyable place to come too. I am concerned about the statements made regarding the danger on this lake due to boating. At no time in my 21 years have I ever felt afraid nor have any of my siblings and friends. I am not sure what tape you will be viewing but I have my doubts.

Please accept my support for the start date of Memorial Day.

Thank you.

Chelsea Picarazzi  
104 Wyassup Lake Road  
North Stonington, CT

EXHIBIT \_\_\_\_\_

February 22, 2013

State of Connecticut  
RE: Wyassup Lake boating calendar extension

Dear Mr. Delgado:

As a follow up to the State of Connecticut hearing on Friday, February 15<sup>th</sup> regarding extending the boating season on Wyassup Lake, I would like to offer my support for this measure.

My parents own property at 104 Wyassup Lake and I have grown up on this lake every summer since I can remember. My grandparents, aunts, uncles, cousins and friends have all enjoyed summers on this lake as much as I have and it would seem to be a welcomed extension if we were allowed to start on Memorial Day.

Over the years we have formed lasting relationships with the residents there and look forward to seeing everyone again as the summer begins.

We all take our boating very seriously and are mindful of the existing regulations regarding staying 100 feet away from shore. I cannot imagine what type of recorded tape that will be submitted for review but all I can say is that the claims made are absolutely false. Any tape submitted to the state will show that the boaters of Wyassup Lake are law abiding citizens. Frankly Im saddened that one of our long time neighbors would stoop to those lows and secretly record people minding their own business and having a good time on the lake simply because it annoyed them.

Again please accept my support and am in favor of the Wyassup Lake extension to Memorial Day.

Sincerely,

Matt Picarazzi  
104 Wyassup Lake Road  
North Stonington, CT

**Delgado, Timothy**

---

**From:** dsudarsky@comcast.net  
**Sent:** Sunday, February 24, 2013 9:37 PM  
**To:** Delgado, Timothy  
**Subject:** Extension of the Wyassup Lake Water Skiing Season

Dear Mr. Delgado,

My family owns a house on Wyassup Lake in North Stonington, CT, and I have been swimming and boating on the lake since I was a child. As an adult, I still enjoy water skiing on this beautiful lake and my young nieces and nephew like to go tubing. We feel very fortunate to be able to enjoy our time together on the lake, and appreciate that the State of Connecticut has installed the new dam and maintained the lake over the years.

I am writing to let you know that **I support the proposed amendment to extend the water skiing season on Wyassup Lake**. It is my opinion that the boating season should start on Memorial Day weekend, the unofficial start of summer, instead of June 15th. Although I attended the meeting at the North Stonington Town Hall, on Friday, February 15th, I wanted to send my thoughts to you in writing regarding my support of this issue.

Thank you for considering my opinion.  
Dana Sudarsky

**Delgado, Timothy**

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**From:** wyassup@comcast.net  
**Sent:** Friday, February 22, 2013 10:31 AM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake boating season

44 T Wyassup Lake Road  
North Stonington, CT

06359

February 22, 2013

Dear Mr. Delgado,

As a property owner on Wyassup Lake, I would like to state that I am in favor of extending the boating season on the lake to begin on Memorial Day weekend rather than June 15.

Though I am not much of a boater, it is with great pleasure that I watch the boats on the water, especially those pulling skiers or children on tubes. I don't ever remember any injuries reported from these fun activities!! But I do remember hearing the happy laughter of people enjoying joy-filled days on the lake. To add a few more weeks to this time sounds to me to be a great idea.

Sincerely,

Beth Strong

**Delgado, Timothy**

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**From:** amsudarsky@comcast.net  
**Sent:** Friday, February 22, 2013 10:03 AM  
**To:** Delgado, Timothy  
**Subject:** Extending water skiing season at Wyassup Lake

Dear Mr. Delgado,

I am the lake property owner of 421 R Wyassup Road in North Stonington, CT. Because of illness, I was unable to attend the scheduled meeting at the North Stonington Town Hall last Friday, February 15, 2013, and as a result could not express my views concerning the proposed extension/amendment of the water skiing season at Wyassup Lake.

I would like to let you know that I strongly support extending the water skiing season at Wyassup Lake. It is my understanding that the proposed amendment to the current regulation would change the date beginning the water skiing season from June 15th to the Saturday preceding Memorial Day. I think that it is fitting that the water skiing season begin on the Memorial Day holiday weekend and would welcome this proposed extension.

Thank you for considering my opinion. If you wish to contact me, feel free to do so by email or by my home phone number, 860-568-2016.

Ann Marie Sudarsky, Wyassup Lake home owner and  
Vice President, Wyassup Lake Improvement Association

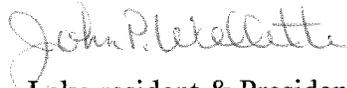
Timothy Delgado  
Environmental Analyst/Regulatory Unit  
Boating Division  
Connecticut Dept. of Energy and Environmental Protection

Dear Mr. Delgado,

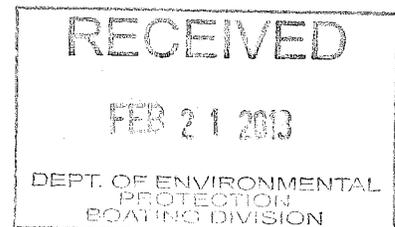
As president of the Wyassup Lake Improvement Association, I would like to review the primary reasons why our membership overwhelmingly supports extending the season for all water sports to include Memorial Day weekend.

1. Because summer is so short, this proposed change will give lake residents and visitors (young and old) additional valuable time to enjoy all the water activities our beautiful lake safely provides.
2. Boating on Wyassup Lake in excess of 8mph is currently limited to June 15 to the weekend after Labor Day between the hours of 11:00 AM to 6:00 PM. By extending the season to include Memorial Day weekend, the distribution of time would be more fair for all water activities. Before 11:00 AM and after 6:00 PM is still protected time for fishermen, the most ideal times of the day for undisturbed fishing.
3. Safety on Wyassup Lake is our #1 priority. Boat traffic on the lake is quiet and safe. The number of boats on the lake at any given time (even on prime weekends) has actually decreased throughout the past 10 years. Boating on Wyassup Lake is far safer than on some larger lakes with more boat traffic.
4. Our Lake Association is proud of the over 50 years' commitment to keep our lake clean and safe. We are quick to address any violation, although they are few in number, to be sure that everyone follows state guidelines and laws. We also work closely with our town government and have 100% support for extending the boating season from 1<sup>st</sup> Selectman Nicholas Mullane and Selectman Sean Murphy.

Sincerely yours,  
John P. Wiellette



Lake resident & President, W.L.I.A.



**Delgado, Timothy**

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**From:** Picarazzi, Deb [DPicarazzi@fairfield.edu]  
**Sent:** Tuesday, February 19, 2013 5:32 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake  
**Attachments:** Lake issues letter.doc

Dear Mr. Delgado: I have attached a letter in support of the Memorial Day extension for Wyassup Lake. I will send additional letters from my children who are now adults.

*Deborah Picarazzi  
Fairfield University  
The Egan Chapel of St. Ignatius Loyola  
Campus Ministry  
1073 North Benson Road  
Fairfield, CT 06824  
203-254-4000 Ext. 2550*

EXHIBIT 7.A

February 19, 2013  
State of Connecticut

RE: Wyassup Lake boating regulation

Dear Mr. Delgado:

After the State of Connecticut visited North Stonington on Friday, February 15<sup>th</sup> to discuss the extension of the boating season on Wyassup Lake to Memorial Day, I have had several days to consider what was discussed and taped at this meeting.

My family and I have truly enjoyed this lake and extending the boating season to begin on Memorial Day would be greatly appreciated by many of the residents here. Enjoying family and friends is what this lake is all about. People welcoming people after a long winter break and it wouldn't be such a bad thing to allow motor boating, tubing and skiing to begin a little earlier if the weather permits. Mr. Ricker was also very knowledgeable in the wildlife which would not be affected by the extension. Additionally the lake is used more on the weekends with possibly three boats at any given time. During the week it is a very quiet lake so two additional weekends wouldn't seem to be too much to ask.

As I continue in support of this extension, I also am very dismayed at some of the allegations that were made and taped. I have been a seasonal owner since 1979 and have raised three children there for the last thirty years along with family, friends and friends of my children. At no time in the last thirty years have I felt that any person swimming in this lake was in any danger. The boating regulations are strictly enforced by the people that reside on this lake. If there was any eminent danger to a human being all the residents living on the lake would be addressing this. I would have to question any video given in as evidence.

In closing, please know that we all live, enjoy and love this lake and would never want to do anything that would not serve to keep it as wonderful as it is.

Regards,  
Deborah Picarazzi  
104 Wyassup Lake Road  
North Stonington CT

EXHIBIT 7-B

**Delgado, Timothy**

---

**From:** Ormsby, sr, Brad (GE Power & Water, Non-GE)  
[Brad.Ormsbysr@ge.com]  
**Sent:** Tuesday, February 19, 2013 3:48 PM  
**To:** Delgado, Timothy  
**Cc:** wyassup@comcast.net  
**Subject:** boating season on Wyassup Lake

Dear Sir

This letter is in regards to extending the boating season on Wyassup Lake North Stonington. As I was not able to attend last fri. 2/15 meeting due to prior commitments I would like to take the opportunity to express my views at this time. I have been a year long resident of Wyassup Lake for over 30 yrs. and a member of the assoc. as well. At our summer meeting in 2012 the assoc. proposed to extend the boating season to start on Mem. Day instead of the middle of June to give the people more time to enjoy beautiful Wyassup Lake this was passed unanimously by the assoc. we then canvassed the lake residents and got 95% approvability. I was informed at the Feb. meeting that there was a few dissenting comments from a few residents. As we all know there are a few dissidents in any organization or associations and yes we have ours. It was also mentioned that the waves from the boats were destroying sea walls this is the first I have heard of this I myself have a seawall and the only damage I have found is from the winter ice. It was also mentioned that the boats were speeding and creating dangerous situations this I find hard to believe because I am on the lake pretty much every day in the summer and I find everybody to be observing the rules. It is a very quiet an out of the way lake with very minimal boat traffic in the summer months. In closing I would hope that the State of CT. take into consideration the wishes of the lake assoc. and 95% of the lake residents to extend the boating season for all this 2013 boating season.

Respectfully

Brad Ormsby Sr  
Wyassup Lake

Brad Ormsby Sr.  
Nuclear Project Supt  
APM Northeast  
Cell 832 816 4912

Proposed Lengthening of Wyassup Lake Waterskiing Season  
 (Amending RCSA Section 15-121-B16)

**HEARING OFFICER'S REPORT  
 NOTICE OF AUDIO TESTIMONY**

available by request of *Timothy Delgado, Boating Division, timothy.delgado@ct.gov, 860-447-4354*

Public Hearing 15 February 2013

Exhibit	Commenter	Pull Quote	Type	Date	Track	Time
9	Nicholas Mullane	I hope they will approve it	audio	15-Feb-13	3	2:37
10	Richard Dassault	"...and I also think the lake is a safe environment for my kids"	audio	15-Feb-13	3	3:50
11	Shawn Murphy	We have a very limited timeframe as it is...	audio	15-Feb-13	1	6:40
12	Arthur Armstrong	Just missing two or three weeks out of the summer takes a good percentage of our time away...	audio	15-Feb-13	4	7:40 3:05
18	Marcia White	It would be very sad not to give us another two and one-half weeks...	audio	15-Feb-13	3	4:25
19	Jeremy Perry	I'm completely for it...	audio	15-Feb-13	3	9:30 6:15

EXHIBIT 9, 10, 11, 12

## **Delgado, Timothy**

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**From:** Laabs, John [JLaabs@gpstrategies.com]  
**Sent:** Monday, February 25, 2013 9:27 PM  
**To:** Delgado, Timothy  
**Cc:** Laabs, John; Kim Laabs (kimjon1@yahoo.com)  
**Subject:** Lake Wyassup Season Extension... a FOR Vote

Hello Timothy,

First I would like to thank you and your department for all the effort placed into this. The association could not be more pleased with you and the boating division team.

