



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



February 1, 2010

Honorable Edward Meyer  
Honorable Richard Roy  
Co-Chairs, Environment Committee  
LOB, Room 3200  
Hartford, CT 06106-1591

Honorable John McKinney  
Ranking Member, Environment Committee  
LOB, Room 3402  
Hartford, CT 06106-1591

Honorable Clark Chapin  
Ranking Member, Environment Committee  
LOB, Room 3205  
Hartford, CT 06106-1591

**RE: Special Act No. 09-12 An Act Concerning the Recreational Use of Candlewood Lake**

Dear Members of the Joint Standing Committee on the Environment,

Pursuant to Special Act No. 09-12, *An Act Concerning the Recreational Use of Candlewood Lake*, the chief elected officials of the towns of Brookfield, New Milford, Sherman and New Fairfield and the city of Danbury and the Department of Environmental Protection (DEP) hereby report the recommendations concerning the maximum boat length and motor size to be permitted on Candlewood Lake. As directed by the Special Act, the following six factors were considered in making the recommendations: Public safety, public access, public pumpout facilities, noise pollution, user conflict and the carrying capacity of the lake.

On September 3 and December 10 of 2009, the chief elected officials of the five towns and the DEP met to share data, discuss strategies and develop recommendations. As preparation, the DEP, with assistance from the Candlewood Lake Authority, conducted a shoreline boat count on August 19, 2009. In the Fall, the DEP, with input from the chief elected officials, developed a boater survey that was distributed to Candlewood Lake users to identify user perceptions and to confirm vessel information. While not designed as a scientific survey, the 536 surveys that were analyzed successfully identified major perceptions and concerns of those responding boater user groups which included lakefront residents, residents of towns bordering the lake, Connecticut residents from non-bordering towns and out-of-state boaters.

Based on the analysis of data and discussions with the chief elected officials and representatives from Candlewood Lake Authority and First Light Power Resources, which

representatives were requested to participate by the chief elected officials, the following findings and recommendations are offered for consideration by the General Assembly:

Re: MAXIMUM VESSEL SIZE  
FINDINGS

- There was strong input from the chief elected officials and from respondents of the survey that large boats on Candlewood Lake are a major problem. Comments from the chief elected officials indicated that vessel size on Candlewood Lake was slowly increasing in response to the increasing boat traffic on the lake and the need for a smoother ride due to increased wakes.
- When asked to what extent survey respondents felt that certain recreation related activities were problems, *size of vessels* ranked second as *a major problem*. Of the people that responded to the survey and reported *size of vessels* to be *a major problem*, 47% (106 responses) were lake front owners.
- When respondents to the survey were asked for possible management actions that should be considered, *limiting vessel size* was the number one answer overall from lakefront, town bordering, and non-border Connecticut town boaters.
- According to the August, 2009 boat count, 110 of the 4,301 motorized boats on the Lake were 26 feet or greater.

RECOMMENDATION

**The five towns with the DEP reached consensus to support limiting the vessel size on Candlewood Lake to boats under 26 feet. The group recommends that the General Assembly work with all stakeholders, including boat owners whose boats would exceed the size restriction used on the lake and boat retailers around the lake, who might, prior to the restriction, possess vessels 26 feet or larger.**

IMPACT:

- This limitation may not serve to improve public safety, since boating accident records show that the majority of accidents occur in small boats.
- Restriction on size is aimed at reducing user conflicts where large boats are perceived to contribute to the sense of crowding or congestion and large wakes.
- Limiting the size of vessels will help to keep engine sizes in check and should also curb the number of vessels with installed toilets on the Lake.
- It may reduce noise and damage to docks from wakes and will diminish the concern of vessels being used as floating homes.
- The restriction will affect lakeshore residents the most and those that utilize marinas. The typical cutoff for trailerable boats is considered 25 feet, so transient day users will be least affected by the vessel size restriction.

Re: MAXIMUM ENGINE SIZE  
FINDINGS

- Respondents to the survey listed *excessive horsepower* as the third major recreation related activities that were problems. The problem was mainly acknowledged by lakefront and town bordering the lake boaters.
- Utilizing the boat count data, the Department provided evidence that Candlewood Lake is unique in that 73% of the 4,300 motorized boats moored or docked on the lake were comprised of stern drive or inboard engines. Only 27% were outboard engines. This is in contrast to statewide averages, of which 71% of the engines are outboards and only 29% have inboard or stern drive engines. These latter engine types are not clearly visible to the law enforcement officer, making enforcement based on engine size difficult.