I have been a resident of North Stonington all my life. I grew up creating many wonderful recreational memories on Wyassup Lake. Today, I have a beautiful family and a beautiful corner of the lake at 56 Wyassup Lake Road where we plan to build a home for the rest of our years. I am the Treasurer of the Lake Wyassup Improvement Association (LWIA), a member of the American Watercraft Association (AWA), I handle the licensing and addling on the lake, and I help enforce the lake boating laws with a couple other LWIA members.

As water enthusiast, we have it all: canoes, kayaks, a Sunfish sail boat, a motor boat, jetskis, boogie boards, tubes, docks, and lots of other water toys. We love the water and have many events that consist of using the lake. Water skiing, tubing, and boogie boarding with the kids has always been the highlight of our summer.

Growing up in North Stonington, I have always wished we could go tubing, skiing, or boogie boarding at Wyassup Lake during Memorial Day weekend. Waiting until June 15<sup>th</sup> really made no sense to me. Today, it bothers me to watch the kids with their long droopy faces, wishing they could partake in the fun on the lake during the unofficial start to the summer, Memorial Day weekend.

We believe by extending the boating season to last between the two unofficial summer holidays (Memorial Day and Labor Day), will not affect the aquatic life, the fowl, or any other species residing in or on the lake. My experience with the addling of the geese is that all the nests are mature by May. We are not allowed to ski or practice high speeds between the islands and eastern shores and this gives ample room for any fowl that reside on the lake all season long.

Wyassup Lake is a peaceful lake with few boaters throughout the season. Every year our holiday guests cannot believe how quiet the lake is every July 4<sup>th</sup>. We have not experienced the increase of boat traffic over the years. Although we enjoy the high speeds, we appreciate the other activities and lower speeds before 11:00 a.m. and after 6:00 p.m. The balance is a nice living and we believe asking to extend the season by a two or three weeks imposes no imbalance on anyone.

When I joined the LWIA, I was immediately appointed to help with the regulations on the lake because we own boats and I voiced to protect our rights. 90% of the boating issues I have personally addressed on the lake are not in any way associated with the proposed lake extension.

We have the utmost best intentions for the practices of living lakeside. We could provide a long list of items we practice and do not practice in consideration for the wellbeing of the lake. The association is very passionate for the wellbeing of the lake. Personally, I plan to live there for the rest of my life and this is a great motive for keeping and doing what is right. I believe this season extension should be accepted as law and it to be the correct path for a positive balance of recreation on Wyassup Lake. Our summers are short. Add a few raining weekends and shorter it becomes. Please except this letter as I am for this extension.

Please contact me for any questions you may have.

Thank you,

**John M. Laabs**

Project Manager Specialist

Cell: 860.961.9860

**GP Strategies Corporation**

[www.gpstrategies.comwater](http://www.gpstrategies.comwater)

PS: In rebuttal of the negative remarks made at the February 15<sup>th</sup> meeting against the Lake Wyassup season extension.

Some individuals do not like the noise and the waves created from the boat motors. They want it quiet all the time, removal of all boat motors, removal of all lights at night on the lake too. They claim it's dangerous and/or not natural. They feed the geese and live against industry and our economic engine we call life. Many comments made were inaccurate and not factual. All my life I have been playing on Wyassup Lake and I have never seen any life threatening boating scenarios. I have never seen a boat wave wipe out someone's waterfront. We have never felt threatened swimming between 11:00 a.m. and 6:00 p.m. The fish are in abundance and the water is clear and healthy. High speed activity on the lake is very low. Most individuals are very helpful with best practices at all times.

Thank you,

**John M. Laabs**

Project Manager Specialist

Cell: 860.961.9860

**GP Strategies Corporation**

[www.gpstrategies.comwater](http://www.gpstrategies.comwater)

PS: In rebuttal of the negative remarks made at the February 15<sup>th</sup> meeting against the Lake Wyassup season extension.

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EXHIBIT 13B

**Delgado, Timothy**

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**From:** WilliamRicker@comcast.net  
**Sent:** Tuesday, February 26, 2013 11:12 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake changes

Timothy Delgado  
Environmental Analyst  
Regulation Unit  
Boating Division  
Ct DEEP

As a lake front home owner, I wish to lend my support to the application by the Wyassup Lake Improvement Association to extend the dates of summer boating two more weeks in the spring. Power boats are an integral part of summer activity with most of the 54 home owners on the lake owning them. The day light hours of operation are more than reasonable, from 11 am to 6 pm before all must power down to 8 mph. This leaves "quiet time" for evening bar-b-ques, kayakers, sailers, and fishermen.

I recognize and have empathy for the one or two homeowners at the north-west side of the lake who experience "heavy traffic" or boat wake when boaters must turn at that location, but that's one of the things folks must learn to tolerate in our democracy.

I continue to be amazed at how little traffic there is on Wyassup Lake. Last 4th of July, several home owners had family get togethers and three power boats were all that was towing tubers; no skiers. Throughout the week, very few boaters are buzzing around with many days where no power boats are on the lake even during hours of no restrictions.

I hope you will support the association in their representing the majority of home owners asking for this extension.

~Bill Ricker  
421-A Wyassup Rd  
North Stonington

To whom it May Concern,  
Feb. 12,2012

Bruce and I will not be able to attend the meeting on Friday night but we  
Would like it to be known that we are in favor of having boating on the lake starting  
with Memorial Day Weekend.

It seems to us the perfect weekend to begin the summer!  
Thank you,

Linda

Bruce + Linda Wilkenson  
Wyassup Lake  
North Stonington, CT 06354

Proposed Lengthening of Wyassup Lake Waterskiing Season  
 (Amending RCSA Section 15-121-B16)

**HEARING OFFICER'S REPORT  
 NOTICE OF AUDIO TESTIMONY**

available by request of *Timothy Delgado*, Boating Division, *timothy.delgado@ct.gov*, 860-447-4354

Public Hearing 15 February 2013

Exhibit	Commenter	Pull Quote	Type	Date	Track	Time
9	Nicholas Mullane	I hope they will approve it	audio	15-Feb-13	3	2:37
10	Richard Dassault	"... and I also think the lake is a safe environment for my kids"	audio	15-Feb-13	3	3:50
11	Shawn Murphy	We have a very limited timeframe as it is...	audio	15-Feb-13	1	6:40
12	Arthur Armstrong	Just missing two or three weeks out of the summer takes a good percentage of our time away...	audio	15-Feb-13	4	7:40
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					3	6:15

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Proposed Amendment to Lengthen the Waterskiing Season on Wyassup Lake  
RCSA Section 15-121-B16

Public Hearing, Old Town Hall, North Stonington  
15-Feb-13

# NOT PROVIDING TESTIMONY

Name	JULIA ARMSTRONG	For
Address	44K WYASSUP LAKE RD. N. STONINGTON, CT 06359	Against
		Other
email		
Name	MARK JECKE	<input checked="" type="radio"/> For
Address	367 WYASSUP RD N. STONINGTON CT 06359	Against
		Other
email	CampCrofts@aol.com	
Name	Anne Nelwalk	For
Address	188 Northwest Corner Rd N. Stonington CT 06359	Against
		Other
email	(860) 887-5878	
Name	DEBORAH PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MURSE	Against
		Other
email	dpicarazzi@gmail.com	
Name	MATT PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MURSE	Against
		Other
email		
Name	CHELSEA PICARAZZI	<input checked="" type="radio"/> For
Address	4 PATRICK DR MURSE	Against
		Other
email		

**Delgado, Timothy**

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**From:** rw442@aol.com  
**Sent:** Thursday, February 28, 2013 5:39 PM  
**To:** Delgado, Timothy  
**Subject:** Memorial Day Boating on Lake Wyassup

Dear Mr. Delgado,

This e-mail is being sent to register my support for extending the boating season for waterskiing on Lake Wyassup in North Stonington to the Saturday preceding Memorial Day to the Sunday following Labor Day.

I have been spending time every summer on Lake Wyassup since I was 15, about 4 decades, and believe that at one time we could go boating at full speed on Memorial Day. At some time this became ineligible and I do not know why. It does not make sense to not be able to go for a full speed ride in boats on this holiday weekend, Memorial Day.

Thank You for your attention to this matter,

Robert Werner

February 24, 2013

State of Connecticut  
Mr. Timothy Delgado

Dear Mr. Delgado:

Re: Wyassup Lake Boating Extension

Please accept this letter in support of the boating extension for Wyassup Lake in North Stonington, Connecticut.

I have lived on Wyassup Lake every summer since my parents purchased the property from Mr. Main in 1985. In the past twenty eight years summers have always been filled with family and friends picnicking, boating, tubing and skiing on this lake. We have a special place that we share with all who live there and it would be extra special to be able to use the lake starting Memorial Day weekend.

Also, at no time in these past years has anyone ever been in any danger swimming, fishing, tubing or skiing. This is a small quiet lake with possibly three boats at the most on a Sunday weekend in the summer.

Thank you for your consideration.

Sincerely,

John Picarazzi, Jr.  
104 Wyassup Lake Road  
North Stonington, CT

## Delgado, Timothy

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**From:** kimjon laabs [kimjon1@yahoo.com]  
**Sent:** Monday, February 25, 2013 2:44 PM  
**To:** Delgado, Timothy  
**Cc:** kimjon1@yahoo.com  
**Subject:** Wyassup Lake Waterskiing Season Extension

To: Mr. Delgado

From: Kimberly Laabs  
56 Wyassup Lake Rd.  
North Stonington, CT 06359

Dear Mr. Delgado,

I am writing in reference to **approval** and **aggreement** to extending the waterskiing season at Wyassup Lake. I was present at the town meeting held on February 15, along with my husband John and fouteen year old twins, Max & Kyera. We are **highly in favor** of having the lake open up on Memorial Day weekend for many reasons for which I am about to state. We love Wyassup Lake, that is why we chose to live right on the lake. Our kids have grown up on the lake. Way before we bought property on the lake, our whole family would set up camp at the boat launch and spend many weekends there. Wyassup Lake is about having fun on the water , but in a safe manner. All of my family members, close friends and myself all have our personal watercraft and boat safety permits. Wysassup Lake is a family lake, with hardly any traffic, especially during the weekdays. We are very proud of Wyassup Lake, we are continually striving to maintian the cleanliness of the waterfront and road. In closing, we are very excited about this motion, and look forward to having our fun summertime events happen afew weeks sooner. Thank you for your time.

Sincerely,  
Kimberly Laabs

**Delgado, Timothy**

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**From:** Michelle Roise [microise@snet.net]  
**Sent:** Monday, February 25, 2013 5:30 PM  
**To:** Delgado, Timothy  
**Subject:** Opening of Wyassup Lake

Hello. I am writing this email to state that I am in favor of the earlier opening for Wyassup Lake, located in North Stonington, CT. I believe opening on Memorial Day is consistent with many of the other lakes in CT. It would be wonderful for families, relatives, and friends to better enjoy their holiday weekend together and would extend the pleasure of using the lake throughout the "official" summertime months of May through September.

Thank You for your time,  
Sincerely,  
Michelle Roise from Deep River, CT  
(relative of John Laabs, property owner on Wyassup Lake)

## **Delgado, Timothy**

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**From:** JULIA WIELLETTE [teacheresq@sbcglobal.net]  
**Sent:** Thursday, February 28, 2013 9:09 AM  
**To:** Delgado, Timothy  
**Cc:** John & Beth Strong-Wiellette; Linda Cote  
**Subject:** Wyassup Lake Boating Season Extension

Timothy Delgado  
Environmental Analyst/Regulatory Unit  
Boating Division  
CT Department of Energy and Environmental Protection

Dear Mr. Delgado:

My name is Julia Wiellette and, along with my sister Linda Wiellette Cote and my father Peter Wiellette, I am a homeowner on Wyassup Lake in North Stonington. My grandfather built our cottage by hand in 1927, and my sister's children are the fourth generation of our family to be raised on the lake in the summer. The Lake Association currently has a proposal in to your Department to extend the boating season on the lake from June 1st to Memorial Day. I am writing in support of this proposal.

As you know, summers in Connecticut are too brief. We only are able to enjoy our lake cottage from the time the weather warms up enough to survive without central heating, to the time the fall begins to close in with cold nights. During this brief time, one of the wonderful things about the lake is the chance to take my nieces and nephew tubing and water-skiing as a part of their summer adventures on the lake. Extending the boating season on the lake to Memorial Day would be a wonderful addition to our summers.

On Wyassup Lake, we have consideration and understanding for those who would rather enjoy more quiet activities on our lake by prohibiting boating at speeds above 8 miles per hour before 11 am and after 6 pm. Even as a boating enthusiast, I too enjoy these quiet hours, which would still be observed if the boating season were extended for two weeks. This change will not significantly impact those who would like to also enjoy a quiet time on the lake, while it will address those who only have those few weeks of summer to do other boating activities. I urge you to support the extension of our boating summer, and allow boating on the lake from the traditional opening of summer, Memorial Day weekend.

Thank you for your time,  
Julia Wiellette  
108 Wyassup Lake Road  
North Stonington, CT

February 28, 2013

Timothy Delgado,  
Environmental Analyst Regulatory Unit Boating Division, DEP

Subject: Recreational Boating Season at Wyassup Lake, North Stonington

Dear Mr. Delgado,

In regards to a recent town hall meeting that we were unable to attend, we would like to express our thoughts concerning the beginning date of the recreational boating season on Wyassup Lake in North Stonington, CT.

We have a year round home on the lake and have lived at 44M Wyassup Lake Rd. (Armstrong Pentway) for the past nine 9 years. We have two children who are now adults and we have all passed the safe boating course. Including, Memorial Day weekend for the recreational boating season for Wyassup Lake, in our opinion this would not jeopardizes the environment and fishing season. As the operation time for recreational use is from 11:00am to 6:00pm while the best fishing hours are avoided. Nor will it create unsafe boating conditions for as other holiday weekends there is never more than three boats at one time. As for the safety of swimmers, there is no public beach area, it is all privately owned and as to our knowledge have never heard of any accidents. We have been members of the Wyassup Lake Association, which I understand has been in existence for 50 years. The association has been a great asset to preserving the beauty and surrounding area of the lake as well as a great liaison between the DEP and the homeowners on the lake. To my knowledge all the members are in favor of this change. Our family enjoys the lake and all its festivities are what make it so enjoyable.

Sincerely,

Kevin and JoAnn Cyr  
44M Wyassup Lake Rd  
North Stonington, CT 06359  
(860) 977-7169 Kevin's Cell Phone

EXHIBIT 28, 29 A

**Delgado, Timothy**

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**From:** JoAnn Cyr [joanncyr@sbcglobal.net]  
**Sent:** Thursday, February 28, 2013 8:12 PM  
**To:** Delgado, Timothy  
**Cc:** kevin@deburringhouse.com  
**Subject:** Wyassup Lake Recreational Boating Season  
**Attachments:** Wyassup Lake Boating Season.docx

For Your consideration,

Thank You,  
Kevin, JoAnn Cyr  
44M Wyassup Lake Rd.  
N. Stonington CT 06359

EXHIBIT 28,29 B



AVALONIA LAND CONSERVANCY, Inc.  
P.O. Box 49  
Old Mystic, Connecticut 06372

February 24, 2013

Department of Energy and Environmental Protection (DEEP)  
Bureau of Outdoor Recreation, Boating Division  
P.O. Box 280, Old Lyme, CT 06371  
Attention: Timothy Delgado

Re: *"Notice of Intent to Amend the Boating Safety Regulations to Lengthen the Waterskiing Season on Wyassup Lake, North Stonington.*  
*The Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of his intent to amend Section 15-121-B16 of the Regulations of the Connecticut State Agencies to lengthen the waterskiing season on Wyassup Lake, North Stonington. This amendment is being proposed under the authority granted to the Commissioner in Connecticut General Statute Section 15-121(b)(11) and pursuant to a petitioned request for the subject action."*

Dear Mr. Delgado,

Avalonia Land Conservancy, Inc. holds land on Wyassup Lake in trust for conservation as natural habitat. We have heard from the niece of the donor of this property that you are considering extending the number of days during which motor boats can exceed eight miles per hour. We are disappointed that as a land owner and longtime partner of CTDEEP in conservation projects that we must hear of this action in such an indirect fashion. Given the potential environmental impacts and the informal nature of the process to date, we feel it is inappropriate to base this action upon the following:

*"The amendment is proposed at the request of the Wyassup Lake Improvement Association (WLLA), which opines that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLLA conducted an informal survey in which over forty persons agreed with the proposed change and four disagreed. Among those who agreed with the proposed change was the First Selectman. The DEEP Boating Division does not object to the proposed change.*

*There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business."*

The fact that environmental concerns of any sort do not appear to be considered is alarming in itself and we wonder how the Department can proceed with such an action without some consideration of environmental concerns. Avalonia, in the management of its property on Wyassup Lake as natural habitat, has encountered an example of one such concern. We would prefer to protect and encourage the natural habitat along our lake shoreline, one which allows the natural transition between land and water and one that would support the ecological relationship between the soil and water environments and the biota that use the interface. However, some of Avalonia's more than 800 members argue that given the erosion effects of the wakes from speeding motorboats, especially in the shallow northern end of the lake, we should retain the existing artificial hardened shore structure and not restore the natural shoreline. This is a concern and may be only one of many unconsidered environmental impacts.

We note that the consideration of narrow and shallow areas of lakes and ponds in the state is part of the current regulation. For example these restrictions on high speed motor boats and water skiing activities are applied to Beach Pond and Pachaug Pond to protect environmental resources. There are people who use the natural areas of Wyassup Lake and the surrounding shore for quiet recreation and they also need to be accommodated. This area is included in several outdoor hiking and birding recreation guides.

Based upon the limited material before us, we request that the proposed change in regulation not be made and that current regulation be amended to restrict waterskiers to the southern third of Wyassup Lake, which has the shoreline most disturbed by human development, and leave the northern portion of the lake open to quieter fishing, and canoe or kayak use. We further request that you delay considering enactment of this regulation change until a full environment assessment is made and a more thorough consideration of the impacts and alternatives is completed.

If you have any questions or issues to discuss at this time, please feel free to contact Avalonia Land Conservancy at 860-884-3500 or via email at [avalonialc@yahoo.com](mailto:avalonialc@yahoo.com).

Sincerely,



Duncan Schweitzer  
President, Avalonia Land Conservancy

Cc: Representative Diana Urban

*Avalonia Land Conservancy, Inc. preserves natural habitats in southeastern Connecticut by acquiring and protecting lands and by communicating the value of these irreplaceable resources.*

## **Delgado, Timothy**

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**From:** sschroeder604@comcast.net  
**Sent:** Sunday, February 24, 2013 11:40 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake-North Stonington

Dear Timothy,

My family has visited Lake Wyassup on many occasions and have always enjoyed the passive recreation, canoeing, swimming and blueberry picking.

I embraced sitting by the water to think, work and socialize with the feel as if I was sitting in a mural. In my mind, it was always a warm serene feeling.

I would hate to see the change of this environment with the sounds of continuous noisy motorboats speeding up and down the lake. This would not only be disturbing to the wildlife and families that use the lake for their home, but the results of the pollution would destroy much of these uses.

We should be performing continuous environmental studies for habitat and recreational use and the impact it creates, and weigh the pros and cons of any decision.

This town has always had a rural flare and adding more activities that disturb that quite enjoyment; would destroy all that it represents. We do not want to see any additional extensions or disturbances to the lake. Thank you.

Sincerely,  
*Sandy Schroeder*

## **Delgado, Timothy**

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**From:** Sue Ames [seca19@sbcglobal.net]  
**Sent:** Sunday, February 24, 2013 8:31 PM  
**To:** Delgado, Timothy  
**Subject:** wyassup lake

To whom it may concern.....

It is very upsetting to hear that the state of Connecticut is now considering extending the time period for use of motorboats on Wyassup Lake in North Stonington. I am a resident of North Stonington, born and raised here, and spent many childhood summers on the lake. It was a much quieter serene place than it is now, I still go to the lake to visit friends and it saddens me to see the boats screaming through the lake and at times it seems endless. But I do understand about change and so called progress and making compromises to please everyone, so I guess my question is why open it up to a longer time period? Are not those on the lake who don't want motorboats just as important as those that do?

Not to mention the environmental effect it will have on the lake by adding this extra time! I would think spring is a crucial time for plants and wildlife on the lake, shouldn't they be given fair consideration before this happens?

The boats already have most of the summer and two holidays, would it not only be fair to keep the spring and the only other holiday to those who like a quieter way of enjoying the water?

Thank you for your time, S.A.

## Delgado, Timothy

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**From:** mkocol@yahoo.com  
**Sent:** Sunday, February 24, 2013 8:26 PM  
**To:** Delgado, Timothy  
**Cc:** Mk  
**Subject:** Wyassup Lake = do not extend motorboat use

Dear Timothy Delgado,

I am a Connecticut native, currently living in Boston. Most of my family is in CT, and I visit often. I recently visited an old friend with a lovely home on Lake Wyassup, my first trip ever to this peaceful place. It's a wonderful respite from the noise and commotion of Boston.

I've recently learned that there's consideration of extending the season of motorboats for Lake Wyassup. Please don't. Please don't destroy the peace of this place. There's already enough noise in the world. The Lake echoes enough as it is, so will motorboat noise and yelling. Why should people in motorboats be allowed to destroy the peace and quiet of everyone who lives or visits the Lake for peace and quiet? Not to mention the harm motorboats can do to wildlife in spring season. The motorboats already have summer time there, that is enough.

Instead, encourage people to boat around in kayaks, rowboats, or canoes - they could probably use the exercise anyway. From my experience in Massachusetts, motorboats bring in alcohol consumption and accidents. Lake Wyassup does not need that.

Please send the noisy motorboat people to the New Hampshire's lakes, they'll be in good company up there. Motorboats are the reason we avoid New Hampshire lakes - have you been there? It's ridiculous: noise, yelling, drinking, pollution, & stinky smell of diesel fumes...

Fragile wildlife should be protected as well, especially in spring when things are coming back to life.  
**Please keep Lake Wyassup peaceful and beautiful and do NOT extend motorboating!**

Thank you,

Mary Kocol  
Somerville, MA

**Delgado, Timothy**

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**From:** Nizhoni Brown [bettyboopx10@yahoo.com]  
**Sent:** Sunday, February 24, 2013 7:18 PM  
**To:** Delgado, Timothy

Hello, My name is Nizhoni Brown. I live on Wyassup Lake and I am against extending the motor boat season which already takes up the entire summer. I would like to enjoy the lake the way it is while there still is some nice weather to do so. PLEASE! Let people like me have the last few days of spring. Again people are able to use their motor boats though June, July, August and some of September which is basically the WHOLE SUMMER! I'm sure they will still be able to enjoy themselves without the extension. It's not like they're never able to use the lake. They are on it constantly. All I'm asking for is a few weeks before summer. Is that so bad?

Sincerely,

Nizhoni Brown

114 Wyassup Lake Road

**Delgado, Timothy**

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**From:** lgalili@comcast.net  
**Sent:** Sunday, February 24, 2013 6:13 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

I am writing to express my deep concern about the possibility of allowing motorboats on Wyassup Lake this spring. I have visited friends who live on the lake and have been affected by the calm beauty surrounding their home. Allowing motorboats will take away this peace from both those who live on the lake and those lucky enough to visit it.