RECOMMENDATION

**The five towns with the DEP recommend that no restriction should be made limiting motor size on Candlewood Lake.**

REASONS:

- It would be difficult to enforce a motor size limit on Candlewood Lake.
- It would be difficult to designate a size that would improve the six factors that were required to be addressed.
- Concern was raised about negatively altering the handling characteristics of a vessel if a boater switched out engines to comply with engine size restrictions. Altering handling characteristics could have a negative impact on the ability to drive the boat safely.

The Department and the undersigned local officials worked collectively to develop the recommendations and findings. Attachment 1 reflects the support of the Chief Elected Officials as to these recommendations. In addition, the Department committed to purchase two sound meters for the Candlewood Lake Authority to assist in addressing noise complaints, make funds available for pumpout infrastructure on the lake and, most importantly, DEP intends to take additional steps to increase state law enforcement patrols on the Lake beginning this boating season. It is important to acknowledge that a number of issues discussed during these meetings that pertained to public safety, public access, public pumpout facilities, noise pollution, user conflict and the carrying capacity remain unresolved. These include, but are not limited, to the concept of a boat sticker program; how best to address noise pollution from recreational boaters and anticipated congestion from increased dockage rights of shoreline property owners; and who will take ownership of needed pumpout facilities on the Lake. DEP and the five town officials affirm that it will be necessary and beneficial to continue the dialogue begun pursuant to this Act, in an attempt to improve boating safety and water quality related to boating activities on

Candlewood Lake beyond what could be envisioned by restrictions to vessel size and engine size. Such discussions will include a fair evaluation of public safety after one year in light of the Department's ongoing effort to increase law enforcement hours on Candlewood Lake.

As commissioner of the DEP, I sincerely appreciate the time and effort dedicated by the chief elected officials, Candlewood Lake Authority and First Light in bringing forth these recommendations and findings.

Should you have any questions, please do not hesitate to contact me or Robert LaFrance, Legislative Liaison at (860) 424-3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov).

Yours truly,



Amey W. Marrella  
Commissioner, DEP

AWM/ECM

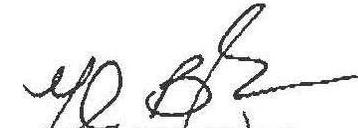
C: Susan Frechette, Deputy Commissioner, EC Branch  
Robert LaFrance, DEP Legislative Liaison  
William Hyatt, Acting Bureau Chief, DEP Natural Resources  
Eleanor Mariani, State Boating Law Administrator, DEP Boating Division  
Thomas Tyler, Acting Director, DEP State Parks and Public Outreach Division  
Raul Camejo, Captain, ENCON Police  
Timothy Delgado, Environmental Analyst –Regulatory Unit, DEP Boating Division  
R. Michael Payton, Navigation Safety/Boating Access Supervisor, DEP Boating Division

Enclosures:

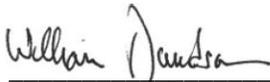
1. Results of the Candlewood Lake Boater Survey
2. Candlewood Lake Shoreline Vessel Count Results, August 19, 2009

**Attachment 1.**

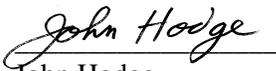
We, the undersigned chief elected officials of the towns of Brookfield, New Milford, Sherman and New Fairfield and the city of Danbury, pursuant to Special Act No. 09-12, herewith indicate our concurrence with the findings and recommendations addressed in this report.



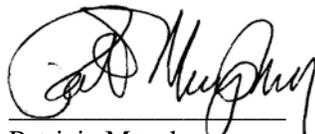
Mark Boughton  
Mayor, Danbury



William Davidson,  
First Selectman, Brookfield



John Hodge,  
First Selectman, New Fairfield



Patricia Murphy  
Mayor, New Milford



Phyllis Schaer,  
Sherman, representing Andrea O'Connor,  
First Selectman, Sherman