Thank you,  
Lynne Galili  
Watertown, MA

## **Delgado, Timothy**

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**From:** Darlene Talavera [dftalavera@gmail.com]  
**Sent:** Sunday, February 24, 2013 4:17 PM  
**To:** Delgado, Timothy  
**Subject:** WYASSUP LAKE

Mr. Delgado,

I am a connecticut resident who has enjoyed the tanquility of Lake Wyassup for the past 28 years. When I lived in New Haven in the 80's I would drive out to North Stonnington and canoe on the lake. In the 90's when I moved to Guilford I became a powerboat owner I still continued to bring my canoe out to the peace and quiet of lake wyassup.

In 2000 I became friends with a family that lives on the lake and we have become very close over the past 13 years. What has always amazed me is the untouched environment this lake continues to hold including the fish and incredible birds. Unlike lakes in other parts of CT where there are motor boats allowed, Lake wyassup continues to provide a serernity that seems to be disapperaring in our state.

PLEASE know as a resident of this state, who frequents lake Wyassup and owns a powerboat,

I AM OPPOSED to seeing motor boating extended to this lake.

Thank you for your consideration regarding this matter,

Darlene F Talavera

--

Darlene F. Talavera OTR/L

130 Briarwood Drive

Guilford, CT 06437

203 671 7047

Confidentiality Note:

The information contained in this communication is personal and confidential, and is intended only for the use of the named receiver. If you are not the named receiver or the person responsible for delivering this communication to the named receiver, you are notified that any use of this communication or its contents, including any dissemination or copying, is strictly prohibited. If you have received this in error, please immediately notify me by telephone at (203) 671-7047 and delete the original communication.

EXHIBIT 36

Feb 20, 2013

Timothy Delgado  
Dept of Energy  
333 Ferry Rd.  
PO Box 280  
East Lyme, Ct. 06371

Atten: Mr. Delgado:

Please do not extend the boating season on Wyassup Lake. My husband and I are owners of a cottage at 110 Wyassup Lake Rd. We are on the side of the lake that all of the boaters use for all of their water sports. On weekends especially, we are a captive audience to the constant water skiing, Jet skies and all the other water sports done with large boats and motors. Our water front is constantly eroded by large wakes from the big motors. It would be nice to have our grandchildren visit and swim without being worried that they could be hit by a motor boat. The size of this lake does not support the use of so many large boats big motors. We have a small boat with a quiet electric motor. It doesn't scare the wildlife or make the water murky. We like to fish and go around the lake without disturbing our neighbors.

Sincerely,  
Harold and Patricia Stedman  
879 Stonington Rd.  
Pawcatuck, Ct. 06379

860 599 0372

*Harold Stedman*  
*Patricia Stedman*

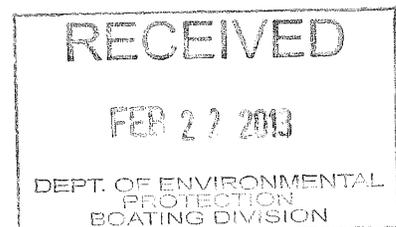


EXHIBIT 37, 38

**Delgado, Timothy**

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**From:** Mimi B. Borden [mimibborden@yahoo.com]  
**Sent:** Friday, February 22, 2013 12:02 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake, North Stonington

Dear Mr. Delgado:

I oppose the proposed motor-boating extension season on Wyassup Lake.

Brad Borden  
North Stonington Resident

Michael Mackay  
92 Wyassup Lake Road  
North Stonington, CT 06359-1124  
Phone/Fax: 860-535-1192  
Email: [michaelmackay5@icloud.com](mailto:michaelmackay5@icloud.com)

February 21, 2013

Mr. Timothy Delgado  
Environmental Analyst/Regulatory Unit  
Boating Division  
333 Ferry Road, P.O. Box 280  
Old Lyme, CT. 06371

Dear Mr. Delgado:

My wife and I are year round residents on four acres on the southwest side of the lake--the noisy side--with 675 feet of shoreline.

My feelings regarding extending the waterskiing and motor boating season include all the existing negatives--among them: the hazard to swimmers, the disruption to fishing, the lack of regulations enforcement. Why compound them? Most damaging is the din from the higher speed motor boats and the jet skis to residents, as well as the birds and animals, seeking serenity.

The present number of days of disquiet on the lake is challenging. To begin it weeks earlier is aggressive disruption of the late Spring and early Summer life cycles of the wild life we have here.

Some would turn Wyassup Lake into the waterskiing lagoon at Coral Gables. I prefer Walden Pond.

Very truly yours,



Michael Mackay

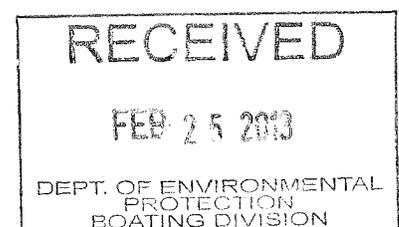


EXHIBIT 40

Seeing that there are now 3 months  
that motor boats are  
allowed on this small lake  
it seems an imposition to me  
to extend that period. There should  
be time for peace + quiet for  
those of us who also enjoy  
this lake.

Barbara Weisch Weeman

Residents since 1929 -

P.O.A. for Hurd Family

DAUGHTER

## Delgado, Timothy

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**From:** jamesrichardsmith@comcast.net  
**Sent:** Tuesday, February 26, 2013 12:56 PM  
**To:** Delgado, Timothy  
**Subject:** wyassup lake

Dear Tim Delgado, I recently attended the hear concerning expansion of the over 8mph speed season. I oppose the change for a number of reasons. Foremost is the existing situation provides some balance in public recreational use of the lake and surrounding recreational area during the two most important weekends and will not cause needless additional environmental damage. In the weeks of the proposed expansion the lake is at the beginning of time when many species are developing. This does not improve the environment for this already polluted lake. Water skiers, jet skis, and unlimited size power boats limited to such a small area does not seem safe,expanding without reasonable enforcement, seems unreasonable. While some mentioned there is little use during the week, Memorial Day and Labor Day are different. Should not some environmental study be done to see what impact this may have? Jet skis are a new factor and should considered before new expansion of days as well. Also, I have not attended many of these types of hearings and was surprised that the notification was not mailed, at least to all lake residents. It also seemed the hearing was just a formality and those in favor assured this would be easy to change. Certainly hope this is not so, this lake should benefit everyone wishing to use it. I think the size, hp and speed on this small lake should be addressed for safety and noise. thank you James Smith

115 Wyassup Lake Rd

1

Dear Timothy Delgado:

I attended the meeting on February 15<sup>th</sup> at the North Stonington Town Hall in regards to the amendment to the boating regulations to allow an extension to the boating season on Wyassup Lake. I signed as being opposed to the amendment. As I am not a property owner on Wyassup I assumed I wouldn't be allowed to testify. I later found out that I could have, this is my testimony.

I was dismayed at what to me appeared to be procedural flaws leading up to and during the meeting. A regulation change such as this will have an impact on everyone on or close to the lake. I live on Blue Lake in North Stonington about 1 1/2 miles from Wyassup. I've been president or vice-president of our association for over thirty years. We have dealt with regulation changes, water diversion permits, rebuilding our dam, creating a tax district, weed control and other lake water quality issues. With these issues and others the very first step would be to notify each and every person in the Tax District to receive their input. Some meetings are contentious and some issues are not easily resolved but everyone on the lake knows what is going on and has the chance to voice their opinion. When I arrived at the meeting on February 15<sup>th</sup> and looked around it became obvious no such notification had been done. After the meeting I learned that most of the people on the west side of the lake had heard nothing of this proposed reg. change.

Upon reading the yellow handout at the meeting I find one paragraph relating to the regulation change. It says that the Lake Association conducted an "informal" survey where 40 of 44 persons agreed with the proposed change, including our first Selectman, and that the DEEP Boating Division does not object to the proposed change. I read the last line three times. It was disturbing to say the least. Here we were at a meeting concerning a reg. change that ultimately would be decided by the DEEP and we are told in a handout that they "do not object to the change". Next I listened to the lady from DEEP leading the meeting start out by saying we should be prepared, it's a process and it's going to take a while for this to go through. First it has to go to this then it has to go through that. There is no reason it shouldn't pass as it's a pretty simple regulation change but I should warn you, it might be June or later before it takes effect. It was appalling to me that seemingly a decision had been made without due process. I will ask this of Eleanor Mariani. If at the next meeting you lead you enter with a bias as to how the DEEP will rule on an issue, please try to act neutral and oversee the meeting in an objective manner. That way the people who might disagree will voice their opinion and not feel like it's a done deal.

Back to that paragraph: Where is our copy of this informal survey? Why wasn't one handed out at the meeting? What questions did it ask and how were they phrased? Who were the forty or more people? Were they from the lake, from the town or even from the State? Was there any criteria as to

who can sign it and if so who is doing the verification. If there is no criteria why does this Survey have any meaning at all? Why does it matter that the first Selectman agrees with the proposed change? At this stage of the process his opinion should carry no more weight than mine. I have good friends on Wyassup Lake and I spend a lot of time there yearround, swimming, boating, blueberry picking, mushrooming, picnicking (etc) I've never seen our first Selectman at Wyassup.

The last sentence of the yellow paper states there is no anticipated fiscal impact to the Town or State or adverse impact to small business. I would like to know who made this determination and how it was made. More importantly the real impact of this proposed change is to the environment, safety and quality of life issues. I see no mention of environmental impact. This seems unbelievable to me. When the DEP merged with the Dept. of Energy I was concerned the DEP could lose focus and be pushed to a back burner but it appears that it simply doesn't exist in this matter! What is the environmental impact of the wakes of these large boats and jet skis slamming against the shores an additional two or three weeks a year? Will it have an adverse effect on the reproduction of fish amphibians, reptiles, waterfowl, plants and insects? Will the additional oil emissions be a factor? Have the "Fish and Wildlife Dept" been consulted?

Safety is a difficult issue. I realize this is an enforcement problem. Funding is down

and staffs are short of manpower, I can say from experience if you are swimming on the west side of the lake you either hug the shore or get out when people are recklessly water-skiing. The powerboats and the jet-skis routinely ignore the 100' and 200' setbacks. There is also total disregard of the hours of operation. The obvious question becomes, if you don't have the manpower to enforce the regulations during the existing season why would you extend it?

The reason that the WLA gives is that it opines the current short waterskiing season. Please correct me if I'm wrong but in reading the regulations it seems that all the lakes that allow waterskiing have the same current season. If Wyassup Lake is given an extension and the one and only reason is that their season is too short, why wouldn't every lake that allows waterskiing ask for the same extension for the same reason? If the DEEP wanted to say no, on what grounds would they be able to deny the request? It seems to me a dangerous precedent could be set without fully understanding the ramifications.

I look at the "quality of life" issue this way. The first couple of weeks in June at Wyassup are usually warm and always peaceful. The water temperature may or may not be warm enough for me to swim. The kids are swimming of course, and taking their tube out to the middle of the lake. We can enjoy a quiet afternoon in a rowboat or canoe without

bobbing up and down due to the wake of power-boats. Take a nap in a lawn chair by the lake on a Sunday afternoon without the drone of jet-skis or powerboats. Sit on the porch and listen and watch the wildlife. These are simple quality of life experiences that people like me don't take for granted. The warm part of the season for these pleasures is two or three weeks. I opine that it is currently too short and would love to see it extended, but all I ask is that you preserve it.

Thank you,

Tim Crandall

99-B Cossaduck Hill Rd.  
N. Stonington, CT 06359

Phone # 860-889-2462

Timothy Delgado  
Environmental Analyst/Regulatory Unit Boating Division  
DEEP  
333 Ferry Road  
PO Box 280  
Old Lyme, CT 06371

Tim,

This letter is part of my contribution to public comment on the proposed regulation change for Wyassup Lake. It is my belief that extending the motor boat and jet ski season will have a damaging effect on the environment, will contribute to the destruction of personal property and real estate, and is dangerous to people engaged in passive recreation. Toward this end I am sending you a video along with this letter which provides compelling visual evidence of the assertions of those of us who are against the application.

#### PROCEDURAL ISSUES

As a separate issue, the Department of Energy and Environmental Protection must take care in the way it conducts hearings and decides issues. As a year round resident of the lake whose property is heavily impacted by motors I was shocked to attend a public hearing which was conducted in a highly biased manner. The DEEP should not have allowed the petitioner and President of the Wyassup Lake Improvement Association (WLIA) to run the meeting by introducing the DEEP or to close the meeting with Association business. More importantly, after the official hearing was opened, Commissioner Eleanor Mariani made an opening statement that the decision of the DEEP was "obvious" in a case like this and that the regulation would be changed possibly by the beginning of June of this year. This is a clear expression of pre-determination that is inexcusable from a public official conducting a public hearing. It was also stated at the beginning of the hearing by Ms. Mariani that there would be no back and forth allowed, but after I spoke she allowed several people to make comments about what I had said. There were other people in the audience that night who were against the regulation change but they did not want to speak in that biased environment.

Questionable also is the DEEP's policy of informing stakeholders about the proposed change. It was my understanding that the only thing that was done was to place an ad in the New London Day the day before the meeting.

Since the meeting I have thought long and hard about how to address the issues of bias and predetermination – part of me would like to formally complain to the Attorney General and my representatives in Hartford – but I have chosen to allow DEEP to do its job thoughtfully and thoroughly for the remainder of this application, trusting in the goodwill of yourself and Ms. Mariani to take a step back and relook at the issue with unbiased eyes.

## THE ENVIRONMENT

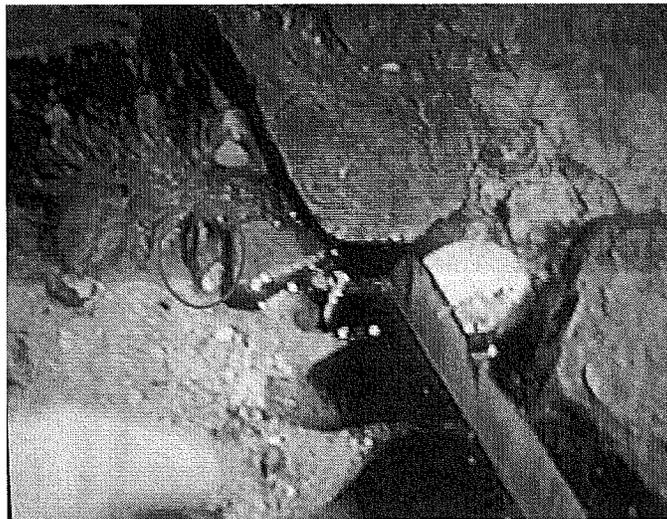
I would hope the Department charged with Environmental Protection would be the most tenacious stewards of the environment in the State of Connecticut and that the environment would be their primary yardstick for judging projects. Wyassup Lake is a small lake with Natural Diversity Database Areas along it. The flora and fauna that live in and around the lake, and the water itself need to be advocated for by the Department.

One of the biggest harms to the environment is the disruption of habitat. I have seen motor boaters make sport of trying to run over birds with their young, while the animals are crossing the lake to get out of harm's way. In the Spring, when the extension is proposed, waterfowl are small and can only paddle, whereas the motors can go the length of the lake a few seconds when they are at full throttle.

My house at 114 Wyassup Lake Road sits along Wyassup Brook and has two shallow areas on either side of the waterfront that have always been used by catfish as nesting spots. As you probably know, baby catfish, when they are about an inch or so long, need extremely shallow water in which to survive. A hungry sunfish can eat an entire school of them in a couple of minutes if the water is deep enough for him to get up close.

Wyassup Lake has a fairly narrow channel for motors, in many places the lake is not much more than 500 feet from shore to shore. Over the years, as boats have gotten more powerful, their wakes have become more destructive. There is simply not enough distance from boat to shore to disperse the wakes. As a result, the catfish nesting in the shallows are literally flung onto the shore by the wake of boats, and there are less and less of them that mature.

This picture is of a catfish (in the red circle) as the wake of a skier has just flung it into the rocks. To give you an idea of scale, my finger is the blur in the lower left corner. The boat in this case was in the legal distance from shore, it just had a wake that was too big for the lake to handle.



I have measured the natural waves of the lake versus motor boat wakes. There is a three-foot high cement wall on the deeper part of my lakefront, where it is possible to get a clear idea of the height of waves. I fixed a tape measure on the wall in the same spot on three different occasions: a tranquil day with no boats, a windy day when the waves on the lake had whitecaps but there were no boats, and on a calm day with one boat on the lake. The water 'at rest' is about ten inches deep where I was measuring, and the bottom

is fairly flat. On a tranquil day with no boats out, the height of the waves only fluctuated a couple of inches. On a very windy day in August, with white caps, it fluctuated about 10 inches. The wake of a single motorboat on a tranquil day rose over the three-foot wall, and with such force that it knocked the whole measuring apparatus down.



This picture is of a motorboat wake. This is not a wave of nature, it is not a wave that waterfowl and fish are equipped to deal with (nor are young swimmers or canoes).

As shown in the accompanying video, the lake's vegetation gets chopped up by motor boats and jet skis. It is common to see oil slicks and dirty foam at the end of a heavy boating day. It is also common to see plumes of blue smoke from engines when there are boats on the lake.

Noise is another form of pollution to the environment. Many studies have found that noise has a significant impact on wildlife population, diversity and reproduction. Honeybees are already in a state of crisis and are extremely temperamental in their pollinating under the best of circumstances. According to the FHWA, ([http://www.fhwa.dot.gov/environment/noise/noise\\_effect\\_on\\_wildlife/effects/wild04.cfm](http://www.fhwa.dot.gov/environment/noise/noise_effect_on_wildlife/effects/wild04.cfm)) they will stop moving for up to twenty minutes because of loud noises.

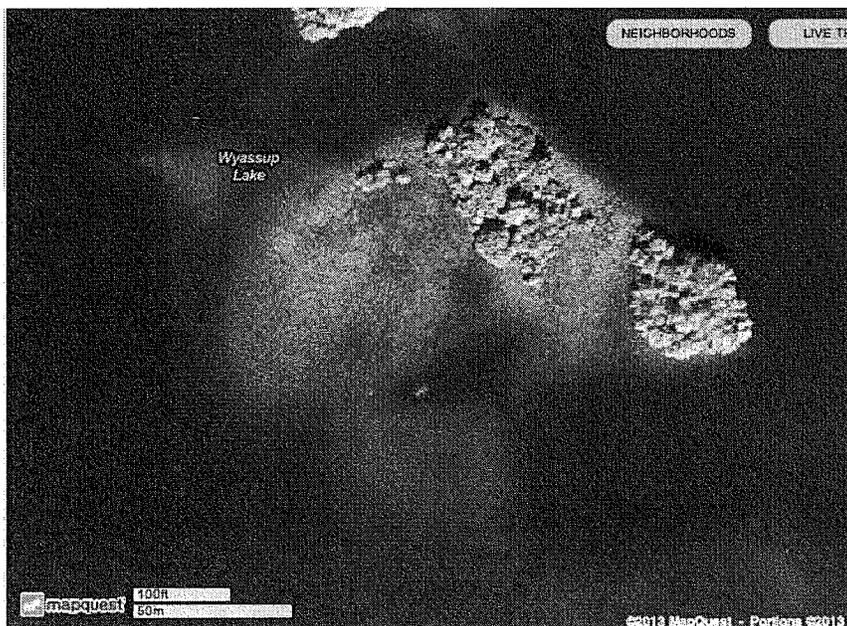
Motors on the lake could easily jeopardize Spring pollination of the native blueberries that grow on the islands, or other blooming trees and shrubs the ecosystem relies on. *Vaccinium corymbosum* (wild highbush blueberry) grows on the islands of Wyassup Lake. It blooms in the first week of August. Bees are its primary pollinator. According to the USDA database, it takes 62 days to mature from pollination. This puts the pollination time for *vaccinium corymbosum* squarely in the first week of June when the extension is requested. *Vaccinium corymbosum* provides important summer and early fall food for numerous species of birds. This important part of the food chain would be harmed by the extension of the motor boating season.

Many animals are adversely affected by noise. According to the EPA, "The most sensitive species appear to be ducks, geese, and other long-distance migrants which feed

in large flocks at the ground or water level (Burger 1981), as well as colonially-nesting species (e.g., Markham and Brechtel 1979, Tremblay and Ellison 1979) and large species (e.g., Stalmaster and Newman 1978).”

The EPA also found (*Impacts on Quality of Inland Wetlands of the United States: A Survey of Indicators, Techniques, and Applications of Community Level Biomonitoring Data Excerpts from Report #EPA/600/3-90/073*) “Motorboat activities can disturb waterfowl up to 1,000 m away (Hoy 1987). This results in more time being spent in energetically costly behaviors. Disturbance can also increase the food consumption needs of waterbirds. Korschgen et al. (1985) found that only 5 boating disturbances per day increased the energy requirements of canvasbacks by 20 percent, requiring consumption of an additional 23 g of food daily.” (One wonders if the vigorous eating of lawns by Canada Geese is exacerbated by motorboat and jet ski use.)

The harmful effect of noise on the type of wildlife found at Wyassup Lake is proven. The largest diversity of species is present in the Spring and they are typically at their most vulnerable stage of life. They should not be disturbed by the noise that would be generated by the proposed regulation change.



Before the large motor era, this cluster of islands was a single island. Islands provide safe nesting for many birds. Have motors caused their decline?

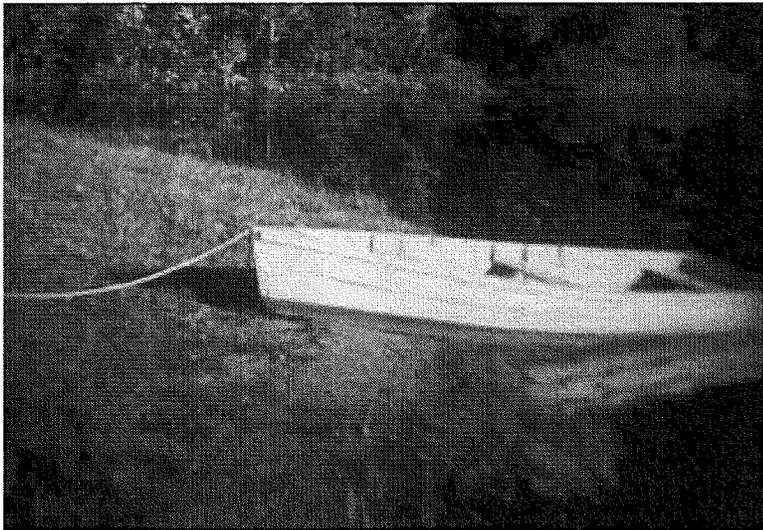
I have put enough time in this lake to consider myself one of its oldest stewards, and I would like to see the DEEP do its diligence when it comes to Wyassup’s precious environment. At the risk of sounding trite, the honeybees, islands, and catfish cannot stand up at a public hearing and advocate for themselves, that’s why you are there. Clearly there are enough environmental issues

that warrant a thorough examination by DEEP and ultimately a no-vote on the proposed regulation change.

#### DESTRUCTION OF PERSONAL PROPERTY AND REAL ESTATE

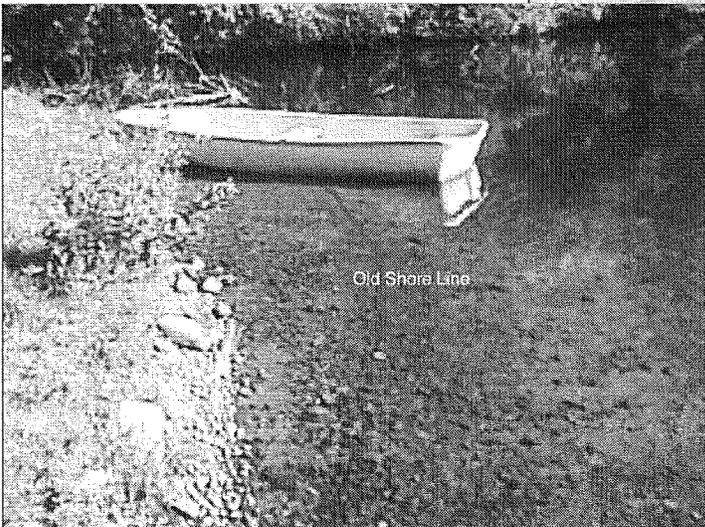
My family has lived at 114 Wyassup Lake Road since 1941. I have spent endless hours on the lake for 52 years, and know it well. Until the 1990’s the shoreline was relatively unchanged and undisturbed by erosion. The bank was curved, soft with grass, and had a

gradual incline as shown in the photographs below. It was an ideal place to moor a rowboat or canoe or go wading. The motors that were used for water skiing in the 60's and 70's were small and slow and did not get in the way of swimming or rowing, (which I used to do safely as a kid all day every day of the summer.) But with no regulatory cap on the size of motors and the invention of increasingly powerful units and jet skis, our family lost approximately two feet of frontage over a twenty-foot section of shoreline.



Left: Soft grass-covered shoreline, as it was until about 1990

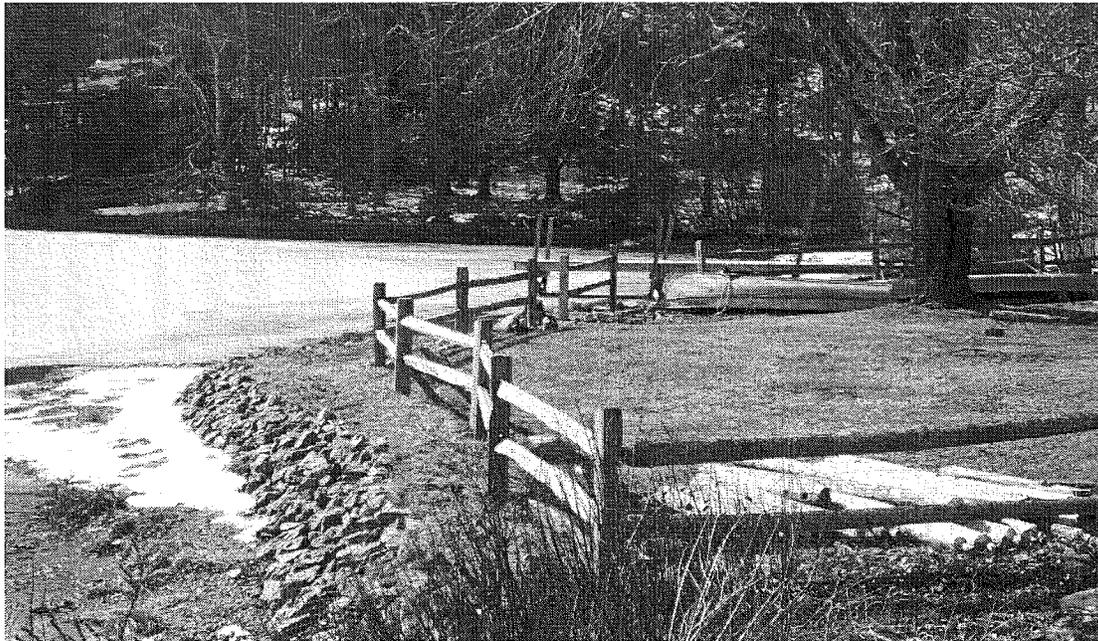
Below: Post-1990: motorboat with rooster-tail wake



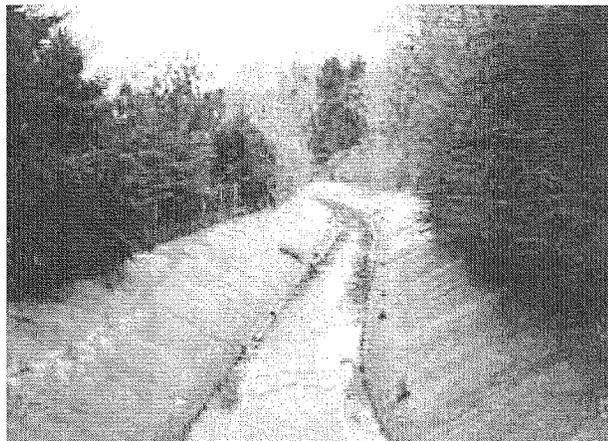
The fiberglass rowboat pictured at left in 2003, was destroyed from being battered against the eroded shoreline – both erosion and boat damage caused by the wakes of unlimited sized motors post 1990. The shore lost two feet of frontage from wake damage.

Since the previous photo was taken I have replaced the boat and had the shoreline repaired at considerable expense. The shoreline erosion was not caused by ice, as was suggested by Mr. Armstrong at the public hearing. The water is only an inch deep in this area as you can see and cannot cause ice damage. Large wakes caused the damage.

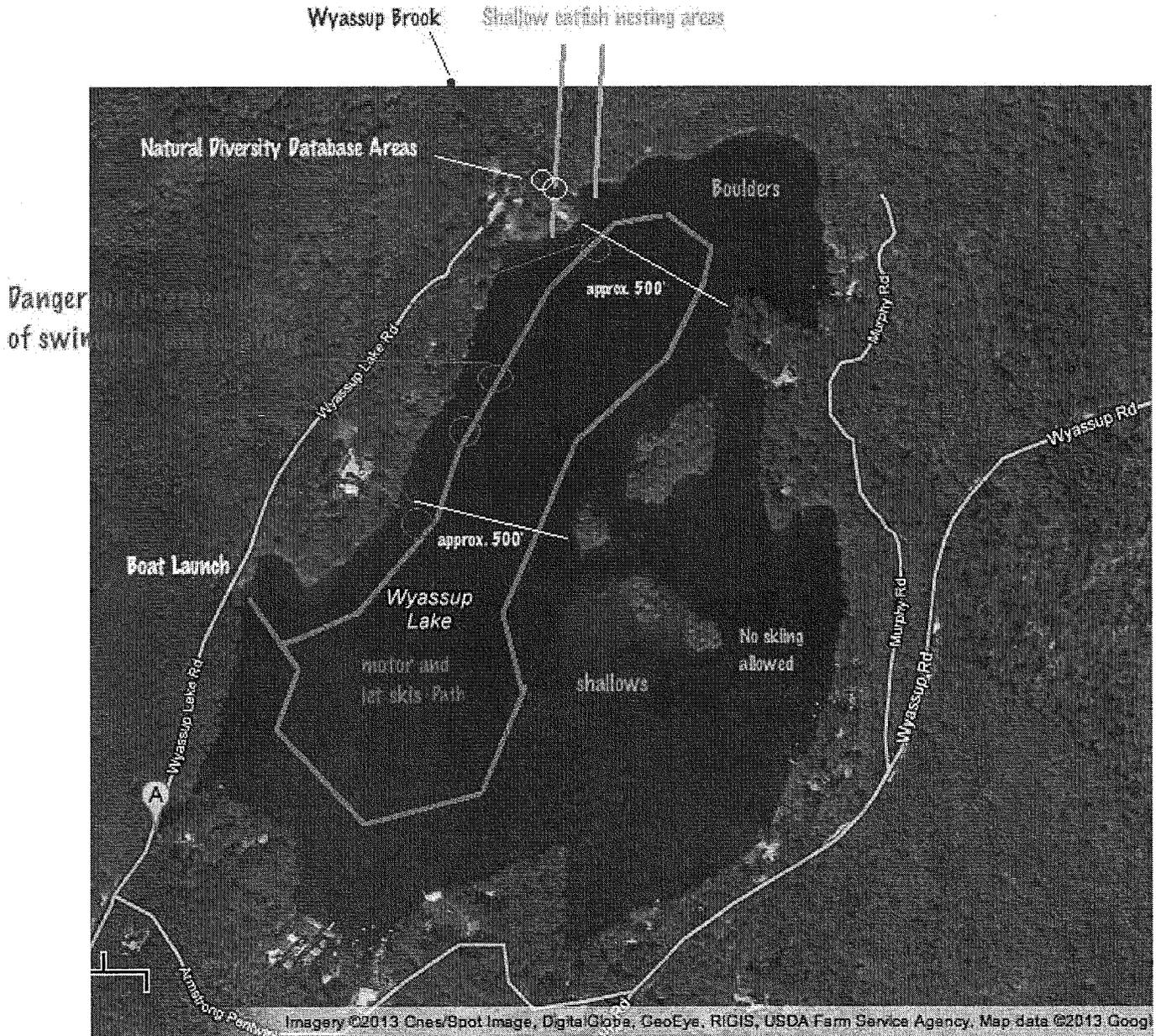
My neighbor, Eleanor Cornell, lost frontage in the same manner. To protect her property she had to have her entire shoreline, a good fifty feet or more, repaired with riprap (below). Her neighbors, the Steadmans, have also had to repair wake damage. Besides being a costly nuisance, and uncondusive to boat mooring, it forever changes the aquatic environment.



We have the right to protect our property from erosion, yet we do not want to turn this beautiful body of water into a concrete motor pond, which is what is slowly happening. The DEEP is working to restore streambeds like the one pictured here, which according to DEEP has been so drastically altered that it's only purpose is to protect property and has no environmental function left. It would be cheaper and less harmful for both property owners and the state, if DEEP would address erosion in an environmentally sensitive and timely way - as they should do now, at Wyassup Lake, by regulating motors based on the damage to the shoreline.



Although Wyassup Lake is listed by DEEP as being approximately 100 acres, the eastern side where boating is not allowed, the islands, the boulders on the north shore, and the shallow areas render only about half the acreage as a practical motor-boating area. Most lakes with a small area for boating have a cap on the horsepower and speed of motors, Wyassup Lake should as well. Horsepower and speed regulation, which might mitigate damage to the environment and property, is not part of the proposed regulation change. The regulation change as requested is needlessly burdensome and damaging.



This modified Google image shows the area currently used for boating, and the danger the crowded boat traffic poses to swimmers on the west side.

This photo shows the bottom of the north end of the lake after it was partially drained. In the upper right corner are the boulders. One of the shallow catfish areas is just off screen to the upper left.

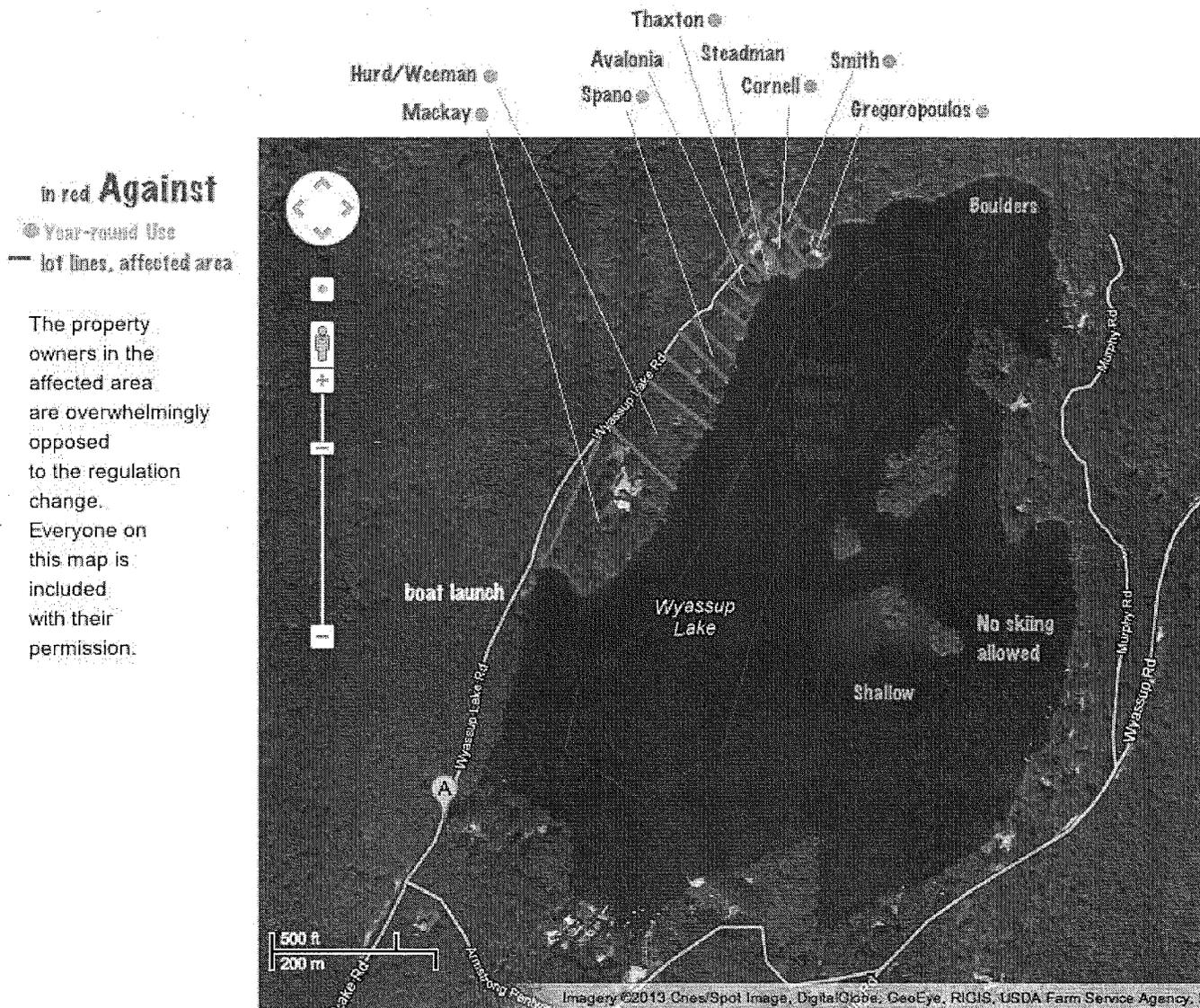


#### SAFETY

With a narrow channel (500' in some cases) for two-way traffic of motor boats and jet skis, and no protected areas along the western shore, the stretch of property north of the boat launch is simply not safe for swimming while anyone is skiing. Small children cannot stand up to being slapped into a rocky shore or cement wall by large wakes, and the lack of distance between boats and adult swimmers is alarming. It is just as dangerous to use a canoe, sailboat or rowboat in these areas. Safety issues are exacerbated by the many people who drink while boating, and the tendency of the pilot to look back at the skier instead of ahead where someone might be swimming.

The turn around area in the north, limited by the boulders and landforms on the east and west that stick out into the lake, is especially dangerous. Violations are frequent and there is virtually no enforcement, since DEEP is woefully understaffed. As owner of the lake, the State of Connecticut must be prepared to assume liability for the dangerous situation it has created through poor regulations and lack of enforcement. The DEEP should strive to increase safety on the lake. The proposed regulations will decrease it.

Forcing all the motor boating into the corridor on the west side of the lake places the environmental impact, safety issues and property damage on the property north of the boat ramp on Wyassup Lake Road. The landowners in this high impact area have a higher stake in the outcome of this decision than anyone else. Their opinions should be weighted accordingly, and they are overwhelmingly against the change. On the other hand, the people on Murphy Road, Wyassup Road and Armstrong Pentway are not in a position to feel the impact or understand the environmental consequences to anywhere near the same extent.



The proposed regulation would take away the only warm weekends of the year when passive recreation does not have to compete for use of the lake. Hundreds of people can passively use the lake together: a single skier can drive them all away.

To use its own words, "The Connecticut Department of Energy and Environmental Protection (DEEP) is charged with conserving, improving and protecting the natural resources and the environment of the state of Connecticut", and "the Bureau of Outdoor Recreation is charged with the conservation and management of statewide recreation lands and resources". At the public hearing a yellow sheet of paper was handed out by DEEP stating,

*"The amendment is proposed at the request of the Wyassup Lake Improvement Association (WLIA), which opines that the current short waterskiing season is unnecessarily restrictive. By way of support for their request, the WLIA conducted an informal survey in which over forty persons agreed with the proposed change and four disagreed. Among those who agreed with the proposed change was the First Selectman. The DEEP Boating Division does not object to the proposed change.*

*There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business."*

How does this statement meet the conservation mission DEEP is charged with? When asked at the hearing, you stated that no environmental review had been done. Both you and Ms. Mariani admitted to being unfamiliar with the lake. That the DEEP would ignore the environment is so unacceptable it's baffling. Instead of applying conservation criteria and science to ensure the preservation of an important resource, the DEEP relied on a one sided "survey" of motor boat enthusiasts conducted by the applicant, and the opinion of the first selectmen, irrelevant in a town that has no lake property nor any jurisdiction over the lake.

I ask that you take the time now to consider the environment; That you strive to make this process fair, impartial, and in keeping with the stated conservation mission of the DEEP; That you base your decision on science and safety and not politics; That you consider the real stakeholders (humans and nature) who are at risk from the proposed change; That you reject the proposed change; And finally, that you work proactively to address the erosion, environmental, noise and safety issues that are affecting Wyassup Lake.

Respectfully Submitted,  
Vilma Gregoropoulos  
114 Wyassup Lake Rd  
North Stonington CT 06359

**Delgado, Timothy**

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**From:** Noah Gregoropoulos [ngregoropoulos@comcast.net]  
**Sent:** Monday, February 25, 2013 2:19 PM  
**To:** Delgado, Timothy  
**Subject:** No Motorboats on Wyassup in Spring

I grew up spending summers at my grandparents' home on Lake Wyassup, and still visit family there often. It is not a large lake, yet is rich in wildlife, waterfowl, blubberies, etc. During the summer it's become pretty much choked with noise from motorized boats, many too large to safely use this area. Springtime is vital to the more fragile aspects of the area, hatching ducks and geese, waterplants, etc. I strongly urge you NOT to allow the motorboat season to be extended into the spring - we need to share this place, both with those who prefer safe swimming, non-motorboat fishing, rowing, canoeing, (not to mention peace and quiet) AND with the new natural life of the spring. Enough is enough.

Noah Gregoropoulos  
Chicago, IL  
773 244 9049

**Delgado, Timothy**

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**From:** joseph spano [joespano2002@yahoo.com]  
**Sent:** Monday, February 25, 2013 1:21 PM  
**To:** Delgado, Timothy; vilmajg@att.net  
**Subject:** lake wyassup extension

Dear Mr. Delgado: You recently met with residents from the east and north shores of Lake Wyassup concerning extending the boating season. I wish to object to this plan because my home is on the west shore. This is the area where highly powered, multi-engined boats (many of which have water skiers and tubers attached) followed by a pack of buzzing jet skis make the 30sec. run from one end of the lake to the other. In addition, the use of alcohol is in evidence (proof of which was provided when the lake was drained this winter. Many bushels of broken beer bottles littered the lake bottom). This is much more than annoying, but also dangerous because some of these boaters think its sporting to come as close as possible to children swimming, people in small boats, and fishermen. Many times one or more of these boats will stop off-shore and conduct a loud, obscene drinking party.

Please consider NOT extending the boating season, limiting the HP of the large boats, banning jet skis and enforcing laws against operating a motor boat while intoxicated.

Sincerely yours: Joseph J. Spano  
102 Lake Wyassup Road  
860-245-5240

**Delgado, Timothy**

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**From:** Boyd, Jim [boyd@fas.harvard.edu]  
**Sent:** Monday, February 25, 2013 1:51 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

Dear Mr. Delgado,

I understand there is the possibility that the motorboat season on Wyassup lake will be extended beyond the June 15 date. My friends house overlooks the lake and I have spent several memorable days enjoying the serenity and beauty of this wonderful place.

It may be hard to explain what the natural sounds of a place mean to someone. Walden Pond is a good example which is probably why it is so popular, not only as a place to swim in the heat of the summer, but to get away from the noisy world for a few hours. So, for this reason alone I am not in favor of extending the motorboat season. I understand there is a need to balance opposing views, but it seems to me that this has already been met with the current policy.

Thank you for your consideration.

Jim

Jim Boyd  
17 Robinson Street  
Somerville, MA 02145

Cleanor Cornell  
112 Weyassup Lk. Rd.  
77. Stonington, Ct.  
06359

Timothy Delgado,

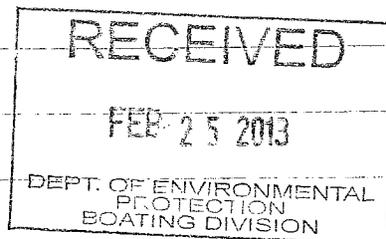
I understand that there are  
some people who would  
like to change the time of  
year that the boats with  
motors can be on the lake.

I think that the time should  
stay the same.

Most of the motor boats  
are people who don't live  
on the lake.

I hope it doesn't change.

Sincerely  
Cleanor Cornell



**Delgado, Timothy**

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**From:** Evmorphia Stratis [evmorphia@hotmail.com]  
**Sent:** Monday, February 25, 2013 4:54 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

Dear Mr. Delgado,

I strongly in favor of protecting our environment which protects us. Please do not allow motor boats on Lake Wyassup in the spring. I encourage you to do an environmental analysis of the impact of motor boats on our environment in general. All living creatures need some peace and quiet !

Sincerely,

Evmorphia Stratis  
Massachusetts

## **Delgado, Timothy**

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**From:** David Thaxton [dthaxton@snet.net]  
**Sent:** Tuesday, February 26, 2013 4:11 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake North Stonington CT

Dear Mr. Delgado,

I am a North Stonington resident and own two year-round properties on Wyassup Lake – 113 Wyassup Lake Road and 44P Wyassup Lake Rd (Armstrong Pentway) – and have just made aware of a proposal to extend the motor boat operations on the lake from Memorial Day to the Sunday after Labor Day. I am protesting this proposal for two specific reasons: the first is that this action is environmentally harmful and, the second is the manner in which this proposal has been made – without communication to property owners and the abbreviated timeline until decision which I understand is March 1<sup>st</sup>. I am also led to believe that the extension comes from other than lake property owners.

I have a BS in Naval Science, an MS in Oceanography and have an intimate awareness of the effect created by high-speed induced waves on shorelines. This is exacerbated by the relatively small area and shallow basin of the 80 acre Wyassup Lake. My southern property beach line is continually eroded through the runs of motor boats and jet skis which are limited to essentially repeating runs of less than 800 yards due to the lake geography. In addition to erosion, many of the boats are poorly maintained and handled and pollute the lake through spillage and exhaust, achieving nothing more than turning petroleum products into noise and oxides of carbon.

I would like to submit a proposal of my own which I would be happy to provide means and forums for discussions by property owners, town committees and the state DEEP. The proposal would be to limit Wyassup Lake to canoeing, rowing, sailing, kayaking and fishing craft limited to a trolling motor. In the interim, I urge you to deny the proposal to extend the motor craft operations season. At least postpone decision to have a publicized meeting(s) and request the proponents of the extension to submit an environmental impact study. I believe this to be fair and responsible to all parties.

Respectfully submitted,  
David Thaxton  
POB 334  
North Stonington CT 06359  
860 535 1091

EXHIBIT 50

**Delgado, Timothy**

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**From:** Zack Stratis [zackstratis@gmail.com]  
**Sent:** Wednesday, February 27, 2013 1:39 AM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

Dear Mr. Delgado and all residents near Wyassup Lake,

Wyassup lake is a rather small lake that is fortunate enough to be near preserved lands. It is one of the many gems belonging to the great state of Connecticut. It provides year round enjoyment and a connection to nature for all those who live near or visit.

Recently I have learned that there is an effort to expand the season for motor boating. This is the wrong direction for such a small lake. I have visited the lake often and always felt that motor boats made no sense. There just isn't enough distance between the boats, the homes, and the swimmers.

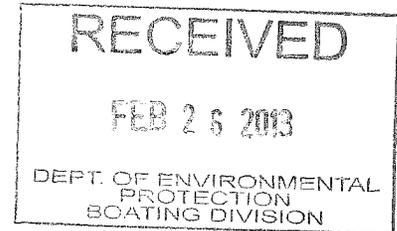
Why does the wish of motorists need to affect everyone that uses the lake? If there were no motor boats on the lake EVERYONE would still enjoy the lake. Everyone would benefit from the beauty, clean water and peace it has to offer. The idea to bring the motor boat season into the spring is just obnoxious. And I am also concerned that nature will agree with me. Spring season is when many waterfowl are still hatching and growing. Kill the wildlife around the lake and you kill the lake!

**Please change the direction you are going with the small and precious Wyassup lake - everyone will benefit from keeping the lake a quiet and safe place for family's to row, canoe, swim, and fish - with peace.**

Respectfully Yours,  
Zack Stratis

188 Northwest Corner Road  
North Stonington, CT 06359-1030  
February 25, 2013

Mr. Timothy Delgado  
Boating Division  
Department of Energy and  
Environmental Protection  
330 Ferry Road  
P. O. Box 280  
Old Lyme, CT 06371



Re: Regulation Change on  
Wyassup Lake, North  
Stonington

Dear Mr. Delgado:

On Wednesday, February 15, 2013, I attended the Public Hearing for the Regulation Change proposed for Wyassup Lake. I was present for the entire hearing and asked a few questions before the hearing officially began. I did not speak at the time because I did not feel it was "my take," I have since reversed that opinion and wish to make some comments in **OPPOSITION** to the regulation change as follows:

1. At the end of the hearing the woman running the hearing (moderator) expressed a considerable bias and apparent predetermination of your department -- that this regulation change would surely be approved, and quickly. There appeared to be no room for consideration of any presentations at the hearing or that might subsequently be received in the review period.
2. Ms. Vilma Gregoropolous, who has lived at the last house on Wyassup Lake Road at the northwest corner of the lake for 14 years and whose family has owned that property for over 50 years, was essentially called a liar by her neighbors. They called her obserfations false. I have known Ms. Gregoropolous for most of her 14 years in North Stonington (We served on the Planning and Zoning Commission for many years.). She has never been other than honest and forthright; she is a careful observer and protector of the environment. I believe her claims that boat wakes have been strong enough to flip fish onto her lawn and to weaken her retaining wall.
3. The fact that people claimed the memories created for their grandchildren on Memorial Day weekend as one of the main reasons for wanting the waterskiing season extended to include the Memorial Day weekend does not seem reason enough to ignore any environmental consideration. A weekend visit to Wyassup Lake is quite memorable and pleasant with all other water activities, except water skiing and there are numerous other weekends for that. Besides, the water us usually too cold for swimming in May anyway.
4. It appears that no significant environmental studies have been conducted. Surely, there was a good reason when the waterskiing

EXHIBIT S2A

season for **ALL** Connecticut lakes was established as "June fifteenth to the Sunday following Labor Day."

5. If this regulation is revised to accept the proposed change, it can be expected that the residents on all the other lakes allowing waterskiing will want the same extension. Are you prepared for that?

In conclusion, and as a past kayaker, I am opposed to a regulation that increases the time that noisy, intrusive boats are allowed to disturb the rare serenity of any Connecticut lake. I hope you will reconsider what appears to have been a predetermined decision.

Sincerely Yours,



Anne H. Nalwalk  
(Forty-five-year resident  
of North Stonington)

## **Delgado, Timothy**

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**From:** Jo Negri [jo.negri@gmail.com]  
**Sent:** Wednesday, February 27, 2013 2:04 PM  
**To:** Delgado, Timothy  
**Subject:** DEEP regulation change for water craft on Wyassup lake - public comment

Dear Mr. Delgado,

I wish to comment of the proposed regulation change which would allow motor boats access to lakes in CT, specifically on Wyassup lake in North Stonington, three weeks earlier than previously permitted.

**I oppose the change** because this will increase the environmental impact of motor boat activity on the ecosystem of the lake itself and of the surrounding habitat - **specifically during the spring time when many species of plants and animals are in new growth/breeding cycles and the lake is recovering from the previous season impacts.**

Environmental impacts from water craft have been shown to be in the form of, but not limited to: increased pollution due to unburned gasoline emissions from boat engines, sediment disturbance, fish and aquatic life disturbance during the peak breeding season, increased shoreline erosion, water quality/clarity and plant damage from wakes and propeller action. Human impacts to lakeside residents include increased noise ( particularly from Jet skis ) , disturbance and pollution. References: T. A. Asplund et al. "The Affect of Motorized Watercraft on Aquatic Ecosystems" University of Wisconsin, Madison, 2002 .  
<http://roundthelake.com/PIER%20WI%20DNR/lakes.pdf>:

I was surprised to learn that the DEEP had not already carried out an environmental assessment as a matter of course before proposing such a change, which will have some degree of impact on water quality, wildlife and residents in the surrounding area.

The public should also be informed of the intent and purpose of the proposed regulation change, as there are wider issues at stake to be considered and people who may be adversely affected. Thank-you for your consideration.

Sincerely,

Dr J. T Negri

150 Providence New London Turnpike,  
North Stonington, CT 06359

## **Delgado, Timothy**

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**From:** Annette Zelanski [annzelan@charter.net]  
**Sent:** Wednesday, February 27, 2013 4:20 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

Dear Timothy,

Please do not extend the motor boat dates to include Memorial Day. There is enough motor activity on the lake already, and much erosion of beach areas for those living where the motor boats swing around. Extending the season will only speed up the erosion. My friend who lives on Lake Wyassup has already lost 2 ft of her lakeside property to the wakes of the boats. There have been incidents where the safety of swimmers was in jeopardy because of speeding boats, so before you extend the length of time for speed boaters, wouldn't it be better to put a few more regulations in place to save the beaches, swimmers, wildlife nestings, and bees?

Thank you,

Annette Zelanski

EXHIBIT 54

**Delgado, Timothy**

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**From:** Barbara Fontanella [bfhummingbird@yahoo.com]  
**Sent:** Friday, March 01, 2013 12:52 AM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake - DEEP regulation change

I am opposed to the Department of Energy and Environmental Protection [DEEP] implementing a regulation change that would set an unwelcome precedent in Connecticut, environmentally and administratively. As I understand it, the proposal would allow motor boats and jet skis on Wyassup Lake in the spring season three weeks earlier than currently allowed. Wyassup Lake is an important part of the ecosystem and needs to be protected.

Sincerely,  
Barbara Fontanella  
North Stonington, CT

**Delgado, Timothy**

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**From:** dibrino.jn@comcast.net  
**Sent:** Friday, March 01, 2013 10:56 AM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake, North Stonington, Ct

February

28, 2013

To: DEEP State of Connecticut

Att: Mr. Tim Delgado

Re: Expanded motor boating season on Wyassup Lake, North Stonington, Ct

Dear Mr. Delgado,

I am a resident of North Stonington and have had the pleasure of spending time kayaking on Lake Wyassup; it is truly an idyllic lake. For me, it is most enjoyable kayaking on the lake when there are no motor craft buzzing around. It can be quite an anxious moment when a boat traveling with speed in your direction and you are sitting just a few inches above the water surface, wondering if the guy in the boat is seeing you.

I would like to mention ( with the intention that perhaps the following may be helpful in aiding your environmental evaluation or at least make you aware of some analytical data that exists for Wyassup Lake) that for many years now I have collected water samples from Wyassup Lake, for the University of Rhode Island Watershed Watch program. Participation in this program was sponsored by the North Stonington Citizens Land Alliance. You can access this data, if you choose to, by going to the URI Watershed Watch web page. You may have to troll around a bit, but briefly if you log onto the website, in left-hand column click on Monitoring Data, then look for a column heading Individual Site Charts, select multi-year and scroll down to Wyassup Lake.

In general, within the scope of the monitoring program, Wyassup Lake has exhibited a relatively consistent mid-level profile.

I would prefer that the motor boating season not be expanded, but if your decision comes in favor of expansion, I hope the DEEP will provide appropriate monitoring for possible negative impacts on the lake's water quality and area wildlife. I also hope that the DEEP can provide appropriate evaluation of noise levels (most relevant to lake side residents) and boat traffic levels with a biases toward shared use between speed boat enthusiasts and those of us who prefer a quiet paddle or sail around the lake.

Sincerely,

Joseph DiBrino

## Delgado, Timothy

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**From:** spirit7free@comcast.net  
**Sent:** Friday, March 01, 2013 12:00 PM  
**To:** Delgado, Timothy  
**Subject:** Wyassup Lake

Dear Mr. Delgado,

There are few pristine lakes left in this country and Wyassup Lake, although not pristine doesn't need to be damaged any more by allowing motor boats or jet skis. There are lakes that simply need to be left alone and not damaged anymore. In this day and age, with environmental concerns and global warming, we are just continuing to set our children and their children for disaster.

I can't even believe this is being considered. Leave the wildlife and lakes alone while we still have them. There are already barren lakes and ponds in Connecticut that wildlife no longer exist in. We are killing ourselves.

Yes, we are killing ourselves by killing the environment.

The science is there, now all we need to do is act and pay attention. If we don't, our demise will happen a lot sooner. Mother earth will still be here, but we will not. Please do not allow this to happen. Thank you.

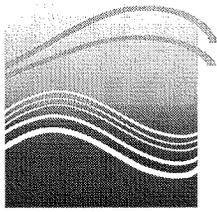
Anne Marie Nelson  
Spirit Moves  
Yoga, Pilates & Movement  
860-535-0565  
New email: [spirit7moves@gmail.com](mailto:spirit7moves@gmail.com)

Website: <http://home.comcast.net/~spirit7free/site/?/home/>

Flowing is the pipeline to our inner truth, the impulse to follow the flow of one's own energy, to be true to oneself-listening and attending to our needs, receptive to our inner and outer worlds. When we open up to the flow of our physical beings, all other pathways open. Gabrielle Roth

APPENDIX D

NDDDB LETTER



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

Wildlife Division  
Natural History Survey – Natural Diversity Data Base  
79 Elm Street, 6<sup>th</sup> Floor  
Hartford, CT 06106-5127

March 11, 2013

Timothy Delgado  
CT Department of Energy and Environmental Protection  
PO Box 280  
Old Lyme, CT 06371  
[timothy.delgado@ct.gov](mailto:timothy.delgado@ct.gov)

**Subject: NDDB Request #201300974**  
Proposed lengthening of waterskiing season,  
Wyassup Lake; North Stonington, CT

Dear Timothy Delgado,

I have reviewed Natural Diversity Data Base maps and files regarding Wyassup Lake in North Stonington, CT. Based on our current records, we do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from the proposed lengthening of the waterskiing season.

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Natural Diversity Data Base information includes all information regarding critical biologic resources available to us at the time of the request. This information is a compilation of data collected over the years by the CT Department of Energy & Environmental Protection, Bureau of Natural Resources and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site specific field investigations. Consultations with the Data Base should not be substituted for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available. If the proposed work has not been initiated within 12 months of this review, contact the NDDB for an updated review.

Please contact me if you have any questions ([nelson.debarros@ct.gov](mailto:nelson.debarros@ct.gov); 860-424-3585). Thank you for consulting the Natural Diversity Data Base and continuing to work with us to protect State-listed species.

Sincerely,

  
Nelson B. DeBarros  
Botanist/Ecologist